



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission
From: Daniel Echeverria, 801-535-7165, daniel.echeverria@slcgov.com
Date: March 5, 2015
Re: PLNPCM2014-00380 - 400 S & Concord Street Neighborhood Node Rezone

Zoning Amendment

PROPERTY ADDRESSES: 1217, 1221, 1225, 1233, and 1266 W 400 South

PARCEL ID: 15-02-307-004, -003, -002, -001, & 15-02-302-019

MASTER PLAN: Westside

ZONING DISTRICT: R-1/5,000, Single Family Residential (Current)
CN, Neighborhood Commercial (Proposed)
R-MU-35, Residential/Mixed Use (Proposed)

REQUEST: The City is proposing to amend the zoning map designation for properties located near the intersection of 400 S and Concord Street. The intent of the proposal is to establish the zoning rules necessary to create a “neighborhood node” in the Westside Master Plan. To accomplish this, the proposal includes rezoning them from R-1/5,000, Single Family Residential, to CN, Neighborhood Commercial, and R-MU-35, Residential/Mixed Use. The CN and R-MU-35 designations will allow for a greater diversity of mixed uses and opportunities to expand and reinforce the neighborhood business node. The properties are currently used for single-family homes.

RECOMMENDATION: Based on the information in this staff report, Planning Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the proposed zoning amendment.

The following motion is provided in support of the recommendation:

Based on the findings and analysis in the staff report, testimony, and discussion at the public hearing, I move that the Planning Commission transmit a positive recommendation to the City Council for the proposed zoning amendment.

ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Property Photographs](#)
- C. [Existing Conditions & Development Standards](#)
- D. [Analysis of Standards](#)
- E. [Public Process & Comments](#)
- F. [Department Review Comments](#)
- G. [Motions](#)

PROJECT DESCRIPTION:

The subject properties are located in the Westside Community. The Westside Master Plan recognizes a need to encourage growth, redevelopment, and reinvestment in the Westside in order to support the vision of the Westside Community as a “beautiful, safe, sustainable place for people to live, work, and have fun.” The Master Plan proposes a number of ways to accommodate this growth, and a key component of this includes the concept of “nodes.”

A node is defined as “an intersection consisting of at least one major road where there is potential for changes in land use and the development pattern.” Additionally, they are “integrated centers of activity” and critically, they are the “key types of locations for redevelopment” in the community. The Master Plan designates these nodes as places where the community can and should accommodate future growth and development.

There are several different levels of nodes. From lowest to highest intensity of development, these include “neighborhood,” “community,” and “regional” nodes. The Master Plan designates a number of intersections in the community as “nodes.” The subject properties are all located at the intersection of 400 South and Concord Street, which was identified as a “neighborhood node.” The Master Plan describes this type of node as the following:

“Neighborhood nodes are small-scale intersections that incorporate small commercial establishments and residential options. These nodes are easily accessible from the surrounding neighborhoods by foot or bicycle but provide very little parking, as they are not normally major attractors for residents outside of the neighborhood. They are also ideal locations for uses that cater to everyday needs and walking trips such as corner markets, cafes/restaurants, and salons or barbershops. In West Salt Lake, these nodes are generally surrounded by single-family homes, so the new residential component must be compatible. Appropriate development would consist of one or two stories of apartments or condominiums above the ground-floor commercial use, accommodating densities between ten and 15 units per acre. Parking for new mixed use developments would be limited to the street or lots behind buildings.” (38)

The purpose of the rezone is to support the development of this node into what is envisioned by the Master Plan. Three of the corners of this intersection are currently zoned CN, Neighborhood Commercial, and are used for commercial uses that support the immediate and larger neighborhood needs. However, the south-east corner is exclusively single-family residential and is zoned R-1/5,000, Single Family Residential. The proposal applies the R-MU-35 designation to this corner across four single-family residential properties. This intent of this is to allow these single-family homes to redevelop into mixed or commercial uses that would support the long term viability of this neighborhood node and accommodate both commercial and residential growth in the community.

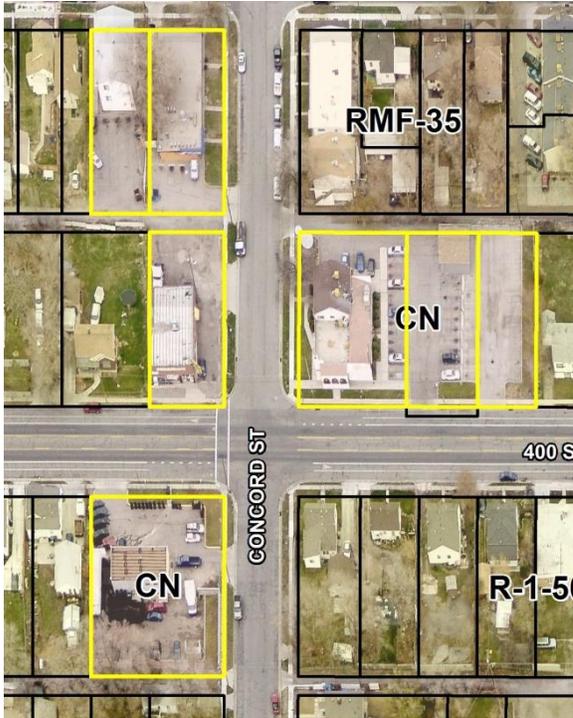
The proposal also expands the CN district to include one additional single-family home on the north-west corner. The additional CN zoned property may allow this corner to accommodate new growth and development. Currently, the CN corner property is fairly small and this size limit its ability to grow or accommodate new, viable uses, especially when taking into consideration the parking and landscaping improvements required for new development.

KEY ISSUES:

The key issues listed below have been identified through the analysis of the project, neighbor and community input and department review comments.

1. Importance of Required Commercial Uses in the CN Zone
2. Single-Family Homes in the CN and R-MU-35 Zones
3. Zoning Compatibility with Adjacent Residential Properties
4. Future R-MU-35 Regulation Changes

Issue 1 – Importance of Required Commercial Uses in the CN Zone



The existing area zoned CN at this node is over 75,000 square feet. The district size limit is 90,000 sq ft.

Planning staff considered applying the R-MU-35, Residential Mixed Use Zoning District across the entire neighborhood node. However, staff ultimately determined that maintaining the existing CN zoning where it is already applied would be the best option to preserve commercial uses at this node. In the CN zone, residential development is only allowed when it includes a commercial component. This prevents the node from being redeveloped solely for residential purposes and requires all future residential development at this node to be mixed-use. Alternatively, the R-MU-35 zone allows mixed uses, which combine residential and commercial uses, but also allows for purely residential development. Therefore, zoning this entire node to R-MU-35 could result in the loss of all the commercial development at this node in the long term. Active, commercial uses are an important component of neighborhood nodes and retaining portions of this node under the CN zone will better ensure that these types of uses remain at this intersection.

Staff also considered the potential of rezoning the four single-family homes on the south-east corner to CN, which would match the existing zoning of the other corners of this node. However, the CN zone has a maximum district size limitation of 90,000 square feet. The existing CN district at this node is approximately 75,000 square feet. The inclusion of the four residential properties on the south side of the street under the CN zoning would have resulted in a district that exceeds the size limit and so a mix of zones is necessary.

Issue 2 – Single-Family Homes in the CN and R-MU-35 Zones



The single family home at the center of this photo is proposed to be rezoned to CN. The business on the right is currently zoned CN.

One single-family home will be rezoned to CN as part of this proposal. Although the home will be under a commercial zoning designation, the home can continue to function in the near term as a “legal complying” single-family homes. This legal complying status means that the home is recognized by the city as a legal residence and can be maintained like normal single-family

homes located in residential zones. The property owner of this home can also build new additions or completely rebuild the home. In the case of a complete rebuild or an addition, the home can be expanded to up to 25% beyond its original footprint. The home can be expanded greater than 25% through a conditional use process. The home can continue to exist as single-family residences until it is sold by the property owner and redeveloped.



These four single family home properties are proposed for rezone to R-MU-35.

