



Staff Report

PLANNING DIVISION

To: Salt Lake City Planning Commission
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Date: February 14, 2024
Re: Zoning Text Amendment to allow Single-family Attached Dwellings in select Commercial Zoning Districts, PLNPCM2023-00894

Zoning Text Amendment

PROPERTY ADDRESS: Citywide

MASTER PLAN: Plan Salt Lake

ZONING DISTRICT: Community Business (CB), Community Shopping (CS), Commercial Corridor (CC), General Commercial (CG), and Sugar House Business District 1 & 2 (CSHBD)

REQUEST:

Natalia Linchenko of TAG SLC is requesting to amend the Salt Lake City Zoning Ordinance to allow single-family attached dwellings as a permitted use in commercial zoning districts where multi-family dwellings are already permitted. These districts include Community Business (CB), Community Shopping (CS), Commercial Corridor (CC), General Commercial (CG), and Sugar House Business Districts (CSHBD 1 & 2).

RECOMMENDATION:

Based on the information and findings listed in the staff report, Planning staff recommends that, with the recommendations listed below, the proposal generally aligns with the considerations for a zoning text amendment.

Staff recommends the following changes to the request:

- Allow Single-family attached dwellings as a permitted use in the Community Shopping (CS), Commercial Corridor (CC), and General Commercial (CG) districts, but **not** in the Community Business (CB) or Sugar House Business (CSHBD 1 & 2) districts.
- For those zoning districts where single-family attached dwellings would be a permitted use, require the following design standards (as defined in section [21A.37.050](#) of the zoning ordinance) for single-family attached dwellings:
 - (L) Ground Floor Residential Entrances for Dwellings with Individual Unit Entries
 - (P) Entry Features

ATTACHMENTS:

- | | |
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| A. Map of Affected Districts | D. Zoning Text Amendment Standards |
| B. Applicant Submittal | E. Public Process and Comments |
| C. Staff Recommendations | F. Department Review Comments |

PROJECT DESCRIPTION

This is a request to amend the Salt Lake City Zoning Ordinance to allow attached single-family dwellings (typically known as townhouses or rowhouses) in zoning districts where multi-family dwellings are already permitted. The applicant’s intent for this request is to expand the permitted types of housing development in commercial districts. The following proposed additions are underlined:

21A.33.030: TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS:

	CB	CS	CC	CG	CSHBD
Multifamily	P	P	P	P	P
Single-family attached	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

Multifamily vs. Single Family Attached

In the Zoning Ordinance, multi-family and attached single-family dwellings have separate definitions and are listed as distinct categories in the section establishing permitted, conditional, and prohibited uses (21A.33). Multi-family dwellings, defined below, are buildings that contain three or more residential units on a single lot and are typically referred to as apartment buildings. As established by the definition below, multi-family dwellings can be leased by tenants or sold as condominiums.

DWELLING, MULTI-FAMILY: A building containing three (3) or more dwellings on a single lot. For purposes of determining whether a lot is in multiple-family dwelling use, the following considerations shall apply:

- A. *Multiple-family dwelling uses may involve dwelling units intended to be rented and maintained under central ownership or management, or cooperative apartments, condominiums and the like.*
- B. *Any multiple-family dwelling in which dwelling units are available for rental or lease for periods of less than one month shall be considered a hotel/motel.*

Multifamily buildings are often designed as apartment buildings. They are usually higher in density due to smaller units and can easily be incorporated into “mixed-use” buildings with commercial uses like restaurants or retail on the ground floor. This is why multifamily is typically permitted in commercial zoning districts. These building forms not only allow for mixed-use opportunities they also allow for residential density that can support commercial activity in the neighborhood.



@2100 is an example of a typical multifamily development in the CG Zone

On the other hand, attached single-family dwellings (called “single-family attached” in the code, defined below) are dwellings attached to one another in groups of three or more and are typically called townhouses or rowhouses. These units are connected along one or both of their side walls (called a party wall). Like detached single-family dwellings, each unit sits on its own lot. The definition does not establish a specific means of occupancy or ownership, so each lot may be individually sold or leased to a tenant. Ownership of these units usually includes the land they sit on (known as “fee-simple” ownership), unlike condominium ownership in a multifamily setting where it is limited to unit space. Lots for this type of dwelling often include small yards and a

private garage or parking area. This housing style has been excluded from commercial zoning districts since their design tends to limit density and other uses on a site. Unlike apartment-style multi-family dwellings, the nature of attached single-family development is inherently less dense due to the typical height of the buildings (usually three stories) and the amount of land required for open space, yards, vehicular access, and parking.

