



# Staff Report

PLANNING DIVISION  
COMMUNITY & NEIGHBORHOODS

To: Salt Lake City Planning Commission  
From: Casey Stewart – Principal Planner  
(801) 535-6260 or casey.stewart@slcgov.com  
Date: November 8, 2019 (for Nov 13 hearing date)  
RE: PLNPCM2019-00638 – RECM Investments, LLC Zoning Map Amendment

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## ZONING MAP AMENDMENT

**PROPERTY ADDRESS:** approximately 347, 353, and 359 North 700 West  
**PARCEL ID:** 08-35-279-024, 08-35-279-023, 08-35-279-022  
**MASTER PLAN:** Northwest Community  
**ZONING DISTRICT:** SR-1 (Special Development Pattern Residential)

**REQUEST:** The applicant and owner, RECM Investments, LLC, requests an amendment to the city's zoning district map for the subject properties, changing from SR-1 (Special Development Pattern Residential) to RMF-35 (Residential Multi-family). The request is in anticipation of a multi-family project at the site.

**RECOMMENDATION:** Staff recommends that the Planning Commission forward a favorable recommendation to the City Council for the proposed amendment to the zoning district map of the Salt Lake City Zoning Ordinance.

### ATTACHMENTS:

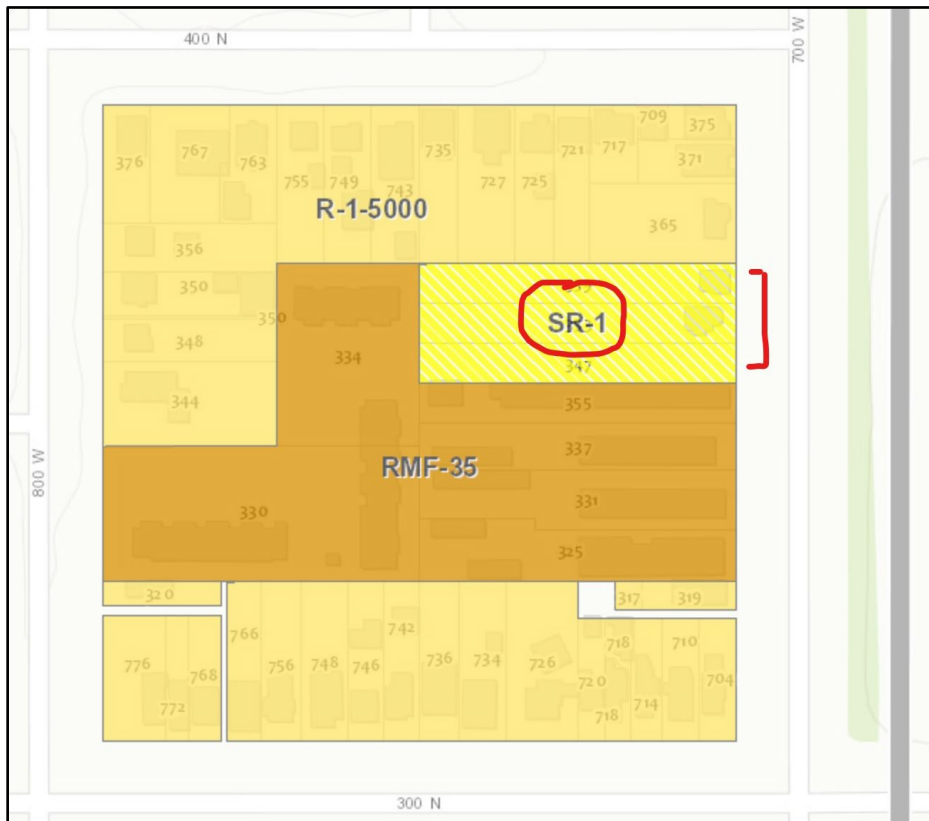
- A. [Zoning Map](#)
- B. [Application Materials](#)
- C. [Images](#)
- D. [Permitted Use Comparison](#)
- E. [Analysis of Standards](#)
- F. [Public Process and Comments](#)

