



# Staff Report

PLANNING DIVISION  
DEPARTMENT OF COMMUNITY & NEIGHBORHOODS

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To: Salt Lake City Planning Commission  
From: Katia Pace  
(801) 535-6354 or [katia.pace@slcgov.com](mailto:katia.pace@slcgov.com)  
Date: March 8, 2017  
Re: PLNPCM2016-00024: Eleemosynary Text Amendment

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## ZONING TEXT AMENDMENT

**PROPERTY ADDRESS: Citywide**  
**PARCEL ID: Not Applicable**  
**MASTER PLAN: Not Applicable**

### REQUEST:

Salt Lake City Council is requesting a text amendment to ensure that Salt Lake City has a land use classification for short-term housing for the terminally and seriously ill and analyze how this land use, and others like it, would impact the residential neighborhoods that are adjacent to the Institutional zoning district. In addition to the initial City Council request, Planning Staff also analyzed existing zoning regulations related to housing that provides special support services.

Through this request, planning proposes the following changes:

1. Retain “Eleemosynary” land use;
2. Split “Eleemosynary Facility” into 2 classes (small) and (large);
3. Change zoning districts where the “Eleemosynary” land use would be allowed;
4. Remove cap of 25 persons in the definition of “Assisted Living Facility;”
5. Make “Assisted Living Facility” and “Eleemosynary Facility” a conditional use in the institutional zone; and
6. Remove the 800 foot distance requirements that violate the Fair Housing Act.

### RECOMMENDATION:

Based on the findings in the staff report, Planning Staff finds the proposed amendment adequately meets the standards for general text amendments and therefore recommends that the Planning Commission transmit a positive recommendation to the City Council to adopt the proposed changes as explained in this staff report.

**Staff recommends the following motion:**

Based on the findings and analysis in the staff report and testimony provided, I move that the Planning Commission transmit a positive recommendation for PLNPCM2016-00026 to adopt the proposed changes to the definition of the Eleemosynary Facility, change the zoning districts where the eleemosynary land use is allowed, remove the 25 person cap in the definition of Large Assisted Living Facilities, make Assisted Living Facilities a conditional use in the Institutional zone, and remove the distance requirement for land uses such as Group Homes, Residential Support and Eleemosynary Facilities

**PROJECT BACKGROUND:**

**Original Request**

Early in 2016 the Salt Lake City Council issued a legislative action asking the Planning Division to come up with a land use that would address the need for short-term housing for the terminally and seriously ill and analyze how this land use, and others like it, would impact the residential neighborhoods that are adjacent to the Institutional zoning district.

The request from the Salt Lake City Council came after the INN Between requested permission from the city to start Utah's first hospice house for the homeless to provide a safe and comfortable place where homeless men and women can experience the end of life and receive professional hospice services.

Salt Lake City has identified the need for places that can offer a living space for people who are terminally ill or need to recover from a serious life threatening illness or injury. Often patients need to leave a hospital or a clinic and don't have a place to go, a family member to take care of them, or live far away from a hospital or a medical facility. This service reduces hospital stays and emergency room visits; give hospitals and clinics a safe place to which they can discharge patients; and decrease the need for family members to take on the entire burden of care.

**Additional Proposal - Distance Requirement**

In addition to the request above, the Planning Division proposes to eliminate an 800 foot distance requirement from group homes, residential support and eleemosynary facilities to become in compliance with federal law.

Recent applications for new group homes, have caused the city to re-examine the ordinance requiring group homes, residential support and eleemosynary facilities to be located 800-feet from each other. The city's spacing requirements violate the Fair Housing Act because the spacing requirement applies to facilities that serve disabled persons, a protected class under the Act.

The Fair Housing Act defines a person with a disability to include individuals with a physical or mental impairment that substantially limits one or more major life activities. The term "physical or mental impairment" includes, but is not limited to, diseases and conditions such as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, HIV infection, developmental disabilities, mental illness, drug addiction (other than addiction caused by current, illegal use of a controlled substance), and alcoholism.

**PROJECT DESCRIPTION:**

In response to the petition, Planning analyzed zoning regulations related to housing that provides special support services. The changes are described in further detail below.

1. Retain “Eleemosynary” land use;
2. Split “Eleemosynary Facility” into 2 classes (small) and (large);
3. Change zoning districts where “Eleemosynary” land use would be allowed;
4. Remove cap of 25 persons in the definition of “Assisted Living Facility;”
5. Make “Eleemosynary Facility” and “Assisted Living Facility” a conditional use in the institutional zone; and
6. Remove the 800 foot distance requirements that violate the Fair Housing Act.

### **1. Retain Eleemosynary Facility Land Use**

In considering a new land use, planning staff realized that the eleemosynary land use would allow short-term housing for the terminally and seriously ill and therefore a “new” land use would not be necessary. An Eleemosynary facility is defined in the Zoning Ordinance as:

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

### **2. Split the Eleemosynary Land Use into Small and Large Facilities**

Planning staff studied how to reduce the impact of eleemosynary land use within residential neighborhoods and came up with the proposal to split the eleemosynary land use into large and small. Additional information about the impacts on residential neighborhoods can be found on the Key Issues section of this staff report.

Right now eleemosynary facilities are allowed without a maximum occupancy in low density residential zoning districts all the way to higher density commercial zoning districts. The split would allow smaller facilities, up to 6 clients, in lower residential zoning districts and other zoning districts; and allow larger facilities, 7 clients or more, in more intense zoning districts. The distinction between large and small would follow a similar format as other land uses like it.

The new definitions would read:

***Eleemosynary Facility (Large):*** a facility, occupied by seven (7) or more clients, operated by a nonprofit charitable organization or government entity to provide temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease and/or their family members. Eleemosynary facilities are traditionally not funded wholly by government but are usually supported by philanthropic, corporate, and private funding. The term "eleemosynary facility" does not include places of worship, social and community services organizations, homeless shelters, community dining halls, group home dwellings, residential support dwellings, and other similar facilities.

***Eleemosynary Facility (Small):*** a facility, occupied by up to six (6) clients, operated by a nonprofit charitable organization or government entity to provide temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease and/or their family members. Eleemosynary facilities are traditionally not funded wholly by government but are usually supported by philanthropic, corporate, and private funding. The term "eleemosynary facility" does not include places of worship, social and community services organizations, homeless

shelters, community dining halls, group home dwellings, residential support dwellings, and other similar facilities.

The word clients, referring to the occupancy, would be used in the definition instead of individuals as in other land uses because in an eleemosynary facility an individual might be accompanied by a family member.

**3. Change Zoning Districts Where Eleemosynary Land Use Would Be Allowed**

By splitting the land use between large and small the eleemosynary land use would need to be redistributed. Smaller facilities, up to 6 clients, would be allowed in lower residential zoning districts and other zoning districts. Larger facilities, 7 clients or more, would be allowed in more intense zoning districts.

	CONDITIONAL USE	PERMITTED USE
<b>Existing Eleemosynary Facility</b>	FR-1/43,560, FR-2/21,780, FR-3/12,000, R-1/12,000, R-1/7,000, R-1/5,000, SR-1, SR-3, R-2, RMF-30, R-MU-35, CC, CSHBD, and CG.	RMF-45, RMF-75, R-MU-45, R-MU, RO, TC-75, D-1, D-2, D-3, D-4, G-MU, RP, FP, AG, AG-2, AG-5, PL, PL-2, I, UI, MU, FB-UN2, FB-SC, FB-SE, and TSA.
<b>Large Eleemosynary Facility</b>	RMF-35, R-MU-35, CC, CSHBD, CG, and I.	RMF-45, RMF-75, R-MU-45, R-MU, CB, TC-75, D-1, D-2, D-3, D-4, G-MU, UI, MU, FB-UN2, FB-SC, FB-SE and TSA.
<b>Small Eleemosynary Facility</b>	FR-1/43,560, FR-2/21,780, FR-3/12,000, R-1/12,000, R-1/7,000, R-1/5,000, SR-1, SR-3, R-2, RMF-30,	RMF-35, RMF-45, RMF-75, R-MU-35, R-MU-45, R-MU, RO, CB, CC, CSHBD, CG, TC-75, D-2, D-3, D-4, G-MU, I, UI, MU, FB-UN2, FB-SC, FB-SE, and TSA.

**4. Remove the 25 Person Cap in the definition of “Assisted Living”**

On December of 2015 the Salt Lake City Council approved a text amendment to allow assisted living facilities in more zoning districts as part of the City’s “Aging in Place” initiative. In addition, the definition of Assisted Living Facilities as well as other land use definitions changed to make the city’s definitions match the Utah Code’s definitions.

Along with these changes a 25 person cap was placed in the definition of Large Assisted Living Facility and in the qualifying provision for the Institutional zone. The cap in the definition was an inadvertent mistake, as a result it made the occupancy requirement apply citywide. The City Council’s intent was to place a 25 person cap for assisted living facilities in the qualifying provision for the Institutional zoning district only. The cap in the qualifying provision should stay but the cap in the definition should be removed.

The current definition reads:

***Assisted Living Facilities (Large):*** a residential facility, occupied by seventeen (17) to **twenty five (25) individuals**, licensed by the state of Utah under title 26, chapter 21 of the Utah code or its successor, that provides healthcare and assistance with activities of daily living and social care, including hospice care and respite care, as defined in Utah code section 26-21-2 or its successor.”

The new definition would read:

***Assisted Living Facilities (Large):*** a residential facility, occupied by seventeen (17) to **or more individuals**, licensed by the state of Utah under title 26, chapter 21 of the Utah code or its successor, that provides healthcare and assistance with activities of daily living and social care, including hospice care and respite care, as defined in Utah code section 26-21-2 or its successor.”

Eleemosynary Facility has a 25 persons cap listed as a qualifying provision. Other zoning districts where eleemosynary facilities are allowed don't have a restriction in occupancy. This occupancy restriction was placed as a measure for compatibility with residential neighborhoods and intended for the Institutional zone only. This occupancy restriction should stay, but the word in the qualifying provision should change from “persons” to “clients,” to be consistent with the proposed definition change.

### **5. Make Eleemosynary and Assisted Living Facilities a Conditional Use in the Institutional zoning district**

Among these proposed changes, large eleemosynary and assisted living facilities would change from being allowed as a permitted use to a conditional use in the Institutional zoning district. This change is being proposed to promote additional review to ensure compatibility with any adjacent residential neighborhood.

#### ***Standards from Conditional Use Process***

Under Section 21A.54.080 conditional use standards requires additional review to mitigate impacts. It ensures that the use is compatible with surrounding uses and that it complies with regulations and master plans. In addition, it assures that anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions. See Attachment G for a list of potential detrimental effects.

### **6. Remove the 800 foot Distance Requirement**

The Planning Division proposes to eliminate an 800 foot distance requirement from group homes, residential support and eleemosynary facilities to become in compliance with federal law.

This requirement is found on the qualifying provisions at the end of the following permitted and conditional use tables:

- Chapter 21A.33.020: Table of Permitted and Conditional Uses for Residential Districts
- Chapter 21A.33.030: Table of Permitted and Conditional Uses for Commercial Districts
- Chapter 21A.33.050: Table of Permitted and Conditional Uses for Downtown Districts
- Chapter 21A.33.060: Table of Permitted and Conditional Uses in the Gateway District
- Chapter 21A.33.070: Table of Permitted and Conditional Uses for Special Purpose Districts

### **KEY ISSUES:**

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

#### **Issue 1. Impact on Residential Neighborhoods from Institutional Land Uses**

Eleemosynary and assisted living facilities, hospitals and nursing homes are institutional land uses allowed in the Institutional zoning district. Planning finds that eleemosynary and assisted living facilities are land uses that are typically associated with hospitals, nursing homes, and other institutional land uses and allowing them in the Institutional zoning district is appropriate. Allowing assisted living facilities in the Institutional zones can be considered part of the “Aging in Place” effort.

Institutional zoning districts are often located surrounded by residential neighborhoods that can be impacted by institutional land uses.

Some of the impacts on residential neighborhoods are traffic, parking and incompatible architectural appearance. Other potential impacts such as behavioral impact are for the most part programming issues that are not easily addressed through zoning.

The Salt Lake City zoning ordinance provides ways to mitigate some of the potential impacts on adjacent residential neighborhoods to institutional land uses. The list below provide a summary of the zoning requirements related to this topic.

***Traffic & Parking Impacts***

Under the Institution section of the zoning ordinance (Section 21A.32.080) controls are set for traffic and parking:

*Traffic and Parking Impact:* A traffic and parking study is required to be submitted to the city whenever an expansion of an existing use or an expansion of the mapped district is proposed. New institutional uses or expansions/intensifications of existing institutional uses shall not be permitted unless the traffic and parking study provides clear and convincing evidence that no significant impacts will occur.

Additional parking requirements are listed on Section 21A.44.030 for assisted living and eleemosynary facilities:

*Required parking for Eleemosynary Facilities:* 1 parking space for each family, plus 1 parking space for every 4 individual bedrooms, plus 1 parking space for every 2 support staff present during the busiest shift.

*Required parking for Assisted Living Facilities:* 1 parking space for each 4 employees, plus 1 parking space for each 6 infirmary or nursing home beds, plus 1 parking space for each 4 rooming units, plus 1 parking space for each 3 dwelling units.

