



# Staff Report

PLANNING DIVISION  
COMMUNITY & NEIGHBORHOODS

**To:** Salt Lake City Planning Commission

**From:** Lauren Parisi, Associate Planner

**Date:** April 11<sup>th</sup>, 2018

**Re:** PLNPCM2018-00024 and PLNPCM2018-00025  
Wasatch Community Gardens Map Amendments

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## MASTER PLAN & ZONING MAP AMENDMENTS

**PROPERTY ADDRESSES:** 629 - 633 East 800 South

**PARCEL IDs:** 16-07-232-029 & 16-07-232-030

**MASTER PLAN:** Central Community

**ZONING DISTRICT:**

Current - RMF-30: Low Density Multi-Family Residential Proposed R-MU-35: Residential Mixed Use

**HISTORIC OVERLAY:** Central City Local Historic District

**REQUEST:** Ashley Patterson, Director of Wasatch Community Gardens, has requested:

1. A master plan amendment to amend the future land use designation of the properties located at 629 and 633 East 800 South in the Central Community Master Plan from Low Density Residential (1-15 dwelling units/acre) to Medium Residential/Mixed Use (10-50 dwellings units/acre); and
2. A zoning map amendment to rezone the subject properties from the RMF-30 (Low Density Multi-Family Residential) zoning district to the R-MU-35 (Residential Mixed-Use) zoning district.

These amendments would allow for the existing single-family homes on the site to be used as Wasatch Community Gardens' administrative offices.

### RECOMMENDATION:

Based on the information in this staff report, Planning Staff recommends that the Planning Commission forward on a positive recommendation to the City Council for the proposed Master Plan and Zoning Map Amendments.



**PROJECT DESCRIPTION:** Wasatch Community Gardens (WCG) has proposed to amend the future land use designation for two properties located at 629 E. 800 South and 633 E. 800 South (adjacent to their existing community garden at 615 E. 800 South) in the Central Community Master Plan from Low Density Residential (1-15 dwelling units/acre) to Medium Residential/Mixed Use (10-50 dwellings units/acre). Additionally, they've also proposed to rezone these two properties from the RMF-30 (Low Density Multi-Family Residential) zoning district to the R-MU-35 (Residential Mixed-Use) zoning district.

These amendments would allow WCG to use the existing single-family homes on the site – one on each lot – as their administrative offices. The RMF-30 residential zoning district does not allow office use, which is why the organization is requesting the rezone. WCG will also be converting the existing single-family home at 625 E. 800 South to an “educational center;” however; as described in the administrative interpretation letter [attached](#), this use can be considered accessory to the garden and does not require a rezone if the two lots are consolidated. The educational center would hold cooking classes, gardening workshops and other small events for children and adults. WCG did initially include this center parcel as a part of the rezone, but chose to limit their request to two parcels to decrease the chances of a larger area being completely redeveloped in the future if for some reason the Gardens were to move. Additionally, the subject parcels are located in the Central City Local Historic District. Being located in a local historic district does add a layer of protection against the possibility of future demolition and out-of-character development.

In addition to the new office uses and educational center, Wasatch Community Gardens has indicated that they are committed to constructing some form of a 3-unit dwelling towards the back of the site off of Green Street in the future (see concept plan below). Of course, the specifics regarding any new housing are unknown and the proposed master plan and zoning map amendments are *not* contingent on future development. If new construction is proposed on the site in the future, it would need to be reviewed and approved by the Historic Landmark Commission.





The subject properties to be rezoned are surrounded by properties also located in the RMF-30 (Low Density Multi-Family Residential) zoning district to the north, south, east and west ([see zoning map](#)). There is another nonconforming commercial use kitty corner from Wasatch Gardens at 802 S. 600 East and multiple nonconforming uses along 800 South. The immediately surrounding land uses are as follows:

- North (756 S. Green Street) – 8-unit apartment building
- South (634-640 E. 800 South) – 3 single-family homes
- East (647 E. 800 South) – Duplex
- West (615 E. 800 South) – Wasatch Community's Grateful Tomato Garden

The two homes being converted into offices on the subject properties are contributing structures in the Central City Local Historic District. As with any change of use, the homes must be updated in terms of building code to accommodate an office-type use; however, it is not anticipated that any significant exterior changes will need to be made. Any exterior alterations made to the homes, including the installation of signs, must be reviewed by Planning Staff or the Historic Landmark Commission. Each home will most likely need to accommodate approximately 3-5 parking spaces required for office use either on the street or to the rear of the site.



The Historic Landmark Commission was briefed on this project at their March 1<sup>st</sup> meeting and were asked to identify any concerns as they related to the integrity of the local historic district. They did question whether or not the proposed office uses could be accommodated with a home occupation license, but they could not be as home occupations do not permit full commercial uses and must be owner occupied. They also suggested reevaluating the appropriateness of the zoning on adjacent properties off of 800 South as a whole, which is discussed under Consideration #1 below. No other major concerns were identified by the Commission.

**KEY CONSIDERATIONS:** The following key considerations have been identified for the Planning Commission's review.

### **Consideration #1 – City Master Plans**

The subject properties are located in the *Central City Neighborhood* identified by the Central Community Master Plan. Again, the applicants have requested to amend the future land use designation in the Master Plan from Low Density Residential (1-15 dwelling units/acre) to Medium Residential/Mixed Use (10-50 dwellings units/acre). The Plan describes this specific area as having “single-family homes and apartment complexes in ten-acre blocks divided up by alleys, interior court streets, commercial strips and civic centers.” The Plan also acknowledges the challenges of 132-foot wide streets in the area, which is the case of 800 South. With such wide streets, it can be difficult to interject residential character into an area.

In general, this plan does discourage the loss of housing to commercial uses; however, there are policy statements that support mixed-use development in appropriate areas such as Residential Land Use Policies 4.0 and 4.2 (pg. 10):

*4.0 – Encourage mixed used development that provides residents with a commercial and institutional component while maintaining the historic residential character of the neighborhood.*

*4.2 – Support small mixed use development on the corners of major streets that does not have significant adverse impacts on residential neighborhoods.*

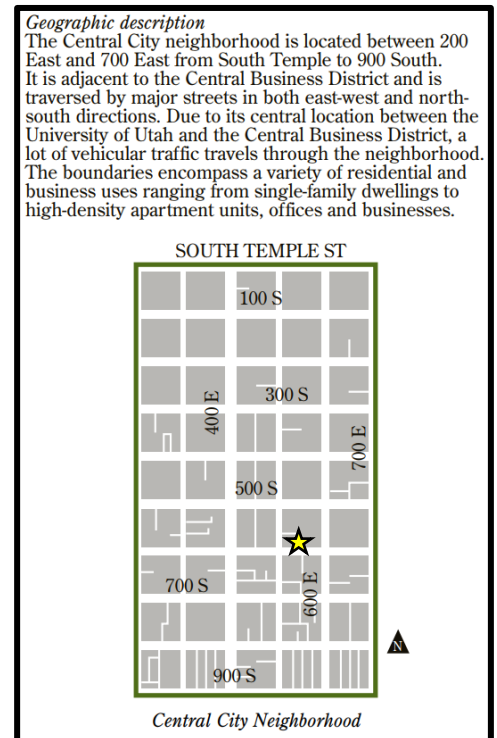
The Master Plan also speaks to historic preservation in the area. Regarding preservation goals for this district, the Plan says:

*“The most significant feature of [the Central City] district is its overall scale and simple character of buildings as a group, as a part of the streetscape. As a result, the primary goal is to preserve the general, modest character of each block as a whole, as seen from the street. Because the overall street character is the greatest concern, more flexibility in other areas, particularly renovation details should be allowed. This goal for preservation also must be considered in the context of related neighborhood goals to attract investment and promote affordability” (pg. 18).*

Additionally, the citywide master plan – Plan Salt Lake – emphasizes the importance of community amenities within walking distance of every household in the City. It states:

*“Our community gathering spaces are vital to our neighborhoods, offering open space and places for social engagement, learning, community building, and opportunities to connect with the community and nature. Community gathering spaces vary by neighborhood and come in many different sizes and forms, from parks and natural lands, to schools and libraries, we value and recognize the important role that community spaces play in civic engagement, social interaction, walkability, and community identity. Our neighborhoods must provide access to community gathering spaces, including parks and recreation facilities, within walking distance in all neighborhoods in our City” (pg. 17).*

Plan Salt Lake's chapter on historic preservation also lists “Balancing preservation with flexibility for change and growth” as its 5<sup>th</sup> initiative for preservation in the City (pg. 33).





Overall, there are multiple statements in the City's various master plans that promote compatible mixed-use development in appropriate areas of the City as a means of supporting residential neighborhoods. Low-intensity mixed uses tend to add vibrancy and bring a sense of place to an area. The subject properties are unique in that they're located off of a larger thoroughfare in the City next to a long-established community asset – the Grateful Tomato Community Garden. This corner is equipped to handle small-scale, mixed-use development, which may also act as a buffer between 800 South and the residential neighborhood to the north or more public and private realms. It was discussed whether the existing zoning classification and future land use designation should be reevaluated for this area off of 800 South as a larger whole; however, at this time Staff feels it best to move forward with the petitioner's request as proposed and take time to reevaluate the larger area in the near future.

### **Consideration #2 – Zoning Compatibility with Adjacent Properties**

As illustrated on the [zoning map](#), most all of the adjacent blocks are zoned predominantly RMF-30, which is intended for low-density residential use. The zoning standards in the proposed R-MU-35 zoning district are generally more flexible ([see zoning comparison table attached](#)) than the standards in the RMF-30 district. For example, the RMF-30 district requires 9,000 square feet of land for three residential units and the R-MU-35 district does not have a minimum for multi-family uses on existing lots. However, housing density in R-MU-35 districts is limited by the "building envelope" or required setbacks, height, open space, etc. Of course, the R-MU-35 zoning district also allows for more intense uses than the RMF-30 district such as retail goods, retail service, restaurants, etc.

