



# Staff Report

PLANNING DIVISION  
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

**To:** Salt Lake City Planning Commission

**From:** Caitlyn Tubbs, [caitlyn.tubbs@slcgov.com](mailto:caitlyn.tubbs@slcgov.com), 385-315-8115

**Date:** June 23, 2021

**Re:** PLNPCM2021-00268 - Zoning Map Amendment; Encircle Family and Youth Services

## Zoning Map Amendment

**MASTER PLAN:** Central City

**ZONING DISTRICT (EXISTING):** RMF-35

**ZONING DISTRICT (PROPOSED):** R-MU-35

**PROPERTY ADDRESS:** 331 South 600 East (approximate) – includes 1 parcel with an existing building on site.

### REQUEST:

Wade Budge and McKay Ozuna, on behalf of the property owner, are requesting to rezone a parcel at approximately 331 South 600 East (parcel address 329 South 600 East). The property is currently zoned Residential Multifamily 35 (RMF-35) and the request is to rezone it to Residential Mixed Use 35 (R-MU-35). The purpose of the requested rezone is to accommodate a small retail café within the property owner's offices at the subject property for their clients.

### RECOMMENDATION:

Based on the findings and analysis in this staff report and the factors to consider for zoning map amendments in 21A.50.050 of the zoning ordinance, Planning Staff recommends that the Planning Commission forward a positive recommendation to the City Council regarding this proposal with the findings noted below:

1. The proposed map amendment supports the economic and buffering goals of the Central City Master Plan and Plan Salt Lake.
2. The proposed map amendment is supported by the Future Land Use map associated with the Central City Master Plan.

### ATTACHMENTS:

- A. [Zoning and Vicinity Maps](#)
- B. [Applicant's Narrative](#)
- C. [RMF-35 & R-MU-35 Zoning Comparison](#)
- D. [City Plan Considerations](#)
- E. [Analysis of Zoning Amendment Standards](#)
- F. [Property Photographs](#)
- G. [Public Process & Comments](#)
- H. [City Department Review Comments](#)

## PROJECT DESCRIPTION AND BACKGROUND:

The property owner, Encircle Family and Youth Services Center, is requesting to rezone their property from the current RMF-35 (Moderate Density Multi-Family Residential) zoning designation to R-MU-35 (Residential Mixed Use). The total area of the proposed rezone is approximately 0.2255 acres or approximately 9,823 square feet.

**Vicinity Map - 331 South 600 East**



There is an existing commercial building on the subject property which houses the property owner's offices. The property owner wishes to rezone their property in order to establish a small retail café within this existing building to serve their employees and clients. The developer has not proposed a plan for this cafe as part of the rezone and does not have any pending building permits or other development applications for the property. Please refer to Attachment B for a detailed narrative submitted by the applicant for the proposed rezone.

The subject property is located just north of 400 South, a major vehicular, pedestrian, and transit corridor. The surrounding properties on the block are zoned RMF-35, TSA-UN-C, and TSA-UN-T, with a mixture of residential and commercial uses. The properties directly to the south of the subject property are home to a strip commercial development along the 400 South corridor. Across the block to the west the properties are zoned Residential Office (RO) and R-MU.

The primary reason for the rezone request is so the applicant will have the ability to establish a small café within their existing office building, which is not currently allowed under the existing RMF-35 zoning district but is allowed as a permitted use under the requested R-MU-35 zoning district. All uses permitted in the existing zoning district are allowed in the proposed R-MU-35 zone except for a community recreation center; this is a conditional use in the RMF-35 zone but would not be allowed in the R-MU-35 zone. Some examples of uses that are currently conditional uses in the RMF-35 zone that would become permitted uses in the proposed R-MU-35 zone include adaptive reuse of a landmark site and a child daycare center. For a complete list of uses that are allowed under the existing RMF-35 zone and the proposed R-MU-35 zone, please refer to Attachment C.

## Zoning Map Amendment Considerations

Planning staff is required by ordinance to analyze proposed zoning map amendments against existing adopted City policies and other related adopted City regulations. Planning staff is also directed to consider whether zoning text amendments implement best planning practices. However, ultimately, a decision to amend the zoning map is fully up to the discretion of the City Council and is not subject to any particular standard of review or consideration.

