



Staff Report

PLANNING DIVISION
COMMUNITY AND NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Kelsey Lindquist, 801-535-7930, kelsey.lindquist@slcgov.com

Date: October 13, 2016

Re: PLNPCM2016-00569 and PLNPCM2016-00660: Master Plan Amendment and Zoning Map Amendment for one parcel located at 350 E. 800 S.

Master Plan and Zoning Amendment

PROPERTY ADDRESSES: 350 East 800 South
PARCEL ID NUMBERS: 16-07-252-001

MASTER PLAN: Central Community Master Plan
ZONING DISTRICT: Current: RMF-30

Proposed: CN (Commercial Neighborhood)

REQUEST: The applicant Suzette Eaton, the property owner of 350 E. 800 S., is requesting approval to amend the Central Community Master Plan future land use map from “low density residential,” to “neighborhood commercial” and amend the zoning map from RMF-30 (Low Density Multi-family Residential) to CN (Neighborhood Commercial). The property is approximately 3,362 square feet in size and the existing commercial space is approximately 625 square feet in floor area.

The intent of the proposal is to re-establish the historic mix of uses on the site. The subject property has a commercial store front that faces 800 S. and a residential component that faces Blair Street (345 East). The property has been rezoned several times since 1927. As part of the City-wide rezoning that occurred in 1995, the property was zoned to RMF-30. After the property was rezoned, the existing commercial use became legal nonconforming to the zoning district, which allows all commercial uses only until they are abandoned.

If the zoning is amended for the property, the property could be used for commercial purposes again and would be considered a conforming use. The applicant has not expressed the desire to demolish, expand or reconstruct the current structure. The City Council has final decision making authority for master plan and zoning amendments.

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 master plan and 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 master plan and zoning amendments.

ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Site Photographs](#)
- C. [Application with Proposed Site Plan and Elevation](#)
- D. [Existing Conditions & Development Standards](#)
- E. [Analysis of Standards](#)
- F. [Public Process & Comments](#)
- G. [Department Review Comments](#)
- H. [Motions](#)

PROJECT DESCRIPTION:

The residential portion of the property was originally constructed around 1911, the commercial storefront was added shortly after construction. When zoning was introduced in 1927, the property was zoned as B-2. This particular zone was primarily comprised of residential uses, which caused the commercial component to be considered nonconforming. Subsequent zoning continued the residential intent of the area, and the nonconforming use. In 1995, Salt Lake City adopted new zoning and a new zoning code. The subject property was zoned RMF-30 (Low Density Multi-family Residential), and the Central Community Master Plan adopted in 2004, reflected the residential zoning.

The City considers the nonconforming use to have been abandoned for the subject property. Since the last business license issued for the subject property dates back to 2009, the nonconforming use is presumed to have been abandoned. This inability to re-establish the nonconforming use is why the applicant is seeking to amend the zoning map and the Central Community Master Plan future land use map.

Salt Lake City Zoning Ordinance Chapter 21A.62, currently defines “nonconforming use,” as; any building or land legally occupied by a use at the time of passage of the ordinance codified herein or amendment thereto which does not conform after passage of said ordinance or amendment thereto with the use regulations of the district in which located. Additionally, the Salt Lake City Zoning Ordinance Chapter 21A.38.040.F, which was recently amended, stipulates that there is a presumption of abandonment, if; (2) the use has been discontinued for a minimum of one year, or (3) the primary structure associated with the nonconforming use remains vacant for a period of one year. Once the zoning map and the master plan reflect a small scale neighborhood commercial use, the Salt Lake City Zoning Ordinance Chapter 21A.38 Nonconforming Uses, would no longer be applicable for the subject property. Establishing a nonconforming use has been problematic for the subject property, which will be eliminated with the proposal.

Since the Central Community Master Plan was created and adopted, the City has taken a new direction on small scale commercial uses located within residential zones that provide a neighborhood support. The intent of the proposed rezone is to utilize the original commercial building without being restricted by a nonconforming classification. The rezone would support the re-establishment of a small scale commercial use that supports the neighborhood, walkability and local businesses.