Four detached single-family homes will be rezoned to R-MU-35 as part of this proposal. Unlike the CN zone, the R-MU-35 zone allows for detached single-family residential as a permitted use, so the homes would be able to continue to function and expand as allowed uses if they are rezoned. This would allow them to be expanded and rebuilt up to the full R-MU-35 zoning allowances. For example, the homes could be replaced with new, detached single-family homes with heights of up to 35 feet, as opposed to being limited to 25' as they currently are under CN zoning.

Issue 3 – Zone Compatibility with Adjacent Residential Properties

CN Zone Compatibility



The property proposed for CN is highlighted in yellow. A line of ~40' tall mature trees can be seen along the left side of the property, providing a buffer between the two properties.

As discussed, one existing single-family home property is proposed to be rezoned to CN. The purpose of the CN zone is as follows:

The CN neighborhood commercial district is intended to provide for small scale, low intensity commercial uses that can be located within and serve residential neighborhoods. This district is appropriate in areas where supported by applicable master plans and along local streets that are served by multiple transportation modes, such as pedestrian, bicycle, transit and automobiles. The standards for the district are intended to reinforce the historic scale and ambiance of traditional neighborhood retail that is oriented toward the pedestrian while ensuring adequate transit and automobile access. Uses are restricted in size to promote local orientation and to limit adverse impacts on nearby residential areas.

As stated in the purpose statement, the zone is intended for neighborhood nodes such as this one, which are located directly adjacent to residential neighborhoods. The zoning standards of

the CN zone limit the size and scale of development and thus limit the potential for negative impacts on the surrounding neighborhood. Allowed heights are similar in the CN and the adjacent R-1/5,000 zone. The height limit for the CN zone is 25', which is less than the 28' maximum height allowed by the neighboring R-1/5,000 zone. This reduces height potential conflicts and generally keeps development similar in scale to that allowed for nearby residential buildings. Although this height limit could be increased to up to 30' through a Planned Development process, such a height increase would be subject to additional building design review for neighborhood compatibility.

The expanded CN zone abuts single-family residential properties on the west, and a single family home and apartment building on the north. The apartment building is currently zoned CN and the rear of the lot is used for a parking lot, which is unlikely to experience any negative impacts from additional adjacent development. The adjacent single-family home may potentially experience some noise or visual impacts but such impacts are expected to be reduced by the required buffering.

Although the CN zone requires only a minimum 10' rear yard setback and no side yard setback, new development would be required to install new landscaping and buffering along rear and side yards that are adjacent to single-family zones. For the CN zone, this would include a 7' landscape buffer, which would need to include shade trees every 30', shrubs of at least 4' in height, and 6' tall fencing. The required buffering is expected to reduce any potential visual impacts of new development on adjacent R-1/5,000 zoned single-family residences. Additionally, the existing tall mature trees along the side yard of the adjacent single-family home to the west will maintain a significant visual barrier between the two zones. Such mature trees would generally be protected from removal with any new development on the proposed CN property as per the City's Tree Protection Ordinance found in 21A.48.135.

The front yard setback of the CN zone also maintains compatibility with the adjacent streetscape setbacks. The CN zone requires a minimum landscaped front-yard setback of 15 feet. The front yard setbacks for the single family homes along this portion of 400 South are also around 15', which reduces any potential for visual inconsistency along the block face.

R-MU-35 Zone Compatibility



The above aerial image shows the four single-family homes proposed to be zoned to R-MU-35.

Four single-family homes on the south-east corner are proposed to be rezoned to R-MU-35. The purpose of the R-MU-35 zone, as stated in the current proposal before the City Council, is as follows:

The purpose of the R-MU-35 residential/mixed use district is to provide areas within the city for mixed use development that promote residential urban neighborhoods containing residential, retail, service commercial and small scale office uses. The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is pedestrian oriented. This zone is intended to provide a buffer for lower density residential uses and nearby collector, arterial streets and higher intensity land uses.

As with the CN zone, the R-MU-35 zone is also meant for neighborhood nodes such as this one. The zoning standards of the R-MU-35 are intended to support mixed-use development along arterials, such as 400 South, and to provide a transitional buffer between the arterial and adjacent single-family dwellings. Given the generally low intensity uses allowed by the zone and the associated development standards, the proposed zone change is not expected to have substantial negative impacts on adjacent residential properties.

However, with any rezone there can be concerns for compatibility issues between uses, such as negative noise or visual/privacy impacts to residential properties. Regarding potential visual impacts, the current R-1/5,000 zoning on these properties has a maximum height of 28' and the R-MU-35 zone exceeds this height by 7 feet. This can cause concerns regarding loss of privacy in rear yards of neighboring single-family homes.

There are a few conditions that reduce the potential for this loss of privacy. This includes the requirement that any new development incorporate a minimum rear yard setback of 25% of the lot depth (but need not exceed 30') from the rear property line. As these properties are approximately 150' deep, this would result in a minimum 30' rear setback for these properties. This 30' setback would be supplemented by the existing 16' wide alley between the subject properties and the single-family homes to the north, resulting in at least a 46' horizontal setback.

Additionally, any new development must install shade trees every 30' feet along the property line that is shared with single-family zoned properties. Though in the short term, there may be some visibility into the rear yards of the single-family homes, in the long term with mature trees such visibility would be significantly reduced, especially in the summer months. Further, existing mature trees in the rear yards in two of the single-family homes adjacent to the rezone would prevent the majority of visibility into these yards from windows at a 2 or 3 story level. The rear yard of the adjacent apartment building to the south of the rezone area is used for parking and thus does not have the same privacy expectations as neighboring single-family homes.

One single family home borders this rezone area on the east and shares a side property line with the R-MU-35 rezone area. Any multifamily or mixed use development in the R-MU-35 zone would be required to be setback 10' from the side property line and any height above 25' would need to be stepped at least 1' for every 1' of additional height. This reduces the potential visual or shadow impacts to the neighboring property.

General Compatibility Issues

Other potential impacts from the proposed rezones include noise. Some new noise impacts could occur with such allowed uses as outdoor dining. However, such uses are subject to additional location oriented review in order to reduce their impact. Most other uses are required by City ordinance to be completely enclosed in the building, reducing their potential for negative impacts. Additionally, the list of allowed commercial uses in this zone is limited and includes uses of low intensity, such as retail, restaurants, and offices.

On-street parking by future users of the rezoned properties and the additional vehicle activity that may result on these corners may be a concern for the surrounding neighborhood. The CN

zone requires the provision of only 1/2 a parking space per dwelling unit for mixed uses. Similarly, the R-MU-35 zone requires 1/2 a parking space per dwelling unit for any multi-family residential uses. These are both relatively low compared to the parking requirement of 1 or 2 spaces per dwelling unit for many other zones in the City. Further, these zones also allow parking exemptions for some commercial uses, including “recreational, cultural, or entertainment” and “retail goods and services” uses. To obtain an exemption, pedestrian amenities must be provided, such as bike racks or benches. The low number of parking stalls required by the zones is meant to encourage pedestrian friendly development.

Due to these standards, neighboring residents may be concerned that new residents or patrons of future businesses will have insufficient parking on site and park in front of nearby homes. However, unlike some other areas of the city, the majority of homes around this node have two or more parking spaces located on their own property and do not appear to use the street for their primary parking spaces. Therefore, any parking overflow into the neighborhood would not result in residents being unable to find a place to park near their homes. Additionally, most single family home properties around this node appear to also have sufficient space available on their driveways to accommodate guest parking. This node is also served by the 516 bus route. This route is essentially a neighborhood route that connects Poplar Grove and Glendale to Downtown and the Central Pointe Station at 2100 South. It runs on a 30 minute schedule. The node is approximately a 15 minute walk (2/3rds mile) to Redwood Road and the 217 route, which has 15 minute service during peak hours and connects to the Airport Light Rail. The Jordan River Trail is less than a 5 minute walk from the node and provides off street walking and cycling access to the 9-line, which provides access to just east of I-15 on 900 South. With the variety of transportation modes available in the area, staff does not anticipate any substantial negative impacts on the neighborhood from possible parking overflow from future development.