***Incompatible Architectural Appearance***

Under Section 21A.32.080, the purpose of the Institutional district is to regulate the development of larger public, semipublic and private institutional uses in a manner harmonious with surrounding uses. Some of the requirements that address the issue of compatibility in the Institutional zone are:

*Maximum Building Height:* Building height is limited to thirty five feet (35'). Building heights in excess of thirty five feet (35') but not more than seventy five feet (75') may be approved through the conditional building and site design review process; provided, that for each foot of height over thirty five feet (35'), each required yard setback shall be increased one foot (1').

*Minimum Open Space:* A minimum open space not be less than forty percent (40%) of the lot area is required.

*Landscape Yard Requirements:* The following landscape yards are required:

1. Front Yard: Twenty feet (20').
2. Corner Side Yard: Twenty feet (20').
3. Interior Side Yard: Eight feet (8').
4. Rear Yard: Eight feet (8').

*Lighting:* All uses and developments are required to provide adequate lighting so as to assure safety and security. Light sources shall be shielded to minimize light spillover onto adjacent properties.

## **Issue 2. Safety of Eleemosynary Clients**

Salt Lake City wants to guarantee that health and safety is not compromised for persons that are seriously ill and live in group situations that may have limited mobility. Institutional housing types listed in the Salt Lake City zoning ordinance such as Assisted Living Facilities, Group Homes, and Residential Support are required to be licensed by the State of Utah.

Utah State Licensing does not license eleemosynary facilities, consequently these facilities are not regulated for safety through licensing as the other facilities listed above. Zoning is not the tool to address safety concerns. However, under Section 18.50.020.B of the Salt Lake City Building Code the city requires that any building undergoing a change which intensifies the use, is required to make building code upgrades. Code upgrades to an eleemosynary facility, according to plan and fire examiners, would include the following:

- Smoke barriers, a minimum of two smoke compartments to meet the square feet area of refuge as required in the NFPA 101 Life Safety Code;
- Automatic fire sprinkler system; and
- Automatic fire alarm, detection system that is interconnected to a remote station.

Other requirements such as ADA compliance would also be required.

## **Issue 3. Nonconforming Use**

If the proposed text amendment is adopted there are potential consequences such as making existing eleemosynary facilities become a nonconforming use because of the change of zoning districts where they are allowed. Under Section 21A.38.040, the consequence of becoming a nonconforming use is the limit to enlargement, alteration, restoration, or replacement that would increase the level of nonconformity. Planning staff is not aware of any facility that would become a nonconforming use if these proposed changes were adopted.

### **ATTACHMENTS:**

- A. Petition to Initiate
- B. Proposed Ordinance Changes
- C. Analysis of Standards
- D. Salt Lake City Master Plans
- E. Public Process and Comments
- F. Existing Land Use - I and UI Zoning Districts
- G. Conditional Use Standards and List of Detrimental Effects
- H. Motions

### **NEXT STEPS:**

The City Council has the final authority to make changes to the text of the Zoning Ordinance. The recommendation of the Planning Commission for this request will be forwarded to the City Council for their review and decision.

**ATTACHMENT A: PETITION TO INITIATE**

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**From:** Shepard, Nora  
**Sent:** Thursday, December 17, 2015 2:54 PM  
**To:** Coffey, Cheri; Oktay, Michaela; Norris, Nick; Pace, Katia  
**Subject:** FW: Assisted Living Facility Regulations

Nora Shepard, AICP  
Planning Director

PLANNING DIVISION  
COMMUNITY and ECONOMIC DEVELOPMENT  
SALT LAKE CITY CORPORATION

PLNPCM2016-00024

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**From:** Solorio, Kory  
**Sent:** Thursday, December 17, 2015 2:20 PM  
**To:** Tarbet, Nick; Love, Jill; Fullmer, Brian; Nielson, Paul; Paterson, Joel; Shepard, Nora  
**Cc:** Mansell, Cindi; Crandall, Scott; Plane, Margaret  
**Subject:** Assisted Living Facility Regulations

Hello,

On December 8, 2015 the Council adopted the following legislative actions. Please take appropriate action.

Also, please forward this email to anyone else who needs to be involved.

Thank you,

- Develop a definition/land use classification for the Inn Between Model
- Review of assisted living facilities and other similar facilities that provide assistance, for compatibility concerns in the Institutional Zone
- Review of administrative review process: How to tighten the standards of the administrative review process and return with proposals for consideration

Kory Solorio, CMC  
Assistant City Recorder  
451 South State Street, Room 415  
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# **ATTACHMENT B: PROPOSED ORDINANCE CHANGES**

## **PROPOSED CHANGES**

### **1. Split the eleemosynary land use into large and small**

In order to address the issues about the compatibility between certain institutional land uses adjacent to residential neighborhoods, the Planning Division proposes to split eleemosynary facilities between small and large facilities. The new definitions would read:

***Eleemosynary Facility (Large):*** a facility, occupied by seven (7) or more clients, operated by a nonprofit charitable organization or government entity to provide temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease and/or their family members. Eleemosynary facilities are traditionally not funded wholly by government but are usually supported by philanthropic, corporate, and private funding. The term "eleemosynary facility" does not include places of worship, social and community services organizations, homeless shelters, community dining halls, group home dwellings, residential support dwellings, and other similar facilities.

***Eleemosynary Facility (Small):*** a facility, occupied by four (4) to six (6) clients, operated by a nonprofit charitable organization or government entity to provide temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease and/or their family members. Eleemosynary facilities are traditionally not funded wholly by government but are usually supported by philanthropic, corporate, and private funding. The term "eleemosynary facility" does not include places of worship, social and community services organizations, homeless shelters, community dining halls, group home dwellings, residential support dwellings, and other similar facilities.

*Reference to zoning ordinance to be changed:*

- *Chapter 21A.62*

### **2. Change zoning districts where eleemosynary facilities would be allowed**

By splitting the land use between large and small the eleemosynary land use would need to be redistributed. Eleemosynary facilities would be allowed in the following zoning districts:

*Proposed Large Eleemosynary Facilities allowed as a Conditional Use:*

RMF-35, R-MU-35, CC, CSHBD, CG, and I.

*Proposed Large Eleemosynary Facilities allowed as a Permitted Use:*

RMF-45, RMF-75, R-MU-45, R-MU, CB, TC-75, D-1, D-2, D-3, D-4, G-MU, UI, MU, FB-UN2, FB-SC, FB-SE and TSA.

*Proposed Small Eleemosynary Facilities allowed as a Conditional Use:*

FR-1/43,560, FR-2/21,780, FR-3/12,000, R-1/12,000, R-1/7,000, R-1/5,000, SR-1, SR-3, R-2, RMF-30,

*Proposed Small Eleemosynary Facilities allowed as a Permitted Use:*

RMF-35, RMF-45, RMF-75, R-MU-35, R-MU-45, R-MU, RO, CB, CC, CSHBD, CG, TC-75, D-2, D-3, D-4, G-MU, I, UI, MU, FB-UN2, FB-SC, FB-SE, and TSA.

*Reference to zoning ordinance to be changed:*

- *Chapter 21A.33.020: Table of Permitted and Conditional Uses for Residential Districts*
- *Chapter 21A.33.030: Table of Permitted and Conditional Uses for Commercial Districts*
- *Chapter 21A.33.050: Table of Permitted and Conditional Uses for Downtown Districts*
- *Chapter 21A.33.060: Table of Permitted and Conditional Uses in the Gateway District*
- *Chapter 21A.33.070: Table of Permitted and Conditional Uses for Special Purpose Districts*

### **3. Remove the 25 person cap on Large Assisted Living Facilities**

Remove the restriction located in the definition. The new definitions would read:

***Dwelling, Assisted Living Facility (Large):*** A residential facility, occupied by seventeen (17) or more individuals, licensed by the state of Utah under title 26, chapter 21 of the Utah code or its successor, that provides healthcare and assistance with activities of daily living and social care, including hospice care and respite care, as defined in Utah code section 26-21-2 or its successor.

*Reference to zoning ordinance to be changed:*

- *Chapter 21A.62*

### **4. Make Assisted Living Facilities a Conditional Use**

Assisted Living Facilities would change from a permitted use to be allowed as a conditional use in the Institutional zoning district.

*Reference to zoning ordinance to be changed:*

- *Chapter 21A.33.070: Table of Permitted and Conditional Uses for Special Purpose Districts*

### **5. Remove distance requirement**

Remove the 800 foot distance requirement for Group Homes, Residential Support and Eleemosynary Facility.

*Reference to zoning ordinance to be changed:*

- *Chapter 21A.33.020: Table of Permitted and Conditional Uses for Residential Districts*  
Qualifying provisions:
  - 14. No large group home shall be located within 800 feet of another group home.
  - 15. No small group home shall be located within 800 feet of another group home.
  - 16. No large residential support shall be located within 800 feet of another residential support.
  - 17. No small residential support shall be located within 800 feet of another residential support.
- *Chapter 21A.33.030: Table of Permitted and Conditional Uses for Commercial Districts*  
Qualifying provisions:
  - 20. No large group home shall be located within 800 feet of another group home.
  - 21. No small group home shall be located within 800 feet of another group home.
  - 22. No large residential support shall be located within 800 feet of another residential support.

23. No small residential support shall be located within 800 feet of another residential support.

- *Chapter 21A.33.050: Table of Permitted and Conditional Uses for Downtown Districts*  
Qualifying provisions:

12. No large group home shall be located within 800 feet of another group home.

13. No small group home shall be located within 800 feet of another group home.

14. No large residential support shall be located within 800 feet of another residential support.

15. No small residential support shall be located within 800 feet of another residential support.

- *Chapter 21A.33.060: Table of Permitted and Conditional Uses in the Gateway District*  
Qualifying provisions:

6. No large group home shall be located within 800 feet of another group home.

7. No small group home shall be located within 800 feet of another group home.

8. No large residential support shall be located within 800 feet of another residential support.

9. No small residential support shall be located within 800 feet of another residential support.

- *Chapter 21A.33.070: Table of Permitted and Conditional Uses for Special Purpose Districts*

Qualifying provisions:

17. No large group home shall be located within 800 feet of another group home.

18. No small group home shall be located within 800 feet of another group home.

19. No large residential support shall be located within 800 feet of another residential support.

20. No small residential support shall be located within 800 feet of another residential support.

21. No eleemosynary facility shall be located within 800 feet of another eleemosynary, group home or residential support.

# **ATTACHMENT C: ANALYSIS OF STANDARDS**

## **21A.50.050 Standards for General Amendments**

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

Criteria	Finding	Rationale
1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;	Complies	There are various adopted planning documents that support a variety of housing needs and social service needs (see Attachment D.) Allowing land uses that can provide special housing needs and social services throughout the city helps implement the city master plan's visions. The proposed text amendment does support the general policies for the provision of a variety of housing and social service opportunities within the City.
2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;	Complies	<p>The purpose statement of the zoning districts where eleemosynary facilities are proposed to be allowed as permitted or conditional use have a residential component/need that this land use will satisfy.</p> <p><b>Chapter 21A.02 Title, Authority, Purpose and Applicability:</b> The purpose of this title is to promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Salt Lake City, to implement the adopted plans of the city, and to carry out the purposes of the municipal land use development and management act.</p> <p><b>Chapter 21A.24 Residential Districts:</b> The residential districts are intended to provide a range of housing choices to meet the needs of Salt Lake City's citizens, to offer a balance of housing types and densities, to preserve and maintain the city's neighborhoods as safe and convenient places to live, to promote the harmonious development of residential communities, to ensure compatible infill development, and to help implement adopted plans.</p> <p><b>Chapter 21A.26 Commercial Districts:</b> The commercial districts are intended to enhance the economic vitality of the specific commercial districts and the city as a whole, encourage sustainable and profitable businesses, create dynamic and vital business districts, and implement the adopted development policies of the city.</p> <p><b>Chapter 21A.27 Form Based Districts:</b> The purpose of the form based districts is to create urban neighborhoods that provide people oriented places; options for housing types; options in terms of shopping, dining, and fulfilling daily needs within walking distance or conveniently located near mass transit; transportation options;; and increased desirability as a place to work, live, play, and invest through higher quality form and design.</p>

		<p><b>Chapter 21A.30 Downtown Districts:</b> The downtown districts are intended to provide use, bulk, urban design and other controls and regulations appropriate to the commercial core of the city and adjacent areas in order to enhance employment opportunities; to encourage the efficient use of land; to enhance property values; to improve the design quality of downtown areas; to create a unique downtown center which fosters the arts, entertainment, financial, office, retail and governmental activities; to provide safety and security; encourage permitted residential uses within the downtown area; and to help implement adopted plans.</p> <p><b>Chapter 21A.31 Gateway Districts:</b> The gateway districts are intended to provide controlled and compatible settings for residential, commercial, and industrial developments, and implement the objectives of the adopted gateway development master plan through district regulations that reinforce the mixed use character of the area and encourage the development of urban neighborhoods containing supportive retail, service commercial, office, industrial uses and high density residential.</p> <p><b>Chapter 21A.32 Special Purpose Districts:</b> Certain geographic areas of the city contain land uses or platting patterns that do not fit traditional zoning classifications (e.g., residential, commercial, industrial) or uniform bulk regulations. These areas currently contain special land uses (e.g., airports or medical centers) which have a unique character, or contain mixed land uses which are difficult to regulate using uniform bulk and density standards. Because these areas have unique land uses, platting patterns and resources, special districts are needed to respond to these conditions. These special purpose districts are further intended to maintain the integrity of these areas, allow for greater flexibility in site design, and achieve the specialized goals for these areas</p>
3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards;	Complies	The proposed text amendment does not affect any overlay zoning districts. Any specific development proposal would have to comply with applicable Overlay Zone requirements.
4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.	Complies	The proposed amendment implements current planning practices. Other larger urban areas have similar uses as the eleemosynary facilities that support related facilities that serve the region.