Looking at density, many of the surrounding properties are nonconforming in terms of the required amount of land per dwelling unit. For example, today the RMF-30 district would require the property to the north to have at least 24,000 SF of land to accommodate 8 units, but it only has 12,214 SF; it would require the property to the east to have at least 8,000 SF of land to accommodate a duplex, but it only has 5,510 SF; it would require the properties on the east side of Green Street to have 5,000 SF of land per single-family home, but many only have about 2,600 SF; and it would require the three single-family properties directly across the street to have 5,000 SF, but all of them are undersized. Looking at these adjacent properties, the established development pattern is higher in density than what the RMF-30 zoning district allows and more reflective of the density standards in the R-MU-35 zoning district.

Height limitations in both of these districts are comparable – 30 feet vs. 35 feet for residential uses. Of course, the R-MU-35 district allows for commercial structures, but limits commercial building height to 20 feet which would not be out of scale with the area. In general, 800 South is wider and busier than the typical residential street. It is equipped to handle – and may benefit from – higher densities, slightly taller buildings, buildings pulled closer to the street and commercial uses like office. These elements tend to make a wider street feel smaller and even create a sense of place in an area. Despite what could be developed in this new zoning district, WCG does not intend on removing the existing homes. If demolition was proposed in the future, it would need to be approved by the Historic Landmark Commission. Additionally, the R-MU-35 zoning standards would better accommodate the possibility of a 3-unit dwelling being constructed on the site in the future, which aligns with the City's goal of net-zero housing loss. In general, the proposed zoning map amendment does not lead to changes that are out of character or incompatible with the existing development in the area and allows WCG to better serve the community.

### **Consideration #3 – Replacement of Housing Units on the Site**

Salt Lake City's Mitigation of Residential Housing Loss Ordinance (Section 18.97 of the Building and Constriction Title) states:

“...any petition for a zoning change that would permit a nonresidential use of land, that includes within its boundaries residential dwelling units, may not be approved until a housing mitigation plan is approved by the city.”

Because the proposed R-MU-35 zoning district would allow for nonresidential land uses and single-family homes are being converted into offices, these amendment requests are subject to housing mitigation.

This Ordinance lists three methods of satisfying housing mitigation loss including:

- A) Replacement Housing;
- B) Fee Based On Difference Between Housing Value And Replacement Cost; or
- C) Fee, Where Deteriorated Housing Exists, Not Caused By Deliberate Indifference Of Landowner

The first mitigation method or “A” involves constructing the same number of residential housing units being “proposed for demolition.” Because the language specifically states that this an option for units that are being demolished, it is not applicable to WCG’s project where homes are not being *demolished*, but converted into office use. However, if this option was available, WCG would be required to submit a performance bond to the City as a guarantee that the housing would be built in the future, which the WCG has expressed that they are not able to provide at this time.

Because the third mitigation method or “C” only applies “when deteriorated housing exists” and “when costs of calculating and analyzing the various methods of mitigation are unreasonably excessive,” which are not the case, the WCG’s only option is the second method or “B” to pay a fee to the City’s housing trust fund based on the difference between the housing value and replacement costs. As explained in the Housing Loss Mitigation Report attached, this calculation for both of the subject properties comes out to a negative value and; therefore, the WCG is not required to pay into the City’s Housing Trust Fund.

Despite this, WCG has indicated that they are fully committed to replacing the housing units that are being converted to office use. As indicated on their concept plan, they would like to construct some form of a 3-unit dwelling towards the back of their site in the future. The units would most likely be rented to provide some additional revenue for the nonprofit group. To further convey their commitment to replacement housing, WCG did explore working with the City for financial assistance from the Redevelopment Agency (RDA) or Housing and Neighborhood Development (HAND). Unfortunately, this project is not located in an RDA area and the assistance that HAND might be able to provide would be for affordable housing units. At this point in their project, WCG is not positive that the units will be affordable as defined by the State.

The group also inquired about putting a condition on these master plans and zoning map amendments that new housing units are constructed; however, in general conditional map amendments are not good practice. This is because the review should be focused on whether or not the proposed districts are appropriate for the area now and in the future. By conditioning the amendments, it’s as if the new zoning districts/future land use designations are only appropriate if A, B and C occur and; therefore, are truly not appropriate. WCG has also indicated that they are open to establishing a development agreement with the City that would guarantee replacement housing, but that is something that only the City Council can determine as necessary or not. The Planning Commission should focus on making a recommendation to the City Council based on WCG’s current proposal and the standards for map amendments, regardless of a guarantee for new housing.

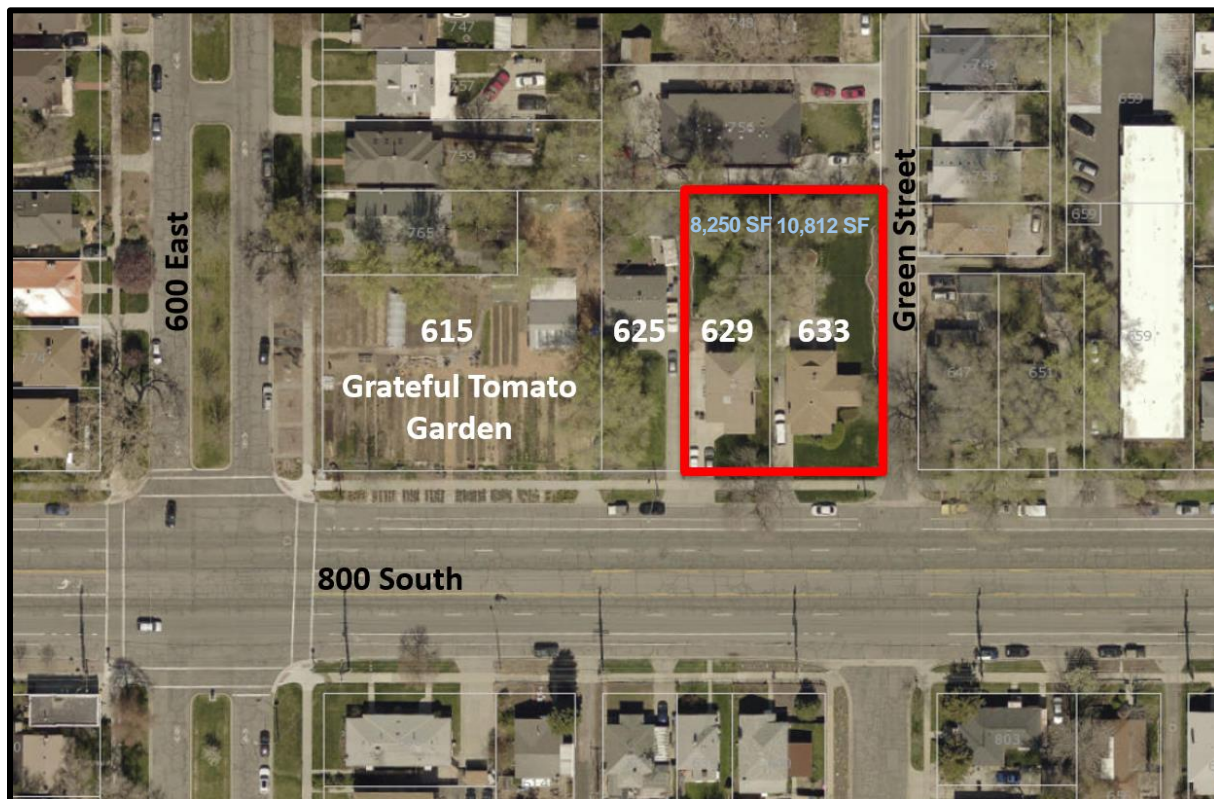
**NEXT STEPS:** The Planning Commission’s recommendation will be forwarded to the City Council for their consideration as part of the final decision on these petitions. As discussed previously, the City Council may initiate a development agreement for the site if they feel it is necessary. If ultimately approved, Wasatch Community Gardens may apply for building permits and business licenses to convert the existing homes into offices. Any changes made to the exterior of the homes and/or any new construction proposed on the site would need to receive historic approval from City staff or the Historic Landmark Commission. If ultimately denied, WCG could not use the properties for office use or any other commercial use.

#### **ATTACHMENTS:**

- A. [Current Zoning Map And Aerial](#)
- B. [Site Photographs](#)
- C. [Application Materials](#)
- D. [Housing Mitigation Report](#)
- E. [Administrative Interpretation Letter](#)
- F. [Zoning Comparisons](#)
- G. [Analysis Of Standards](#)
- H. [Public Process](#)
- I. [City Department Comments](#)



## ATTACHMENT A: Current Zoning Map and Aerial





## **ATTACHMENT B: Site Photographs**

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**Subject Property – 629 E. 800 South**



