



MEMORANDUM

PLANNING DIVISION

DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Planning Commission
From: Sara Javoronok, Senior Planner, AICP
Brooke Olson, Principal Planner
Date: March 22, 2023
Re: PLNPCM2019-00658, Affordable Housing Incentives

Background

Affordable Housing Incentives (AHI) are proposed for the city's zoning code to encourage the development, construction, and preservation of housing in the city. There are two primary goals of the AHI. First, they are to help public and private dollars that go into building affordable housing create more housing units. Second, they are to create additional opportunities for property owners to provide new, affordable housing units. The AHI propose allowing for additional height, reducing parking requirements, allowing additional housing types, and providing planning process waivers or modifications.

The project was initiated in 2019 to address increasing concerns regarding housing affordability and to implement *Growing SLC*. It was initially envisioned as an overlay district and called "Affordable Housing Overlay". Since the proposal applies differently in various zoning districts, an "overlay" is not applicable, and the "Affordable Housing Incentives" are now the first section in a new incentives chapter. Initial outreach on the proposal included an online survey in late 2019/early 2020. From the initial survey results, staff developed a draft framework for the AHI that serves as the basis for the current proposal. This was presented online in a Story Map and staff requested additional feedback from the community in a survey. Based on this feedback, developed draft the initial AHI text amendments.

Staff presented these initial draft amendments to the community in the spring of 2022 and to the Planning Commission and public at a hearing in May 2022. The public and Planning Commission had a number of questions that staff responds to in this memo and attachments. The latest draft incorporates changes from this feedback and this memo describes the proposed changes. The draft language is included in Attachment A. Attachments D and E present a description of the changes in a narrative format. Comments received since May 11, 2022 are attached (Attachment F). All comments will be included with the staff report for the public hearing, tentatively scheduled for April 26, 2023.

Summary of Proposed Modifications to Proposal

Following the public hearing, staff worked with local developers of market rate and affordable housing to test the proposed AHI. Staff and the developers created scenarios and proformas to test the performance of the AHI on real-world examples. Additionally, staff researched other inclusionary and incentive-based requirements for opportunities to improve the proposal. The Office of the Mayor convened a focus group comprised of community members, developers, policy advisors, and housing advocates. This group met four times in the fall and winter of 2022. For these discussions, staff divided the issues raised by the public and Planning Commission into four major categories:

- Affordability level

- Neighborhood Impacts
- Enforcement
- Infrastructure

The focus group discussed each of these items and made recommendations to staff on revisions to the AHI. These are incorporated into the revised draft AHI and discussed in this memo. The changes specifically identified by the focus group are noted in the footnotes (Attachment A). The revised draft was sent to the focus group for their review on January 17, 2023. The focus group commented:

- Need additional information about how the proposal AHI would work with the recently adopted RMF-30 changes. This is discussed in the Discussion section below.
- Recommend a review of the effectiveness of the AHI in 2-5 years
- Support efforts to make development compatible with R-1/5,000 and R-1/7,000 development since there have been issues with multifamily development and inner city blocks that are primarily single family homes.
- Recommended changes to how properties using the AHI would be monitored and enforced. These sections have been updated.

Due to the scope of the changes proposed, the complexity of the issues discussed, and the available time on each Planning Commission agenda, staff has scheduled two meetings with the Planning Commission prior to continuation of the public hearing. For the first briefing, staff will provide an overview of the changes proposed, the process, and begin to respond to the questions from the Commission at the last meeting. Staff will finish responding to the Commission questions at the second work session on March 29th and there will be time for additional discussion and questions. Responses to the Commission's questions from the May 2022 meeting are below.

Response to Planning Commission questions

1. Can there be a lower AMI level and a higher percentage of affordable units?

Lowering the AMI level and requiring a higher percentage of affordable units will result in projects that are not feasible. This would result in "incentives" that would not be used because they would not provide a benefit. The purpose of the AHI are to allow for a greater number of units than may otherwise be constructed. The intent of the AHI presented in May was to provide a sufficient incentive that developers of market rate housing could include affordable units in their proposals, and the AHI would allow for developers that were already constructing affordable units to add more units to their projects.

Based on the direction from the Commission and in response to public comment, staff reached out to members of the local development community, particularly those that are experienced with developing affordable housing and smaller scale developments, and asked them to test the feasibility of the proposed AHI. Staff and the developers created scenarios and proformas to show the performance of the AHI, model their feasibility, and assess how they could be modified to accommodate lower incomes and/or provide for a greater number of affordable units. See Attachment B for details.

Chris Zarek of Cowboy Partners, who develops market rate and affordable housing, modeled the existing AHI, and based on the results, additional incentive options for more deeply affordable units and larger units. A model was created for a scenario in the D-2, Downtown Support, zoning district to show how the three options for AHI incentives presented in May 2022 could apply with concrete/steel construction in zoning districts that allow for greater height and steel construction. These options are as follows:

- 20% of units are restricted as affordable to those with an income at or below 80% AMI;
- 10% of units are restricted as affordable to those with an income at or below 60% AMI; or

- 10% of units are restricted as affordable to those with an income at or below 80% AMI when the affordable units have two or more bedrooms;

Generally, the modeling showed a sufficient return for development. However, with one additional story, the return decreased. The return increased with additional floors, and, with some incentives, was greater (See Attachment B.1).

A second model and scenario demonstrates how the AHI could apply in zoning districts that allow for approximately 50' in height (ex. FB-UN2 and RMU-45). This building would have a concrete podium base with parking and wood frame construction and residential units above it. This shows the potential for a change from a 4-over-1 to a 5-over-1 building. The incentives could allow for an increase from four wood frame residential floors above the first floor of parking to five wood frame residential floors above the first floor of parking. This example shows that as buildings increase in height, there are different building code requirements, like a change from Type V to Type III construction, which provides additional fire protection, and results in higher construction costs. Additionally, depending on the type and location of the building, less parking may be provided (See Attachment B.2).

Based on these scenarios, staff is not recommending an increase in the percentage of units required as affordable. To address the issue of providing more deeply affordable units, Cowboy Partners modeled additional scenarios with lower percentage of units at more deeply affordable levels, and with larger unit options. The model indicated these scenarios provided a sufficient return for development and four additional incentive options have been added to the three originally proposed.

The new options are below:

- 10% of units are restricted as affordable to those with an average income at or below 60% AMI and these units shall not be occupied by those with an income greater than 80% AMI; or
- 5% of units are restricted as affordable to those with an income at or below 30% AMI; or
- 5% of units are restricted as affordable to those with an income at or below 60% AMI when the affordable units have two or more bedrooms; or
- 5% of the units are restricted as affordable to those with an income at or below 80% AMI when the affordable units have three or more bedrooms.

An important consideration is that the AHI allow new affordable housing developments to construct more units than are allowed with the existing zoning. Amanda Dillon of GIV Group, who develops affordable housing, prepared scenarios to show the number of units that could have been added to existing projects with the proposed AHI. See Attachment B.3 for details. A summary is as follows:

- Denver Apartments (permanent supportive housing) increase from 22 to 53 units
 - Avia (20% of units at 50% AMI, 4% LIHTC*) increase from 286 to 367 units
 - Citizens West 2&3 (100% affordable, 25-50% AMI, 9% LIHTC) increase from 80 to 114 units
- *LIHTC = Low Income Housing Tax Credit

Josh Green of Alchemy Development developed a proforma to model the additional housing types in the single- and two-family neighborhoods. The proforma included rental and ownership options in lower and higher value neighborhoods to assess how the AHI may apply in different areas of the city. See Attachment B.4 for details.

In summary, for the single- and two-family zoning districts, the original proposal for the AHI may not provide sufficient profit for new development. For ownership units, the fourplex provides the greatest return. For rental units, the townhouses or rowhouses provide the highest net operating income, but, depending on the goals of the owner, may not be sufficient.

The proposed modifications also include focus group recommendations to preserve existing housing in the single- and two-family zoning districts. This modification, discussed in the following section, may increase the likelihood for profit for homeowners or developers. Alternatively, increasing the maximum AMI for ownership housing may make it more likely to be constructed and does not require a financial incentive on behalf of the city or another entity.

2. How can the neighborhood impacts be addressed?

Since the petition was initiated in 2019, staff has received over 1,200 public comments from individual members of the public through email, the online comment form, the City Council office, Planning Commission public hearing comment cards, surveys, social media platforms, etc. During the May 2022 Planning Commission meeting, the Commission received a significant number of public comments regarding the potential impacts the AHI could have on the City's low density residential neighborhoods. Members of the public specifically voiced comments regarding potential impacts of allowing duplexes, triplexes, fourplexes, and up to four single-family attached dwelling units in the City's single family and two-family residential zoning districts.

The AHI allow for additional building types on properties. However, additional housing units may not be feasible for properties depending on their size, slope, utility requirements, and other factors. Projects using the AHI would need to comply with the requirements of the base zoning district unless there is a modification from it in the AHI. The following would apply to properties in the single- and two-family zoning districts:

- **Yards:** Minimum required yards/setbacks shall apply to the perimeter of the property and not to the individual principal building(s).
- **Parking:** One parking space would be required per dwelling unit. If a property has multiple units, a minimum of one space would be required for each unit. A detached garage or carport with up to 250 sq. ft. for each unit may be provided in a single structure.
- **Subdivision:** Lots may contain up to four units. Existing lots may be divided such that each unit is on its own lot. The new lots are exempt from minimum lot area and lot width requirements.
- **Rowhouse standards:** There are specific yard requirements. On street facing facades buildings cannot exceed 60 ft. in length and garages are not permitted. There is a maximum length of 15' for blank walls.
- **Cottage standards:** There are specific yard requirements. Individual cottages cannot be more than 850 sq. ft. Open space and personal outdoor space must be provided.
- No additional building coverage or building height is permitted.
- All other city requirements, including building, fire, and public utilities, must be met.

Below is an example of how a fourplex may be constructed on a 7,000 square foot lot.



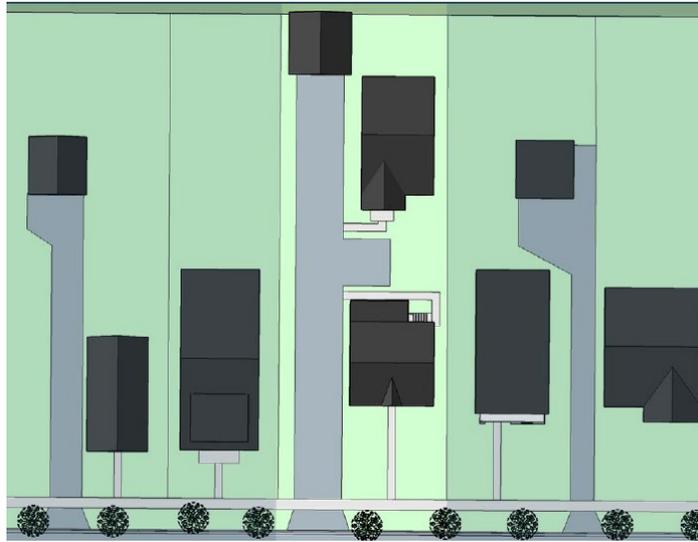
Center lot depicts a fourplex on a 7,000 sq. ft. lot. Each unit is approximately 800 sq. ft. with two bedrooms. The building coverage is 23%. The front yard setback is 20 ft. and the rear yard setback is 61 ft. The side yard setbacks are 10 ft. on the left and 15 ft. on the right. There are five surface parking spaces to the rear of the building. See Attachment C for additional views, details, and examples.

Staff briefed the focus group on the primary topics and common themes identified in the public comments. Staff and the focus group discussed several potential mitigation options that could be added to the proposal to reduce the impacts in the single- and two-family residential zoning districts. The focus group discussed several mitigation options and came to a consensus on the following recommendations:

- **Remove proximity to transit requirements due to frequency of non-fixed transit route changes and to improve equitable distribution of additional housing types.** The proposal presented in May 2022 permitted the AHI for single- and two-family properties within a ¼ mile of high frequency transit (15-minute headways) or located adjacent to arterial streets. However, the frequency of non-fixed transit routes changed since the petition was initiated due to reduced demand in 2020 associated with the COVID-19 pandemic, and there have continued to be route changes and modifications. It also established large geographic areas of the city where the AHI would not apply, creating equity concerns. The focus group recommended removing the proximity to transit requirements since frequency of non-fixed transit routes are subject to frequent change, and establishing a more equitable, citywide policy.
- **Incentivize preserving existing housing.** One of the primary concerns raised in the public comments and the focus group meetings was that the AHI would result in the loss of existing dwellings, historic dwellings that are not locally designated, and naturally occurring affordable housing. This could result in increased gentrification. The focus group discussed several options to incentivize the preservation of existing dwellings, while also allowing for additional housing.

The primary incentive recommended by the focus group is to lower the affordable unit requirement for preserving an existing dwelling to one unit on the property and allow for a second, detached dwelling. For example, the owner of a single-family dwelling could maintain the existing house and use the AHI to construct a second, detached, new dwelling in the rear yard of the property. For additional units, an ADU could also potentially be added. One of these units must be designated as an affordable unit and meet the

affordability requirements (See 21A.52.050.H.1.c.3 and Table 21A.52.050G in Attachment A).



The center lot above depicts an existing single-family home with a basement ADU, two surface parking spaces, a new, detached single-family home to the rear, and a detached two-car garage. This is on a larger, nearly 12,000 sq. ft. lot. The three structures have a total building coverage of 24%. See Attachment C for additional views and information.



The center lot above depicts an existing single-family home with a second single-family dwelling to the rear. It includes one parking space per unit located on the driveway. This is on a 7,000 sq. ft. lot. This shows the maximum building coverage for the property at 40%. See Attachment C for additional information and examples.

- **Increase design standards for single and two-family zoning districts.** Based on public comment, staff and the focus group are recommending additional design standards for the single- and two-family zoning districts. These are to ensure greater compatibility with the surrounding development. The previous proposal included several design standards and open space standards for the specific building types (See 21A.52.050.H in Attachment A). The new building materials standard applies to all building types with more than two units unless the base zoning district has a greater requirement:
 - Building materials: 50% of any street facing facade shall be clad in durable materials. Durable materials include stone, brick, masonry, textured or patterned concrete, and fiber cement board. Other materials may be used for the remainder of the facade adjacent to a street. Other materials proposed to satisfy the durable requirement may be approved at the discretion of the Planning Director if it is found that the proposed material is durable and is appropriate for the structure.

There are revisions to the open space and entry requirements for buildings with two or more units that are not rowhouses, sideways row houses, or cottages, which have separate requirements. The following are now proposed:

- Building Entrances: The ground floor shall have a primary entrance on the street facing façade of the building with an unenclosed entry porch, canopy, or awning feature. Stairs to second floor units are not permitted on street facing elevations.
- Open space: Open space area may include landscaped yards, patios, dining areas, and other similar outdoor living spaces. All required open space areas shall be accessible to all residents or users of the building.
 - Single- and two-family zoning districts: 120 sq. ft. of open space with a minimum width of 6 ft. shall be provided for each building with a dwelling.
 - All other zoning districts: A minimum of 10% of the land area within the development shall be open space, up to 5,000 square feet. Open space may include courtyards, rooftop and terrace gardens and other similar types of open space amenities. All required open space areas shall be accessible to all residents or users of the building.

3. How will the incentives be enforced?

The current proposal includes additional language on reporting, compliance, and enforcement. The properties using the AHI would be required to submit an annual report and a restrictive covenant would be placed on the property. Key points include the following:

- Annual Reporting and Auditing – There is additional language requiring annual reporting from the property owner. This can be through reporting for another entity or by meeting the city’s requirements. These include providing information on the dwelling units, rental rates, occupancy, income verification.
- Definitions are added and clarified for affordable housing, affordable rental unit, and affordable homeownership unit.
- Enforcement – The penalties have been increased. The fine will be set annually in the Consolidated Fee Schedule and there is an additional fine that is the difference between the affordable monthly rent and the market rate rent. If fines are not paid, a lien may be placed on the property. The business license for the property may also be revoked and there are additional penalties for those whose license has been revoked.
- Affordable Homeownership Unit
 - The city will have a first option on future sales to ensure that the housing unit remains affordable.
 - Owners will need to meet income requirements at the time of purchase.
- Affordable Rental Unit
 - Through administrative requirements, unless otherwise required for the development, if a resident’s income increases to market rate, the resident will be switched to a market rate unit/rate, or, if not available, may remain in the unit.

4. How will the city administer the incentives?

The city anticipates that staff will be needed to administer the AHI program. The amount of staff time necessary will depend on the number of projects that use the AHI and the specific AHI adopted. There is additional language added to the AHI to allow the city to contract with a third party for administration of the incentives. Administration will need to include the following:

- Prepare and record restrictive covenant agreement.
- Prepare administrative guidelines and provide general support regarding the incentives and approval process.

- Review of annual reports and auditing for compliance. There is additional language added detailing the requirements of these reports and allowing submittal of the copy of the report provided to Utah Housing Corporation, Olene Walker Housing Loan Fund, Housing Authority of Salt Lake City, Housing Connect or other sources approved by the Department of Community and Neighborhoods to satisfy this requirement.
- Noncompliance shall be cured or will result in fines or an enforcement action. This may include a lien placed on the property or revocation of the business license associated with the property.
- The city may contract with another entity for reporting and compliance review.

5. How will the incentives affect city infrastructure?

It is the responsibility of developers to provide service to new development. During the review process, infrastructure needs, like water and sewer are identified, and new or upgraded service may be required to be installed by the developer. This is typically handled during the building permit process. If a water, sewer, or storm drain line does not have adequate capacity for new housing units, a developer is required to increase the capacity. This is similar for other utilities.

The city plans for future growth in various master plan documents. This includes the city's water supply. The Public Utilities Department determines the amount of water available for all future development. Staff discussed this issue with Laura Briefer, the Public Utilities Director. The city's most recent water supply and demand plan (2019) projects to the year 2060 and takes into consideration land use changes associated with densification, as well as land use changes in the Northwest Quadrant of the City, including the inland port and new correctional facility. The plan also takes into consideration the city's best projections for climate change impacts to water supply and demand. The conclusion of the 2019 plan is that more water conservation is needed to meet the cumulative projected population and land use driven demands by the year 2060.

Public Utilities will conduct a water supply and demand iteration this year that may explore demand factors for the needs of the Great Salt Lake and environmental flows. Recent state water rights policy changes have paved the way for the city to include environmental water needs, especially for the Great Salt Lake, as part of the long-term water supply and demand planning.

At the request of planning staff, public utilities provided information on single-family residential water usage as compared with small and large multifamily dwellings for 2018-2022, as available. The average monthly usage for single-family residential dwellings is between 12,000-15,000 gallons per month. Much of this is for outdoor watering and in the winter water usage is approximately 6,500-7,000 gallons per month. Large multifamily buildings have a more consistent year-round water usage per unit. For the five sample buildings planning staff requested information, a mix of high-rise and wood frame construction with a total of about 725 units, the monthly water usage averaged approximately 2,000 gallons per month, per unit. Staff also requested information on two fourplexes and a cottage court (10 units). These averaged approximately 3,000 gallons per month, per unit. Multifamily dwellings are likely to have fewer residents per unit and less outdoor watering. Multifamily dwellings have more consistent year-round usage compared to single-family properties, but overall, based on the units examined, have much lower water usage per unit when compared to a single-family home.

6. Can there be incentives to accept housing vouchers?

The Commission discussed opportunities to incentivize acceptance of Housing Choice Vouchers (Section 8). The Utah Fair Housing Act ([57-21-5](#)) prohibits discriminatory practices in renting, including based on source of income. Owners may not prohibit renting to housing voucher recipients.

Additional information on the program can be found on a [Housing Choice Vouchers Fact Sheet](#). Briefly, when persons have a voucher, it is for an amount that is generally needed to afford a moderately priced dwelling in the local housing market. Tenants must pay 30% of their monthly adjusted gross income for rent and utilities. If a tenant cannot find a unit at that rate, the tenant may choose a more expensive unit, but cannot spend more than 40% of their adjusted monthly income on rent. It may be more difficult for voucher recipients to find housing when there is a low vacancy rate.

Zoning is not a suitable tool to incentivize private property owners to accept vouchers. State law requires that property owners accept vouchers.

7. What is the effect of having administrative Design Review or waiving Planned Development regulations?

Review processes, like Design Review or Planned Development, add to the time it takes to construct a development. Staff generally tells applicants that a design review or planned development process takes 4-6 months. There are many variables to this, but it is a general recommendation. An administrative design review process rather than a design review that was reviewed by the Planning Commission would not have the 45-day early notification period or a public hearing. This could take approximately 2-3 months off the processing timeline, and the project would be reviewed against the same Design Review standards in 21A.59. For a planned development, the AHI have several items where the process would be waived, the most common being frontage on a public street and multiple buildings on a single parcel. In these cases, this would be reviewed when the applicant submits for a building permit and, as part of that process, a zoning review is completed. If all zoning requirements are met, a permit could be issued.

The waiving of the Planned Development process or decreasing the time required for Design Review may enable additional affordable housing units in Salt Lake City. The following may apply:

- **It could enable development that may not otherwise occur.** Often, developers will go under contract for a property and want approval of a design review, planned development, or other process prior to closing on the property. This removes uncertainty about what could be built on the property. This may be particularly impactful on a project with affordable units where the returns are lower. However, property owners often want shorter timelines than the several months that it may take to go through an approval process. Existing property owners and developers can be reluctant to put a property under contract for an extensive period of time. Removing or decreasing this processing time may enable additional projects to proceed.
- **It could enable more LIHTC units to be constructed.** The LIHTC program has two types of credits, 9% tax credits, which are competitive, and the 4% credits, which have essentially become competitive in recent years. For both credits, decreasing review times could make it easier for a project to meet the required timelines. The decreased review times could result in more competitive projects and units constructed in Salt Lake City. Shortened timelines also decrease the potential for increased construction costs.

8. How much does parking cost?

The cost to construct a parking space, as well as the square footage needed per space, is frequently raised as an issue with projects. The AHI do not propose changes to parking requirements in the mixed use or multifamily zoning districts. However, the Commission raised this question at the previous meeting, and staff asked Chris Parker of GIV Group and Chris Zarek of Cowboy Partners for current costs on parking. Parker reported that surface parking is less than \$10,000 per stall. Podium parking stalls are \$20,000+ range per stall and underground parking is between

\$30,000-\$40,000 per space depending on the size and how much was covered by the building. Zarek stated that the cost depends on the efficiency of the site. The concrete and rebar necessary for podium parking that supports apartments above is between \$85-\$95 per gross sq. ft. Depending on the efficiency of the site, parking stalls are between 330 and 450 gross sq. ft. in size. The size required is dependent on the shape and dimensions of the site. The sizes provided are for 90-degree, double bay helix parking structures. The less efficient the site, the greater the cost. These numbers would produce spaces that are between \$28,000-\$42,750 per stall. Angled parking and single loaded bays are also less efficient.

9. How have other cities implemented incentives for housing and/or allowed for other housing types?

In the May 2022 staff report, staff identified three other programs that incentivize affordable housing – LA’s Transit Oriented Communities, Cambridge’s Affordable Housing Overlay, and Austin’s Affordability Unlocked. Based on the previous discussion and the modifications to the proposal, staff is providing additional information on the LA and Cambridge programs, which are targeted to larger multifamily buildings. Staff is also providing information on other programs in Minneapolis, Tacoma, the State of Oregon, Portland, and Spokane. Most of these programs do not require affordable units. However, staff is including them since they allow for additional housing types in zoning districts that previously were predominantly zoned for single-family uses.

Los Angeles, CA – [Transit Oriented Communities Incentive Program](#). Staff is detailing this program to show the targeted AMIs, percentage of required units, types of incentives, and number of units constructed. Los Angeles voters adopted a measure in 2016 that allowed for the creation of the Transit Oriented Communities Incentive Program. It encourages the construction of affordable housing near bus and train stations. While the modifications to the Salt Lake City’s proposal remove the proximity to transit requirement, other elements of the LA program are worth detailing. LA’s program provides for four tiers, Tier 4 having the greatest proximity to transit and Tier 1 having the least. Those with greater proximity to transit are required to provide a greater number of units and are also eligible for greater incentives. The percentage of units required is as follows:

- Tier 1 - 8% of the total number of dwelling units shall be affordable to Extremely Low Income (ELI) income households, or 11% of the total number of dwelling units shall be affordable to Very Low (VL) income households, or 20% of the total number of dwelling units shall be affordable to Lower Income households
- Tier 2 - 9% ELI, or 12% VL or 21% Lower
- Tier 3 - 10% ELI, or 14% VL or 23% Lower
- Tier 4 - 11% ELI, or 15% VL or 25% Lower

From 2017 through the second quarter of 2022, nearly 37,000 discretionary units of housing were proposed through the program with 20% (approximately 7,400) of them as affordable. It defines extremely low income, very low income, and lower income the same as this proposal with 30% AMI as extremely low income, 50% AMI as very low income, and 80% AMI as low income. Within the affordable units, 42% of units proposed are extremely low income, 12% of units are very low income, and 46% of units are low income.

The incentives permitted can be substantial. The base incentive allows for the following increase in the density/number of units permitted:

- Tier 1 – 50%
- Tier 2 – 60%
- Tier 3 – 70%
- Tier 4 – 80%

One way this is permitted is through permitting increases to the floor area ratio (FAR). This is not regulated in Salt Lake City. Allowing for increased FAR permits the building to take up a greater percentage of the lot and/or maintain this increased coverage vertically.

There are a variety of other incentives. These include lower (or no) parking requirements when the entire development is affordable or if closer to more transit. It also allows reductions in required yards, open space and lot width and increases in lot coverage and height.

Cambridge, MA – adopted an [Affordable Housing Overlay](#) in October 2020. Staff is including this program to highlight that it is targeted towards 100% affordable housing developments since the assumption is that they cannot compete with market rate developers. Salt Lake City's proposed AHI are intended to encourage market rate developers to provide affordable units and to allow affordable housing developers to provide additional units, which provides a greater number of affordable units and makes them more competitive with market rate developers.

The Cambridge overlay requires 100% affordable housing units and the units must be made permanently affordable to those with incomes up to 100% AMI. Their website states that the goal of the overlay is to “help affordable housing developers, using public funds, create new affordable units more quickly, more cost effectively, and in areas where there are fewer affordable housing options for residents.”

The overlay streamlined the approval process and allowed the creation of new, permanently affordable housing that could have additional density greater than what was otherwise allowed. It includes design guidelines to facilitate the new development. Their website shows approximately 600 units in the pipeline.

Minneapolis, MN – The [Minneapolis 2040](#) plan recommended changes to the city's zoning. In 2019, the city adopted amendments to allow for [residential buildings with up to three units](#) in four of its residential districts. There is not an affordability component to these regulations. These units are permitted on a majority of properties in the city. Duplexes and triplexes are generally required to meet the same built form regulations, including height and FAR. The intent was to allow for more housing options and was one component of addressing inequities in housing options. Minneapolis's zoning regulations allow for greater development along corridors, in downtown, and surrounding transit stations. They have made other amendments to remove zoning barriers to developing missing middle housing.

From 2020-2022, there were a total of 74 permits issued for duplexes. Over half were in areas that previously permitted duplexes and over half were alterations to an existing building. In the same time period, there were 28 permits issued for triplexes. Most of these were in areas that previously didn't allow triplexes and over 60% were new construction.

Tacoma, WA – [Residential Infill Pilot Program](#) – Tacoma adopted 2.0 of this program, which included additional capacity, in 2020. It allows for two-family, small multifamily (up to 6 units), cottage (1-3 units per building, maximum of 24 units), and planned infill developments (density based). The pilot program allows for a maximum of six developments for each of the housing types within each of the Tacoma's five council districts for a total of 120 developments citywide. The website for the program shows approval of three two-family projects and five planned infill developments. Those that have been approved were approved within the last six months and have not been constructed yet. Development proposals require conditional use approval and there are design criteria. Proposals are reviewed by a Project Program Review Committee. The conditional use approval can be made by the Planning Director or Hearing Officer.

State of Oregon – Oregon passed [Housing Choices](#) in 2019. It requires cities with more than 25,000 people and those in the Portland Metro area to allow duplexes, triplexes, cottage clusters, and townhouses in areas zoned for residential use that allow for the development of detached single-family dwellings. The state Department of Land Conservation and Development has a [Large Cities Middle Housing Model Code](#) that provides sample regulations for cities to adopt. It includes development and design standards for each housing type.

The addition of these housing types is similar to the AHI, but without the affordability requirements.

Portland, OR – Portland’s [Residential Infill Project](#) was adopted in 2021 and a Part 2 adopted in 2022. The second part of the amendments fully implemented the state requirements. Primarily, it allows for ADUs beyond what is otherwise permitted, duplexes, triplexes, and fourplexes. There are some incentives for affordable housing. The first allows for an increase of 0.1 FAR when one of the units is affordable at 80% AMI or when units are added to a lot and the existing dwelling is maintained. There is a “deeper affordability bonus” that permits 4-6 units when 50% of the units are affordable and 60% of median family income.

The city saw 86 applications for a total of 367 units in the first year of the incentives. Fourplexes were the most common with 53 sites and a total of 212 units. There was one application for the “deeper affordability bonus” that was for conversion of a fourplex to a sixplex.

Spokane, WA – Spokane adopted [Building Opportunity and Choices for All](#) a one-year interim ordinance in July 2022. It modifies residential zoning to allow for additional housing types in residential districts. There is not an affordability component. It permits duplexes, triplexes, and fourplexes citywide. It allows townhouses on all residential lots, except residential agriculture. It modifies lot development and density standards to facilitate the construction of the additional housing types. It also provides incentives for mixed-use construction in some zoning districts to make construction more feasible, reduce parking requirements, increase allowed FAR, and increase building height.

Spokane reports that they have held pre-development conferences with applicants that could result in more than 150 units. They have issued permits for 11 units and applications for eight units are under review. As of January 2023, the applications submitted are not for redevelopment of existing homes. The Spokane City Council may extend the interim ordinance for six months. The city could make the interim ordinance permanent with amendments to their comprehensive plan and zoning regulations.