## **ATTACHMENT D: SALT LAKE CITY MASTER PLANS**

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### **Plan Salt Lake, adopted 2015**

- *Vision* - We expect that our government will be open, fair, and responsive to the needs of the City. We expect that all people will be treated equitably, with dignity and respect, and be free from discrimination and that these tenets will be followed as we see demographic changes.
- *Neighborhoods Guiding Principle* - Neighborhoods that provide a safe environment, opportunity for social interaction, and services needed for the wellbeing of the community therein.
- *Housing Guiding Principle* - Access to a wide variety of housing types for all income levels throughout the city, providing the basic human need for safety and responding to changing demographics

### **City Council Philosophy Statements, adopted 2012**

- *Neighborhood Quality Of Life* - We value a balance of residential types in the City including housing for all income levels, ages and accessibility needs.
- *Comprehensive Housing Policy* - Promote a diverse and balanced community by ensuring that a wide range of housing types and choices exist for all income levels, age groups, and types of households;
  - *Policy Statements #5 – Zoning*: The City should evolve its zoning regulations to effectively address the City’s changing housing needs.
  - *Policy Statements #8 – Homeless, Transitional and Special Needs*: The provision and permanent housing options for those who have no other option is a fundamental responsibility of government in modern day society. The City will work with Salt Lake County, the State of Utah, and community partners to assist in providing temporary and permanent housing options to city residents.

### **Salt Lake City Housing Plan, adopted 2000**

- Promote diverse and balanced communities by offering wide range of housing throughout the city.

### **Creating Tomorrow Together, prepared 1998**

- *Social Environment Subcommittee* - We envision Salt Lake City as the best place in America for families. We stress the importance of children to our communities. When the needs of our children, all children, are properly addressed, the needs of the entire community are met. We also stress the importance of the elderly, the disabled, and in fact, we stress the importance of all our citizens. The best place in America for families must be a place where everyone is valued for the unique strengths they bring to our community.

### **Avenues Master Plan, adopted 1979**

#### *Health Services – Guidelines for Redevelopment for Low Density Housing*

- Intensity of any new use, whether new occupancy of existing buildings, or redevelopment and new construction, must be less intensive than present use levels with regard to the number of persons occupying the site, parking needs, and estimated traffic generation.
- Any use involving additions or expansion of existing buildings, or construction of a new building(s) will be limited to low density housing.
- The design and scale of new construction should have a low density residential appearance and must be compatible with surrounding low density residential uses.
- There should be no variance from building height limits imposed by view protection provisions of the “F-1” Overlay Zone. Structures should be limited to two stories in height.

- New structures adjacent to public streets should be oriented to the street with a sense of entry through front facades.

*Health Services – Guidelines for Either Redevelopment or a New Use of Existing Structures*

- Intensity of any new use, whether new occupancy of existing buildings, or redevelopment and new constructions, must be less intensive than present use levels with regards to the number of persons occupying the site, parking needs, and estimated traffic generation.
- Sufficient parking to meet realistic needs must be provided on site without encroaching into required yard areas (even if realistic needs require a reasonable number of spaces in addition to those required by base zoning requirements.)
- Parking lots should be designed to encourage parking on them rather than on streets. Site design should include appropriate fencing, sidewalk locations, lighting, landscaping, etc.
- Parking lots must have adequate lighting.
- Signage should be minimal, and compatible with the residential setting. Signs must be in compliance with all zoning requirements.
- The amount and style of landscaping should be consistent with the residential character of the area. Sufficient open space should be provided to create a sense of spaciousness rather than crowding.
- Landscaping should be used to “break-up” parking lots.
- Existing large trees should be preserved.
- Any project must comply with reasonable requirements with respect to traffic generation, hours of operation, and night time activities, to minimize any potential adverse impacts on the surrounding residential area.

**Capitol Hill Master Plan, adopted 1999**

*Institutional*

- Amend the Urban Institutional zone to decrease the maximum height of new development to fifty feet where adjacent to residential properties.
- Develop design guidelines to encourage design of building, landscape and parking facilities on the block bounded by North Temple, 200 North, Main and State Streets, to ensure that any development will support and enhance the residential neighborhood to the north as well as maintain view corridors to the Capitol from the south. The design guidelines should include provisions to:
  - Require varied, stepped massing of a building, or multiple buildings, in order to discourage a monolithic appearance.
  - Eliminate blank walls along street faces and where adjacent to residential properties.
  - Require detailing and façade relief to provide for an architecturally interesting design.
  - Require a minimum percentage of glass on the ground level of a building to encourage pedestrian interaction.

**Central Community Master Plan, adopted 2001**

*Institutional policies*

- Minimize adverse impacts from existing uses.
- Minimize the expansion of institutional uses in residential neighborhoods.
- INSLU-1.1: Ensure that transportation and vehicle circulation impacts are mitigated when expansion or intensification of an institutional land use occurs.
- INSLU-4.3: Ensure City and encourage Federal State and County entities that the architecture of new government or public buildings complements and enhances the urban design of the community.



*Housing policy*

- Encourage the creation and maintenance of a variety of housing opportunities that meet social needs and income levels of a diverse population.

**Blocks 4 & 5 East Waterloo Subdivision Master Plan, adopted 1992**

- Blocks 4 & 5 of the East Waterloo subdivision should continue as a viable residential environment. Special use residential uses and appropriate provided they blend with the residential fabric of the neighborhood. The Master Plan amendment to accommodate special use residential at this location is consistent with city policy of providing housing opportunities for all segment of the population. Site planning, building scale and design, and transitioning treatments are all important elements of land use compatibility for these blocks.

**East Bench Master Plan, adopted 1987**

- Limit institutional growth in the University of Utah/Research Park area to the capacity of 1300 East and Foothill Drive and other major streets serving these institutions.

**Northwest Community Plan, 1990**

*Assisted Housing*

- Assisted housing should be spread throughout city.
- Assisted housing project should be required to have compatibly designed buildings which fit with the character of the surrounding neighborhood.

## **ATTACHMENT E: PUBLIC PROCESS AND COMMENTS**

**April 21, 2016 - Open House:** On April 29, 2016, a community wide Open House was held regarding the proposed text amendment. Attendees at the Open House were mostly residents adjacent to the INN Between at 340 Goshen Street.

**December 15, 2016 - Open House:** A community wide Open House was held regarding the proposed text amendment. Attendees at the Open House were mostly representatives of the INN Between at 340 Goshen Street.

**April 27, 2016 - Poplar Grove Community Council:** Community Council invited the INN Between and Planning staff to speak.

**January 25, 2017 - Poplar Grove Community Council:** Staff met with the community council again to give an update on this project.

**Public Hearing Notice:** A notice of the public hearing for this text amendment includes:

- Public hearing notice published in newspaper February 23, 2017.
- Public hearing notice posted on City and State websites February 23, 2017.
- Public hearing notice emailed to the Planning Division listserv February 23, 2017.

**Public Comments:** Copies of the comments received at both open houses and emails are attached to this section of the document.

# SALT LAKE CITY PLANNING DIVISION OPEN HOUSE

Date: April 21, 2016

PLEASE INDICATE AND PROVIDE YOUR EMAIL ADDRESS IF YOU WOULD LIKE TO RECEIVE FUTURE PLANNING DIVISION NOTICES

**PLEASE PRINT**

<p>NAME: <u>Diann Nielsen</u></p> <p>MAILING ADDRESS: <u>353 S. Bothwell St</u> <u>SLC Utah 84104</u></p> <p>PETITION or PROJECT: <u>Inn Between</u></p> <p><input type="checkbox"/> Email all future Planning Division Notices <input type="checkbox"/> Email only future PLANNING COMMISSION Agendas</p> <p>E/M Address <u>diann.nielsen@yahoo.com</u></p>	<p>NAME: <u>Ken Miller</u></p> <p>MAILING ADDRESS: _____</p> <p>PETITION or PROJECT: _____</p> <p><input type="checkbox"/> Email all future Planning Division Notices <input type="checkbox"/> Email only future PLANNING COMMISSION Agendas</p> <p>E/M Address <u>KCM@ALLENMILLCOM</u></p>
<p>NAME: <u>James N. Silva</u></p> <p>MAILING ADDRESS: <u>1401 S. [unclear] Street</u></p> <p>PETITION or PROJECT: _____</p> <p><input type="checkbox"/> Email all future Planning Division Notices <input type="checkbox"/> Email only future PLANNING COMMISSION Agendas</p> <p>E/M Address _____</p>	<p>NAME: <u>Chandler Wood</u></p> <p>MAILING ADDRESS: <u>349 S. Bothwell St</u></p> <p>PETITION or PROJECT: <u>Wedge. Woods CW@gmail.com</u></p> <p><input type="checkbox"/> Email all future Planning Division Notices <input type="checkbox"/> Email only future PLANNING COMMISSION Agendas</p> <p>E/M Address _____</p>
<p>NAME: <u>James Silva</u></p> <p>MAILING ADDRESS: <u>1501 S. Richards St.</u> <u>S.L.C., UTAH</u></p> <p>PETITION or PROJECT: _____</p> <p><input type="checkbox"/> Email all future Planning Division Notices <input type="checkbox"/> Email only future PLANNING COMMISSION Agendas</p> <p>E/M Address <u>Jamesmathewsilva@gmail.com</u></p>	<p>NAME: <u>DENNIS FARIS</u></p> <p>MAILING ADDRESS: <u>848 W 900 S</u> <u>SLC, UT 84104</u></p> <p>PETITION or PROJECT: _____</p> <p><input type="checkbox"/> Email all future Planning Division Notices <input type="checkbox"/> Email only future PLANNING COMMISSION Agendas</p> <p>E/M Address <u>DENNISFARIS@GMAIL.COM</u></p>
<p>NAME: <u>Diyani Schneider</u></p> <p>MAILING ADDRESS: <u>349 S Bothwell St</u></p> <p>PETITION or PROJECT: _____</p> <p><input type="checkbox"/> Email all future Planning Division Notices <input type="checkbox"/> Email only future PLANNING COMMISSION Agendas</p> <p>E/M Address <u>i.am.diyani@gmail.com</u></p>	<p>NAME: <u>francesca</u></p> <p>MAILING ADDRESS: <u>325 S. Goshen St</u> <u>920 UT 84104</u></p> <p>PETITION or PROJECT: _____</p> <p><input type="checkbox"/> Email all future Planning Division Notices <input type="checkbox"/> Email only future PLANNING COMMISSION Agendas</p> <p>E/M Address <u>cheuro2 + @B.FH@gmail.com</u></p>



# SALT LAKE CITY PLANNING OPEN HOUSE PUBLIC COMMENT FORM

Department of Community  
and Economic  
Development

April 21, 2016

Housing for Terminally/Acutely Ill  
ZONING TEXT AMENDMENT - PLNPCM2016-00024

Name: Dyani Schneider

Address: 349 S Bothwell St, SLC UT

Zip Code 84104

Phone: 208-871-8966 E-mail i.am.dyani@gmail.com

Comments: The issue arises in defining what hospice means. All people are recovering from something. Also, will their family be allowed to stay there? That doesn't follow the rules which is one thing I don't like. Can they wander around the neighborhood? That seems like a bad idea too. The rules seem loosely interpreted by the hospices, which can severely affect the surrounding neighborhood.

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 [katia.pace@slcgov.com](mailto:katia.pace@slcgov.com). **Please provide your comments by April 28, 2016.**

Salt Lake City Planning Division  
451 South State Street Room 406  
PO Box 145480  
Salt Lake City, UT 84114-5480

If the ~~neighbor~~ amount of residents increase, stricter rules for any<sup>20</sup> comings and goings or misconduct needs to go up as well. →

Look into neighborhood sometimes, so  
higher fences - inpatient exposure to people at the facility  
You can't control people at the facility  
kids a fence is a precaution.

Something needs to be figured out that will grow with residents in the facility, also regarding the density of the surrounding neighborhood. Also, it's not just about the number of people, but the type of people. If it's a homeless hospice, that is different than an apartment. They can be unpredictable, so higher person per sq. foot ratio can be dangerous.

The hospice will want to grow in size over time, and the regulation/zoning should keep check on them with that growth.

If residents have family staying there, that should count for the capacity limit but with some sort of extra weight because the family would be more active and not confined to ~~the~~ a sick bed.

