



# Planning Commission

## Memorandum

**Planning Division**  
**Community & Economic Development Department**

To: Salt Lake City Planning Commission

From: Michaela Oktay, Principal Planner

Date: November 14, 2012

Re: Feasibility of changing MU Zoning District standards for Single-family Attached & Detached dwellings - West Capitol Hill Amendments (PLNPCM2012-00462, 00463, 00464)

On October 10, 2012 the Planning Commission considered three West Capitol Hill Amendments that included a proposal to change the MU: Mixed Use District lot area and width regulations for mixed-use and multi-family uses.

During the public hearing several citizens spoke in favor of the applications. Of those who spoke, a few asked the Planning Commission to consider further changes to the MU Mixed Use Zoning District relating to the lot area and width of "single-family attached" and "single-family detached," to explore if reductions of these regulations would be appropriate. The commission tabled the petitions and asked Staff to explore the feasibility of making further changes to the proposal.

### *Analysis / Discussion*

Staff has analyzed the neighborhood and properties zoned MU. Although there are merits to smaller lot development for single-family attached housing, there are significant issues related to site access. A further reduction of lot width and area may create unintentional consequences of increasing the number of pedestrian and vehicular conflict points and increasing amount of hardscaped areas for driveways. Significant design standard changes would also be necessary to ensure minimization of conflict points. However, if the parking for single family attached were to be accessed from an alley or common drive that had limited connections to public streets, these issues could be avoided. This area does not contain the number of alleyways that other parts of the City do and the existing alleyways are not in a condition to

handle the increase in vehicular use that would occur with alley loaded access. The City does not currently budget resources for alley maintenance.

An alternative approach would be to allow a decrease in the lot area requirement for single family attached dwellings provided the parking for the units is not accessed directly from the street, but accessed from a common drive shared by all of the units in a particular development and that the common drive is located to the side or rear of the property and connects to a public street in a maximum of 2 locations.

Staff has researched other zoning districts and the regulations of the MU are generally consistent or even less stringent than other higher density zones like the RMU Residential Mixed Use District. The regulations appear to be appropriate and compatible with the development pattern in the area and neighborhood.

The proposed amendment the MU district does not discourage single-family detached. In Salt Lake City, any lot, including non-conforming lots can be used to build a single family detached dwelling. On a legal non-conforming lot, the previous non-complying setbacks and lot coverage can be grandfathered or one can opt to choose using existing zoning regulations or those of the R-1-5,000 zoning district when building a single-family residence. Any perceived negative effect on single-family residences is unwarranted.

### *Findings*

Staff finds that the lot width and area regulations for single-family detached dwellings are appropriate to the density of the MU Mixed Use zoning district and should not be changed at this time.

Staff finds that the lot area regulations for single-family attached could be changed with the addition of a qualifying provision as amended and attached to this memorandum.

### *Attachments*

1. Revised 11/14/12 - MU Text Amendment Draft Ordinance
2. Planning Commission Staff Report 10/10/12

THE PROPOSED CHANGES ARE A DRAFT PROPOSAL

**21A.32.130: MU MIXED USE DISTRICT:** 

- A. Purpose Statement: The purpose of the MU mixed use district is to encourage the development of areas as a mix of compatible residential and commercial uses. The district is to provide for limited commercial use opportunities within existing mixed use areas while preserving the attractiveness of the area for residential use. The district is intended to provide a higher level of control over nonresidential uses to ensure that the use and enjoyment of residential properties is not substantially diminished by nonresidential redevelopment. The intent of this district shall be achieved by designating certain nonresidential uses as conditional uses within the mixed use district and requiring future development and redevelopment to comply with established standards for compatibility and buffering as set forth in this section. The design standards are intended to facilitate walkable communities that are pedestrian and mass transit oriented while still ensuring adequate automobile access to the site.
- B. Permitted Uses: Uses in the MU mixed use district as specified in section [21A.32.140](#), "Table Of Permitted And Conditional Uses For Special Purpose Districts", of this chapter are permitted subject to the provisions set forth in section [21A.32.010](#) of this chapter and this section.
- C. Planned Development Review: Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections may be approved by the planning commission pursuant to the provisions of chapter [21A.55](#) of this title.
- D. Minimum Lot Area And Width: The minimum lot areas and lot widths required in this district are as follows:

Land Use	Minimum Lot Area	Minimum Lot Width
Multi-family dwellings (3 to 14 units)	<del>9,000 square feet<sup>1,2</sup></del> <u>No minimum</u>	<del>50 feet</del> <u>No minimum</u>
<del>Multi-family dwellings (15 or more)</del> <u>Mixed use developments, including residential and other uses allowed in the zoning district</u>	<del>17,500 square feet<sup>1,2</sup></del> <u>No minimum</u>	<del>80 feet</del> <u>No minimum</u>
Municipal service uses, including city utility uses and police and fire stations	5,000 square feet	50 feet
Natural open space and conservation areas, public and private	No minimum	No minimum
Nonresidential uses	No minimum	No minimum

Pedestrian pathways, trails and greenways	No minimum	No minimum
Places of worship less than 4 acres in size	5,000 square feet	50 feet
Public/private utility transmission wires, lines, pipes, and poles	No minimum	No minimum
Single-family attached dwellings	3,000 square feet per dwelling unit <sup>1</sup>	Interior: 22 feet Corner: 32 feet
Single-family detached dwellings	4,000 square feet	40 feet
Twin home	3,000 square feet per dwelling unit	20 feet
Two-family dwellings	6,000 square feet	40 feet
Utility substations and buildings	5,000 square feet	50 feet
Other permitted or conditional uses as listed in section <a href="#">21A.32.140</a> of this chapter	5,000 square feet	50 feet

Qualifying Provisions:

1. [The minimum lot area may be reduced to 2,000 square feet per unit provided:](#)
  - a. [Parking for units shall be rear loaded and accessed from a common drive shared by all units in a particular development;](#)
  - b. [Driveway access shall connect to the public street in a maximum of two locations; and,](#)
  - c. [No garages shall face the primary street and front yard parking shall be strictly prohibited.](#)

~~9,000 square feet for 3 units, plus 800 square feet for each additional dwelling unit up to and including 14 dwelling units. 17,500 square feet for 15 units, plus 750 square feet for each additional dwelling unit up to 1 acre. For developments greater than 1 acre, 800 square feet for each dwelling unit is required.~~

~~2. Density bonus: When the minimum open space requirement is increased to 30 percent; or when 80 percent or more of the off street parking is structured parking within the principal building or underground; or when a combined ratio of increased open space and structured parking within the principal building or underground is provided, the minimum lot area required, subject to site plan review approval, shall be as follows:~~

~~9,000 square feet for 3 units, plus 800 square feet for each additional dwelling unit up to and including 14 dwelling units. 17,500 square feet for 15 units, plus 650 square feet for each additional dwelling unit up to 1 acre. For developments greater than 1 acre, 700 square feet per dwelling unit is required.~~

# PLANNING COMMISSION STAFF REPORT

## West Capitol Hill Amendments

**PLNPCM2012-00462- Master Plan Amendments**  
**PLNPCM2012-00463- Zoning Map Amendments**  
**PLNPCM2012-00464- MU Mixed Use District Text Amendment**