The full list of factors to consider for a zoning map amendment are located in Attachment E.

## **KEY CONSIDERATIONS:**

The key considerations and concerns below have been identified through the analysis of the project, neighbor and community input, and department reviews.

### **1. Existing Area Plan Guidance**

#### **Consideration 1: Existing City Plan Guidance – Central City Master Plan**

For zoning map amendments, Planning Staff is directed by ordinance to consider the associated City master plans and adopted policies that apply to a proposal. Staff reviews general City policies, including adopted policies in Citywide master plans such as *Plan Salt Lake*, and considers plans that are specific to an area. In this case, the property is within the boundaries of the *Central City Master Plan*. The Central City Master Plan outlines how this area developed, beginning as a residential area into which commercial uses began to infiltrate after WWII.

The subject property is a prime example of this development pattern since it is located between the strip commercial use to the south and the residential uses to its north and east and itself is a commercial office use within a building originally built as residences. While still a commercial use, the property owner's offices are not as intense as the commercial strip development along 400 South and create a smoother transition between the commercial 400 South corridor and the residential uses along 300 South. This supports the Central City Master Plan's goal to create a buffer between incompatible uses (central city neighborhood area, page 5).

The Future Land Use Map associated with the Central City Master Plan indicates the subject property is intended to be a medium residential/mixed use land use (lime green), which is consistent with the proposed zoning map amendment (See Attachment A).

Plan Salt Lake (2015) encourages the development of small businesses, entrepreneurship, and neighborhood business nodes. The café the property owners are interested in establishing would not likely be a regional or even city-wide draw and is intended to serve the property owner's clientele who would already be on-site. The proposed zoning change would allow for the establishment of this small business and support the spirit of Plan Salt Lake.

See Attachment D for policy statements and goals from various city plans that staff considered as part of the review of this rezone request.

## **NEXT STEPS:**

The Planning Commission can provide a positive or negative recommendation for the proposal and as part of a recommendation, can add conditions or request that changes be made to the proposal. The recommendation and any requested conditions/changes will be sent to the City Council, who will hold a briefing and additional public hearing on the proposed zoning changes. The City Council may make modifications to the proposal and approve or decline to approve the proposed zoning map amendment.

If ultimately approved by the City Council, the changes would be incorporated into the official City Zoning map. If the proposed zoning amendment is not approved by the City Council, the property could still be operated under its current RMF-35 zoning designation, however, the property would not be able to have a retail café as they are not permitted in the existing zoning district.