**OPEN HOUSE**  
**Recuperative Housing**  
**ATTENDANCE ROLL**  
**December 15, 2016**

PRINT NAME <u>Kim Correa</u> ADDRESS <u>347 S. Goshen St</u> ZIP CODE <u>84124</u> EMAIL <u>Kim@theinnbetweenstc.org</u>	PRINT NAME <u>Deborah Thorpe</u> ADDRESS <u>21 Fifth Ave #304</u> ZIP CODE <u>84103</u> EMAIL <u><del>deborah.thorpe@concord.net</del> deborhorte@theinnbetweenstc.org</u>
PRINT NAME <u>Ken Millo</u> ADDRESS _____ ZIP CODE _____ EMAIL _____	PRINT NAME _____ ADDRESS _____ ZIP CODE _____ EMAIL _____
PRINT NAME <u>John Pochynok</u> ADDRESS <u>Nca Bldgs Park City</u> ZIP CODE _____ EMAIL _____	PRINT NAME _____ ADDRESS _____ ZIP CODE _____ EMAIL _____
PRINT NAME <u>Matilda Lindgren</u> ADDRESS <u>57 W Boulevard Gardens</u> ZIP CODE <u>84115</u> EMAIL <u>matilda@theinnbetweenstc.org</u>	PRINT NAME _____ ADDRESS _____ ZIP CODE _____ EMAIL _____
PRINT NAME <u>Jim WERBER</u> ADDRESS <u>938 MILITARY DR</u> ZIP CODE <u>84108</u> EMAIL <u>JWA@UTAHSTATE.EDU</u> <u>MAIL@COM</u>	PRINT NAME _____ ADDRESS _____ ZIP CODE _____ EMAIL _____



PLANNING DIVISION  
COMMUNITY and  
NEIGHBORHOODS

# SALT LAKE CITY PLANNING OPEN HOUSE PUBLIC COMMENT FORM

December 15, 2016

Recuperative Housing  
ZONING TEXT AMENDMENT - PLNPCM2016-00024

Name: Kirk HUFFAKER

Address: 2540 S 1700E

SLC

Zip Code 84106

Phone: \_\_\_\_\_ E-mail \_\_\_\_\_

Comments: NEEDED NEW DESIGNATION WITHIN THE CASE FEEL  
POSITIVE ABOUT ITS USE NOW AND INTO THE FUTURE.

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 [katia.pace@slcgov.com](mailto:katia.pace@slcgov.com). Please provide your comments by January 6, 2017.

Salt Lake City Planning Division  
451 South State Street Room 406  
PO Box 145480  
Salt Lake City, UT 84114-5480



PLANNING DIVISION  
COMMUNITY and  
NEIGHBORHOODS

# SALT LAKE CITY PLANNING OPEN HOUSE PUBLIC COMMENT FORM

December 15, 2016

Recuperative Housing  
ZONING TEXT AMENDMENT - PLNPCM2016-00024

Name: Kim Conru

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Zip Code \_\_\_\_\_

Phone: 801-313-1011 E-mail \_\_\_\_\_

Comments: \_\_\_\_\_

... who don't have a place to go or whose who  
cannot afford the cost of a nursing  
home.

Define Social Hospice model  
look @ Mother Theresa House in Lansing MI  
& other hospices in Lansing.

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 [katia.pace@slcgov.com](mailto:katia.pace@slcgov.com). Please provide your comments by January 6, 2017.

Salt Lake City Planning Division  
451 South State Street Room 406  
PO Box 145480  
Salt Lake City, UT 84114-5480



**From:** Natalie hart [REDACTED]  
**Sent:** Tuesday, April 5, 2016 3:13 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** The Inn Between

I learned recently that the Inn Between found the loophole that they were looking for to be able to expand their homeless facility in my neighborhood. This is very disappointing. I was just beginning to feel hopeful about my neighborhood. I was starting to see more owner occupied homes with people making improvements to their homes and yards. My neighborhood was still fragile, but i could see it turning a corner and becoming a true asset to our city. But now, there is a homeless shelter operating less than a block from my house. The Inn Between has been dishonest with our community from the very beginning, promising this would be a small shelter for the terminally ill who would otherwise die in the streets. This message has played on the hearts of the public and has garnered a lot of support for their cause, but not only is it a lie (when the Inn Between couldn't get licensed to provide end-of-life care, they quickly switched gears and became a shelter for anyone needing a break from the streets), it is also at the sacrifice of my neighborhood and the families who live there. It was a hard enough blow to our community to have a homeless shelter open, but now to find out that they have somehow circumnavigated the city ordinance that prevented their expansion is incredibly frustrating.

The Inn Between seems to have more compassion for the child rapists that they are harboring there than for the children who are being put at risk having those rapists and molesters (and yes, there are literal child rapists and molesters) living along their pathway to and from school and they certainly have no regard for the community. The West side neighborhoods deserve equal consideration, and yet we have become the city's dumping ground once again.

**From:** Natalie hart [REDACTED]  
**Sent:** Monday, April 18, 2016 12:03 PM  
**To:** Pace, Katia  
**Subject:** Upcoming city planning meeting

I don't know if i will be able to attend the open house on April 21st, so please consider the following comment:

I am very concerned regarding the land use classification as it relates to the Inn Between. I learned recently that the Inn Between found the loophole that they were looking for to be able to expand their homeless facility in my neighborhood. This is very disappointing. I was just beginning to feel hopeful about my neighborhood. I was starting to see more owner occupied homes with people making improvements to their homes and yards. My neighborhood was still fragile, but i could see it turning a corner and becoming a true asset to our city. But now, there is a homeless shelter operating less than a block from my house. The Inn Between has been dishonest with our community from the very beginning, promising this would be a small shelter for the terminally ill who would otherwise die in the streets. This message has played on the hearts of the public and has garnered a lot of support for their cause, but not only is it a lie (when the Inn Between couldn't get licensed to provide end-of-life care, they quickly switched gears and became a shelter for anyone needing a break from the streets), it is also at the sacrifice of my neighborhood and the families who live there. It was a hard enough blow to our community to have a homeless shelter open, but now to find out that they have somehow circumnavigated the city ordinance that prevented their expansion is incredibly frustrating.

The Inn Between seems to have more compassion for the child rapists that they are harboring there than for the children who are being put at risk having those rapists and molesters (and yes, there are literal child rapists and molesters) living along their pathway to and from school and they certainly have no regard for the community. The West side neighborhoods deserve equal consideration, and yet we have become the city's dumping ground once again.

Thank you,

Natalie Hart  
[REDACTED]

**From:** [REDACTED]  
**Sent:** Monday, April 18, 2016 8:54 AM  
**To:** Pace, Katia  
**Subject:** Re: SLC Open House Invitation

It is definitely interesting that so many people in favor of the Inn Between are from people outside of the district, and, I can only surmise, from people with little clinical and peer-reviewed research knowledge regarding the population. Likely these are also people who did not attend the original planning meetings in our community. If these people knew the research on this population, they would know how bad of an idea it is expanding the facility in a residential neighborhood; they would know that the population has a majority prevalence of severe and persistently mentally ill diagnoses and vast majority prevalence of criminal histories. More importantly, though, they would know the disingenuous nature of the Inn Between staff. At the same meeting where they first pronounced the facility would serve a limited number of individuals who were terminally ill, they later admitted that definition extended to those merely needing a respite. Those two definitions are not compatible; the latter is the definition of a homeless shelter. While they have a good purpose, they have implemented it horribly; they have stepped on community member's opinions at every turn. I urge zoning and the council to consider the opinions of those in the district. The issue of discrimination is prevalent. There is discrimination, but it is once again against the residents of the west side of this city. Please do the right thing and protect our community.

**From:** [REDACTED]  
**Sent:** Monday, April 18, 2016 2:06 PM  
**To:** Pace, Katia  
**Subject:** LOW IMPACT?

Katia,

I want you to have the whole picture, so here are more conversations between myself, Kim Correa, (Director of Inn Between), and some neighbors. Low Impact? It has been my worst nightmare for over a year now, from when they first put up their sign, and I googled, The Inn Between.

Dionn: What is the Inn Between? Why are all these people back in the alley smoking? It is against the law to smoke within 25ft of buildings. It is ruining my child's birthday party. Your Facebook page says that you are a homeless shelter. I live behind you. I would not support a homeless shelter moving in that building.

Kim: We are a hospice, for homeless. Which house is yours? Is it the one with all the garbage in the yard? We will be low impact.

Dionn: I can assure you my yard does not have garbage in it; and really? What difference does that make? Why would they allow a homeless shelter in that building, so close to Franklin Elementary? A homeless shelter is not allowed in our zone. This is a residential neighborhood, with an elementary school a stone's throw away. How many people will be there? Low impact? Already, on me and my family personally, and my friends on Bothwell St., we disagree. Of course, it is not the resident who is sick in bed that worries us. It is people hanging out in the alley, smoking, traffic, visitors. Worst case scenario, increased crime. The bigger you grow the more all that grows. What WOULD be the max capacity if you can occupy that huge school, if we are measuring impact? Is it still under the stipulation that if the residents can't care for themselves, they would have to be moved to a skilled facility? I have gone through hospice, with both of my parents. They could not care for themselves, and needed professional care.

Kim: Dionn, with all due respect, The INN Between is nothing like a homeless shelter. We are a home. Our program is much lower impact than the school was, with its hundreds of children and morning and afternoon drop-offs and pickups. I have requested a crime report and will be happy to share it. I believe that our presence and cameras actually deter crime around our building. Our program has not negatively impacted home sales or property values according to MLS data. Finally, we are happy stipulating to 25 beds as part of our occupancy, as I have expressed to the City. This is a standard practice and does not require a zoning change.

Dionn: Kim, You have not been here long enough nor had enough occupants to pull data. The school was empty in the afternoon and on weekends. Not once in 20 YEARS of living behind the Guadalupe School did I have to deal with people hanging out in the alley and the strong smell of cigarette smoke. Put the hang out/smokers area elsewhere if you want to claim to be a good neighbor. Now it's like a mullet. Clean cut business in the front, party in the back. (Which is my backyard)

Kim: Dionn, you and I discussed the smoking several weeks ago and I explained that the rear carport is the only covered spot we have, so it's the only spot suitable during inclement weather.

During our conversation, I suggested that since you have a keen interest in this issue, you could help solve it by calling some awning companies to see if one would donate a patio cover for the South or East side of the building.

In the meantime, we cleaned out the garage and have designated it as a smoking area. We are open to other solutions. I agree that smoking is unpleasant, but people have a right to smoke on their own property and, unfortunately, on public sidewalks. Personally, I would love to get our residents to quit.

Dionn: In other words, my family's quality of life and environment has to be compromised. Your agenda is more important than mine, which is simply having a backyard to enjoy, and fresh air to breathe. Every time I open my favorite window, I get smoke lofting in. Every time I go out in my backyard, my sanctuary, I have the same crowd you see on Rio Grande St.,

hanging out smoking. I never get a break from it, and it is GROSS. And this is low impact? I will be getting the Health Dept. and Truth for Tobacco involved. And yes! That would be perfect! Have them go out front to the sidewalk! Just because I support homeless services does not mean I want a mini Road Home in my backyard. They should be able to do this without profoundly, negatively, affecting my life and my home. Kyle Lamalfa, Andrew Johnston, Jackie Biskupski, I hope you are reading all this. Just keep bombarding the west side with the homeless.

We, (I was not alone on the "petition") put together a petition. We called it as we saw it then, and I'm calling it as I'm SEEING it now. You are the one misleading everyone. The residents can't even be there if they can't care for themselves, they have to be moved to a skilled facility. Who is paying for that? Back to square one. You sold us all on a hospice, but now it's a "home" for sick homeless = homeless shelter. You can paint a real pretty picture in the front, and are a terrific sales woman. I don't doubt at all that you are doing amazing things inside the building. I am supportive of that, and would love to be a part of it. BUT, I can't get on board with what I am experiencing now. You are naive and in denial if you think it's all roses in the back and that people from the road home are not walking down and riding their bikes back there. As for the smokers, I could care less what caliber of person's smoke I smell. I did notice that you moved the hang out into the garage yesterday, and I appreciate that very much. But, come warm weather, I predict the same problems, unless you can come up with a more permanent solution without expecting ME to pay for it, or ME to get someone to donate it, which is ridiculous.

Jade: So I'm a little confused... Was the item from Tuesday's City Council meeting positive or negative for the Inn Between?

Dionn: If you ask the people who actually live next door to them, it was a great decision. I am desperately trying to protect our neighborhood from people like this guy, Robin Marcus Smith, who is a resident there. [http://www.heraldextra.com/afcitizen/is-this-man-the-most-dangerous-man-in-am-fork/article\\_b8133834-86cb-11e2-9452-001a4bcf887a.html](http://www.heraldextra.com/afcitizen/is-this-man-the-most-dangerous-man-in-am-fork/article_b8133834-86cb-11e2-9452-001a4bcf887a.html) he's the one who sings songs on the news and at the council meeting; and Jay Martin Evans, both child molesters. Jay is on the Sex Offender Registry, but is not registered at the Inn Between address. What is ever scarier, I don't know the names of the other residents, let alone, who else they will bring in. I realize that these types of people need a place to be until they die, and that place is jail, not a residential neighborhood, right next to elementary schools. The decision 25cap and 800 ft protects ALL neighborhoods in ALL districts from places like this. Please email or call the Mayor's office to let them know they made the right decision. By the way, the individual in the link is not on hospice. He is there to recover from an injury sustained I can only imagine how.

Kim: The INN Between is an interfaith community project, and our board members believe that everyone deserves a safe place to heal or to die with dignity. We are committed to taking care of people who others turn away. This is the humanitarian and the Christian thing to do.