KEY ISSUES:

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

1. Other Guiding Documents
2. Zone Compatibility with Adjacent Properties
3. Parking
4. Potential Loss of a Residential Housing Unit

Issue 1 – Other Guiding Documents

The *Central Community Master Plan* discusses the future intention of nonconforming uses in the Commercial Chapter, stipulating that:

A Nonconforming Land Use Evaluation Map identifies nonconforming commercial business properties within the Central Community. Unless the subject properties are petitioned individually for review, once the City has developed a more compatible neighborhood business zoning approach these mapped nonconforming sites should be evaluated on a case-by-case basis for whether or not the specific site is appropriate for small-scale commercial or residential land use designation.

The City conducted the Small Neighborhood Business Amendment Study in 2009, which was initiated to research and analyze the existing nonconforming uses located within each Council District. Due to the City repositioning their stance on nonconforming uses, the City evaluated each nonconforming use/structure and developed an appropriate zone. Within the study, it was further explained that the City viewed the rezone, which caused a significant number of properties to become nonconforming, to have been a misjudgment, stating:

In 1995, Salt Lake City adopted new zoning regulations that rezoned areas of the City within and abutting residential neighborhoods. This action made many neighborhood commercial uses nonconforming, meaning the use was considered inappropriate for its location, but allowed to remain until voluntarily

removed or abandoned. Since that time, City policy makers have rethought that decision. They have found that many neighborhood businesses provide a necessary service and are an essential component to a sustainable, walkable neighborhood. As a result, this process will return many neighborhood businesses to legal conforming status.

The purpose of this study was to compile the existing nonconforming uses located within primarily residentially zoned areas and to apply appropriate commercial zoning. The subject property was 1 out of 110 nonconforming commercial uses identified within the Central City Community. This particular property has been nonconforming since the commercial use was added and zoning was introduced in 1927. The property is a small scale commercial structure (625 square feet) with a residential component located to the rear. Rezoning the subject property in order to re-establish and legalize the commercial use, fosters sustainable and walkable neighborhoods and efficient use of the existing subject property.

Issue 2 – Zone Compatibility with Adjacent Properties

The property in its current configuration is generally compatible with the existing abutting residential properties. The subject property currently contains a commercial structure attached to a residential structure on the corner of Blair Street (345 East) and 800 South. The proposed zone change from RMF-30 (Low Density Multi-family) to CN (Neighborhood Commercial), would be an appropriate shift and would be compatible with the intended small scale commercial use. The abutting properties to the west, east, and south are zoned RMF-30 (Low Density Multi-Family) and the properties adjacent to the north are zoned RMF-35 (Medium Density Multi-Family). There are several commercially zoned properties to the west, which are primarily located on 800 south.

The primary difference between the RMF-30 (Low Density Multi-Family) Zoning and CN (Neighborhood Commercial) are the height limitations and development standards. The RMF-30 (Low Density Multi-Family) Zone allows a maximum height of 30 feet, while the CN (Neighborhood Commercial) allows a maximum height of 25 feet. Additional design standards are applicable to the CN (Neighborhood Commercial) zone, and any base zoning modification would require Conditional Building and Site Design Review approval. If the structure were to be demolished, at a future point in time, the redevelopment of the property would be subject to the CN zoning standards (if the amendments are approved), which would be rather restrictive.

Commercial uses are not permitted in any of the RMF (Residential Multi-Family) zones. Additionally, a majority of residential uses are not permitted in the CN (Neighborhood Commercial) zone, however, mixed-use is permitted. The current configuration of the subject property would be considered mixed-use. Mixed uses are encouraged in the Central Community Master Plan, please refer to the discussion section. The property in its current configuration is generally compatible with the existing abutting residential properties.

Issue 3 – Parking

The size of the commercial space is approximately 625 square feet. Chapter 21A.44.030.C Number of Off Street Parking Spaces Required, provides flexibility for small business owners located within commercial or downtown zones, to subtract the first 1,000 square feet of the commercial space from the parking calculation. However, the subject property currently has 3 off street parking spaces, one of which would be required for the residential component. The additional two parking stalls would help mitigate any potential parking impact.

Issue 4 – Potential Loss of a Residential Housing Unit

Rezoning the property to CN (Neighborhood Commercial) could potentially cause a loss of a residential housing unit. The current property owner has rehabilitated the subject property, including the residential unit and expresses the desire to maintain and keep the residential component of the property. At some point in the future, if the current property owner sells the subject property the commercial use could potentially be expanded to the rear. If the property is rezoned to CN (Neighborhood Commercial), the expansion of the commercial use and the elimination of the residential use would not require any Mitigation of Residential Housing Loss. Expanding the commercial use to the rear would initiate several code upgrades throughout the structure. Additionally, any expansion past 1,000 square feet of commercial space would require that off street parking be provided.