**Meeting Date: October 10, 2012**



Planning and Zoning Division  
Department of Community and  
Economic Development

**Applicant:** Mayor Ralph Becker on behalf of Salt Lake City (RDA) Redevelopment Agency

**Staff:** Michaela Oktay  
801-535-6003  
michaela.oktay@slc.gov.com

**Master Plan Designation:** Capitol Hill Community Master Plan-various land use designations-see details in the report

**Council District:** District 3 – Council Member Stan Penfold

**Community Council:** Capitol Hill – Katherine Gardner, Chair

**Notification**

- Notice mailed on 9/27/12
- Newspaper ad on 09/29/12
- Sign posted on 10/1/12
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites 9/27/12

**Attachments:**

- A. Petition
- B. City Department/Division Comments
- C. Future Land Use Map (current)
- D. Public Comments
- E. Draft Ordinance

### **Request**

Mayor Ralph Becker has proposed the following changes be made in the West Capitol Hill Area:

1. The Future Land Use Map of the Capitol Hill Master Plan be amended to eliminate the “General Commercial” land use category within the RDA Project Area north of 600 North, and change those properties to a “High Density Mixed Use” future land use designation. This change would support amending the zoning map for those properties from CG General Commercial to MU Mixed Use.
2. The Future Land Use Map of the Capitol Hill Master Plan be amended to change the entire western block face along 300 West between 400 North and 500 North to “Medium Density Mixed Use.” This change would support amending the zoning map for properties that are currently zoned RMF-35 Moderate Density Multi-Family Residential to an MU Mixed Use Zoning District.
3. The Future Land Use Map of the Capitol Hill Master Plan be amended to change the “Medium Density Residential” land use designation to “Medium Mixed Use” at the northeast corner of 300 West and 300 North. This change would eliminate an existing conflict between the Master Plan and the zoning designation, CB Community Business.

Also part of this request is a proposed text amendment to the Zoning Ordinance related to the MU Mixed Use Zoning District. The proposal is to amend the minimum lot area and width regulations table for multifamily and mixed uses and to remove the qualifying provisions for multi-family residential. The purpose is to make the regulations more consistent with the purpose of the district.

(The details of each petition are discussed in the Project Review and analysis portion of this report).

### ***Recommendation***

Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the three amendments (PLNPCM2012-00462,00463,00464) generally meet the applicable standards and therefore, recommends the Planning Commission transmit a favorable recommendation to the City Council relating to these requests.

### ***Potential Motions***

**Consistent with Staff Recommendation:** Based on the findings listed in the staff report, testimony and plans presented, I move that the Planning Commission transmit a favorable recommendation to the City Council relating to the requests to make Capitol Hill Master Plan and Zoning Map amendments as indicated on the maps found in the Staff Report, and to amend the text of the zoning ordinance relating to the MU Mixed Use Zoning District.

**Not Consistent with Staff Recommendation:** Based on the testimony, plans presented and the following findings, I move that the Planning Commission transmit a negative recommendation to the City Council relating to the requests to make Capitol Hill Master Plan and Zoning Map amendments as indicated on the maps found in the Staff Report, and to amend the zoning ordinance relating to the MU Mixed Use Zoning District.

The Planning Commission shall make findings on the Zoning Map Amendment standards as listed below:

1. Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;
2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance;
3. The extent to which a proposed map amendment will affect adjacent properties;
4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
5. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.

The Planning Commission shall make findings on the proposed Text Amendment standards as listed below:

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



## Comments

### Public Comments

On May 10, 2012 the Planning Division held a “Stakeholder Meeting” and invited affected property owners and residents to review the proposed changes and to provide input. At this time, Staff received public comment relating to conflicts associated with the MU Mixed Use zoning district and its regulations that favor commercial over residential and mixed use development.

On August 6, 2012 the Planning Division held an “Open House” in the West Capitol Hill neighborhood, at NeighborWorks. Invitations were sent to property owners, residents and businesses within 400 feet of any affected parcel (over 1500 mailers), Capitol Hill and Fairpark Community Councils and those parties on the Planning Division list serve. Approximately 30 citizens attended the Open House to inquire about the proposal or to provide input. Staff also received approximately five phone calls.

### City Department Comments

The comments received from pertinent City Departments are attached to this staff report in Attachment B. The Planning Division has not received comments from the applicable City Departments that warrant denial of the petitions.

### Written Public Comments

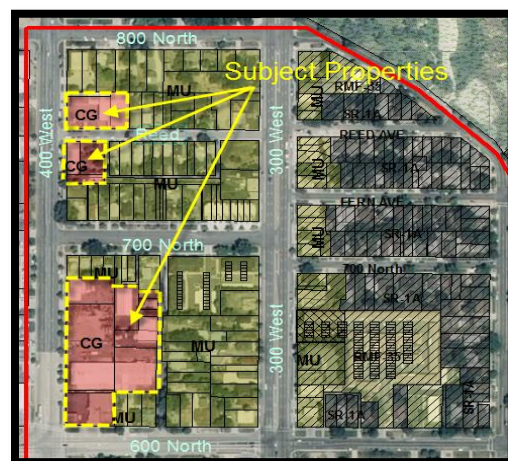
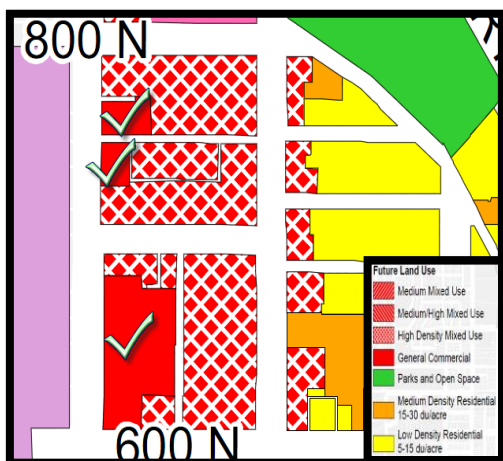
Staff has received written comment from the public and those are attached to this staff report in Attachment D.

## Project Review / Analysis and Findings

The project proposes the following changes:

### Master Plan & Zoning

1. The Future Land Use Map of the Capitol Hill Master Plan be amended to eliminate the “General Commercial” land use category within the RDA Project Area north of 600 North. The areas that are designated as “General Commercial” would be changed to “High Density Mixed Use” to be consistent with the surrounding area. This change would support amending the zoning map for properties that are currently zoned CG General Commercial to MU Mixed Use to be consistent with the surrounding properties.





**Analysis:** The CG General Commercial zoned properties located north of 600 North are designated as “General Commercial” by the Master plan. This is not an apparent conflict with regard to the zoning and the future land use designation, but the policies within the plan clearly support a master plan change to higher density mixed use. This change supports a rezoning of those parcels to a high density mixed use zoning designation.