Dionn: They will take in anybody, regardless of the threat to the community. (But hey, he feels bad, and is sorry) There are not enough years to make this okay. What if it was any of your children? Like I said before, yes I am very aware of the sex offenders and criminals in the area, that does not mean that we need more. This individual did not have one child molesting event back in the day; regret it, and then go on to do great things in life. There are no excuses for the, I think it was, 43+ mugshots I counted on mugshots.com, all different events. Also, yes, lucky for him, this individual is not on the Utah State Sex Offender Registry; because I believe it was 2006 when the law was passed that would have kept him on there for life, another terrifying flaw in the system. Also, anyone can call 801-799-3000, like I did, and speak to the Sex Offender Officer to find that the SODOMY charge is still there, in addition to KIDNAPPING. Also, I thought this is a homeless shelter hospice, not a homeless shelter recovery for criminals.

Kim: Hi Jade, The City Council's decision was not good for The INN Between. The combination of a 25 bed limit and the new restriction that requires 800' between Eleemosynary Facility buildings effectively prevents us from using the Guadalupe School Building for client services, meaning that we can only use the Convent with its 12 bedroom capacity, which is not enough to meet community need. We are asking people who support our cause to email Mayor Becker at [mayor@slcgov.com](mailto:mayor@slcgov.com) and ask him to "VETO the Assisted Living Facility" proposal.

Dionn: The zoning put a cap of 25, which as it is, is too many for this struggling, already has enough child molesters and criminals neighborhood. I know that not all Inn residents are in this category. But the fact that they do not care who they take in, (because it's the Christian thing to do) regardless of the threat to community, concerns me a great deal. And it should all of you as well.

Diana Oaks-Poplar Grove neighbor: The concept of "The Inn Between" is beautiful and compassionate and I do support it. However, Dionn is correct that steps should be taken to mitigate the risk to those who actually LIVE near the facility. Frankly, those who don't live in the neighborhood ought to be supportive of ensuring that protective measures are in place for the children and families who are shouldering the potential risk. Isn't that what you would want if it was in your community? Poplar Grove (and the west side in general) house far more than their fair share of services to the disenfranchised members of society. She is not spewing hatred, she is speaking wisdom!

Joe- Poplar Grove Neighbor: I'm okay with your efforts to get it regulated and even moved. I do care the impact on our neighborhood. I don't have kids, so I can't speak to that. I know that if it affected me more directly, I'd be all over it like you are. You're right though, people who don't live in the neighborhood don't really have room to talk about how it affects the neighborhood.

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Dionn: The zoning proposal of 25 needs to stick. If they allow more people, that's more staff, more visitors, more criminals (residents) in my backyard SMOKING. It drives me crazy! In 20 years, I have never had this problem. I love my home. This has been so stressful for me; I can't even sleep at night! I may sound crazy and irrational to some, but I have been driven there!! There is no doubt that this has brought out the worst in me, I feel like a crazy mama bear. My little daughter has asthma. Our quality of life should not have to be jeopardized to accept them! I know I can't protect my kids from the world, but I should be able to protect them in my home. We should be able to enjoy our own private backyard. She (Kim@ Inn) needs to build some kind of smoking area in the north end, where it is neutral, and there is, for a lack of better description, more smoke buffering room. I definitely agree that the school should not be empty; it needs to be a school, like a charter school perhaps. Something GOOD for our neighborhood, not something that will surely bring it down. Plus, the fact that they are not licensed is not okay with me at all. There is no one holding them accountable. No one to make sure they are following the rules (wait, what rules, there are none) No one to complain to or enforce no loitering and smoking in my "bubble". It's just insane to me that this was ever allowed to open.

Thank you for taking the time to read through all of this. I know it's a lot.

Dionn Nielsen  
Home Owner, Bothwell St.

**From:**  
**Sent:** Tuesday, April 19, 2016 1:45 PM  
**To:** Pace, Katia; City Council Liaisons; Johnston, Andrew  
**Cc:** Paterson, Joel; Coffey, Cheri  
**Subject:** Re: Open House Invite

Thank you Katia. We are not zoned for a homeless shelter here for a reason. We have Franklin Elementary in very close proximity, Neighborhood House just down the street, and all of our private homes. I see several small children who have to walk alone to Franklin and Neighborhood House everyday. A homeless shelter will not only make our neighborhood unsafe, it will hurt our property values, and make our homes difficult to sell. It has already greatly diminished our quality of life. I beg you not to doom this already fragile neighborhood. There are other places to do this.

Also, when I spoke to Mayor Biskupski, she said she wouldn't put homeless shelters west of the freeway..

**From:** KENDALL ROBERT MCMILLAN [REDACTED]  
**Sent:** Tuesday, April 19, 2016 9:40 PM  
**To:** Pace, Katia  
**Subject:** Open house discussion

Katia,

I am unable to attend the open house session on April 21st, but it involves a property that is adjacent to my home at 1057 west 300 south and would like to make a comment regarding item 2 of the discussion (PLNPCM2016-00024). Specifically the wording of the clause: "Create a land use classification for housing to homeless individuals on a temporary basis who are dying or recovering from an acute illness or injury." I am not against providing care for those that are terminally ill, but I believe that the term "acute illness or injury" is too vague. My work is in the research of injury biomechanics and I have some familiarity with medical terminology. An acute condition could be classified as anything from a broken bone to the common cold. It is my belief that the terminology of this clause needs to be changed to reflect the severity of illness or injury necessary for hospice care. An example of this would be to use the Abbreviated Injury Scale (AIS) Score-Code of 4 (Severe) or above for care. This would limit access to the individuals that actually needed the extra care that a hospice can provide. This would be beneficial to the hospice facility as well as residents. It is my concern that under the current clause, the hospice facility would quickly be overwhelmed with individuals that did not need to be there. This would cause those with a true need for care to be turned down due to the facilities limitations. This in turn could also lead to a gathering of individuals whose intentions are to take advantage of the good intentions of the staff at this hospice facility. This is a cause for concern not only because I do not want illegal activities near my home, but because there is a public elementary school less than a block away from the proposed facility and it would be terrible for anything to endanger the children there. I work with medical professionals at the University of Utah and if you need a professional medical reference, or help in changing the wording of the clause to reflect the true intentions of the petition I can talk with some of my colleagues about creating a more accurate medical definition for the clause. If this is not possible I ask the City Council to reject the current petition. Please relay my comments to the City Council at the meeting.

If you would like to contact me for any reason please email me at [REDACTED]

Thank you,

Kendall McMillan



**From:** Allison Ginn [REDACTED]  
**Sent:** Thursday, April 21, 2016 5:53 PM  
**To:** Pace, Katia  
**Subject:** Comments in lieu of participation at Open House

Katia-

I was unable to make the Open House today. I am sure you will receive quite a bit of feedback from the community. Much of it will be negative and I would like to make note that not everyone in Poplar Grove staunchly opposes this project.

I live one block east of the Inn Between. I walk past both the north and south ends of the property nearly every day. I have never seen or heard anything inappropriate on the property. In fact, I wasn't even aware that the Inn Between was a homeless hospice until recently.

While I don't totally embrace the project, I do recognize that the Inn Between is seeking to fill a current void in services to portions of the homeless population in SLC. To that end, I think that a proposal to create and regulate the use of the old Guadalupe school is a positive step. I would rather see the building put to use than sit derelict.

I am sure that there are common sense solutions to assuage the fears of the neighbors. Because the old Guadalupe school is located next door to Franklin Elementary, I assume that there could be some provisions to ensure that registered sex offenders or violent felons would not be admitted to ambulatory care.

The other main fears I have heard from neighbors are concerns that the hospice will become a homeless shelter. Proper language in the land use classification should avoid this situation.

Thank you for your work on this issue.

Allison Ginn  
352 S 1000 W

**From:** Chandler Wood [REDACTED]  
**Sent:** Thursday, April 21, 2016 4:20 PM  
**To:** Pace, Katia  
**Subject:** Zoning for The Inn Between

Hello,

Regarding the zoning for The Inn Between, I feel like we are on a slippery slope and they would rather be reactive to issues that occur than proactively try to prevent them.

As someone who has property adjacent to this facility, I do not feel comfortable with how much we have been lied to and misled by the proprietors of this establishment, all in the name of comfort for the impoverished.

Initially we were told that this would be for respite care and terminally ill ONLY, and that it would never be anything different. Our fear at the time was that this would become little more than a homeless shelter in a residential area next to a school. Our fears are now coming true, it's a slippery slope and bad precedent to set going forward.

I understand the comfort of these people is important, but what about my comfort as a hard working contributor to society that just wanted to sleep soundly in my little piece of the American dream? I know it sounds selfish, but there are plenty of other places to put homeless facilities that don't encroach on our comfort and happiness in life. Unfortunately I can't easily just up and move, though I would like to if plans for this to be re zoned go forward. As much as you want to care for the homeless, you also have a responsibility to the contributing tax paying citizens of your city that want too have a little peace of mind.

Thank you.

**From:** Kort Prince [REDACTED]  
**Sent:** Friday, April 22, 2016 8:49 AM  
**To:** Pace, Katia  
**Subject:** The Inn Between Open House

Dear City Council:

I sincerely regret that I was not able to attend the open house because of work and I apologize that my response is late, but I was only made aware of the open house yesterday. I still sincerely hope you will consider my words and those of the people in the immediate vicinity of The Inn Between. You no doubt heard from impassioned "community members" who neither live near nor are impacted by the placement of this homeless shelter (which is, in fact, what it really is despite the euphemisms). You know doubt heard from them because The Inn Between staff recruited and encouraged volunteers from outside our community to parrot their own views.

On the surface it seems hard to argue with the goals and objectives of those who seek to expand this facility. While the cause is good, it is possible to be blinded by your passions and the realities of what they really entail. The staff from the Inn Between has repeatedly ignored the community members in the area in which they operate, and they have made it clear that they lack both sincerity and veracity. At the same meeting where they first pronounced the facility would serve a limited number of individuals who were terminally ill, they later admitted that definition extended to those merely needing a respite. Those two definitions are not compatible; the latter is the definition of a homeless shelter. In fact, point two on the open house flyer admits the facility wishes to serve those with an acute illness or injury. I hope the council will seriously consider how the proven disingenuous staff of The Inn Between will use that broad definition (i.e., "injury") to house anyone they want.

In conducting a "review" of how the reclassification would impact the community, I also hope the council will seriously consider the peer-reviewed research regarding the homeless population. The research is unambiguous in showing the population has a majority prevalence of severe and persistent mental illness and a vast majority prevalence of criminal histories. These facts are all a review needs to consider when deciding to allow such a facility next to a school and in a residential neighborhood.

I have to admit that I have no idea why this reclassification is even being considered. The Inn Between continues to try to circumvent the zoning laws (which are there for a reason), and they continue to ignore the sincere and legitimate objections of those individuals in the surrounding community. It is, in reality, our community. It is the community of those who have decided to make a home and a life in a wonderful area. It is not the right of The Inn Between or members of communities outside of ours to perpetuate the injustice this facility has imposed. They continue to operate and

expand with impunity, and they are uninvited guests operating outside the bounds of what is permissible by law.

The west side of Salt Lake needs to stop being considered an afterthought. It is, quite frankly, shameful that our objections are ignored and we are made the dumping ground for all of Salt Lake's troubled populations. I am asking the City Council to please consider the population that lives in the surrounding area. Please stop The Inn Between from ignoring us and from further infringement on both our rights and the safety and beauty of our neighborhood.

Sincerely,

Kort Prince

**From:** [REDACTED]  
**Sent:** Friday, April 22, 2016 9:43 AM  
**To:** Pace, Katia  
**Subject:** Follow up from Open House  
**Attachments:** My advice to anyone near these proposed facilities.docx

Hi Katia,

Let me start with apologizing for being so over the top upset at the meeting. This has been very frustrating for me, and has made me an emotional wreck. Having said that, I want you to know that everything that I said was true and based on facts; and believe it or not, I actually held back a lot! Thank you for being so kind and patient with me.

Please, do not let them have 45 in that school. That makes 61 people in that building. Please, that is way too many for that unlicensed, unregulated facility. I did the math, and we only have 35 on our entire street. Not one side of the street, the entire, both sides of the street! If my ex takes my precious daughter because of that place, that makes 34.

We would support appreciate you defining who can be in that school, but the cap needs to stay at 25, which is still too many;  $25+16$ , = a ridiculous,  $41$  + all of the other people that entails. Again, I ask, who is liable, when something goes wrong? You heard my neighbors and his son's testimony. It's pretty clear that as it is now, they do not have a handle on the residents, guests and visitors.

What makes this all so extra frustrating, we thought this was over. We have already been through all of this stress; it was supposed to be a done deal, 12/8/2015. Now, we have to worry about ANOTHER public hearing, with the Inn Between parading all of their supporters, (people who don't live here), more lies and manipulation. Ugh, I just don't know how much more I can take!

I will attach the statement I forgot to leave with you. I know I may not be the best representation because I get so upset, but you need to know that I do represent all of my friends and neighbors on Bothwell. We have had several street meetings, and they all agree with everything I have said, and have asked me to speak on their behalf.