Issue 4– Future R-MU-35 Regulation Changes

A number of changes to the R-MU-35 regulations were recently heard by the Planning Commission and have been transmitted to the City Council for their consideration and possible adoption. Staff has evaluated the proposed rezone in the context of these changes. Significant changes to the R-MU-35 regulations include the following:

- Elimination of density limits
- Additional design standards, such as architectural detailing and material restrictions
- Stepping requirement for the sides of buildings next to single/two family zones

It is expected that the changes will allow for more flexibility for developers and will encourage new development while also reducing the impact new development may have on single family areas. Additionally, the design standards are expected to help ensure higher quality development. A summary of the R-MU-35 zoning regulations as currently drafted are located in Attachment C. The Planning Commission reviewed these changes and forwarded a positive recommendation to the City Council on January 28, 2015. It is not known when the changes may be considered by the City Council. When this proposal is transmitted to the Council, it will be noted that the zoning map amendments associated with this petition should not be made unless the changes to the R-MU-35 zoning district have also been made or are made at the same time.

DISCUSSION:

Applicable Master Plan Policies and Goals

The Westside Master Plan discusses nodes within the context of how the community can accommodate future growth and development. In particular, the plan identifies nodes as “key types of locations for redevelopment” and “where there is potential for changes in land use and the development pattern.” The plan designates this specific intersection as a “neighborhood node” that “has the potential to be a much more attractive neighborhood center.” The plan describes “neighborhood nodes” as the following:

“Neighborhood nodes are small-scale intersections that incorporate small commercial establishments and residential options. These nodes are easily accessible from the surrounding neighborhoods by foot or bicycle but provide very little parking, as they are not normally major attractors for residents outside of the neighborhood. They are also ideal locations for uses that cater to everyday needs and walking trips such as corner markets, cafes/restaurants, and salons or barbershops. In (the Westside community), these nodes are generally surrounded by single-family homes, so the new residential component must be compatible. Appropriate development would consist of one or two stories of apartments or condominiums above the ground-floor commercial use, accommodating densities between ten and 15 units per acre. Parking for new mixed use developments would be limited to the street or lots behind buildings.” (38)

The plan also includes the following specific policy for these types of nodes:

C.1 Create a more conducive environment for redevelopment at neighborhood nodes.

C.1.a Low-Intensity Mixed Use Development.

The Salt Lake City Planning Division shall analyze its existing zoning districts to determine what zoning changes will provide the most flexibility for low-intensity mixed use development around identified neighborhood nodes. Building heights at residential nodes should be limited to 35 feet or three stories without density limitations provided the other development regulations are met. The goal should be between ten and 25 units per acre. Residential uses should not be required as part of the development but encouraged with other incentives. (87)

The proposed zoning amendment implements these policies of the Master Plan by expanding the land available to be developed for low-intensity mixed uses, thereby better enabling the node to redevelop and support future growth in the community. Allowing growth at nodes also helps to reduce the development pressure on well established neighborhoods, as there is space for new development to occur outside or on the edges of the single family neighborhoods. Currently, the existing CN property on the north-west corner is fairly small. The size limits its ability to accommodate new, viable uses, especially when taking into consideration the parking and landscaping improvements required for new development. The additional CN zoned land will provide sufficient development flexibility so as to encourage redevelopment and growth of this node. The additional land proposed to be rezoned to R-MU-35 is intended to provide additional housing opportunities. The additional housing is meant to add more activity to the node and reinforce the node’s status as a neighborhood activity center.

The plan calls for low-intensity mixed use development at this neighborhood node, and such development is supported by the CN and R-MU-35 zones. The CN zone is one of the lowest intensity commercial zones in the City, and allows for small retail, restaurant, and office uses, as well as multi-family residential uses. The R-MU-35 zone allows only for similarly low-intensity uses. Both zones also have no explicit density limitation in compliance with the above Master Plan policy, and development could achieve 25 units per acre while complying with the required development regulations, such as parking and buffering. Also in compliance with the master plan, both zones have the potential to allow up to three stories of development. The CN and R-MU-35 zone standards, as well as examples of development that would be allowed under these zoning designations are located in Attachment C.

The rezone also supports a number of general Master Plan goals related to encouraging more growth and development in the community, including the following:

- ***Promote reinvestment and redevelopment in the Westside community through changes in land use, improved public infrastructure and community investment to spur development that meets the community’s vision while maintaining the character of Westside’s existing stable neighborhoods.***

- *Protect and encourage **ongoing investment in existing, low-density residential neighborhoods** while providing attractive, compatible and high density residential development where needed, appropriate or desired.*
- *Recognize, develop and foster opportunities for **unique, mixed use neighborhood and community nodes** in the Westside that reflect the diverse nature of the community and provide resources to allow for their growth. (4)*

In compliance with these goals, the additional CN and R-MU-35 zoned land is intended to promote redevelopment and reinvestment at this node, which is one of the places deemed appropriate by the Master Plan to accommodate such growth. This proposal expands these designations along the City arterial, 400 South, to provide additional residential development opportunities, while not encroaching into low-density neighborhoods on adjacent local streets. The redevelopment of these properties, in combination with City investments in public amenities, is hoped to foster the development of this node into an active neighborhood activity center that will be an asset to the surrounding neighborhood.

NEXT STEPS:

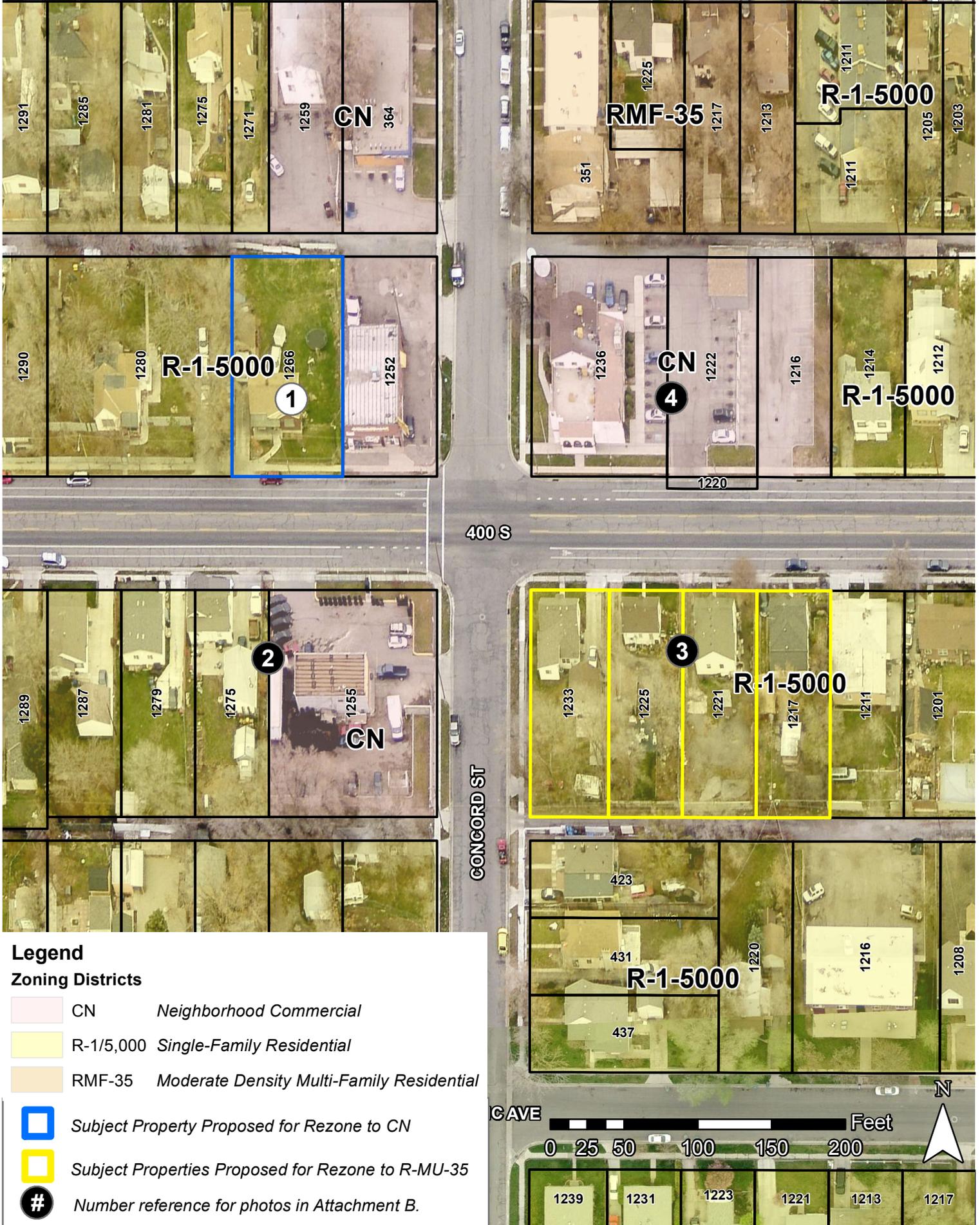
With a recommendation of approval or denial for the zoning amendment, the amendment proposal will be sent to the City Council for a final decision by that body.