DWELLING, SINGLE-FAMILY ATTACHED: A dwelling unit that is attached via a common party side wall to at least one other such dwelling and where at least three (3) such dwellings are connected together.



Typical Rowhouse / Single Family Attached style development on Jefferson St



Crescent Townhomes along Redwood is a Condominium project that would not be approved as a Single-Family Attached

Condominiums: Definitions and Funding Issues

In recent years, there have been a number of development projects designed in the form of townhouses or rowhouses (like attached single-family dwellings) but with a central ownership or management structure where units are either leased to tenants or sold as condominiums (like multi-family dwellings). Because of the central ownership structure and shared common space, the Planning Division has classified projects like these as *multi-family* dwellings. Because the buildings in this type of development often lack street frontage, they usually require Planned Development approval.

Despite having nearly identical building forms, townhouses sold on individual lots with the land underneath (fee-simple ownership) are clearly defined as single-family attached dwellings. This differentiation is part of the reasoning behind the applicant's desire for single-family attached dwellings to be permitted in zoning districts where multi-family dwellings are already allowed.

The applicant has indicated that they, and other developers, have faced challenges promoting ownership of individual units in a townhouse-style development when they are classified as multi-family dwellings. In their narrative, they argue that dwellings that are designated as condominiums are much more likely to be rented rather than sold because there are "significant liability risks tied to condo sales," specifically, shared property may "amplify the potential for legal disputes and financial liabilities;" their "ownership percentage requirements" make selling individual units challenging. From the applicant's narrative:

"In zoning areas where single-family attached housing is prohibited while multi-family housing is permitted, many projects that resemble townhouses are designated as condos for legal classification. This classification as condos allows the projects to be considered a multi-family development rather than single-family attached housing. The key issue at hand is that when a project is designated as a condo rather than an attached single-family residence, it is much more likely it will be rented rather than sold to individual families.

But why do investors often steer clear of selling condos? The answer lies in the significant liability risks tied to condo sales. The intricate nature of condominium development, involving individual unit sales within a shared property, can amplify the potential for legal

disputes and financial liabilities. Additionally, ownership percentage requirements create challenges in individually selling off the project. Consequently, even if some developers are willing to take on the extra risks associated with selling individual condo units, most architects, builders, and other stakeholders tend to shy away from such projects.” [TAG narrative, [Attachment B](#)]

These issues are often affected only by the ownership structure of a project. Limiting permitted dwelling unit types in a zoning district to only multi-family may limit financing opportunities for development that would otherwise be identical if classified as single-family attached. This, in turn, limits opportunities for owner-occupied units within the city. The City and State have been encouraging homeownership and expanding opportunities for affordable owner-occupied units in recent years. Allowing attached single-family dwellings in these districts may align with many of these goals to encourage more ownership opportunities.

STAFF RECOMMENDATIONS AND DESIGN CONSIDERATIONS

Planning staff generally supports the proposed text amendment with some caveats. While the proposal could encourage more housing options and housing ownership throughout the city, there is potential for encroachment into existing commercial hubs (both regional and local in scale)—especially in parts of the city with heavier development pressure. Planning staff is supportive of these changes in commercial districts that tend to be more general in scope or cover a larger geographic area, like the CG General Commercial, CC Corridor Commercial, and CS Community Shopping zoning districts. However, that support ends for commercial districts that serve a more specialized purpose or cover a smaller area, like the CSHBD (1 & 2) Sugar House Business Districts and the CB Community Business District. The land area needs and limited opportunities for a mix of uses make attached single-family development incompatible with those districts. Therefore, Planning staff believes that some zoning districts included in this proposal should be left out.

In addition to excluding certain districts, Planning staff also recommends adding some design standards for this type of development in the applicable districts that ensure new development is adequately designed to encourage engagement with public streets and pedestrian interest. These recommended amendments to the zoning ordinance are underlined in the code sections listed below:

21A.33.030: TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS:

	CB	CS	CC	CG	CSHBD
Multifamily	P	P	P	P	P
Single-family attached		<u>P</u>	<u>P</u>	<u>P</u>	

21A.37.060 B: DESIGN STANDARDS REQUIRED IN COMMERCIAL DISTRICTS:

Standard	CB	CS	CC	CG	CSHBD
Ground floor residential entrances (21A.37.050L)		<u>X³</u>	<u>X³</u>	<u>X³</u>	