Thank you again for your consideration,

Dionn Nielsen, and Home Owners on Bothwell

The Inn Between:

We were ALL told this would only be a hospice, and it has garnered a lot of support and sympathy. But now it has become “a place for homeless who need to recover from illness or injury”; which, sadly, is a category most homeless would fall into. Heck, couldn't we all fall into that category? So now, just like I was afraid of, the Inn Between **is a HOMELESS SHELTER**, which is not allowed in our zone; and for good reason! We have Franklin Elementary school a stone's throw away, Neighborhood House down the street, and row after row of private homes, just a few feet away. A homeless shelter is not appropriate in this neighborhood or any residential neighborhood for that matter; I see plenty of empty buildings, NOT near homes and schools, on 300 W for example, with AVAILABLE signs posted all over them. Putting one near my home has been a disaster, as my family's environment and quality of life and has been greatly compromised. For an entire year now, I am exhausted from begging them to stop smoking and loitering in the back of their building, where what USED to be the best part about my house is, my no longer private back yard. I even asked one of the residents to please smoke out front where it is plenty of feet away from me and my daughter who has asthma; also, where it is legal to smoke, and where it would not bother anyone. He told me that the Inn Between owners told him not to smoke out front because of the image. Okay? THAT SPEAKS VOLUMES. What about the image we have now from every window in our homes??

Most people, with any knowledge of the homeless population know how bad of an idea it is to put a homeless shelter in a residential neighborhood. They know that the majority of the population has severe mentally ill diagnoses and a prevalence of criminal histories.

These facilities need to be state licensed, so that someone is held accountable when something goes wrong, which we think is just a matter of time, considering the sex offenders that have lived there, flying under the radar. The last name of a resident I looked up, (Jay Martin Evans) is on the sex offender registry, but the Inn Between address was not listed. Yes, I heard that he did pass away, but **he was living there**. Isn't there a rule on how many feet sex offenders can live next to an elementary school?

They have made it very clear that they will continue to house these types of criminals, because as they say, “are committed to taking care of people who others turn away. “

They will take in anybody, regardless of the threat to the community, which is terrifying.

I can't help but notice that almost every person in support of allowing the Inn Between to operate and expand without regulation is people living outside of district 2 where the Inn Between is located. It would be an entirely different tune if it were located in their back yards, as it is **literally** in mine.

I will never stop fighting this shelter's expansion in our neighborhood. I will never stop fighting to protect our kids, our property values, our investments, our American Dream. Please! Find more appropriate locations for these facilities!

More quotes from neighbors:

I strongly encourage a hospice program for the homeless to operate in Salt Lake City. A facility like this is a necessary piece of what Salt Lake needs. But now it appears you want to change zoning to accommodate a homeless shelter. That is very different. I have to insist that small urban neighborhoods on the west side of Salt Lake do and will care about their environment, as much if you were trying to open a homeless shelter in the avenues or federal heights. As we cater to those in need, there needs to be an understanding that the neighborhoods that welcome them do not have to compromise their environment in order to accept the facilities. **The loss of property value for the homes around the facility will be tragic, and reflects total disregard for the homeowners by those involved in building permits.**

My advice to anyone near these proposed facilities never let the city re-zone property anywhere near where you live, or soon you'll be agreeing to a full service homeless shelter.

**From:** [REDACTED]  
**Sent:** Thursday, April 28, 2016 10:18 AM  
**To:** [REDACTED]  
**Subject:** Follow-Up Thoughts from Poplar Grove Meeting

Hey Guys,

(I was going to send this to Marti as well, but I could not find her email)

I was thinking about the question of what *is* Kim supposed to do with or about all the child molesters, drug addicts, and the plethora of other types of criminals that she is bringing into the neighborhood, and the answer is; she can't do anything about it. That is who her clients are, and that is the friggin problem. It all goes back to my original problems and complaints about the Inn Between; homeless shelters and homeless services need to be put in appropriate locations! They also need to be licensed, so that they are compliant and safe, and so that there is SOMEONE who is accountable, and who will deal with the problems that arise, besides Kim or her architect that do not care! Now that it is unfortunately, "grandfathered in", please, put a halt on this. Do not let them expand to 70 gosh darn beds!

Anyone with any knowledge of the homeless population know how bad of an idea it is to put a homeless shelter in a residential neighborhood, because of the significant threat to the community! Especially in a location that is considered "private property," and the only rules are "in good faith", which I have no faith in.

I know I have said this a thousand times, but I drive around this city, and I see tons of buildings, on 300 W. for example, perfect size, with AVAILABLE on them, not by homes or schools.

I don't know much about how it all works, but I expect the city, zoning, the mayor, and especially, our council members, to step up and say *this* to people like the Inn Between when they approach them with their ideas: "Hey, yes this IS a great thing you want to do, and you should be able to do this; but unfortunately, this area is not zoned or appropriate for this type of an unlicensed, unregulated homeless shelter, so close to private homes and an elementary school. I hope that you can find a more suitable area for you to carry out your mission, and best of luck to you." It should be just that simple. Same as if say, a strip club wanted to open in that building. It would just be a no, right? The city has zoning laws for a reason, and our area is not zoned for a homeless shelter. Period. They certainly should not be trying to change zoning to accommodate them.

Thank you again for your time and consideration.

Fondly,

Dionn Nielsen



**From:** [REDACTED]  
**Sent:** Thursday, December 15, 2016 1:38 PM  
**To:** Pace, Katia  
**Subject:** Re: Open House Invite

Dear Katia, WILL THE INN BETWEEN HAVE TO BE A LICENSED STATE FACILITY? THEY DO NOT COMPLY WITH UTAH CLEAN AIR ACT BASIC LAWS, OR DISTANCE OF SEX OFFENDERS BY A SCHOOL. THIS NEIGHBORHOOD CAN NOT HANDLE AN UNLIMITED AMOUNT OF HOMELESS IN THAT BUILDING. PLEASE I BEG OF YOU, DO NOT DOOM THIS AREA!

PLEASE do not change zoning to allow a homeless shelter in our fragile neighborhood! Franklin Elementary is right next door! Please, not in our bedroom community! Please, not in our poor residential neighborhood, where we are all working hard, trying to live the American Dream! I have lived in my home on Bothwell St for 23 years, (behind the Inn) and have never had any problems, until the Inn Between. Now, I can't even go out in my private backyard without being stared at by smokers and loiterers, who's names I have looked up, and found that they are the epitome of people that you do not want to bring into a neighborhood full of children! Groups of criminals and child molesters, all under one roof; like Jay Martin Evans, and Robin Marcus Smith, and heaven only knows how many others, pacing back and forth our back yards, smoking gross cigarettes. I can't open my favorite window without the strong smell of cigarette smoke lofting in my house. They clearly do not care about, or follow any smoking laws, (no smoking 25 ft from doors and windows). And now, zoning is considering allowing them to expand? Changing zoning to accommodate them? That just means MORE of all that I have mentioned. Where is our neighborhoods protection?! One of my daughters has asthma, she can no longer simply enjoy our own private back yard, our sanctuary, that I have worked so hard on. I talked to one of the residents about how obtrusive his smoking was, and asked him to please go out front where it is plenty of feet away and would not bother anyone, also, where it is legal. He told me that the owners of the Inn told him "not to smoke out front because of the image." THAT SPEAKS VOLUMES! WHAT ABOUT OUR IMAGE, THE VIEW THAT WE HAVE NOW, FROM EVERY WINDOW IN OUR HOME? The image we get, and cigarette smoke we have to smell, every time we go outside to bbq, or play with our pets?

Not to mention, the sick feeling of molesters peering into my child's bedroom windows, which are parallel to the Inn. If I notice that my child's window blinds are not closed tight, I about have a heart attack! We used to be able to open them, enjoy the fresh air, and listen to birds singing in the trees.

To top it all off, my ex is trying to take my daughter from my home, claiming it is no longer safe for her to live there.

PLEASE, think about the negative impact this is bringing to my family, and my friends and neighbors that I represent on Bothwell.

**From:** Natalie hart [REDACTED]  
**Sent:** Tuesday, December 20, 2016 1:01 PM  
**To:** Pace, Katia  
**Cc:** [REDACTED]  
**Subject:** Recuperative Housing proposal

Katia,

My name is Natalie Hart and i live in the Poplar Grove neighborhood. The homeless facility, "The Inn Between" is around the corner from my house. I am very concerned by the proposal to change classifications for this facility, particularly by the removal of the 25 bed cap and by the removal of the 800 foot distance requirement, which I understand, is just another way to allow expansion.

I am also concerned by the somewhat vague "recuperative housing" terminology. Who decides who can live there and what are the criteria for making that decision? The homeless population has a very high rate of sickness, mental illness and substance abuse. In other words, if applied liberally, most could qualify for "recuperative housing".

With the looming closure of the Road Home and with it, a drastic cut in available bed space for the homeless, my concern is that many displaced homeless people will simply relocate to the Inn Between, bringing all of the problems of the Rio Grande neighborhood with them. The four other city shelters (three of which will be located on the West side, not surprisingly) will have 150 bed caps. According to this proposal, the Inn Between will have NO CAP. This is unacceptable.

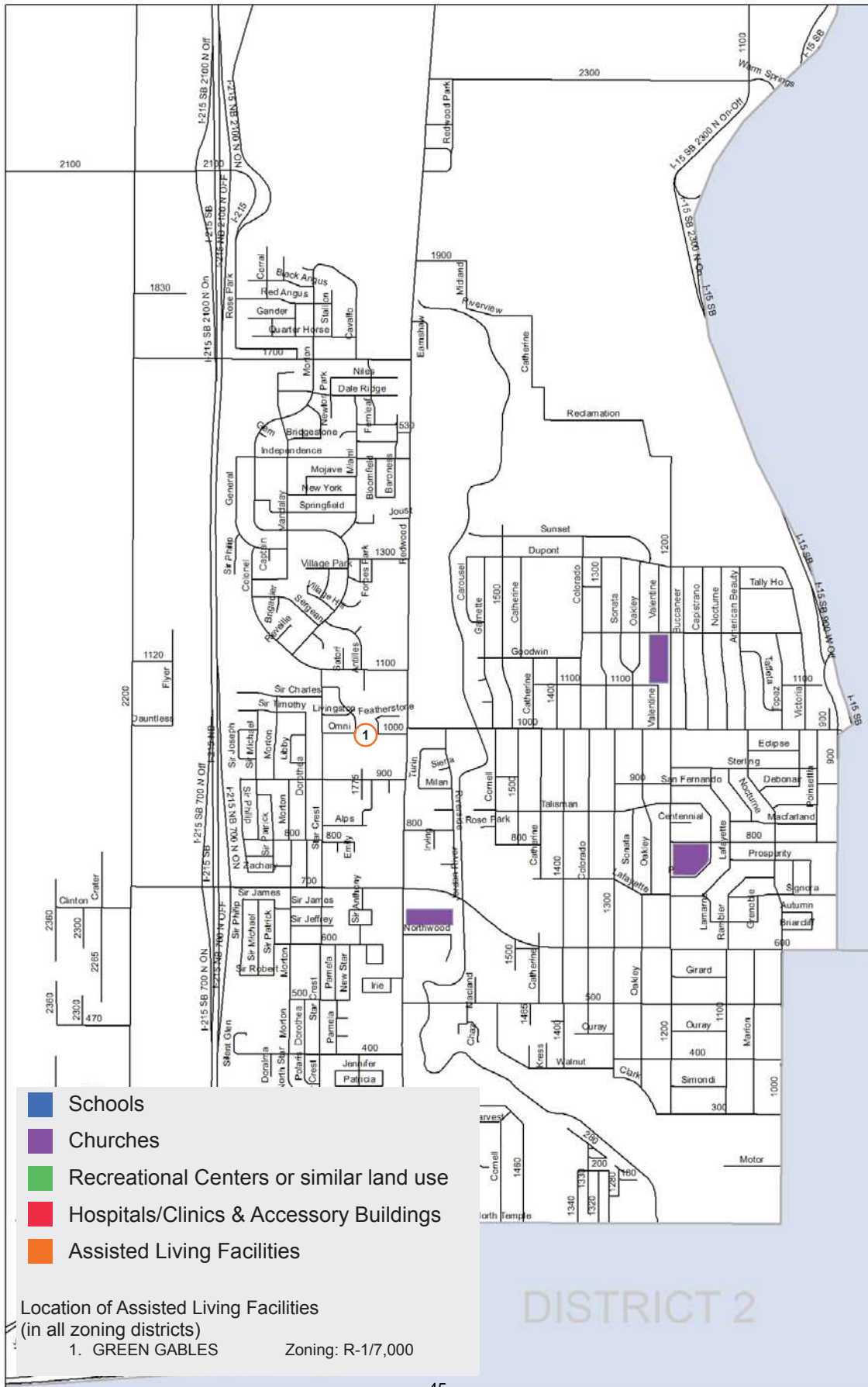
Natalie Hart  
[REDACTED]

**From:** [REDACTED]  
**Sent:** Thursday, December 22, 2016 9:12 AM  
**To:** Pace, Katia; Johnston, Andrew; Benjamin W. Jordan; Natalie Hart; Isabel Watson  
**Subject:** Inn Between no longer a Hospice, the only reason they opened.

