



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Anna Anglin
(801) 535-6050 or anna.anglin@slcgov.com

Date: February 28, 2018

Re: PLNPCM2017-00752 Retail Use/ Mixed Use Zoning Text Amendment

Zoning Text Amendment

PROPERTY ADDRESS: Citywide
PARCEL ID: Not applicable
MASTER PLAN: Not applicable
ZONING DISTRICT: Mixed Use (MU)

REQUEST: Salt Lake City Mayor Jackie Biskupski is requesting to amend the text of the Zoning Ordinance to allow retail service use in the Mixed Use (MU) zoning district.

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 Planning Commission transmit a positive recommendation to the City Council to adopt the proposed zoning ordinance text amendment.

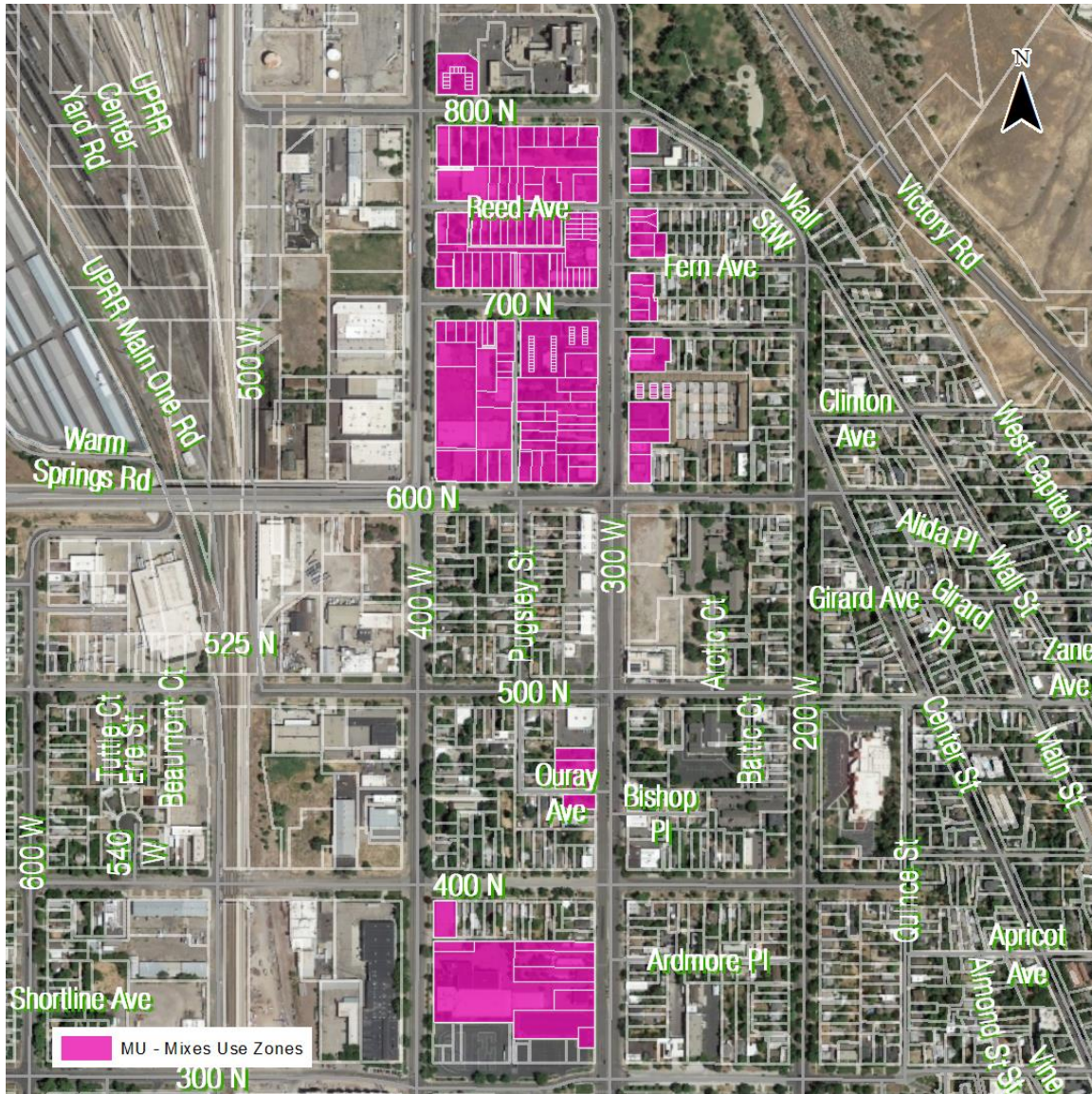
ATTACHMENTS:

- A. [Proposed Text Amendment](#)
- B. [Petition to Initiate](#)
- C. [Analysis of Standards](#)
- D. [Public Process and Comments](#)

PROJECT DESCRIPTION:

Chapter 21A.33.070, Conditional and Permitted Land Use Tables for the Special Purpose districts, was amended in 2012/2013 for the purpose of clarifying and simplifying the code. During the process, it appears that “Retail Services” was inadvertently removed from the section of the ordinance that allows the use in the MU zone. Prior to this zoning ordinance amendment “Retail Service” was an allowed use in the MU zoning district and there is no evidence indicating that there was an intent to prohibit retail services in the Mixed-Use district.

Attached is a map showing the area of the City where MU zoning is located.



The purpose of the MU zoning district is to:

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

The definition of “Retail Service” land use is as follows:

“A building, property or activity, the principal use or purpose of which is the provision of personal services directly to the consumer. The term "retail service establishment" shall include, but shall not be limited to, barbershops, beauty parlors, laundry and dry cleaning establishments (plant off premises), tailoring shops, shoe repair shops and the like. Retail service establishment shall not include any use or other type of establishment.” which is otherwise listed specifically in the table of permitted and conditional uses found in chapter 21A.33 of this title.”

The proposed changes will allow Retail Services in the Mixed Use zone. The MU zone currently allows “Retail Sales”, as a permitted use but as stated above, “Retail Service” was inadvertently removed as an allowed use. Allowing retail services in the MU district is consistent with the purpose of the district because it would allow a mix of commercial use that would support the nearby residential neighborhoods.

PROPOSED TEXT CHANGES:

Add the land use classification “Retail Service” to section 21A.33.070: Table of Conditional and Permitted Uses for Special Purpose Districts and allow it as a permitted use in the Mixed Use Zoning district.

KEY CONSIDERATIONS:

Consideration: City Planning Goals

Plan Salt Lake provides the vision for the future of Salt Lake City. It also lists guiding principles and initiatives to achieve the vision. The following guiding principles identified in Plan Salt Lake are applicable to the proposed amendment:

1/ Neighborhoods:

GUIDING PRINCIPLE/Neighborhoods that provide a safe environment, opportunity for social interaction, and services needed for the wellbeing of the community therein.

Allowing retail services in the Mixed Use district will help to implement this guiding principle by allowing services such as salons, dry cleaning, and laundromats near to where people live.

12/ Economy:

GUIDING PRINCIPLE/ A balanced economy that produces quality jobs and fosters an innovative environment for commerce, entrepreneurial local business, and industry to thrive.

Allowing retail services in mixed use zones will increase the opportunity for local entrepreneurs to open businesses that provide services directly to the community in established business node areas.

DISCUSSION:

The proposal complies with the standards for zoning text amendments (see Attachment C). After analyzing the proposal and the applicable standards, Planning Staff is of the opinion that a positive recommendation should be forwarded to the City Council for this request.

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.