### PETITION DESCRIPTION

The three subject properties adjoin each other, are all vacant, and are all zoned SR-1. The applicant has requested to change the zoning district to RMF-35 (Residential Multi-family). If the zoning map amendment is approved, the applicant intends to combine the properties into one lot of approximately 0.94 acres (40,879 square feet) and construct a multi-family project (24 units) through the planned development process. The SR-1 zoning district (Special Development Pattern Residential) does not permit multi-family uses, therefore the applicant is requesting a zoning change to RMF-35. The site is adjacent to properties already zoned RMF-35 to the south that have existing multi-family developments.

The RMF-35 zoning district would allow, based on the size of the combined lots, 26 dwelling units; whereas, the current SR-1 zoning district would allow a up to 10 dwelling units. The applicant, via a representing developer, recently submitted a proposed development for 24 units, which will be processed through the planned development process and reviewed by the Planning Commission at a future meeting. A decision on the planned development petition would be subject to the City Council approving the zoning map amendment. The applicant is aware of this situation and still wants to proceed.

VICINITY MAPS



**KEY ISSUES:**

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

- 1. Existing Conditions
- 2. Existing Master Plan Policies for the Area and the Proposed Zoning
- 3. Comparison of SR-1 and RMF-35 zoning districts

**Issue 1 – Existing Conditions**

The properties are accessed from, and have direct frontage on, 700 West, which is a low traffic residential street. Directly across from the properties (to the east) is a support wall for the I-15 southbound freeway, blocking the view to the east. This situation results in little traffic on the street, primarily used for residential access.

The primary land uses that surround the subject properties are:

- |                                 |  |
|---------------------------------|--|
| North: single family dwellings, | South: multi-family buildings            |
| East: Interstate 15 freeway     | West: multi- and single-family buildings |

Generally, the site is level and is covered by weeds, shrubs and a few trees. The more intense uses (multi-family buildings) are located at center-east within the block, and smaller scale and less intense residential uses along the perimeter (north, west, south) of the block.

Regarding proximity to public transit, the site is located approximately 1/2 mile from the nearest light rail station on North Temple (Jackson Euclid station), and a little more than 1/2 mile to the Frontrunner station at North Temple. The site is adjacent to I-15, with the nearest on/off ramp at 600 North, two blocks north of the site, making for easy freeway access. The proximity to North Temple, 2 1/2 blocks to the south, provides for commercial and personal services within walking distance.

Additionally, the subject properties, and the entire block for that matter, are listed within the Northwest Salt Lake City National Historic District. This is designated through the National Park Service and is not subject to City preservation regulations. The designation is incentive-based, offering financial incentives to property owners to restore or rehab a historic structure. The subject properties are vacant, and no restoration is proposed, it would be all new construction.

**Issue 2 – Existing Master Plan Policies for the Area and the Proposed Zoning**

The subject properties are located within the Northwest Community Master Plan, which was adopted in 1980 and then updated in 1990. The Northwest Community Master Plan Future Land Use Map of 1990 designates the subject properties as “high density residential” (20+ dwelling units per acre). As a result of the 1995 city-wide zoning “rewrite” project, the future land use maps for the master plans adopted before 1995 were deemed amended to reflect the 1995 zoning classification, which was RMF-35 for the subject properties. RMF-35 is considered a medium density residential designation. Thus, in this case, the future land use map defaulted these properties to medium density.

The post-1995 medium density category spans the upper end of the “medium” and lower end of the “high” density categories respectively, of the original 1980 Northwest Community Master Plan. The density categories of the original Northwest Community Master Plan define “medium” density as 10-20 units/acre, whereas “high” density was defined as 20+ units per acre. The various city master plans adopted before 1995 tend to use similar calculations for unit density; however, plans adopted after 1995 tend to increase density in the “medium” category (typically 15-30 units). The applicants proposed project would include 24 units, matching the medium density ratio. The proposed zoning amendment generally aligns with the current designation, medium density, of the future land use map at 28 dwelling units per acre (the applicant’s project proposes 24 units on slightly less than one acre).