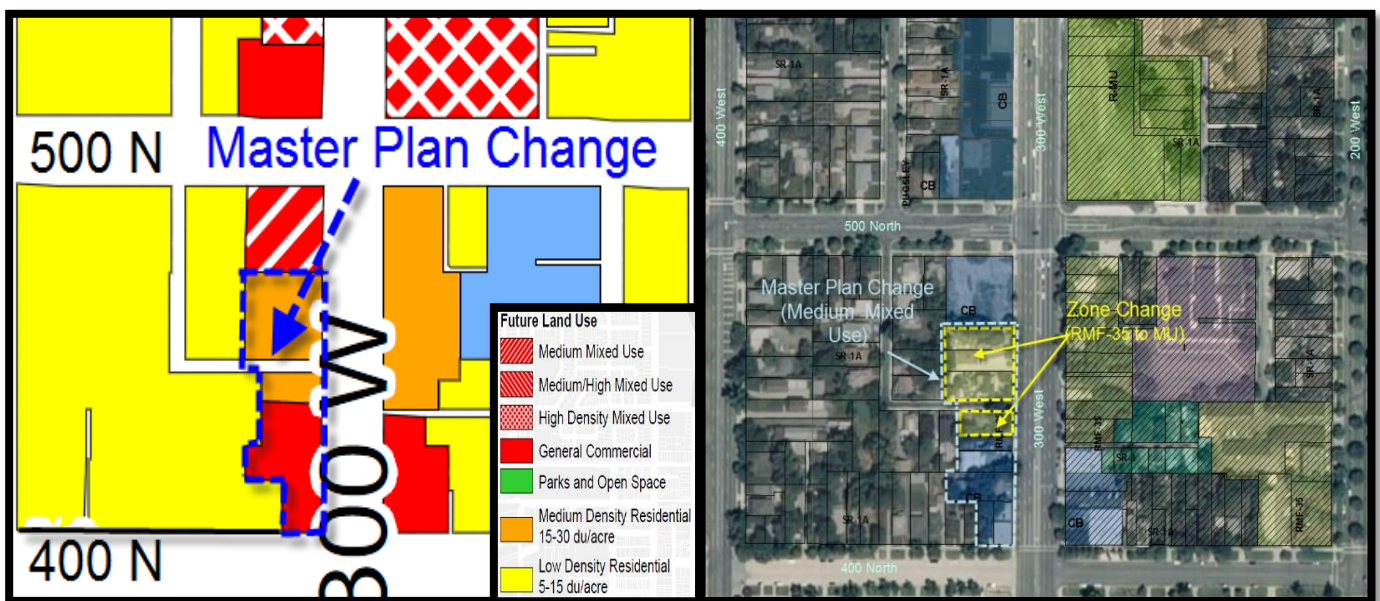
The Master Plan identifies the importance of mixed-use development as an opportunity for redevelopment with compatibility of scale being important in the neighborhood. Adopted policies identify the area between 600-900 North and 300-400 West as a “mixed use” area permitting both low-density residential and non-residential development and encourages medium to higher density residential development. It clearly identifies the importance of future infill development to be “compatible” with neighborhood characteristics, and allows increases in multi-family opportunities within the “mixed use” area.

The Master Plan discusses land use conflicts that have plagued the West Capitol Hill area due to heavy commercial uses. The mix of heavier commercial uses with residential uses on 400 West is specifically identified as a conflict. The following policy states, “Prohibit any future expansion of heavy commercial land uses east of 400 West.” A further action item is “to rezone heavy commercial land uses to encourage their relocation to the areas zoned for industrial uses in the Capitol Hill Community or elsewhere in the City.”

**Findings:** Planning Staff finds that changes to the CG zoned parcels to a “High Density Mixed Use” future land use designation and rezoning to the MU Mixed Use zoning district is consistent with purposes, goals, objective and policies of the adopted Master Plan for Capitol Hill.

*Master Plan & Zoning*

2. The Future Land Use Map of the Capitol Hill Master Plan be amended to change the western block face along 300 West between 400 North and 500 North to “Medium Density Mixed Use,” to provide a consistent extension of mixed use along the block face. This change would support amending the zoning map for properties that are currently zoned RMF-35 Moderate Density Multi-Family Residential to an MU Mixed Use Zoning District, to ensure future compatible infill of a mixed use character. There is no conflict with the underlying CB zoning district which would remain.



**Analysis:** The Capitol Hill Master Plan identifies policies that would support amending the future land use designation to “Medium Mixed Use” along the entire western block face of 300 West between 400 and 500 North.

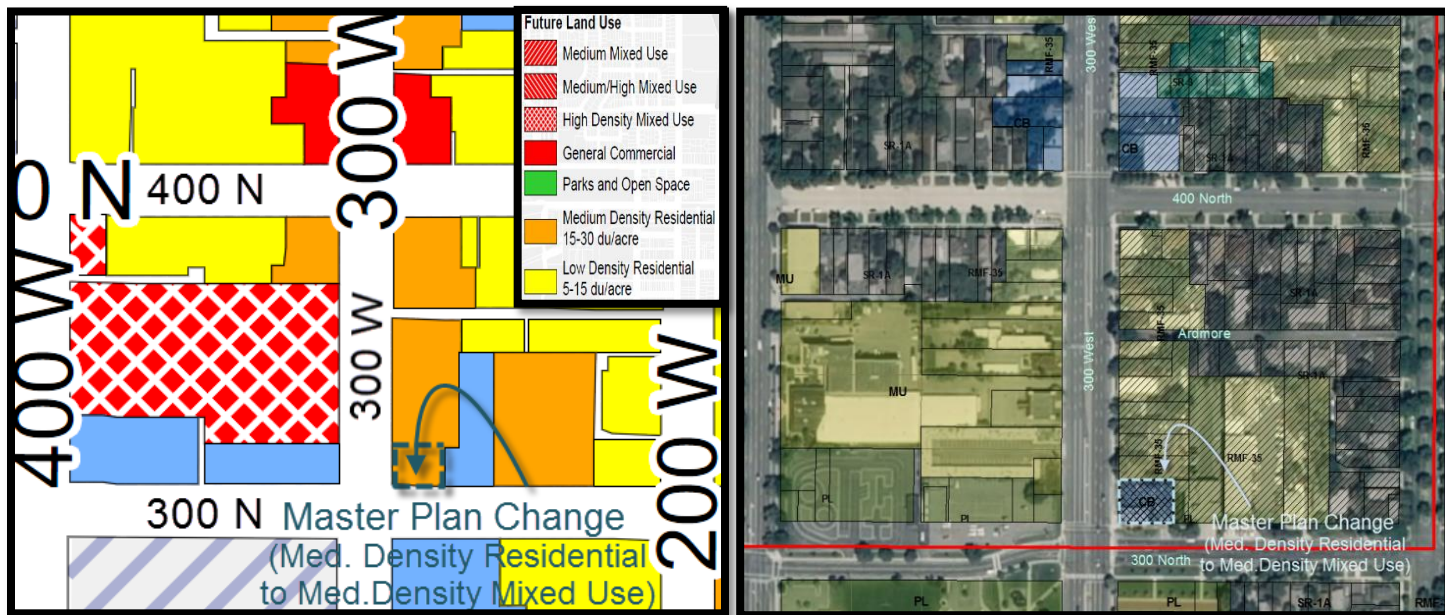
The plan supports the development of appropriate neighborhood commercial that caters to both vehicular and non-vehicular patrons, helps with vitality or neighborhood, but is compatible with residential development. The policy states, “Maintain existing neighborhood oriented commercial land uses and encourage new neighborhood commercial uses in areas where appropriate such as 300 West.”