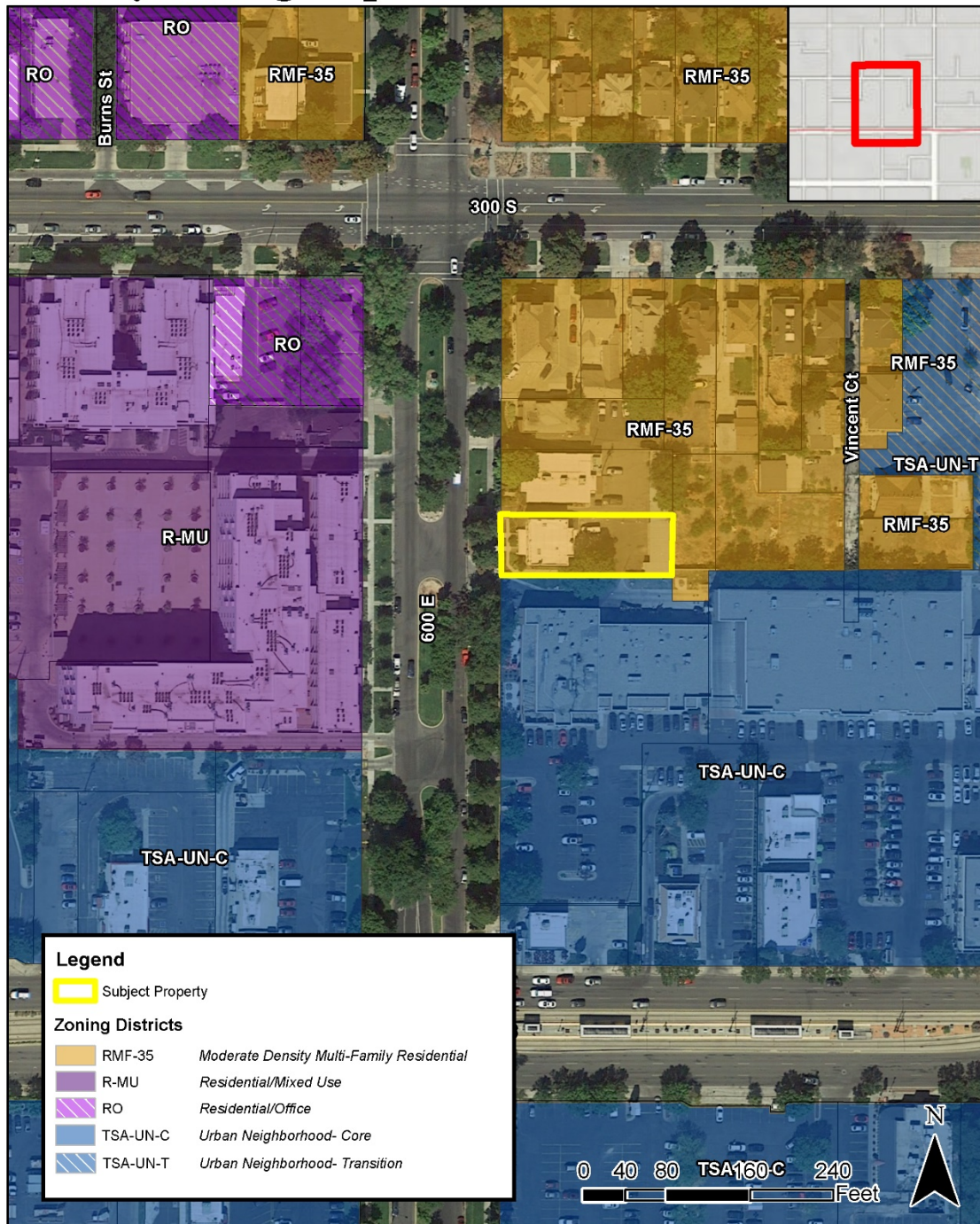
# ATTACHMENT A: Zoning and Vicinity Maps