Discussion

There are a number of changes to the draft since the Commission reviewed it in May 2022. These are identified with ~~striketrough~~ and underline in Attachment A. Staff describes some of the changes in footnotes. Primarily, they include the recommendations of the focus group, additional reporting and enforcement language, changes needed to address other code amendments that have been adopted or are nearing adoption, and housekeeping/clarifying items.

As previously discussed, the Office of the Mayor convened a focus group to discuss the AHI and make recommendations. The focus group made the following recommendations:

- **Additional incentive options for deeply affordable and larger units.** Members of the focus group had concerns regarding the proposed affordability level and percentage of units. Staff and members of the development community presented information on the feasibility of the existing incentive proposal and discussed the viability of requiring more deeply affordable units and/or a greater percentage of affordable units. Based on these discussions and further analysis, as discussed above, options for a lower percentage of more deeply affordable and/or larger units are provided.
- **The removal of the proximity to transit and adjacency to arterial roads requirement for additional housing types in the single- and two-family zoning districts.** This opens the AHI up to all areas of the single- and two-family zoning districts. This requirement was the subject of many public comments. The intent of the requirement was to encourage additional housing units in areas that are served by frequent transit (rail or bus service with 15-minute headways during peak periods) or are adjacent to arterial roads, which often have greater intensities of development. However, this requirement proved difficult because the location and frequency of the non-fixed bus routes has changed several

times in the past few years. Additionally, some areas of the city were excluded and this raised concerns regarding the equity of the AHI and how they applied in different neighborhoods.

- **An emphasis on the preservation of existing housing.** Members of the focus group did not want to see existing housing demolished. Many existing housing units are naturally more affordable than new housing units. This recommendation is addressed in the revisions by allowing for a second detached dwelling on a lot if the existing dwelling is maintained. As with the previous proposal, existing dwellings may be divided into multiple units provided other development standards are met. It decreases the affordability requirement when an existing dwelling is preserved from 50% of units to at least one of the units. More than two detached dwellings on a lot would require a cottage development.
- **Additional design standards for new housing types in single- and two-family zoning districts.** The focus group identified the design of the additional housing types and open space as potential issues. Through discussions with staff, there is additional language that requires 50% durable building materials; a building entrance with an entry porch, canopy, or awning; and an open space requirement for a yard, patio, or other outdoor area.

The focus group made the following additional recommendations for future zoning/subdivision text amendments:

- ADU/condo subdivisions – This would allow for the subdivision of a property with an ADU. This may be accomplished with a condo unit or otherwise dividing the property. There are financial benefits to subdividing the property and it would allow for additional ownership opportunities for ADU residents. There would not be an affordability requirement.
- Modifying unit legalization – Focus group members wanted to see changes to the existing regulations for unit legalization. Generally, there was a desire to see fewer regulations, an emphasis on legalizing units that comply with fire/life safety requirements and removal of the requirement that the unit was in place before 1995.
- Transfer of development rights from existing affordable properties to others – Members of the focus group wanted to see a program that allowed for the transfer of development rights from existing properties to other properties. This has the potential to preserve existing housing units where property owners do not want to make changes and allow for additional housing units where new development is desired.

Members of the focus group wanted additional information on how the AHI proposal applied to the recently adopted changes to the RMF-30 zoning district. Staff compared the two districts and identified the following:

- The AHI could allow for additional units in the RMF-30 beyond what is allowed with the new RMF-30 language since there is not a minimum square foot per unit requirement. This is consistent with the intent of the AHI.
- With the AHI, the total number of units would be limited by several factors, primarily the number allowed per building with the new RMF-30 (8 in a multi-family building), the building envelope, and parking requirements. For the RMF zones, the AHI also limit the number of units less than 500 sq. ft. to 25%.
- An AHI proposal would need to meet the affordability requirements, which are specific to the RMF zones.
- The bonus units in the new RMF-30, one for a single- or two-family home and two for a multifamily building, seem like they would be especially beneficial in a local historic district when there is a larger lot or room to the rear for an addition or second structure.

There are several other modifications made to the draft. They address the following items:

- Changes related to the Downtown Building Heights Text Amendment
 - CG (General Commercial): Permit additional height and change the mapped area to the Depot District proposed with the Downtown Building Heights text amendment.
 - D-1 (Central Business): Clarity when administrative design review would apply.

- D-2 (Downtown Support): Increase in additional height to provide greater benefit.
- D-3 (Downtown Warehouse/Residential): Increase in additional height to be compatible with the increase in height proposed with the amendments.
- D-4 (Downtown Secondary Central Business): Allow for administrative design review where mapped additional height is permitted.
- GMU: Increase in additional height to be compatible with the increase in height proposed with the amendments. Removes the Planned Development requirement in the GMU zoning district.
- Landscaping in Commercial Zoning Districts – Based on the feedback from the public, staff modified the landscaping requirement so that it can be met through an open space requirement that includes patios, courtyards, rooftop gardens, and other options.
- RMU-35 and RMU-45 – Allows for additional height abutting single- and two-family zoning districts.
- Annual reporting – There is additional language describing the annual reporting requirements. This can be satisfied with a report as required by another approved entity or by meeting the city’s requirements, which includes providing information on the dwelling units, rental rates, occupancy, and income verification.
- Enforcement – Reports of noncompliance and or other violations will be investigated as necessary. The fines for noncompliance are increased. A lien may be placed on the property for fines and the business license revoked.
- Removal of modifications to yards/setbacks and building coverage. This simplifies the proposal and requires development proposals to meet the yards or setbacks and building coverage of the base zoning district.
- Housekeeping and clarifying language – There are housekeeping modifications and clarifying language in several sections. These are identified and noted in the draft.

Next Steps

A second Planning Commission work session will be held on March 29, 2023. This will provide further details the proposal and answer questions from the Commission. Since it applies to properties within the historic overlay, the proposal is scheduled for discussion with the Historic Landmark Commission on April 6, 2023. A public hearing is tentatively scheduled for the Planning Commission on April 26, 2023.

- [A. ATTACHMENT A: Proposed 21A.52 Zoning Incentives Text](#)
- [B. ATTACHMENT B: Summary of Proforma and Scenario Analyses](#)
- [C. ATTACHMENT C: Single- and Two-Family Zoning District Graphics](#)
- [D. ATTACHMENT D: Updated Affordable Housing Incentives Document](#)
- [E. ATTACHMENT E: Updated Affordable Housing Incentives Summary Document](#)
- [F. ATTACHMENT F: Public Comments Received since May 11, 2022](#)

ATTACHMENT A: Proposed 21A.52 Zoning Incentives Ordinance Text

March 2023 Briefing Draft

New text since May 2022: underline

Removed text since May 2022: ~~striketrough~~

New Chapter:

21A.52 Zoning Incentives

21A.52.010 Purpose: The purpose of this chapter is to establish zoning incentives to support achieving adopted goals within the City's adopted plans and policy documents ~~and promote the increase of affordable housing.~~¹

21A.52.020 Applicability: This chapter applies as indicated within each subsection.

21A.52.030 Relationship to base zoning districts and overlay zoning districts: Unless otherwise indicated in this chapter, all base zoning district or overlay zoning district standards and requirements take precedence except as indicated in this section.

21A.52.040 Approval Process: Any process required by this title shall apply to this chapter unless specifically exempt or modified within this chapter.

- A. The Planned Development process in 21A.55 ~~shall not be used to modify any specific requirement of~~ may be modified as indicated within this chapter.²
- B. The Design Review process in 21A.59 may be modified as indicated within this chapter.
- C. Developments authorized by this chapter are exempt from 21A.10.020.B.1.

21A.52.050 Affordable Housing Incentives:

- A. Purpose: The Affordable Housing Incentives encourage the development of affordable housing. The provisions within this section facilitate the construction of affordable housing by allowing more inclusive development than would otherwise be permitted in the ~~underlying base~~ zoning districts. Housing constructed using the incentives ~~are~~ is intended to be compatible in form with the neighborhood and provide for safe and comfortable places to live and play.
- B. Applicability: The provisions in this section provide ~~an~~ optional incentives to development projects that include affordable housing units. Unless specifically stated below, all other applicable provisions in the base zoning district or ~~other~~ overlay districts shall apply.
- C. Uses: Additional housing types are allowed in zones subject to ~~complying~~ compliance with this section.
- D. Reporting and Auditing:³ Property owners who uses the incentives of this chapter are required to provide a report that demonstrates compliance with this section and any additional approvals associated with the use of incentives. The report shall be submitted annually by April 30th and shall be reflective of the financial status at the

¹ Modify since not all incentives may be for affordable housing.

² This change allows for the Planned Development process to be used as indicated.

³ This subsection and the following add reporting, auditing, and enforcement requirements along with changes to the enforcement chapter.

end of the previous calendar year. The report shall be submitted to the Director of Community and Neighborhoods or successor.

1. Annual Report and Auditing: Each property owner shall submit a report that demonstrates compliance with this chapter.
 - a. If applicable, the property owner shall submit a copy of the annual report(s) provided to Utah Housing Corporation, Olene Walker Housing Loan Fund, Housing Authority of Salt Lake City, Housing Connect, or similar funding source as determined by the Department of Community and Neighborhoods, or successors confirming compliance with affordable housing conditions, including tenant income and rent rates.
 - b. If an annual report is not submitted as required in 21A.52.050.D.1.a above, the property owner shall provide a report that includes, but is not limited to the following:
 - (1) Identify the property location, tax ID number, and legal description.
 - (2) Property owner name, mailing address, and email address.
 - (3) Information on the dwelling units and tenants of the property receiving the incentives that includes:
 - (A) The total number of dwelling units
 - (B) The number of bedrooms of each dwelling unit
 - (C) The rental rate of each dwelling unit
 - (D) Identify the dwelling units that comply with the level of affordability identified in the approval to use the incentives and a statement that the dwelling units are in compliance with the approval requirements.
 - (E) Identify any change in occupancy to the units that are required to be affordable under this section, including a change in the number of people residing in each unit and any change in tenant. Personal data is not required to be submitted.
 - (F) Confirm that income verification for all tenants was performed on an annual basis.
 - (G) Identify any differences in rent between the agreed upon rental rate in the approval to use the incentives and the actual rent received for the identified affordable dwelling units.
 - (H) Identify any instance where an affordable dwelling unit was no longer rented at the agreed upon level of affordability, the length of time the dwelling unit was not in compliance with the agreed upon level of affordability, and any remedy that was taken to address the noncompliance.
2. Review of Annual Report: The Director of Community and Neighborhoods shall review the report to determine if the report is complete.
3. Within 30 days of receipt of a complete report, the Director of Community and Neighborhoods shall provide the property owner with written notice that:
 - a. Identifies whether the property is in compliance.
 - b. Identify any deficiency in the information provided by the owner.
 - c. Assesses any penalty that is due as a result of an identified noncompliance.
4. After receipt of the notice from the Director of Community and Neighborhoods that indicates noncompliance, the property owner shall:

- a. Shall cure the identified noncompliance within 30 days of such notice and concurrently submit an updated report of then-current operations of the property that demonstrates compliance; or
 - b. Property owners can request an extension in writing prior to the expiration of the 30-day cure period identified above. The request shall include an explanation of the efforts to correct the non-compliance and the reason the extension is needed. The Director of Community and Neighborhoods will review and determine if the timeframe and extension are appropriate and whether or not fines shall be stayed during any approved extension. Upon expiration of the extension granted by the Director the property owner shall submit an updated report of then-current operations of the property that demonstrates compliance.
 - c. Pay any fine or fee that is assessed pursuant to 21A.20.040 due to any noncompliance within 14 days of achieving compliance. Any fine or fee shall be assessed from the first identified date that the property is not in compliance.
 - d. Violations of this Chapter shall be investigated and prosecuted pursuant to 21A.20, except as set forth below in 21A.52.050.E.
 5. The city may contract with another entity for review of the requirements in this section.
- E. Enforcement: Violations of this Chapter, or the restrictive covenant on the property as set forth in 21A.52.050.F.1, shall be investigated and prosecuted pursuant to 21A.20. The city shall have the additional remedies for violations as set forth below.
1. Lien on Property. If the property owner fails to make payment of the outstanding fines, then after 90 days or when fines reach \$5,000, the division will issue a statement of outstanding fines. If the property owner fails to make payment within 14 days then the division may certify the fines set forth in the statement to the Salt Lake County Treasurer. After entry by the Salt Lake County Treasurer, the amount entered shall have the force and effect of a valid judgment of the district court, is a lien on the property, and shall be collected by the treasurer of the county in which the property is located at the time of the payment of general taxes. Upon payment of the amount set forth in the statement, the judgment is satisfied, the lien is released from the property, and receipt shall be acknowledged upon the general tax receipt issued by the treasurer.
 2. Revocation of Business License. Upon a determination of the division that the property is in violation of this Chapter the city may suspend or revoke the business license associated with the property. Any suspension or revocation of a license shall not be imposed until a hearing is first held before the Director of Community and Neighborhoods or his/her successor. The licensee shall be given at least 14 days' notice of the time and place of the hearing, together with the nature of the charges against the licensee. The licensee may appear in person or through an officer, agent or attorney, to introduce evidence on the licensee's behalf, and to confront and cross-examine witnesses. The Director of Community and Neighborhoods shall make a decision based upon the evidence introduced at the hearing and issue a written decision. The licensee may appeal to an appeals hearing officer and thereafter to district court pursuant to 21A.16. If the license is revoked or suspended it shall thereafter be unlawful for any person to engage in or use, or permit to be used any property for any business with respect to which the license has been suspended or revoked until a license shall be granted upon appeal

or due to the property's compliance with this Chapter. No person whose license has been revoked, and no person associated or connected with such person in the conduct of such business, shall be granted a license for the same purpose for a period of six months after the revocation has occurred. The Director may, for good cause, waive the prohibition against persons formerly associated or connected with an individual who has had a license revoked.

~~DF. Incentives and Eligibility Standards: Developments shall meet the criteria below to be eligible for the authorized incentives. Incentive criteria:~~

1. Restrictive Covenant Required:

- a. Any owner who uses the incentives of this chapter shall enter into a legally binding restrictive covenant, the form of which shall be approved by the City Attorney. The agreement shall provide for the following, without limitation: acknowledge the use of the incentives, the nature of the approval and any conditions thereof, the affordability requirements, the terms of compliance with all applicable regulations, shall guarantee compliance for a term of 30 years, and the potential enforcement actions for any violation of the agreement. Prior to the issuance of a building permit for construction of a building using the incentives, a restrictive covenant, the form of which shall be approved by the City Attorney, shall be filed with the Salt Lake County Recorder. The agreement shall be recorded on the property with the Salt Lake County Recorder, guarantees that the affordability criteria will be met for at least 30 years, and is transferrable to any future owner.⁴
- b. For an affordable homeownership unit, a notice of sale shall be provided to the city and the city shall have a right of first refusal to any sale of the property in accordance with a future sales price that is capped to comply with section 21A.52.050.F.2.b.2 below.⁵

~~Deed Restriction Required: Prior to the issuance of a building permit for construction of a building that includes affordable housing, a deed restriction, the form of which shall be approved by the City Attorney, shall be filed with the County Recorder's office that guarantees that the affordability criteria will be met for at least 30 years from the issuance of the Certificate of Occupancy. The deed restriction shall run with the land.~~

2. The affordable units shall be both income and rent/housing payment restricted.⁶

- a. Income Restriction - The affordable units shall be made available only to Eligible Households that are qualifying occupants with an annual income at or below the SLC Area Median Income ("AMI") as applicable for the given affordable unit for Salt Lake City Utah, U.S. Department of Housing and Urban Development ("HUD") Metro

⁴ Clarifies that the agreement recorded on the property will be a restrictive covenant and adds to provisions.

⁵ Sales price will be restricted to continue to be affordable

⁶ Defines income, rental, and ownership restrictions

FMR Area (as periodically determined by the HUD and adjusted for household size).

b. Rent/Housing Payment Restriction

- (1) For an affordable rental unit, the monthly rent, including all required housing costs per unit, such as utilities and other charges uniformly assessed to all apartment units other than charges for optional services, shall be set forth in a written lease and shall not exceed, for the term of the lease, the maximum monthly gross rental rate published annually by the Utah Housing Corporation for affordable units located in Salt Lake City for the AMI as applicable for the given affordable unit type.
 - (2) For an affordable homeownership unit, the annualized housing payment, including mortgage principal and interest, private mortgage insurance, property taxes, condominium and/or homeowner's association fees, insurance, and parking, shall not exceed thirty percent (30%) of the maximum monthly income permissible for the AMI as applicable for the given affordable unit, assuming a household size equal to the number of bedrooms in the unit plus one person.
3. Comparable units: Affordable units shall be comparable to market rate units in the development including entrance location, dispersion throughout the building or site, number of bedrooms (unless otherwise permitted)⁷, access to all amenities available to the market rate units in the development, or as set forth in the terms of the restrictive covenant. This section does not apply to units in single- and two-family zoning districts.
4. The property owner shall be ineligible for affordable housing incentives pursuant to this Chapter if the property owner or its principals, partners, or agents are under enforcement for any violation of title 11, 18, 20, or 21.

G. Incentives: Developments are eligible for the incentives identified in this section. Table 21A.52.050.G establishes the affordability requirements based on the zoning district of the property. Sections 1 through 4 establish the modifications allowed within each zoning district in order to achieve the affordability incentives. To use the incentives, developments shall comply with the criteria applicable to the base zoning districts.⁸

⁷ This clarifies that where other unit mixes are permitted, ex. 10% of units as affordable when two bedrooms, these units do not have to match the mix of the other units in the building.

⁸ The table places all of the incentives in a single location to avoid duplication of language in multiple places.

Table 21A.52.050.G

Incentive Types	
Types	Incentive
<p>Type A. <u>Applicable to the single- and two-family zoning districts: FR-1, FR-2, FR-3, R-1/12,000, R-1/7,000, R-1/5,000, R-2, SR-1, SR-1A, and SR-3.</u></p>	<p><u>Dwelling units shall meet the requirements for an affordable rental or homeownership unit affordable to those with incomes at or below 80% AMI.</u> <u>New construction: At least 50% of the provided dwelling units shall be affordable.</u> <u>Existing building maintained: A minimum of one of the dwelling units shall be affordable provided the existing building is maintained as required in 21A.52.050.H.1.c⁹</u></p>
<p>Type B. <u>Applicable to residential multifamily zoning districts: RMF-30, RMF-35, RMF-45, and RMF-75</u></p>	<p><u>An affordable rental unit shall meet a minimum of at least one of the following affordability criteria:</u></p> <ol style="list-style-type: none"> <u>1. 40% of units shall be affordable to those with incomes at or below 60% AMI;</u> <u>2. 20% of units shall be affordable to those with incomes at or below 50% AMI; or</u> <u>3. 40% of units shall be affordable to those with incomes averaging no more than 60% AMI and these units shall not be occupied by those with an income greater than 80% AMI.</u> <p><u>For sale owner occupied units: An affordable homeownership unit shall provide a minimum of 50% of units affordable to those with incomes at or below 80% AMI.</u></p>
<p>Type C. <u>Applicable to zoning districts not otherwise specified.</u>¹⁰</p>	<p><u>Affordable rental or homeownership units shall meet a minimum of at least one of the affordability criteria identified. Any fractional number of units required shall be rounded up to the nearest whole number.</u></p> <ol style="list-style-type: none"> <u>1. 20% of units are restricted as affordable to those with an income at or below 80% AMI;</u> <u>2. 10% of units are restricted as affordable to those with an income at or below 60% AMI;</u> <u>3. 10% of units are restricted as affordable to those with an average income at or below 60% AMI and these units shall not be occupied by those with an income greater than 80% AMI;</u> <u>4. 5% of units are restricted as affordable to those with an income at or below 30% AMI;</u> <u>5. 10% of units are restricted as affordable to those with an income at or below 80% AMI when the affordable units have two or more bedrooms;</u>

⁹ This incentivizes maintaining the existing dwelling by lowering the required number of affordable units from a maximum of two to one. This was a recommendation from the focus group who wanted to preserve existing housing.

¹⁰ The incentives below expand on what was initially proposed and provide additional incentives for 30% AMI units, 60% AMI units, an average of 60% AMI, and larger units.

	<p>6. <u>5% of units are restricted as affordable to those with an income at or below 60% AMI when the affordable units have two or more bedrooms; or</u></p> <p>7. <u>5% of the units are restricted as affordable to those with an income at or below 80% AMI when the affordable units have three or more bedrooms.</u></p>
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3. 1. Single- and Two-Family Zoning Districts:

- a. The following housing types: twin home and two-family, three-family dwellings, four-family dwellings, row houses, sideways row houses, and cottage developments are authorized in the FR-1, FR-2, FR-3, R-1/12,000, R-1/7,000, R-1/5,000, R-2, SR-1, SR-1A, and SR-3 zoning districts provided the affordability requirements in for Type A in Table 21A.52.050.G are met. ~~subsection b. are met.~~
- b. ~~To be eligible for the incentives listed in this section, a development shall provide the following:~~
 - (1) ~~At least 50% of the provided dwelling units are affordable to those with incomes at or below 80% AMI, rental units shall be income restricted and rent restricted; and~~
 - (2) ~~Any portion of the property is located:~~
 - (A) ~~Within 1/4 mile measured in a straight line from a passenger rail stop or a bus stop that is part of a high frequency bus route with a minimum of 15 minute service during daytime hours Monday through Saturday; or~~
 - (B) ~~With street frontage on a roadway that is classified as an arterial on the adopted Major Street Plan.¹¹~~

2. RMF-30, RMF-35, RMF-45 and RMF-75 zoning districts:

- a. The qualifying provisions for density found in the minimum lot area and lot width tables for do not apply in the RMF-30, RMF-35, RMF-45, and RMF-75 zoning districts do not apply and in the RMF-30 zoning district, the minimum lot size per dwelling unit does not apply, provided the affordability requirements in subsection b. for Type B in Table 21A.52.050.G are met.¹²
- b. ~~To be eligible for the incentives listed in this section, a development shall meet the following:~~

¹¹ This removes the proximity to transit and arterial roads requirement. This opens this section of the incentives to all areas with single- and two-family zoning.

¹² This accounts for the adoption of the new RMF-30 requirements and the removal of the land use table for this zone.

- (1) ~~Rental housing shall be income restricted and rent restricted and shall meet at least one of the following affordability criteria:~~
 - (A) ~~A minimum of 40% of units shall be affordable to those with incomes at or below 60% AMI;~~
 - (B) ~~A minimum of 20% of units shall be affordable to those with incomes at or below 50% AMI; or~~
 - (C) ~~A minimum of 40% of units shall be affordable to those with incomes averaging no more than 60% AMI and these units shall not be occupied by those with an income greater than 80% AMI.~~
- (2) ~~For sale owner occupied units shall provide a minimum of 50% of units affordable to those with incomes at or below 80% AMI.~~

~~5.3. Incentives in the CB Community Business, CC Corridor Commercial, CG General Commercial, and I Institutional Zoning Districts:~~

- a. ~~The following housing types: row houses, sideways row houses, and cottage developments are authorized in zoning districts provided the affordability requirements in subsection b. are complied with;~~
- b. ~~To be eligible for the incentives listed in this section, a development shall meet the affordability requirements for Type C in Table 21A.52.050.G.¹³~~
~~To be eligible for the incentives in this section, a development shall provide a minimum of 20% of the units as affordable to those with incomes at or below 80% AMI.~~

~~6.4. The following incentives are authorized in zoning districts provided the affordability requirements for Type C in Table 21A.52.050G are complied with:~~

- a. ~~Administrative design review provided the noticing requirements of 21A.10.020 B and the standards in 21A.59 are met. Early engagement notice requirements to recognized organizations are not applicable.~~
- b. ~~Additional building height as indicated in the following sections:~~
 - (1) ~~Residential districts:~~

Zoning District	Permitted Maximum Height with Incentive
RMU-35	45' with administrative Design Review, regardless of abutting use or zone¹⁴
RMU-45	55' with administrative Design Review, regardless of abutting use or zone
RB	May build one additional story equal to or less than the average height of the other stories in the building. <u>Density limitations listed in the land use table do not apply.</u>
SR-3	May build one additional story equal to or less than the average height of the other stories in the building and maximum exterior wall height may increase up to 25'.¹⁵

¹³ This allows for the same incentive options for single-family attached housing in these zoning districts.

¹⁴ This text, and the same text for the RMU-45 district below allows for additional height when the incentives are used abutting properties single- and two-family zoned properties. The existing RMU-35 and RMU-45 sections do not allow for additional height abutting these properties.

¹⁵ Removed SR-3 from this table. Included with single- and two-family zoning districts

RMU	Maximum 125' with administrative Design Review in the mapped area in Figure 21A.24.170.F.3. May build three additional stories equal to or less than the average height of the other stories in the building with administrative Design Review outside of the mapped area in Figure 21A.24.170.F.3. ¹⁶
RO	May build one additional story equal to or less than the average height of the other stories in the building.

(2) Commercial Districts:

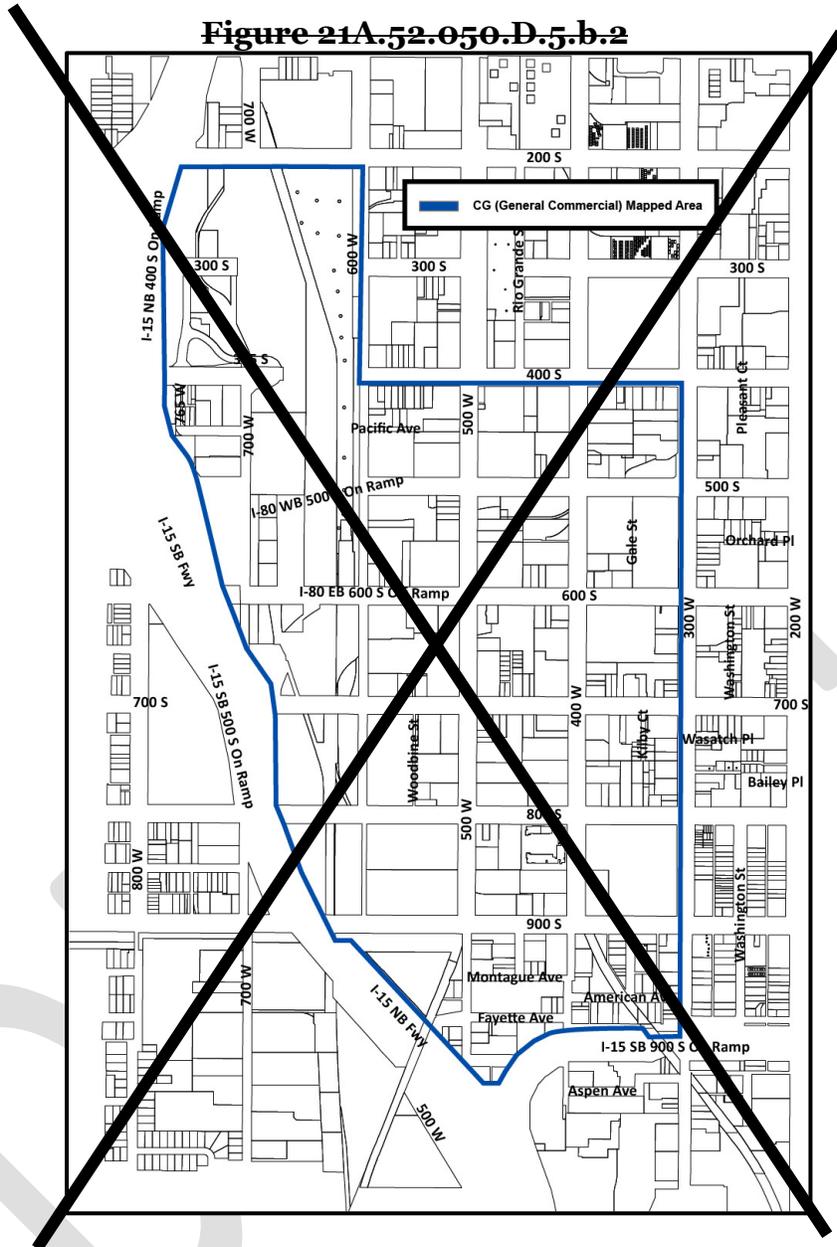
Zoning District	Permitted Maximum Height with Incentive
SNB	May build one additional story equal to or less than the average height of the other stories in the building.
CB	May build one additional story equal to or less than the average height of the other stories in the building.
CN	May build one additional story equal to or less than the average height of the other stories in the building.
CC	45' with administrative Design Review; additional landscaping not required may be met by meeting requirements in 21A.52.050.H.3.c.5. ¹⁷
CG	May build two additional stories equal to or less than the average height of the other stories in the building 90' with administrative Design Review; additional landscaping not required. 150' May build three additional stories equal to or less than the average height of the other stories in the building with administrative Design Review for properties in the mapped area in Figure 21A.52.060.D.5.b.226.070.G. ¹⁸
CSHBD1	105' for residential with structured parking, with administrative Design Review and two additional stories equal to or less than the average height of the other stories in the building with administrative Design Review.
CSHBD2	60' with administrative Design Review and one additional story equal to or less than the average height of the other stories in the building with administrative Design Review.
TSA-Transition	May build one additional story equal to or less than the average height of the other stories in the building with administrative review.
TSA-Core	May build two additional stories equal to or less than the average height of the other stories in the building with administrative review.

¹⁶ The mapped area cited will be removed. Additional height will only be permitted if affordable units are included.

¹⁷ This addresses the concern about not requiring additional landscaping by requiring open space that can be landscaped yards, patios, courtyards, or other outdoor living spaces.

¹⁸ These changes address two issues to better align with the proposed changes in the Downtown Building Heights text amendment ([Planning Commission staff report](#)). The CG changes provide alternatives for the additional landscaping as open space and it changes the map to the Depot District mapped area in that amendment and allows for an additional two stories above what is proposed for the maximum height with those changes. The existing zoning permits 60' and 90' with design review. The text amendment proposes 75', 105' with design review, and 150' is permitted within the Depot District map area.

Figure 21A.52.050.D.5.b.2



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(3) Form-based districts:

Zoning District	Permitted Maximum Height with Incentive
FB-UN3	125' and three additional stories equal to or less than the average height of the other stories in the building with administrative Design Review.
FB-UN2	May build one additional story equal to the average height of the other stories in the building.
FB-SC	May build one additional story equal to the average height of the other stories in the building.