Entry features (21A.37.050P)		<u>X³</u>	<u>X³</u>	<u>X³</u>	
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3. These standards only apply to single-family attached dwellings in this district

Community Business District (CB)

A. *Purpose Statement: The CB Community Business District is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.*

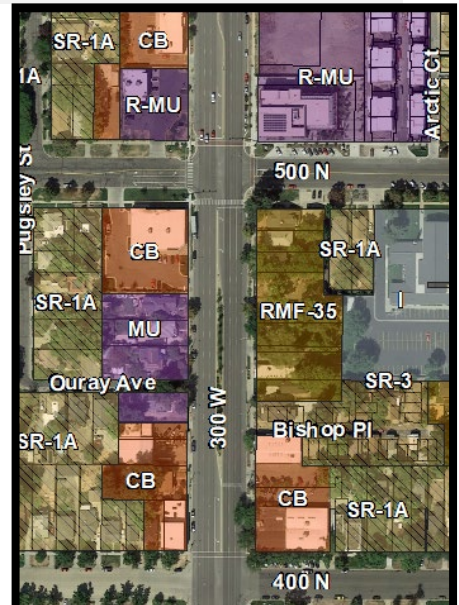
Community Business districts are located as small commercial hubs within neighborhoods. The 9th and 9th district is primarily zoned CB, as are hubs at Glendale Drive near Navajo Circle, Highland Drive near the border with Millcreek, and many other small neighborhood areas throughout the city.

In recent years, Salt Lake has seen the disappearance of small businesses in these areas, often replaced with residential developments. The elimination of these small neighborhood businesses not only reduces opportunities for small businesses in the city but also reduces walkability within a neighborhood as commercial opportunities get pushed to parts of the city more accessible by car. Keeping these neighborhood nodes commercial in function and character supports small businesses and keeps neighborhoods walkable, bikeable, and community-oriented.

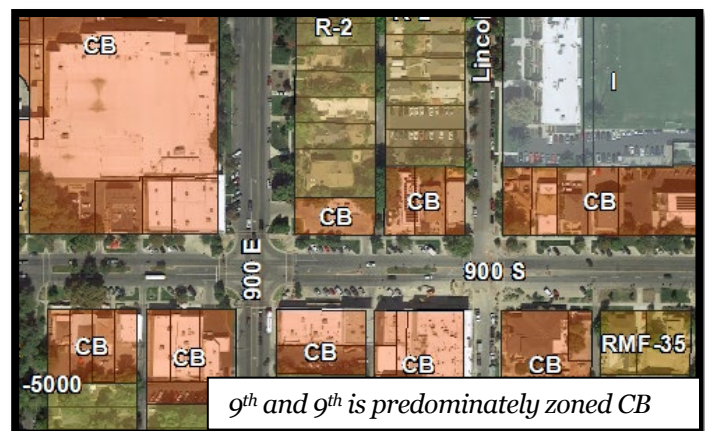
Planning Staff recommends no changes to the permitted uses in this district. While multifamily would still be permitted in this district, allowing single-family attached dwellings in these neighborhoods could increase the development pressure already felt by many residents in these areas. The first guiding principle in Plan Salt Lake, Neighborhoods, calls explicitly for neighborhood-level commercial spaces. Specifically, there are three initiatives under the principle that support staff's recommendation, including:

- 1.1 Maintain neighborhood stability and character.
- 1.8 Encourage and support local businesses and neighborhood business districts.
- 1.12 Support west side business nodes.

All three initiatives point towards the preservation of commercial nodes. Expanding opportunities for residential uses in these areas, especially townhouse-style dwellings, would be contrary to the community's vision for the city. Further discussion regarding the proposal's compatibility with adopted plans and policies can be found under [Key Consideration 1](#).



The Marmalade commercial area along 300 W includes many CB Zoned properties and businesses



9th and 9th is predominately zoned CB

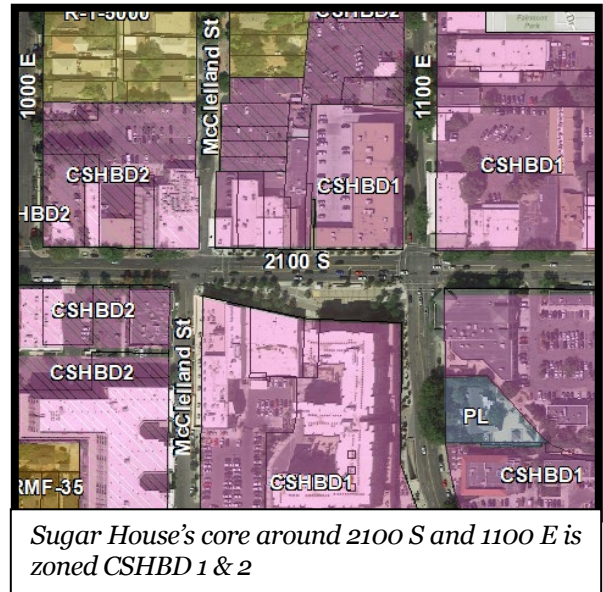
Sugar House Business District (CSHBD)