The Northwest Community Master Plan of 1990 (updated) says this about multi-family versus single-family development:

*“Community Council members have voiced concern about too many apartments being allowed in the community. It is felt that the Northwest Community’s single family residential character is intruded upon by*

*excessive apartment complexes.”* The same section of the master plan speaks to “...*design guidelines that minimize the impact that higher density development has upon the surrounding single family character of the Northwest Community.*” These concerns were expressed at the time the master plan was updated in 1990. Since then, as previously stated, the 1995 city-wide zoning rewrite project occurred, taking in to account the existing master plans at that time. For these subject properties in particular, the zoning district was changed again in 1999 as explained in the following paragraphs.

The subject parcels were already zoned RMF-35 at one point, from 1995 to 1999. The change from RMF-35 to the current zoning district of SR-1 occurred in 1999 at the direction and discretion of the City Council. That 1999 decision included two aspects: the zoning change and a related master plan map change (Northwest Community Future Land Use Map). However, the decision did not clearly amend the master plan map for these parcels, leaving their master plan designation somewhat in doubt. Prior to 1999, their designation was “medium density residential”. It appears from the city records leading up to the decision the intent was to change the master plan future land use designation from “medium density residential” to “low density residential” as part of the zoning change, but the actual decision (ordinance) indicated a decision on the master plan land use designation was pending action by the Planning Commission, but in reality the Planning Commission’s action predated the City Council’s decision. In the end, the zoning district was changed but the master plan future land use map was not.

It is staff’s opinion that the ordinance document the Council signed had not been updated to reflect the Planning Commission’s recommended action of changing the Northwest Community Future Land Use Map to reflect “low density residential”. Therefore, lacking clarity in the final document, staff considers that the master plan still reflects these parcels as “medium density residential”. In that case, the current proposal of RMF-35 zoning is consistent with the intentions and goals of the master plan.

Regarding the City Council’s decision to change the zoning in 1999, the reasons given to change from multi-family to single-family zoning were “...*to protect the low-density character of the district and to encourage and support higher density development in the Gateway area. There was an additional concern that an excessive concentration of multi-family housing in [Council] District One would overburden the services provided to district residents.*” A key point made in the Northwest Community Master Plan is that higher density developments abutting single family uses have created negative impacts, not necessarily because of the density, but because of poor design.

A few reasons exist now, 20 years later, to revert the subject properties to RMF-35 zoning, as outlined below:

- The properties have not been developed since that time; they remain vacant and unutilized.
- The City’s needs for additional housing are substantial and the proposal would serve that need by developing the site and by providing housing in a similar manner to what exists interior to the block, specifically multi-family buildings to the south and west.
- The Gateway area is well developed and has multiple projects under construction, therefore the need to push development to the Gateway is no longer there. This was a stated motivation back in 1999.
- Existing public services in the area are adequate, evidenced by the number of existing dwelling units and recent developments approved in the vicinity. It’s quite possible existing facilities may need to be upgraded by the applicant.

In summary, 20 years ago the housing needs and pressure in the city were much less than today, and the city’s objectives have since changed to encourage housing city-wide. This property has sat undeveloped for that time and has not served any city objective. A zoning change to a medium-density zone is compatible and in character with the area and was formerly applicable to the same properties. This change will benefit the city and the local community with additional housing options.

### **Issue 3 – SR-1 and RMF-35 Zoning Comparison** **SR-1 (Special Development Pattern Residential)**

The current zoning of the properties is SR-1, which permits single-family detached and two-family residential structures. The SR-1 zoning district requires 5,000 square feet for a single-family structure and 4,000 square feet per unit for a two-family structure. These requirements are larger than lot sizes in the RMF-35 zone.