¹⁹ Map replaced with Depot District map in the Downtown Building Heights text amendment.

FB-SE	May build one additional story equal to the average height of the other stories in the building.
FB-UN1	May build up to three stories and 30' in height.

(4) Downtown districts:²⁰

Zoning District	Permitted Maximum Height with Incentive
D-1	Administrative Design Review is permitted when a Design Review process is required.
D-2	120' and one two additional story-stories equal to or less than the average height of the other stories in the building with administrative Design Review.
D-3	90-180' and three additional stories equal to or less than the average height of the other stories in the building with administrative Design Review.
D-4	120' and three additional stories equal to or less than the average height of the stories permitted with administrative Design Review. <u>375' and administrative Design Review in mapped area in 21A.30.045.E.2.b.</u>

(5) Other districts:

Zoning District	Permitted Maximum Height with Incentive
GMU	120-180' and three two additional stories equal to or less than the average height of the other stories in the building with administrative Design Review. ²¹
MU	60' with residential units and administrative Design Review.

- c. Administrative Design Review is permitted for the following:
- (6) Buildings in the CSHBD1 and CSHBD2 zoning district that exceed 20,000 square feet in size.
 - (7) Buildings in the CB zoning district that exceed 7,500 gross square feet of floor area for a first-floor footprint or in excess of 15,000 gross square feet floor area.
- d. ~~To be eligible for the incentives listed in this section, a development shall meet the following affordability:~~
- ~~(8) 20% of units are restricted as affordable to those with an income at or below 80% AMI;~~
 - ~~(2) 10% of units are restricted as affordable to those with an income at or below 60% AMI; or~~
 - ~~(3) 10% of units are restricted as affordable to those with an income at or below 80% AMI when the affordable units have two or more bedrooms;~~²²

7.5. Planned Developments: A Planned Development is not required when the purpose of the planned development is due to the following reasons cited below, subject to approval by other city departments. If a development proposes any modification that is not listed below, planned development

²⁰ The changes to the D zoning districts are to align the incentives with the changes in the proposed Downtown Building Heights text amendment. See the [Planning Commission staff report](#).

²¹ The changes to the GMU zoning district are to align the incentives with the changes in the proposed Downtown Building Heights text amendment. See above.

²² This section is included in 4.a

approval is required. To be eligible for the incentives in this section, a development shall meet the affordability requirements for the applicable zoning district in Table 21A.52.040. ~~provide a minimum of 20% of the units as affordable to those with incomes at or below 80% AMI unless otherwise specified for the zoning district.~~

- a. Multiple Buildings on a Single Parcel: More than one principal building may be located on a single parcel and are allowed without having public street frontage. This allowance supersedes the restrictions of 21A.36.010.B;
- b. Principal buildings with frontage on a paved public alley;
- c. Principal buildings with frontage on a private street;
- d. Development located in the ~~Gateway Mixed Use (G-MU) “Planned Development Review” in 21A.31.020.C; or~~²³ Community Shopping (CS) “Planned Development Review” in 21A.26.040.C.

EH. Development Regulations: The following development regulations are intended to provide supplemental regulations and modify standards of the base zoning district for the purpose of making the affordable housing incentives more feasible and compatible with existing development. ~~Existing structures may be converted.~~ Underlying zoning standards apply unless specifically modified by this section and are in addition to modifications authorized in subsection ~~D-5~~21A.52.050.G. If there are conflicts with design standards, the more restrictive regulation shall apply and take precedence. These standards are not allowed to be modified through the planned development process.

1. Modifications in the FR-1, FR-2, FR-3, R-1/12,000, R-1/7,000, R-1/5,000, R-2, SR-1, SR-1A, and SR-3 zoning districts:
 - a. Parking: ~~Unless there is a lesser parking requirement in 21A.44. Notwithstanding the parking requirements in 21A.44,~~ only one off-street parking space per unit is required. One detached garage or covered parking space, no greater than 250 sq. ft. per unit, may be provided for each unit and these structure(s) may ~~exceed the yard and building coverage requirements for accessory structures exceed the maximum size permitted for accessory structures in the underlying zone. When covered parking is provided, the 250 sq. ft. per unit of covered parking may be combined into a single structure for each required parking stall provided.~~²⁴
 - b. Yards: Minimum required yards shall apply to the perimeter of the development and not to the individual principal buildings within the development.
 - c. Density:
 - (1) ~~Lots in the FR-1, FR-2, FR-3, R-1/12,000, R-1/7,000, R-1/5,000, R-2, SR-1, and SR-1A zoning districts created after the effective date of this chapter are only eligible if~~

²³ GMU provision removed to be consistent with changes made with the proposed Downtown Building Heights text amendment. See the [Planning Commission staff report](#).

²⁴ The parking requirement change and others with the same language throughout the draft clarify that this applies when there is a lesser parking requirement. The covered parking change provides clarity on the intent of the covered parking requirements.

the lot complies with the minimum lot area of the zoning district.²⁵

~~(2) — Lots may contain a building with up to four units. Lots with single family attached units may be divided such that each unit is on its own lot.~~⁽³⁾

~~(3)~~

~~(1) Lots approved through a planned development or legally created through another process authorized by this title after the effective date of this chapter prior to the effective date of this chapter are required to go through a major modification of the planned development to use the are not eligible for the incentives.~~

~~(2) Lots may contain up to four units. Existing lots may be divided such that each unit is on its own lot. The new lots are exempt from minimum lot area and lot width requirements.~~

~~(3) An accessory dwelling unit (ADU) is considered one unit and counts toward the number of units permitted.~~

~~(4) Arrangement of dwellings:~~²⁶

~~(A) New dwelling~~ ~~(4) Dwelling~~ units may be arranged in any manner within a building, as a second detached dwelling, as attached units, or if a cottage development with three or more detached dwellings, within the buildings that are part of the cottage development.

~~(B) When an existing building is maintained, new units may be added internal to the existing structure, as an addition, or as a second detached dwelling. Any addition must comply with the standards of the base zoning district; however, the addition may contain additional units. 50% of the exterior walls of the existing dwelling, including the front elevation, shall remain as exterior walls.~~

~~(C) The units shall comply with this section, applicable requirements of the base zoning district, and any applicable overlay district.~~

~~(5)~~

~~(5) — In the SR-3 zoning district, the minimum lot size per unit may be reduced by 25% from the minimum lot area listed in 21A.24.100.C.~~

~~d. Lot width: Minimum lot width requirements do not apply.~~²⁷

~~Building coverage: Building coverage may increase up to the existing average of the block face if the average exceeds the maximum coverage of the zone.~~

2. Within the RMF-30, RMF-35, RMF-45 and RMF-75 zoning districts the following provisions shall apply:

a. Unit Mix: No more than 25% of the units in the development shall be less than 500 square feet to promote a mix of unit sizes.

²⁵ New lots may use incentives.

²⁶ This allows for two detached dwellings on site and provides requirements for maintaining an existing building. This is a recommendation of the focus group as a way to preserve existing housing

²⁷ Exempted in c.2 above.

- b. Parking: Unless there is a lesser parking requirement in 21A.44. ~~Notwithstanding the parking requirements in 21A.44,~~ only one off-street parking space per unit is required in multifamily developments with less than 10 units.
 - c. Yards:
 - (1) The minimum required yards shall apply to the perimeter of the development and not to the individual principal buildings within the development.
 - (2) ~~For yards less than 50 ft. in width, the minimum interior side yard may be reduced by up to 25%.~~
 - d. Lot width: Minimum lot width requirements do not apply.
3. In addition to applicable requirements in 1. and 2. above, the following provisions apply to the specific building types listed:
- a. Row house and Sideways row house²⁸
 - (1) Perimeter yard requirements:
 - (A) Front yards: The front yard and corner side yard of the ~~underlying base zoning~~ district apply.
 - (B) Side yards: A minimum of 10 feet on one side of the building and 6 feet on the other interior side yard unless a greater yard is required by the base zoning district. ~~When adjacent to a public alley, a side yard may be reduced to five feet provided the building contains an unenclosed entry porch, canopy, or awning feature on the façade that faces the alley. The entry feature may not encroach in the side yard.~~
 - (C) Rear yard: The rear yard of the base zoning district applies. ~~The minimum rear yard required within the underlying zoning district may be reduced by 25%. When adjacent to a public alley, the rear yard may be reduced to five feet provided the building contains an unenclosed entry porch, canopy, or awning feature on the façade that faces the alley.~~
 - (2) Number of Units: To qualify for incentives in the FR-1, FR-2, FR-3, R-1/12,000, R-1/7,000, R-1/5,000, R-2, SR-1, and SR-1A zoning districts there is a minimum of three and a maximum of four residential dwelling units per building.
 - (3) Building length facing street:²⁹
 - (A) The building length shall not exceed 60 feet or the average of the block face, whichever is less, in FR-1, FR-2, FR-3, R-1/12,000, R-1/7,000, R-1/5,000, R-2, SR-1, and SR-1A, RMF-30, and RMF-35 districts;
 - (B) The building length shall not exceed 100 feet in the RMF-30, RMF-35, RMF-45 and RMF-75 districts; and
 - (C) The building length shall not exceed 175 feet in other zoning districts.

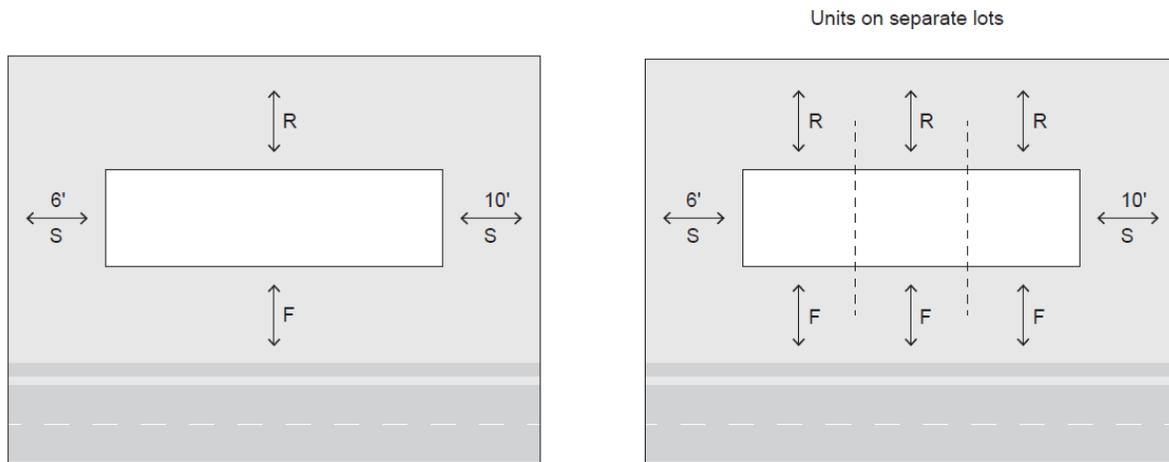
²⁸ The regulations for the two types are the same and combined in this draft.

²⁹ The modifications below provide greater consistency with the RMF-30 changes.

- (4) Building entry facing street: At least one operable building entrance on the ground floor is required for each unit facing the primary street facing façade. All units adjacent to a public street shall have the primary entrance on the street facing façade of the building with an unenclosed entry porch, canopy, or awning feature. The entry feature may encroach in the front yard setback, but the encroachment shall not be closer than 5 feet from the front property line.
- ~~(5)~~ Building materials: 50% of any street facing facade shall be clad in durable materials. Durable materials include stone, brick, masonry, textured or patterned concrete, and fiber cement board. Other materials may be used for the remainder of the facade adjacent to a street. Other materials proposed to satisfy the durable requirement may be approved at the discretion of the Planning Director if it is found that the proposed material is durable and is appropriate for the structure.³⁰
- ~~(5)(6)~~ (6) Parking requirement and location: Unless there is a lesser parking requirement in 21A.44 ~~Notwithstanding the parking requirements in 21A.44,~~ only one off-street parking space per unit is required. All provided parking shall be located to the side of the street facing building façade, behind a principal structure that has frontage on a street, or within the principal structure subject to any other applicable provision.
- ~~(6)(7)~~ (7) Garage doors facing street: Garage doors are prohibited on the façade of the building that is parallel to, or located along, a public street.
- ~~(7)(8)~~ (8) Personal outdoor space: Each unit shall have a minimum outdoor space of 60 square feet where the minimum measurement of any side cannot be less than 6 feet.
- ~~(8)(9)~~ (9) Glass: The surface area of the façade of each floor facing a street must contain a minimum of 15% glass.
- ~~(9)(10)~~ (10) Blank wall: The maximum length of any blank wall uninterrupted by windows, doors, or architectural detailing at the ground floor level along any street facing façade is 15’.
- ~~(10)(11)~~ (11) Screening of mechanical equipment: All mechanical equipment shall be screened from public view and sited to minimize their visibility and impact. Examples of siting include on the roof, enclosed or otherwise integrated into the architectural design of the building, or in a rear or side yard area subject to yard location restrictions found in section 21A.36.020, table 21A.36.020B, “Obstructions In Required Yards” of this title.

³⁰ The addition of building material regulations in this section and following sections was recommended by the focus group. The acceptable materials and process for alternative materials is similar to existing regulations, such as the TSA zoning districts.

Illustration for 21A.52.050.E.3.a.1 Required Setbacks for Public Street Facing Row House



b. Sideways row house³¹

(1) Perimeter yard requirements:

(A) Front yards: The front yard and corner side yard of the underlying zoning district shall apply.

(B) Side yards: A minimum of 10 feet on one side property line and 6 feet on the other interior side yard. When adjacent to a public alley, a side yard may be reduced to 5 feet provided the building contains an unenclosed entry porch, canopy, or awning feature on the façade that faces the alley. The entry feature may not encroach in the side yard.

(C) Rear yards: The minimum rear yard required within the underlying zoning district may be reduced by 25%. When adjacent to a public alley, the rear yard may be reduced to 5 feet provided the building contains an unenclosed entry porch, canopy, or awning feature on the façade that faces the alley.

(2) Number of Units: In the FR-1, FR-2, FR-3, R-1/12,000, R-1/7,000, R-1/5,000, R-2, SR-1, and SR-1A zoning districts there is a minimum of three and a maximum of four residential dwelling units.

(3) Building length facing street:

(A) The building length shall not exceed 60 feet or the average of the block face, whichever is less in FR-1, FR-2, FR-3, R-1/12,000, R-1/7,000, R-1/5,000, R-2, SR-1, SR-1A, RMF-30, and RMF-35 districts;

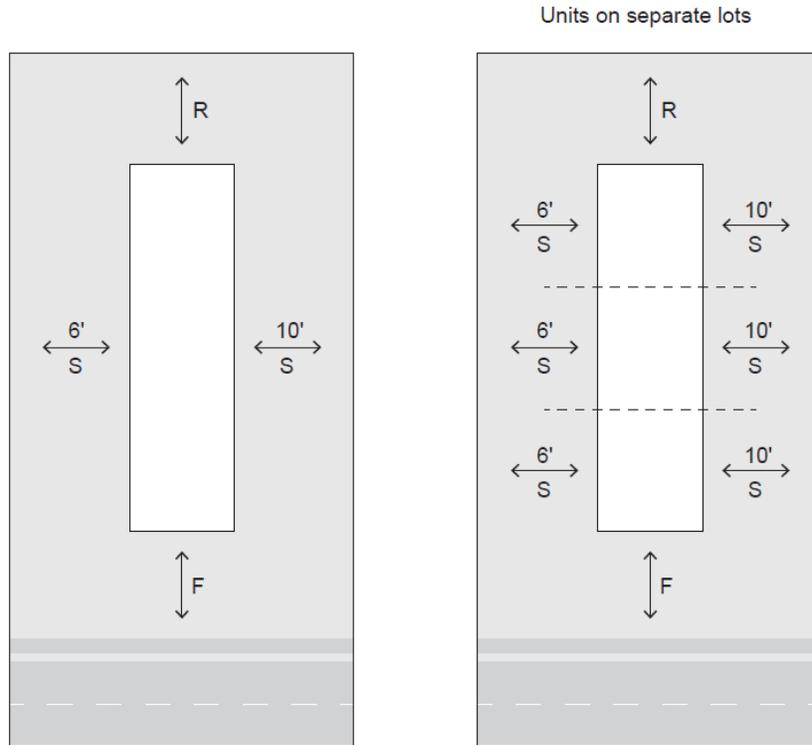
(B) The building length shall not exceed 100 feet in the RMF-45 and RMF-75 districts; and

(C) The building length shall not exceed 175 feet in other zoning districts.

³¹ These are combined with the row house standards.

- (4) — Building entry facing street: At least one operable building entrance on the ground floor is required for each unit on the primary street facing façade. All units adjacent to a public street shall have its primary entrance on the street facing façade of the building with an unenclosed entry porch, canopy, or awning feature. The entry feature may encroach in the front yard setback, but the encroachment shall not be closer than 5 feet from the front property line.
- (5) — Parking requirement and location: Notwithstanding the parking requirements in 21A.44, only one off-street parking space per unit is required. All provided parking shall be located to the side of the street facing building façade, behind a principal structure that has frontage on a street, or within the principal structure subject to any other applicable provision.
- (6) — Garage doors facing street: Garage doors are prohibited on the façade of the building that is parallel to, or located along, a public street.
- (7) — Personal outdoor space: Each unit shall have a minimum outdoor space of 60 square feet where the minimum measurement of any side cannot be less than 6 feet.
- (8) — Glass: The surface area of the façade of each floor facing a street must contain a minimum of 15% glass.
- (9) — Blank wall: The maximum length of any blank wall uninterrupted by windows, doors, or architectural detailing at the ground floor level along any street facing façade is 15’.
- (10) — Screening of mechanical equipment: All mechanical equipment shall be screened from public view and sited to minimize their visibility and impact. Examples of siting include on the roof, enclosed or otherwise integrated into the architectural design of the building, or in a rear or side yard area subject to yard location restrictions found in section 21A.36.020, table 21A.36.020B, “Obstructions In Required Yards” of this title.

Illustration for 21A.52.050.E.3.b.1 Required Setbacks for Sideways Row House



e.b. Cottage Development

(1) Perimeter yard requirements:

(A) Front yards: The front yard and corner side yard of the underlying base zoning district apply.

(B) Side yards: A minimum of 10 feet on one side property line and 6 feet on the other interior side yard, unless a greater yard is required by the base zoning district.

(C) Rear yard: The rear yard of the base zoning district applies.

(D) ~~Rear yards: The minimum rear yard required within the underlying zoning district may be reduced by 25%. When a dwelling unit is adjacent to a public alley, the rear yard may be reduced to 5 feet provided the building contains an unenclosed entry porch, canopy, or awning feature on the façade that faces the alley.~~

(2) Setbacks Between Individual Cottages: All cottages shall have a minimum setback of eight feet from another cottage.

(3) Area: No cottage shall have more than 850 square feet of gross floor area, excluding basement area. There is no minimum square foot requirement.

(4) Building Entrance: All building entrances shall face a public street or a common open space.

~~(5)~~ Building materials: 50% of any street facing facade shall be clad in durable materials. Durable materials include stone, brick, masonry, textured or patterned concrete, and fiber cement board. Other materials may be used for the remainder of the facade adjacent to a street. Other materials proposed to satisfy the durable requirement may be approved at the discretion of the Planning Director if it is found that the proposed material is durable and is appropriate for the structure.~~(5)~~

~~(6)~~ Open Space: A minimum of 250 square feet of common, open space is required per cottage. At least 50% of the open space shall be in a courtyard or other common, usable open space. The development shall include landscaping, walkways or other amenities intended to serve the residents of the development.

~~(6)~~~~(7)~~ Personal Outdoor Space: A-In addition to the open space requirement in this section, a minimum of 120 square feet of private open space is required per cottage. The open space shall provide a private yard area for each cottage and will be separated with a fence, hedge, or other visual separation to distinguish the private space.

~~(7)~~~~(8)~~ Parking: Unless there is a lesser parking requirement in 21A.44, Notwithstanding the parking requirements in 21A.44, only one off-street parking space per unit is required. All provided parking shall be located to the side of a street facing building facade, behind a principal structure that has frontage on a street, or within the principal structure subject to any other applicable provision.

~~d.c.~~ In addition to applicable requirements in 21A.52.050.H above, the following provisions apply to all other buildings containing more than two residential units. If the base zone has a greater design standard requirement, that standard applies.

(1) Perimeter yard requirements:

(A) Front yards: The front yard and corner side yard setback of the underlying base zoning district apply.

(B) Side yards: For housing types not otherwise allowed in the zoning district, a minimum of 10 feet on each side property line, unless a greater setback is required for single-family homes. When a dwelling unit is adjacent to a public alley, a side yard may be reduced to 5 feet provided the building has an unenclosed entry porch, canopy, or awning feature.

(C) Rear yards: The rear yard of the base zoning district applies. The minimum rear yard required within the underlying zoning district may be reduced by 25% except when located next to a zoning district with a permitted building height that is 35 feet or less. When a rear dwelling unit is adjacent to a public alley, the rear yard may be reduced to 5 feet provided each dwelling unit on the ground floor of the building facing

~~the alley contains an unenclosed entry porch, canopy, or awning feature on the façade that faces the alley.~~

(2) Building entrances: The ground floor shall have a primary entrance on the street facing façade of the building with an unenclosed entry porch, canopy, or awning feature ~~on the façade that faces the alley.~~ Stairs to second floor units are not permitted on street facing elevations.

(3) Glass: The surface area of the façade of each floor facing a street must contain a minimum of 15% glass.

~~(4)~~ Building materials: 50% of any street facing facade shall be clad in durable materials. Durable materials include stone, brick, masonry, textured or patterned concrete, and fiber cement board. Other materials may be used for the remainder of the facade adjacent to a street. Other materials proposed to satisfy the durable requirement may be approved at the discretion of the Planning Director if it is found that the proposed material is durable and is appropriate for the structure.

~~(4)(5)~~ Open space: Open space area may include landscaped yards, patios, dining areas, and other similar outdoor living spaces. All required open space areas shall be accessible to all residents or users of the building.³²

~~Open space area: Open space areas shall be provided at a rate of one square foot for every ten square feet of land area included in the development, up to 5,000 square feet. Open space areas include landscaped yards, patios, public plazas, pocket parks, courtyards, rooftop and terrace gardens and other similar types of open space area amenities. All required open space areas shall be accessible to all residents or users of the building.~~

(A) Single- and two-family zoning districts: 120 sq. ft. of open space with a minimum width of 6 ft. shall be provided for each building with a dwelling.

(B) All other zoning districts: A minimum of 10% of the land area within the development shall be open space, up to 5,000 square feet. Open space may include courtyards, rooftop and terrace gardens and other similar types of open space amenities. All required open space areas shall be accessible to all residents or users of the building.

~~e.d.~~ Single- and Two-family Dwellings: No additional design standards except as identified in 21A.24.

~~f.e.~~ Unit Limits: For overall development sites with more than 125 units, no more than 50% of units shall be designated as affordable units.

~~g.f.~~ Lots without public street frontage may be created to accommodate developments without planned development approval subject to the following standards:

³² Open space requirements modified for clarity and to add requirements for the single- and two-family zoning districts. The focus group recommended the addition of these requirements.

- (1) Required yards shall be applied to the overall development site not individual lots within the development. The front and corner yards of the perimeter shall be maintained as landscaped yards;
- (2) Lot coverage shall be calculated for the overall development not individual lots within the development; and
- (3) Required off street parking stalls for a unit within the development are permitted on any lot within the development.
- (4) The subdivision shall be finalized with a final plat and the final plat shall document that the new lot(s) has adequate access to a public street by way of easements or a shared driveway or private street; and
- (5) An entity, such as a homeowner association, must be established for the operation and maintenance of any common infrastructure. Documentation establishing that entity must be recorded with the final plat.

Additional Enforcement Language:

21A.20.040 Civil Fines

- A. If the violations are not corrected by the citation deadline, civil fines shall accrue at twenty five dollars (\$25.00) a day per violation for those properties legally used for purposes that are solely residential uses, and one hundred dollars (\$100.00) a day per violation for those properties used for purposes that are not residential uses.
- B. Affordable housing incentives per 21A.52.050: If the violation(s) are not corrected by the citation deadline, civil fines shall accrue at the rate set in the Consolidated Fee Schedule per day per violation. If the violation(s) include renting an affordable rental unit in excess of the approved rental rate then an additional monthly fine shall accrue that is the difference between the market rate of the unit and the approved rental rate that is agreed to by the applicant at the time of approval for a project using the incentives.

~~Affordable housing incentives per 21A.52.050: Units not maintained at approved rate: If a designated unit in an affordable housing development is not maintained at the approved rate a fine will acerue monthly until the unit is maintained at the approved rate. Accrual and payment of penalties: The monthly fine shall be the difference between the market rate of the unit and the percent of market rate that the unit in the affordable housing development was approved at under the incentives.~~

Additional Definitions in 21A.62³³

AFFORDABLE HOUSING

AFFORDABLE HOUSING DEVELOPMENT

DWELLING, THREE-FAMILY

³³ Adding new defined terms to list of terms.

DWELLING, FOUR-FAMILY

DWELLING, ROW HOUSE

DWELLING, SIDEWAYS ROW HOUSE

DWELLING, COTTAGE DEVELOPMENT

21A.62 Definitions

AFFORDABLE HOUSING: ~~Housing that is categorized based on~~ Affordable housing shall be both income and, as applicable, rent-restricted. The affordable units shall be made available only to individuals and households that are qualifying occupants at or below the applicable percentage of the Area Median Income (AMI) area median income for the Salt Lake City Utah, U.S. Department of Housing and Urban Development (“HUD”) Metro FMR Area Salt Lake Metro Area, (the “SLC Area Median Income” or “AMI”, as periodically determined by HUD and adjusted for household size) and published by the Utah Housing Corporation, or its successor as determined by the most recent survey by the U.S. Department of Housing and Urban Development. Affordable ~~dwelling~~ housing units must accommodate (30% of gross income for housing costs, including utilities) at least one of the following categories:

- a. Extremely Low-Income Affordable Units: Housing units accommodating up to 30% AMI;
- b. Very Low-Income Affordable Units: Housing units accommodating ~~up to~~ greater than 30% and up to 50% AMI; or
- c. Low-Income Affordable Units: Housing units accommodating greater than 50% and up to 80% AMI

AFFORDABLE HOUSING DEVELOPMENT: A housing development that meets the criteria in ~~21A.52.050~~ 21A.52.060.

DWELLING, THREE-FAMILY: A detached building containing three dwelling units.

DWELLING, FOUR-FAMILY: A detached building containing four dwelling units.

DWELLING, ROW HOUSE: A series of attached single-family dwellings that share at least one common wall with an adjacent dwelling unit and where the entry of each unit faces a public street. Units may be stacked vertically and/or attached horizontally. Each attached unit may be on its own lot.

DWELLING, SIDEWAYS ROW HOUSE: A series of attached single-family dwellings that share at least one common wall with an adjacent dwelling unit and where the entry of each unit faces a side yard as opposed the front yard. Units may be stacked vertically and/or attached horizontally. Each attached unit may be on its own lot.

DWELLING, COTTAGE DEVELOPMENT: A cottage development is a unified development that contains a minimum of two and a maximum of eight detached dwelling units with each unit appearing to be a small single-family dwelling with a common green or open space. Dwellings may be located on separate lots or grouped on one lot.

Modifications to existing language:

(Changes to purpose of single-family neighborhoods and adding uses)

21A.24.050: R-1/12,000 SINGLE-FAMILY RESIDENTIAL DISTRICT:

A. Purpose Statement: The purpose of the R-1/12,000 Single-Family Residential District is to provide for ~~conventional~~ single-family residential **dwelling and affordable housing developments with up to four units on residential neighborhoods** with lots twelve thousand (12,000) square feet in size or larger. This district is appropriate in areas of the City as identified in the applicable community Master Plan. 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.24.060: R-1/7,000 SINGLE-FAMILY RESIDENTIAL DISTRICT:

A. Purpose Statement: The purpose of the R-1/7,000 Single-Family Residential District is to provide for ~~conventional~~ single-family residential **dwelling and affordable housing developments with up to four units on residential neighborhoods** with lots not less than seven thousand (7,000) square feet in size. This district is appropriate in areas of the City as identified in the applicable community Master Plan. 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.24.070: R-1/5,000 SINGLE-FAMILY RESIDENTIAL DISTRICT:

A. Purpose Statement: The purpose of the R-1/5,000 Single-Family Residential District is to provide for ~~conventional~~ single-family residential **dwelling and affordable housing developments with up to four units on residential neighborhoods** with lots not less than five thousand (5,000) square feet in size. This district is appropriate in areas of the City as identified in the applicable community Master Plan. 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.24.110: R-2 SINGLE- AND TWO-FAMILY RESIDENTIAL DISTRICT:

A. Purpose Statement: The purpose of the R-2 Single- and Two- Family Residential District is to preserve ~~and protect for single family dwellings~~ the character of existing neighborhoods which exhibit a mix of **predominantly** single- and two-family dwellings ~~by controlling the concentration of two family dwelling units~~. 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 and to promote sustainable and compatible development patterns.