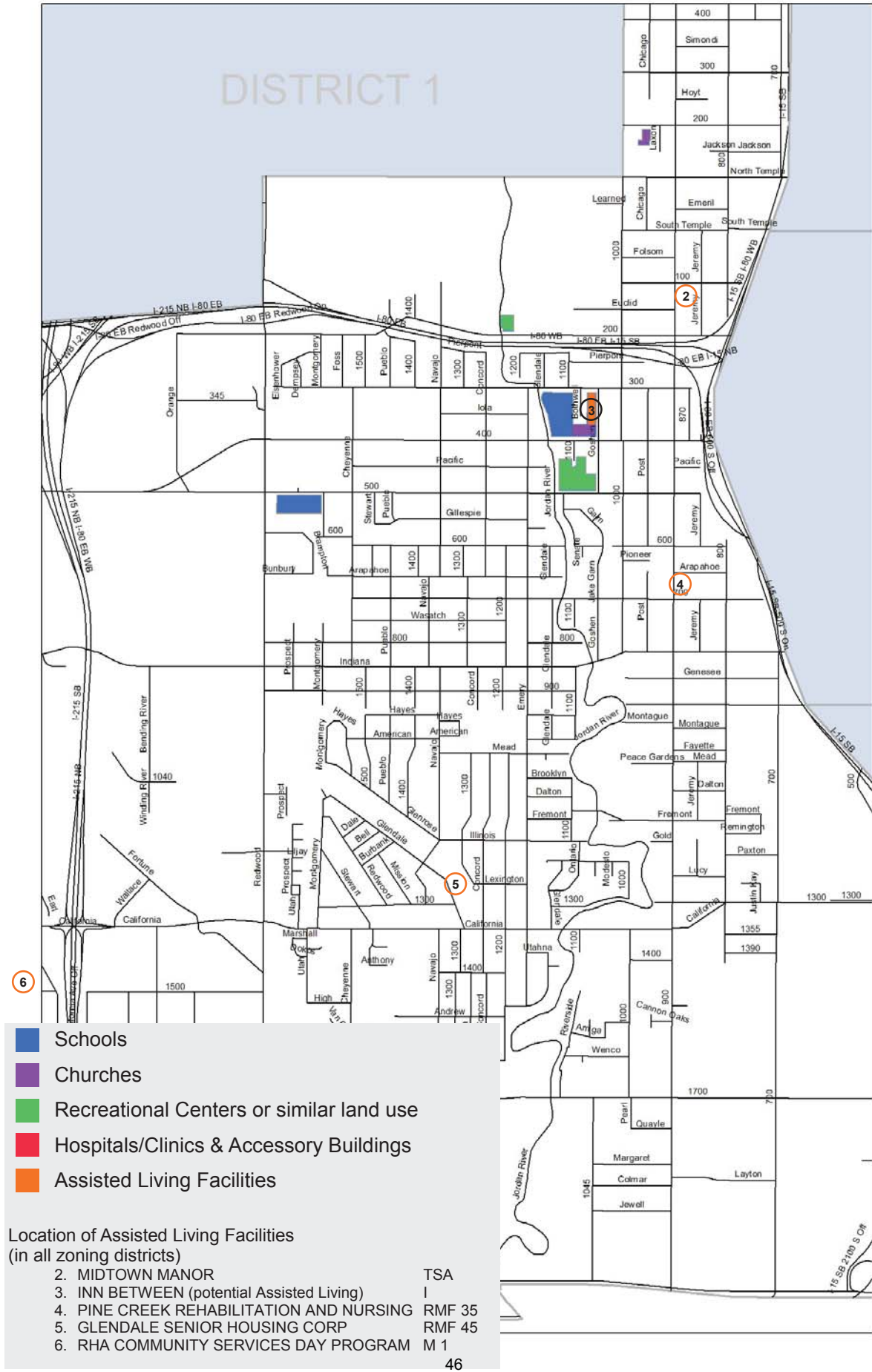
Kim claims they need to expand because their beds are full most nights. No wonder the beds are full most nights if they are going outside the scope of hospice. If they have a bed that isn't occupied by someone terminal, and they get a medical referral for something that isn't life threatening, they're putting that person in the bed to "prove" the demand keeps them at capacity, and taking a bed away from someone terminal that needs it. All that is proving to me is that they DON'T need to expand the HOSPICE. There could never be enough beds for sick homeless, picture the line in front of 4th Street Clinic. All it's proving to me is that the CITY needs to find yet another location, NOT IN A RESIDENTIAL NEIGHBORHOOD, somewhere where it IS ZONED for a shelter, to house the sick homeless. Even if it's only 25 more beds in that school, that is 41. 41 beds is a shelter, plain and simple. How could you even consider NO CAP on that building?

**ATTACHMENT F: EXISTING LAND USE - I & UI ZONING DISTRICTS**

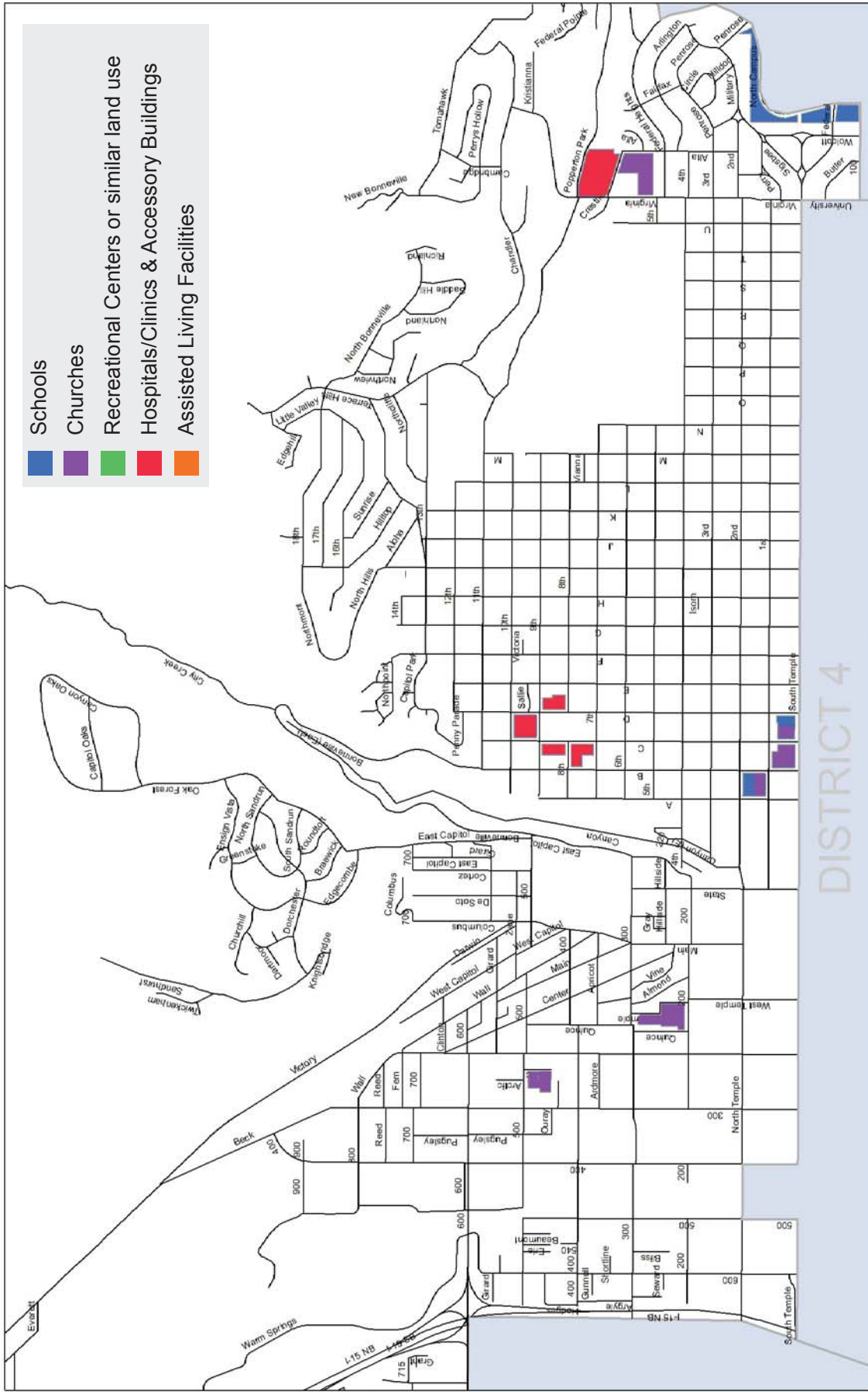
# District 1 - Institutional Zoning District