The allowed building height for SR-1 is 28 feet for a pitched roof and 20 feet for a flat roof. The required front yard setback is an average of the front yards of the existing buildings. Lot coverage is limited to 40% for all structures, which includes principal and accessory.

The stated purpose of the SR-1 zoning district "...is to maintain the unique character of older predominantly single-family and two-family dwelling neighborhoods that display a variety of yards, lot sizes and bulk characteristics. 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.

**RMF-35 (Moderate Density Multi-Family)**

The RMF-35 permits the following uses: multi-family, single-family attached, single-family detached, twin homes, and two-family dwellings. Multi-family structures require 9,000 square feet for the first 3 units, and 2,000 square feet for each additional dwelling unit up to 11 units. Any development over 11 units is calculated at 26,000 square feet for 12 units, plus 1,000 square feet for each additional dwelling unit.

The allowed building height for the RMF-35 is 35 feet. The permitted height accounts for both pitched and flat roofs.

The yard requirements are:

20 feet for the front

10 feet for corner side yard and

10 feet for one interior side yard for multi-family structures

The RMF-35 permits 60% lot coverage for multi-family dwellings.

If the properties were to be rezoned to RMF-35, a 26-unit multi-family building could potentially be constructed, as opposed to potentially 10 units under the SR-1 zoning density.

The stated purpose of the RMF-35 zoning district "...is to provide an environment suitable for a variety of moderate density housing types, including single-family, two-family, and multi-family dwellings with a maximum height of thirty-five feet (35'). This district is appropriate in areas where the applicable Master Plan policies recommend a density of less than thirty (30) dwelling units per acre. This district includes other uses that are typically found in a multi-family residential neighborhood of this density for the purpose of serving the neighborhood. 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.

**DISCUSSION**

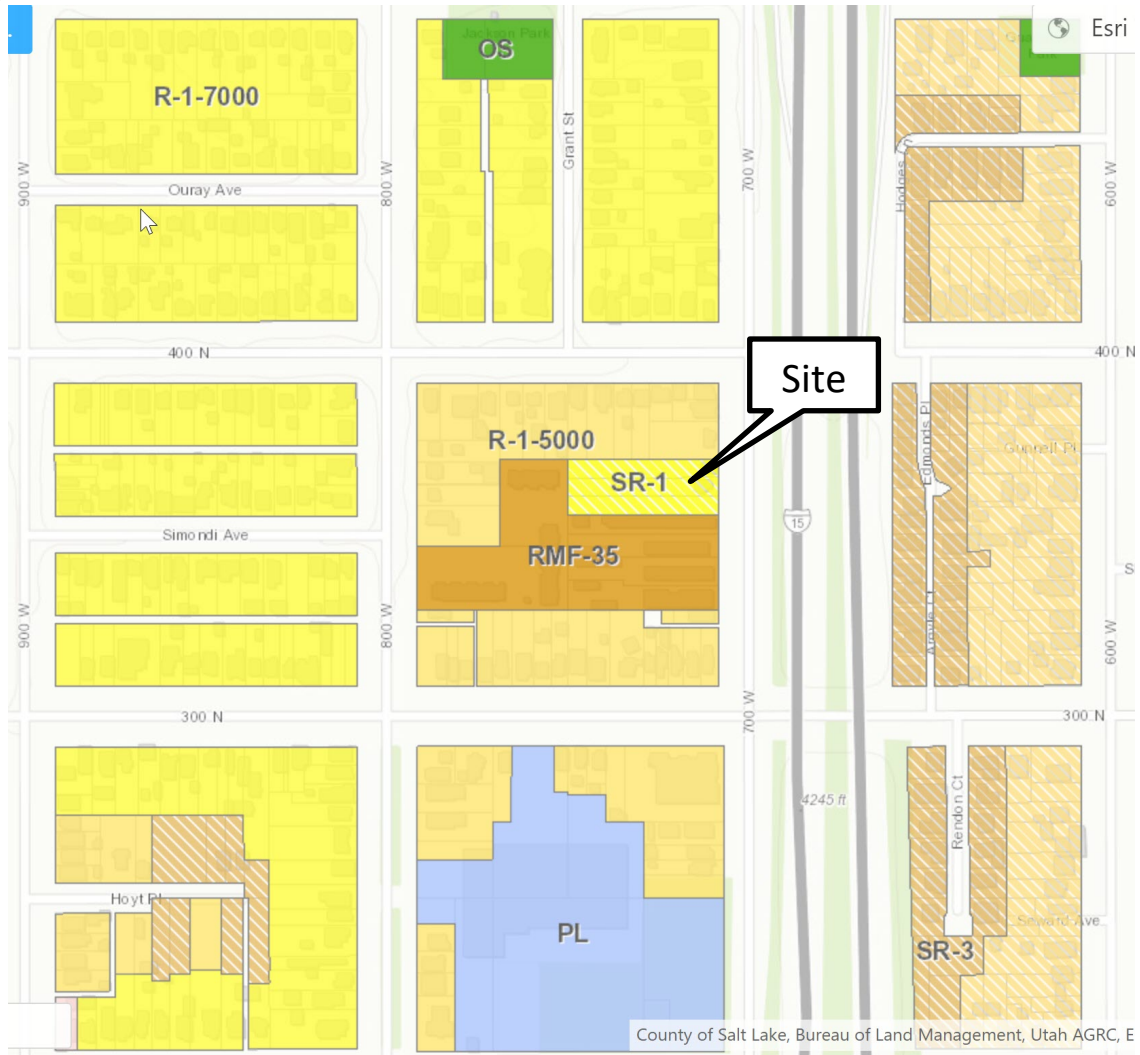
The proposed zoning map amendment would facilitate the development of a multi-family residential building on the subject properties. The Northwest Community Master Plan, with emphasis on appropriate development design, supports the increased density for this site. Furthermore, the City's general plan (Plan Salt Lake) and housing plan (Growing SLC) policies support the higher density development. As such, staff recommends changing the zoning map.