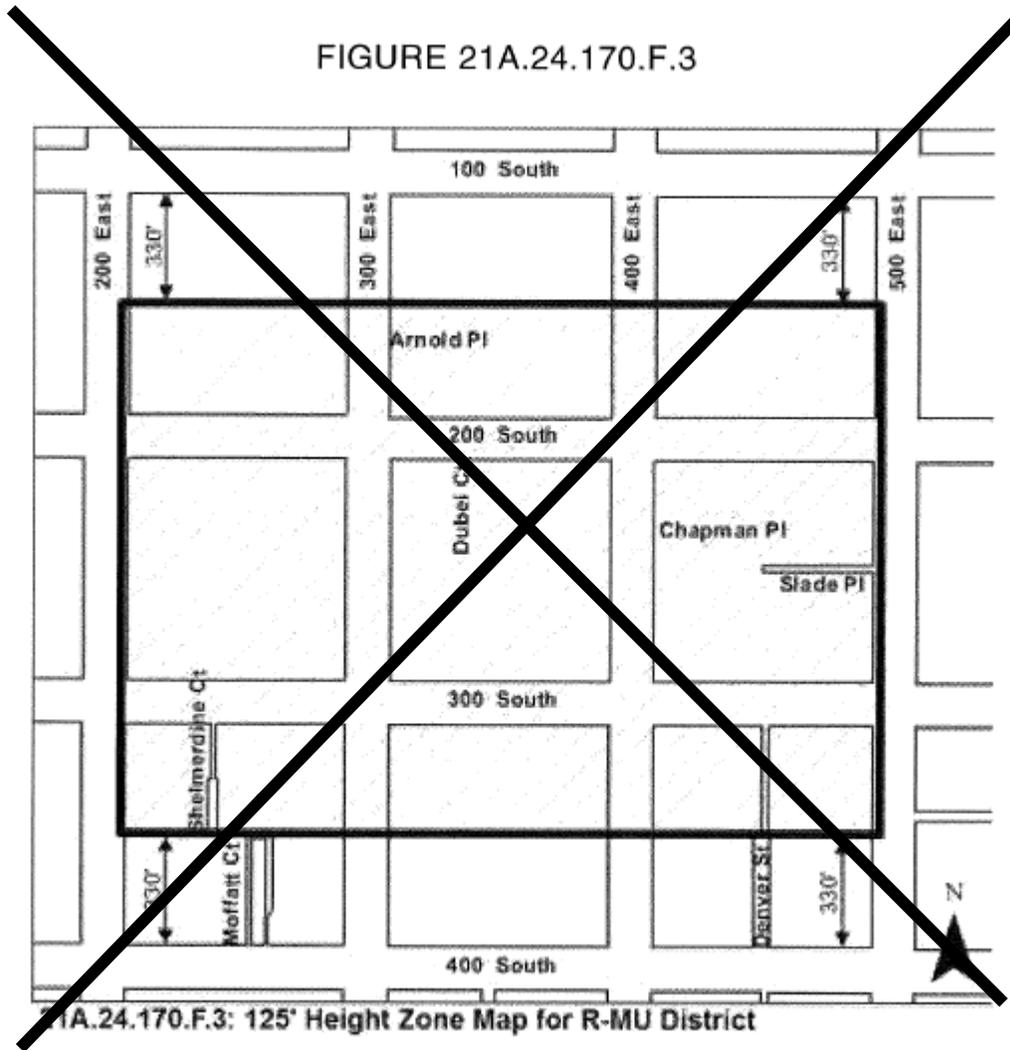
21A.24.170: R-MU RESIDENTIAL/MIXED USE DISTRICT:

F. Maximum Building Height: The maximum building height shall not exceed seventy five feet (75'), except that nonresidential buildings and uses shall be limited by subsections F1 and F2 of this section. ~~Buildings taller than seventy five feet (75'), up to a maximum of one hundred twenty five feet (125'), may be authorized through the design review process (chapter 21A.59 of this title) and provided, that the proposed height is located within the one hundred twenty five foot (125') height zone indicated in the map located in subsection F3 of this section.~~

1. Maximum height for nonresidential buildings: Forty five feet (45').
2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: Three (3) floors.

3. One hundred twenty five foot (125') height zone map for the R-MU District:

FIGURE 21A.24.170.F.3



(Staff note: The following use would be added to the existing tables.)

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

Use	Permitted And Conditional Uses By District																	
	FR -1/ 43, 56 0	FR -2/ 21, 78 0	FR -3/ 12, 00 0	R- 1/ 12, 00 0	R- 1/ 7, 00 0	R- 1/ 5, 00 0	S R -1	S R -	S R -	R -	R M F- 30	R M F- 35	R M F- 45	R M F- 75	R B	R - M U -	R - M U -	R - M U

Affordable Housing Development	<u>P</u>		<u>P</u>																
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21A.33.030: TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS:

Use	Permitted and Conditional Uses by District		
	CBN	CG	CC
Affordable Housing Development	<u>P</u>	<u>P</u>	<u>P</u>

21A.33.070: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

Use	Permitted and Conditional Uses by District
	I
Affordable Housing Development	<u>P</u>

21A.26.078

...

E. Development Standards:

...

2. Building Height: The minimum and maximum building heights are found in table 21A.26.078E2, "Building Height Regulations", of this subsection E2. ~~The following exceptions apply:~~

a. The minimum building height applies to all structures that are adjacent to a public or private street. The building shall meet the minimum building height for at least fifty percent (50%) of the width of the street facing building wall.

~~b. Projects that achieve a development score that qualifies for administrative review are eligible for an increase in height. The increase shall be limited to one story of habitable space. The height of the additional story shall be equal to or less than the average height of the other stories in the building. This is in addition to the height authorized elsewhere in this title.~~

Modifications to Existing Affordable Housing References:

21A.27.040: FB-SC AND FB-SE FORM BASED SPECIAL PURPOSE CORRIDOR DISTRICT:

C. FB-SC Building Form Standards: Building form standards are listed in table 21A.27.040.C of this section.

TABLE 21A.27.040.C
FB-SC BUILDING FORM STANDARDS

Permitted Building Forms Multi-Family And Storefront		
H	Maximum building height	Maximum building height in the FB-SC is 60 ft. An additional 15 ft. in height (for a total height of 75 ft.) may be permitted for residential uses if a minimum of 10% of the units are affordable housing.

21A.31.010: GENERAL PROVISIONS:

...

~~N. Affordable Housing:~~

- ~~1. Notwithstanding the minimum height requirements identified above, any buildings that have ten (10) or more residential units with at least twenty percent (20%) of the units as affordable shall be allowed to have a minimum building height of thirty feet (30').~~
- ~~2. Affordable housing units within a market rate development shall be integrated throughout the project in an architectural manner.~~

21A.31.020: G-MU GATEWAY-MIXED USE DISTRICT:³⁴

...

- ~~I. Affordable Housing: Notwithstanding the maximum height requirements identified above, any buildings that have at least ten (10) or more residential units with at least twenty percent (20%) of the units as affordable shall be allowed a maximum building height of ninety feet (90'). The affordable units shall be integrated throughout the project in an architectural manner.~~

21A.55.010: PURPOSE STATEMENT:

...

- 2. Preservation of, or enhancement to, historically significant landscapes that contribute to the character of the City and contribute to the general welfare of the City's residents.

...

- C. Housing: Providing affordable housing or types of housing that helps achieve the City's housing goals and policies:
 - 1. ~~At least twenty percent (20%) of the housing must be for those with incomes that are at or below eighty percent (80%) of the area median income. Affordable housing that meets the requirements of 21A.52.050.~~
 - 2. The proposal includes housing types that are not commonly found in the existing neighborhood but are of a scale that is typical to the neighborhood.

³⁴ Provision changed with proposed Downtown Building Heights Text Amendment

ATTACHMENT B: Summary of Proforma and Scenario Analyses

D-2 - Using New Downtown Building Heights standards

	Scenarios	# of Units	Lot Size (acres)	Zoning	Land Value	Market Rate					80% AMI				50% AMI				DCR/ Stabilized Cash Flow	ROC	Notes
						Studio	1 BR	2 BR	3 BR	4 BR	Studio	1 BR	2 BR	3 BR	4 BR	Studio	1 BR	2 BR			
LIHTC	LIHTC project	225	0.9375	D-2	\$8M / \$196psf / \$35.5k/door	36	96	48					9	24	12			1.14/\$577,668	4.29%	4% Tax Credits, \$3M in subsidized gap debt assumed from State, County and City Sources	
	20% units @ 50% AMI, with 1 floors above max height	255			\$8M / \$196psf / \$31.3k/door	40	109	54					11	27	14			1.14/\$664,864	4.32%	4% Tax Credits, \$3M in subsidized gap debt assumed from State, County and City Sources	
	20% units @ 50% AMI, with 2 floors above max height	285			\$8M / \$196psf / \$28k/door	45	122	60					12	30	16			1.15/\$753,879	4.44%	4% Tax Credits, \$3M in subsidized gap debt assumed from State, County and City Sources	
	20% units @ 50% AMI, with 3 floors above max height	315			\$8M / \$196psf / \$25.4k/door	50	135	66					13	33	18			1.15/\$842,894	4.51%	4% Tax Credits, \$3M in subsidized gap debt assumed from State, County and City Sources	
	20% units @ 50% AMI, with 3 floors above max height	300			\$8M / \$196psf / \$26.6k/door	48	128	64					12	32	16			1.15/\$800,763	4.40%	4% Tax Credits, \$3M in subsidized gap debt assumed from State, County and City Sources	
Market	Scenarios	# of Units	Lot Size (acres)	Zoning	Land Value	Market Rate					80% AMI				30% AMI				DCR/ Stabilized Cash Flow	ROC	Notes
	Market Rate Project, by right to zoning	225	0.9375	D-2	\$8M / \$196psf / \$35.5k/door	45	120	60									1.35/\$1.452M	5.04%			
5% @ 30%	Scenarios	# of Units	Lot Size (acres)	Zoning	Land Value	Market Rate					80% AMI				30% AMI				DCR/ Stabilized Cash Flow	ROC	Notes
	Market Rate Project, same project as above	225	0.9375	D-2	\$8M / \$196psf / \$35.5k/door	45	120	60									1.35/\$1.452M	5.04%			
	5% units @ 30% AMI, with 1 floor above max height	255			\$8M / \$196psf / \$31.3k/door	48	129	64					3	7	4			1.35/\$1.570M	4.86%	Same basic leverage and loan, parked .88 stalls/unit	
	5% units @ 30% AMI, with 2 floor above max height	285			\$8M / \$196psf / \$28k/door	54	144	72					3	8	4			1.35/\$1.749M	4.96%	Same basic leverage and loan, parked .79 stalls/unit	
	5% units @ 30% AMI, with 3 floors above max height	315			\$8M / \$196psf / \$25.4k/door	59	160	79					4	8	5			1.35/\$1.923M	5.02%	Same basic leverage and loan, parked .71 stalls/unit	
5% units @ 30% AMI, with 3 floors above max height, add'l park	300	\$8M / \$196psf / \$26.6k/door			57	152	76					3	8	4			1.35/\$1.841M	4.91%	Same basic leverage and loan, parked 1:1 (third added level is a parking level with units at street)		
5% @ 60% 2bds	Scenarios	# of Units	Lot Size (acres)	Zoning	Land Value	Market Rate					80% AMI				60% AMI				DCR/ Stabilized Cash Flow	ROC	Notes
	Market Rate Project, same project as above	225	0.9375	D-2	\$8M / \$196psf / \$35.5k/door	45	120	60									1.35/\$1.452M	5.04%			
	5% units @ 60% AMI, All 2s, with 1 floor above max height	255			\$8M / \$196psf / \$31.3k/door	51	136	55							13			1.35/\$1.592M	4.93%	Same basic leverage and loan, parked .88 stalls/unit	
	5% units @ 60% AMI, All 2s, with 2 floors above max height	285			\$8M / \$196psf / \$28k/door	57	152	61							15			1.35/\$1.769M	5.01%	Same basic leverage and loan, parked .79 stalls/unit	
	5% units @ 60% AMI, All 2s, with 3 floors above max height	315			\$8M / \$196psf / \$25.4k/door	63	168	68							16			1.35/\$1.949M	5.09%	Same basic leverage and loan, parked .71 stalls/unit	
5% units @ 60% AMI, All 2s, with 3 floors above max, add'l park	300	\$8M / \$196psf / \$26.6k/door			60	160	65							15			1.35/\$1.860M	4.96%	Same basic leverage and loan, parked 1:1 (third added level is a parking level with units at street)		
20% @ 80%	Scenarios	# of Units	Lot Size (acres)	Zoning	Land Value	Market Rate					80% AMI				60% AMI				DCR/ Stabilized Cash Flow	ROC	Notes
	Market Rate Project, same project as above	225	0.9375	D-2	\$8M / \$196psf / \$35.5k/door	45	120	60									1.35/\$1.452M	5.04%			
	20% units @ 80% AMI, with 1 floor above max height	255			\$8M / \$196psf / \$31.3k/door	40	109	54					11	27	14			1.35/\$1.563M	4.81%	Same basic leverage and loan, parked .88 stalls/unit	
	20% units @ 80% AMI, with 2 floor above max height	285			\$8M / \$196psf / \$28k/door	45	122	60					12	30	16			1.35/\$1.738M	4.89%	Same basic leverage and loan, parked .79 stalls/unit	
	20% units @ 80% AMI, with 3 floors above max height	315			\$8M / \$196psf / \$25.4k/door	48	128	64					12	32	16			1.35/\$1.912M	4.96%	Same basic leverage and loan, parked .71 stalls/unit	
20% units @ 80% AMI, with 3 floors above max height, add'l park	300	\$8M / \$196psf / \$26.6k/door			48	128	64					12	32	16			1.35/\$1.827M	4.84%	Same basic leverage and loan, parked 1:1 (third added level is a parking level with units at street)		
10% @ 60%	Scenarios	# of Units	Lot Size (acres)	Zoning	Land Value	Market Rate					80% AMI				60% AMI				DCR/ Stabilized Cash Flow	ROC	Notes
	Market Rate Project, same project as above	225	0.9375	D-2	\$8M / \$196psf / \$35.5k/door	45	120	60									1.35/\$1.452M	5.04%			
	10% units @ 60% AMI, with 1 floor above max height	255			\$8M / \$196psf / \$31.3k/door	46	122	61					5	14	7			1.35/\$1.565M	4.84%	Same basic leverage and loan, parked .88 stalls/unit	
	10% units @ 60% AMI, with 2 floors above max height	285			\$8M / \$196psf / \$28k/door	51	137	68					6	15	8			1.35/\$1.741M	4.92%	Same basic leverage and loan, parked .79 stalls/unit	
	10% units @ 60% AMI, with 3 floors above max height	315			\$8M / \$196psf / \$25.4k/door	56	152	75					7	16	9			1.35/\$1.916M	4.99%	Same basic leverage and loan, parked .71 stalls/unit	
10% units @ 60% AMI, with 3 floors above max height, add'l park	300	\$8M / \$196psf / \$26.6k/door			54	144	72					6	16	8			1.35/\$1.830M	4.87%	Same basic leverage and loan, parked 1:1 (third added level is a parking level with units at street)		
10% @ 80% 2s	Scenarios	# of Units	Lot Size (acres)	Zoning	Land Value	Market Rate					80% AMI				60% AMI				DCR/ Stabilized Cash Flow	ROC	Notes
	Market Rate Project, same project as above	225	0.9375	D-2	\$8M / \$196psf / \$35.5k/door	45	120	60									1.35/\$1.452M	5.04%			
	10% units @ 80% AMI. All 2s, with 1 floor above max height	255			\$8M / \$196psf / \$31.3k/door	51	136	42							26			1.35/\$1.588M	4.91%	Same basic leverage and loan, parked .88 stalls/unit	
	10% units @ 80% AMI. All 2s, with 2 floors above max height	285			\$8M / \$196psf / \$28k/door	57	152	47							29			1.35/\$1.766M	4.99%	Same basic leverage and loan, parked .79 stalls/unit	
	10% units @ 80% AMI. All 2s, with 3 floors above max height	315			\$8M / \$196psf / \$25.4k/door	63	168	52							32			1.35/\$1.945M	5.07%	Same basic leverage and loan, parked .71 stalls/unit	
10% units @ 80% AMI. All 2s, with 3 floors above max, add'l park	300	\$8M / \$196psf / \$26.6k/door			60	160	50							30			1.35/\$1.856M	4.94%	Same basic leverage and loan, parked 1:1 (third added level is a parking level with units at street)		
5% @ 80% 3s	Scenarios	# of Units	Lot Size (acres)	Zoning	Land Value	Market Rate					80% AMI				60% AMI				DCR/ Stabilized Cash Flow	ROC	Notes
	Market Rate Project, same project as above	225	0.9375	D-2	\$8M / \$196psf / \$35.5k/door	45	120	60									1.35/\$1.452M	5.04%			
	5% units @ 80% AMI. All 3s, with 1 floor above max height	255			\$8M / \$196psf / \$31.3k/door	51	123	42							13			1.35/\$1.640M	4.99%	Same basic leverage and loan, parked .88 stalls/unit	
	5% units @ 80% AMI. All 3s, with 2 floors above max height	285			\$8M / \$196psf / \$28k/door	57	137	76							15			1.35/\$1.825M	5.07%	Same basic leverage and loan, parked .79 stalls/unit	
	5% units @ 80% AMI. All 3s, with 3 floors above max height	315			\$8M / \$196psf / \$25.4k/door	63	152	84							16			1.35/\$2.008M	5.15%	Same basic leverage and loan, parked .71 stalls/unit	
5% units @ 80% AMI. All 3s, with 3 floors above max, add'l park	300	\$8M / \$196psf / \$26.6k/door			60	145	80							15			1.35/\$1.916M	5.02%	Same basic leverage and loan, parked 1:1 (third added level is a parking level with units at street)		

*120' is max height permitted

*Assume current land values

*Assume current market rents for the neighborhood

*Fill or modify headers as applicable

* I had to push the rents for this site/neighborhood to make it make sense; the rents might be appropriate given the greater height and quality inherent with a tall tower.

Development Scenarios

RMF-35 and TSA Apartment Buildings

Citizens West

Citizens West 2 & 3 are 100% affordable units, 25-50% AMI for all units. *Building this many units might be limited by LIHTC Equity available per cycle. Increasing the height from the existing 5 floors of residential/2 floors of parking would require change of construction type to steel, would affect DCR.

Scenarios	# of Units	Lot Size (acres)	Zoning	Land Value	Average 43% AMI			DCR/ Stabilized Cash Flow
					Studio	3 BR	4 BR	
LIHTC project (9%)	80	1	TSA-UN-T	\$1.8M	45	25	10	1.15
Same project as above, with 1 floor above max height (AHI)	97				55	30	12	*
Same project as above, with 2 floors above max height (AHI)	114*				65	35	14	*

Denver Apartments

This is a permanent supportive housing development. It is zoned RMF-35. The scenarios below show what was built based on the existing regulations and what could be built with the existing incentives. The incentives have a requirement of no more than 25% of units less than 500 sq. ft. Some units had to be enlarged and if there was not this requirement, 66 units would have fit on the site.

Scenarios	# of Units	Lot Size (acres)	Zoning	Land Value	Permanent Supportive Housing		DCR/ Stabilized Cash Flow
					Studio = 39% AMI	1 BR = 50% AMI	
Project with existing zoning requirements	22	0.9	RMF-35	We don't have a current appraisal for this parcel. When the project was done, we paid \$1M for land	10	12	1.25
LIHTC project (9%) - with allowances by incentives	53				13	40	1.25

Avia (The Exchange, Phase I)

The Avia is 80% market rate units and 20% of units are at 50% AMI

	Scenarios	# of Units	Lot Size (acres)	Zoning	Market Rate Units				Affordable Units (50% AMI)			
					Studio	1 BR	2 BR	3 BR	Studio	1 BR	2 BR	3 BR
Avia (The Exchange)	LIHTC project (4%)	286	1	TSA-UN-C	25	138	51	15	6	34	13	4
	Same project as above, with 1 floor above max height (AHI)	326			28	158	58	18	7	39	14	4
	Same project as above, with 2 floors above max height (AHI)	367			31	178	65	20	8	44	16	5

Development Scenarios Summary

Single- and Two-family zoning districts

	# of Units	Lot Size (acres)	Zoning	Land Value	Unit Size	For Sale Product, 80% AMI						For Rent Product												
						Market Rate			80% AMI			Profit	Market Price	80% AMI Price	Market Rate			80% AMI			NOI	Value	Monthly Rent Market	Monthly Rent 80% AMI
						2 BR	3 BR	4 BR	2 BR	3 BR	4 BR				2 BR	3 BR	4 BR	2 BR	3 BR	4 BR				
Scenario #1: Lower land value/Sales price neighborhood																								
Single-family Detached without AHI	1	0.15	R-1/7,000	\$185,000	2,800 sq ft + 2 car garage			1			\$ (109,043)	\$500,000	NA			1			\$20,850	\$463,333	\$2,500	NA		
Duplex with AHI	2	0.15	R-1/7,000	\$185,000	1,500 sq ft each		1		1		\$ (35,693)	\$450,000	\$350,000		1		1		\$37,852	\$841,151	\$2,300	\$2,130		
Fourplex with AHI	4	0.15	R-1/7,000	\$185,000	1,000 sq ft each	2			2		\$ 118,558	\$350,000 (x2)	\$325,000 (x2)	2			2		\$48,808	\$1,084,622	\$1,450 (x2)	\$1,450 (x2)		
Townhouses with AHI	4	0.25	R-1/7,000	\$300,000	1,730 sq ft + 2 car garage		2		2		\$ (75,150)	\$450,000 (x2)	\$300,000 (x2)		2		2		\$79,704	\$1,771,191	\$2,300	\$2,130		
Scenario #2 Higher land value/Sales price neighborhood																								
Single-family Detached without AHI	1	0.15	R-1/7,000	\$300,000	2,800 sq ft + 2 car garage			1			\$134,800	\$1,050,000	NA			1			\$27,532	\$611,822	\$3,200	NA		
Duplex with AHI	2	0.15	R-1/7,000	\$300,000	1,500 sq ft each		1		1		(\$61,150)	\$600,000	\$350,000		1		1		\$40,956	\$910,129	\$2,700	\$2,130		
Fourplex with AHI	4	0.15	R-1/7,000	\$300,000	1,000 sq ft each	2			2		\$81,350	\$450,000 (x2)	\$325,000 (x2)	2			2		\$63,172	\$1,403,822	\$1,800 (x2)	\$1,800 (x2)		
Townhouses with AHI	4	0.25	R-1/7,000	\$500,000	1,730 sq ft + 2 car garage		2		2		(\$7,610)	\$660,000 (x2)	\$350,000 (x2)		2		2		\$85,964	\$1,910,302	\$2,800 (x2)	\$2,130 (x2)		

Assumptions:

80% AMI max. for sale price for a 3 bed unit assumes 4-person household, \$81,900 annual income, 5% interest rate, 7% down payment

80% AMI max. for sale price for a 2 bed unit assumes 3-person household, \$73,750 annual income, 5% interest rate, 7% down payment

80% AMI rental rates: 1 br = \$1,537, 2 br = \$1,844, 3 br = \$2,130, 4 br = \$2,136

NOI = net operating income = annual income - annual expenses

4.5% Cap rate for all

ATTACHMENT C: Single- and Two-family Zoning District Graphics

AFFORDABLE HOUSING INCENTIVES

PROPOSED DEVELOPMENT TYPES



SALT LAKE CITY
PLANNING

The City's Planning Division is considering zoning amendments to encourage the construction of additional affordable housing. This includes adding additional housing types in many areas of the city.

ADDITIONAL HOUSING TYPES

The proposed amendments would add additional housing types including single-family attached (rowhouses and sideways row houses), fourplexes, triplexes, duplexes, and cottage developments in many areas of the city. This handout has examples of a sideways row house, fourplex, duplex, and what can be built by right in an R-1/7,000 zone.



Scaled drawing of sideways row home consistent with proposed regulations.

4 - Unit Townhome Lot Layout

Unit #	4 (1,840 SF) Units
Lot Size	10,920 SF
Building Height	20 FT
Building Coverage	3,680 SF (34%)
Front Yard Setback	20 FT
Side Yard Setbacks	10 FT , 28 FT
Rear Yard Setback	25 FT
Open Space	7240 SF (66%)
Parking	2 Car Attached Garage Per Unit (8 Stalls Total)



Scaled drawing of fourplex building consistent with proposed regulations.

4 - Plex Lot Layout

Unit #	4 (800 SF) Units
Lot Size	7,000 SF
Building Height	28 FT
Building Coverage	1,600 SF (23%)
Front Yard Setback	20 FT
Side Yard Setbacks	10 FT , 15 FT
Rear Yard Setback	61 FT
Open Space	5,400 SF (77%)
Parking	5 Surface Stalls

AFFORDABLE HOUSING INCENTIVES

PROPOSED DEVELOPMENT TYPES



SALT LAKE CITY
PLANNING



Scaled drawing of duplex consistent with proposed regulations.

Duplex Lot Layout

Unit #	2 (800 SF) Units
Lot Size	8,400 SF
Building Height	16 FT
Building Coverage	1,596 SF (20%)
Front Yard Setback	28 FT
Side Yard Setbacks	5 FT , 18 FT
Rear Yard Setback	74 FT
Open Space	6,804 SF (80%)
Parking	2 Car Garage



Scaled drawing of single-family home consistent with the existing R-1/7,000 zoning regulations.

Single Family Home Developed Under Current R-1-7000 Standards

Unit #	1 Unit (4632)
Lot Size	7,000
Building Height	28 FT
Building Coverage	2,800 SF (40%) Dwelling (2,316 SF) Detached Garage (484 SF)
Front Yard Setback	20 FT
Side Yard Setbacks	6 FT , 15 FT
Rear Yard Setback	40 FT
Open Space	3,045 SF (43%)
Parking	2 Car Detached Garage

ADDITIONAL INFORMATION

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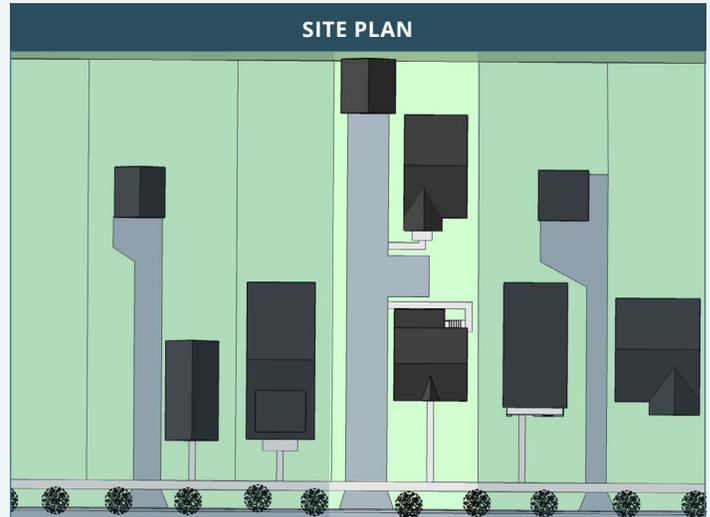
AFFORDABLE HOUSING INCENTIVES (AHI)

PRESERVATION OF EXISTING HOUSING



The update to the Affordable Housing Incentives adds provisions to encourage the preservation of existing housing. This includes allowing a second, detached dwelling on a property when the existing dwelling is maintained. This handout depicts several examples of this type of development. Development proposed using the affordable housing incentives must meet all other city regulations, including building, fire, and public utilities requirements.