The CB zoning district allow a various uses, including residential, and is consistent with a Master Plan designation of “Medium Mixed Use.” However, amending the land use to “Medium Mixed Use” for the RMF-35 and CB zoned parcels on the western block face would be appropriate to ensure that future mixed use development is compatible with the residential character of the neighborhood. A Master Plan amendment to “Medium Mixed Use” supports a zoning change for the RMF-35 to MU to accommodate for compatible future mixed use and commercial uses that would fit in a neighborhood. The CB zoned properties should remain as currently zoned.

**Findings:** Planning Staff finds that the western block face of 300 West between 400 North and 500 North should have a future land use designation of “Medium Mixed Use.” All RMF-35 Parcels along the western block face should be rezoned MU Mixed Use to accommodate compatible and appropriately located mixed use development. No zoning changes are necessary for the CB zoned properties and recent commercial construction is not likely to change the uses on those sites in the near future.

*Master Plan change only*

3. The Future Land Use Map of the Capitol Hill Master Plan be amended to change the “Medium Density Residential” land use designation to “Medium Density Mixed Use” at the northeast corner of 300 West and 300 North. This change would eliminate an existing conflict between the Master Plan and the zoning designation, CB Community Business.



**Analysis:** The Master Plan future land use designation of “High Density Residential” conflicts with the zoning and use of this property. The Master Plan policy states, “Maintain existing neighborhood oriented commercial land uses and encourage new uses where appropriate,” and encourages the reuse of small neighborhood commercial structures where appropriate. This building has been maintained and appears to be viable in the neighborhood.

**Findings:** Planning Staff finds that a conflict between the Master Plan and the zoning could be rectified with a Master Plan Amendment. The Future Land Use Map of the Capitol Hill Master Plan should be amended to change the “Medium Density Residential” land use to “Medium Mixed Use” at the northeast corner of 300 West and 300 North.

#### *Text Amendment - MU Mixed Use Zoning District*

West Capitol Hill is a mixed use neighborhood, with a large majority of properties zoned for mixed use. The neighborhood is a mix of single-family homes, townhomes, apartment buildings, commercial, and open spaces. Uses are mixed inside buildings or separated by individual buildings. Residential density limits in the neighborhood fall generally between 10-45 dwelling units per acre, medium/high density mixed use. The MU zoning district’s purpose and the Master Plan policies call to encourage the further development of the area as high-medium density mixed use.

The purpose of the MU Mixed Use district is: *“to encourage the development of areas as a mix of compatible residential and commercial uses. The district is to provide for limited commercial use opportunities within existing mixed use areas while preserving the attractiveness of the area for residential use. The district is intended to provide a higher level of control over nonresidential uses to ensure that the use and enjoyment of residential properties is not substantially diminished by nonresidential redevelopment. The intent of this district is achieved by designating certain nonresidential uses as conditional uses within the mixed use district and requiring future development and redevelopment to comply with established standards for compatibility and buffering. The design standards are intended to facilitate walkable communities that are pedestrian and mass transit oriented while still ensuring adequate automobile access to the site.”*

The proposed changes to the Zoning Ordinance are as follows (Draft ordinance is Attachment E):

- Add the use “Mixed Use developments, including residential and other uses allowed in the zoning district” to the table. This use is missing from the table.
- Amend the minimum lot area and width regulations for multi-family residential and mixed uses specifying no minimums.
- Removes the qualifying provisions associated with the allowable unit density for multi-family residential.

**Analysis:** In the MU zoning district, regulations should be compatible with current higher density development and encourage higher density residential and mixed use that is consistent with the purpose statements of the MU zoning district and its “high-density mixed use” land use designation. The minimum lot area required for multi-family districts should be specifically changed because the current requirement is a barrier to higher density housing and mixed use is difficult from a feasibility standpoint to create without an increase in residential density. This would allow moderate to high density multi-family residential or mixed use development consistent with the zoning district. Existing regulations from the Zoning Ordinance (lot, bulk,

design controls, including parking) would control the scale of the development and the market would dictate the composition of units within a development.

The regulations should be amended to also realize the density intent of the district and runs concurrent with the “Mayor’s Livability Principles” to:

- Pursue a strategy for additional high-density residential development near downtown.
- Enable moderate density in existing areas including increasing moderate density for attached single-family and multi-family developments.

**Findings:** Staff finds that the changes would put commercial, residential and mixed use residential development projects on a level playing field in the MU zoned areas. Walkable livable communities require sufficient residential to support retail uses. The proposed changes do not allow for larger buildings or decreases in parking, they simply allow the market to dictate the unit mix and let the existing bulk and design regulations control density.

### ***Analysis and Findings***

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. However, in making its decision concerning a proposed amendment, the City Council should consider the following factors found in the Zoning Ordinance under Section 21A.50.050:

#### **Zoning Text Amendment**

##### **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;**

The proposed text amendment provides additional refinement to the MU Mixed Use zoning district by identifying issues with the regulations and bringing the district more in line with its purpose. Maintenance and updating of the code is often necessary to increase consistency with goals, objectives and policies of Salt Lake City. The proposed text changes are consistent with adopted policy documents and with the Mayor’s Livability Agenda.

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

In the MU zoning district, regulations should be compatible with current higher density development and encourage higher density residential and mixed use that is consistent with the purpose statements of the MU zoning district and its “high-density mixed use” land use designation. Existing regulations from the Zoning Ordinance (lot, bulk, design controls, including parking) would control the scale of the development and the market would dictate the composition of units within a development. The amendment furthers the purpose statement.

##### **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**

This standard does not apply.

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

Clearly the MU properties close proximity to TRAX and the CBD would from a planning best practices perspective call for higher density mixed use. Higher density mixed use contributes to best practices for walkable, livable and sustainable neighborhoods. The amendment is an example of the best practice of identifying problems with regulations that may not be achieving their purpose or principles of good urban planning and making necessary changes.

#### **Zoning Map Amendment**

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

**Analysis:** The Capitol Hill Community Master Plan is the current master plan for the area. The policies for the neighborhood are to ensure that new infill development be compatible with the existing character of the neighborhood. The analysis and findings cited in this report have shown that the requested amendments are consistent with the policies of the Master Plan as well as with City policies.

**Finding:** Staff finds that the request to rezone the subject properties from CG to MU, or RMF-35 to MU, is consistent with Capitol Hill Master Plan as well as City policies, and meets this standard.

##### **2. Whether the proposed map amendment furthers the specific purpose statements of the Zoning Ordinance;**

**Analysis:** The analysis and findings cited in this report is consistent with the purpose statement pertaining to the proposed MU zoning district.

**Finding:** Staff finds that the proposed amendment does not conflict with the purpose and intent of the Zoning Ordinance and the characteristics of the properties are consistent with the purpose of the proposed zoning district.