**Subject Property – 633 E. 800 South**





**Single-family home to the north of the Grateful Tomato Garden – 765 S. 600 E.**



**Grateful Tomato Garden looking northeast towards the subject properties**





**800 South in front of the subject properties looking east**

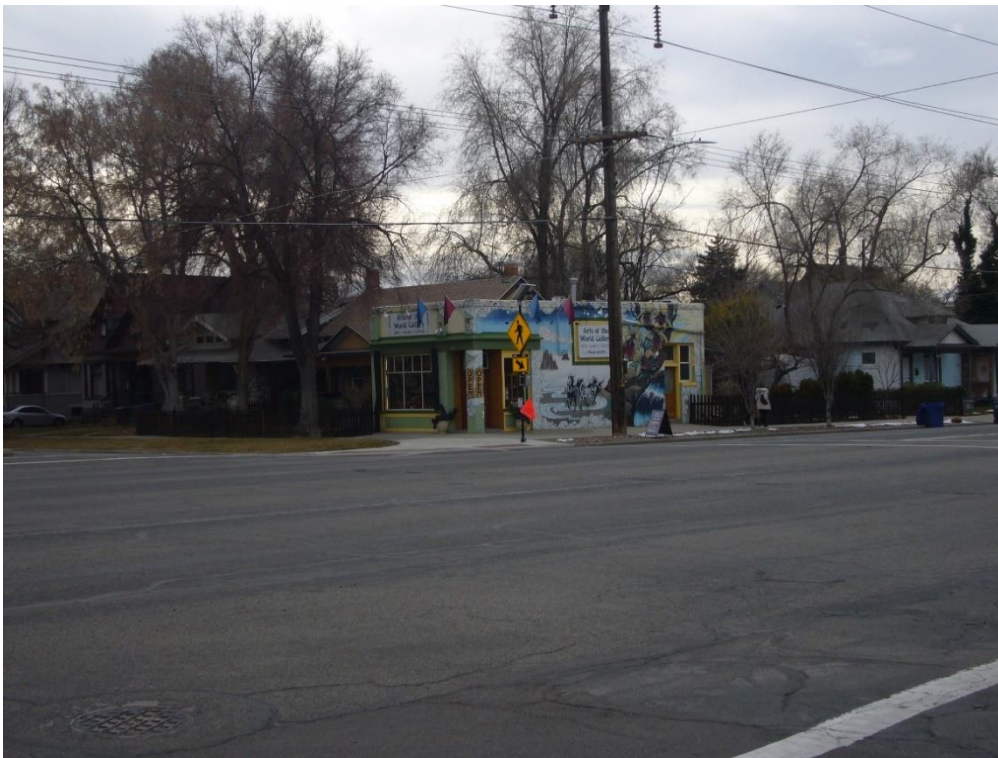


**8-unit apartment building to the north of the subject properties**





**East side of Green Street looking north**



**Nonconforming commercial use kitty corner from the Grateful Tomato Garden**

## **ATTACHMENT C: Application Materials**

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# Master Plan Amendment

SALT LAKE CITY PLANNING

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

## OFFICE USE ONLY

Received By:

*A. Anglin*

Date Received:

*1/17/18*

Project #:

*PCN/PCM 2018-00025*

Name of Master Plan Amendment:

## PLEASE PROVIDE THE FOLLOWING INFORMATION

Address of Subject Property (or Area):

*625 E., 629 E., 633 E. 800 South SLC, UT 8402*

Name of Applicant:

*Wasatch Community Gardens*

Phone:

Address of Applicant:

*824 S. 400 W. Ste. B127 SLC, UT 84101*

E-mail of Applicant:

*wasatchgardens.org*

Cell/Fax:

Applicant's Interest in Subject Property:

☒ Owner ☐ Contractor ☐ Architect ☐ Other:

Name of Property Owner (if different from applicant):

E-mail of Property Owner:

*wasatchgardens.org*

Phone:

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

## AVAILABLE CONSULTATION

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

## REQUIRED FEE

- Filing fee of \$910 plus \$121 per acre in excess of one acre.
- \$100 for newspaper notice.
- Plus additional fee for mailed public notices.

## SIGNATURE

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

Signature of Owner or Agent:

*Ashley Patterson*

Date:

*01/18/2018*

Updated 7/8/15



# Zoning Amendment

SALT LAKE CITY PLANNING

☐ Amend the text of the Zoning Ordinance ☒ Amend the Zoning Map

## OFFICE USE ONLY

Received By: A Anglin Date Received: 1/18/18 Project #: PLNPM2018-00024  
Name or Section/s of Zoning Amendment: RME-35

## PLEASE PROVIDE THE FOLLOWING INFORMATION

Address of Subject Property (or Area): 625 E., 629 E., 633 E. 800 South SLC, 84102  
Name of Applicant: Wasatch Community Gardens Phone: \_\_\_\_\_  
Address of Applicant: 824 S. 400 W. Ste. B127 SLC, UT 84101  
E-mail of Applicant: wasatchgardens.org Cell/Fax: \_\_\_\_\_  
Applicant's Interest in Subject Property:

☒ Owner ☐ Contractor ☐ Architect ☐ Other:

Name of Property Owner (if different from applicant):

E-mail of Property Owner: wasatchgardens.org Phone: \_\_\_\_\_

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

## AVAILABLE CONSULTATION

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

## REQUIRED FEE

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

## SIGNATURE

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

Signature of Owner or Agent: Ashley Patterson Date: 01/18/2018

Updated 2/20/15



January 17, 2018

Dear Members of the Salt Lake City Planning Commission:

Wasatch Community Gardens (WCG) requests your consideration of a master plan amendment for the properties located at 629 and 633 E 800 South (Parcel Numbers 16-07-232-029 and -030). These parcels, along with 625 E 800 S, were purchased by the organization in October, 2017. They are located directly east of WCG's flagship educational garden, the Grateful Tomato Garden, which is located at 615 E 800 South. The intent of this request is to establish administrative office as a new land use on the property. WCG currently has a small office space in Artspace Commons but seeks to relocate their administrative offices to the subject properties, adjacent to the Grateful Tomato Garden. The subject parcels (as well as the Grateful Tomato Garden) are currently zoned RMF-30 which does not allow supportive, administrative office space as a land use.

### **EXPLANATION OF REQUEST**

The Grateful Tomato Garden hosts several public events, youth gardening programs and adult organic gardening workshops on an annual basis. The garden, which is permanently protected open space through a conservation easement held by the Utah Department of Agriculture and Food, contains a greenhouse and small outdoor kitchen on the existing property. WCG runs more than 40 community, school, and youth gardens throughout Salt Lake County, as well as a small urban farm that offers a job training program to women experiencing homelessness. The establishment of on-site administrative offices will allow the organization to ensure better safety and security for the participants and the property, and to better serve the community with accessible, urban gardening education and opportunities.

This proposal contains major site improvements, including: the establishment of administrative offices and an educational center, the historic preservation of existing contributing buildings, the expansion of community garden and open space, and the new construction of three residential units. The details of these improvements are outlined below:

### **Administrative Offices & Educational Center**

WCG is proposing to re-use the existing, contributing, historic structures on the three parcels to the east of the Grateful Tomato Garden. The structures located at 629 and 633 East 800 South (the eastern most parcels) would be converted to light-use administrative office space, housing only the staff of WCG. The structure located at 625 East 800 South would be converted to an educational center with a teaching kitchen and community space for classes, workshops, and small events for kids, families, and adults (which is currently permitted under the existing RMF-30 zoning ordinance).

WCG is aware that these parcels are located within the Central City Historic District and embraces it. Historic Preservation is valued by WCG and the intention is to preserve, restore, and re-use the contributing buildings in order to maintain their historic character and presence along the 800 South block face.

### **New Residential**

WCG understands the housing needs in Salt Lake City and, more specifically, in the Central City neighborhood. In order to restore the loss of housing due to the conversion of the existing buildings, WCG proposes to build a three unit building to the rear of the 633 E 800 South building. This new structure will be oriented towards Green Street and help complete the residential presence at the southern end of the street. In addition, the new residential units will help WCG offset the costs of running their facilities. This will also encourage nearly round-the-clock human occupation of the site to help with security for the garden and the neighborhood and will maintain the residential character of this area in Central City.

WCG is aware of the city's Historic Preservation Guidelines and approval process for new construction and intends to meet all requirements of that process.

### **Increased Garden & Open Space**

The primary goal of this project is to enhance and enlarge the existing Grateful Tomato Garden. Green space areas on the parcels will be enhanced to provide additional and desirable open and gardening space for the neighborhood, including the popular U Pick It fence that surrounds the existing Grateful Tomato Garden and helps provide free, fresh, organic produce to neighborhood pedestrians. With the history of this neighborhood's development being based around The Plat of Zion, WCG's focus on fruit and vegetable production education and demonstration garden spaces will help to preserve that critical legacy for Salt Lake City. Additionally, the increased garden space further implements specific city-wide goals, helping to provide additional recreational amenities for families, children, and adults; giving property owners ideas and information on how to enhance food production in their private yards; and provide more opportunity for community gardening.

## **PROJECT SUMMARY**

### **Current Zoning/Future Land Use**

629 & 633 E 800 S : **RMF-30** (Low Density Multi-family Res) / **Low Density Residential** (1-15 u/ac)

### **Proposed Zoning/Future Land Use**

629 & 633 E 800 S : **R-MU-35** (Residential/Mixed Use) / **Medium Residential Mixed Use**

### **Current Lot Size**

629 E : 0.19 ac

633 E : 0.25 ac



**Existing Conditions:**

629 E : Contains an existing single family home, built in 1933. The historic status is “contributing” to the historic district.

633 E : Contains an existing single family home, built in 1925, and detached garage. The historic status is “contributing” to the historic district.

**MASTER PLAN AMENDMENT**

This proposed master plan amendment is for the two parcels located at 629 and 633 East 800 South to have a future land use designation as Medium Residential / Mixed Use. We feel this change is supported in Salt Lake City's current planning documents as it would facilitate a project that would cater to the surrounding neighborhood, encourage historic preservation and adaptive re-use, and increase open space in the Central City neighborhood. The future of the Central Community is based on four fundamental goals in the Central Community Master Plan. WCG believes the requested future land use change to Medium Residential / Mixed Use is supported by these fundamental goals:

**1) Livable Communities and Neighborhoods**

- ***Land use patterns are compatible with the characteristics of specific neighborhoods within the community.*** This proposal will result in the adaptive re-use of existing historic structures in order to better serve a community and agricultural space that has existed since the mid-1800's. The streetscape will maintain the same building pattern, appearance, and character along the entire block face of 800 South. The proposed new residential structure (on Green Street) will include compatible building placement, design, and character to surrounding structures and will contribute to the existing character and design of the neighborhood.
- ***Preservation of the housing stock is an integral part of maintaining neighborhood character.*** The proposed project does not include any demolition of existing housing and includes the preservation of three contributing buildings. The new construction of three residential units on the project site will restore the lost housing from the proposed change of use on 800 South. This results in a zero net-loss of housing.
- ***The appropriate transition of multi-family housing with mixed land uses in designated areas supports sustainable development within the community.*** Although the dominant land use in the surrounding area is single family detached, a unique characteristic of the Central City neighborhood is its common mix of land uses. This has once been designated as a challenge, but has been embraced as an opportunity in recent years. The current use and operation of the subject property is unique to this neighborhood and cannot be categorized under one particular land use. It is mixed use in nature and requires creative zoning support. A future land use designation to Medium Residential / Mixed Use will help facilitate a smooth transition between existing land uses, in addition to allowing a

valued community space to expand its services and better serve the community in a more sustainable manner.