## Vicinity Map - 331 South 600 East



Salt Lake City Planning Division 4/28/2021

# Vicinity Zoning Map



Salt Lake City Planning Division 5/21/2021

# Central Community Future Land Use

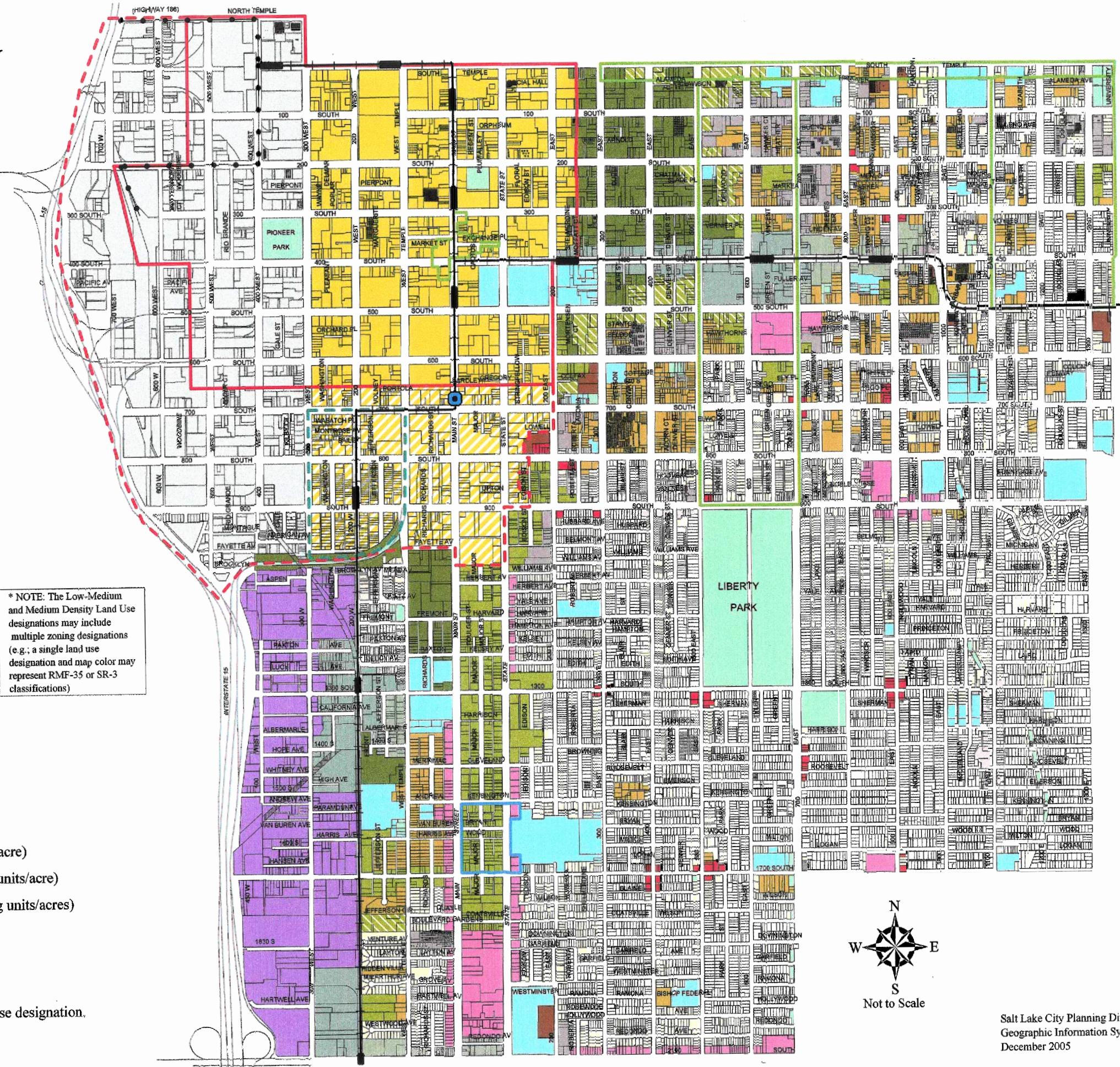
## Map Legend

- Light Rail Stations
- Proposed Lightrail Stations
- Historic Preservation
- Light Rail
- Later Phase of Light Rail
- CBD Boundary
- CBD Support Boundary
- Salt Lake Community College/Future Expansion Area
- West Temple Gateway Plan

## Future Land Use

- Low Density Residential (1-15 dwelling units/acre)
- Low Medium Density Residential (10-20 dwelling units/acre) \*
- Medium Density Residential (15-30 dwelling units/acre) \*
- Medium High Density Residential (30-50 dwelling units/acre)
- High Density Residential (50 or more dwelling units/acre)
- Low Residential/Mixed Use (5-10 dwelling units/acre)
- Medium Residential/Mixed Use (10-50 dwelling units/acre)
- Residential/Office Mixed Use (10-50 dwelling units/acre)
- High Mixed Use (50 or more dwelling units/acre)
- Neighborhood Commercial
- Community Commercial
- Central Business District
- Central Business District Support
- Regional Commercial/Industrial
- Low Density Transit Oriented Development (1-20 dwelling units/acre)
- Medium Density Transit Oriented Development (10-50 dwelling units/acre)
- High Density Transit Oriented Development (50 or more dwelling units/acre)
- Open Space
- Institutional
- Gateway Master Plan
- Non-conforming properties to be evaluated for appropriate land use designation.  
(Interim land use policy would be adjacent land use classifications)

\* NOTE: The Low-Medium and Medium Density Land Use designations may include multiple zoning designations (e.g.: a single land use designation and map color may represent RMF-35 or SR-3 classifications)