**NEXT STEPS:**

The Planning Commission's recommendation will be transmitted to the City Council to conduct a public hearing and a decision to approve, modify, or deny the proposal. If the City Council grants approval of the petition, the applicant will be required to obtain all necessary permits for the project. If denied the property may be developed under existing zoning regulations of the SR-1 zoning district.

# ATTACHMENT A: ZONING MAP

## ZONING



# **ATTACHMENT B: APPLICATION MATERIALS**

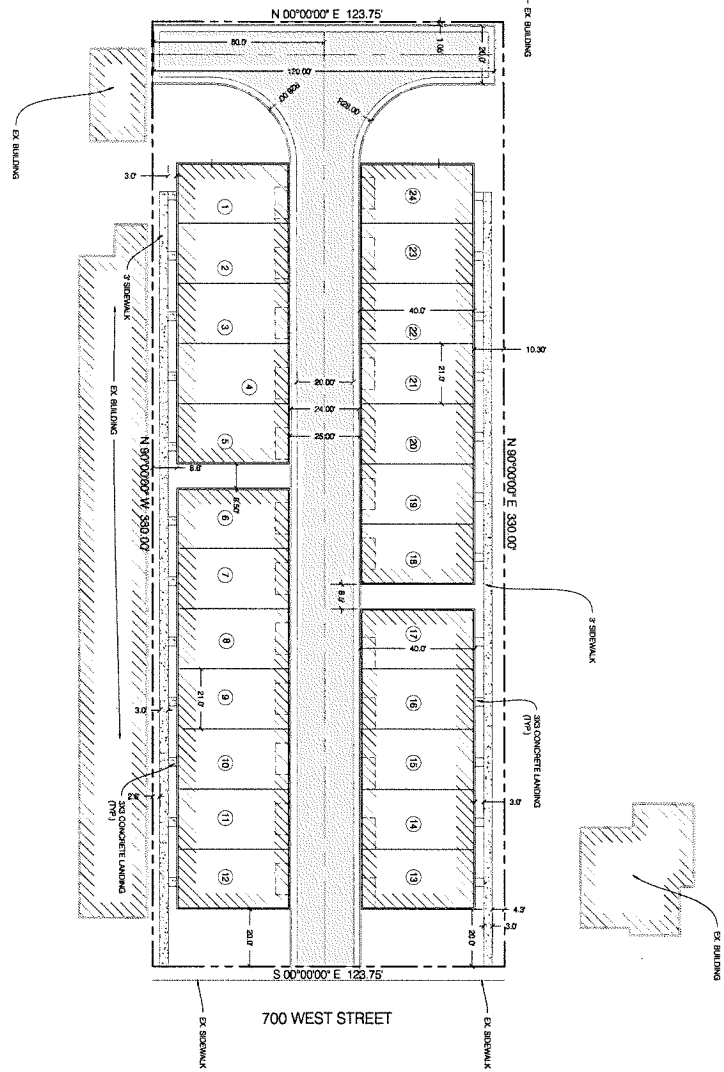
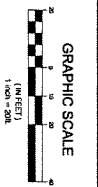
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## Zoning Amendment 700 w Zoning amendment