- ***Various types of business land uses in scale with the residential community support livable neighborhoods.*** A future land use designation of Medium Residential / Mixed Use will allow the subject property to offer increased community services and open space, while maintaining the residential scale and character seen throughout the neighborhood.
- ***Parks, Open Space and Recreational land uses are vital elements in the quality of life in the Central Community.*** WCG has been an established community and recreational space at the subject property for 30 years and has contributed to the preservation of the agricultural use at the site for well over a century. The future land use designation will help the organization continue to offer and enhance these vital elements in the quality of life in the Central Community.
- ***Residents enjoy active and passive recreation space at a variety of park sites and open spaces.***
- ***Historic preservation preserves older structures that contribute to the culture of the community.***

## **2) Vital and Sustainable Commerce**

- ***Increased pedestrian accessibility and cultural activities encourage more housing that support the employment center of the downtown area.***
- ***Business development strengthens the Central Community's employment and economic base.***
- ***An enhanced built environment encourages employees to work and live in the Central Community and supports the creation of smaller locally owned businesses.***
- ***Planning and zoning restrictions on businesses to those instances that provide clear and substantial benefits to residents to sustain a business-friendly environment.***

## **3) Unique and Active Places**

- ***New places where people can gather, meet, socialize, and recreate are created using design excellence and shared resources.***
- ***Existing destination centers and gathering places are enhanced through urban design recommendations.***

## **4) Increased Pedestrian Mobility and Accessibility**

- ***Improving pedestrian mobility and safety through good urban design processes is a priority within the Central Community.*** Although pedestrian infrastructure is in place along 800 South, pedestrian mobility and safety at the intersection of Green Street and 800 South is not ideal. Residents have shared concern that the visibility for pedestrians and bicyclists at this point is low quality due to the narrow width of Green Street, overgrowth, and parked vehicles. The proposed residential structure on Green Street and the new administrative office spaces will require associated pedestrian improvements that will implement best



practices and increase pedestrian safety for this particular area. Furthermore, the proposed project encourages residents' ability to minimize the use of the automobile by providing community agricultural services within walking distance of their homes.

- ***Higher density residential land uses are located near commercial areas, light rail stations and open space.*** Although the request increases allowed density, the subject property is located immediately adjacent to an existing 0.55 acre parcel of valued open space that is protected through a conservation easement. This is valuable open space that directly serves the community. Increased density, in this case, will continue to protect its value and preservation.

## **LAND USE POLICIES OF THE CENTRAL COMMUNITY MASTER PLAN**

The Central Community Master Plan outlines a number of land use policies that establish basic principles based on a particular land use, specific to the needs of the Central Community. WCG believes its proposal will directly contribute to the implementation of the following policies:

### **Residential Land Use Policies**

**RLU-1.0** Based on the Future Land Use Map, use residential zoning to establish and maintain a variety of housing opportunities that meet social needs and income levels of a diverse population.

**RLU-1.5** Use residential mixed use zones to provide residential land uses with supportive retail, service, commercial, and small-scale offices and monitor the mix of uses to preserve the residential component.

**RLU-1.6** Encourage coordination between the Future Land Use map, zoning ordinances, and the SLC Community Housing Plan.

**RLU-2.0** Preserve and protect existing single- and multi-family residential dwellings within the Central Community through codes, regulations, and design review.

**RLU-3.0** Promote construction of a variety of housing options that are compatible with the character of the neighborhoods of the Central Community.

**RLU-3.1** Encourage residential land developers to build housing that provide residential opportunities for a range of income levels, age groups, and family size.

**RLU-3.4** Encourage high performance, energy-efficient residential development.

**RLU-4.0** Encourage mixed use development that provides residents with a commercial and institutional component while maintaining the residential character of the neighborhood.

**RLU-4.2** Support small mixed use development on the corners of major streets that does not have significant adverse impacts on residential neighborhoods.

### **Commercial Land Use Policies**

**CLU 1.0** Provide a range of commercial land uses in the Central Community.

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

**CLU-4.0** Ensure commercial land uses are compatible with neighboring properties.  
**CLU-4.6** Ensure that new development in areas where non-residential and residential land uses are mixed, preserves viable residential structures that contribute to the neighborhood fabric and character.

### **Parks, Open Space, and Recreational Land Use Policies**

**POSRLU-1.0** Encourage or support an adequate amount of varied park, open space, and recreational land uses as measured by the national standard for parks.

**POSRLU-1.2** Encourage the development of passive neighborhood parks, community gardens, dog parks, and open space areas.

### **Historic Preservation Policies**

**HP-1.0** Central Community gives high priority to the preservation of historic structures and development patterns.

**HP-1.4** Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks.

## **PARKS, OPEN SPACE, AND RECREATIONAL LAND USE**

The Central Community Master Plan specifically mentions the “deficit of open space, parks, and recreation facilities” in the Central Community while the community population continues to increase. Furthermore, it states that “areas north of 900 South do not have ample open space and need a park or several parks that families and other residents can conveniently access.”

In response to this issue, the master plan specifically suggests the opportunity to increase “demonstration projects to promote water-wise landscaping and to give property owners ideas and information for designing and maintaining their private “open spaces.” WCG’s proposal directly contributes to this effort.

## **HISTORIC PRESERVATION**

The Central Community Master Plan states, “The most significant feature of this district (Central City) is its overall scale and simple character of buildings as a group, as a part of the streetscape. As a result, the primary goal is to preserve the general, modest character of each block as a whole, as seen from the street. Because the overall street character is the greatest concern, more flexibility in other areas, particularly renovation details should be allowed.” WCG’s proposal directly supports this statement.

## **FUTURE RESIDENTIAL LAND USE CHANGES**

The Central City Master Plan recognizes that “the City is a living organism, subject to growth, decay, and renewal. Its intent is to ensure that change occurs in response to the

needs of, and in the best interests of, the residents of the Central Community as well as the City as a whole.”

### **Low-Density Residential (1-15 u/ac) (CURRENT DESIGNATION)**

The current future land use designation allows moderately sized lots (3,000-10,000 square feet) where single-family detached homes are the dominant land use. Low-density includes single-family attached and detached dwellings. However, the current zoning designation of RMF-30 allows for multi-family dwellings in addition to the single-family dwellings stated in the future land use designation. The Central City Master Plan states that “the most established low-density neighborhoods are south of 900 S between State St and 1300 E and areas between W Temple and Main St from 1700 S to 2100 S.”

### **Medium Density Residential Mixed Use (10-50 u/ac) (PROPOSED DESIGNATION)**

The intent of the Medium Density Residential Mixed Use designation is to increase population density to support neighborhood business uses, provide more housing units, and expand the use of common public facilities. This land use allows integration of medium density residential and small business uses at ground floor levels.

## **CONCLUSION**

WCG has been gardening at 615 East 800 South for more than thirty years. The existing Grateful Tomato Garden has been in agricultural production since the valley was settled by the Mormon pioneers in the mid-1800s. This site has become somewhat of a Salt Lake City landmark and the popular Tomato Sandwich Party and Urban Garden and Farm Tour events hosts hundreds of community members each year. The waitlist for a community garden plot at the Grateful Tomato Garden is 5-10 years; thus, proving the demand for WCG’s services is high in this neighborhood.

In order to expand and enhance the existing services, WCG needs on-site administrative office support. WCG has been searching for the appropriate space to locate their CityGarden urban agriculture center for over five years. With the purchase of these three parcels, WCG hopes the time has finally come to establish the center’s “home” in the Central City neighborhood. Furthermore, keeping these three parcels under the ownership of WCG will perpetually protect the sun and air space that is obviously needed for the preservation of its flagship Grateful Tomato Garden. Without the establishment of administrative office space at this site, WCG will not be able to maintain ownership of the parcels and will need to sell.

WCG has thoroughly researched and considered a variety of future land use designations and zoning districts in order to select the most appropriate option that best serves the surrounding neighborhood, while helping to achieve the need for on-site administrative office and to expand the community garden space. While approval of this request would allow for commercial use at the site, the intention and end-result is nothing but beneficial to the community. The restoration of historic structures, increased public open space, and no loss of housing are repeated goals throughout the Central City Master Plan. These same three goals are shared with WCG and this proposal will



only benefit the Central City residents, while avoiding the common negative impacts typically associated with increased/allowable commercial uses.

The proposed master plan amendment and zone change is the best and most efficient way to accomplish this. Furthermore, this will enable more financial means for greater preservation efforts and upkeep of the highly-valued community garden and the existing contributing buildings along 800 South. We hope these points are helpful to you as you consider this request. WCG is certainly dedicated to this potential opportunity and is excited to enhance its services to the community. The Central Community Master Plan recognizes that the City is a “living organism”, subject to growth and change. The intent of the Master Plan is to *ensure change occurs in response to the needs of, and in the best interest of, the residents of the Central Community*. WCG believes this request is in the best interest of the community and it is their goal to see it through.

Your time and attention to this request is certainly appreciated. Please feel free to contact us with any questions.

Sincerely,

Kristen Clifford  
*Project Planner*

January 17, 2018

Dear Members of the Salt Lake City Planning Commission:

Wasatch Community Gardens (WCG) requests your consideration of a zone change for the properties located at 629 and 633 E 800 South (Parcel Numbers 16-07-232-029 and -030). These parcels, along with 625 E 800 S, were purchased by the organization in October, 2017. They are located directly east of WCG's flagship educational garden, the Grateful Tomato Garden, which is located at 615 E 800 South. The intent of this request is to establish administrative office as a new land use on the property. WCG currently has a small office space in Artspace Commons but seeks to relocate their administrative offices to the subject properties, adjacent to the Grateful Tomato Garden. The subject parcels (as well as the Grateful Tomato Garden) are currently zoned RMF-30 which does not allow supportive, administrative office space as a land use.