## **ATTACHMENT B: Applicant's Narrative**

---

## ENCIRCLE FAMILY AND RESOURCE CENTER'S APPLICATION FOR A ZONING AMENDMENT

### Statement of Purpose and Description

This firm (the “**Applicant**”) represents Encircle Family and Resource Center (“**Encircle**”) in its interest to amend the zoning map for Encircle’s property located at 331 South 600 East, Salt Lake City (“**City**”), Utah 84102 (the “**Property**”). The Property is more particularly identified in Salt Lake County’s official records as Parcel ID No. 16-06-428-003. The Property is currently zoned as RMF-35, Moderate Density Multi-Family Residential District (“**RMF-35**”), and is also located, in pertinent part, in the Central City Local Historic and Central City National Historic overlay districts (collectively, the “**Historic Overlays**”).

Encircle is a non-profit organization whose mission is to bring family and community together to enable LGBTQ+ youth to thrive. It accomplishes this important mission by providing LGBTQ+ youth educational and social programs, a safe environment to socialize, and therapy. Originally founded in 2016, Encircle continues to expand its operations throughout Utah, including the Property, and plans to eventually expand into surrounding states for the betterment of the LGBTQ+ community. Similarly, the operations and services Encircle has to offer have likewise expanded. As part of this expansion effort, Encircle would now like to offer its patrons food and beverages from a small café on the Property. This additional use of the Property would ease socialization amongst those who use the Property and further Encircle’s mission. However, under the RMF-35 zoning district a restaurant or retail use is not a permitted or conditional use.

The Applicant, on behalf of Encircle, thereby submits this Application for a Zoning Amendment to amend the zoning map for the City from RMF-35 to R-MU-35, Residential/Mixed Use District (“**R-MU-35**”). The City’s development file shows that the Property has historically been used for office uses from at least the 1970s. Moreover, the Property is adjacent to the TSA-UN-C, Transit Station Area, Urban Neighborhood-Core (“**TSA-UN-C**”), which permits high-intensive uses such as a grocery chain, numerous restaurant chains, and other commercial and retail operations. A buffer between the high-intensive uses of the TSA-UN-C zoning district and RMF-35 is appropriate and this zoning map amendment will provide that transition and buffer area. Further, this rezone and map amendment will assist the City in accomplishing its stated goal of blending uses more harmoniously.<sup>1</sup>

The R-MU-35 is an appropriate zoning designation for the Property. As described above, the Property is surrounded by more intensive uses on neighboring properties and the R-MU-35 acts as a transition between potentially incompatible uses.<sup>2</sup> Again, this is likewise consistent with the present and historical use of the Property. Moreover, this zoning district change is explicitly supported by City’s master plans. Under the Central Community Master Plan, the Future Land Use Map provided therein designates the Property as either “Medium Residential/Mixed Use” or “High Density Transit Oriented Development”<sup>3</sup> – both of which are consistent with the R-MU-35 zoning

---

<sup>1</sup> See Note 8 below.

<sup>2</sup> Aside from other neighboring properties zoned as RMF-35, other neighboring properties are zoned to include R-MU west of the Property and the TSA-UN-C is adjacent to the south of the Property.

<sup>3</sup> See Central Community Master Plan (adopted Nov. 1, 2005), at Page 2,

district. Moreover, the change to the R-MU-35 accomplishes the master plan's fundamental goals of creating (i) livable communities and neighborhoods; (ii) vital and sustainable commerce; (iii) unique and active places; and (iv) increased pedestrian mobility and accessibility.<sup>4</sup> Finally, the R-MU-35's permitted and conditional uses better encourage services for residents within walking distance of their homes, focuses commercial activity to such residents without competing with the Central Business District, and provides more diverse and pedestrian oriented activities with a mixture of retail, entertainment, and restaurants.<sup>5</sup>

Similarly, under the East Downtown Neighborhood Plan, the Property is designated as within the proposed "MU-RH, Mixed Use Residential Host" and "Sub Area 2: Brownstone-Apartment Mixed Use," which permits such uses as "General Commercial" and "Service Commercial."<sup>6</sup> A change to the R-MU-35 zoning district will help accomplish the City's vision of the East Downtown Neighborhood as "Utah's premier, vibrant, diverse, mixed use urban neighborhood."<sup>7</sup> Additionally, the change in zoning district blends with the existing character of the area.<sup>8</sup>

Finally, the proposed change of zoning district from RMF-35 to R-MU-35 does not disrupt the goals of either aforementioned master plan as to the Historic Overlays. Under both master plans, preservation of the historical nature of the existing buildings is an important consideration. Encircle is committed to such preservation efforts, as shown by its 2019 renovations to the historic structure on the Property, which maintained and revitalized the historic integrity of the structure. The proposed rezone to the R-MU-35 zoning district would not impair these historic values or diminish the historic nature of the structure.