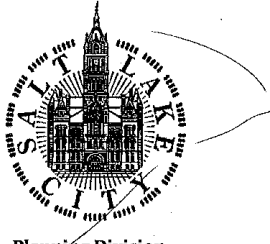
ATTACHMENT A: PROPOSED TEXT AMENDMENT

The following line would be added to 21A.33.070: Table of Permitted and Conditional Uses for Special Purpose Districts:

Use	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
<u>Retail Services Establishment</u>																	<u>P</u>

ATTACHMENT B: PETITION TO INITIATE

PLN/PCM 2017-00752



Petition Initiation Request

Planning Division
Community & Neighborhoods Department

To: Mayor Biskupski
From: Nick Norris, Planning Director
Date: September 7, 2017
CC: Patrick Leary, Chief of Staff; Mike Reberg, CAN Director, Mike Akerlow, CAN Deputy Director; file
Re: Initiate Petition to Amend Text in the Zoning Ordinance to Allow Retail Service Uses in the Mixed Use Zoning District

This memo is to request that you initiate a petition directing the Planning Division to analyze the appropriateness of amending the Zoning Ordinance to allow "Retail Service" land uses in the MU Mixed Use (MU) zoning district.

In 2012/2013 the Planning Division worked on a petition amending all the land use tables in the Zoning Ordinance for the purpose of clarifying and simplifying the code. Prior to this Zoning Ordinance amendment "Retail Service" land uses were allowed in the MU zoning district. The Planning Division has recently become aware that, through the land use table amendment process, "Retail Service" land uses were inadvertently removed as allowed uses in the MU zone.

The purpose of the MU zoning district is to:

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

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The MU zoning district currently allows “Retail Sales”, but as stated above, “Retail Service” was inadvertently removed as an allowed use. Allowing retail services in the MU district is consistent with the purpose of the district because it would allow a mix of commercial uses that would support the nearby residential neighborhoods.

As part of the process, the Planning Division will follow the City adoption process for zoning text amendments, which includes citizen input and public hearings with the Planning Commission and City Council.

Please contact Wayne Mills at ext. 7282 or wayne.mills@slcgov.com if you have any questions.

Thank you.

Concurrence to initiate the zoning text amendment petition as noted above.



Jackie Biskupski, Mayor

9-8-17

Date

ATTACHMENT C: ANALYSIS OF STANDARDS

ZONING TEXT AMENDMENTS

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

Factor	Finding	Rationale
<p>1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;</p>	<p>Complies</p>	<p>Some of the guiding principles for Plan Salt Lake 2015 is to provide services within neighborhoods needed for the community. Another goal is to provide growth opportunities that allow people choices on how they live and get around and to encourage a mix of land uses. Adding Retail services in the MU district is consistent with the Plan Salt Lake 2015 by encouraging a mix of land uses and supporting local businesses by allowing retail services for the neighborhood.</p>
<p>2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;</p>	<p>Complies</p>	<p>The purpose of the MU zoning district is to “Encourage the development of areas as a mix of compatible residential and commercial uses. The district is to provide for limited commercial use opportunities within existing mixed use areas while preserving the attractiveness of the area for residential use...” Adding retail services in the MU district is consistent with the purpose of the district because it would allow a mix of commercial use that would support the nearby residential neighborhoods.</p>
<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;</p>	<p>Not applicable</p>	<p>The proposed changes do not affect any overlay zoning districts, but rather deal with the base zoning district.</p>
<p>4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.</p>	<p>Complies</p>	<p>The proposed changes provide clarification and consistency in the implementation of urban design principles. Retail Services provide commercial uses that are low impact such as barbershops, beauty parlors, dry cleaning, tailoring shops, shoe repair shops and are convenient for the local community they are in.</p>

ATTACHMENT D: PUBLIC PROCESS AND COMMENTS

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

Open House: On November 16, 2017, a community wide Open House was held regarding the proposed text amendment. Staff did not receive any comments at the meeting.

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

- Public hearing notice published in newspaper on February 13, 2018.
- Public hearing notice posted on City and State websites on February 13, 2018.

Public Comments: At the time of the publication of this staff report, no public comments have been received. Any comments received will be forwarded to the Planning Commission.