A development agreement was suggested, as an option to ensure the maintenance of the residential component. A development agreement would limit the property owner to the existing configuration of the subject property. The City Council will ultimately decide if a development agreement is appropriate and needed for this particular zoning map and master plan amendment.

DISCUSSION:

The Central City Community Council, Liberty Wells Community Council and Trolley Square Business District were all given the opportunity to weigh in on the proposal, only the Liberty Wells Community Council wished to have the applicant present the proposal. During the Liberty Wells Community Council, the applicant received positive feedback and a unanimous vote in support of the proposal. No comments were received from the Central City Community Council or the Trolley Square Business District.

Applicable Master Plan Policies and Goals

The *Central Community Master Plan* includes some general policies about commercial and residential areas applicable to this rezone and master plan amendment request. Some policies related to this request include:

- RLU-1.7 Overall land use policy: Ensure that future amendments to the zoning map or text of the zoning ordinance do not result in a significant amount of nonconforming uses.
- RLU-4.2 Mixed Use Policy: Support small mixed use development on the corners of major streets that does not have significant adverse impacts on residential neighborhoods.
- CLU-1.1 Neighborhood Commercial: Encourage neighborhood-friendly commercial land use areas in the Central Community that are compatible with the residential neighborhood character, scale, and service needs and support the neighborhood in which they are located.
- CLU-2.1 Opportunities: Promote Salt Lake City as a viable business community through improved business/city administration communication and relationships, business recruitment and incentives for new and existing businesses.
- CLU-2.4 Location: Encourage mixed use development opportunities that integrate diverse land uses in the same building or cluster buildings in the Central Business District and the high-density transit oriented development areas.
- CLU-2.5 Location: Encourage the use of industrial/commercial condominiums for mixing business uses.
- CLU-4.1 Compatibility: Encourage appropriate re-use of existing non-conforming or non-complying commercial and industrial structures on a case-by-case basis.
- CLU-4.2 Compatibility: Ensure commercial land development does not disrupt existing low-density residential neighborhood patterns and follows future land use designations.

Appropriateness of Master Plan Amendment and Re-Zone

The *Central Community Master Plan* designates the subject property as “Low Density Residential.” The “Low Density Residential” designation allows for single-family homes, duplexes, twin homes, single-family attached dwellings, multi-family dwellings, and places of worship. The existing area contains a mix of single- and multi-family dwelling units and commercial structures to the west. Additional commercial properties are located along 900 south.

The transition from RMF-30 (Low Density Multi-family) to CN (Neighborhood Commercial) is appropriate for the subject property and the area. The area is already residentially focused with commercial opportunities. Additionally, the subject property had the commercial storefront added shortly after its construction.

The *Central Community Master Plan* supports neighborhood commercial properties and the proposal to rezone existing nonconforming uses on a case by case basis:

CLU-1.1 Neighborhood Commercial: Encourage neighborhood-friendly commercial land use areas in the Central Community that are compatible with the residential neighborhood character, scale, and service needs and support the neighborhood in which they are located.

CLU-4.1 Compatibility: Encourage appropriate re-use of existing non-conforming or non-complying commercial and industrial structures on a case-by-case basis.

The proposal to amend the future land use map and rezone the existing RMF-30 zoning designation to CN zoning, corresponds with the *Central Community Master Plan* policies. Although this zoning would re-designate the “low density multifamily” to a commercial use, the residential component located to the rear would remain.

Height and Building Feasibility

The existing structure is compatible with the neighboring residential structures, which directly abut the property. The proposed CN zoning designation allows for a building to be 25 feet in height. Currently, the RMF-30 zoning district allows for 30 feet in height, respectively. The *Central Community Master Plan* does not explicitly mention building heights for this neighborhood; however, the plan discusses compatibility with existing residential structures. The lowered height and the increased setbacks for the corner side/front yard, and rear yard, as well as providing landscape buffers, would make the redevelopment of this property restrictive.