##### **3. The extent to which the proposed amendment will affect adjacent properties;**

**Analysis:** The proposed amendment to change the zoning from CG to MU would protect the surrounding neighborhood from heavy commercial uses that would not be compatible with this neighborhood. The proposed amendment to change the zoning from RMF-35 to MU should allow for the commercial or mixed development called for by the Master Plan along 300 West. However, the MU zoning district was designed with regulations appropriate for compatible infill that should complement residential uses. If a three story building were built, maximizing it's size on a lot, it should be compatible with surrounding structures.

**Finding:** Staff finds that the proposed amendments will not adversely affect adjacent properties.

##### **4. Whether the proposed amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and**

**Analysis & Finding:** The properties are not located within any overlay districts.

**5. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.**

**Analysis:** Applicable City departments and divisions were given the chance to review and comment on the proposed amendments. No immediate deficiencies were noted as part of the review process.

**Finding:** Staff finds that the current public facilities and services intended to serve the subject properties should be adequate.

***Attachment A***  
Petition



# Petition Initiation Request

**Planning Division**  
**Community & Economic Development Department**

**To:** Mayor Ralph Becker

**From:** Wilf Sommerkorn, Planning Director *WS*

**Date:** July 10, 2012

**CC:** Frank Gray, Community & Economic Development Director; Mary De La Mare-Schaefer, Community & Economic Development Department Deputy Director; Cheri Coffey, Assistant Planning Director; Nick Norris, Planning Manager; DJ Baxter, RDA Director, file

**Re:** Initiate petition to amend the Capitol Hill Master Plan and rezone various properties within the RDA project area and Zoning text amendments to modify the "MU Mixed Use" Zoning District

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The Planning Division has completed an analysis of the applicable land use policies found in the Capitol Hill Master Plan, and the existing zoning and whether or not there are reasons to modify the adopted land use policies, the current zoning or both.

Based on the results of the analysis, the Planning Staff requests that you initiate a petition to change the zoning map and Master Plan land use designations for certain properties located within the West Capitol Hill Redevelopment Agency Project Area where appropriate (see attached maps).

This petition would also include amendments to improve the effectiveness of the MU Mixed Use Zoning District.



In summary, the Planning Division recommends the following changes be made:

#### Master Plan & Zoning

- The Future Land Use Map of the Capitol Hill Master Plan be amended to eliminate the “General Commercial” land use category within the RDA Project Area north of 600 North. The areas that are designated as “General Commercial” would be changed to “High Density Mixed Use” to be consistent with the surrounding area. This change would support amending the zoning map for properties that are currently zoned CG General Commercial to MU Mixed Use to be consistent with the surrounding properties.
- The Future Land Use Map of the Capitol Hill Master Plan be amended to change the entire western block face along 300 West between 400 North and 500 North to “Medium Density Mixed Use.” This change would support amending the zoning map for properties that are currently zoned RMF-35 Moderate Density Multi-Family Residential to an MU Mixed Use Zoning District, to ensure future compatible infill of a mixed use character.

#### Master Plan Only

- The Future Land Use Map of the Capitol Hill Master Plan be amended to change the “General Commercial” land use to “Medium Density Mixed Use” at the northwest corner of 300 West and 400 North to provide a consistent extension of mixed use along the block face. There is no conflict with the underlying CB zoning district and should remain.
- The Future Land Use Map of the Capitol Hill Master Plan be amended to change the “Medium Density Residential” land use designation to “Medium Density Mixed Use” at the northeast corner of 300 West and 300 North. This change would eliminate an existing conflict between the Master Plan and the zoning designation, CB Community Business.

#### MU Mixed Use Zoning District Amendment

The purpose of the MU mixed use district is to encourage the development of areas as a mix of compatible residential and commercial uses of a higher-medium density mixed use character.

- Analyze and amend the minimum lot area and width regulations pertaining to residential uses in the MU zoning district, regulations should be compatible with current development and encourage higher density residential that is consistent with the purpose statements of the MU zoning district and its “high-density mixed use” land use designation. The minimum lot area required for multi-family districts should be specifically changed so as not to prevent the development of higher density multi-family mixed use development.

- Remove the qualifying provisions associated with the allowable density for multi-family residential. This would result in moderate to high density multi-family residential or mixed use development consistent with the zoning district. Existing regulations from the Zoning Ordinance (lot, bulk, design controls, including parking) would control the scale of the development and the market would dictate the composition of units within a development.

The regulations should be amended to realize the density intent of the district and runs concurrent with the "Mayor's Livability Principles" to:

- Pursue a strategy for additional high-density residential development near downtown.
- Enable moderate density in existing areas including increasing moderate density for attached single-family and multi-family developments.



The West Capitol Hill Implementation Strategy recommends that the City make changes to the official zoning map to encourage compatible and appropriate uses in a mixed use environment.

The Planning Division will go through a public process to identify the issues in the West Capitol Hill area, hear the concerns and desires of property owners, residents, and business owners and other stakeholders. Based on the input from the affected property owners and other stakeholders, the proposed amendments identified above may be modified to address valid issues and to incorporate best practices necessary to address issues that are not yet identified.

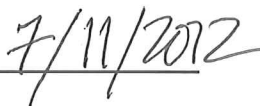
The zoning map, zoning text and master plan amendments will go through the legal adoption process, with the Planning Commission making a recommendation to the City Council and the City Council making the final decision

If you have any questions, please contact me. Thank you.

***Concurrence to initiating the text amendments petition as noted above.***

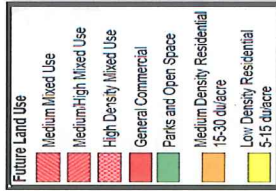
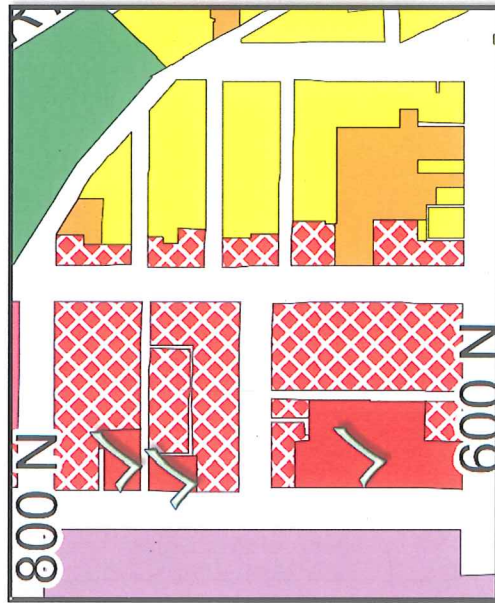
  
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**Ralph Becker, Mayor**

  
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**Date**

## Capitol Hill Master Plan



### Master Plan Policies & Discussion

- "Mixed-Use Area"
- "Compatible" infill development important
- Encourage medium to high-density residential
- Prohibit "heavy commercial land uses" in area
- "Rezone heavy commercial land uses to encourage their relocation"

## Zoning Map



### Recommended Changes

- Amend Capitol Hill Master Plan from "General Commercial" to "High Density Mixed Use"
- Rezone Properties to a "mixed use" zone: MU