LOT DETAILS	
Lot Size	11,776 SF (Width 64', Depth 184')
# of Units	3 Units (2 Single-family Detached Dwelling Units & 1 Internal Basement ADU)
Building Coverage	2,828 SF (24%)
Open Space	6,995 SF (59%)



BUILDING #1 EXISTING DWELLING
Includes Internal Basement ADU Option

Building Height	16.5 FT
Building Coverage	Dwelling (1,100 SF)
Front Yard Setback	36 FT
Side Yard Setbacks	6 FT, 28 FT
Rear Yard Setback	106 FT
Parking	2 Surface Parking Stalls
INTERNAL BASEMENT ADU OPTION	
Basement Square Footage	1,100 SF Basement Unit
Parking	1 Street Parking Stall

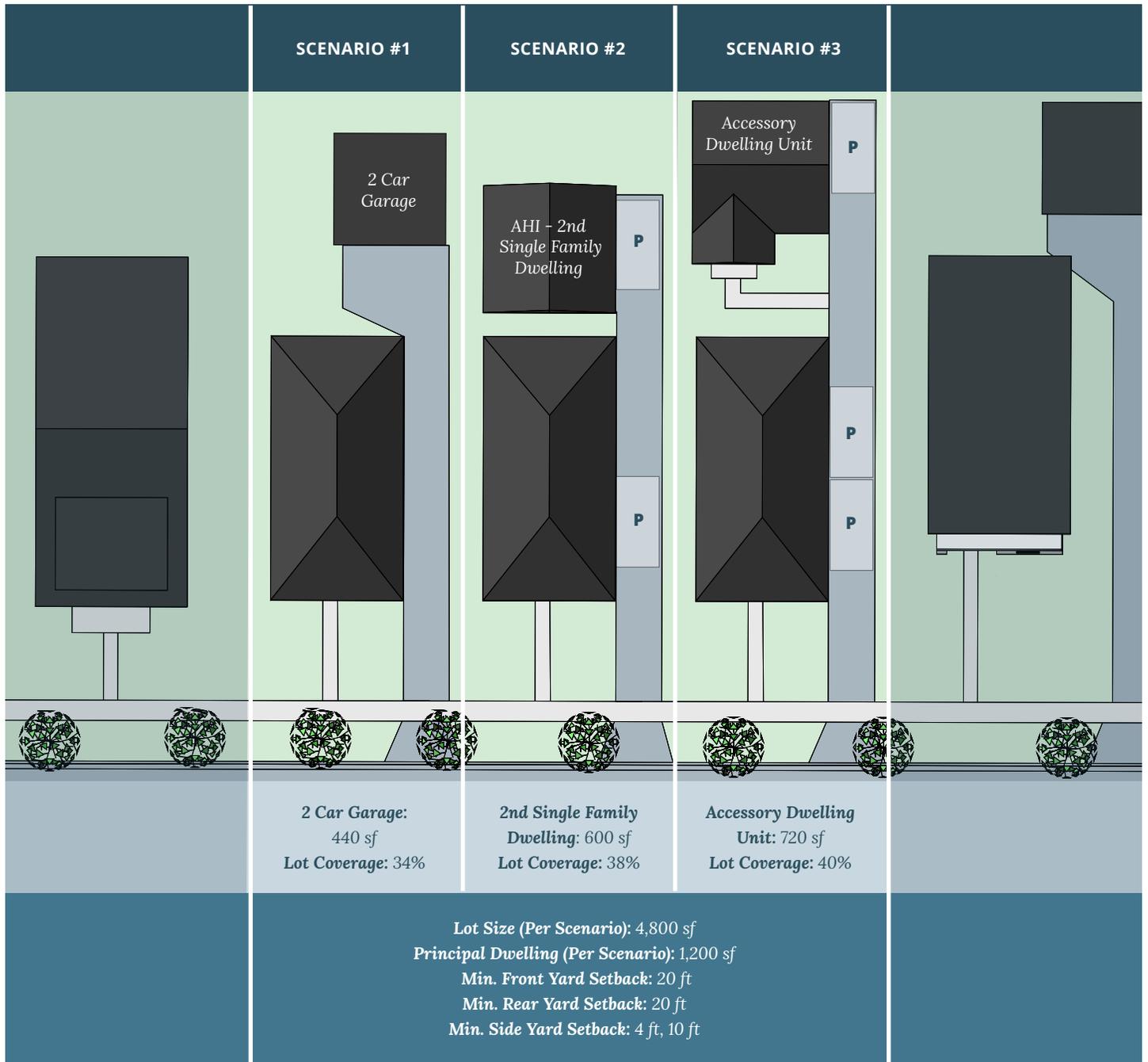


BUILDING #2
Building#1 facing public street, Building#2 behind Building#1

Building Height	16.5 FT
Building Coverage	Dwelling (1,178 SF) Detached Garage (550 SF)
Front Yard Setback	110 FT from Front Property Line
Side Yard Setbacks	6 FT, 32 FT
Rear Yard Setback	25 FT
Parking	2 Car Detached Garage

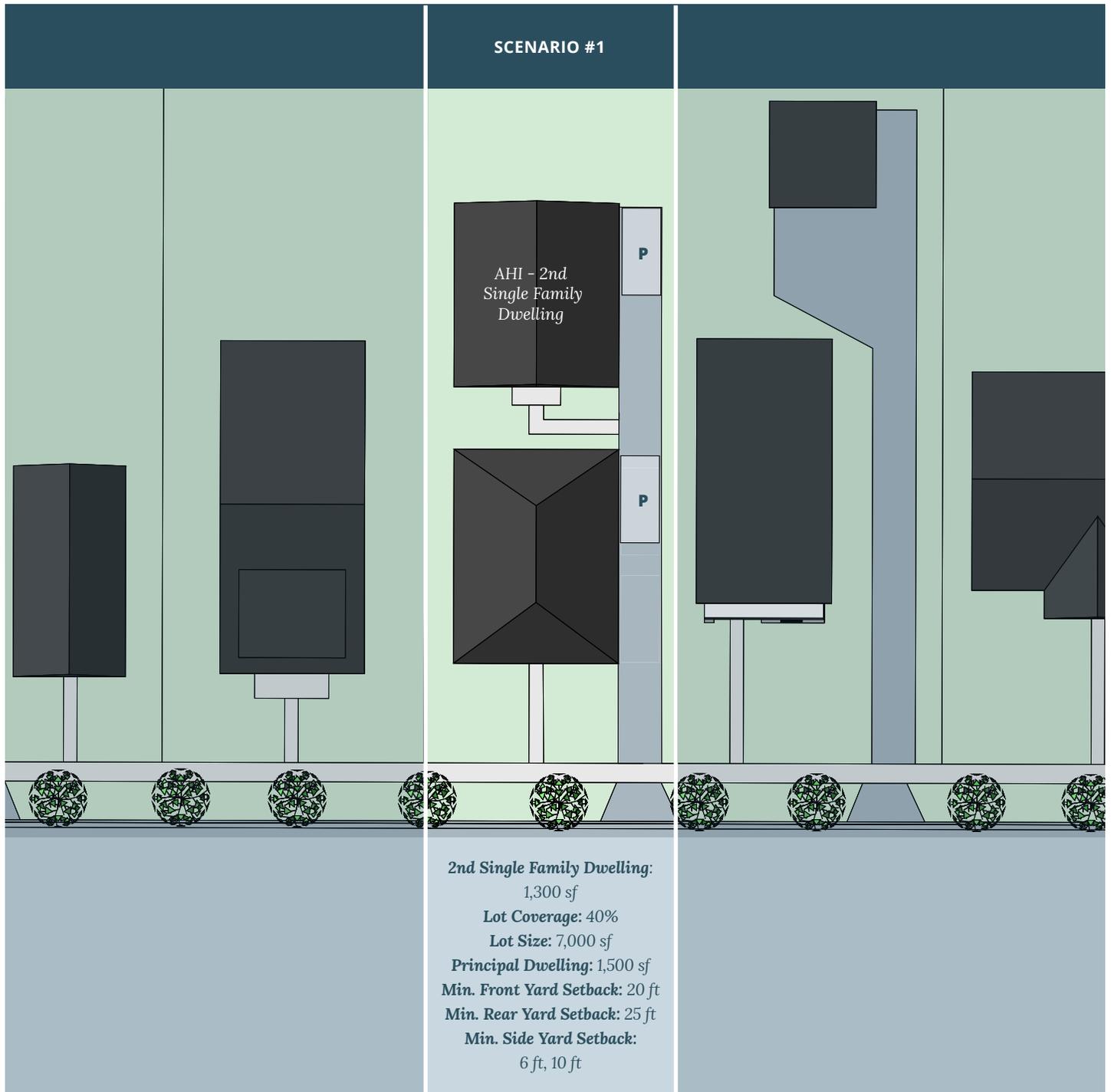
PRESERVATION OF EXISTING HOUSING

R-1-5000 SCENARIOS



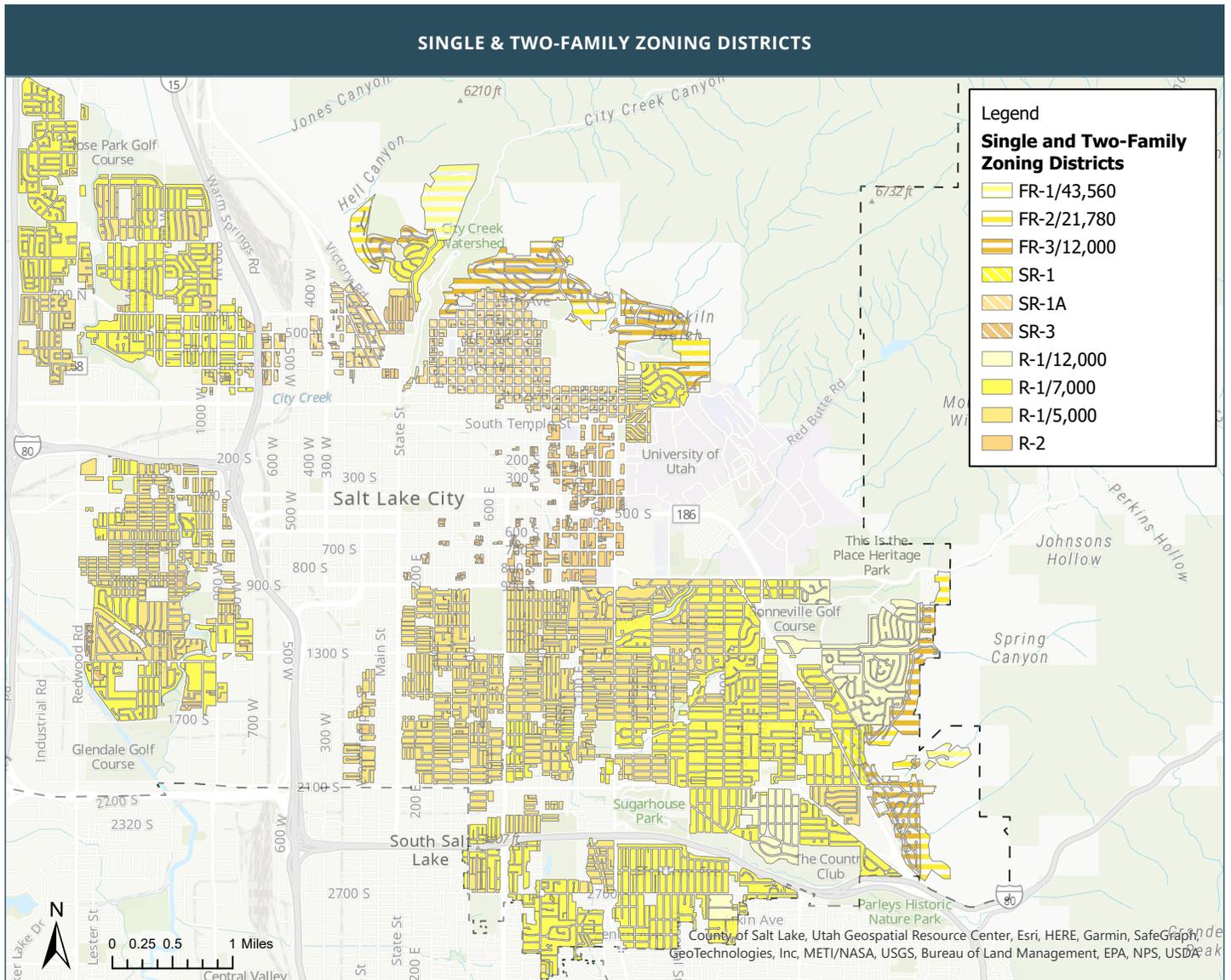
PRESERVATION OF EXISTING HOUSING

R-1-7000 SCENARIO



MAP OF SALT LAKE CITY

SINGLE & TWO-FAMILY ZONING DISTRICTS



ADDITIONAL INFORMATION

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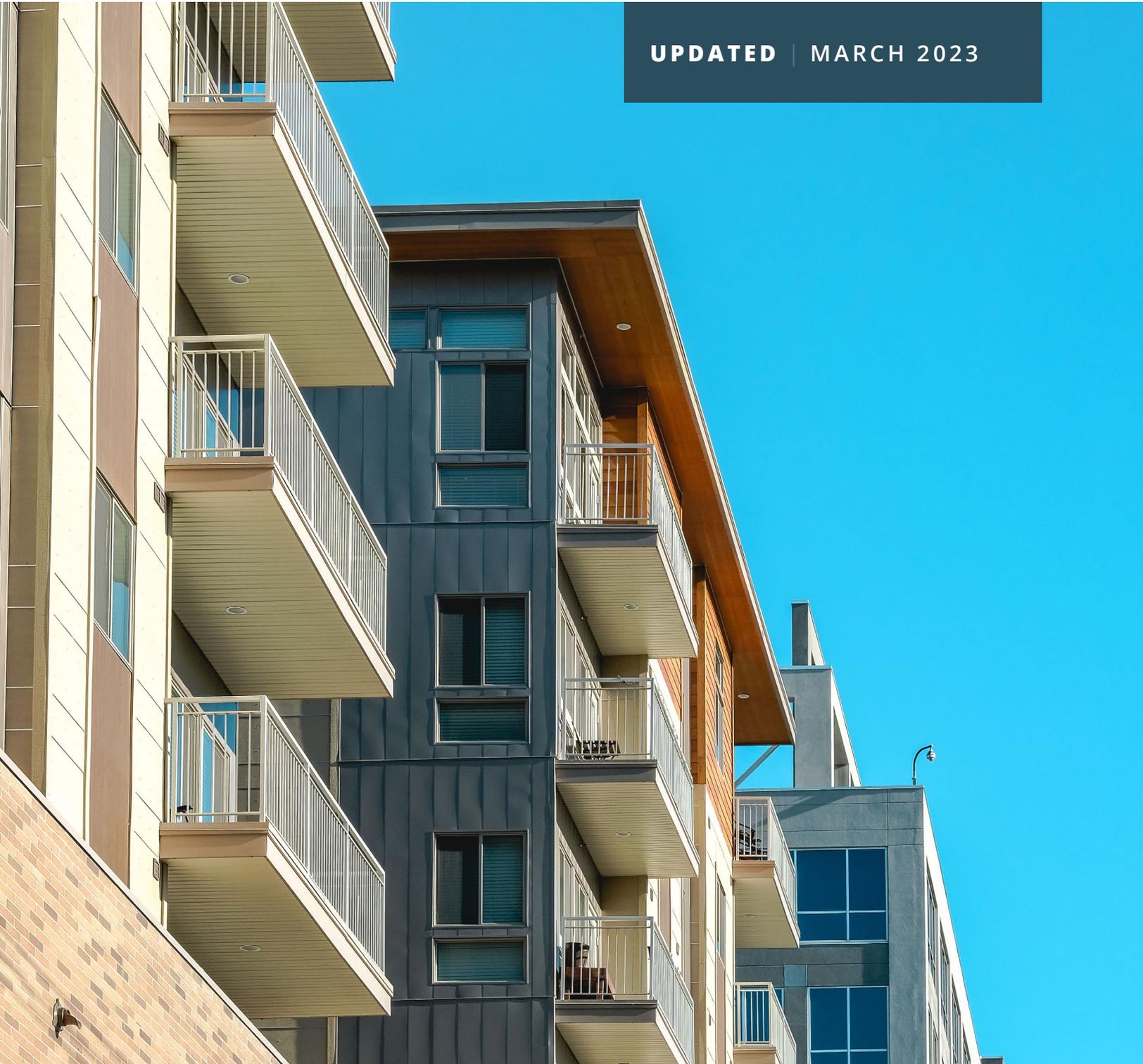
ATTACHMENT D: Updated Affordable Housing Incentives Document

SALT LAKE CITY | PLANNING DIVISION

AFFORDABLE HOUSING INCENTIVES



UPDATED | MARCH 2023



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SALT LAKE CITY PLANNING

451 S. State Street | Room 406

P.O. Box | 145480

Salt Lake City, UT 84114 - 5480



INTRODUCTION

This proposal is for affordable housing incentives. Over time, and particularly in recent years, housing in Salt Lake City has become less affordable. There are many variables affecting housing prices, including zoning regulations.

The goal of the proposed amendments are to increase affordable housing throughout Salt Lake City. Where multifamily housing is permitted, the incentives are designed to encourage developers to include affordable housing in projects and allow affordable housing developers to build more housing units. The incentives also allow for small increases in housing units throughout the city. The proposed amendments would incentivize the construction of affordable housing through modifications to the zoning requirements.

The following pages describe the project process, the proposed zoning regulations, the changes to them since presented to the Planning Commission in May 2022, and the next steps in the project process.

For additional background and historic information on context and housing in Salt Lake City, see the Affordable Housing Document from 2022: www.slcdocs.com/Planning/Projects/Affordable%20Housing%20Overlay/affordable_housing_12_28_21_draft_ordinance.pdf.

PROJECT PROCESS

The project was initiated in 2019 to address increasing concerns regarding housing affordability and to implement the city's 2018 housing plan, Growing SLC. It was initially envisioned as an overlay district and called "Affordable Housing Overlay". Since the proposal applies differently in various zoning districts, an "overlay" is not applicable, and the "Affordable Housing Incentives" are now the first section in a new incentives chapter in the city's zoning regulations.

Initial outreach on the proposal included an online survey in late 2019/early 2020. From the initial survey results, staff developed a draft framework for the incentives that serves as the basis for the current proposal. This was presented online in a [StoryMap](#) and staff requested additional feedback from the community in a survey. Based on this feedback, staff developed draft affordable housing incentives amendments to the city's zoning regulations.

Staff presented these draft amendments to the community in the winter and spring of 2022 and to the Planning Commission at a hearing in May 2022. There was a significant amount of public comment at the meeting and it is included with the staff report. The Planning Commission provided additional feedback. Staff researched options to respond to the feedback and worked with developers on scenarios and proformas.

In fall 2022, the Office of the Mayor convened a focus group comprised of community members, developers, policy advisors, and housing advocates to review the incentives and respond to feedback. This revised draft addresses these comments and incorporates changes recommended by the focus group. **This document further describes the draft zoning amendments and the changes that have been made to them.** The text for the proposed zoning amendments that would implement these changes are located in [Appendix A](#).

Additional information is available on the project page:
www.slc.gov/planning/affordable-housing.

FOCUS GROUP RECOMMENDATIONS

AFFORDABILITY LEVEL		
2022 PROPOSAL	FOCUS GROUP RECOMMENDATION	UPDATED PROPOSAL
MIXED-USE/MULTI-FAMILY ZONING DISTRICTS		
<p>A project is required to do one of the following:</p> <ul style="list-style-type: none"> • 20% of units are restricted as affordable to those with an income at or below 80% AMI; or • 10% of units are restricted as affordable to those with an income at or below 60% AMI; or • 10% of units are restricted as affordable to those with an income at or below 80% AMI when the affordable units have two or more bedrooms. 	<p>Incentives that require a higher percentage of affordable units are unlikely to be feasible for market rate developers.</p> <p>Lower number of affordable units are required to provide for more deeply affordable and larger units, otherwise the incentives will not work.</p>	<p>The affordability requirement was expanded to address size and reduce displacement as household income increases as indicated below:</p> <ul style="list-style-type: none"> • 20% of units are restricted as affordable to those with an income at or below 80% AMI; or • 10% of units are restricted as affordable to those with an income at or below 60% AMI; or • 10% of units are restricted as affordable to those with an income at or below 80% AMI when the affordable units have two or more bedrooms. • 10% of units are restricted as affordable to those with an average income at or below 60% AMI and these units shall not be occupied by those with an income greater than 80% AMI; or • 5% of units are restricted as affordable to those with an income at or below 30% AMI; or • 5% of units are restricted as affordable to those with an income at or below 60% AMI when the affordable units have two or more bedrooms; or • 5% of the units are restricted as affordable to those with an income at or below 80% AMI when the affordable units have three or more bedrooms.
SINGLE- AND TWO-FAMILY ZONING DISTRICTS		
<p>50% of units need to be affordable to those with incomes at or below 80% AMI.</p>	<p>In the single- and two-family zoning districts the proposed incentives may not provide sufficient profit for new development.</p> <p>Lower the required percentage of affordable units to one when the existing dwelling is maintained.</p>	<p>New construction: At least 50% of the provided dwelling units shall be affordable; or</p> <p>Existing building maintained: A minimum of one of the dwelling units shall be affordable provided the existing building is maintained.</p>

NEIGHBORHOOD IMPACTS		
2022 PROPOSAL	FOCUS GROUP RECOMMENDATION	UPDATED PROPOSAL
PROXIMITY TO TRANSIT		
To be eligible for the incentives single-family and two-family residential zoning districts, a property shall be within a ¼ mile of high frequency transit or located adjacent to arterial streets.	Remove proximity to transit requirements due to frequency of non-fixed transit route changes and to improve equitable distribution of additional housing types.	The proximity to transit and adjacency to arterial roads requirement for additional housing types in the single- and two-family zoning districts has been removed and no longer applies to the AHJ. The incentives would apply to all areas of single- and two-family residential districts.
DESIGN & DEVELOPMENT STANDARDS		
<ul style="list-style-type: none"> • Building entrances on street facing façades. • Glass on 15% of surface area on street facing façades. • One off-street parking space required per unit. 	<p>Additional development and design standards needed.</p> <ul style="list-style-type: none"> • Determined that a blank wall standard wasn't necessary. • Determined that additional parking wasn't necessary. 	<p>Additional standards added as indicated below:</p> <ul style="list-style-type: none"> • Clarified location requirements for building entrances. • Added 50% durable materials requirement (fiber cement, brick, concrete, etc.) for street facing façades. • Added 120 sq. ft. open space requirement with a minimum width of 6 ft. open space requirement per unit.
ENFORCEMENT		
2022 PROPOSAL	FOCUS GROUP RECOMMENDATION	UPDATED PROPOSAL
Require a restrictive covenant and annual reporting for each property.	Increase city capacity to or use third party to review annual reporting. Increase city capacity for enforcement.	Additional language provided on enforcement, annual reporting, and the restrictive covenant requirements. Provision to allow for third party review.
INFRASTRUCTURE		
2022 PROPOSAL	FOCUS GROUP RECOMMENDATION	UPDATED PROPOSAL
Existing city requirements are for developers to pay for necessary infrastructure including water, sewer, and storm water. The city has an existing water supply and demand plan from 2019 that will be updated in 2023. It takes into consideration infill and Northwest Quadrant development.	Existing plans address future water needs and emphasize system conservation.	None. Development must provide necessary upgrades to city services. City plans and policies will continue to be updated and assess for adequate infrastructure.

SUMMARY OF CHANGES

There are a number of modifications to the draft proposal presented to the Planning Commission in May 2022. Several of the major modifications are summarized below and further described in this document.

- **The removal of the proximity to transit and adjacency to arterial roads requirement for additional housing types in the single- and two-family zoning districts.** This opens the incentive up to all areas of the city within single- and two-family zoning districts, increasing its equity and availability.
- **An emphasis on the preservation of existing housing.** Members of the community and focus group did not want to see existing housing demolished. Many existing housing units are naturally more affordable than new housing units. This recommendation is addressed in the revisions by allowing for a second detached dwelling on a lot if the existing dwelling is maintained. It decreases the affordability requirement when an existing dwelling is preserved from 50% of units to at least one of the units.
- **Additional design standards for new housing types in single- and two-family zoning districts.** The focus group identified the design of the additional housing types and open space as potential issues. There is additional language that requires durable building materials, an entry feature, and open space.
- **Removal of provisions that allowed for reduction from some development standards.** The yards and setbacks of the base zoning district apply to the perimeter of the development and may not be reduced. No increase in building coverage is permitted.
- **Enforcement penalties clarified.** Enforcement of the incentives to ensure that units are occupied as required was a frequent comment from members of the community. Staff has detailed the annual reporting and auditing requirements and increased the fines that could apply. Noncompliance can result in a lien placed on the property for fines and revocation of the business license associated with the property.
- **Additional incentive options for deeply affordable and larger units.** Members of the focus group had concerns regarding the proposed affordability level and percentage of units required to be affordable. Staff and members of the development community presented information on the feasibility of the existing incentive proposal and the viability of requiring more deeply affordable units and/or a greater percentage of affordable units. Options for a lower percentage of more deeply affordable and larger units are provided.
- **Modifications for consistency with the proposed Downtown Building Heights text amendment.** The Planning Commission recommended changes to zoning districts within the downtown in August 2022 and, while these have not been adopted, staff is proposing changes to the proposal to be consistent and compatible with the proposed changes to these zoning districts.

PROGRAM BASICS, ADMINISTRATION & ENFORCEMENT

GENERAL STANDARDS

- Except for the single- and two-family zoning districts, there are requirements that the affordable units are comparable to market rate units. This includes the location of the entrance, dispersion of the units throughout the building or site, number of bedrooms, and access to all amenities available to the market rate units in the development.
- For overall development sites with more than 125 units, no more than 50% of units shall be designated as affordable units.
- The proposal does not change other city requirements, including building codes, fire codes, or public utilities requirements.

ADMINISTRATION & ENFORCEMENT

The city anticipates that additional staff time will be needed to administer the incentives program. The amount of staff time necessary will depend on the number of projects that use the incentives, and the specific incentives adopted. Administration will include the following:

- Preparing and recording a restrictive covenant agreement.
- Reviewing annual reports for compliance. This will assess whether the dwelling units, owner, and occupants are in compliance with the requirements.
- Projects that require annual reports to be provided to Utah Housing Corporation, Olene Walker Housing Loan Fund, Housing Authority of Salt Lake City, Housing Connect, or others may submit that report in lieu of the city reporting requirements.
- Reports of noncompliance and or other violations will be investigated as necessary. A lien may be placed on the property for fines and the business license revoked.





MULTI-FAMILY & MIXED-USE ZONING DISTRICTS

PROPOSAL

Permit additional height between 1-3 stories (approximately 10' per story), depending on the zone, in various zoning districts that permit multifamily housing. Allow for administrative Design Review when a Design Review process is required.

WHAT IS CHANGING FROM MAY 2022?

There are several zoning districts where the height permitted is changing from what was previously proposed. The "Proposed Maximum Height with AH Incentives" column identifies what is now proposed. The changes are identified in a footnote at the bottom of the page.

The changes include the following:

- Consistency with the proposed Downtown Building Heights Amendments.
- Four additional options for more deeply affordable or larger units.
- Modifications to encourage greater flexibility and encourage more affordable units.

The simplified administrative design review process for many zoning districts remains. When a public hearing is required, the approval process can take approximately 4-6 months and an administrative design review process could shorten this process by 2-3 months.

Proposals that wanted to use this incentive would require affordable units that meet the following characteristics: The three initial options for affordable units remain:

- 20% of units are restricted as affordable to those with an income at or below 80% AMI; or
- 10% of units are restricted as affordable to those with an income at or below 60% AMI; or
- 10% of units are restricted as affordable to those with an income at or below 80% AMI when the affordable units have two or more bedrooms.

Staff worked with market rate and affordable housing developers to test these in scenarios and proformas. Incentives that require a higher percentage of affordable units are unlikely to be feasible for market rate developers. **To provide for more deeply affordable and larger units, staff, developers, and the focus group prepared the following additional options:**

- 10% of units are restricted as affordable to those with an average income at or below 60% AMI and these units shall not be occupied by those with an income greater than 80% AMI; or
- 5% of units are restricted as affordable to those with an income at or below 30% AMI; or
- 5% of units are restricted as affordable to those with an income at or below 60% AMI when the affordable units have two or more bedrooms; or
- 5% of the units are restricted as affordable to those with an income at or below 80% AMI when the affordable units have three or more bedrooms.

WHAT IS THE GOAL?

The goal of this proposal is to encourage affordable housing in projects where it may not be built otherwise and allow for projects that are already providing affordable units to provide additional units. This is proposed by permitting additional height to encourage the development of affordable housing and, in some zoning districts, by decreasing the processing time for applications without modifying the design standards and requirements. Decreasing the processing time could allow for projects to proceed that may not have otherwise and to begin construction sooner with reduced carrying costs and development timelines.

The following Residential districts would allow for additional stories by right or with administrative design review for additional height with affordable units as follows:

DISTRICT	PERMITTED MAXIMUM HEIGHT	PROPOSED MAXIMUM HEIGHT WITH AH INCENTIVES
RMU-35	35', 45' Design Review*	45' with administrative Design Review*
RMU-45	45', 55' Design Review*	55' with administrative Design Review*
RB	30'	May build one additional story equal to or less than the average height of the other stories in the building. Density limitations listed in the land use table do not apply.†
RMU	75' residential 125' in mapped area	May build three additional stories equal to or less than the average height of the other stories in the building with administrative Design Review.**
RO	60' multifamily 90' if adjacent to a district with greater maximum height	One additional story equal to the average height of the stories permitted.

Footnotes - Changes from May 2022: Residential Districts

- * Removes prohibition of additional height for property abutting a Single-Family or Two Family Residential District.
- † Provides clarity on permitted units.
- ** Removes the mapped area and requires affordable units for additional height.
- *** Removes SR-3 from table. Limits to incentives for single- and two-family zoning districts.

The following Commercial districts would allow for additional stories by right or with administrative design review for additional height with affordable units as follows:

DISTRICT	PERMITTED MAXIMUM HEIGHT	PROPOSED MAXIMUM HEIGHT WITH AH INCENTIVES
SNB	25'	May build one additional story equal to or less than the average height of the other stories in the building.
CB	30'	May build one additional story equal to or less than the average height of the other stories in the building.
CN	25'	May build one additional story equal to or less than the average height of the other stories in the building.
CC	30' 45' Design Review and additional landscaping equal to 10% of the additional floor	45' with administrative Design Review*
CG	60' 90' Design Review and additional landscaping equal to 10% of the additional floor.	May build two additional stories equal to or less than the average height of the other stories in the building with administrative Design Review*† May build three additional stories equal to or less than the average height of the other stories in the building for properties in the mapped area in the Downtown Building Heights proposal.†
CSHBD1	105' for residential with structured parking and Design Review for buildings over 50'	105' and two additional stories equal to or less than the average height of the other stories in the building with administrative Design Review.
CSHBD2	60' for residential with Design Review over 30'	60' with administrative Design Review and one additional story equal to or less than the average height of the other stories in the building with administrative Design Review.
TSA Transition	UC-T: 60' UN-T: 50' MUEC-T: 60' SP-T: 60'	May build one additional story equal to or less than the average height of the other stories in the building with administrative review. *only allowed if affordable units are provided
TSA-Core	UC-C: 90'; 105' with two sloping planes UN-C: 75' MUEC-C: 75' SP-C: 75'	May build two additional stories equal to or less than the average height of the other stories in the building with administrative review. *only allowed if affordable units are provided

Footnotes: Changes from May 2022: Commercial Districts

* Allows for additional landscaping to be met with open space. This includes courtyards, patios, or other usable areas.

† Proposed Downtown Building Heights for CG allows for 75' & 105' with Design Review, 150' in new Depot District mapped area. Removes mapped area previously included with incentives and replaces with Depot District mapped area.

The following Form-Based districts would allow for additional stories by right or with administrative design review with affordable units as follows:

DISTRICT	PERMITTED MINIMUM OR MAXIMUM HEIGHT	PERMITTED MINIMUM OR MAXIMUM HEIGHT WITH AH INCENTIVES
FB-UN3 *pending	85' 125' Design Review	125' and three additional stories equal to or less than the average height of the stories permitted with administrative Design Review
FB-UN2	50' 65' on identified corners and in mapped area	One additional story equal to the average height of the stories permitted.
FB-SC	60' 75' with 10% affordable units	One additional story equal to the average height of the stories permitted. Moves affordable unit requirement to the incentives chapter.
FB-SE	45'	May build one additional story equal to the average height of the other stories in the building.
FB-UN1	2.5 stories, 30'	May build up to three stories and 30' in height.

The two districts below would allow for additional stories by right or with administrative design review with affordable units as follows:

DISTRICT	PERMITTED MAXIMUM HEIGHT	PERMITTED MAXIMUM HEIGHT WITH AH INCENTIVES
GMU	75' flat 90' pitched 120' Design Review	180' and two additional stories equal to or less than the average height of the other stories in the building with administrative Design Review.*
MU	45' mixed-use and residential 60' with residential and Design Review	60' with residential units and administrative Design Review

Footnotes - Changes from May 2022: GMU District

* Proposed Downtown Building Heights amendments for GMU allows for a permitted height of 75' and an increase to 180' with Design Review.

The Downtown districts would allow for additional stories by right or with administrative design review with affordable units as follows:

DISTRICT	PERMITTED MAXIMUM HEIGHT	PERMITTED MAXIMUM HEIGHT WITH AH INCENTIVES
D-1	Min. 100' corners Mid-block 100' or greater with Design Review Greater than 375' with Design Review	Administrative Design Review when a Design Review process is required.
D-2	65' 120' Design Review	120' and two additional stories equal to or less than the average height of the other stories in the building with administrative Design Review.*
D-3	75' 90' residential Design Review	180' and three additional stories equal to or less than the average height of the other stories in the building with administrative Design Review.*
D-4	75' 120' Design Review	120' and three additional stories equal to or less than the average height of the stories permitted with administrative Design Review. 375' and administrative review in mapped area.*

Footnotes - Changes from May 2022: Downtown Districts

* The proposed changes are to be consistent and compatible with Downtown Building Heights amendments that allow the following:

D-1: Minimum height of 100', with exceptions for utilities, accessory buildings, small parcels & footprints, and buildings with Design Review. Design review required for buildings greater than 200'.