If the zoning amendment is approved as proposed, the properties will be given the zoning designations CN and R-MU-35. No immediate changes would happen to these properties and they could continue to remain single-family homes. Any future development of these properties, besides single-family residential, would need to comply with the applicable zoning regulations. The general CN and R-MU-35 zoning district development standards, as well as examples of development that could occur under these zones, are located in Attachment C.

If the zoning amendment is denied, the properties will remain zoned R-1/5,000, Single Family Residential. With this zoning, the properties can generally only be used for single-family residential uses. A complete list of uses allowed in this zone is located in Attachment C.

ATTACHMENT A: VICINITY MAP

Vicinity Map



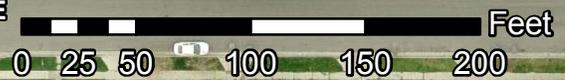
Legend

Zoning Districts

- CN *Neighborhood Commercial*
- R-1/5,000 *Single-Family Residential*
- RMF-35 *Moderate Density Multi-Family Residential*

- Subject Property Proposed for Rezone to CN*
- Subject Properties Proposed for Rezone to R-MU-35*
- # *Number reference for photos in Attachment B.*

CAVE



ATTACHMENT B: PROPERTY PHOTOGRAPHS



1 North-West Corner - Single Family Home Proposed for Rezone to CN (Left); Existing CN Zoned Business



2 South-West Corner - Existing CN Zoned Business (Left); Existing R-1/5,000 Zoned Single Family Home (Right)



3 South-East Corner - Four (4) Single Family Homes on South Side of 400 South Proposed for Rezone to CN



4 North-East Corner - Existing CN Zoned Restaurant and Associated Parking Lot

ATTACHMENT C: EXISTING CONDITIONS & DEVELOPMENT STANDARDS

Uses in the Immediate Vicinity of the Property

The subject properties are adjacent to single-family residential uses. The northeast corner, which is currently zoned CN, is occupied by an existing restaurant and parking lot use.

The subject property on the northwest corner is adjacent to an existing retail store on the east, multifamily on the north, and a single family residence on the west.

The subject property on the southwest corner is adjacent to an existing auto repair shop on the east, and single-family homes to the west and south.

The subject properties on the southeast corner are adjacent to single-family homes on the east, multifamily and single family homes to the south, and are located across the street to the north from a restaurant and parking lot.

Please see the photos located in Attachment B and the map in Attachment A for reference.

Current R-1/5,000 Zoning Standards

The property proposed for rezoning is currently zoned R-1/5,000, Single Family Residential. The following table provides the general yard and bulk requirements for the R-1/5,000 district.

R-1/5,000 Development Standards (21A.24.070)							
LOT WIDTH	LOT AREA	FRONT YARD	REAR YARD	SIDE YARDS	HEIGHT	LOT COVERAGE	LANDSCAPE YARDS
50' min	5,000 sq ft min	Average of the block face or 20' min	25% of lot depth or 20', whichever is less	4'/10' min	Pitched roof: 28' max or average of the block face Flat roof: 20' max	40% max	Front and corner side yards

R-1/5,000 Allowed Uses (21A.33.020)	Permitted or Conditional
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P
Adaptive reuse of a landmark site	C
Community garden	C
Dwelling, accessory unit	P
Dwelling, assisted living facility (small)	C
Dwelling; dormitory, fraternity, sorority	P
Dwelling, group home (small)	P
Dwelling, manufactured home	P
Dwelling, single-family (detached)	P
Eleemosynary facility	C

R-1/5,000 Allowed Uses (21A.33.020)	Permitted or Conditional
Governmental facility	C
Municipal service use, including city utility use and police and fire station	C
Open space on lots less than 4 acres in size	P
Park	P
Parking, park and ride lot shared with existing use	P
Place of worship on lots less than 4 acres in size	C
School, seminary and religious institute	C
Urban farm	P
Utility, building or structure	P
Utility, transmission wire, line, pipe or pole	P

Proposed CN Zoning Standards

The City is proposing to rezone one of the properties at this node to CN, Neighborhood Commercial. The development standards for that zone, including yard and bulk requirements, as well as a list of permitted and conditional uses are located on the following pages.

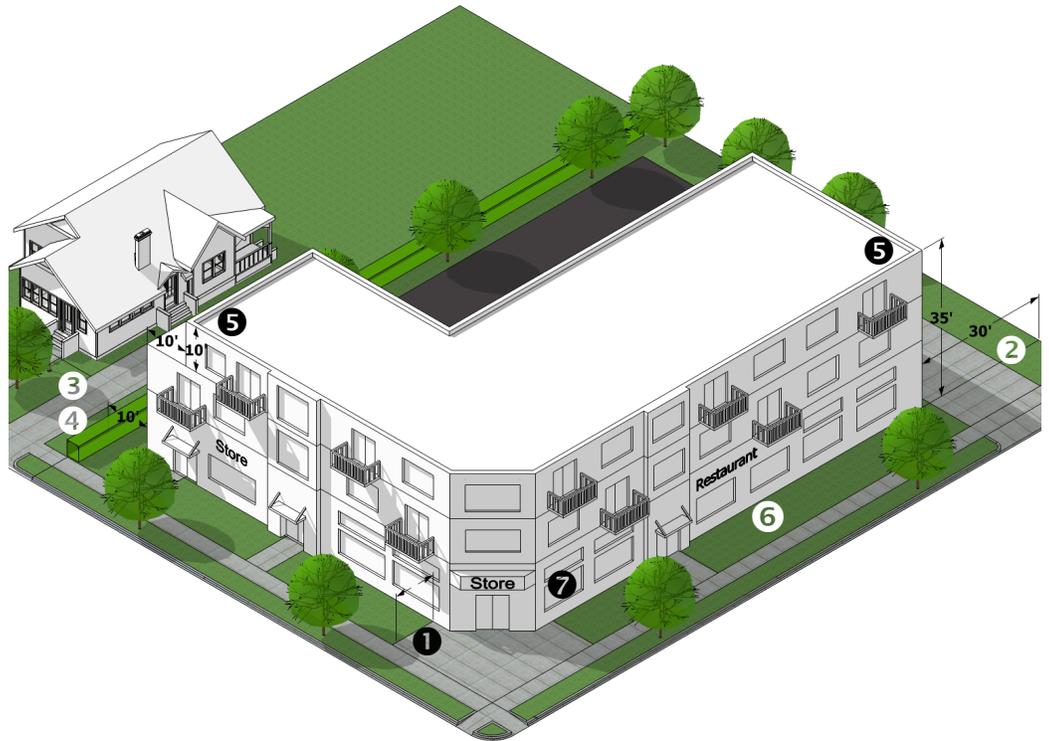
Proposed R-MU-35 Zoning Standards

The City is proposing to rezone the subject properties to R-MU-35, Residential Mixed Use. Significant changes have been proposed to the regulations for this zone and are waiting to be heard by the City Council. As such, staff has analyzed the proposed rezone in the context of the proposed regulation changes. The proposed and not yet adopted development standards for that zone, including yard and bulk requirements and a list of permitted and conditional uses, are located on the following pages.