### **EXPLANATION OF REQUEST**

The Grateful Tomato Garden hosts several public events, youth gardening programs and adult organic gardening workshops on an annual basis. The garden, which is permanently protected open space through a conservation easement held by the Utah Department of Agriculture and Food, contains a greenhouse and small outdoor kitchen on the existing property. WCG runs more than 40 community, school, and youth gardens throughout Salt Lake County, as well as a small urban farm that offers a job training program to women experiencing homelessness. The establishment of on-site administrative offices will allow the organization to ensure better safety and security for the participants and the property, and to better serve the community with accessible, urban gardening education and opportunities.

This proposal contains major site improvements, including: the establishment of administrative offices and an educational center, the historic preservation of existing contributing buildings, the expansion of community garden and open space, and the new construction of three residential units. The details of these improvements are outlined below:

### **Administrative Offices & Educational Center**

WCG is proposing to re-use the existing, contributing, historic structures on the three parcels to the east of the Grateful Tomato Garden. The structures located at 629 and 633 East 800 South (the eastern most parcels) would be converted to light-use administrative office space, housing only the staff of WCG. The structure located at 625 East 800 South would be converted to an educational center with a teaching kitchen and community space for classes, workshops, and

small events for kids, families, and adults (which is currently permitted under the RMF-30 zoning ordinance). WCG is aware that these parcels are located within the Central City Historic District and embraces it. Historic Preservation is valued by WCG and the intention is to preserve, restore, and re-use the contributing buildings in order to maintain their historic character and presence along the 800 South block face.

### **New Residential**

WCG understands the housing needs in Salt Lake City and, more specifically, in the Central City neighborhood. In order to restore the loss of housing due to the conversion of the existing buildings, WCG proposes to build a three unit, cottage style building to the rear of the 633 E 800 South building. This new structure will be oriented towards Green Street and help complete the residential presence at the southern end of the street. In addition, the new residential units will help WCG offset the costs of running their facilities. This will also encourage nearly round-the-clock human occupation of the site to help with security for the garden and the neighborhood and will maintain the residential character of this area in Central City. WCG is aware of the city's Historic Preservation Guidelines and approval process for new construction and intends to meet all requirements of that process.

### **Increased Garden & Open Space**

The primary goal of this project is to enhance and enlarge the existing Grateful Tomato Garden. Green space areas on the parcels will be enhanced to provide additional and desirable open space for the neighborhood, including the popular U Pick It fence that surrounds the existing Grateful Tomato Garden and helps provide free, fresh, organic produce to neighborhood pedestrians. With the history of this neighborhood's development being based around The Plat of Zion, WCG's focus on fruit and vegetable production education and demonstration garden spaces will help to preserve that critical legacy for Salt Lake City. Additionally, the increased garden space further implements specific city-wide goals, helping to provide additional recreational amenities for families, children, and adults; giving property owners ideas and information on how to enhance food production in their private yards; and provide more opportunity for community gardening.

## **PROJECT SUMMARY**

### **Current Zoning/Future Land Use**



629 & 633 E 800 S : **RMF-30** (Low Density Multi-family Res) / **Low Density Residential** (1-15 u/ac)

#### **Proposed Zoning/Future Land Use**

629 & 633 E 800 S : **R-MU-35** (Residential/Mixed Use) / **Medium Residential Mixed Use**

#### **Current Lot Size**

629 E : 0.19 ac

633 E : 0.25 ac

#### **Existing Conditions:**

629 E : Contains an existing single family home, built in 1933. The historic status is “contributing” to the historic district.

633 E : Contains an existing single family home, built in 1925, and detached garage. The historic status is “contributing” to the historic district.

#### **ZONE CHANGE**

This zone change request is for the properties at 629 and 633 East 800 South to have a new zoning designation of R-MU-35 (Residential / Mixed Use District). WCG believes this change is supported in Salt Lake City's current planning documents, as it would facilitate a project that would cater to the surrounding neighborhood and contribute to the desired open space and historic preservation of the Central Community. The R-MU-35 zoning district is the most efficient and creative land use tool for WCG to expand its services and increase open space while preserving the existing historic and residential character along the 800 South corridor.

#### **R-MU-35 Zoning District**

The purpose of the R-MU-35 district is to provide areas within the city for mixed use development that promote residential urban neighborhoods containing residential, retail service, commercial, and small scale office uses.

- ***The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is pedestrian oriented.*** The function and land use of WCG at the subject property cannot be categorized under one land use. It is mixed use in nature and therefore requires creative zoning support. Although single-family detached is a dominant housing type in the immediate area, a variety of housing types and land uses are well-established throughout the neighborhood. WCG is confident that the design standards of the R-MU-35 zoning district in addition to the preservation guidelines of the Central City Historic District are effective city protections that will reinforce the character of the area and require compatible design.

This proposal will result in the adaptive re-use of existing historic structures in order to better serve a community and agricultural space that has existed since the mid-1800's. The streetscape will maintain the same building pattern, appearance, and character along the entire block face of 800 South. The proposed residential structure (on Green Street) will include compatible building placement, design, and character to surrounding structures and will contribute to the existing character and design of the neighborhood. While approval of this request would allow for an increase in commercial uses and density at the site, the intention and end-result is nothing but beneficial to the community. It is in WCG and the neighborhood's best interest for this highly-valued community space to expand its community services while offering the preservation of existing contributing structures, zero net-loss of housing, and protection of sun and air space, in perpetuity, for this flagship community garden. The R-MU-35 zone is the most efficient and creative way to achieve this.

- ***This zone is intended to provide a buffer for lower density residential uses and nearby collector, arterial streets and higher intensity land uses.*** If approved, the commercial impact of the proposed project would be minimal, resulting in only the "small scale office uses" (as outlined in the zoning district's purpose statement) established in existing historic structures. However, the large capacity and high-traffic nature of 800 South responds to the need for a functional "buffer" achieved with the R-MU-35 zoning district.

Although the R-MU-35 ordinance may allow higher heights and density than this proposal intends to establish, WCG gives its assurance that height and density is not the goal with this request. In order to expand and enhance the existing services, WCG needs on-site administrative office support. WCG has been searching for the appropriate space to locate their CityGarden urban agriculture center for over five years. With the purchase of these three parcels, WCG hopes the time has finally come to establish the center's "home" in the Central City neighborhood. Without the establishment of administrative office space at this site, WCG will not be able to maintain ownership of the parcels and will need to sell.

Furthermore, the proposed residential construction (to restore the loss of housing from the change of use on 800 South) will be reviewed by the Historic Landmark Commission, ensuring an appropriate design that respects the historic character of the Central City Historic District and, more specifically, Green Street. WCG intends to meet all aspects of the historic preservation standards, and we embrace the opportunity of being located within the historic district.

## **CONCLUSION**

WCG has been gardening at 615 East 800 South for more than thirty years. The existing Grateful Tomato Garden has been in agricultural production since the

valley was settled by the Mormon pioneers in the mid-1800s. This site has become somewhat of a Salt Lake City landmark and the popular Tomato Sandwich Party and Urban Garden and Farm Tour events hosts hundreds of community members each year. The waitlist for a community garden plot at the Grateful Tomato Garden is 5-10 years, proving the demand for WCG's services is high in this neighborhood.

WCG has thoroughly researched and considered a variety of zoning districts in order to select the most appropriate option that best serves the surrounding neighborhood, while helping to achieve the need for on-site administrative office and to expand the community garden space. While approval of this request would allow for commercial use at the site, the intention and end-result is nothing but beneficial to the community. The restoration of historic structures, increased public open space, and no loss of housing are repeated goals throughout the Central City Master Plan. These same three goals are shared with WCG and this proposal will only benefit the Central City residents, while avoiding the common negative impacts typically associated with increased/allowable commercial uses.

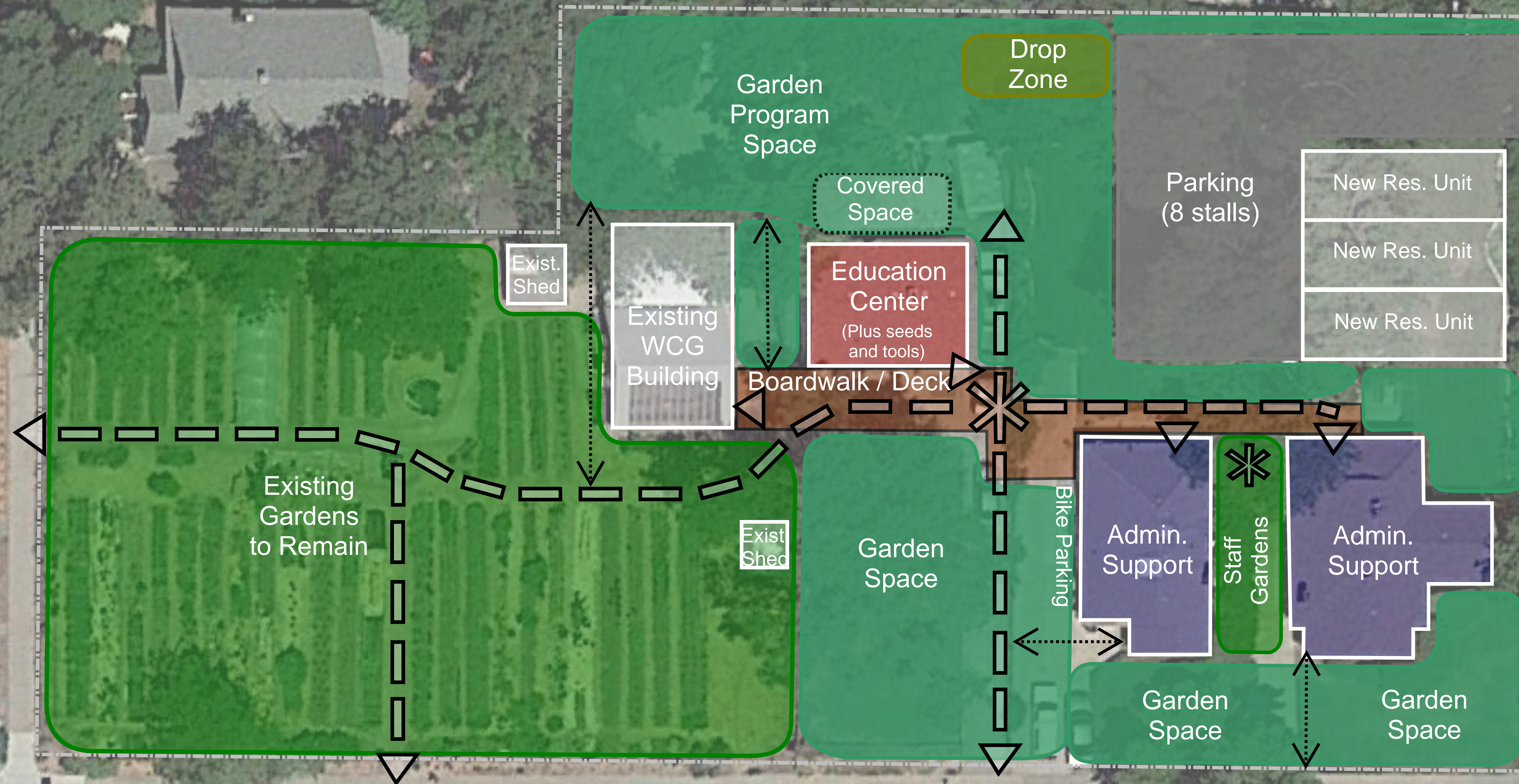
This proposed zone change is the best and most efficient way to accomplish this. Furthermore, this will enable more financial means for greater preservation efforts and upkeep of the highly-valued community garden and the existing contributing buildings along 800 South. We hope these points are helpful to you as you consider this request. WCG is certainly dedicated to this potential opportunity and is excited to enhance its services to the community. The Central Community Master Plan recognizes that the City is a "living organism", subject to growth and change. The intent of the Master Plan is to *ensure change occurs in response to the needs of, and in the best interest of, the residents of the Central Community*. WCG believes this request is in the best interest of the community and it is their goal to see it through.