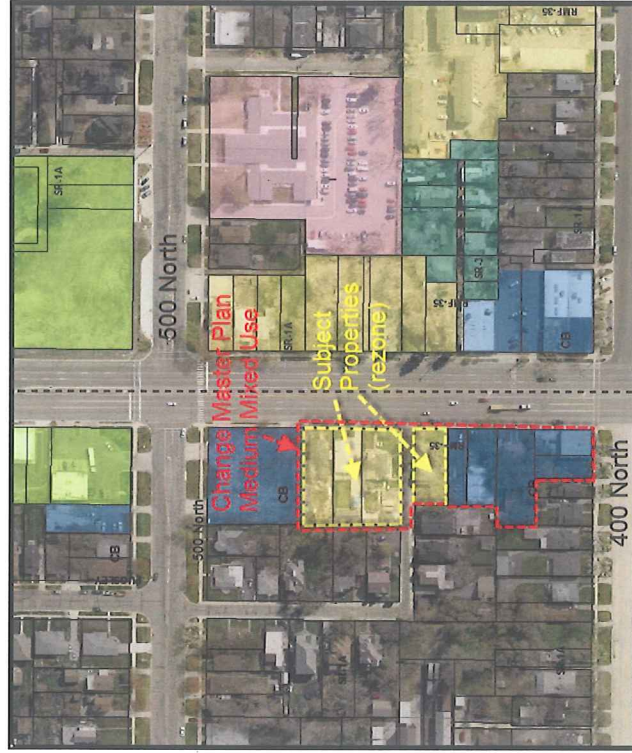
## Capitol Hill Master Plan



### Master Plan Policies & Discussion

- Encourage new neighborhood uses in appropriate areas such as 300 West
- "Compatible" infill development important
- Support development catering to vehicular and non-vehicular patrons
- Maintain existing neighborhood commercial uses

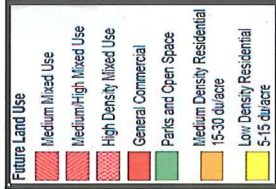
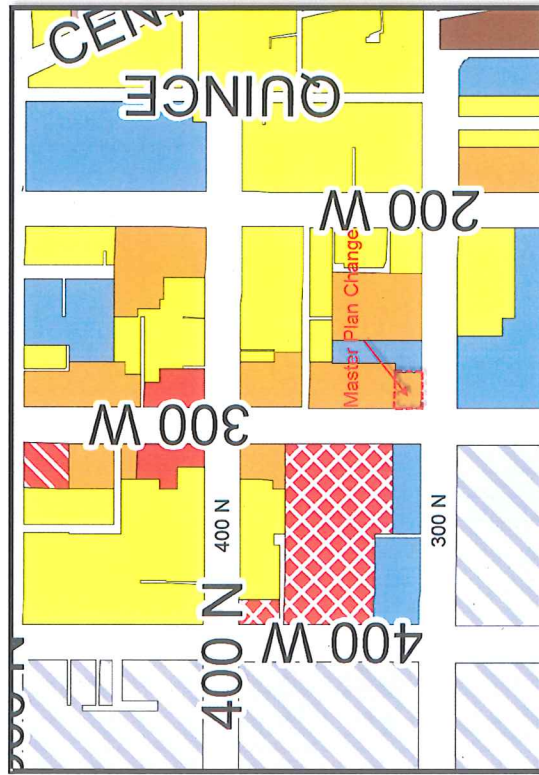
## Zoning Map



### Recommended Changes

- Amend Capitol Hill Master Plan in area designated to "Medium Density Mixed Use"
- Rezone RMF-35 properties to a "mixed use" zone: MU

## Capitol Hill Master Plan



## Zoning Map



### Master Plan Policies & Discussion

- High-Density Residential Future Land Use Designation conflicts with Zoning District
- "Maintain existing neighborhood businesses"

### Recommended Changes

- Amend Capitol Hill Master Plan from "Medium Density Residential" to "Medium Mixed Use"

***Attachment B***

City Department/Division Comments



# Work Flow History Report

PLNPCM2012-00462, 00463,00464

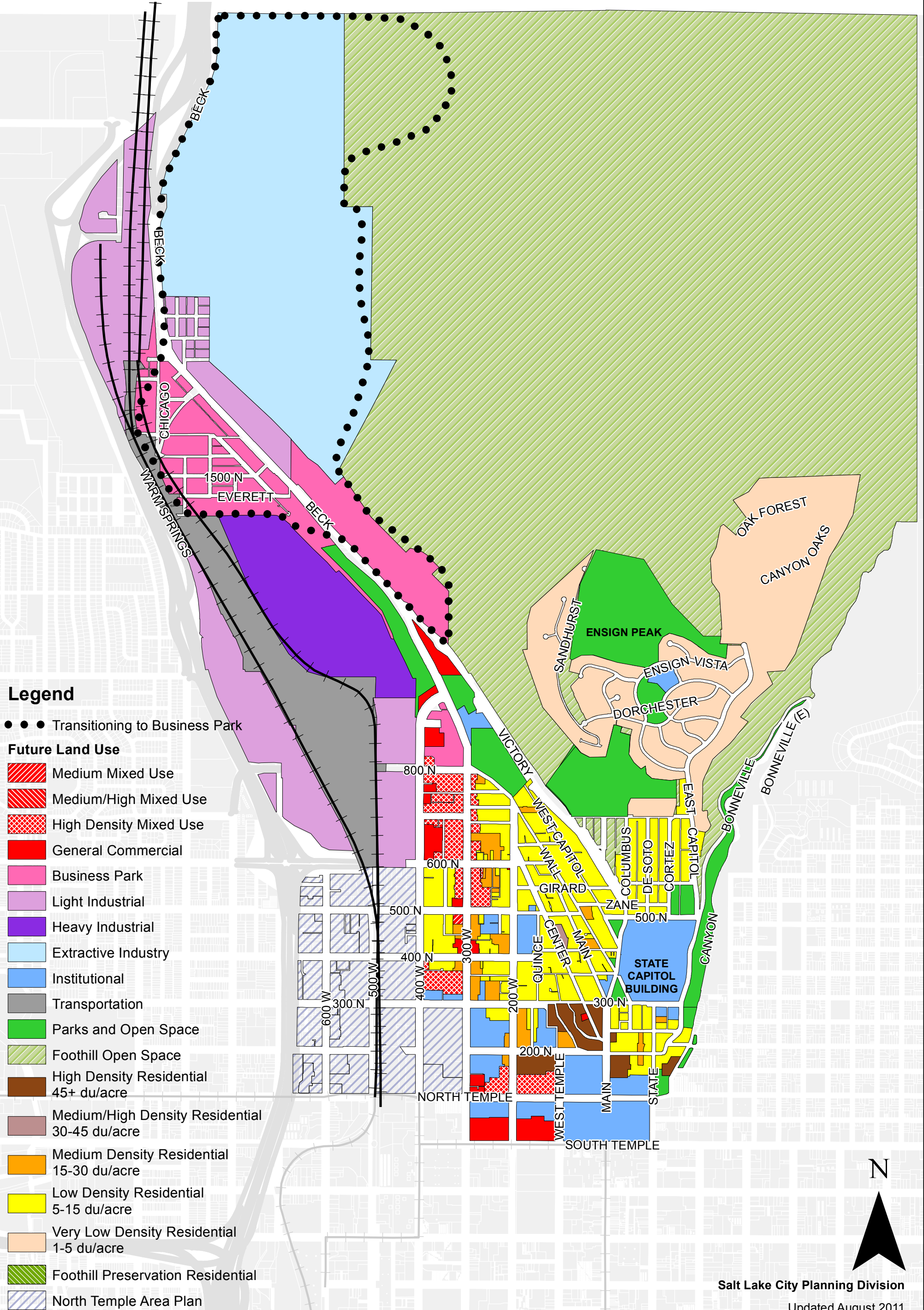
Date	Task/Inspection	Status/Result	Action By	Comments
8/15/2012	Fire Code Review	Complete	Itchon, Edward	no comment
8/20/2012	Transportation Review	Complete	Walsh, Barry	Transportation review comments are as follows: Section 21A.32.130 section A, the last part of the paragraph notes "adequate automobile access to the site" and in section D the chart notes under minimum lot width - blank for Multi-Family dwellings and No minimum for Mixed USE development. Our concern is for a Use that does not require vehicular access this would be fine. But where vehicular access is needed to be defined a minimum lot width should be 20 feet plus in keeping with minimum lot for residential Flag lots.
8/22/2012	Engineering Review	Complete	Weiler, Scott	No comment
9/13/2012	Building Review	Complete	Oktay, Michaela	reviewed, no comment
9/13/2012	Police Review	Complete	Oktay, Michaela	no comments
9/13/2012	Public Utility Review	Complete	Oktay, Michaela	no comments
9/13/2012	Sustainability Review	Complete	Oktay, Michaela	no comments
9/13/2012	Zoning Review	Complete	Oktay, Michaela	reviewed, no comment