R-MU-35

RESIDENTIAL/ MIXED USE

DRAFT REGULATIONS FOR MULTI-FAMILY RESIDENTIAL AND MIXED USE DEVELOPMENT



Development Examples

Diagram of Development Standards When Next to Single/Two-Family Zones

R-MU-35 Development Standards (21A.24.164) For Multi-family Residential & Mixed Uses

LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	OPEN SPACE ⑥	MIXED USE LIMITATION ⑦
Min 50'	5,000 sq ft min	Min 5' Max 15'	25% of lot depth, need not exceed 30'	10' next to single/two-family residential zones	10' next to single/two-family residential zones	35' max; 25' max at 10' side yard setback next to single/two-family zones*	Min 20% of lot area, includes yards, plazas, and courtyards	Non-residential use limited to 1st floor

*Additional height beyond 25' (up to 35') must be setback or stepped 1' horizontally for every 1' of additional height.

R-MU-35 Building Design Standards*

GROUND FLOOR GLASS	GROUND FLOOR ACTIVE USES	GROUND FLOOR BUILDING MATERIALS	ENTRANCES	MAXIMUM LENGTH OF BLANK WALLS	BUILDING EQUIPMENT & SERVICE AREAS	PARKING STRUCTURES
60% glass (40% for residential uses) & non-reflective, allows 5' of visibility into building,	75% of ground floor facade must include uses other than parking; shall extend min 25' into building	80% of remaining wall area, besides windows and doors, shall be clad in durable materials, i.e. brick, masonry, textured/patterned concrete or cut stone	Min 1 entry for each street facing facade; additional entry required for each 75' of facade	No blank walls over 15' long; must be broken up by windows, doors, art, or architectural detailing.	On roof or in rear yard, sited to minimize visibility or integrated into design	Unattached parking structures shall be setback 45' from front property line or behind building

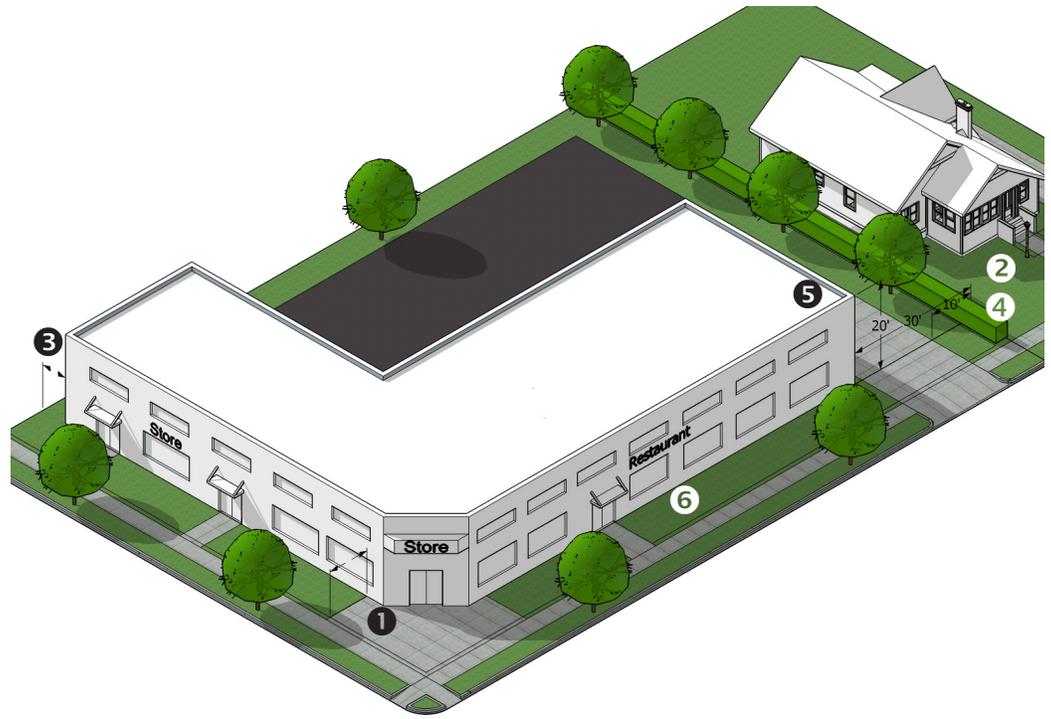
*These design standards apply for new construction, additions of 1,000 sq ft or more that extend a street facing building facade, or additions that increase the height of an existing building.

The above information is a summary of the draft regulations. Please see the draft text for the complete proposed regulations.

R-MU-35

RESIDENTIAL/ MIXED USE

DRAFT REGULATIONS FOR COMMERCIAL DEVELOPMENT



Development Examples

Diagram of Development Standards When Next to Single/Two-Family Zones

R-MU-35 Development Standards (21A.24.164) For Commercial Uses (No Residential Component)

LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	OPEN SPACE ⑥
No Min	No Min	Min 5' Max 15'	25% of lot depth, need not exceed 30'	10' next to single/ two-family residential zones	10' next to single/ two-family residential zones	20' max	Min 20% of lot area, includes yards, plazas, and courtyards

R-MU-35 Building Design Standards*

GROUND FLOOR GLASS	GROUND FLOOR ACTIVE USES	GROUND FLOOR BUILDING MATERIALS	ENTRANCES	MAXIMUM LENGTH OF BLANK WALLS	BUILDING EQUIPMENT & SERVICE AREAS	PARKING STRUCTURES
60% glass & non-reflective, allows 5' of visibility into building	75% of ground floor facade must include uses other than parking; shall extend min 25' into building	80% of remaining wall area, besides windows and doors, shall be clad in durable materials, i.e. brick, masonry, textured/patterned concrete or cut stone	Min 1 entry for each street facing facade; additional entry required for each 75' of facade	No blank walls over 15' long; must be broken up by windows, doors, art, or architectural detailing.	On roof or in rear yard, sited to minimize visibility or integrated into design	Unattached parking structures shall be setback 45' from front property line or behind building

*These design standards apply for new construction, additions of 1,000 sq ft or more that extend a street facing building facade, or additions that increase the height of an existing building.

The above information is a summary of the draft regulations. Please see the draft text for the complete proposed regulations.