# District 2 - Institutional Zoning District

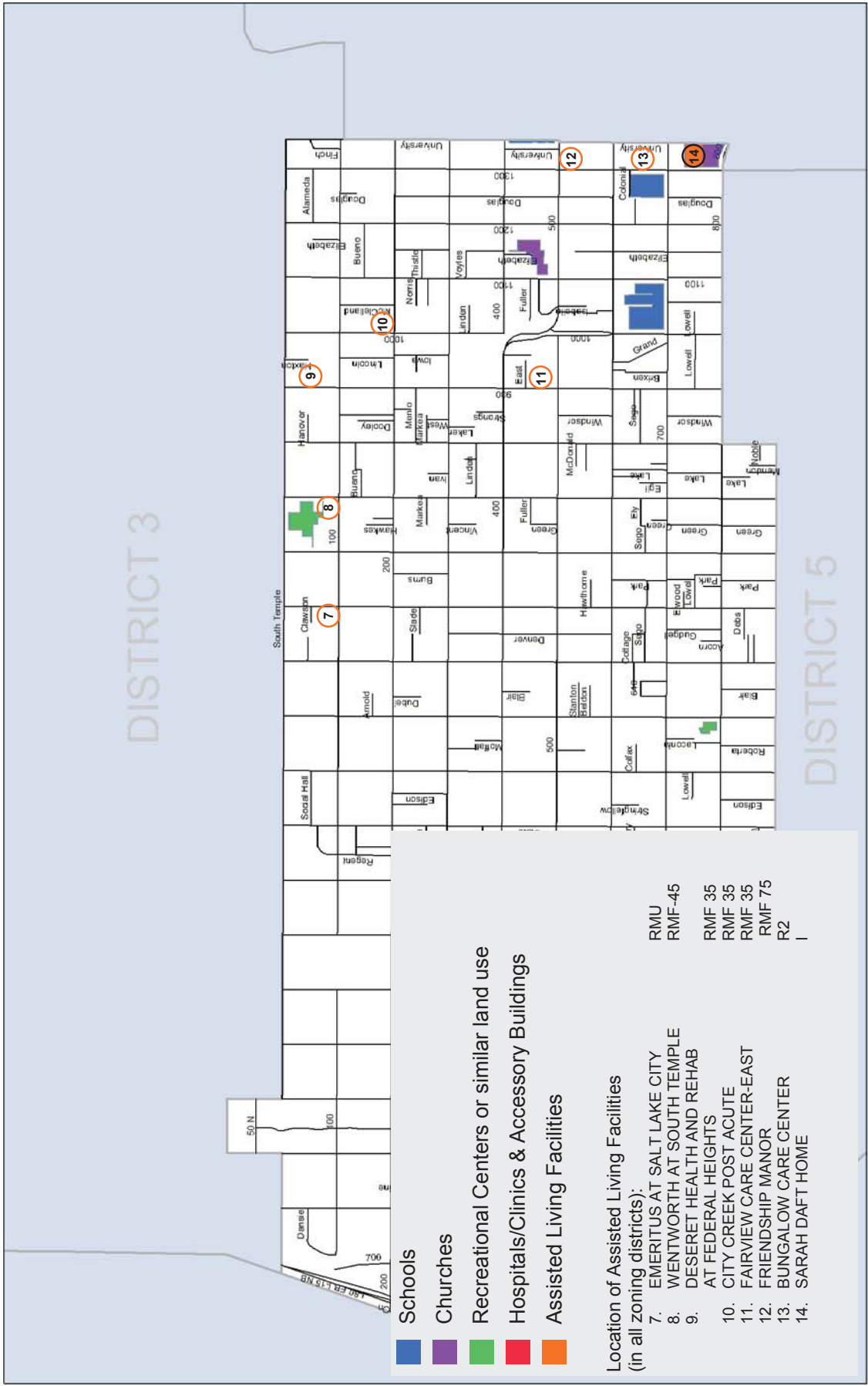


# District 3 - Institutional Zoning District



DISTRICT 4

# District 4 - Institutional Zoning District



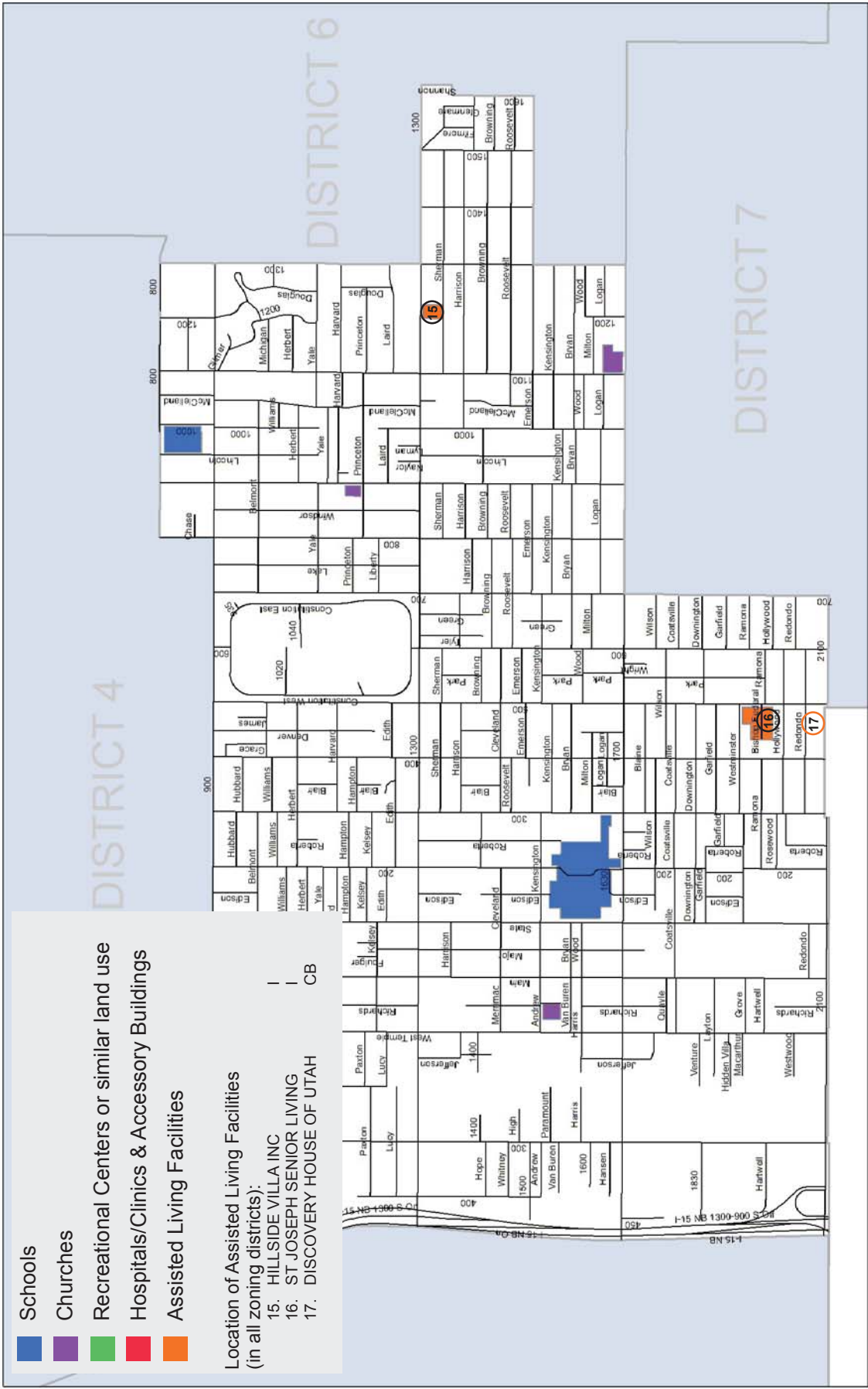


# District 5 - Institutional Zoning District

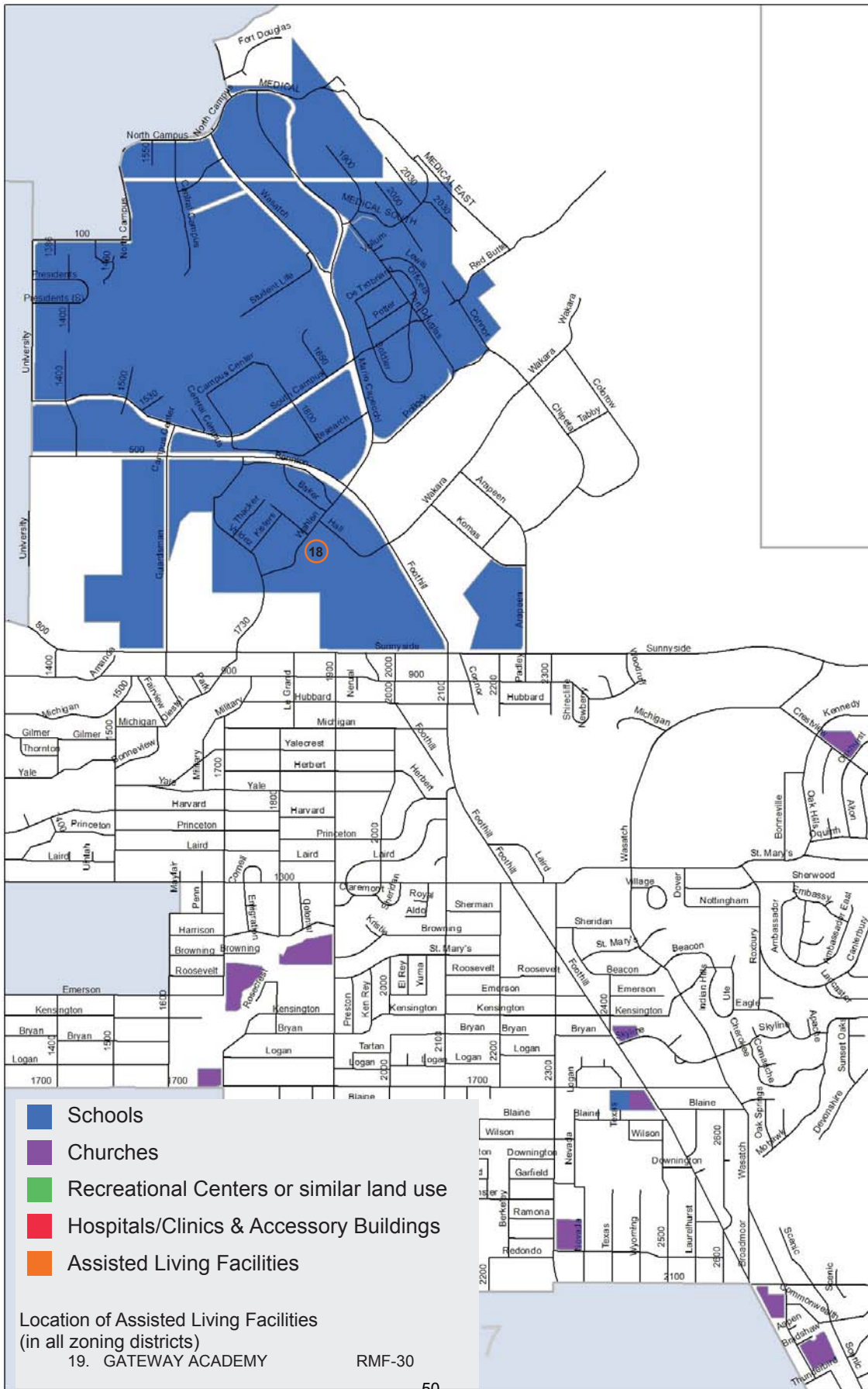
- Schools
- Churches
- Recreational Centers or similar land use
- Hospitals/Clinics & Accessory Buildings
- Assisted Living Facilities

Location of Assisted Living Facilities  
(in all zoning districts):

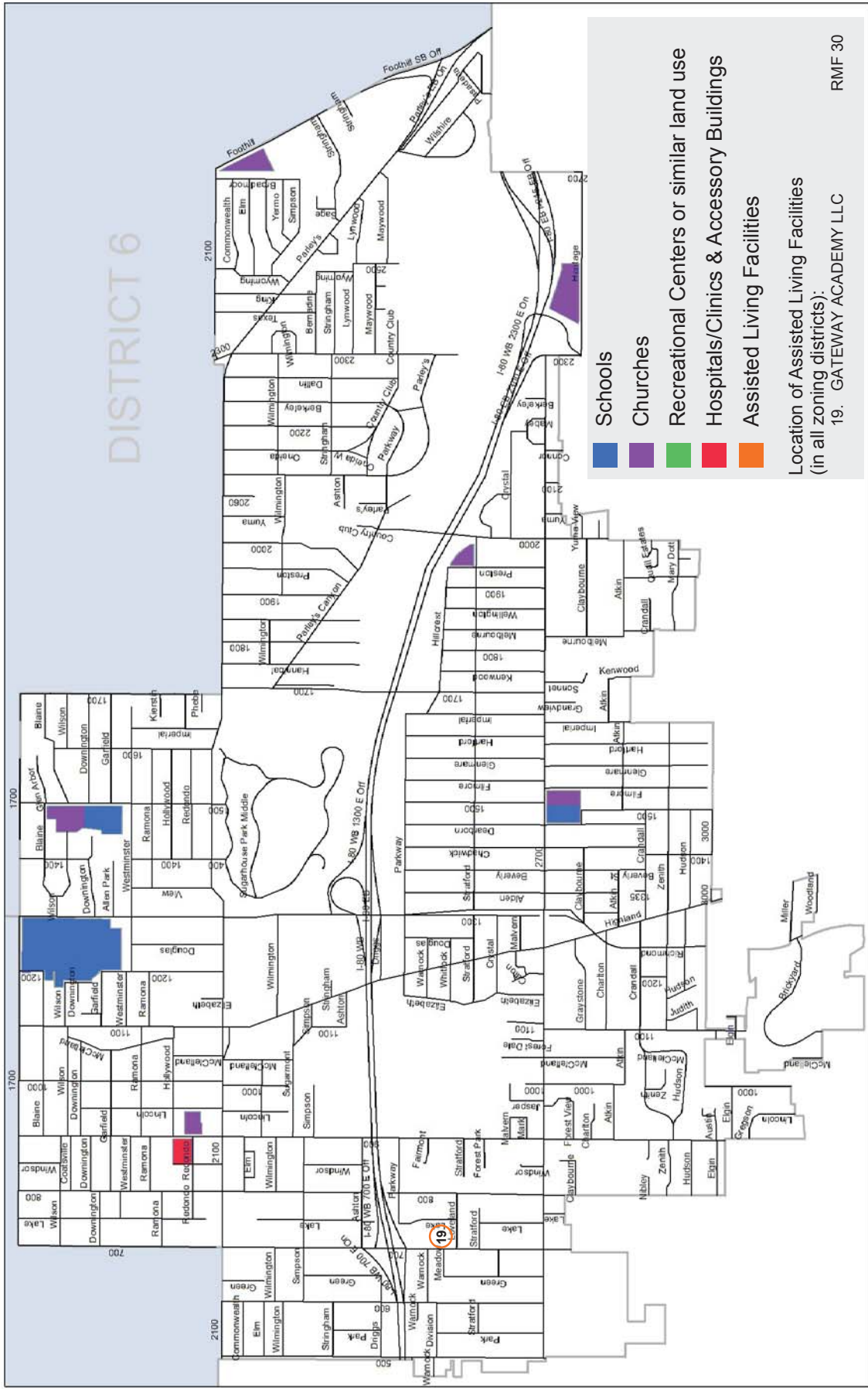
- 15. HILLSIDE VILLA INC
- 16. ST JOSEPH SENIOR LIVING
- 17. DISCOVERY HOUSE OF UTAH



# District 6 - Institutional Zoning District



# District 7 - Institutional Zoning District



# **ATTACHMENT G: CONDITIONAL USE STANDARDS AND LIST OF DETRIMENTAL EFFECTS**

## **Conditional Use Standards (Section 21A.54.080):**

1. The use complies with applicable provisions of this title;
2. The use is compatible, or with conditions of approval can be made compatible, with surrounding uses;
3. The use is consistent with applicable adopted city planning policies, documents, and master plans; and
4. The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions.

## **Determination of Detrimental Effects (Section 21A.54.080):**

1. This title specifically authorizes the use where it is located;
2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps;
3. The use is well suited to the character of the site, and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area;
4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered;
5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows;
6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic;
7. The site is designed to enable access and circulation for pedestrian and bicycles;
8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street;
9. The location and design of off street parking complies with applicable standards of this code;
10. Utility capacity is sufficient to support the use at normal service levels;
11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts;
12. The use meets city sustainability plans, does not significantly impact the quality of surrounding air and water, encroach into a river or stream, or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke;
13. The hours of operation and delivery of the use are compatible with surrounding uses;
14. Signs and lighting are compatible with, and do not negatively impact surrounding uses; and
15. The proposed use does not undermine preservation of historic resources and structures.

## **ATTACHMENT H: MOTIONS**

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Based on the findings listed in the staff report, it is the Planning Staff's opinion that the project meets the applicable standards for zoning text amendment and therefore recommends that the Planning Commission forward a positive recommendation to the City Council.

### **Consistent with Staff Recommendation:**

Based on the findings and analysis in the staff report and testimony provided, I move that the Planning Commission transmit a positive recommendation for PLNPCM2016-00026 to adopt the proposed changes to the definition of the Eleemosynary Facility, change the zoning districts where the eleemosynary land use is allowed, remove the 25 person cap in the definition of Large Assisted Living Facilities, make Assisted Living Facilities a conditional use in the Institutional zone, and remove the distance requirement for land uses such as Group Homes, Residential Support and Eleemosynary Facilities.

### **Not Consistent with Staff Recommendation:**

Based on the findings and analysis in the staff report and testimony provided, I move that the Planning Commission transmit a negative recommendation for PLNPCM2016-00026 to adopt the proposed changes to the definition of the Eleemosynary Facility, change the zoning districts where the eleemosynary land use is allowed, remove the 25 person cap in the definition of Large Assisted Living Facilities, make Assisted Living Facilities a conditional use in the Institutional zone, and remove the distance requirement for land uses such as Group Homes, Residential Support and Eleemosynary Facilities.