Nonconforming Use

The existing commercial structure is located within a zoning district that does not permit commercial uses. The property has been considered nonconforming since 1927, subsequent zoning changes throughout the years continued to prohibit commercial uses and continued the nonconforming use status. The property lost its nonconforming status, after it remained vacant in 2009. The *Central Community Master Plan's* policy RLU 1.7, discusses nonconforming uses:

RLU-1.7 Ensure that future zoning amendments to the zoning map or text of the zoning ordinance do not result in a significant amount of nonconforming land uses.

The *Central Community Master Plan* discusses several concerns associated with nonconforming uses, such as the lack of housing opportunities and the potential for parking and traffic impacts. Based on the applicant proposing to preserve the existing historic structure, the residential component to the rear would be maintained.

NEXT STEPS:

With a recommendation of approval or denial for the master plan and zoning map amendments, the amendments will be sent to the City Council for a final decision by that body.

If the master plan amendment is approved and the zoning amendment is approved as CN designation, the applicant will be able to conduct any permitted use allowed in the CN district, if the parking requirements, building code requirements and all City licensing are applied for and granted.

If the master plan amendment and the zoning amendments are denied, the property will remain zoned RMF-30, Low Density Multi-Family Residential and any proposal, use or redevelopment would need to comply with the corresponding RMF-30 zoning requirements.

ATTACHMENT A: VICINITY MAP

Vicinity Map



Future Land Use

- Low Density Residential (1-15 dwelling units/acre)
- Low Medium Density Residential (10-20 dwelling units/acre) *
- Medium Density Residential (15-30 dwelling units/acre) *
- Medium High Density Residential (30-50 dwelling units/acre)
- High Density Residential (50 or more dwelling units/acre)

ATTACHMENT B: SITE PHOTOGRAPHS



View of Western Portion of Subject Property (facing Blair Street)



View of Southern Portion of Subject Property (Parking lot and rear entrance)



View of Northern Portion of Subject Property (Facing 800 s. and Blair)



View of Northern Portion of Subject Property (Facing 800 S.)



Tax Assessment Photo, Submitted by the Applicant

ATTACHMENT C: APPLICATION



SALT LAKE CITY PLANNING

Zoning Amendment

Amend the text of the Zoning Ordinance Amend the Zoning Map

OFFICE USE ONLY

Received By: <i>L. Parisi</i>	Date Received: <i>8/23/2016</i>	Project #: <i>PLNPCM2016-00659</i>
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Name or Section/s of Zoning Amendment:

PLEASE PROVIDE THE FOLLOWING INFORMATION

Address of Subject Property (or Area): <i>350 EAST 800 SOUTH SLL, UT 84111</i>	
Name of Applicant: <i>SUZETTE EATON</i>	Phone:
Address of Applicant: <i>515 EAST 3RD AVE, SLL, UT 84103</i>	
E-mail of Applicant: [REDACTED]	Cell/Fax: [REDACTED]

Applicant's Interest in Subject Property:

Owner Contractor Architect Other:

Name of Property Owner (if different from applicant):

E-mail of Property Owner:	Phone:
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Please note that additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information required for staff analysis will be copied and made public, including professional architectural or engineering drawings, for the purposes of public review by any interested party.

AVAILABLE CONSULTATION

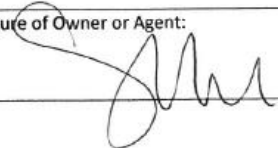
If you have any questions regarding the requirements of this application, please contact Salt Lake City Planning Counter at (801) 535-7700 prior to submitting the application.

REQUIRED FEE

- Filing fee of \$991 plus \$121 per acre in excess of one acre,
- Text amendments will be charged \$100 for newspaper notice.
- Plus additional fee for mailed public notices.

SIGNATURE

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

Signature of Owner or Agent: 	Date: <i>8.22.2016</i>
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Updated 2/20/15

Project Description

A change to the zoning map (currently RMF-30) to CN (Commercial Neighborhood) is requested to allow the historic building at the corner of 350 East 800 South to continue to operate with a small business in the existing commercial space. This project is a 625 Sq ft commercial building attached the side of a turn of the century single family Victorian home. The historic brick structure is similar in design to many corner markets found throughout Salt Lake City. The building has always functioned as a business, and has enjoyed Non-Conforming status until the last property owner neglected the building and failed to renew a business license, reverting the property back to RMF-30 zoning.

This property has been continually in use as a commercial neighborhood space for decades, and was built specifically for commercial use. It shares the same architecture and design elements as the other corner market spaces throughout the community. A great example is the new "Bagel Project" on 500 East 800 South.