- The purpose of the amendment is to get a higher density of townhomes on this property and keep the overall price down when the finish products are sold.
- The proposed zone is RMF-35
- The present zone is too restrictive for the site. As it currently sits, we would only be able to build 10 units. These units would need to be large (3000 square feet +) to make the economics of the land work. Average home size within the area are about 1,500 square feet which is close to what we are proposing on the units with the zone change.
- Parcels that will be changed are: 08-35-279-022/023/024 (We are also submitting for a lot consolidation with this zoning amendment)
- The proposed plan we have should meet the full requirements of RMF-35.
- *In pre-submittal meeting the planners looked at a master plan and this parcel and most of the the 1-15 corridor called for medium to high density multifamily.*



CONCEPT  
 LOCATED IN THE LOT 7, BLOCK 7A, SILC SURVEY SALT LAKE  
 COUNTY, UTAH



CONCEPT  
 PLAN  
 SHEET  
 1 OF 1

CHRISTIAN MCMULLIN TOWNHOMES  
 353 N 700 W  
 SALT LAKE CITY, UTAH

**BENCHMARK CIVIL**  
 BENCHMARK ENGINEERING & LAND SURVEYING  
 813 SOUTH STATE STREET SUITE 8 102  
 SANDY, UTAH 84070 (801) 462-7192  
 www.benchmarkcivil.com

NO.	DATE	DESCRIPTION
001	FBA	
002	DKS	
003	PROPERTY SURVEY	
004	05/04/2019	
005	CONCEPT	

SCALE MEASURE 1-INCH ON FULL SIZE SHEETS  
 ADJUST ACCORDINGLY FOR REDUCED SIZE SHEETS

# ATTACHMENT C: IMAGES



Oblique Aerial View of Subject Property (looking west, property outlined in orange)



View of the subject property looking west across 700 West.