PERMITTED AND CONDITIONAL USES - RESIDENTIAL MULTIFAMILY AND MIXED USE DISTRICTS

Use	RMF -30	RMF -35	RMF -45	RMF -75	RB	R-MU -35	R-MU -45	R-MU	RO
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P	P	P	P	P	P	P	P
Adaptive reuse of a landmark site	C ⁸	C ⁸	C ⁸	C ⁸	P	P	P	P	P ⁶
Alcohol, brewpub (2,500 square feet or less in floor area)						C ⁹	C ⁹	C ⁹	
Alcohol, dining club (2,500 square feet or less in floor area)					C ^{9,10}	C ⁹	C ⁹	C ⁹	
Alcohol, social club (2,500 square feet or less in floor area)						C ⁹	C ⁹	C ⁹	
Alcohol, tavern (2,500 square feet or less in floor area)								C ⁹	
Animal, veterinary office					C	C	C	P	P ⁶
Art gallery					P	P	P	P	P
Bed and breakfast inn					P		P	P	P
Bed and breakfast manor								P	
Clinic (medical, dental)					P	P	P	P	P ⁶
Community garden	P	P	P	P	P	P	P	P	P
Crematorium						C	C	C	
Daycare center, adult				P	P	P	P	P	P
Daycare center, child				P	P	P	P	P	P
Dwelling, accessory guest and servant's quarter									
Dwelling, accessory unit	P	P	P	P					
Dwelling, assisted living facility (large)		C	P	P		C	P	P	P
Dwelling, assisted living facility (small)	C	P	P	P	P	P	P	P	P
Dwelling; dormitory, fraternity, sorority									
Dwelling, group home (large)	C	C	C	C	C	C	C	C	C
Dwelling, group home (small)	P	P	P	P	P	P	P	P	P
Dwelling, manufactured home	P	P	P	P	P	P	P	P	
Dwelling, multi-family	P	P	P	P	P	P	P	P	P
Dwelling, resident healthcare facility	P	P	P	P	P	P	P	P	P
Dwelling, residential substance abuse treatment home (small)				P		P	P	P	P
Dwelling, rooming (boarding) house			C	P	C	C	C	P	P
Dwelling, single-family (attached)	P	P	P	P	P	P	P	P	P
Dwelling, single-family (detached)	P	P	P	P	P	P	P	P	P
Dwelling, transitional victim home (large)			C	C			C	C	C
Dwelling, transitional victim home (small)		C	C	P		C	C	P	P
Dwelling, twin home and two-family	P	P			P	P	P	P	P
Eleemosynary facility	C	C	P	P		C	P	P	P
Financial institution						P	P	P	P ⁶
Funeral home						P	P	P	P
Governmental facility	C	C	C	C	C	C	C	C	C ⁶
Laboratory (medical, dental, optical)					P	P	P	P	P
Library					C	C	C	C	C
Mixed use development					P ¹	P	P	P	P
Mobile food business (operation on private property)						P	P	P	
Municipal service use, including city utility use and police and fire station	C	C	C	C	C	C	C	C	C
Museum					P	C	P	P	P

Use	RMF -30	RMF -35	RMF -45	RMF -75	RB	R-MU -35	R-MU -45	R-MU	RO
Nursing care facility			P	P			P	P	
Office, excluding medical and dental clinic and office					P	P	P	P	P ⁶
Open space on lots less than 4 acres in size	P	P	P	P	P	P	P	P	P
Park	P	P	P	P	P	P	P	P	P
Parking, off site (to support nonconforming uses in a residential zone or uses in the CN or CB zones)					C	C	C	C	C
Parking, park and ride lot shared with existing use	P	P	P	P	P	P	P	P	P
Place of worship on lots less than 4 acres in size	C	C	C	C	C	C	C	C	C
Reception center						P	P	P	
Recreation (indoor)					P	P	P	P	P
Restaurant					P	P	P	P	P
Restaurant with drive-through facility									
Retail goods establishment					P	P	P	P	
Retail goods establishment, plant and garden shop with outdoor retail sales area					P	P	P	P	
Retail service establishment					P	P	P	P	
School, music conservatory					P	C	C	P	
School, professional and vocational					P	C	C	P	P ⁶
School, seminary and religious institute	C	C	C	C	C	C	C	C	C
Seasonal farm stand					P	P	P	P	P
Studio, art					P	P	P	P	P
Theater, live performance					C ¹³				
Theater, movie					C	C	C	C	C
Urban farm	P	P	P	P	P	P	P	P	P
Utility, building or structure	P ⁵	P ⁵	P ⁵	P ⁵	P ^{5,7}				
Utility, transmission wire, line, pipe or pole	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵				
Wireless telecommunications facility (see section 21A.40.090, table 21A.40.090E of this title)									

QUALIFYING PROVISIONS

1. A single apartment unit may be located above first floor retail/office.
2. Provided that no more than 2 two-family buildings are located adjacent to one another and no more than 3 such dwellings are located along the same block face (within subdivisions approved after April 12, 1995).
3. Reserved.
4. Reserved.
5. See subsection 21A.02.050B of this title for utility regulations.
6. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.
7. Subject to conformance to the provisions in section 21A.02.050 of this title.
8. Subject to conformance with the provisions of subsection 21A.24.010T of this title.
9. Subject to conformance with the provisions in section 21A.36.300, "Alcohol Related Establishments", of this title.
10. In the RB zoning district, the total square footage, including patio space, shall not exceed 2,200 square feet in total. Total square footage will include a maximum 1,750 square feet of floor space within a business and a maximum of 450 square feet in an outdoor patio area.
11. Accessory guest or servant's quarters must be located within the buildable area on the lot.
12. Subject to conformance with the provisions of subsection 21A.36.150 of this title.
13. Prohibited within 1,000 feet of a single- or two-family zoning district.



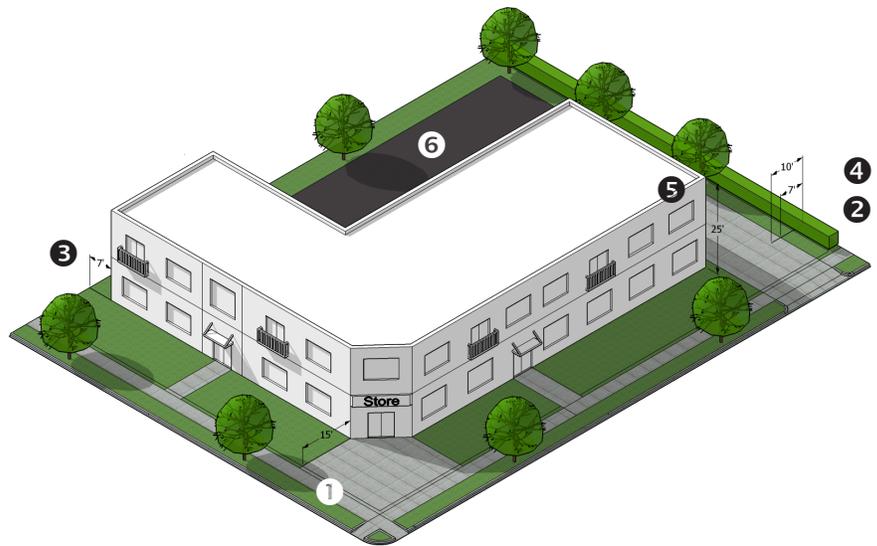
NEIGHBORHOOD COMMERCIAL

The CN, Neighborhood Commercial, district is intended to provide for small scale, low intensity commercial uses that can be located within and serve residential neighborhoods. This district is appropriate in areas where supported by applicable master plans and along local streets that are served by multiple transportation modes, such as pedestrian, bicycle, transit and automobiles. The standards for the district are intended to reinforce the historic scale and ambiance of traditional neighborhood retail that is oriented toward the pedestrian while ensuring adequate transit and automobile access. Uses are restricted in size to promote local orientation and to limit adverse impacts on nearby residential areas.

Residential development in the CN zone is only allowed only as part of a mixed-use development that includes a commercial use. Such uses include restaurants, retail, or office space and can be mixed vertically or horizontally with residential uses. Commercial uses are allowed without a residential component. The front building setback is intended to be in scale with adjacent residential front yards.



Development Examples



Zoning Diagram

CN Development Standards (21A.26.020)								
LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	PARKING LIGHTING
No min or max	No min, Max 16,500 sq ft	Min. 15', max. 25'*	10'	0'	7' required next to residential zones	25' max	Located behind building or setback 30' from front property line	If next to residential, light poles limited to 16'; must be shielded

*The front yard standards can be modified through the Conditional Building and Site Design process, which requires the development meet a higher level of site and building standards. This can result in no (0') required front yard setback.