It is separated from the single family home behind it, and does not function mechanically or visually as part of the residential dwelling behind it without major structural renovations to attempt to integrate the two structures. These renovations would require changes to the charming historic architecture of the 1915 Victorian home on the site and the loss of a historic corner market in a neighborhood that is beginning to revitalize.

The historic architecture, corner placement, location on a central bicycle and vehicle transportation corridor and the historic use of this property make this project an ideal candidate for a zoning map change to CN. It will keep this property in line with its historic function and preserve the neighborhood appeal enjoyed by other commercial corners in the area.

The parcel number to be changed is 16072520010000



Master Plan Amendment

SALT LAKE CITY PLANNING

Amend the text of the Master Plan Amend the Land Use Map

OFFICE USE ONLY

Received By: <i>L. Parisi</i>	Date Received: <i>8/23/2016</i>	Project #: <i>PLNPCM2016-00660</i>
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Name of Master Plan Amendment:

PLEASE PROVIDE THE FOLLOWING INFORMATION

Address of Subject Property (or Area): <i>350 EAST 800 SOUTH SLC UT 84111</i>	
Name of Applicant: <i>SUZETTE EATON</i>	Phone: [REDACTED]
Address of Applicant: <i>515 EAST 3125 AVE SLC, UT 84103</i>	
E-mail of Applicant: [REDACTED]	Cell/Fax: [REDACTED]

Applicant's Interest in Subject Property:

Owner Contractor Architect Other:

Name of Property Owner (if different from applicant):

E-mail of Property Owner:	Phone:
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Please note that additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information required for staff analysis will be copied and made public, including professional architectural or engineering drawings, for the purposes of public review by any interested party.

AVAILABLE CONSULTATION

Planners are available for consultation prior to submitting this application. Please call (801) 535-7700 if you have any questions regarding the requirements of this application.

REQUIRED FEE

- Filing fee of \$928 plus \$121 per acre in excess of one acre.
- \$100 for newspaper notice.
- Plus additional fee for mailed public notices.

SIGNATURE

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

Signature of Owner or Agent: <i>[Signature]</i>	Date: <i>8.22.2016</i>
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Updated 2/20/15

Project Description

An amendment to the Master Plan Land Use Map (currently Low Density Residential) to Neighborhood Commercial is requested to allow the historic building at the corner of 350 East 800 South to continue to operate with a small business in the existing commercial space. This project is a 625 Sq ft commercial building attached the side of a turn of the century single family Victorian home. The historic brick structure is similar in design to many corner shops and businesses found throughout Salt Lake City. The building has always functioned as a business, and has enjoyed Non-Conforming status until the last property owner neglected the building and failed to renew a business license.

The purpose of the change to Neighborhood Commercial is to preserve the integrity of the structure, maintain the small business use and preserve the historic neighborhood appeal of the property.

The present Master Plan Land Use Map has never accurately reflected the commercial nature of this property, as it has never been necessary due to the Non-Conforming Status. In the city's Small Neighborhood Business Amendment study, the need for this very process is advised, and this specific property is listed as a candidate.

The historic architecture, corner placement, location on a central bicycle and vehicle transportation corridor and the historic use of this property make this project an ideal candidate for an amendment of the Land Use Map.

The parcel number to be changed is 16072520010000

ATTACHMENT D: EXISTING CONDITIONS & DEVELOPMENT STANDARDS

Uses in the Immediate Vicinity of the Property

To the west of the parcel proposed for rezone, the parcels are single and multi-family dwellings, which are zoned RMF-30. Multi-family dwellings occupy the parcels to the north, which are zoned RMF-35. The parcels to the south are similarly utilized with single and multi-family dwellings, which are zoned RMF-30.

RMF-30 Development Standards (21A.24.120)							
LOT WIDTH	LOT AREA	FRONT YARD	REAR YARD	SIDE YARDS	HEIGHT	LOT COVERAGE	LANDSCAPE BUFFERS
80' min (multi-family development)	9,000 square feet for 3 dwelling units plus 3,000 square feet for each additional dwelling unit	20' min	25% of lot depth (not less than 20' or more than 25')	4' and 10' (10' and 4' for corner lots)	30'	40% max	When abutting a single or two-family zone, landscape buffers are required. Front and corner side yards must be landscaped.