# ATTACHMENT D: PERMITTED USE COMPARISON

## 21A.33.020: TABLE OF PERMITTED AND CONDITIONAL USES FOR RESIDENTIAL DISTRICTS

Legend:	C =	Conditional	P =	Permitted
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Use	Permitted And Conditional Uses By District	
	SR-1	RMF-35
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P
Adaptive reuse of a landmark site	C <sup>8</sup>	C <sup>8</sup>
Alcohol, bar establishment (2,500 square feet or less in floor area)		
Alcohol, brewpub (2,500 square feet or less in floor area)		
Alcohol, tavern (2,500 square feet or less in floor area)		
Animal, veterinary office		
Art gallery		
Artisan food production (2,500 square feet or less in floor area)		
Bed and breakfast inn		
Bed and breakfast manor		
Clinic (medical, dental)		
Commercial food preparation		
Community garden	C	P
Community recreation center		
Crematorium		
Daycare center, adult		
Daycare center, child	C <sup>22</sup>	C <sup>22</sup>
Daycare, nonregistered home daycare	P <sup>22</sup>	P <sup>22</sup>
Daycare, registered home daycare or preschool	P <sup>22</sup>	P <sup>22</sup>
Dwelling, accessory guest and servant's quarter		
Dwelling, accessory unit	P	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) <sup>14</sup>		C
Dwelling, group home (small) <sup>15</sup>	P	P
Dwelling, manufactured home	P	P
Dwelling, multi-family		P
Dwelling, residential support (large) <sup>16</sup>		
Dwelling, residential support (small) <sup>17</sup>		C
Dwelling, rooming (boarding) house		
Dwelling, single-family (attached)		P
Dwelling, single-family (detached)	P	P
Dwelling, twin home and two-family	P	P
Eleemosynary facility	C	C
Financial institution		
Funeral home		
Governmental facility	C	C <sup>6</sup>
Home occupation	P <sup>24</sup>	P <sup>24</sup>
Laboratory (medical, dental, optical)		
Library		

Use	Permitted And Conditional Uses By District	
	SR-1	RMF-35
Mixed use development		
Mobile food business (operation on private property)		
Municipal service use, including City utility use and police and fire station	C	C
Museum		
Nursing care facility		
Office, excluding medical and dental clinic and office		
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)		
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		
Recreation (indoor)		
Restaurant		
Restaurant with drive-through facility		
Retail goods establishment		
Retail goods establishment, plant and garden shop with outdoor retail sales area		
Retail service establishment		
School, music conservatory		
School, professional and vocational		
School, seminary and religious institute	C	C
Seasonal farm stand		C
Studio, art		
Temporary use of closed schools and churches	C <sup>23</sup>	C <sup>23</sup>
Theater, live performance		
Theater, movie		
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>
Wireless telecommunications facility (see section <a href="#">21A.40.090</a> , table <a href="#">21A.40.090E</a> of this title)		

**Qualifying provisions:**

1. A single apartment unit may be located above first floor retail/office.
2. Provided that no more than 2 two-family buildings are located adjacent to one another and no more than 3 such dwellings are located along the same block face (within subdivisions approved after April 12, 1995).
3. Must contain retail component for on-site food sales.
4. Reserved.
5. See subsection [21A.02.050B](#) of this title for utility regulations.
6. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a design review.
7. Subject to conformance to the provisions in section [21A.02.050](#) of this title.
8. Subject to conformance with the provisions of subsection [21A.24.010S](#) of this title.
9. Subject to conformance with the provisions in section [21A.36.300](#), "Alcohol Related Establishments", of this title.
10. In the RB Zoning District, the total square footage, including patio space, shall not exceed 2,200 square feet in total. Total square footage will include a maximum 1,750 square feet of floor space within a business and a maximum of 450 square feet in an outdoor patio area.
11. Accessory guest or servant's quarters must be located within the buildable area on the lot.
12. Subject to conformance with the provisions of section [21A.36.150](#) of this title.
13. Prohibited within 1,000 feet of a Single- or Two-Family Zoning District.
14. No large group home shall be located within 800 feet of another group home.
15. No small group home shall be located within 800 feet of another group home.

16. No large residential support shall be located within 800 feet of another residential support.
17. No small residential support shall be located within 800 feet of another residential support.
18. Large group homes established in the RB and RO Districts shall be located above the ground floor.
19. Small group homes established in the RB and RO Districts shall be located above the ground floor.
20. Large residential support established in RO Districts shall be located above the ground floor.
21. Small residential support established in RO Districts shall be located above the ground floor.
22. Subject to section [21A.36.130](#) of this title.
23. Subject to section [21A.36.170](#) of this title.
24. Subject to section [21A.36.030](#) of this title.