Your time and attention to this request is certainly appreciated. Please feel free to contact us with any questions.

Sincerely,

Kristen Clifford  
*Project Planner*





## SUMMARY

### Housing Units

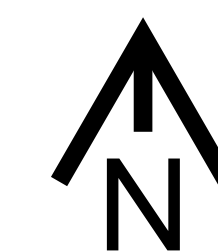
- Build 3 new units on a new northeast parcel

### Admin. Support

- Reuse existing houses
- Reuse the west existing house as and Edu. Center
- Connect all WCG buildings with a boardwalk / Deck

## CONCEPTUAL SITE PLAN

01/19/2018





## **ATTACHMENT D: Housing Mitigation Report**

## **Housing Loss Mitigation Report**

### **Properties at 629 East 800 South & 633 East 800 South**

#### **Background:**

Wasatch Community Gardens (WCG) submitted applications for a master plan and zoning map amendment to rezone the properties at 629 E. 800 South and 633 E. 800 South from RMF-30: Low Density Multi-Family Residential to R-MU-35: Residential Mixed-Use. These amendments would allow for the existing single-family homes on the subject properties – one on each lot – to be used as Wasatch Community Gardens' administrative offices.

Salt Lake City's Mitigation of Residential Housing Loss Ordinance (Section 18.97 of the Building and Construction Title) states:

“...any petition for a zoning change that would permit a nonresidential use of land, that includes within its boundaries residential dwelling units, may not be approved until a housing mitigation plan is approved by the city.”

Because the proposed R-MU-35 zoning district would allow for nonresidential land uses and single-family homes are being converted into offices, these amendment requests are subject to housing mitigation. This Ordinance lists three methods of satisfying housing mitigation loss including:

- A. Construction of replacement housing,
- B. Payment of a fee based on difference between the existing housing market value and the cost of replacement, and
- C. Payment of a flat mitigation fee.

These options are discussed in more detail below.

#### **Housing Mitigation Ordinance Requirements:**

In accordance with the provisions of the Housing Loss Mitigation Ordinance, the Director of the Department of Community and Neighborhoods, or designee, shall prepare a report justifying the method of housing mitigation recommended by the director, including the factual basis upon which it is premised and a factually based justification for the recommendation. This report shall be submitted to the Planning Commission in sufficient time for its deliberation concerning the advisability of effectuating the petitioner's request for a zoning change.

The Housing Mitigation Ordinance requires a housing impact statement including the following elements:

- 1. Identify the essential adverse impacts on the residential character of the area of the subject petition.**

**Discussion:** The subject properties are surrounded by an 8-unit apartment to the north, a duplex to the east, single-family homes across 800 South to the south and the Wasatch Community Garden to the west. While office use is a more



intense use than the current single-family homes on the site, they will be associated with the long-established community garden to the west. The site is located directly off of a major collector street in the City and can act as a buffer between this thoroughfare and the residential area. The properties area also large enough to accommodate additional parking as not to burden the surrounding residences.

**2. Identify by address any dwelling units targeted for demolition, following the granting of the petition.**

**Discussion:** Neither of the homes on the site are being targeted for demolition. They will be reused to accommodate office space for the Wasatch Community Gardens. The subject properties are also located in the Central City Local Historic District, which adds an additional layer of protection from demolition in the future.

**3. State the current fair market value, if that unit were in a reasonable state of repair and met all applicable building, fire and health codes.**

**Discussion:** The Salt Lake County Assessor's Office lists the 2017 market value of the house, excluding the value of the land, at \$175,300 for 629 E. 800 South and \$156,100 for 633 E. 800 South.

**4. State the square footage of land zoned for residential use that would be rezoned for purposes sought by the petition, other than residential housing and appurtenant uses.**

**Discussion:** The total square footage of both 629 E. 800 South and 633 E. 800 South is .44 acres (approximately 19,166 square feet). The properties will be rezoned from RMF-30: Low Density Multi-Family Residential to R-MU-35: Residential Mixed-Use to allow for office use.

**5. Specify a mitigation plan to address the loss of residential zoned land, residential units or residential character.** Mitigation of Residential Housing Loss Provisions 18.97.130 outlines three options for mitigation of housing loss. These options are as follows: A. Replacement Housing, B. Fee based on difference between housing value and replacement costs, C, flat mitigation fee.

**Discussion:** The first mitigation method (A) involves constructing the same number of residential housing units being "proposed for demolition." Because the language specifically states that this an option for units that are being demolished, it is not applicable to WCG's project where homes are not being *demolished*, but converted into office uses. However, if this option was available, WCG would be required to submit a performance bond to the City as a guarantee that the housing would be built in the future, which the WCG has expressed that they are not able to provide at this time.

Because the third mitigation method (C) only applies “when deteriorated housing exists” and “when costs of calculating and analyzing the various methods of mitigation are unreasonably excessive,” which are not the case, the WCG’s only option is the second method or “B” to pay a fee to the City’s Housing Trust Fund based on the difference between the housing value and replacement costs.

**Housing Mitigation Option B** – Fee Based on Difference between Housing Value and Replacement Cost. Under this option the applicant would pay into the City’s Housing Trust Fund an amount calculated as the difference between the market value of the homes, as determined by the Salt Lake County Assessor’s Office, and the replacement cost of building a new dwelling unit of similar size and meeting all existing building, fire and other applicable law (excluding land value).

The Salt Lake County Assessor’s Office shows the 2017 market value of the single-family dwelling located at 629 E. 800 South as \$175,300 and the single-family dwelling located at 633 E. 800 South as \$156,100, which does not include the market value of the land.

The replacement cost is calculated using the Building Valuation Data published by the International Code Council. The most recent data from the ICC was published in February 2017 and, indicates the construction cost per square foot for R-3 (One- and Two-family Dwellings) Type VB is \$118.45/SF of finished floor area and \$21.00/SF of unfinished floor area. This rate takes into account only the costs of construction and does not include the land costs. Type VB is the typical construction type for residential buildings due to the use of the building and the buildings occupant load.

\*Calculation of the Difference between Housing Value and Replacement Cost for 629 E. 800 S.

Market value (based on County assessment) = \$175,300.00  
Replacement cost = \$185,916.90  
**Difference** -\$10,616.90

\*Calculation of the Difference between Housing Value and Replacement Cost for 633 E. 800 S.

Market value (based on County assessment) = \$156,100.00  
Replacement cost = \$281,435.30  
**Difference** -\$125,335.30

**Mitigation Fee = No Fee**

- Because replacement costs exceed the market value of the existing single-family homes, the difference is a negative number and no mitigation fee is required.

**Findings:**

1. The proposed rezone may result in a net loss of two dwelling units.
2. The proposed re-use of the properties is to convert the homes into offices, which would be permitted in the proposed R-MU-35: Residential Mixed-Use zoning district.
3. The proposed housing mitigation option considered was Option B – Fee Based on Difference between Housing Value and Replacement Cost. This calculation resulted in a difference that is less than zero (-10,616.90) for 629 E. 800 South and (-125,335.30) for 633 E. 800 South and; therefore, the applicant is not required to make a contribution to the City's Housing Trust Fund.

**Determination of Mitigation:**

Based on the findings outlined in this report, the Director of the Department of Community and Neighborhoods has determined that the applicant would not be responsible for mitigating the loss of the single-family dwellings located at 629 E. 800 South and 633 E. 800 South.