D-2: Increased additional stories from one to two. Permitted height remains 120'.

D-3: Permitted height remains 75', up to 180' permitted with Design Review.

D-4: Additional height permitted with administrative review in mapped area.



WAIVE PLANNED DEVELOPMENT REQUIREMENT FOR SPECIFIC DEVELOPMENTS

PROPOSAL

Permit affordable housing developments by right that would otherwise require a Planned Development.

WHAT IS CHANGING FROM MAY 2022?

The proposed changes are to be consistent with the Downtown Building Heights proposal, which removed the Planned Development requirement for the Gateway Mixed Use zoning district (GMU).

The waiver would require affordable units as otherwise permitted in the zoning district.

Proposals in the Community Shopping (CS) zoning district:

- These modifications would apply to a small number of properties in the CS zone. There are 20 parcels with a total area of 64 acres. The parcels consist of the Brickyard, Foothill Village, Trolley Square, the Redwood Rd. shopping center with a Lucky grocery, and a church at the southwest corner of 400 S and 800 E.

Proposals for buildings and lots that do not have street frontage: This part of the proposal would allow for the development of housing in the following locations:

- Private streets
 - Improved public alleys
 - Parcels without adequate street frontage
-

This type of development currently requires a planned development, as buildings are normally required to face a public street. This could apply in various zoning districts.

From 2015-2020, the Planning Commission reviewed approximately 80 Planned Development requests. Approximately 45% of these requests included a request for lots without street frontage. The applications also requested other items, such as reduced yard setbacks or a reduction in landscaping, but for most, it is likely that the requirement for street frontage was a primary issue. The removal of this requirement for projects that provide affordable units could potentially decrease the review time and development costs for the applicant.

WHAT IS THE GOAL?

Planned development proposals often ask for modifications for reduction in the required yard setback, height, or other regulations. The purpose of the review is to ensure that the resulting development is one that is enhanced compared to a proposal that would otherwise be constructed. However, all development proposals the Community Shopping (CS) zoning districts require Planned Development approval.

This is also a Planned Development requirement for buildings that do not have street frontage, including those on public alleys or private streets. This planning process takes approximately 4-6 months and requires Planning Commission approval. Similar to the other proposals, this would decrease the review time for a project with affordable housing, and potentially enable additional projects that may not choose to proceed when this process is required. Proposals using these provisions would still need to meet other zoning district standards, including design standards.

ALLOW HOUSING ON INSTITUTIONAL LANDS

PROPOSAL

Allow affordable housing on institutional lands.

WHAT IS CHANGING FROM MAY 2022?

The previous proposal required that 20% of units are restricted as affordable to those with an income at or below 80% AMI.

The current proposal allows one of the seven options that apply to zoning districts with additional height or process waivers. These are as follows:

- 20% of units are restricted as affordable to those with an income at or below 80% AMI; or
- 10% of units are restricted as affordable to those with an income at or below 60% AMI; or
- 10% of units are restricted as affordable to those with an income at or below 80% AMI when the affordable units have two or more bedrooms; or
- 10% of units are restricted as affordable to those with an average income at or below 60% AMI and these units shall not be occupied by those with an income greater than 80% AMI; or
- 5% of units are restricted as affordable to those with an income at or below 30% AMI; or
- 5% of units are restricted as affordable to those with an income at or below 60% AMI when the affordable units have two or more bedrooms; or
- 5% of the units are restricted as affordable to those with an income at or below 80% AMI when the affordable units have three or more bedrooms.

WHAT IS THE GOAL?

The intent of this is to allow single-family and single-family attached housing on properties that are in the Institutional zoning district and excludes multifamily development. This district includes schools, hospitals, and non-profits. However, state owned land, including the University of Utah, is not subject to city zoning regulations. Future zoning amendments may be considered to allow multifamily housing.

ALLOW ADDITIONAL HOUSING TYPES

PROPOSAL

Allow additional single-family dwellings, including single-family attached units (row houses and sideways row houses), or cottages in commercial zoning districts (CB Community Business, CC Corridor Commercial, CG General Commercial) to encourage the redevelopment of underutilized land. These projects would be required to meet the standards for those housing types. Permitting single-family dwellings would allow for these dwellings in a cottage development.

WHAT IS CHANGING FROM MAY 2022?

The previous proposal required that 20% of units are restricted as affordable to those with an income at or below 80% AMI.

The current proposal allows one of the seven options that apply to zoning districts with additional height or process waivers. These are as follows:

- 20% of units are restricted as affordable to those with an income at or below 80% AMI; or
- 10% of units are restricted as affordable to those with an income at or below 60% AMI; or
- 10% of units are restricted as affordable to those with an income at or below 80% AMI when the affordable units have two or more bedrooms; or
- 10% of units are restricted as affordable to those with an average income at or below 60% AMI and these units shall not be occupied by those with an income greater than 80% AMI; or
- 5% of units are restricted as affordable to those with an income at or below 30% AMI; or
- 5% of units are restricted as affordable to those with an income at or below 60% AMI when the affordable units have two or more bedrooms; or
- 5% of the units are restricted as affordable to those with an income at or below 80% AMI when the affordable units have three or more bedrooms.

WHAT IS THE GOAL?

Allowing additional housing types could provide for more variety in development or redevelopment opportunity. It would also provide the opportunity to transition additional land to lower scale residential development.



MODIFY DENSITY LIMITS IN RESIDENTIAL MULTI-FAMILY ZONES

PROPOSAL

Allow for additional units in RMF zoning districts when affordable housing is provided.

RESIDENTIAL MULTIFAMILY (RMF) ZONING DISTRICTS

The city has four RMF zoning districts. They are located throughout the city with the greatest concentration to the east of downtown. Properties in these districts have a mix of single and multifamily uses. Many of the existing multifamily structures have density exceeding what is currently permitted in the zone.

The four districts, distinguished by their height limits are listed below:

- RMF-30
- RMF-35
- RMF-45
- RMF-75

WHAT IS THE GOAL?

The goal is to encourage the construction of affordable multifamily housing in neighborhoods that are typically close to services and amenities and have a variety of existing housing types. Removing the density requirements could increase the number properties that may accommodate affordable units. This benefit would increase the feasibility of these developments.

WHAT IS CHANGING FROM MAY 2022?

There are not changes to the affordability from the May 2022 proposal. There are additions and changes to the design standards:

- **Building materials:** 50% of any street facing facade shall be clad in durable materials.
- **Building entrances:** The ground floor shall have a primary entrance on the street facing façade of the building with an unenclosed entry porch, canopy, or awning feature. Stairs to second floor units are not permitted on street facing elevations.

WHAT AFFORDABILITY IS PROPOSED?

The existing proposal removed the existing qualifying provisions for density in the individual RMF zoning districts provided rental housing shall be income-restricted and rent-restricted and meet a minimum of at least one of the following affordability criteria if the following are met:

- 40% of units shall be affordable to those with incomes at or below 60% AMI;
- 20% of units shall be affordable to those with incomes at or below 50% AMI; or
- 40% of units shall be affordable to those with incomes averaging no more than 60% AMI and these units shall not be occupied by those with an income greater than 80% AMI.

For sale owner occupied units shall provide a minimum of 50% of units affordable to those with incomes at or below 80% AMI. This is intended to allow for a greater number of smaller and more affordable units than what is currently permitted.

WHAT DEVELOPMENT STANDARDS WOULD APPLY?

The following standards would also apply:

- **Unit Mix:** No more than 25% of the units in the development shall be less than 500 square feet to promote a mix of unit sizes.
- **Parking:** Unless there is a lesser parking requirement in 21A.44, only one off-street parking space per unit is required in multifamily developments with less than 10 units.
- **Yards:** The minimum required yards shall apply to the perimeter of the development and not to the individual principal buildings within the development.
- **Lot width:** Minimum lot width requirements do not apply.
- **Sideways row house and row house standards:** Specific yard requirements. On street facing facades buildings cannot exceed 100 feet in length and garages are not permitted. There is a maximum length of 15' for blank walls.
- No additional building coverage or height is permitted.



SINGLE & TWO-FAMILY ZONING DISTRICTS

PROPOSAL

Allow additional building types in single and two-family zoning districts with an affordable component. Affordable units need to be affordable to those with incomes at or below 80% AMI. The proposal is to allow townhouses in groups of up to four units, 3-4 unit buildings, and cottage developments on parcels that are currently zoned for single- or two-family homes. Twin and two-family homes would also be permitted in the zoning districts where they are not currently allowed.

The units could be renter or owner-occupied. The appreciation on owner-occupied units would be limited and, if sold, would require the unit to remain affordable for the remainder of the required time period.

The proposal does not change other city requirements, including requirements for building codes, fire codes, or public utilities requirements.

SINGLE-FAMILY AND TWO-FAMILY ZONING DISTRICTS

The city has six single-family zoning districts. These are divided into Foothills and R-1 districts. The Foothills districts are generally located on the periphery of the city and close to the Foothills. The R-1 districts are located closer to the center of the city. Most of these areas developed in the early to mid-20th century.

The districts and minimum lot sizes are as follows:

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

Many properties in the R-1 districts were previously zoned to allow for additional uses including two, three-, and four- family buildings.

There are four additional two-family districts where the current proposal applies:

- R-2
- SR-1
- SR-1A
- SR-3

These zoning districts allow two-family units in addition to single-family homes. This would allow for the additional housing types in these zoning districts.

NEW DWELLING TYPES

The proposal would allow these types of dwellings, provided the units met the affordability requirement:

- **Twin and Two-family Dwellings:** Twin, two-family, and duplex dwellings are not currently permitted in the single-family zoning districts (FR and R-1 zones). This proposal would permit them and require them to meet the existing standards for dwellings in the single- and two-family zoning districts.
- **Townhouses and Row houses:** These would be defined as row houses and sideways row houses similar to the recently adopted RMF-30 zoning district changes. In the single- and two-family districts, the number of attached units would be limited to four and design standards would provide greater compatibility with the existing development.
- **Three- and Four-family Dwellings:** Small, multi-unit dwellings with up to four units would be permitted with additional design standards. These modifications are to ensure greater compatibility with the existing development.
- **Cottage Development:** The proposal would allow cottage developments with similar design and standards to the recently adopted RMF-30 zoning district changes. Cottages are designed to look like single-family homes and would be permitted in groups of two to eight with a common green or open space.



Example of a 4-unit townhouse (sideways row house) on a nearly 11,000 square foot lot. Each unit is 1,840 sq. ft. with a two-car garage.

WHAT IS CHANGING FROM MAY 2022?

The focus group spent a significant amount of their discussion on the proposed incentives for the single- and two-family zoning districts. There are several changes proposed:

- **The removal of the proximity to transit and adjacency to arterial roads requirement for additional housing types in the single- and two-family zoning districts.** This opens the incentive up to all areas in single- and two-family zoning districts. This increases its equity and availability. The intent of the requirement was to encourage additional housing units in areas that are served by frequent transit (rail or bus service with 15-minute headways during peak periods) or are adjacent to arterial roads, which often have greater intensities of development. However, this requirement proved difficult because the location and frequency of the non-fixed bus routes has changed several times in the past few years. Additionally, some areas of the city were excluded and this raised concerns regarding the equity of the incentives and how they applied in different neighborhoods.
- **Addition of an incentive to preserve existing housing.** This incentive allows for the construction of a second detached dwelling on the property when an existing dwelling is maintained. When a dwelling is retained, the affordability requirement is lowered to one of the units on the property. When an existing unit is not maintained, 50% would be required to meet the affordability requirement. The proposed incentives may not provide a sufficient profit for development. This provides an alternative with a lower percentage of units required to be affordable.

- **Additional design standards requiring durable building materials, entry features, and open space. There is an existing requirement for 15% glass on street facing facades.**
 - **Building materials:** 50% of any street facing facade shall be clad in durable materials.
 - **Building entrances:** The ground floor shall have a primary entrance on the street facing façade of the building with an unenclosed entry porch, canopy, or awning feature. Stairs to second floor units are not permitted on street facing elevations. There are separate requirements for cottage developments for entries to face the street or common open space.
 - **Open space:** Open space area may include landscaped yards, patios, dining areas, and other similar outdoor living spaces. All required open space areas shall be accessible to all residents or users of the building. 120 sq. ft. of open space with a minimum width of 6 ft. shall be provided for each building with a dwelling. There are separate open space requirements for row house and cottage developments.

DEVELOPMENT STANDARDS

There are changes to the previous requirements. The following are new requirements:

- **Arrangement of Dwellings:** Dwelling units may be arranged in any manner within a building, as a second detached dwelling, as attached units, or if a cottage development with three or more detached dwellings, within the buildings that are part of the cottage development.
- **Existing Building:** When an existing building is maintained, new units may be added internal to the existing structure, as an addition, or as a second detached dwelling.

There are clarifications and modifications for the following:

- **Yards:** Minimum required yards shall apply to the perimeter of the property and not to the individual principal building(s).
- **Parking:** One parking space would be required per dwelling unit. If a property has multiple units, a minimum of one space would be required for each unit. A detached garage or carport with up to 250 sq. ft. for each unit may be provided in a single structure.
- **Subdivision:** Lots may contain up to four units. Existing lots may be divided such that each unit is on its own lot. The new lots are exempt from minimum lot area and lot width requirements.
- **Rowhouse standards:** There are specific yard requirements. On street facing facades buildings cannot exceed 60 ft. in length and garages are not permitted. There is a maximum length of 15' for blank walls.
- **Cottage standards:** There are specific yard requirements. Individual cottages cannot be more than 850 sq. ft. Open space and personal outdoor space must be provided.
- **Accessory Dwelling Unit:** An accessory dwelling unit (ADU) is considered one unit and counts toward the number of units permitted.
- No additional building coverage or building height is permitted.



Preservation of Existing Structure: Center lot depicts an existing single-family home with a basement ADU, two surface parking spaces, detached two-car garage, and new, detached single-family home to the rear. This is on a larger nearly 12,000 sq. ft. lot. The three structures have a total building coverage of 27%.

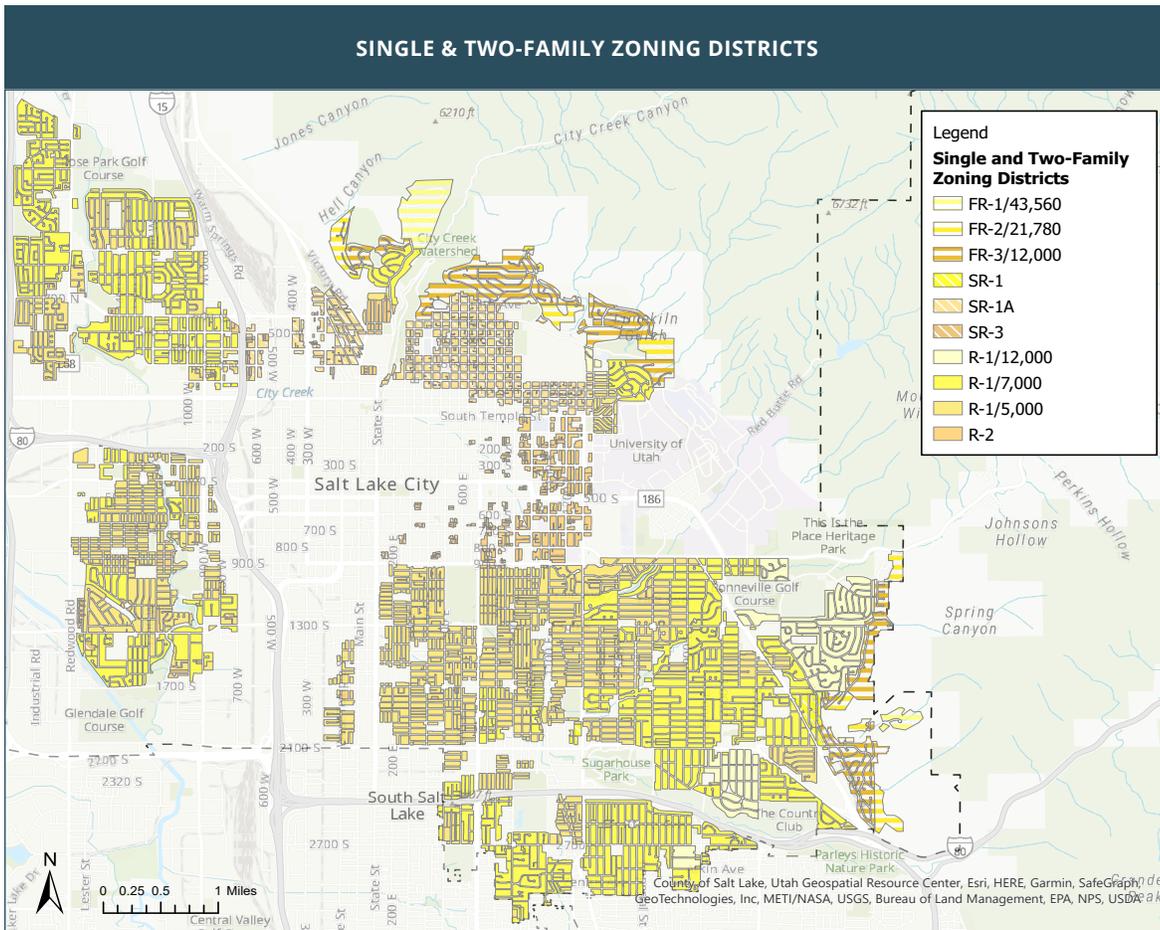
HISTORIC PRESERVATION CONSIDERATIONS

Planning staff understands that there are concerns regarding the potential demolition of historic resources. The process for construction and demolition, including review by the Historic Landmark Commission, would not change for properties that are in local historic districts or are local landmark sites. It would be difficult for a contributing, locally designated building to be demolished for construction using the affordable housing incentives. Additions and any new structures on the property would require historic review. Demolition of a non-contributing structure and new construction would need to meet historic preservation standards and guidelines.

The city's regulations do not apply to districts or individual properties that are listed on the National Register of Historic Places, but are not locally designated. The existing demolition process for these buildings would not change. Whether to redevelop a property would be up to individual property owners. Additionally, some properties that are not currently designated as local historic districts could be designated. Any new local historic district would need to meet the requirements in the city's Historic Preservation Overlay District.

WHAT IS THE GOAL?

The proposal would allow for some gentle increases in density in areas of the city that are predominantly occupied by single-family homes. Removal of the proximity to transit and arterial requirements open the option to all areas of the city zoned for single- and two-family dwellings and make this more equitable. The gentle increase in density that would be permitted is compatible with the historic development patterns of the city, where a mix of housing types, including duplexes and the division of a dwelling into multiple residences, previously occurred.



NEXT STEPS

ADOPTION PROCESS & IMPLEMENTATION

STEP 1: Planning staff is seeking additional feedback on the proposal. Public comments were included with the May 2022 staff report. Comments received after the May 2022 public hearing are included in 2023 memos and reports. Based on the feedback, in fall 2022, the Office of the Mayor convened a focus group to review the proposal and make recommendations.

Based on these discussions staff revised the proposal, and is presenting this revised document to detail the changes to the proposal. Additional comments will be included with subsequent memos and reports.

STEP 2: Review revised draft zoning ordinance text amendment language. This will be reviewed by the community, the Planning Commission at a briefing, and a subsequent public hearing. The Planning Commission provides a recommendation to the City Council who will hold an additional public hearing prior to action. Language implementing the proposal will be adopted in the Zoning Ordinance.

STEP 3: After adoption, interested parties consult with planning and other city staff to determine during the planning stages if the project meets the zoning and other applicable requirements. A planning process may be required.

STEP 4: Development plans are reviewed to make sure they comply with the incentives and applicable regulations. This would require the typical review process as well as an additional review to ensure compliance with the incentives and a restrictive covenant placed on the property. This would be required prior to the issuance of a building permit.

STEP 5: Building is constructed and after completion, a report is submitted annually to verify compliance with the requirements of affordability.

APPENDIX A: DRAFT LANGUAGE

DRAFT ORDINANCE LANGUAGE

See Attachment A



ATTACHMENT E: Updated Affordable Housing Summary Document



AFFORDABLE HOUSING INCENTIVES

ZONING TEXT AMENDMENT



The City's Planning Division is considering zoning amendments to encourage the construction of additional affordable housing. This includes affordable housing incentives that would modify zoning requirements in some areas of the city. This document provides a summary of the changes and updates from the May 2022 proposal.

PROPOSAL

The proposed zoning amendments would incentivize the construction of designated affordable units, lessening the burden for those that would qualify and live in these units. Residential units that wanted to use the incentives would be required to place a restrictive covenant on the property for the units to be made available to qualifying households. The proposal could apply to rental housing units and for sale units.

This document summarizes the proposal. See more information at: www.slcc.gov/planning/affordable-housing

PROJECT OBJECTIVE

The proposed amendments would incentivize the construction of affordable housing through modifications to the zoning requirements.

Over time, and particularly in recent years, housing in Salt Lake City has become less affordable. There are many variables affecting housing prices, including zoning regulations.

The goal of the proposed amendments are to increase affordable housing throughout Salt Lake City. Where multifamily housing is permitted, the incentives are designed to encourage developers to include affordable housing in projects and allow affordable housing developers to build more housing units. The incentives also allow for small increases in housing units throughout the city.

Other recent and upcoming zoning changes further enable the construction of more housing. However, there are issues and concerns that zoning cannot address, including job wages, home prices, and, outside of these proposed amendments, the types of units constructed, and the rents charged.

SUMMARY OF INCENTIVES

Multi-family and Mixed-Use Zoning Districts

- Permit additional height, between 1-3 stories (approximately 10' per story), depending on the zone in various zoning districts that permit multifamily housing.

Residential Multifamily Zoning Districts

- Remove the density requirements in the RMF zoning districts, if the proposal meets the affordability requirements.
- No additional height permitted.
- Only 25% of the units could be 500 square feet or smaller.
- Add development and design standards for rowhouse, sideways rowhouse, cottage, and other building forms.

Single- and Two-family Zoning Districts

- Allow additional building types in single- and two-family zoning districts provided 1-2 of the units would be affordable.
- Allow townhouses in groups of up to four, 3-4 unit buildings, and cottage developments on parcels that are currently zoned for single- or two-family homes. Twin and two-family homes would also be permitted in the zoning districts where they are not currently allowed.
- Add development and design standards for these dwellings.

Other Incentives

- Waive the Planned Development process for some proposals when affordability requirements are met.
- Allow single-family and single-family attached housing on Institutional zoned land. Future zoning amendments may be considered to allow multifamily housing.
- Allow additional housing types in the CG (General Commercial), CC (Community Commercial), and CB (Community Business) zoning districts to encourage the redevelopment of underutilized land. These districts permit multifamily housing, but not single-family dwellings, including single-family attached units, or cottages.

SUMMARY OF CHANGES

There are a number of modifications to the draft proposal presented to the Planning Commission in May 2022:

- The removal of the proximity to transit and adjacency to arterial roads requirement for additional housing types in the single- and two-family zoning districts. This opens the incentive up to all areas of the city within single- and two-family zoning districts, increasing its equity and availability.
- An emphasis on the preservation of existing housing. The revisions incentivize retaining an existing dwelling. The affordability requirement when an existing dwelling is preserved decreases from 50% of units to at least one of the units.
- Additional design standards for new housing types in single- and two-family zoning districts. There is additional language that requires durable building materials, an entry feature, and an open space.
- Enforcement penalties detailed. There are additional annual reporting requirements and an increase in the fines that could apply. Noncompliance can result in a lien placed on the property for fines and revocation of the business license associated with the property.
- There are additional incentive options for more deeply affordable and larger units. These allow for a lower percentage of units to be set aside, ranging from 5-10% of units.
- Modifications for consistency with the proposed Downtown Building Heights text amendment. The Planning Commission recommended changes to zoning districts within the downtown in August 2022. Pending adoption, staff is proposing changes to the proposal to be consistent and compatible with the proposed changes to these zoning districts.

PROJECT TIMELINE



ATTACHMENT F: Public Comments Received Since May 11, 2022

Additional Comments

Written comments received following the Planning Commission hearing are attached.

From: [Lindquist, Kelsey](#)
To: [Javoronok, Sara](#)
Subject: FW: (EXTERNAL) inability to comment
Date: Tuesday, May 31, 2022 9:01:01 AM

From: Beth Blattenberger [REDACTED]
Sent: Saturday, May 28, 2022 10:59 AM
To: Zoning <Zoning@slcgov.com>
Subject: (EXTERNAL) inability to comment

I have tried to send email to Sarah Javoronok on various occasions, only to receive a message that the email cannot be delivered because her box is full. If the City is unable to read comments from residents, I hope you will not make any changes to zoning until you catch up.

Here is the message I tried to send.

I am disturbed by what I am hearing about proposed rezoning and incentives for density.

I believe in density as opposed to sprawl, but it needs to be well done, and neighborhood character needs to be preserved.

I live in the 9th and 9th neighborhood which has mixed single family homes and 4-plexes. Unfortunately, the 4-plexes have been constructed in an insensitive way with apparently no design guidelines. Most of the buildings in the neighborhood side streets are single family and older with unique styles for each one. It is a very friendly and supportive neighborhood although I'm not so sure the 4-plex residents participate in the same neighborly way. The neighborhood is not recognized as historic, but I hope that is not a reason to ignore its value.

SLC needs some density centers like Sugarhouse, but let's not have multifamily anywhere and everywhere. I've also heard about some very narrow yard widths being approved.

It's pretty widely accepted that the value of a home depends on the neighborhood and especially what is next door. Many people do not want to live next to an ugly 4-plex. I would be horrified if one was built next to us. The ones in my 9th and 9th neighborhood do not have any neighborly presence to the street or alley - all the entrances are on the side - and the designs are not attractive. I believe it's important to limit where these can go and create design standards. Will the City not only give incentives to developers, but also compensate neighbors for their decline in home value?

The value of my home is not just the value of the house but the value of living in my neighborhood. Everyone knows it's location, location and location. Please do not destroy neighborhood values.

Please put me on a list to know about proposed changes and given an opportunity to comment.

Beth Blattenberger

From: [Betsy Oswald](#)
To: [Fowler, Amy](#); [City Council Liaisons](#)
Cc: [Javoronok, Sara](#); [Mayor](#); eschler@slcgov.com; [Puy, Alejandro](#); [Wharton, Chris](#); ana.vlademoros@slcgov.com; [Mano, Darin](#); [Dugan, Dan](#)
Subject: (EXTERNAL) Voicing my Opposition to the Affordable Housing Overlay Plan
Date: Sunday, September 11, 2022 2:35:58 PM

Dear Amy and City Council Liaisons,

I am one of your constituents who has lived in the Highland Park neighborhood for 20+ years.

I'm writing to reiterate my belief that the proposed affordable housing zoning change is NOT a good solution to the City's affordable housing issue. I believe the most efficient, cost-effective, and reasonable way to increase housing density is to create high density housing projects, not tear down existing single family homes. Existing residents do not want to live next to high density housing.

I've read and reviewed the documents, I've attended Zoom meetings (and watched and re-watched them to be sure I understand), I've visited with my friends and neighbors, and I've really tried to thoughtfully consider the proposal from many perspectives. As I've considered all of this, I keep coming back to this conclusion:

It's simply not possible to retain the character of my Highland Park neighborhood AND accommodate high density housing at the same time. You can have one or the other, but you can't have both. As a long-term (22+ years) resident of Sugarhouse, I've seen how the increased density in the area has clogged the streets, created failed intersections, created parking nightmares, created pedestrian nightmares. The current Sugarhouse density - and many of the structures aren't finished or even started yet! - is untenable, unsightly, and not enjoyable to live in/near. More is not better!

Please listen to residents' input who voted you into office. We have spoken. We DO NOT want the affordable housing overlay to pass!

Thank you,
Betsy Oswald

From: [Bob Moore](#)
To: [Javoronok, Sara](#)
Subject: (EXTERNAL) Affordable Housing Zone
Date: Friday, May 13, 2022 7:41:43 AM

As a resident of Salt Lake City, I am extremely opposed to this overlay zone to allow duplex, triplex or fourplex's etc. to replace single family homes. This will completely destroy the integrity of any single family neighborhood it is applied to.

Using this overlay zone to will be a developer dream and a city resident's nightmare. Developers will buy up every single family home available for this higher land use. They can afford to pay above market price because you will give them rights the single family homes don't have like 1 foot building limits, increased density etc.

Developers will only be motivated to build max size structures with no regard to the integrity of the neighboring property or neighborhood. People wanting to buy a house and live in a neighborhood will be priced out by these high density developers.

This proposal seems to be aimed at giving developers a bonanza opportunity to capitalize on the wonderful atmosphere and value the great citizens of our city have created by living in and maintaining their homes in the bedroom communities around in Salt Lake.

I have been a real estate developer for over 40 years and I know there are better ways to address the low income housing crisis we are facing than destroying our cities wonderful neighborhoods just to give developers an easy way to make money.

Please vote against this proposal.

Bob Moore

Sent by iBob

From: [CM Crompton](#)
To: [Javoronok, Sara](#)
Subject: (EXTERNAL) Affordable Housing Incentives
Date: Wednesday, March 15, 2023 4:09:54 PM

A follow-up to my phone call : What financial incentives is the city prepared to offer developers/landlords to build and rent affordable housing? Tax breaks, etc. Have the previous 30-plus tear-downs in my neighborhood supplied any affordable housing? If so what are the rent rates and locations.

Affordable housing is not in the business plan or nature of developers. Density does not equal affordability.