In light of the foregoing, the Applicant respectfully requests that this Application for a change to the existing zoning map of the City be favorably recommended and approved by the City. The requested zoning change for the Property to the R-MU-35 is supported by the present and existing uses of the Property, the surrounding intensive uses in the area, and the guiding principles of the master plans. Moreover, a change to the R-MU-35 zoning district will help promote Encircle's mission and enable it to better serve the LGBTQ+ youth of the City and State of Utah.

---

<http://www.slcdocs.com/Planning/MasterPlansMaps/cent.pdf>.

<sup>4</sup> See *id.* at Page 3.

<sup>5</sup> See *id.* at Page 5.

<sup>6</sup> See East Downtown Neighborhood Plan (adopted 1990), at Pages 8 and 11 (respectively),

<http://www.slcdocs.com/Planning/MasterPlansMaps/ED.pdf>.

<sup>7</sup> *Id.* at Page 1.

<sup>8</sup> See *id.* at Page 8.

# ATTACHMENT C: RMF-35 & R-MU-35 Zoning Comparison

Below are differences in land uses between the two zoning districts:

New Permitted	New Conditional
Art Gallery	Alcohol, bar establishment (2,500 square feet or less in floor area)
Artesian Food Production (2,500 square feet or less in floor area)	Alcohol, brewpub (2,500 square feet or less in floor area)
Clinic (medical, dental)	Animal, veterinary office
Commercial Food Preparation	Crematorium
Daycare Center, Adult	Dwelling, rooming (boarding) house
Financial Institution	Museum
Funeral Home	Parking, off-site (to support nonconforming uses in a residential zone or uses in the CN or CB zones)
Laboratory (medical, dental, optical)	School, music conservatory
Mixed Use Development	School, professional and vocational
Mobile Food Business (operation on private property)	Theater, live performance
Nursing Care Facility	Theater, movie
Office, excluding medical and dental clinic and office	
Reception Center	
Recreation (indoor)	
Restaurant	
Retail Goods Establishment	
Retail Goods Establishment, plant and garden shop with outdoor retail sales area	
Retail Service Establishment	
Seasonal Farm Stand	
Studio, art	

The uses in the table below are currently listed as permitted or conditional uses in the land use table for the RMF-35 zoning district. These uses below would no longer be allowed under the proposed R-MU-35 zoning district:

Changing from Permitted to Not Allowed	Changing from Conditional to Not Allowed
-none-	Community Recreation Center

<b>Changing from Permitted to Conditional</b>	<b>Changing from Conditional to Permitted</b>
-none-	Adaptive Reuse of a Landmark Site
	Daycare Center, child

Below are the differences in design standards:

	<b>RMF-35 (Existing Zoning)</b>	<b>R-MU-35 (Proposed Zoning)</b>
Ground Floor Use (%)	None Listed	75
Ground Floor Use & Visual Interest (%)	None Listed	None Listed
Building Materials: Ground Floor (%)	None Listed	80
Building Materials: Upper Floors (%)	None Listed	None Listed
Glass: Ground Floor (%)	None Listed	60
Glass: Upper Floors (%)	None Listed	None Listed
Building Entrances (feet)	None Listed	75
Blank Wall: Maximum Length (feet)	None Listed	15
Street Facing Façade: Maximum Length (feet)	None Listed	None Listed
Upper Floor Step Back (feet)	None Listed	None Listed
Lighting: Exterior	N/A	N/A
Lighting: Parking Lot	N/A	N/A
Screening of Mechanical Equipment	N/A	Required
Screening of Service Areas	N/A	Required
Ground Floor Residential Entrances	N/A	N/A
Parking Garages or Structures	N/A	N/A