- Purpose Statement: The purpose of the CSHBD Sugar House Business District is to promote a walkable community with a transit oriented, mixed use town center that can support a twenty-four (24) hour population. The CSHBD provides for residential, commercial and office use opportunities, with incentives for high density residential land use in a manner compatible with the existing form and function of the Sugar House master plan and the Sugar House Business District.*

The CSHBD zoning district covers most of the area around the core of Sugar House – it includes the Wells Fargo building, Barnes and Nobles, Wasatch Brew Pub, and many other restaurants, bars, and retail establishments. The area is filled with several recently completed and still under construction mixed-use and multifamily apartments in this area. As directed by the purpose statement, high density is encouraged in order to keep this area supportive of a “twenty-four-hour population” and support the high amount of commercial activity within it.

Acting as a secondary downtown, this core area of Sugar House is a significant commercial node for the city and the Wasatch Front region. As discussed earlier, the nature of attached single-family development is inherently less dense due to the typical height of buildings (usually three stories), and the amount of land required for open space, yards, and vehicular access. In fact, the Special Purpose Corridor Form Based Districts (FB-SC and FB-SE) that cover much of the western half and periphery of Sugar House (primarily along the streetcar line and between 600 and 800 East) also do not permit attached single-family development. Since those districts are intended to be less intense than the CSHBD zone (both allow fewer stories), it is possible to infer that attached single-family development is meant to be excluded from Sugar House’s core and its immediate periphery.

Initiative 12.1, from the Economy guiding principle of Plan Salt Lake, sets a goal to “maintain and grow Salt Lake City as the economic center of the region.” Allowing lower-density single-family attached-style dwellings could interfere with commercial development in the core of Sugar House. As this area continues to develop, its high-density character should be preserved by keeping residential development within multifamily and mixed-use buildings.



General Commercial (CG) , Commercial Corridor (CC), and Community Shopping (CS)

The Commercial Corridor (CC) and General Commercial (CG) districts are much larger in scope and geographic size than the Community Business and Sugar House Business District Zones, as illustrated by the map in [Attachment A](#).

The General Commercial district covers a huge area of land within the city from 200 S all the way to 2100 S and includes both sides of I-15 from approximately 600 W to West Temple. Staff is confident that this area is large enough to easily support more housing types (like attached single-family dwellings) among the heavy commercial activity and multi-family dwellings that populate this district. Many townhouse-style multi-family developments have recently been approved in this district and have been designed to appropriately fit within the district’s character.

Similarly, the State Street and Redwood Road corridors are almost exclusively within the Commercial Corridor district for the length of the city. A significant amount of land around both of these important corridors is within the CC district. Like the CG district, staff believes that the

existing commercial activity in this district, along with recent multifamily developments, can accommodate an additional housing type. Due to the area covered by the district and the wide variety of permitted uses, permitting attached single-family dwellings in this district would not threaten commercial activity and may encourage a greater variety of housing options along these corridors.

The Community Shopping Zone, which is for larger commercial centers like Trolley Square or Brickyard, may also benefit from additional housing options. These areas are also established commercial centers and are not likely to be quickly redeveloped into housing. The district permits a broad variety of relatively intense commercial uses that could benefit from more nearby residential uses. Additionally, all new development in this district requires Planned Development approval (see [Table 21A.33.030](#)). Projects reviewed through this process receive greater scrutiny in the way they support city objectives and benefit the public.

For these reasons, Staff is supportive of permitting single-family attached dwellings within these districts. The addition may encourage a wider variety of housing styles to mix into the existing commercial uses, promoting walkable, mixed use communities.