Regards,

C.Crompton
1473 E 900 S
SLC, UT 84105



From: [Javoronok, Sara](#)
To: [CM Crompton](#)
Subject: RE: (EXTERNAL) MAHI. developments/changes
Date: Wednesday, March 15, 2023 5:12:00 PM
Attachments: [image001.png](#)

Ms. Crompton,

Thank you for your messages and voicemail. There is information about the proposed Affordable Housing Incentives online: <https://www.slc.gov/planning/2023/03/08/affordable-housing/>. The first link under the “Current Proposal Information” is to a pdf document that describes the proposal in a narrative, easier-to-read format, then in an appendix the draft zoning amendments are detailed.

The project page also identifies that there will be a briefing to the Planning Commission next Wednesday, March 22nd and a second meeting the following week. There will not be public comment at these meetings, but there will be the opportunity for it at the public hearing, which is tentatively scheduled for April 26, 2023. You may also submit written comments that will be shared with the Planning Commission and included in the project file.

Let me know if you have additional questions or comments.

Sara



SARA JAVORONOK | *(She/Her/Hers)*
Senior Planner, Planning Division
DEPARTMENT of COMMUNITY & NEIGHBORHOODS | SALT LAKE CITY CORPORATION
Office: (801) 535-7625
Email: Sara.Javoronok@slcgov.com
WWW.SLC.GOV/PLANNING WWW.SLC.GOV

Disclaimer: The Planning Division strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Division. Those relying on verbal input or preliminary written feedback do so at their own risk and do not vest any property with development rights.

From: [REDACTED]
Sent: Tuesday, March 14, 2023 2:33 PM
To: Javoronok, Sara <sara.javoronok@slcgov.com>
Subject: (EXTERNAL) MAHI. developments/changes

Due to many confusing documents, changes and often lack of communication, please confirm what has been “set in stone” and what is negotiable. I have reached out to different entities and received no response. Also: what are the dates and requirements for public participation? I feel very strongly about citizen involvement and adequate explanation of plans, procedures and any changes that relate to past stipulations. Many SLC citizens are impacted by city decisions. We must all be informed. I live at 1473 E 900 S in SLC, 84105 and can be reached at [REDACTED] or [REDACTED].
Regards, C.Crompton

From: [Cameron Broadbent](#)
To: [Javoronok, Sara](#)
Cc: [Puy, Alejandro](#); [Mano, Darin](#)
Subject: (EXTERNAL) SLC + 1 Overlay - wanted to share the idea to aid affordable housing
Date: Thursday, May 12, 2022 7:36:53 PM

Hey Sara,

Thanks for your service & work on the affordable housing initiative. I listened last night to your presentation & had an idea I wanted to share with you (and Alejandro Puy + Darin Mano doing wonderful work on the city council).

What if the city did an overlay for zoning that simply allowed every home/structure in a certain area OR WE COULD DO THE WHOLE CITY to simply add one dwelling unit to it? I call it "SLC + 1."

Consider that all the fear about single-family residential neighborhoods turning into rows & stacks of condos would go away. We could do this in addition to other things of course, but consider the idea: each single-family lot would then be a POSSIBLE duplex lot. A 4-plex, could now be a possible 5-plex lot and a 20-plex, could now be a 21-plex lot.

If we did this, it would allow organic growth to happen that:

- 1) Naturally spread itself out throughout the city (if we did all SLC)
- 2) Offered fairness & equality to all people (fewer comments about SLC catering to developers)
- 3) Utilized existing infrastructure & didn't overtax or overburden one neighborhood's people & systems

It seems the effect would be slow, similar to Minneapolis, Oregon, and California where their efforts to eliminate single-family zoning for various reason appears to have had a slow impact. If needed, we could test the approach for a 3-5yr period and monitor its impact.

It's a simple approach, but after internalizing the issue for some time myself, I want to help in some way so I felt compelled today to share the idea while you're in the public eye hoping it may be of help in our community's discussion.

Thank you for your time!

I used to work as a Research Scientist years ago & I find the work you've done interesting. Today, I run a RE shop called Consultative Real Estate, and am the Principal Broker & Owner.

If you ever needed MLS data, needed an extra volunteer to gather research, etc, I'd be glad to lend a hand.

Cameron Broadbent [REDACTED]

SLC Property Owner - Committed To:

Making Poplar Grove Great (currently helping clean up 800 West; 800 S to Dalton Ave)

Keeping Ballpark Nice (currently trying to help West Temple to 200 West & 1180-1300 South)

Supporting SLC's Alleyway Pilot Program off 300 East (enjoy the patio chair @ 1450 S 300 E)



Sender notified by
[Mailtrack](#)

From: [Catherine Arnold](#)
To: [Planning Public Comments](#)
Subject: (EXTERNAL) Fan of affordable housing overlay
Date: Sunday, May 15, 2022 3:21:03 PM

Dear SLC Planning Team:

Thank you for your work on the affordable housing overlay!

As a local voter living near 9th/9th and previously in the Avenues, I support it. Please approve it.

I'm in favor of creating more infill housing and housing near bus routes and in areas with shade.

I'd also love to see affordable housing created with gardens or other small planting spaces, and with planning requirements (for new buildings) to include a parklet or other natural space on the ground floor so areas with high development still have natural spaces on each block.

Thank you!

Catherine Arnold



<https://www.linkedin.com/mwlite/in/catherinebrisonarnold>

ObjectID	CreationDate	EditDate	Comment Form	Name
143	5/10/2022 23:18	5/10/2022 23:18	<p>Thank you for trying to come up with innovative ideas to improve access to affordable housing in our city. This is the number one issue concerning me as a citizen and mother. We love our community and want our children to be able to live here but that is seeming impossible. Rentals in good neighborhoods are essential for the health of a community.</p> <p>I would, however, like to call attention to something being ignored. While I understand that the laws passed by the legislature, I feel that is becoming a cop out to not try to change it. Too many homes (single family, duplexes, apartments) are illegally being used as short term rentals that is considerably affecting our housing availability. It is not fun to live next to a motel. Home owners who need to make some extra money by renting a room in their home are not the problem, but what is to stop investors from buying all of our housing to rent at astronomical prices? Attention needs to be called to this as part of the larger plan.</p>	Kristen Peko
144	5/11/2022 5:08	5/11/2022 5:08	<p>It is obvious that this rezoning will only further destroy Salt Lake City. Our Marxist Mayor wants to reduce single family housing and cram residents into dorm style apartments resembling communist China. Your failed social programs and democratic socialist policies are the reason for the housing costs rising. I bet you cant wait for Blackrock and Vanguard to come buy all the single family homes and turn them into more high-rise cesspools.</p>	Joshua Smith
145	5/11/2022 13:15	5/11/2022 13:15	<p>I am in support of the proposed changes. I believe that encouraging developers to include affordable units should be a priority for the city. I am for zoning changes that including increasing the number of units that can be built on a lot, increasing allowable height, doing away with parking minimums, etc. I think this proposal is a great start, but I would like to see SLC change it's zoning codes permanently to allow for more housing and walkable, transit oriented neighborhoods to be built. Single family zoning should be a thing of the past.</p>	Kellyn Trummer

146	5/11/2022 14:02	5/11/2022 14:02	<p>We have been absolutely negatively impacted by allowing large apartments in the neighborhood. UHA promised us that they did their research and that parking would never be an issue and that no one would park on the street. We now have to call parking enforcement and the police on average 10-15 times a week due to people parking illegally, blocking drives, the street, etc.</p> <p>We also have lots of trash that is in the street and our yard now from the tenants and the garbage truck that collects their trash, they drop several items in the street each time. The dump truck parks illegally in the middle of the street in front of the fire hydrant and blocks our driveway, 2 times a way for a total of 40 min. We have homeless people almost daily to dumpster dive and start camping out because of this apartment. We cant have big housing units since we have narrow streets in this neighborhood and can't have people parking on the street. Makes it one way traffic. SLCC students already take parking.</p>	Lee Anderson
147	5/11/2022 15:19	5/11/2022 15:19	<p>I am concerned about the broadness of this language:</p> <ul style="list-style-type: none"> • Allow townhouses, 3-4 unit buildings, and cottage developments on parcels that are currently zoned for single- or two-family homes and are located within 1/4 mile of high-frequency transit or are located adjacent to arterial streets. Twin and two-family homes would also be permitted in the zoning districts where they are not currently allowed. <p>Is 1300 e considered an arterial street? Would that mean that the neighborhoods immediately west and east of 1300 are at risk of redevelopment?</p>	Richard
148	5/11/2022 16:49	5/11/2022 16:49	<p>Hello, I am a homeowner living in Council District 3, and I am writing in support of the Affordable Housing Incentives proposal. My neighborhood is full of multi-family homes, missing-middle housing, and multi-story apartments and condos that bring necessary density and vibrancy to the community while maintaining the feel of a historic urban neighborhood. I think the changes should go further to allow even more height/density, particularly along core transit corridors, but this change is a good step forward to increase incentives to build vital density and affordable housing in our growing city. I have seen firsthand how new dense development brings new small businesses that make my neighborhood a better place to live, and I believe these changes will enable this kind of economic growth throughout the city. While I am lucky to own a home, I believe all people deserve quality affordable housing, and I welcome the necessary development in my neighborhood.</p>	Emily Hase
149	5/11/2022 17:15	5/11/2022 17:15	<p>I support the affordable housing overlay. Housing prices in Salt Lake are much too high, and many people who want to live in our community can't. I think we should be doing much more to encourage affordable units to allow people to live and thrive here. The more people can live near where jobs and opportunities are, the better traffic congestion and livability of our cities are.</p>	Evelyn Lamb

150	5/11/2022 17:18	5/11/2022 17:18	I like the affordable housing incentives. The only changes I would like is to have restrictions in the Avenues and Yalecrest neighborhoods removed. These areas have high demand for housing and shouldn't be left to single family zoning exclusively, this is not the suburbs. Also, more tenant protections to go along with this would be helpful. Thank you.	Tim Knutson
151	5/11/2022 18:08	5/11/2022 18:08	<p>I am writing in support of the proposed Affordable Housing Incentives. These policies will help address our housing crisis by incentivizing affordable housing with density bonuses. Having lived in Salt Lake City most of my life, I've seen drastic increases in housing prices. These changes have affected me personally as I have had to budget for much higher housing costs during my graduate studies at the University of Utah.</p> <p>I also urge you to consider other policies aimed at building more housing and protecting residents. These policies could include allowing higher densities by right on all parcels zoned for single-family homes, eliminating all parking requirements, and making accessory dwelling units permitted uses subject to ministerial approval in all residential zoning districts. Finally, please consider policies to protect existing residents, including a right-to-counsel program for evictions.</p>	Ander sHart
152	5/11/2022 20:49	5/11/2022 20:49	Please don't provide developer incentives to further congest our community, block our beautiful views of the mountains and replace charming beautiful original architecture with ugly higher rise multiple tenant buildings. It ruins the character and charm of our city and just adds congestion.	Sylvia Spiro
153	5/11/2022 22:57	5/11/2022 22:57	My Wife and I have lived on Dearborn Street for the past 42 years. During this time we have seen many improvements that people have made to their homes and landscapes. The proposed RMF-30 zoning change would greatly diminish this historic area of Salt Lake City. Property values would go down, traffic would increase and crime could increase. To diminish this area would be amoral. Do not vote to change the zoning so that the historic nature of our area would be maintained.	Bill Meredith
154	5/11/2022 23:55	5/11/2022 23:55	This isn't affordable housing. Affordable housing is not SROs. Affordable housing would be at 30% of the AMI (something the Housing and Neighborhood Development and SLCRDA have said in a report).	Steph

- | | | | | |
|-----|----------------|----------------|--|----------------|
| 155 | 5/12/2022 0:18 | 5/12/2022 0:18 | <p>I am for the rezoning requests that are needed to facilitate more affordable housing and mixed income buildings - especially if they prioritize deeply affordable subsidized housing for families and single mothers.</p> <p>Also, I implore that all affordable housing units built require no parking stall minimum, or contain no parking within the structures. It is a zero-sum game when it comes to the choice of either providing safe, affordable to housing people who are in need, and paving over land for vehicles that can be easily parked elsewhere. SLC has a robust transit and alternative mode of transport infrastructure that is a good alternative to putting more cars on the road. Also, it is imperative that we plan for our increasingly more fragile and uncertain future in terms of overall affordability and the effects of climate change. Lastly, as a homeowner, I understand that I am not entitled to on street parking, and I hope the RDA board understands this sentiment.</p> <p>Robert,
995 S 900 E</p> | Robert Goodman |
| 156 | 5/12/2022 0:34 | 5/12/2022 0:34 | <p>Please adopt AT LEAST this much to lean toward affordable housing, and please do MORE. This proposal does not require developers to include affordable units or pricing, but the proposal should indeed do exactly that. We need affordable housing in this city, or else we will lose every last shred of diversity we have in the coming months and years.</p> | James Miska |
| 157 | 5/12/2022 4:06 | 5/12/2022 4:06 | <p>This agenda is incredibly disheartening to me. It simply seems to be a desperate attempt to put on a show effort to provide affordable housing, when it will simply give builders and developers more power. It also seems to completely ignore the lack of affordable housing for college students, though we live in a college town. Government officials seem so out of touch with what it's like to live a civilian life, and this band aid of a plan will not fix the issue. We need rent control, we need stricter laws for landlords, we need someone to care about tenant rights.</p> | Bailey Paxman |

- 158 5/13/2022 14:22 5/13/2022 14:22 I live in downtown Salt Lake City. I must let you know that I think it is outrageous that you are considering housing with shared bathrooms and kitchens. Have any of you ever experienced homelessness? Will people be arguing and fighting over food? Will the women be afraid to go to the bathroom because they might get raped? Will they use a basin as chamber pot instead? I know if I were forced to live in that environment, I wouldn't dare leave my room! Will people have toaster ovens and little fridges and hot plates in their rooms - causing fires- to avoid arguments/theft in the kitchen? People who are poor enough to live in this types of place are not just college students. They are people who likely have some mental illness, addiction issues / trauma from being on the street. Give them a studio apartment with a bathroom and kitchen. Seriously, how dare you? It is going to cause more problems than it solves. Give a chance at dignity and to cook/pee in peace. Thank you. Lydia Trettis
- 159 5/13/2022 19:18 5/13/2022 19:18 Has the city been looking into funding micro studios? Micro studios are a great way to bring massive housing opportunities to developed cities and be able to charge less so people can afford it. Single people need to be thought of. We can't all afford fancy apartments and/or homes yet (or ever). Neille Fenderson
- 160 5/18/2022 23:13 5/18/2022 23:13 Please do not relax zoning requirements in a bid to solve what may be a temporary problem while introducing "solutions" that will permanently change the character of our city. Instead of viewing this as a supply problem, we should also consider this as a demand problem. It may be hard to imagine, but given the fact that our city has a finite land area we cannot support indefinite growth. At some point we must recognize the problem stems from trying to grow our population and realize the "city's full". By limiting demand, we can alleviate pressure on the supply. Mark Baranowski
- 161 5/24/2022 21:54 5/24/2022 21:54 Affordable housing is absolutely essential to this city's future success. If you want people to move here, we need more affordable options. No one can afford to live here, let alone buy a house anymore. This is especially true for first-time home buyers like myself. I would love to stay here permanently, but it appears that if I do not want to rent my whole life, I will have to move out of the area. Some other things to consider: when businesses move here, charge them an impact fee to help their employees afford housing from our existing stock. Kenny W
- 162 5/25/2022 21:03 5/25/2022 21:03 The amount of development and the historic homes being demolished is devastating. Our city is not ready for the traffic density which results. I am watching the awful congestion, crime and parking issues. It is also my understanding that developers and investors are funding this. Why are we letting our city be bought by these developers? Haven't we learned from other cities? Allia DeAngelis

163 5/26/2022 1:45 5/26/2022 1:45 I am opposed to the proposed incentives and possibility of increasing more housing and people in this area of Wasatch Hollow. Our properties are already SO small and it is already very crowded with parking on our streets. I understand that housing is needed, but attempting to add it to a very densely populated area already does not make sense to me. It makes more sense to me to target properties with larger lots and spaces for parking. Many of the current duplexes on 1300 E are already for the most part poorly managed - yards are overrun, there are reports of drug houses across from Westminster College and students live in many of these properties. We do not need more of this. Please focus on areas that are not already densely populated - we can see into our neighbors houses from our kitchen windows for gosh sakes. We are too crowded as it is :-). Not to mention destroying the historic charm of this area - more duplexes would destroy that. Thank you.

Elizabeth Thomas

164 6/1/2022 3:06 6/1/2022 3:06 This plan is awful from the standpoint of people who actually do the work to afford rent. It only serves to line the pockets of developers.

You must entirely revise this plan to, instead of making the goal "to increase deed restricted affordable housing units for those with incomes at or below 80% of the area median income", make the goal to be 30 % of the AMI. That would more accurately meet the target of helping those in need. Anything more than that is shameful.

Also, it should indeed be REQUIRED of new developments to include affordable housing, not just incentivise it. This city is growing more quickly than you seem to be able to handle. For those developers that are out there to make money off the wave of inflation we are riding right now, you as the Planning Commission, and farther up, City Council and the Mayor should be using your positions of power to limit the opportunity of unfairly increasing the wealth of those that are already rich enough to afford to be developers.

James Miska

166	6/7/2022 17:45	6/7/2022 17:45	<p>I support this affordable housing incentive. If anything, it should be more lenient, and allow anywhere in the city with "single-family homes" to have multiple units built on them, regardless of proximity to transit. This is especially true around important job centers, like the U of U. These projects should not have to go through a design review, and should be allowed by-right. Building more housing of all types is the best way to improve affordability, reduce homelessness, promote economic growth, and reduce pollution.</p> <p>We should also remove all parking requirements and setback requirements. We should also allow small businesses to be built in any housing zoned area. Local corner coffee-shops are beloved by all residents, and should be allowed in any plot of land on the city.</p>	Elliot Nielson
167	6/10/2022 17:35	6/10/2022 17:35	<p>Density is so necessary in this valley! We have the highest birthrate in the Nation, the highest water consumption per capita in the Nation and this is the right solution to mitigate some of those impacts to our community. Whereas the flyer left on my doorstep mentions negative impact to water, this is actually the opposite because the residents are coming, mostly from inside the state and they won't need 1/2 acre lots of land to water with a more dense solution to housing. We've had and will continue to have exponential growth in the way of birthrates in this State so they are coming and we must build it and build it compact. Most parents want their kids and grandkids to live close to them so this enables that as well. I'm not a fan of fast-tracking development as we should build quality for the long term and not waste money with short term fast-tracked homes. Thanks for taking my input and thanks for considering proactive solutions.</p>	Elisabeth Barry
168	6/10/2022 20:16	6/10/2022 20:16	<p>I am VERY excited about the affordable housing incentives and the overlay zoning plans! I hope it is paired with overlays for light commercial uses in more neighborhoods. One of my favorite things about my current neighborhood in the Avenues is how many different kinds of housing there are and being able to walk to restaurants, cafes and galleries within the neighborhood! I would love to see more neighborhoods like that.</p>	David Kirk
169	6/13/2022 20:56	6/13/2022 20:56	<p>I support the City's efforts to increase densities and affordable housing options citywide, specifically on the east side of the city. These neighborhoods need additional density and diversity of housing types and residents. ADUs should be an as right option. I also support the elimination of single family only zones. Keep up the great work!</p>	Jennifer K McGrath
170	6/15/2022 21:56	6/15/2022 21:56	<p>Please get rid of parking minimums! Build cities for people. Fund transit, protected bike lanes :)</p>	Dirk Lamb
171	8/9/2022 14:24	8/9/2022 14:24	<p>HUD states that one of the keys to class mobility is homeownership. We have far too many rentals and not enough condo/home inventory, especially in the <500K territory. Homeownership should take priority over rentals.</p>	Jeffrey Wood

- | | | | | |
|-----|------------------|------------------|--|-----------------|
| 172 | 8/13/2022 19:23 | 8/13/2022 19:23 | <p>I support this project, although I think the restriction on allowed 2-4 family housing in single-family zoned neighborhoods is too strict. 1/4 mile to high-frequency transit is not a reasonable practical limit on how close housing needs to be to transit. I commute via transit, and walk between 1/4 and 1/2 mile to the bus (depending on the route). If there's flexibility on this restriction, I'd support allowing more dense development within 1/2 mile of high-frequency transit.</p> <p>I'd also call this proposal a good first step, but we need to recognize that much of our city's character will need to change to responsibly accommodate everyone who wants to live here. If the city can adopt policy that will guide the evolution of Salt Lake to being comprised of livable neighborhoods built at the human scale, we'll be much closer to addressing the housing crisis we currently face.</p> | Aaron Benson |
| 173 | 9/24/2022 20:21 | 9/24/2022 20:21 | <p>I'd like more information about any programs available. You can reach me at 702-209-8867</p> | karen ducker |
| 174 | 12/12/2022 19:57 | 12/12/2022 19:57 | <p>I would like to make a comment on the section of affordable housing where it states that for 80% of single family household is making about \$60,000 a year. I can state as a Salt Lake City Employee I make LESS than HALF of that amount. I have recently applied for low income restricted apartments and have had to decline because I can not afford LOW INCOME HOUSING. To me that doesn't make sense as low income is supposed to be affordable.</p> | Krystyn Stargel |

Date/Time Opened	Contact Name	Popular Topic	Subject	Comment
7/27/2022 16:04	Bryan Gutierrez	General/Other	Community Concerns with Salt Lake City proper	<p>Hi Bryan, Thanks for taking my call yesterday, it was a pleasure speaking with you. I'll share these notes from our conversation with Council Member Valdemoros. I've also included information on what the Council is doing to help the homeless population and what you can do to help. Affordable Housing - Noticing many more apartment complexes going up, which is good for housing but he's not sure the people we are targeting to take advantage of the housing are qualified. - Most of the new housing being built is unaffordable and those who want to live downtown probably wont be able to afford it. This is concerning. - How can the City balance preserving historic buildings while still providing affordable housing through new construction? Bryan doesn't have a suggestion but recognizes the need for both. Preserving Historical Buildings - It's heart breaking to see buildings like the old chapel on 3rd south 4th east and the Ken Sanders old Book Store get torn down. Homelessness - Here's what the City Council is doing to combat homelessness in the City. At the bottom of this link is a "Get Involved" portion with some really great information you can use to share with family and friends. Again thank you for your willingness to be a part of the solution and flag these important matters for your Elected Official's attention. Please don't hesitate to reach out should you have any further questions. Stay safe, Priscilla Tu'uao -----</p> <p>----- Council Comments Email Hello City Council, My name is Bryan and I live in Central City. I received your Marketing Material in the mail seeking community comments/feedback. Thanks for the opportunity and I wanted to communicate my top 2 concern I see impacting our great city: • Affordable housing/not enough condos being built • Homelessness. I feel like we're not doing enough and ignoring our most vulnerable community Can someone please contact me back. thanks. Best, Kyle Mansfield</p>

From: [Lolohea Jr, Vili](#)
To: [Javoronok, Sara](#)
Subject: FW: (EXTERNAL) Affordable housing in the Yalecrest District
Date: Thursday, June 30, 2022 1:17:43 PM

AHO comment

From: DANA CARROLL [REDACTED] >
Sent: Sunday, June 12, 2022 11:18 AM
To: Dugan, Dan <Daniel.Dugan@slcgov.com>
Subject: (EXTERNAL) Affordable housing in the Yalecrest District

Hello--I would like to comment on the proposed idea of creating affordable housing in the Yalecrest area. First, what exactly do you and the Mayor consider "Affordable Housing?" I know that it is not the same definition that I have. This needs to be made public. We live in the Yalecrest area and it is becoming unaffordable for many people. The cost of real estate purchase and building costs would be astronomical and would quickly become unaffordable.

Now, I am a believer that all of us need to contribute to 'true' affordable housing' in SLC and that it needs to be spread through the city, including the East side. Here is something I hope that you and your fellow colleagues will consider. We now know that several (maybe many) SLC schools will need to close due to dropping enrollment. I would emphasize good affordable housing in those areas to help keep the schools open, teachers employees, children spared bussing (that is a huge expense to the District and taxpayers) and put efforts toward building strong, sustainable communities. Yes, I am for affordable housing in my area if it can be done in the correct way but I would like to see the blighted areas of SLC beautified as well.

Thank you for considering my concerns. Jeannine Marlowe

From: [Lolohea Jr, Vili](#)
To: [Javoronok, Sara](#)
Subject: FW: (EXTERNAL)
Date: Monday, June 13, 2022 1:53:33 PM

Would you rather I send them as I come across or wait and do at once? Sorry and thanks.

From: David Mortow [REDACTED] >
Sent: Friday, June 10, 2022 6:03 PM
To: City Council Liaisons <City.Council.Liaisons@slcgov.com>
Subject: (EXTERNAL)

Councilmember Dugan,

I wish to state my objection to Salt Lake's Affordable Housing Overlay Plan. It is my opinion that it is not fully thought through and lacks adequate input by the citizens the proposal affects. I only recently became aware of the plan thanks to my Neighborhood Council.

It is my opinion the zoning changes and approval process will allow for poorly planned and destructive projects. The area you represent has over many years developed a unique, attractive and historical character that potentially could be lost if the plan is approved. There is inadequate parking to support multiple dwelling units. The theory that people will utilize mass transit or that future renters will only rely on one car is erroneous.

There are a number, 34 thousand apartment units built or being built, I have been told. Has the city required a percentage of them to be affordable?

With lack of water, increasing crime, traffic congestion, overcrowded local, state and federal parks perhaps it's time to reconsider how we view growth. We certainly no longer need to incentivize companies to move here. Perhaps we need not advertise the state's unique resources. Perhaps the Olympics are not truly a benefit and should more carefully be considered.

I appreciate the opportunity to comment and would appreciate your careful consideration.

From: [Frank Bennett](#)
To: [Javoronok, Sara](#)
Cc: [Lolohea Jr, Vili](#)
Subject: Re: FW: (EXTERNAL) High Density Zoning Changes
Date: Tuesday, June 14, 2022 9:19:54 PM

Sara - thank you so much for your response. Good that you point out that the meeting the other night was the neighborhood group, not any group from the City.

I am very interested in your opinion on the following:

- 1 Financial Crisis 2008: Home\Apartment Building nearly stops for 2 or 3 years and then builds back slowly. This creates a gap in a "normal" cycle of housing construction.
- 2 Utah's growing economy attracts newcomers to the state and SLC, driving up demand for housing
- 3 AirBNBs grow in number, taking a block of available housing off the market
- 4 Speculators buy up more houses in greater SLC - this is in later years as real estate values rise
- 5 Current world economy pushes up construction materials prices

So, two shocks to SLC housing market, 2008 construction dip and increase in building materials prices.

Plus, Air BNB growth further limits housing availability

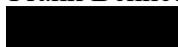
My Questions:

- 1 Its been said that there are many "illegal" Air BNBs in SLC. Is this correct? How is this being regulated? Would a reduction of Air BNBs then increase available housing inventory?
- 2 This is a "double-shock" economic dynamic. Is SLC trying to fix all this with relaxed zoning rules?
- 3 I learned that rent control is not legal in UT. Is this proposed program in effect rent control implemented via the Restricted Deed process?
- 4 Is it accurate that there is no enforcement\review process for Restricted Deeds (it needs to exist for the entirety of the 30 years)
- 5 Is there analysis to confirm that tear-down and new construction costs, including acquisition of the lot, can yield a profit margin when selling\renting to price levels which are being suppressed by the Restricted Deed Program?
- 6 How many households are expected to be served by the proposed program?
- 7 Is this a trickle-down program? Benefits are given to one group, in this case developers\builders, and the benefits in the form of lower cost housing make their way to the renter\buyers?
- 8 Is there consideration to grant funds directly to lower income groups, classified in a way similar to those described in the Restricted Deed program? Provide the funds directly to those in need. They can then actively participate in the housing market without artificial constraints instituted by the city.

Sorry for the long note here. I'm trying to understand the actual problem and how the ideas for meeting that problem are being developed.

Thanks very much for any info you can provide.

Frank Bennett



It was disturbing to hear that there is no apparatus for monitoring compliance with the Restricted Deeds (assuming that is correct). Hard to see how compliance with Restrictions on a 30 year Deed will happen.

On Tue, Jun 14, 2022 at 5:25 PM Javoronok, Sara <Sara.Javoronok@slcgov.com> wrote:

Mr. Bennett,

Thank you for your comment. I wanted to let you know that it was forwarded to me and will be included with the project file. Last week's meeting was organized by the Yalecrest Community Council and not city staff.

The draft of the incentives was reviewed and tabled by the Planning Commission in May, and based on feedback from the Planning Commission and public comment, staff is working on revisions. We anticipate that it will return to the Planning Commission for further review in the fall. At this point, the Planning Commission will hold an additional public hearing with the opportunity for comment and may make a recommendation to the City Council at this meeting. The decision on the proposed text amendments will be made by the City Council, who will hold another public hearing. More information about the proposal is available on the [project webpage](#) and you may [sign up for email updates](#).

Let me know if you have questions or additional comments.

Sara

SARA JAVORONOK, AICP

Senior Planner

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From: Lolohea Jr, Vili <Vili.LoloheaJr@slcgov.com>
Sent: Tuesday, June 14, 2022 9:12 AM
To: Javoronok, Sara <Sara.Javoronok@slcgov.com>
Subject: FW: (EXTERNAL) High Density Zoning Changes

From: Frank Bennett <[REDACTED]>
Sent: Friday, June 10, 2022 11:32 AM
To: Dugan, Dan <Daniel.Dugan@slcgov.com>
Subject: Re: (EXTERNAL) High Density Zoning Changes

Hi Dan

I did attend the meeting last night - thanks for recommending.

There were references to affordable housing programs in other cities, but no hard data indicating their effectiveness. And no mention of programs in other cities that were not successful.

There are no quantifiable goals for the SLC program.

There is no compliance or enforcement apparatus in SLC government to monitor or regulate

compliance with Deed Restrictions.

The proposed system will directly incentivize builders and developers to build the cheapest housing possible.

There will be no pilot program, but the Deed Restriction is locked in for 30 years.

So what it looks like to me:

we get a program with no goals, no evaluation, no regulation & compliance and no real idea on the probabilities of success (BTW Probability of Success is zero with no definition of success).

I really hope I'm getting some of this wrong - so far seems like a poorly designed plan with little chance of success. All while the developers\builders get a break.