# ATTACHMENT D: City Plan Considerations

## Adopted City Plan Policies and Guidance

Zoning map amendments are reviewed for compliance with City master plans and adopted policies. The below plans were adopted for the area:

- **Central City Master Plan (Current Community Plan)**
  - Residential – Place special emphasis on buffers, transition zones, or insulation to minimize negative impacts from incompatible uses. The proposed zoning would allow the existing building owner to remain in place and continue providing their services to the Salt Lake City community. These services also provide a buffer between the higher-impact commercial use to the south and the lower-intensity uses to the north of the subject property.
  - Commercial – Focus commercial activity on providing services to the area residents and not on competing with the Central Business District. The building owner provides services to the Salt Lake area's LGBTQ+ community. Their existing services and the café they intend to open if the Zoning Map Amendment is approved would not detract or pull commercial activity from the downtown core. The subject property is located nearby the 400 South TRAX corridor which allows easy site access for their employees and clients.
- **Plan Salt Lake**
  - Economy - Support the growth of small businesses, entrepreneurship, and neighborhood business nodes. The property owner provides their services to the LGBTQ+ community and are located adjacent to a commercial hub along the 400 South corridor and TRAX line.

# ATTACHMENT E: Analysis of Zoning Amendment Standards

## ZONING MAP AMENDMENTS

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

FACTOR	FINDING	RATIONALE
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</b>	The proposed zoning change would allow for the establishment of a small retail café to serve the clients of the property owner. Both the Central City Master Plan and Plan Salt Lake encourage the development of smaller neighborhood business nodes in this portion of the city and would aid in the transition from a heavily commercial area (400 South corridor) into the residential neighborhoods along 300 South.
2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.	<b>Complies</b>	The purpose of the requested zoning designation (R-MU-35) 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 subject property already houses a small-scale office use and the requested change would allow for a small-scale retail/service use for the property owner’s clientele.
3. The extent to which a proposed map amendment will affect adjacent properties;	<b>Complies</b>	The property owner’s offices are already in place at the subject property. The proposed café is intended to serve the property owner’s clientele while they are on-site. While there is nothing in the city ordinances which can limit the café’s customers and exclude the general public it is unlikely the café will be a regional or city-wide draw and a marked increase in traffic is not anticipated as a result.
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</b>	The subject property is located within the Historic Preservation Overlay. The purpose of this overlay, in part, is to encourage economic sustainability and foster economic development consistent with historic preservation. The subject property has an existing historic structure which has been converted from a residential use to a commercial/office use. The rezoning of this property would allow the property owner to

		establish a small café which will lend itself to the economic viability of the property.
<b>5.</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>Complies</b>	The surrounding area is fully developed and all public infrastructure and utilities are already in place. The scale of development in the current zoning and proposed zoning is similar in scale.

# ATTACHMENT F: Photographs

---



# ATTACHMENT G: Public Process And Comments

---

The following attachment lists the public meetings that have been held, and other public input opportunities, related to the proposed project. All written comments that were received throughout this process are included within this attachment.

## Early Notification

A notice of application was sent to the chairs of the Central City and East Central Community Councils. The Community Councils were given 45 days to respond with any concerns or comments.

Notice of the application was also sent to property owners and residents within 300 feet of the project. The purpose of this notice is to inform surrounding property owners and residents that an application has been submitted, provide details regarding the request, outline steps in the planning review and decision making process, and to let them know how to obtain more information and submit comments early on in the review process.

## City Open House

Because the property is located within 600 feet of two community council districts, the City Planning Division held an online open house beginning on May 3, 2021 for the proposal in order to obtain feedback from residents and property owners and to provide information about the public process and City regulations.

## Public Hearing Notice

The Planning Division provided the following notices for the Planning Commission meeting:

- Mailed notice sent June 11, 2021
- E-mailed notice to listserv sent June 11, 2021
- Public hearing notice signs posted on the property June 9, 2021

## Public Input Received

No public input has been received to date.

# ATTACHMENT H: **City Department Review Comments**

---

No comments received.