***Attachment C***  
Capitol Hill Future Land Use Map



# Capitol Hill

## Future Land Use Map



***Attachment D***  
Public Comments

PROPOSAL TO CONSIDER AMENDING THE CAPITOL HILL  
MASTER PLAN AND THE SALT LAKE CITY ZONING MAP  
IN THE WEST CAPITOL HILL COMMUNITY

Open House

10 May 2012

MAIL COMMENTS TO:  
MICHAELA OKTAY, PRINCIPLE PLANNER  
451 S. STATE STREET, ROOM 406  
SALT LAKE CITY, UT 84111  
OR SEND E-MAIL TO: [Michaela.oktay@slcgov.com](mailto:Michaela.oktay@slcgov.com)

Name: Paul CHRISTENSEN

Address: 1831 Connor St., SLC, UT 84108

COMMENTS:

PLS. KEEP 365 W. ROAD AVE

R-MV. FINE WITH  
REMOVING CG BUT PLS.

DO NOT USE MV OR R-MV-45.

PROPOSAL TO AMEND THE CAPITOL HILL MASTER PLAN, THE ZONING ORDINANCE  
AND THE SALT LAKE CITY ZONING MAP ON CERTAIN PARCELS  
IN THE WEST CAPITOL HILL RDA PROJECT BOUNDARIES

Open House

6 August 2012

MAIL COMMENTS TO:  
JOHN ANDERSON, PRINCIPLE PLANNER  
451 S. STATE STREET, ROOM 406  
SALT LAKE CITY, UT 84111

OR SEND E-MAIL TO: john.anderson@slcgov.com

Name: Lee Mitchell

Address: 230 W. 300 N.

COMMENTS: TRAFFIC on Residential 300 N

instead of North Temple turn N to 300 W  
is congested with buses turning  
& lined up. People will shortcut  
on 200 W, & turn on 300 N,  
W, going home or going to work.)  
(vice versa)

400 W, going south from 600 N  
left hand turn lanes painted solid  
yellow line on 5th, 4th N so all going  
to 300 North. (school & residential)

PROPOSAL TO AMEND THE CAPITOL HILL MASTER PLAN, THE ZONING ORDINANCE  
AND THE SALT LAKE CITY ZONING MAP ON CERTAIN PARCELS  
IN THE WEST CAPITOL HILL RDA PROJECT BOUNDARIES

Open House

6 August 2012

MAIL COMMENTS TO:  
JOHN ANDERSON, PRINCIPLE PLANNER  
451 S. STATE STREET, ROOM 406  
SALT LAKE CITY, UT 84111  
OR SEND E-MAIL TO: john.anderson@slcgov.com

Name: George Stutzman

Address: 700 N. Columbus St. SLC, UT 84103

COMMENTS:

Include "Dollar Store" property in zone change to MU  
Include zoning change to MU - "California Hamstrings"  
on corner of 300 W. 300 N.

May 17, 2012

Ms. Michaela Oktay  
Salt Lake City Planning Department  
City and County Building  
Salt Lake City, Utah 84111

Dear Michaela:

Thank you so much for hosting an open house on the West Capitol Hill Master Plan last week. I am sorry that I was the only property owner that showed up but I appreciate the time that you and your colleague put into planning the meeting and explaining the issues to me.

As we discussed, I own 365 West Reed Avenue. It is currently zoned CG and I purchased it because of the flexibility allowed by that zone, particularly for higher-density multifamily use. I have no problem with you rezoning the property to take away some of the uses allowed in the CG district that are incompatible with the neighborhood. However, due to the proximity of the property to heavy commercial areas on 400 West that seem to be permanent, I would hope that this property would still be zoned to allow substantial development.

We discussed the R-MU zone as one of the possibilities for the rezoning. I would strongly hope that this is the zone that is used. The property owners are already giving up significant flexibility if the CG zone is taken away and this zone will still allow development that would be a blend between the commercial and residential uses on either side of the property but from a use perspective is more compatible with the long-term goals of the neighborhood. My concerns about using an RMF or the other MU zones is that the lot size requirements in those regulations will stifle development and place an unfair burden on the property owners affected (including myself). If this zoning change were to take place the property owners would be giving up something of sizeable value in that the CG zone is quite flexible. Giving them something that still allows them to get a return on investment through the R-MU zone seems to be well suited for the residential neighbors, is keeping with the master plan and create needed density.

Please let me know if I can attend any future meetings with you or members of the government.

I am copying Charlie Luke, my City Council representative, as well.