# **ATTACHMENT E: ANALYSIS OF STANDARDS**

As per Section 21A.50.050 a decision to amend the text or zoning map of the Zoning title 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 concerning a proposed text amendment, the Planning Commission and City Council should consider the following:

<b>Factor</b>	<b>Finding</b>	<b>Rationale</b>
<b>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>	Consistent with adopted plans.	Proposal promotes infill development of an underutilized site, expands housing stock, and increases the number of medium density housing types, all of which are stated goals of the Plan Salt Lake and the City’s 5-year housing plan (Growing SLC). Specifically: Plan Salt Lake and the City’s 5-year housing plan have goals to: - Promote infill and redevelopment of underutilized land. - Accommodate and promote an increase in the City’s population, - Increase the number of medium density housing types and options. - Enable moderate density increases within existing neighborhoods where appropriate.
<b>Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance;</b>	Furthers multiple purposes of the zoning ordinance.	The zoning map amendment will facilitate development of a long-vacant site in a manner compatible with the existing character. This furthers the zoning ordinance purposes of: distributing land development and utilization, and; fostering the City’s residential development (21A.02.030 Purpose and Intent)
<b>The extent to which a proposed map amendment will affect adjacent properties.</b>	Affects to adjacent properties are anticipated to be minimal.	There are existing multi-family developments to the south and west of the site. Single-family dwellings are north of the site, while the elevated freeway (I-15 is to the east). The single-family dwellings will be the most affected since they have vacant property between them and the existing multi-family buildings to the south.
<b>Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards;</b>	Consistent with all applicable overlay districts.	Two overlay districts affect this property: Airport Flight Path and National Historic District (Salt Lake City Northwest area). Nothing about this zoning change, or the land development allowed in the RMF-35 zoning district, is in conflict or contrary to the purposes of either overlay district.
<b>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>	Existing public facilities and services will adequately serve development on the property affected by the proposed amendment.	Public facilities may be required to be upgraded for any new development and the applicant would be responsible for those upgrades. Public facilities exist for the adjacent multi-family and single-family buildings. Adding additional dwelling units will not impair the ability for those services to be provided.

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

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## **Meetings & Public Notice**

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

**July 29, 2019:** Notice of Application for sent to Fairpark Community Council and other recognized organizations per city ordinance.

**August 22, 2019:** Fairpark Community Council discussed the proposal at a meeting.

## **Notice of the Planning Commission public hearing for the proposal include:**

- Notices mailed on October 31, 2019
- Property posted on October 31, 2019
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites November 1, 2019

## **COMMENTS**

No official comments were received from the community council, but staff notes from the meeting include one concern and one question:

*Concern that they will be rented versus owned.*

*What is the anticipated floor size of the units? Applicant's answer: 1700 square feet.*

Staff received one public comment on the project, via email, from Ann Pineda. Her email is attached after this page.

## Stewart, Casey

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**From:** [REDACTED]  
**Sent:** Tuesday, September 17, 2019 2:27 AM  
**To:** Stewart, Casey  
**Subject:** General opposition to rezoning in Fairpark Community

Hi Casey,

Thank you for attending our Fairpark Community Council in August. It was nice meeting you there.

We residents may forget, when developers come to describe their projects to us, that they are only soliciting our support for a zoning change, not making binding promises about the project that will be built. Their presentations can misdirect our focus.

The problems that neighbors keep confronting here seem to recur more often around pockets of higher density housing, especially where residences have higher turnover rates. We are wary of property developments that could evolve into more of this five or ten years down the road.

I recently helped our city councilmen distribute T-shirts attesting to our neighborhood pride and commitment. I wanted to share with you a sense of the comments I heard over and over from my neighbors:

We love our neighborhood. We know who our neighbors are. We love the feeling of community that we have here. We enjoy our diversity and the high level of acceptance here among us. We are also happy about having civilized space between us. We enjoy our large yards and wide streets.

I thought it might help you and other city planners to know that we regularly recognize and value the benefits of our zoning protections.

Ann Pineda  
304 North 1100 West

[REDACTED]

[REDACTED]