Frank Bennett

1623 E Yale Ave

From: [Lolohea Jr, Vili](#)
To: [Javoronok, Sara](#)
Subject: FW: (EXTERNAL) High Density Zoning Changes
Date: Tuesday, June 14, 2022 9:11:41 AM

From: Frank Bennett <[REDACTED]>
Sent: Friday, June 10, 2022 11:32 AM
To: Dugan, Dan <Daniel.Dugan@slcgov.com>
Subject: Re: (EXTERNAL) High Density Zoning Changes

Hi Dan

I did attend the meeting last night - thanks for recommending.

There were references to affordable housing programs in other cities, but no hard data indicating their effectiveness. And no mention of programs in other cities that were not successful.

There are no quantifiable goals for the SLC program.

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I really hope I'm getting some of this wrong - so far seems like a poorly designed plan with little chance of success. All while the developers\builders get a break.

Frank Bennett

1623 E Yale Ave

From: [Heidi Memmott](#)
To: [Historic Preservation](#)
Subject: (EXTERNAL) Strongly disagree with the Zoning Overlay
Date: Tuesday, July 26, 2022 5:32:00 PM

Dear Historic Preservation,

I DO NOT support the proposed zoning changes to the Yalecrest Park neighborhood for the following reasons:

1- I chose my house and my neighborhood carefully. Changes to the structure of my community ruin what makes it special and unique.

2- The house next to me is a tear down and re-build. Even with the current zoning it is so close to my house that the snow from the roof falls into my driveway, the air conditioner is so close to my house leading to noise and heat, there is no air flow between the houses, causing my air conditioner to run all of the time, when in the past I could leave my windows open with plenty of air circulation. Additionally, there is not room for vegetation (trees, bushes, etc. in between houses which contributes to the heat..

3-This is a historic area. It is unique in SLC, with a special footprint - garages in the back yard, unique architecture. Adding additional units in each lot will take away from the charm of the neighborhood.

4-And what about parking!! There is already a shortage of street parking and there is no way the beautiful street can accomodate more residents without becoming a parking lot.

Please let me know if you have questions.

Heidi Memmott
1740 Michigan Ave



From: [Jan Hemming](#)
To: [Javoronok, Sara](#)
Subject: (EXTERNAL) Re: A quick question
Date: Thursday, October 13, 2022 4:36:45 PM

Sara: Following up on this email from last week and asking if you can respond.

I also heard from a reliable and knowledgeable source that the city is going to use police to enforcement the affordable housing provisions in the AHI. I thought it was a joke, but am running it past you to see if there is any legitimacy to it.

Best,

Jan

> On Oct 5, 2022, at 5:23 PM, Jan Hemming [REDACTED] wrote:

>

> Sara: I want to compliment Angela Price and Tammy Hunsaker for their presentation today at the Utah League of Cities and Towns on affordable housing financing. It was very informative.

>

> As the session was winding down during Q & A's, Angela referenced the city's Affordable Housing Incentive which she explained, if approved, would be applied citywide. She spoke about one of the elements of that plan "duplexes and fourplexes in single family home" zones.

>

> Should residents deduce that the city's new AHI plan 2.0 will still have those provisions in the document — allowing higher density housing such as fourplexes, town homes, cottages and row houses — throughout Salt Lake's single family residential zones — just as the AHI 1.0 plan had?

>

> I look forward to hearing from you.

>

> Best,

>

> Jan

From: [Javoronok, Sara](#)
To: [Jan Hemming](#)
Subject: RE: (EXTERNAL) Historic LDS church grouped with Community Shopping
Date: Wednesday, March 15, 2023 5:01:00 PM

Hi Jan,

I don't know of plans for any specific property that could be affected by the AHI proposal. That specific property is owned by the Church and I don't know why it is zoned CS. There are limited areas of the city that are zoned CS and any development in these zones requires a Planned Development. Currently GMU and CS are the only zoning districts with this requirement. With the adoption of the Downtown Building Heights text amendment, it removes that requirement for GMU, and the CS zoning district is the only one with this requirement. Overall, an intent of the AHI proposal is to simplify review processes, so the removal of this process is included as an incentive with it.

Sara

SARA JAVORONOK | (She/Her/Hers)
Senior Planner, Planning Division

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-----Original Message-----

From: Jan Hemming [REDACTED] >
Sent: Tuesday, March 14, 2023 12:03 PM
To: Javoronok, Sara <sara.javoronok@slcgov.com>
Subject: (EXTERNAL) Historic LDS church grouped with Community Shopping

Sara: Mentioned in the new AHI plan — Page 18 — “Waive Planned Development Requirement for Specific Developments” are a list of properties in the CS (Community Shopping) zone where the modifications would apply as well as “a church at the southwest corner of 400 South and 800 East.”

That church is a Gothic Revival LDS Church built in 1837 called the Tenth Ward and is on the National Register of Historic Places as well as the State Historical Society. How does the church fit into these new CS modification requirements and why was it placed with community shopping centers? Do you know if there are plans to demolish the church?

Best,

Jan

From: [Javoronok, Sara](#)
To: "Jen Colby"
Subject: RE: (EXTERNAL) Follow up on AHO PC hearing and a couple of questions
Date: Tuesday, May 17, 2022 2:30:25 PM

Jen,

I looked into the unit legalization data a little more and there's not a simple, comprehensive report that can be generated or mapped.

For the affordable housing incentives, there is not a density bonus in the RMF districts because there is not a density limit as long as the affordability requirements are met. The density bonus couldn't be encouraged the same way as proposed in the RMF-30 changes.

I agree with what you're saying in your email about preserving neighborhood character by maintaining the existing homes and allowing for additional units. The proposal for RMF districts allowed for this by removing the density limit as long as it met affordability requirements. Similarly, the single- and two- family zones allowed for up to four units and these could be configured within an existing residence or with an addition. Again, these would need to meet affordability requirements. I think these could work well in local and National Register historic districts.

As for your neighborhood and apartments, speaking very generally, the area west of around 1100 East and north of 900 South and Sunnyside (and the Lower Avenues) was historically zoned Residential B-2, which allowed for apartments, while south of 900 South had more Residential A areas that allowed for 1 and 2 family homes. This may be why the neighborhoods developed differently.

Sara

SARA JAVORONOK, AICP
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From: Jen Colby [REDACTED]
Sent: Monday, May 16, 2022 3:58 PM
To: Javoronok, Sara <Sara.Javoronok@slcgov.com>

Subject: Re: (EXTERNAL) Follow up on AHO PC hearing and a couple of questions

Hi Sara,

Thank you for the information.

When you say you have the legalized units individually by address, is that in a database form that a report could fairly readily be run? If so, how would I get a copy? My GIS chops are fairly weak but it would be interesting to play around with the data.

One of the big concerns as you have been hearing is regarding how policy changes can fuel teardowns of existing housing.

I know the RMF30 changes proposed made at least some attempt to preserve housing in any density bonuses.

I may well have missed something, but I didn't see anything similar here. Are there mechanisms to do that?

Unit legalization is one such tool because the legalization is tied to the structure and demolition reverts to underlying zoning density if I understand correctly. Certainly there is community pushback on this too, but living in a neighborhood surrounded by lovely older/historic homes not protected in local historic zones, that density increase seems to largely work fairly well.

I am always surprised to walk in other neighborhoods with many similar larger older houses and realize they all have just 1 mailbox per house! Federal Heights, Sugarhouse, Yalecrest, East Bench, on and on. In my East Central/Bryant area, I think a lot of people don't look closely and see that what look like single family houses are really multi-family rentals. Many are as geographically close to the U of U as my area is, so the reasons for this historically are unclear. Regardless, I find the preservation aspect and increased density appealing - from my point of view the impacts are minimal.

I would suggest exploring this avenue to adding housing while preserving neighborhood character and reducing the terrible waste of teardowns.

Do let me know if a spreadsheet list of unit legalized addresses is available.

Best,

Jen (personal thoughts, not on behalf of any organization or group)

Quoting "Javoronok, Sara" <Sara.Javoronok@slcgov.com>:

Hi Jen,

Thanks for your message. I haven't looked into liberalizing unit legalization and I'm not aware of a discussion by others. A report or map of unit legalizations isn't readily available. We have them individually by address and could assemble that information, but it isn't something we have as an existing document or map.

Sara

SARA JAVORONOK, AICP

Senior Planner

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From: Jen Colby [REDACTED]
Sent: Thursday, May 12, 2022 3:10 PM
To: Javoronok, Sara <Sara.Javoronok@slcgov.com>
Subject: (EXTERNAL) Follow up on AHO PC hearing and a couple of questions

Dear Sara,

I wanted to take a moment to express my appreciation for your work as a city planner, your professionalism, and the time you have taken so far on the AHO, including lots of evenings for public meetings. Last night was a marathon and obviously there is a lot of concern and passion for housing policy right now. I hope it did not feel personal, though from past experience in the hot seat with policy proposals, it can be hard to completely separate that. As I mentioned in my comments, most people agree with the goal and value of affordability, its how to identify and close the gaps through available policy tools that is obviously in question. I know how heavy your workload is and how complex these issues are, and do appreciate your efforts. Hopefully the hearing and other feedback will result in better outcomes.

To that end, I have two questions. In answers are buried in staff reports and I did not find them, apologies. If you have time to briefly respond or point me in the right direction, I would appreciate it.

1) Has liberalizing unit legalization as long as existing dwelling/buildings preserved

and building codes met been considered?

2) Along those lines, with your current city databases, can you run a comprehensive report and generate a spreadsheet of all currently unit legalized properties? Is this information mapped by the GIS team?

Best,

Jen Colby, D4 resident, ECC Executive Board Community Development and Land Use Committee

From: [Javoronok, Sara](#)
To: "Jen Colby"
Subject: RE: (EXTERNAL) Follow up on AHO PC hearing and a couple of questions
Date: Monday, May 16, 2022 3:32:07 PM

Hi Jen,

Thanks for your message. I haven't looked into liberalizing unit legalization and I'm not aware of a discussion by others. A report or map of unit legalizations isn't readily available. We have them individually by address and could assemble that information, but it isn't something we have as an existing document or map.

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Subject: (EXTERNAL) Follow up on AHO PC hearing and a couple of questions

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2) Along those lines, with your current city databases, can you run a comprehensive report and generate a spreadsheet of all currently unit legalized properties? Is this information mapped by the GIS team?

Best,

Jen Colby, D4 resident, ECC Executive Board Community Development and Land Use Committee

From: [Lolohea Jr, Vili](#)
To: [Javoronok, Sara](#)
Subject: FW: (EXTERNAL) A garage-mahal on every block?
Date: Monday, June 13, 2022 12:57:19 PM

FYI

From: John M. Guynn <[REDACTED]>
Sent: Monday, June 13, 2022 10:54 AM
To: Dugan, Dan <Daniel.Dugan@slcgov.com>; City Council Liaisons <City.Council.Liaisons@slcgov.com>
Subject: (EXTERNAL) A garage-mahal on every block?

Dear Mr. Dugan,

I wish to express my opinion regarding the proposal to change the zoning in Harvard-Yale to permit the building of 4-plexes. It wasn't long ago that everyone was outraged when the Hubbard House (garage-mahal) went up. The city counsel spent a considerable amount of time drafting an overlay to prevent a repeat of this atrocity.

Now the plan is to go back in time, before the overlays, and make it even worse. This time allowing developers to tear down historic homes, tear out mature trees in our urban forest, and build 4-plexes. The rationale is to provide affordable housing, which is a laudable goal. However, the damage to the neighborhood would be irreversible and it wouldn't do much to provide affordable housing, if at all. The only beneficiaries would be developers who can now trash the neighborhood and line their pockets. It would also create more traffic, making streets more dangerous for pedestrians and bicyclers. Is this really what the city wants?

I look around the city and see dozens of new apartment complexes going up. Certainly these will provide the needed affordable housing and in locations nearer to Trax. If the city needs more apartment complexes, I suggest you look at the blight that exists all over from State St. and west. There are numerous places that can be redeveloped nearer Trax where affordable apartments can be built. Let's be wise here and not take a wrecking ball to historic neighborhoods.

Please consider my remarks and share with the city council.

Best regards,

John Guynn
1475 Princeton Ave

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From: [LYNN Pershing](#)
To: [Javoronok, Sara](#)
Subject: Re: (EXTERNAL) Update on AHI required on-site parking for new multi-family construction
Date: Monday, October 10, 2022 9:26:05 PM

Thanks Sara for the clarification
Lynn

Sent from my iPhone

On Oct 10, 2022, at 1:25 PM, Javoronok, Sara <Sara.Javoronok@slcgov.com> wrote:

Hi Lynn,

Sorry I missed your call this morning. Since the Planning Commission hearing in May, we've been working on modifications to the affordable housing incentives and haven't completed them yet. The proposal required one parking space per unit for properties that provided affordable units in the single- and two- family zoning districts and there have not been changes to this part of the proposal.

Let me know if you have additional questions.

Sara

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From: LYNN Pershing <[REDACTED]>
Sent: Monday, October 10, 2022 12:24 PM
To: Dugan, Dan <Daniel.Dugan@slcgov.com>; Javoronok, Sara <Sara.Javoronok@slcgov.com>
Subject: (EXTERNAL) Update on AHI required on-site parking for new multi-family

construction

Hi Dan and Sara

Hoping you can provide an update on the City's proposed Affordable Housing Incentive plan regarding onsite vs public roadway parking requirements.

As originally proposed, new MF housing construction of duplexes, tri-plexes, four-plexes or cottage complexes in single family residential zones required 1 on-site parking, but the last discussion on this topic suggested **no on-site parking would be required** if the new construction was within 1/4 mile from high frequency bus service (every 15 min) or a fixed mass transit TRAX line.

Unlike fixed mass transit, high-frequency bus route service may come and go, if not profitable. How will the elimination of high frequency bus service influence the on-site parking requirement of approved MF housing before, during and after construction?

Thanks for your service and many efforts on behalf of District 6

Lynn K. Pershing

tel: [REDACTED]

email: [REDACTED]

From: [Javoronok, Sara](#)
To: ["LYNN Pershing"](#)
Subject: RE: (EXTERNAL) Modified AHI
Date: Wednesday, March 15, 2023 5:01:00 PM
Attachments: [image001.png](#)

Lynn,

Thank you for your comments. I'll add them to the file for the project and share them with the Commission.

Additionally, in response to your questions:

Question 1: The rear setback required is the setback for the base zoning district.

Question 2: The AHI have an affordability requirement and do not have an owner occupancy requirement.

Questions 3 and 4: The ADU is shown for illustrative purposes. There are not requirements for ADUs in the AHI. AHI units must be rented as affordable units and meet reporting and compliance requirements.

Sara



SARA JAVORONOK | *(She/Her/Hers)*
Senior Planner, Planning Division
DEPARTMENT of COMMUNITY & NEIGHBORHOODS | SALT LAKE CITY CORPORATION
Office: (801) 535-7625
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From: LYNN Pershing [REDACTED] >
Sent: Tuesday, March 14, 2023 9:04 AM
To: Javoronok, Sara <sara.javoronok@slcgov.com>
Subject: (EXTERNAL) Modified AHI

Good morning Sara

I'm reading the modified AHI and note the language "uses are intended" to "promote sustainable/ compatible development patterns" and "preserve existing character of neighborhood" and finally "appropriate in areas of City identified in applicable Community Master Plans".

It is not clear how this supports the proposed allowable (and supported by the Mayor-initiated text amendment to Historic District Designation code that will reassess all house for contributing status) demolition of noncontributing single family houses in historic districts with new construction-replacement. Is MF housing, STR, SF with rental ADU be required in the new construction? How does this help preserve historic neighborhoods? It won't. Placement of multifamily side rowhouses anywhere but the corners of a block face will interrupt the contiguous historic nature and further erode the historic status. But perhaps that is the purpose?

That potential practice that is a NO-NO in middle housing initiatives and urban planning policy. MF housing

is **always** placed at corners so that density stays low in the middle for the majority of a block face and increases outward towards the corners. Indeed in Yalecrest all duplex multifamily structures are located at the corners of our blocks. Further, each unit faces a different street, so that neither block face is impacted in a negative way. This format is widely accepted in our neighborhood by both property owners renters.

Q:

1. base zoning used for rear setback for a 2nd family dwelling unit on a 11,000+ SF parcel should be 25' (R1/7000) not 20' (R1/5000) stated in the AHI document (preserve existing primary dwelling example). Yet ADU allows a 3' rear setback. Both are rented? What is the rear setback of an installed side rowhouse? Originally it was 3'? I didn't find it listed in the new document? The only change in setbacks I found is 6' side yard setback one 1 side-an increase from original 3'
2. Not clear in the "preserve primary dwelling" scenario pictorially depicted with the 2nd family dwelling shown at rear of property will require owner occupancy in the primary dwelling. The example states 3 dwelling units. These possibilities could be used on real estate investment firm-(LLC) owned property. Without owner occupancy required all 3 are rental dwellings per property.
3. The document(s) is an admixture of MF housing and ADUs. Confusing.
4. If you are approved to build an ADU in any configuration, do you have to rent it? Does it have to be affordable? Affluent neighbors can afford to build ADUs but most often use as personal Space (office, man cave, hobby space or STR. When is a rental space an ADU and when is it not?

Respectfully,
Lynn K Pershing
84108

Sent from my iPhone

From: [LYNN Pershing](#)
To: [Javoronok, Sara](#)
Subject: Re: (EXTERNAL) Noncontributing structures in a LHD
Date: Friday, June 17, 2022 9:30:40 AM

Thanks Sara for your clarification of zoning and overlay priorities on demolition of non contributing structures and new construction on that property.

I thought this was the case but wanted to confirm

Thank you
Lynn K Pershing

Sent from my iPhone

> On Jun 17, 2022, at 9:19 AM, Javoronok, Sara <Sara.Javoronok@slcgov.com> wrote:

>

> Lynn,

>

> I'll respond to the affordable housing incentive parts of your questions.

>

> 2. The proposed affordable housing incentives do not modify the regulations that apply to local historic districts. As Kelsey stated, demolition of contributing structures is quite rigorous. Noncontributing and out of period structures are not subject to the same standards. The applicable regulations would depend on the status of the structure.

>

> The affordable housing incentives, as proposed, would allow up to four units on some properties in single- and two-family zoning districts. This includes some areas that are within local historic districts, but it does not modify the requirements for local historic districts. Any development in a local district would need to comply with the applicable standards and guidelines.

>

> Sara

>

> SARA JAVORONOK, AICP

> Senior Planner

>

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>

> -----Original Message-----

> From: Lindquist, Kelsey <Kelsey.Lindquist@slcgov.com>

regulations on them other than underlying zoning and compatible infill overlay?

> 2. Are demolitions of SF housing minimized in an LHD even with the Affordable Housing Overlay (AHO)?

> 3. If a contributing SF house in an LHD is demolished for new construction could it be a multifamily housing development? would LHD design standards be enforced? What heights would be allowed? With or without garages? Doesn't city require a 2 car garage if original garage is demolished on the property? Can new SF or multifamily housing be built without a garage in R1-5000 and 7000 zoning?

>

> Thanks for the clarification. In my review of AHO, It is my understanding that multifamily housing can be inserted anywhere and everywhere except an LHD. Is that correct?

>

> Lynn K Pershing

>

> Sent from my iPhone

From: [Norris, Nick](#)
To: [Javoronok, Sara](#)
Subject: Fwd: (EXTERNAL) Affordable Housing Incentive
Date: Friday, February 17, 2023 5:04:01 PM

Nick Norris
Planning Director
Salt Lake City
sent from my cell phone, please excuse typos

Begin forwarded message:

From: Marilyn Avery <[REDACTED]>
Date: February 17, 2023 at 4:34:02 PM MST
To: "Norris, Nick" <Nick.Norris@slcgov.com>
Subject: (EXTERNAL) Affordable Housing Incentive

Dear Mr Norris: My husband and I live at 1450 E Laird Ave, Slc. We have worked all our lives to afford a charming historic home on a tree lined street. We previously lived in the Eastern U.S. in a small city that tore down historic buildings in the name of progress. Now many people have left the town and deterioration has set in. Other towns in the area with historic homes and attractions are reaping the benefits.

The Affordable Housing Incentive is a terrible idea! It is unfair to everyone, young or old to ruin neighborhoods that have been enjoyed and loved for a very long time.

Opinions of tax paying citizens are not being considered in good faith with these plans. PLEASE consider less destructive, less punitive options

Marilyn and John Avery

Sent from my iPad

From: [Peter Wright](#)
To: [Javoronok, Sara](#)
Subject: Re: (EXTERNAL) Affordable Housing Incentives
Date: Tuesday, July 12, 2022 6:46:29 AM

Hi Sara

Thank you for your reply. It would seem that there needs to be some standard set in the ordinance for the size of the affordable units in relation to the market rate units for all zones.

How else does the city know what it is getting in exchange for the concessions it is giving? How can a potential developer determine the economics of a project if this is not defined?

If the standard of comparability is to be used for some zones it would seem logical and fair to apply this same standard to all zones.

Alternatively a percentage of total square feet could be used or a minimum square feet set in the ordinance for the affordable units. But I hope you would agree it must be defined in some way.

Thanks,
Peter

On Mon, Jul 11, 2022 at 4:47 PM Javoronok, Sara <Sara.Javoronok@slcgov.com> wrote:

Hi Peter,

That's correct. As written, the comparable units section doesn't apply to the single- or two-family zoning districts, including SR-1A. I will add your message to the project file, and adding this provision may be considered by staff and the Planning Commission as the project progresses.

Let me know if you have other questions or comments.

Thanks.

Sara

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From: Peter Wright <[REDACTED]>
Sent: Thursday, July 7, 2022 3:31 PM
To: Javoronok, Sara <Sara.Javoronok@slcgov.com>
Subject: (EXTERNAL) Affordable Housing Incentives

Hi Sara,

I have been reviewing the draft language in the proposed ordinance with respect to the SR-1A zone and have a question.

I cannot find any stipulations on the size of the affordable units in relation to the market rate units for this single family zone. Possibly I have missed this.

Such a clause would seem to be required for all zones. Is it intended that the affordable units should be comparable to the market rate units in the SR-1A zone?

Thanks,

Peter Wright

From: [Javoronok, Sara](#)
To: ["Donald Emerson"](#)
Cc: [Dugan, Dan](#); [John Rosswog](#); [WH VC Dan Jensen](#); [ANNE CANNON](#); [Norris, Nick](#)
Subject: RE: (EXTERNAL) Re: Affordable Housing Incentives
Date: Monday, July 18, 2022 5:09:59 PM

Hi Don,

Thanks for the email and the questions. I will add these to the project file for the proposal. See below in [blue](#) for responses. We are working on additional research and modifications to the incentives prior to returning to the Planning Commission. We will let you know when this information is complete and posted.

Let me know if you have additional questions or comments.

Sara

WHCC Questions on Affordable Housing Incentives

Members of the Wasatch Hollow Community Council (WHCC) are aware that many people living or wishing to live in the Wasatch Front region have difficulty finding housing that is affordable to them. The need for affordable housing can be acute for those residents who perform service work that is essential to the community – e.g., teachers, police and firemen, restaurant and other service workers upon whom we all depend – as well as young families just starting out. Salt Lake City and regional efforts to increase the supply of affordable housing are needed and timely.

The WHCC has been discussing the City's Affordable Housing Incentives (AHI) proposal which provides incentives for the construction of additional housing. As proposed, the AHI would incentivize the removal of existing single-family dwellings and replacing them with added density over about 1/3 of Wasatch Hollow, as illustrated in yellow on the page 35 map. The WHCC has not yet taken a formal position on the AHI proposal but our discussion has generated a number of questions that we think need better answers before the proposal moves forward through the Planning Commission to the City Council. The proposal and its potential impacts merit thorough vetting, and the City should take the time needed to arrive at a proposal that is widely supported, enforceable, and protective of the physical character of existing neighborhoods.

WHCC Questions:

1. Shouldn't the zoning of property seek to implement adopted land use plans? The East Bench Master Plan adopted in 2017 recognizes stable and interactive neighborhoods as opportunities that should be embraced and notes that "there is a strong desire among East Bench residents to preserve the defining features of their unique neighborhoods." How will the City make sure that the AHI does not destabilize and change the physical character of our existing neighborhoods?

[The proposal is consistent with the adopted citywide plans, Plan Salt Lake and Growing SLC. The incentives for the single- and two- family districts are not intended to remove defining neighborhood features. Rather, they are to allow for additional housing and housing types that are compatible with the size and massing of existing housing and housing that can be built in the neighborhoods.](#)

2. Has the City chosen the best criteria for identifying those areas of the City where the AHI ought to apply? The proposed criteria are limited to transportation – properties along arterial roadways or within ¼ mile of frequent transit, defined as fixed guideway transit or bus routes with 15-minute service. Why did City staff rely on outdated bus schedules when preparing the map on page 35 of the proposal, and does it make sense to tie zoning to something as variable as bus schedules? Why did the City not propose additional criteria such as:
 - a. Capacity of existing infrastructure (e.g. water, sewer, streets and parking) to handle the demand caused by added density,
 - b. Proximity to jobs and essential services, such as medical care, schools and grocery stores, and
 - c. Areas already targeted for redevelopment?

Staff began working on the proposal prior to the pandemic and as the Funding Our Future routes provided increased service across the community. The pandemic, and the resulting lifestyle and commuting changes were not anticipated. The ease with which bus routes have changed and continue to change highlight how non-fixed transit frequency is likely not good a mechanism to base the locations for these expanded housing types. This part of the proposal would likely be difficult to administer and staff will develop alternatives to present to the Planning Commission. An option that may be included is allowing the incentives to be used regardless of proximity to transit or otherwise designating these options to street types or other factors that are less flexible.

As for a. identified above, it is the responsibility of developers to provide service to new development. During the review process, infrastructure needs, like water and sewer are identified, and new or upgraded service may be required to be installed by the developer. This is typically handled during the building permit process. If a water, sewer, or storm drain line do not have adequate capacity for new housing unit, a developer is required to increase the capacity. This is similar for other utilities like electricity.

For b., generally greater intensity of development and additional incentives are proposed in zoning districts that are near jobs and services. Similarly, areas that are targeted for redevelopment, including RDA areas, generally allow for greater density and a greater intensity of uses. Additional height or density is proposed in these areas.

3. How is the market expected to respond to the AHI? Has the City been in communication with developers to ascertain the price point at which developers will find it advantageous to tear down existing single family housing and replace it with multiple units, half of which will be affordable? Does the City know which residential parcels, or which types of parcels, have already attracted developer interest in anticipation of the AHI? Might this information be made available to the public?

Planning is further assessing the feasibility of the incentives and when the proposal returns to the Planning Commission there will be additional data for the Commission to review and consider. Planning does not track ownership of parcels to assess interest in redevelopment.

4. How does the City propose to enforce the AHI, given the current lack of enforcement for other land use requirements like short term rentals? Shouldn't enforceability be a key factor in establishing the feasibility of adopting the AHI?

State Law (17-50-338) limits the ability of the city to enforce on short-term rentals. The city cannot solely rely on website listings. The city has issued zoning violations for properties and has

enforced on some properties. Due to the restrictions, it has been a lengthy process. Using a contract that the owner and the city agree to could include provisions for prohibiting short term rentals on properties that utilize the incentive program. Enforcement and tracking are important aspects of the proposal and will be detailed prior to review of it by the City Council.

5. How is the City working with other Wasatch Front jurisdictions to incentivize the construction of affordable housing on a regional basis?

The city participates actively on housing issues facing the region, through the work of the Wasatch Front Regional Council and the Utah League of Cities and Towns as well as several groups established by the Utah Legislature that are focused on housing affordability throughout the entire state. City representatives sit on several county and regional groups that are engaged in addressing the housing needs outside of the city because we recognize that this is a regional issue and not just limited to SLC.

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From: Donald Emerson <[REDACTED]>

Sent: Sunday, July 17, 2022 3:17 PM

To: Javoronok, Sara <Sara.Javoronok@slcgov.com>

Cc: Dugan, Dan <Daniel.Dugan@slcgov.com>; John Rosswog <[REDACTED]>; WH VC
Dan Jensen <[REDACTED]>; ANNE CANNON <[REDACTED]>

Subject: (EXTERNAL) Re: Affordable Housing Incentives

Hi Sara,

Thank you again for participating in the Wasatch Hollow Community Council's May meeting and for briefing us on the City's proposed Affordable Housing Incentives. The Council's discussion of the proposal continued at its June meeting. The Council has not adopted a position on the proposal, but we have drafted the attached statement to identify questions that we think need better answers before the proposal moves back to the Planning Commission and then on to the City Council. Please add this statement to the comments you have received from other Community Councils and members of the public.

Don Emerson
Chair, WHCC

On Thursday, May 5, 2022 at 11:08:43 AM MDT, Javoronok, Sara <sara.javoronok@slcgov.com> wrote:

Hi Don,

Thanks for working with my schedule. I will plan on giving about a 10 minute presentation and answering questions on 5/25 at 7 p m. Let me know if you have something else in mind.

Here are a few links about the proposal:

Project page: <https://www.slc.gov/planning/2022/01/26/affordable-housing/>

Planning Commission page – the staff report will be posted later today: <https://www.slc.gov/planning/public-meetings/planning-commission-agendas-minutes/>

The staff report and attachments will have the most up-to-date information. There are some changes from what is posted on the project page.

Let me know if you have additional questions.

Sara

SARA JAVORONOK, AICP

Senior Planner

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feedback do so at their own risk and do not vest any property with development rights.

From: [Wasatch Tenants United](#)
To: [Javoronok, Sara](#)
Subject: (EXTERNAL) Invitation to discuss hearing, and the upcoming challenges.
Date: Friday, May 13, 2022 2:04:27 PM

Hi Sara.

Our policy team doesn't predict many other factions represented in opposition to the overlay are going to change their positions. We know as well as you that they tend to be against anything that will alter the aesthetics of the city, regardless of potential benefits.

Our showing on wednesday was done through one instagram post 16 hours prior to the hearing. If we do not hear back from you or other planning staff within a week we intend to formally call for scrapping this overlay in a collective press release, and to begin a series of public meetings in various neighborhoods to organize against it.

However, given the right conditions, we are ready to withdraw our opposition, or possibly mobilize in support. We are open to sitting down for a discussion on this.

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Logo



Wasatch Tenants United

Street by street, block by block