PROPOSED CN ZONING STANDARDS

The applicant is proposing to rezone the subject property to CN (Neighborhood Commercial). The development standards for that zone are the following:

CN Development Standards (21A.26.020)							
LOT WIDTH	LOT AREA	FRONT AND REAR YARD	MAXIMUM SETBACK	SIDE YARDS	HEIGHT	LOT COVERAGE	LANDSCAPE BUFFERS
No minimum required	No minimum required	15' minimum (front) 10' minimum (rear)	A maximum setback is required for at least sixty-five percent (65%) of the building façade. The maximum setback is twenty five feet. Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the	None required	25' feet	80% max (at least 20% has to remain as open space)	When abutting a single or two-family zone, landscape buffers are required.

			<p>resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent if the planning director finds the following:</p> <ol style="list-style-type: none"> a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture. b. The addition is not part of a series of incremental additions. 				
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Additional design standards for Entrance and Visual Access apply to the CN (Neighborhood Commercial) district.

CN Entrance and Visual Access (21A.26.020)			
MINIMUM FIRST FLOOR GLASS	FACADES	MAXIMUM LENGTH	SCREENING
<p>The first floor elevation facing a street of all new buildings or building in which the property owner is modifying the size of windows on the front façade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be non-reflective. Display windows that are three-dimensional and are at least two feet deep are permitted and may be counted toward the forty percent glass requirement. Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of Chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:</p> <ol style="list-style-type: none"> a. The requirement would negatively impact the 	<p>Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent glass requirement as outlined in subsection I1 of this section.</p>	<p>The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').</p>	<p>All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.</p>

<p>historic character of the building</p> <p>b. The requirement would negatively impact the structural stability of the building.</p>			
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CN Permitted and Conditional Uses (21A.26.020)	
PERMITTED USES	CONDITIONAL USES
<ul style="list-style-type: none"> • Accessory uses, except those that are specifically regulated elsewhere in this title • Adaptive reuse of a landmark site • Art gallery • Bed and breakfast • Bed and breakfast inn • Clinic (medical, dental) • Community garden • Daycare center, adult • Daycare center, child • 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 • Living quarter for caretaker or security guard • Financial institution • Government facility requiring special design features for security purposes • Library • Mixed use development • Mobile food business (operation on private property) • Museum • Office • Open space • Park • Place of worship on lot less than 4 acres in size • Recreation (indoor) • Recycling collection station • Restaurant • Retail goods establishment • Plant and garden shop with outdoor retail sales area • Retail service establishment • Reverse vending machine • Sales and display (outdoor) • Seasonal farm stand • Studio, art • Urban farm • Utility, building or structure • Utility, transmission wire, line, pipe or pole 	<ul style="list-style-type: none"> • Dining club (2500 square feet or less in floor area) • Veterinary office • Bed and breakfast manor • Offsite parking • Furniture repair shop • Automotive repair (minor)

ATTACHMENT E: 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>Consistent with general goals and policies, but requires amendment to the future land use map of the Central Community Master Plan, which is part of this proposal.</p>	<p>Please see the “Discussion” section on pages 4-6, regarding applicable master plan policies. As discussed, staff finds that the zoning amendment is consistent with the general policies of the <i>Central Community Master Plan</i>.</p> <p>The Master Plan discusses nonconforming uses in the residential and commercial section,</p> <p><i>A Nonconforming Land Use Evaluation Map identifies nonconforming commercial business properties within the Central Community. Unless the subject properties are petitioned individually for review, once the City has developed a more compatible neighborhood business zoning approach these mapped nonconforming sites should be evaluated on a case-by-case basis for whether or not the specific site is appropriate for small-scale commercial or residential land use designation.</i></p> <p>Since the adoption of the Central Community Master Plan, the City has conducted a study on nonconforming uses located within each council district. The following summarizes the approach and intent of the study:</p> <p><i>In 1995 Salt Lake City adopted new zoning regulations that rezoned areas of the City within and abutting residential neighborhoods. This action made many neighborhood commercial uses nonconforming, meaning the use was considered inappropriate for its location, but allowed to remain until voluntarily removed or abandoned. Since that time, City policy makers have rethought</i></p>