Design Standards

Planning staff also recommends applying two existing design standards to attached single-family development within the applicable commercial districts: *Ground Floor Residential Entry* and *Entry Features*. An expansion of permitted uses within commercial districts should come with a public benefit. With the exception of the CSHBD and some recent changes to the CG district, there are currently few design standards for residential development in many of the city's commercial districts. Unless a project requires Planned Development or Design Review approval by the Planning Commission, it can be difficult to require townhouse-style developments to incorporate entry features or façade designs that would promote walkability and pedestrian interest. Adding these two standards ensures that any townhouse-style development built along a street-facing façade would have entryways with architectural features like awnings, covered porches, and porticos, even if there was also a back entry. This is similar to the design standards for row houses that were codified for the newly updated RMF-30 zone. Specific changes recommended by Planning staff can be found in [Attachment C](#).

The first design standard, related to ground floor residential entries for dwellings with individual unit entries requires that “all attached dwellings including attached single-family dwellings, townhouses, [and] row houses,” must have a “primary entrance facing the street for each unit adjacent to a street” (found in section 21A.37.050.L. of the Zoning Ordinance).

The second standard focuses on the design of those entry features that are required. Entry features facing the street must “include a permitted entry feature with a walkway connected to a public sidewalk and exterior lights that highlights the entryway(s)” (found in section 21A.37.050.P). The standard lists four permitted entry types (included with Planning staff's recommendation in Attachment C).



The General Commercial Zone takes up a large geographic area of the city from 200 S to 2100 S, covering both sides of the freeway

Both of these design standards would apply to units adjacent to a public street. Single-family attached dwellings designed as sideways rowhouses, where units face a side lot line instead of the street, would likely require Planned Development approval since the associated lots would lack street frontage (as required by 21A.36.010C).

APPROVAL PROCESS AND COMMISSION AUTHORITY

The Planning Commission can provide a positive or negative recommendation for the proposed text amendment or recommend modifications to the request. The recommendation will be sent to the City Council, which will hold a briefing and additional public hearing on the proposed amendments. The City Council may modify the proposal and approve or decline to approve the proposed amendments.

If ultimately approved by the City Council, the changes would be incorporated into the Salt Lake City Zoning Ordinance, and new development would be required to follow the new regulations. If it is denied, Single Family Attached would remain not Permitted in these zones.

KEY CONSIDERATIONS

The key considerations listed below were identified through the analysis of the proposal:

1. Alignment with Adopted Plans and Policies
2. Public Input

Consideration 1: Alignment with Adopted Plans and Policies

Plan Salt Lake is Salt Lake City's guiding document for growth. It outlines 13 principles to guide growth and development in the city. Its third guiding principle emphasizes the need for more housing options throughout the city.

Housing – *Access to a wide variety of housing types for all income levels throughout the City, providing the basic human need for safety and responding to changing demographics.*

Initiatives:

- 3.2 Increase the number of medium-density housing types and options.
- 3.5 Enable moderate density increases within existing neighborhoods where appropriate.

Discussion:

The proposed text amendment meets the above initiatives by opening up additional financing opportunities for medium-density housing options within commercial districts throughout the city. The changes would also enable the development of housing options beyond condominiums and leased units. As discussed earlier in this report, the risks (and therefore the insurance prices) are much lower for units on fee-simple lots (property that includes the land underneath a unit) compared to condominiums.

While the housing component is extremely important to consider in the city's plan, Staff's review of the other guiding principles—namely Neighborhood and Economy—found that the proposal should be modified.

Neighborhoods *that provide a safe environment, opportunity for social interaction, and services needed for the well-being of the community therein.*

Initiatives:

- 1.1 Encourage and support local businesses and neighborhood business districts.
- 1.8 Provide opportunities for and promotion of social interaction.
- 1.12 Support west-side business nodes.

Discussion:

Due to the overwhelming trend of residential development over the past few years, the city has seen some small commercial spaces and nodes get replaced by development consisting of residential units. It is important to continue support of these local community nodes and

businesses, not only as a way to boost the local economy but to keep neighborhoods lively and walkable, with access to amenities and community spaces. While their scale may vary, these neighborhood commercial spaces often keep neighborhoods thriving, enjoyable, and livable for the residents of these communities and the city at large.

Economy – *A balanced economy that produces quality jobs and fosters an innovative environment for commerce, entrepreneurial local business, and industry to thrive.*

Initiatives:

12.1 Maintain and grow Salt Lake City as an economic center of the region.

12.3 Support the growth of small businesses, entrepreneurship and neighborhood business nodes

Discussion:

While the above-listed initiatives focus on different scales of commerce in the city, both are relevant to this proposal. The first, expressing the community’s desire to keep Salt Lake City as the region’s economic center, relates to Sugar House and the CSHBD zone. Over the past decade, Sugar House has grown from a shopping hub into what is essentially a second downtown. The level of development promoted by the districts’ (both 1 and 2) standards and recent construction both point to the city’s intent to make that so. Townhouse-style housing is not compatible with a high-density commercial core. As mentioned earlier in this report, residential dwellings in this area should be limited to mixed-use and multi-family development.