CN Building Design Standards			
1ST FLOOR FACADE	FRONT ENTRANCE	FIRST FLOOR DETAILING	MECHANICAL EQUIPMENT/SERVICE AREAS
40% glass & non-reflective	1 entry that faces street	No blank walls over 15' long	Screened or located out of public view

PERMITTED AND CONDITIONAL USES - COMMERCIAL DISTRICTS

USES	CN	CB	CS1	CC	CSHBD1	CG	SNB
Accessory use, except those that are specifically regulated elsewhere in this title	P	P	P	P	P	P	P
Adaptive reuse of a landmark site	P	P	P	P	P	P	
Alcohol:							
Brewpub (2,500 square feet or less in floor area)		C ^{12,13}	p ¹²	p ¹²	p ¹²	p ¹²	
Brewpub (more than 2,500 square feet in floor area)			p ¹²	C ¹²	p ¹²	p ¹²	
Dining club (2,500 square feet or less in floor area)	C ^{12,13}	C ^{12,13}	p ¹²	p ¹²	p ¹²	p ¹²	
Dining club (more than 2,500 square feet in floor area)			p ¹²	C ¹²	p ¹²	p ¹²	
Distillery						p ¹⁹	
Microbrewery						P	
Social club (2,500 square feet or less in floor area)		C ^{12,13}	p ¹²	p ¹²	p ¹²	p ¹²	
Social club (more than 2,500 square feet in floor area)			p ¹²	C ¹²	p ¹²	p ¹²	
Tavern (2,500 square feet or less in floor area)		C ^{12,13}	p ¹²	p ¹²	p ¹²	p ¹²	
Tavern (more than 2,500 square feet in floor area)			p ¹²	C ¹²	p ¹²	p ¹²	
Ambulance service (indoor)			P	P	P	P	
Ambulance service (outdoor)			p ⁷	p ⁷	p ⁷	P	
Amusement park			P			P	
Animal:							
Cremation service				P		P	
Kennel						P	
Pet cemetery						p ⁴	
Veterinary office	C	P	P	P	P	P	
Antenna, communication tower		P	P	P	P	P	
Antenna, communication tower, exceeding the maximum building height in the zone		C	C	C	C	C	
Art gallery	P	P	P	P	P	P	P
Auction (outdoor)				P		P	
Auditorium			P	P	P	P	
Bakery, commercial						P	
Bed and breakfast	P	P	P	P	P	P	p ¹⁷
Bed and breakfast inn	P	P	P	P	P	P	
Bed and breakfast manor	C ³	C ³		P	P	P	
Blacksmith shop						P	
Blood donation center				C		P	
Bus line station/terminal				P		P	
Bus line yard and repair facility						P	
Car wash			P	P		P	
Car wash as accessory use to gas station or convenience store that sells gas			P	P	P	P	
Check cashing/payday loan business				p ¹⁰		p ¹⁰	
Clinic (medical, dental)	P	P	P	P	P	P	
Community correctional facility, large							
Community correctional facility, small						C ^{9,14}	
Community garden	P	P	P	P	P	P	P
Contractor's yard/office				C		P	

USES	CN	CB	CS1	CC	CSHBD1	CG	SNB
Crematorium			C	C	C	C	
Daycare center, adult	P	P	P	P	P	P	
Daycare center, child	P	P	P	P	P	P	
Daycare, registered home daycare or preschool							P
Dwelling:							
Assisted living facility (large)		P		P	P	P	
Assisted living facility (small)		P		P	P	P	P
Group home (large)		P		C		C	
Group home (small) when located above or below first story office, retail, or commercial use, or on the first story where the unit is not located adjacent to street frontage	P	P	P	P	P	P	P
Living quarter for caretaker or security guard	P	P	P	P	P	P	
Manufactured home							P
Multi-family		P	P	P	P	P	P
Residential substance abuse treatment home (large)				C		C	
Residential substance abuse treatment home (small)				C		C	
Rooming (boarding) house		P	P	P	P	P	
Single-family attached							P
Single-family detached							P
Single room occupancy							
Transitional victim home (large)				C		C	
Transitional victim home (small)				C		C	
Twin home							P
Two-family							P
Eleemosynary facility		P					
Equipment rental (indoor and/or outdoor)				P		P	
Farmers' market			C	C	P	P	
Financial institution	P	P	P	P	P	P	
Financial institution with drive-through facility		P ¹¹					
Flea market (indoor)			P	P	P	P	
Flea market (outdoor)						P	
Funeral home			P	P	P	P	
Gas station		C	P	P	P	P	
Government facility		C	C	C	C	C	C
Government facility requiring special design features for security purposes	P	P	P	P	P	P	
Homeless shelter						C	
Hotel/motel		C		P	P	P	
House museum in landmark sites (see subsection 21A.24.010T of this title)							C
Impound lot						C ¹⁴	
Industrial assembly						P	
Intermodal transit passenger hub						P	
Laboratory (medical, dental, optical)			P	P		P	
Laboratory, testing			P	P		P	

USES	CN	CB	CS1	CC	CSHBD1	CG	SNB
Large wind energy system		P		P		P	
Laundry, commercial						P	
Library	P	P	P	P	P	P	C
Limousine service (large)						P	
Limousine service (small)		C		C		P	
Manufactured/mobile home sales and service						P	
Mixed use development	P	P	P	P	P	P	P ¹⁵
Mobile food business (operation on private property)	P	P	P	P	P	P	
Municipal service uses, including city utility uses and police and fire stations		C	C	C	C	C	C
Museum	P	P	P	P	P	P	P
Nursing care facility		P		P		P	
Office	P	P	P	P	P	P	P ¹⁸
Offices and reception centers in landmark sites (see subsection 21A.24.010T of this title)							C
Open space	P	P	P	P	P	P	
Open space on lots less than 4 acres in size							P
Park	P	P	P	P	P	P	
Parking:							
Commercial				C	P	P	
Off site	C	P	P	P	P	P	
Park and ride lot		C	C	P		P	
Park and ride lot shared with existing use		P	P	P	P	P	
Place of worship on lot less than 4 acres in size	P	P	P	P	P	P	C
Radio, television station			P	P	P	P	
Reception center		P	P	P	P	P	
Recreation (indoor)	P	P	P	P	P	P	P
Recreation (outdoor)			C	C		P	
Recreational vehicle park (minimum 1 acre)				C			
Recycling collection station	P	P	P	P	P	P	
Research and development facility							
Restaurant	P	P	P	P	P	P	
Restaurant with drive-through facility		P ¹¹					
Retail goods establishment	P	P	P	P	P	P	P ¹⁶
Plant and garden shop with outdoor retail sales area	P	P	P	P	P	P	P
With drive-through facility		P ¹¹					
Retail service establishment	P	P	P	P	P	P	P ¹⁶
Furniture repair shop	C	P	P	P	P	P	
With drive-through facility		P ¹¹					
Reverse vending machine	P	P	P	P	P	P	
Sales and display (outdoor)	P	P	P	P	P	P	

USES	CN	CB	CS1	CC	CSHBD1	CG	SNB
School:							
College or university		P	P	P	P	P	
Music conservatory		P	P	P	P	P	
Professional and vocational		P	P	P	P	P	
Seminary and religious institute		P	P	P	P	P	C
Seasonal farm stand	P	P	P	P	P	P	
Sexually oriented business						p ⁵	
Sign painting/fabrication						P	
Solar array						P	
Storage (outdoor)				C		P	
Storage, public (outdoor)				C		P	
Storage, self				P		P	
Store:							
Department			P		P		
Mass merchandising			P		P	P	
Pawnshop						P	
Specialty			P	P	P	P	
Superstore and hypermarket			P			P	
Warehouse club						P	
Studio, art	P	P	P	P	P	P	P
Studio, motion picture						P	
Taxicab facility						P	
Theater, live performance		p ¹⁴					
Theater, movie		C	P	P	P	P	
Urban farm	P	P	P	P	P	P	
Utility, building or structure	p ²	p ²	p ²	p ²	p ²	p ²	p ²
Utility, transmission wire, line, pipe, or pole	p ²	p ²	p ²	p ²	p ²	p ²	p ²
Vehicle:							
Auction						P	
Automobile repair (major)				P		P	
Automobile repair (minor)	C	P	P	P	P	P	
Automobile sales/rental and service				P		P	
Automobile salvage and recycling (indoor)						P	
Boat/recreational vehicle sales and service				P		P	
Truck repair (large)						P	
Truck sales and rental (large)				P		P	
Vending cart, private property					P		
Warehouse				P		P	
Welding shop						P	
Wholesale distribution				P		P	
Wireless telecommunications facility (see section 21A.40.090, table 21A.40.090E of this title)							C
Woodworking mill						P	