Sincerely,



Paul Christenson

1831 Connor Street  
Salt Lake City, UT 84108

cc: Mr. Charlie Luke, City Council

RECEIVED JUN 04 2012

Comments regarding parking requirements west of 300 West:

- 300 West is a main public transportation corridor with regularly scheduled buses coming from the north (Ogden, Layton, Bountiful, etc.). Walking access to a bus stop is within a few hundred feet and literally less than a one (1) minute walk.
- 600 North 300 West is a short walk to North Temple
- Diverse community, spanning all ages, many income levels, students, etc.
- 3' mow strip (back of curb to edge of sidewalk) separating 300 West and the sidewalk. A 3' mow strip along a very busy street is not ideal. Increasing the size of the mow strip seems unreasonable, but on-street parking will provide additional buffer and distance to vehicles passing by.
- 300 West is designed to move many vehicles as quickly and efficiently as possible. This conflicts directly with certain principles of a walk-able neighborhood. However, on-street parking may be the best traffic calming device and safety barrier that is available for 300 West. There is a painted bicycle lane and identified space for on-street parking on 300 West. Encouraging on-street parking on 300 West will help calm traffic and increase safety for those walking on the sidewalks.
- 300 West bus stops are much closer to transportation lines than several other areas that are eligible for the Transit Development Ordinance. Much of the Transit Ordinance parking requirements seem appropriate for urban design.
- Parking requirements for areas West of 300 West should reflect a more urban environment. For example: The condo development located at 700 North and 325 West consists of three (3) buildings, containing twelve (12) condo units per building for a total of thirty six (36) residences. On August 4, 2012 at 7:30 AM, I counted cars in stalls. I assume early Saturday and Sunday mornings provide the most cars parked. There are sixty-six (66) stalls, without counting handicap stalls. There were thirty-three (33) parked cars and thirty-three (33) empty stalls. In addition, there is room for ten (10) parked cars on the private street. Three (3) cars were parked, leaving ten (7) available spaces. The public street allows for eleven (11) parked cars, while five (5) stalls were occupied, leaving six (6) vacant. In summary, a total of seventy-six (76) stalls are available (parking lot and private street), only thirty-six (36), less than half are used. This still leaves available public street parking.
- Many residents have one (1) car per house-hold and several people ride the bus, walk and/or ride bikes.
- Reducing parking surfaces will help minimize hard surfaces, leave more room for open space, gardens, etc., promote walking and public transportation and it will increase pedestrian safety.

Thank you for allowing public feedback. Please feel free to contact me with questions, concerns, etc.

Dave Robinson  
801.372.2950

**From:** [Oktay, Michaela](#)  
**To:** ["Judy Burnett"](#)  
**Subject:** RE: Hi Micaela, I have a question re: MU amendment  
**Date:** Monday, October 01, 2012 8:12:00 AM

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Hi Judy,

Thank you so much for your email. I will send you the Staff Report when it is available. There is a section of parcels along 400 W zoned CG General Commercial, the proposal is to rezone them to MU Mixed Use and a further land use designation of High Density Mixed Use. This would actually limit the density of any potential uses and housing more than exists today. Essentially this would be considered a downzone and more complimentary to the surrounding neighborhood which is MU. I will include your comments to the Planning Commission, please contact me so I can further explain the details. You did not include your phone number but I would be happy to give you a call if you would like.

Best,

## **Michaela Oktay, AICP**

Principal Planner

Salt Lake City Corporation  
451 South State Street #406  
PO Box 145480  
Salt Lake City, UT 84111-5480  
801.535.6003  
[michaela.oktay@slcgov.com](mailto:michaela.oktay@slcgov.com)

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**From:** Judy Burnett [<mailto:burnettcollc@gmail.com>]  
**Sent:** Friday, September 28, 2012 4:25 PM  
**To:** Oktay, Michaela  
**Subject:** Hi Micaela, I have a question re: MU amendment

I got the notice of the West Capital Hill Amendments and am unable to attend the meeting. My question is this: where can I find the details on the proposed changes regarding the zoning text amendment? I live in a MU zone and am happy with it the way it is.

I am really unhappy to hear they may be putting high density residential on 4th W between 600 and 800 N. It would not be an issue if it were to be condos but apartments would bring problems to this quiet area.

Please pass my concerns on to whomever might be able to get them in on a discussion.

Thank you kindly



Judy Burnett  
Homeowner  
319 W 800 N  
Salt Lake City, UT  
84103

***Attachment E***  
Draft Ordinance

THE PROPOSED CHANGES ARE A DRAFT PROPOSAL

**21A.32.130: MU MIXED USE DISTRICT:** 

- A. Purpose Statement: The purpose of the MU mixed use district is to encourage the development of areas as a mix of compatible residential and commercial uses. The district is to provide for limited commercial use opportunities within existing mixed use areas while preserving the attractiveness of the area for residential use. The district is intended to provide a higher level of control over nonresidential uses to ensure that the use and enjoyment of residential properties is not substantially diminished by nonresidential redevelopment. The intent of this district shall be achieved by designating certain nonresidential uses as conditional uses within the mixed use district and requiring future development and redevelopment to comply with established standards for compatibility and buffering as set forth in this section. The design standards are intended to facilitate walkable communities that are pedestrian and mass transit oriented while still ensuring adequate automobile access to the site.
- B. Permitted Uses: Uses in the MU mixed use district as specified in section [21A.32.140](#), "Table Of Permitted And Conditional Uses For Special Purpose Districts", of this chapter are permitted subject to the provisions set forth in section [21A.32.010](#) of this chapter and this section.
- C. Planned Development Review: Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections may be approved by the planning commission pursuant to the provisions of chapter [21A.55](#) of this title.
- D. Minimum Lot Area And Width: The minimum lot areas and lot widths required in this district are as follows:

Land Use	Minimum Lot Area	Minimum Lot Width
Multi-family dwellings ( <del>3 to 14 units</del> )	<del>9,000 square feet</del> <sup>1,2</sup> <u>No minimum</u>	<del>50 feet</del> <u>No minimum</u>
<del>Multi-family dwellings</del> ( <del>15 or more</del> ) <u>Mixed use developments, including residential and other uses allowed in the zoning district</u>	<del>17,500 square feet</del> <sup>1,2</sup> — <u>No minimum</u>	<del>80 feet</del> — <u>No minimum</u>
Municipal service uses, including city utility uses and police and fire stations	5,000 square feet	50 feet

Natural open space and conservation areas, public and private	No minimum	No minimum
Nonresidential uses	No minimum	No minimum
Pedestrian pathways, trails and greenways	No minimum	No minimum
Places of worship less than 4 acres in size	5,000 square feet	50 feet
Public/private utility transmission wires, lines, pipes, and poles	No minimum	No minimum
Single-family attached dwellings	3,000 square feet per dwelling unit	Interior: 22 feet Corner: 32 feet
Single-family detached dwellings	4,000 square feet	40 feet
Twin home	3,000 square feet per dwelling unit	20 feet
Two-family dwellings	6,000 square feet	40 feet
Utility substations and buildings	5,000 square feet	50 feet
Other permitted or conditional uses as listed in section <a href="#">21A.32.140</a> of this chapter	5,000 square feet	50 feet

**Qualifying Provisions:**

~~1. 9,000 square feet for 3 units, plus 800 square feet for each additional dwelling unit up to and including 14 dwelling units. 17,500 square feet for 15 units, plus 750 square feet for each additional dwelling unit up to 1 acre. For developments greater than 1 acre, 800 square feet for each dwelling unit is required.~~

~~2. Density bonus: When the minimum open space requirement is increased to 30 percent; or when 80 percent or more of the off-street parking is structured parking within the principal building or underground; or when a combined ratio of increased open space and structured parking within the principal building or underground is provided, the minimum lot area required, subject to site plan review approval, shall be as follows:~~

~~9,000 square feet for 3 units, plus 800 square feet for each additional dwelling unit up to and including 14 dwelling units. 17,500 square feet for 15 units, plus 650 square feet for each additional dwelling unit up to 1 acre. For developments greater than 1 acre, 700 square feet per dwelling unit is required.~~