The second initiative, supporting the growth of small businesses, continues the discussion above regarding small-scale commercial nodes. Because of their age, existing commercial structures often have much lower rent compared to new buildings. Incentivizing the replacement of naturally affordable commercial space with more housing could lead to a reduced supply of spaces for new businesses and increased rents.

Housing SLC 2023-2027

Housing SLC is the city’s plan to identify barriers and create strategies to alleviate the city’s affordable housing crisis. It outlines many goals and strategies to promote affordable housing and prevent displacement and homelessness in the city.

Goal 3 of the plan states: “Increase opportunities for home ownership and other wealth and equity building opportunities”.

Discussion: Since Single Family Attached housing is typically sold, as opposed to rented or leased, (as defined by Multifamily housing), encouraging Single Family Attached in more locations throughout the city expands the housing ownership opportunities throughout the city. This is a small way to encourage home ownership and equity-building opportunities for new homeowners.

Consideration 2: Public Input

Planning staff has received several comments from developers in full support of TAG’s proposal. Most argue that the proposal would expand opportunities for more types of housing throughout the city. Alternatively, a few concerned citizens, and some community councils, have expressed concerns regarding the request. They reference the replacement of some neighborhood commercial nodes by multifamily developments over the past few years.

These small neighborhood commercial nodes throughout the city – in the CB zone, specifically, have historically been an important mixing uses that provide amenities into residential neighborhoods. These neighborhood amenities are what create livable, walkable communities. Expanding the funding options for new housing within these districts could increase development pressure on those nodes.