Mike Reberg  
Director, Department of Community and Neighborhoods

Dated:  4/05/18

**Attachments**

A. Housing Loss Mitigation Valuation Calculation



**ATTACHMENT A: Housing Loss Mitigation Valuation Calculation**

**Housing Loss Mitigation Valuation Calculation – March 2018**  
**Wasatch Community Gardens Properties – 629 E. 800 South and 633 E. 800 South**

**\*629 E. 800 South**

**Floor Area (SL Co Assessor)**

Finished Floor Area (SF)	1,482
Unfinished Basement Area (SF)	<u>494</u>
<b>Total Floor Area (SF)</b>	<b>1,976</b>

**Building Valuation (SL Co Assessor) \$175,300.00**

**Replacement Cost**

Finished Floor Area Cost (\$118.45/SF)	\$ 175,542.90
Unfinished Floor Area Cost (\$21.00/SF)	<u>\$ 10,374.00</u>
<b>Total Replacement Cost</b>	<b>\$185,916.90</b>

**Mitigation Calculation**

(Building Valuation – Replacement Cost)	
Building Valuation	\$ 175,300.00
Replacement Cost	<u>\$ 185,916.90</u>
<b>Difference</b>	<b>-\$10,616.90</b>
<b>Housing Loss Mitigation Payment</b>	<b>\$0.00</b>

**\*633 E. 800 South**

**Floor Area (SL Co Assessor)**

Finished Floor Area (SF)	2,354
Unfinished Basement Area (SF)	<u>124</u>
<b>Total Floor Area (SF)</b>	<b>2,478</b>

**Building Valuation (SL Co Assessor) \$156,100.00**

**Replacement Cost**

Finished Floor Area Cost (\$118.45/SF)	\$ 278,831.30
Unfinished Floor Area Cost (\$21.00/SF)	<u>\$ 2,604.00</u>
<b>Total Replacement Cost</b>	<b>\$281,435.30</b>

**Mitigation Calculation**

(Building Valuation – Replacement Cost)	
Building Valuation	\$ 156,100.00
Replacement Cost	<u>\$ 281,435.30</u>
<b>Difference</b>	<b>-\$125,335.30</b>
<b>Housing Loss Mitigation Payment</b>	<b>\$0.00</b>

## **ATTACHMENT E: Administrative Interpretation**

**ADMINISTRATIVE INTERPRETATION  
DECISION AND FINDINGS  
PLNZAD2017-00793**



**REQUEST:**

This is a request for an administrative interpretation regarding whether administrative offices and educational uses associated with a community garden qualify as accessory uses. The purpose of the request is to determine if the buildings located at 629 E 800 S (tax ID# 16-07-232-029) and 633 E 800 S (tax ID# 16-07-232-030) can be used for offices and 625 E 800 S (tax ID# 16-07-232-028) for teaching kitchen and workshop space to support the functions and activities of the Wasatch Community Garden located at 615 E 800 S (tax ID# 16-07-232-031). All parcels are located within the RMF-30 (Low Density Multi-Family Residential) zoning district.

**DECISION:**

The Zoning Administrator finds that the proposed office use is considered a principal use and therefore not permitted in the RMF-30 zoning district, per the specifications of the land use table for residential zoning districts (Zoning Ordinance Section 21A.33.020). The proposed teaching kitchen and workshop spaces may be allowed as accessory uses to the community garden if these functions are located on the same parcel as the community garden, in which case a lot consolidation would have to be approved for the properties at 615 E and 625 E 800 South.

**FINDINGS:**

- The applicant has described the proposed buildings and uses as *supportive administrative space necessary to administer and operate the community garden*, which would include *office, teaching kitchen and workshop space*.
- Table 21A.33.020 lists Community Garden as a permitted use in the RMF-30 zoning district.
- Per 21A.24.120, the purpose of the RMF-30 Low Density Multi-family Residential district is *"to provide an environment suitable for a variety of housing types of a low density nature, including single-family, two-family, and multi-family dwellings, with a maximum height of thirty feet (30'). This district is appropriate in areas where the applicable master plan policies recommend multi-family housing with a density of less than fifteen (15) dwelling units per acre. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood"*.
- The Definitions chapter of the Salt Lake City Zoning Ordinance Chapter 21A.62 defines Community Garden as:  
*An area of land managed and maintained by an identifiable group of community members used to grow and harvest food crops and/or nonfood, ornamental crops such as flowers, for personal or group use, consumption, donation, or sale, or for educational purposes. Generally operated as not for profit, limited sales and events may also occur on the site to fund the gardening activities and other charitable purposes. Private use of private land (not intended to benefit the community at large) and horticultural activities by the city on city owned land do not constitute community garden use.*
- The Definitions chapter of the Salt Lake City Zoning Ordinance Chapter 21A.62 defines accessory use as "a use that:"



- A. Is subordinate in area, extent and purpose to, and serves a principal use;
- B. Is customarily found as an incident to such principal use;
- C. Contributes to the comfort, convenience or necessity of those occupying, working at or being serviced by such principal use;
- D. Is, except as otherwise expressly authorized by the provisions of this title, located on the same zoning lot as such principal use; and
- E. Is under the same ownership or control as the principal use.

- The Definitions chapter of the Salt Lake City Zoning Ordinance Chapter 21A.62 defines Principal use as:  
*"Principal use" means the main use of land and/or buildings on a lot as distinguished from an accessory use.*
- The applicant's description of use suggests that the proposed office use is for the main office for the Wasatch Community Garden organization. While the proposed office use would complement and support the community garden, the organization's main office cannot be considered an accessory use because it is not subordinate to the purpose of the community garden nor is an office land use customarily associated with a community garden land use.
- The office of the Wasatch Community Garden organization would be considered a principal use. Per table 21A.33.020, office is not a permitted or conditional use allowed in the RMF-30 district.
- The teaching kitchen and workshop serve the educational purposes of the community garden. The teaching kitchen and workshop are considered accessory uses because it is subordinate to the purpose of the community garden and customarily found as incident to the community garden land use.

#### **APPEAL PROCESS:**

An applicant or any other person or entity adversely affected by a decision administering or interpreting this Title may appeal to the Appeals Hearing Officer. Notice of appeal shall be filed within ten (10) days of the administrative decision. The appeal shall be filed with the Planning Division and shall specify the decision appealed and the reasons the appellant claims the decision to be in error. Applications for appeals are located on the Planning Division website at <http://www.slcgov.com/planning/planning-applications> along with information about the applicable fee. Appeals may be filed in person at the Planning Counter, 451 South State Street, Room 215 or by mail at Planning Counter PO BOX 145471, Salt Lake City, UT 84114-5471.

Dated this 2nd day of October, 2017 in Salt Lake City, Utah.



Mayara Lima  
 Associate Planner  
 Salt Lake City Planning Division

CC: Nick Norris, Planning Director  
Joel Paterson, Zoning Administrator  
Greg Mikolash, Development Review Supervisor  
Posted to Web  
Applicable Recognized Organization  
File

## ATTACHMENT F: Zoning Comparison Tables

### 21A.24.120: RMF-30 LOW DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT:

The purpose of the RMF-30 Low Density Multi-Family Residential District is to provide an environment suitable for a variety of housing types of a low density nature, including single-family, two-family, and multi-family dwellings, with a maximum height of thirty feet (30'). This district is appropriate in areas where the applicable Master Plan policies recommend multi-family housing with a density of less than fifteen (15) dwelling units per acre. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

### 21A.24.164: R-MU-35 RESIDENTIAL/MIXED USE DISTRICT:

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

### Comparison of Zoning District Regulations

Regulation	RMF-30 Zoning District	R-MU-35 Zoning District
<b>Minimum Lot Area (Square Feet)</b>	Multi-family: 9,000 Single-family attached: 3,000 Single-family detached: 5,000 Twin homes: 4,000 Two-family: 8,000	Multi-family: 5,000 (no minimum for existing lots) Single-family attached: 2,500 (no minimum if parking is rear loaded) Single-family detached: 2,500 Twin homes: 2,500 Two-family: 2,500
<b>Minimum Lot Width (Feet)</b>	Multi-family: 80 Single-family attached: 25 for interior, 35 for corner Single-family detached: 50 Twin homes: 25 Two-family: 50	Multi-family: 50 Single-family attached: 22 for interior, 32 for corner (no minimum if parking is rear loaded) Single-family detached: 25 Twin homes: 25 Two-family: 25
<b>Max. Building Height (Feet)</b>	30'	35' for residential 20' for nonresidential
<b>Minimum Yard Requirements (Feet)</b>	Front yard: 20' Corner side yard: 10' Interior Side Yards – Single-family & two-family: 4' Twin home & single family attached: 0' Multi-family: 10' Rear Yard - 25% of the lot depth, but not less than 20' and need not exceed 25'.	Front Yard – Single-family detached, attached, two-family, & twin home: 5' Multi-family & mixed use: 5' Corner Side Yards: 5' Interior Side Yards – Single-family detached, attached, two-family, & twin home: 4' Multi-family: None required unless it abuts a single or two-family residential district. If it is required, 10' minimum plus another foot per foot increase in height above 25'

		<b>Rear Yard</b> – 25% of the lot depth, but not less than 20' and need not exceed 25'.
<b>Maximum Building Coverage</b>	Single-family detached: 45% Single-family attached: 50% Two-family & twin home: 50% Multi-family: 40%	For residential and mixed-uses containing residential, not less than 20% will be maintained as open space.

### **Comparison of Permitted and Conditional Uses (Excerpt)**

<b>Land Use</b>	<b>RMF -30</b>	<b>R-MU- 35</b>
Accessory use, except those that are specifically regulated elsewhere in this title	P	P
Adaptive reuse of a landmark site	C <sup>8</sup>	P
Alcohol, brewpub (2,500 square feet or less in floor area)		C <sup>9</sup>
Alcohol, dining club (2,500 square feet or less in floor area)		C <sup>9</sup>
Alcohol, social club (2,500 square feet or less in floor area)		C <sup>9</sup>
Alcohol, tavern (2,500 square feet or less in floor area)		
Animal, veterinary office		C
Art Gallery		P
Bed and Breakfast Inn		
Bed and Breakfast Manor		
Clinic (medical, dental)		P
Community garden	P	P
Community Recreation Center		
Crematorium		C
Daycare center, adult		P
Daycare center, child		P
Dwelling, accessory guest and servant's quarter		
Dwelling, accessory unit	P	
Dwelling, assisted living facility (large)		C
Dwelling, assisted living facility (limited capacity)	C	P
Dwelling, assisted living facility (small)		P
Dwelling, dormitory, fraternity, sorority		
Dwelling, group home (large)	C	C
Dwelling, group home (small)	P	P
Dwelling, manufactured home	P	P
Dwelling, multi-family	P	P
Dwelling, residential support (large)		
Dwelling, residential support (small)		C
Dwelling, rooming (boarding) house		C
Dwelling, single-family (attached)	P	P
Dwelling, single-family (detached)	P	P
Dwelling, twin home and two-family	P	P
Eleemosynary facility	C	C
Financial institution		P
Funeral home		P