PERMITTED AND CONDITIONAL USES - COMMERCIAL DISTRICTS

QUALIFYING PROVISIONS

1. Development in the CS district shall be subject to planned development approval pursuant to the provisions of chapter 21A.55 of this title. Certain developments in the CSHBD zone shall be subject to the conditional building and site design review process pursuant to the provisions of subsection 21A.26.060D and chapter 21A.59 of this title.
2. Subject to conformance to the provisions in subsection 21A.02.050B of this title for utility regulations.
3. When located in a building listed on the Salt Lake City register of cultural resources (see subsections 21A.24.010T and 21A.26.010K of this title).
4. Subject to Salt Lake Valley health department approval.
5. Pursuant to the requirements set forth in section 21A.36.140 of this title.
6. Subject to location restrictions as per section 21A.36.190 of this title.
7. Greater than 3 ambulances at location require a conditional use.
8. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.
9. A community correctional facility is considered an institutional use and any such facility located within an airport noise overlay zone is subject to the land use and sound attenuation standards for institutional uses of the applicable airport overlay zone within chapter 21A.34 of this title.
10. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.
11. Subject to conformance to the provisions in section 21A.40.060 of this title for drive-through use regulations.
12. Subject to conformance with the provisions in section 21A.36.300, "Alcohol Related Establishments", of this title.
13. In CN and CB zoning districts, the total square footage, including patio space, shall not exceed 2,200 square feet in total. Total square footage will include a maximum 1,750 square feet of floor space within a business and a maximum of 450 square feet in an outdoor patio area.
14. Prohibited within 1,000 feet of a single- or two-family zoning district.
15. Residential units may be located above or below first floor retail/office.
16. Construction for a nonresidential use shall be subject to all provisions of subsections 21A.24.160I and J of this title.
17. In the SNB zoning district, bed and breakfast use is only allowed in a landmark site.
18. Medical and dental offices are not allowed in the SNB zoning district.
19. Permitted in the CG zoning district only when associated with an on site food service establishment.

ATTACHMENT D: ANALYSIS OF STANDARDS

ZONING MAP AMENDMENTS

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

Factor	Finding	Rationale
<p>1. Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;</p>	<p>Complies</p>	<p>Please see the “Discussion” section on pages 4-5 regarding applicable master plan policies and goals. As discussed, staff finds that the proposed zoning amendment is consistent with the purposes, goals, objectives, and policies of the <i>Westside Master Plan</i>.</p>
<p>2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.</p>	<p>Complies</p>	<p>The CN purpose statement is as follows:</p> <p><i>The CN neighborhood commercial district is intended to provide for small scale, low intensity commercial uses that can be located within and serve residential neighborhoods. This district is appropriate in areas where supported by applicable master plans and along local streets that are served by multiple transportation modes, such as pedestrian, bicycle, transit and automobiles. The standards for the district are intended to reinforce the historic scale and ambiance of traditional neighborhood retail that is oriented toward the pedestrian while ensuring adequate transit and automobile access. Uses are restricted in size to promote local orientation and to limit adverse impacts on nearby residential areas.</i></p> <p>The R-MU-35 purposed statement is as follows:</p> <p><i>The purpose of the R-MU-35 residential/mixed use district is to provide areas within the city for mixed use development that promote residential urban neighborhoods containing residential, retail, service commercial and small scale office uses The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is</i></p>

		<p><i>pedestrian oriented. This zone is intended to provide a buffer for lower density residential uses and nearby collector, arterial streets and higher intensity land uses.</i></p> <p>The proposed locations of the zoning districts fit their associated location criteria. Both zones are intended to be located near lower density residential neighborhoods and are meant to provide commercial uses that serve the surrounding neighborhood.</p>
3. The extent to which a proposed map amendment will affect adjacent properties;	Some noise and view impacts may occur with new development, but required additional buffering and the limited scale and intensity allowances of the zone are expected to minimize any negative impacts.	As discussed under Issue 3 of the staff report, the amendment could result in some potential impacts to adjacent properties from resulting development. However, the regulations of the proposed districts restrict the scale and intensity of proposed uses in order to mitigate the negative impact to adjacent residential development.
4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards	Complies	The property is not located within an overlay zoning district that imposes additional standards.
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.	Complies	<p>The subject property is located within a built environment where public facilities and services already exist. Future development on these properties, such as larger commercial or multifamily development may require upgrading utilities and drainage systems that serve the properties.</p> <p>No concerns were received from other City departments regarding the zoning amendment or the potential for additional development intensity/density on these properties.</p>
NOTES:		

ATTACHMENT E: PUBLIC PROCESS & COMMENTS

Public Notice, Meetings, Comments

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

Property Owner Notice and Meeting

Staff notified property owners of the subject properties about the proposed zoning changes to their properties in July 2014 and let them know that a stakeholder meeting would be held on August 5, 2014 at the City and County Building. Four property owners attended and discussed the proposal with staff at that meeting.

Notice of Application:

A notice of application was sent to the Poplar Grove Community Council chairperson. The Community Council was given 45 days to respond with any concerns or request staff to meet with them and discuss the rezone.

The Community Council requested that staff attend their October 22nd, 2014 meeting. Staff sent a notice to property owners and residents within 300 feet of the proposal, notifying them that the proposal would be discussed at the October 22nd meeting.

At the meeting staff presented a tentative rezoning proposal and received a number of questions about the proposed rezone and what it would allow. At the end of the meeting, the Community Council held a vote on the proposal. The vote came out in favor of the proposed rezone.

It should be noted that the original proposal heard by the Community Council was to rezone all of the properties to CN. However, during subsequent analysis, staff determined that the R-MU-35 zone would be more appropriate for a portion of this node. Further, a single-family home at 1275 W 400 South was included in the original proposal to the community council but was subsequently removed from consideration, as staff determined the additional expansion of the CN zone to that lot would not significantly benefit the node's future development.

Notice of the public hearing for the proposal included:

Public hearing notice mailed on February 26, 2015

Public notice posted on City and State websites and Planning Division list serve on February 26, 2015

Public Input:

Staff received three phone calls prior to the Community Council meeting from nearby residents inquiring about the proposal. Two of these callers had no concerns with the proposal. The resident neighboring the property at 1266 W 400 South to the west expressed concerns relating to the current uses on the property and said that they wouldn't be concerned with new retail on the property as long as there is a wall that will shield her from the use. In response to this concern, a 6' wall and 7' of horizontal landscape buffering would be required along that particular property line if the property is redeveloped under the CN zone.

Staff received another phone call prior to the Planning Commission meeting from an affected property owner. The owner expressed their concern regarding the ability of neighbors to add additional rental units to their property and was concerned about the future apartment development that just replicates the low quality apartments already found in the community. They also expressed their general disappointment with the poor upkeep of surrounding properties and yards.

ATTACHMENT F: DEPARTMENT REVIEW COMMENTS

Department Review Comments

Engineering

No objections.

Zoning

No comments.

Transportation

400 South roadway is a Arterial Class roadway with multi model corridors for Autos, Bikes, and Pedestrians. The proposed change from R/1-5000 residential use to CN Commercial present a standard impact of traffic use classification for this roadway. The CN parking requirements are in balance with the natural growth and level of service available.

Public Utilities

No comments regarding the rezone application. The changes to the property, including demo and rebuild, will be handled through the typical permitting processes.

Fire

No comments.

Police

No comments.

ATTACHMENT G: MOTIONS

Potential Motions

Staff Recommendation:

Based on the findings and analysis in the staff report, testimony, and discussion at the public hearing, I move that the Planning Commission transmit a positive recommendation to the City Council for the proposed zoning amendment.

Not Consistent with Staff Recommendation:

Based on the findings and analysis in the staff report, testimony, and discussion at the public hearing, I move that the Planning Commission transmit a negative recommendation to the City Council for the proposed zoning amendment.

(The Planning Commission shall make findings on the Zoning Amendment standards and specifically state which standard or standards are not being complied with. Please see Attachment D for applicable standards.)