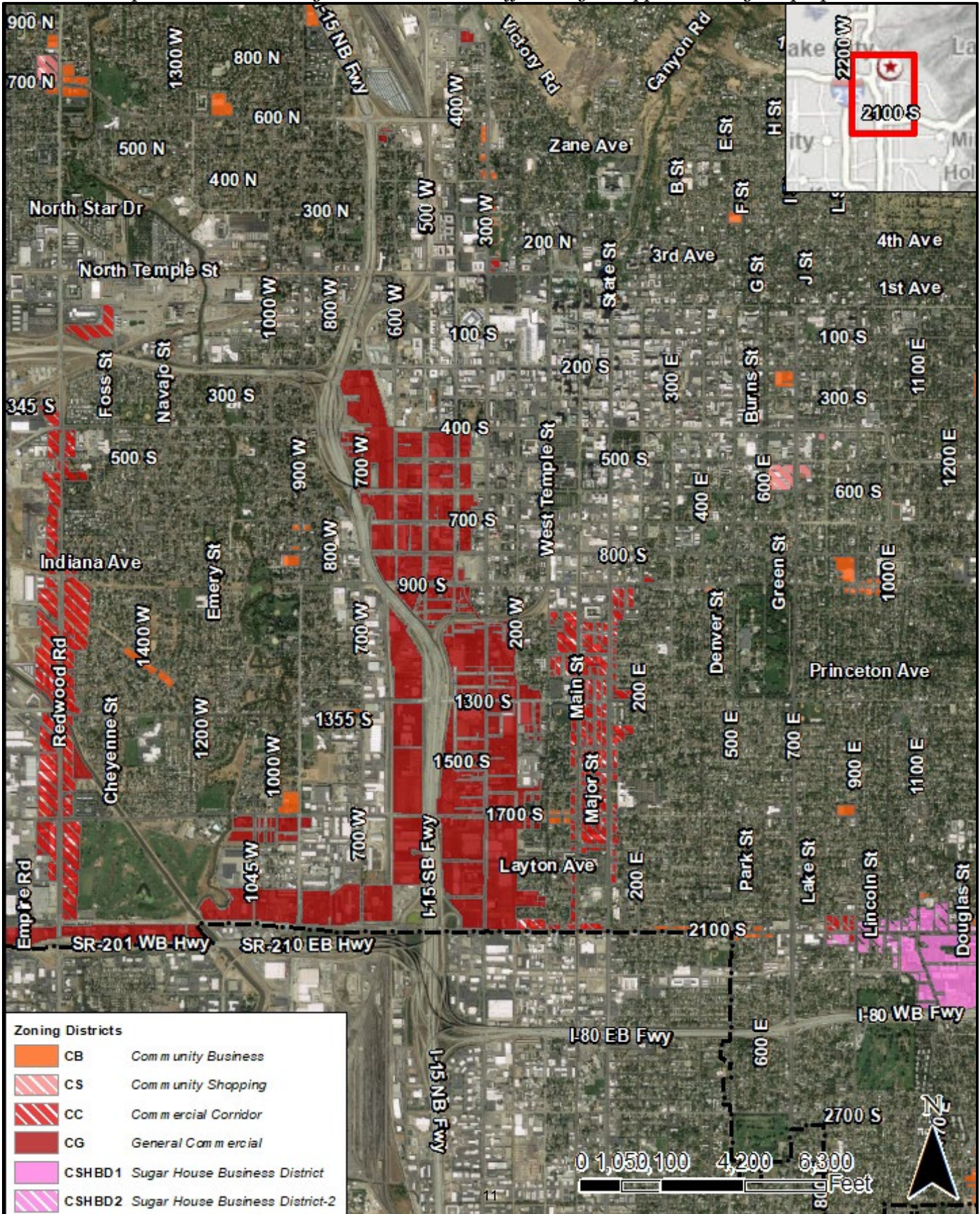
NEXT STEPS

The Planning Commission can provide a positive or negative recommendation for the proposed text amendment. The recommendation will be sent to the City Council, which will hold a briefing and additional public hearing on the proposed amendments. The City Council may modify the proposal and approve or decline to approve the proposed amendments. If ultimately approved by the City Council, the changes would be incorporated into the Salt Lake City Zoning Ordinance, and new development would be required to follow the new regulations.

If the proposed text amendments are denied, single family attached will continue to not be allowed in the CB, CC, CG, and CSHBD Zones.

ATTACHMENT A: Map of Affected Districts

The map below includes every commercial district affected by the applicant's original proposal.



ATTACHMENT B: APPLICANT SUBMITTAL

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**Text Amendment Proposal
for Single-Family Attached Housing to be permitted wherever Multi-Family is permitted**

To whom it may concern,

I am writing to submit a proposal for a text amendment in the Salt Lake City zoning code. This amendment aims to enhance housing ownership opportunities within Salt Lake City by allowing single-family attached housing developments wherever multi-family is permitted.

I. Purpose:

The primary aim of this text amendment is to modify the existing zoning regulations, allowing for the development of single-family attached housing anywhere that multi-family is permitted. In zoning areas where single-family attached housing is prohibited while multi-family housing is permitted, many projects that resemble townhomes are designated as condos for legal classification. This classification as condos allows the projects to be considered a multi-family development rather than single-family attached housing. The key issue at hand is that when a project is designated as a condo rather than an attached single-family residence, it is much more likely it will be rented rather than sold to individual families.

But why do investors often steer clear of selling condos? The answer lies in the significant liability risks tied to condo sales. The intricate nature of condominium development, involving individual unit sales within a shared property, can amplify the potential for legal disputes and financial liabilities. Additionally, ownership percentage requirements create challenges in individually selling off the project. Consequently, even if some developers are willing to take on the extra risks associated with selling individual condo units, most architects, builders, and other stakeholders tend to shy away from such projects.

This zoning text amendment is a direct response to concerns within our own firm and those voiced by the developers, architects, and industry professionals we engage with regularly. This amendment is not tied to a specific project but rather seeks to address a systemic issue. The current zoning regulations inadvertently favor rental housing over homeownership by creating unnecessary hurdles in producing more for sale units.

II. Zoning Ordinance to Be Changed:

The proposed text amendment would affect 21A.33.030: TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS.

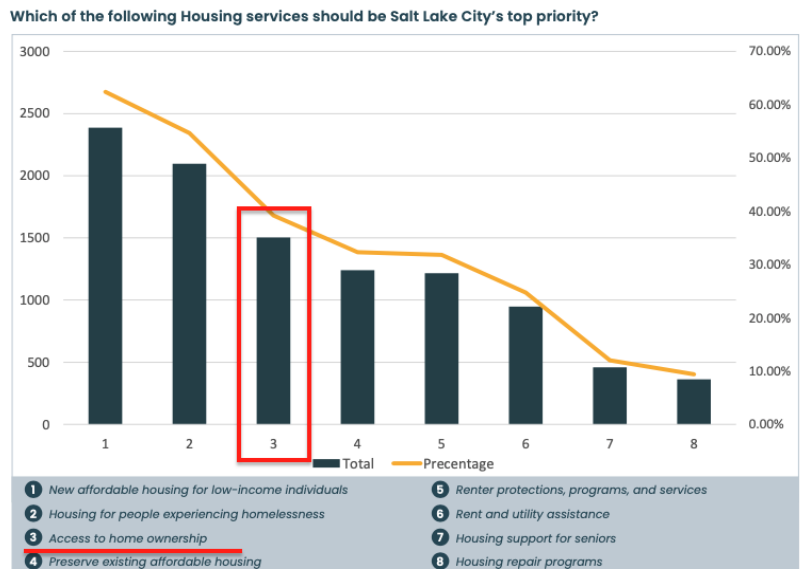
Use	Permitted And		
	CN	CB	CS ¹
<u>Multi-family</u>		P	P
Residential support (large)			
Residential support (small)			
Rooming (boarding) house		P	P
Shared housing			
<u>Single-family attached</u>			
Single-family detached			
Twin home			