		<p><i>that decision. They have found that many neighborhood businesses provide a necessary service and are an essential component to a sustainable, walkable neighborhood. As a result, this process will return many neighborhood businesses to legal conforming status.</i></p> <p>The proposed CN zoning is appropriate for the existing commercial structure. The CN zone will be compatible with the corner commercial property and the adjacent zoning. Additionally, the CN zone will establish the subject property as conforming.</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: <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>3. The extent to which a proposed map amendment will affect adjacent properties;</p>	<p>Complies</p>	<p>As discussed in the issues and discussion sections on page 4, the amendments will not cause a parking impact. Since the existing property contains some off street parking and none is required, there is no foreseen parking impact.</p>
<p>4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards</p>	<p>Complies</p>	<p>The property is not located within an overlay zoning district that imposes additional standards.</p>
<p>5. The adequacy of public facilities and services intended to serve the subject property,</p>	<p>Complies</p>	<p>The subject property is located within a built environment where public facilities and services already exist. Future development on this property,</p>

<p>including, but not limited to, roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and wastewater and refuse collection.</p>		<p>may require upgrading utilities and drainage systems that serve the property.</p> <p>No concerns were received from other City departments regarding the zoning amendment or the potential for additional development on this properties as long as certain requirements are met.</p>
<p>NOTES:</p>		

ATTACHMENT F: PUBLIC PROCESS & COMMENTS

Notice of Application:

A notice of application was e-mailed to the Central Neighborhood Council chairperson, Liberty Wells Community Council chairperson and the Trolley Business District on August 30, 2016. The Liberty Wells Community Council requested that the applicant present at their October 12th, 2016 meeting. No requests for meetings and no comments were received from the Central Neighborhood Council or the Trolley Business District. The 45 day period ended on October 15th, 2016.

Community Council Meeting:

The applicant presented at Liberty Wells Community Council on October 12, 2016. The members of the community in attendance had questions regarding the proposed uses and parking. No negative comments were received. The Liberty Wells Community Council conducted a vote of the members from the community in attendance, it was a unanimous vote of support for the zoning map and master plan amendment.

Notice of the Planning Division Open House:

Public open house notice mailed on September 30th, 2016.

Open House was held on October 13th, 2016.

Open House Public Comments:

See attachments below.

Notice of Public Hearing:

Public hearing notice posted on October 27th, 2016.

Public hearing notice posted on City and State websites and Planning Division list serve on November 2nd, 2016.

Public hearing notice mailed on October 27th, 2016.

Public Input:

Two phone calls have been received.

- One individual had no public comment at the time.
- The additional caller had concerns relating to the future expansion of the commercial component and the potential loss of a residential unit.

**OPEN HOUSE
PUBLIC COMMENT FORM**

October 13, 2016



Planning Division:
Community and Neighborhoods

**350 E. 800 S. – Zoning Map Amendment and Master Plan
Amendment**

Name: Angela Dean

Address: _____

_____ Zip Code _____

Phone: _____ E-mail [REDACTED]

Comments: Our office is a block away & zoned
CN. I believe this would be an appropriate
zone for this property.

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at kelsey.lindquist@slc.gov or via mail at the following address: Kelsey Lindquist, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480.

**OPEN HOUSE
PUBLIC COMMENT FORM**

October 13, 2016



Planning Division:
Community and Neighborhoods

**350 E. 800 S. – Zoning Map Amendment and Master Plan
Amendment**

Name: Renee Wilson

Address: [REDACTED]

Zip Code

Phone: [REDACTED] E-mail [REDACTED]

Comments: I'm excited to see this property be
developed and active as part of the
community. I really like having local
businesses within walking distance.
Thanks!

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at kelsey.lindquist@slcgov.com or via mail at the following address: Kelsey Lindquist, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480.

ATTACHMENT G: DEPARTMENT REVIEW COMMENTS

Department Review Comments

Engineering

No objections.

Zoning

No zoning related issues associated with this proposal; however, future uses in the zone may be restricted through the permitting process due to the size of the property. Future issues may involve parking, landscape buffer requirements, dumpster locations, and code requirements for a change of use.

Transportation

No comments.

Public Utilities

No comments.

Fire

No comments.

Police

No comments.

ATTACHMENT H: MOTIONS

Potential Motions

Staff Recommendation:

Based on the findings listed in the staff report and the testimony and plans presented, I move that the Planning Commission transmit a positive recommendation to the City Council for the proposed zoning map and master plan amendment.

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 for the proposed zoning map and master plan 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 E for applicable standards.)