Government facility	C	C
Laboratory (medical, dental, optical)		P
Library		C
Mixed-use development		P
Mobile food business (operation on private property)		P
Municipal service use, including city utility use and police and fire station	C	C
Museum		C
Nursing Care Facility		
Office, excluding medical and dental clinic and office		P
Open space on lots less than 4 acres in size	P	P
Park	P	P
Parking, off site (to support nonconforming uses in a residential zone or uses in the CN or CB zones)		C
Parking, park and ride lot shared with existing use	P	P
Place of worship on lots less than 4 acres in size	C	C
Reception center		P
Recreation (indoor)		P
Restaurant		P
Restaurant with drive-through facility		
Retail goods establishment		P
Retail goods establishment, plant and garden shop with outdoor retail sales area		P
Retail service establishment		P
School, music conservatory		C
School, professional and vocational		C
School, seminary and religious institute	C	C
Seasonal, farm stand		P
Studio, art		P
Theater, live performance		C <sup>13</sup>
Theater, movie		C
Urban farm	P	P
Utility, building or structure	P <sup>5</sup>	P <sup>5</sup>
Utility, transmission wire, line, pipe, or pole	P <sup>5</sup>	P <sup>5</sup>

5. See subsection [21A.02.050B](#) of this (Zoning) title for utility regulations.
8. Subject to conformance with the provisions of subsection [21A.24.010T](#) of this (Zoning) title.
9. Subject to conformance with the provisions in section [21A.36.300](#), "Alcohol Related Establishments," of this (Zoning) title.
13. Prohibited within 1,000 feet of a single- or two-family zoning district.

# ATTACHMENT G: ANALYSIS OF STANDARDS

## MASTER PLAN AMENDMENTS

State Law, Utah Code Annotated, Title 10 Chapter 9a, requires that all municipalities have a master plan. However, there is no specific criteria relating to master plan amendments. The City does not have specific criteria relating to master plan amendments. However, City Code Section 21A.02.040 – Effect of Adopted Master Plans or General Plans addresses this issue in the following way:

*All master plans or general plans adopted by the planning commission and city council for the city, or for an area of the city, shall serve as an advisory guide for land use decisions. Amendments to the text of this title or zoning map should be consistent with the purposes, goals, objectives and policies of the applicable adopted master plan or general plan of Salt Lake City. (Ord. 26-95 § 2(1-4), 1995)*

In this case, the master plan is being amended in order to provide consistency between the Central Community Master Plan and the zoning designation of the subject property. This request facilitates a rezoning of the property to a district that will allow different uses on the property. State Law does include a required process in relation to a public hearing and recommendation from the Planning Commission in relation to a master plan amendment. The required process and noticing requirements have been met.

## ZONING MAP AMENDMENTS

### 21A.50.050.B: 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 a decision to amend the zoning map, the City Council should consider the following:

Factor	Finding	Rationale
<b>1. Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;</b>	Complies with Master Plan policy statements but does not comply with Future Land Use Map. A petition for a Master Plan amendment has also been submitted as part of this request.	<p>The Central Community Master Plan (CCMP) encourages mixed used development that provides residents with a commercial and institutional component while maintaining the historic residential character of the neighborhood. Staff believes that based on the existing land uses, development pattern, and WCG's general proposal, rezoning the subject parcels to R-MU-35 is appropriate for the following reasons:</p> <ul style="list-style-type: none"> <li>• The subject location is unique in that it's located off of a larger thoroughfare in the City next to a long established community asset – The Grateful Tomato Garden</li> <li>• Mixed-use development at this location can both serve the surrounding residents and act as a buffer between public and private realms</li> <li>• Though the single-family homes will not be used for their original purpose, the local historic overlay does promote the protection of the structures themselves</li> </ul> <p>The proposed change in zoning is not consistent with the future land use map. However, it is consistent with other policies in the plan and the proposed changes are generally supported by the visions and policies contained in the Central Community Master Plan and staff is recommending approval. This is discussed further under Consideration #1 – City Master Plans.</p>
<b>2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.</b>	Complies	<p>The purpose of the Zoning Ordinance 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, in addition:</p> <p>A. Lessen congestion in the streets or roads; B. Secure safety from fire and other dangers;</p>

		<p>C. Provide adequate light and air;  D. Classify land uses and distribute land development and utilization;  E. Protect the tax base;  F. Secure economy in governmental expenditures;  G. Foster the city's industrial, business and residential development; and  H. Protect the environment.</p> <p>The proposed zone change from RMF-30 to R-MU-35 would support the purposes of the zoning ordinance found in Chapter 21A.02.0303: Purpose and Intent as outlined above. The change would help to distribute land and utilizations (D.), while helping to support the city's residential and business development (G.)</p>
<b>3. The extent to which a proposed map amendment will affect adjacent properties;</b>	Complies	<p>While the R-MU-35 zoning district does allow slightly more intense uses and higher residential density, the subject properties are located off of a busier thoroughfare more equipped to accommodate mixed-use development that services the surrounding community. Mixed-use development can also act as a buffer between 800 South and the residential neighborhood. In general, the residential density in the area is higher than what the current RMF-30 zoning district would permit.</p> <p>Additionally, the adjacent community garden located at 615 E. 800 South has been established at this site for some time and has proven to be operate in harmony with the surrounding community. While other uses could be development on the subject properties in the future, it is WCG's intention to preserve the existing historic structures and convert them into uses affiliated with the community garden. The local historic overlay also promotes if not ensures the preservation of the single-family homes on the site as well as compatible development in the future.</p>
<b>4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards</b>	Complies	<p>The subject properties are located in the City's Central City local historic overlay. The purpose of the H Historic Preservation Overlay District is to:</p> <ol style="list-style-type: none"> <li>1. Provide the means to protect and preserve areas of the City and individual structures and sites having historic, architectural or cultural significance;</li> <li>2. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks;</li> <li>3. Abate the destruction and demolition of historic structures;</li> <li>4. Implement adopted plans of the City related to historic preservation;</li> <li>5. Foster civic pride in the history of Salt Lake City;</li> <li>6. Protect and enhance the attraction of the City's historic landmarks and districts for tourists and visitors;</li> <li>7. Foster economic development consistent with historic preservation; and</li> <li>8. Encourage social, economic and environmental sustainability.</li> </ol> <p>The zoning standards in the proposed R-MU-35 zoning district are not out of character with the established historic development patterns in the area in terms of permitted height, setbacks, open space, etc. These standards allow for more compatible infill development if housing is proposed to the rear of the site in the future, which is what WCG intends on doing. Adaptive reuse of the homes on the site to support this long-established community organization would not be possible without the proposed zoning map and master plan amendments.</p>

<p><b>5. The adequacy of public facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.</b></p>	<p>Complies</p>	<p>This proposal was reviewed by City departments tasked with administering public facilities and no issues were raised. The subject properties are located in a central area of the city and any potential development could be accommodated by public services in the future if necessary.</p>
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## **ATTACHMENT H: Public Process and Comments**

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### **Public Notice, Meetings, Comments**

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

- Community Councils (Central City, East Central and East Liberty Park) were noticed on January 26, 2018 – no formal comments were received
- Open House was held on February 15, 2018
- Briefing with the Historic Landmark Commission was held on March 1, 2018
- Public hearing notice for Planning Commission was mailed March 30, 2018
- Public hearing notice was posted on the property April 3, 2018

### **Public Comments**

All additional public comments have been scanned and attached.



March 16, 2018

Salt Lake City Planning Commission  
c/o Lauren Parisi, Associate Planner  
Salt Lake City Planning Division  
P.O. Box 145480  
Salt Lake City, UT 84114-5480

Dear Salt Lake City Planning Commission Members,

Wasatch Community Gardens proposes changing the current and future zoning of parcels located at 629 and 633 East 800 South from RMF-30 (low-density multi-family residential) to RMU-35 (residential mixed-use). This proposal would allow Wasatch Community Gardens to move their administrative offices from their current location in the Granary District into the historic homes that exist on these parcels which we believe is a compatible reuse for both the individual structures and the Central City neighborhood at large. Preservation Utah strongly encourages the Salt Lake City Planning Commission to forward a favorable recommendation for this rezoning application to the city council.

From our understanding, this relocation will facilitate the organization's community education and neighborhood outreach efforts and its mission to "empower people of all ages and incomes to grow and eat healthy, organic, local food." In addition, Preservation Utah believes that this proposed rezone is in keeping with many of the quality of life and preservation-related goals articulated in the Central Community Master Plan. This proposal is backed by an engaged nonprofit who makes tremendous, neighborhood-specific, as well as citywide contributions via their programming.

With these factors in mind, Preservation Utah again encourages the Planning Commission to support the rezoning request.

Sincerely,

A handwritten signature in dark ink, appearing to read 'David Amott'.

David Amott  
Preservation Programs Director

People  
Preserving  
Places.

## **ATTACHMENT I: City Department Comments**

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**Engineering (Scott Weiler):** No objections.

**Fire (Kenney Christensen):** Fire would not have objections to the proposed zoning map amendment. Please also note this review does not approve the design of any proposed structure it is only to serve as an approval for the request of a zoning change “to rezone three properties at 625, 629 and 633 East 800 South from RMF-30 (low density multi-family residential) to R-MU-35 (residential/mixed use).”

**Public Utilities (Jason Draper):** Public Utilities has no objection to the zone change and master plan amendment. Development of the property or change of use may require additional infrastructure improvements. Any development plans must be submitted to Salt Lake City public utilities for review.

**Transportation:** No comments.

**Zoning (Greg Mikolash):** Building Services finds no problem with this proposed master plan amendment. Future comments may be associated with any proposed development activity/permitting on the sites.

**Housing and Neighborhood Development (Melissa Jensen):** This is a critical community based organization that will be an asset to the community in the future. They keep our urban gardens thriving and employ those who need jobs the most. I hope that this proposal is met with support as the work they do is vital to both our housing plan and our economic development strategies.