III. Factors for City Council Consideration: This text amendment aligns with Salt Lake City's broader objective of bolstering homeownership opportunities, fostering sustainable growth, and broadening the availability of for-sale housing options.

Consistency with City Planning Documents: The amendment aligns with Salt Lake City's adopted planning documents, particularly *Growing SLC* and *Housing SLC*, which emphasize increasing homeownership opportunities and addressing the challenges of housing affordability.

In *Housing SLC*, the third goal is clearly outlined as "Enhancing opportunities for homeownership and other avenues for wealth and equity development."¹ Additionally, in *Growing SLC*, Goal 2, Objective 6 explicitly emphasizes the need to "Expand opportunities for home ownership."²

Community Support: The proposal supports the community's desire for increased opportunities for homeownership. Within *Housing SLC*, the most recent Salt Lake City Plan, survey participants consistently ranked homeownership among their top three priorities, underscoring the significance of this goal for both individual residents and their communities.³



¹ Salt Lake City Documents, Accessed October 24, 2023
www.slcdocs.com/CAN/2023-Housing-SLC-Plan-Spread-1.pdf

² Salt Lake City Documents, Accessed October 24, 2023
www.slcdocs.com/hand/Growing_SLC_Final_No_Attachments.pdf

³ Salt Lake City Documents, Accessed October 24, 2023
www.slcdocs.com/CAN/2023-Housing-SLC-Plan-Spread-1.pdf

IV. Conclusion:

This text amendment proposal seeks to enhance housing opportunities in Salt Lake City by allowing single-family attached housing wherever multi-family is permitted, promoting sustainable growth and making homeownership more accessible to its residents. We believe this change aligns with the city's goals, and we appreciate your consideration of this important amendment.

Should you require any additional information or wish to discuss this proposal further, please do not hesitate to contact me.

All the best,

Natalia Linchenko

Natalia@tagslc.com

Applicant's updated petition 11/15/23**Text Amendment Proposal
for Single-Family Attached Housing to be permitted wherever Multi-Family is permitted within
the Commercial District**

To whom it may concern,

I am submitting a proposal for a text amendment to the Salt Lake City zoning code, aiming to increase housing ownership opportunities by permitting single-family attached housing in commercial districts (CB, CS, CC, CSHBD, and CG) where multi-family is currently allowed.

I. Purpose:

This text amendment primarily seeks to revise existing zoning regulations, aiming to eliminate unnecessary obstacles in producing for sale homes. In zoning areas where single-family attached housing is prohibited while multi-family housing is permitted, many projects that resemble townhomes are designated as condos for legal classification. This classification as condos allows the projects to be considered a multi-family development rather than single-family attached housing. The key issue at hand is that when a project is designated as a condo rather than an attached single-family residence, it is much more likely it will be rented rather than sold to individual families.

But why do investors often steer clear of selling condos? The answer lies in the significant liability risks tied to condo sales. The intricate nature of condominium development, involving individual unit sales within a shared property, can amplify the potential for legal disputes and financial liabilities. Additionally, ownership percentage requirements create challenges in individually selling off the project. Consequently, even if some developers are willing to take on the extra risks associated with selling individual condo units, most architects, builders, and other stakeholders tend to shy away from such projects.

This zoning text amendment is a direct response to concerns within our own firm and those voiced by the developers, architects, and industry professionals we engage with regularly. This amendment is not tied to a specific project but rather seeks to address a systemic issue. The current zoning regulations inadvertently favor rental housing over homeownership by creating unnecessary hurdles in producing more for sale units.

II. Zoning Ordinance to Be Changed:

The proposed text amendment would affect 21A.33.030: TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS.

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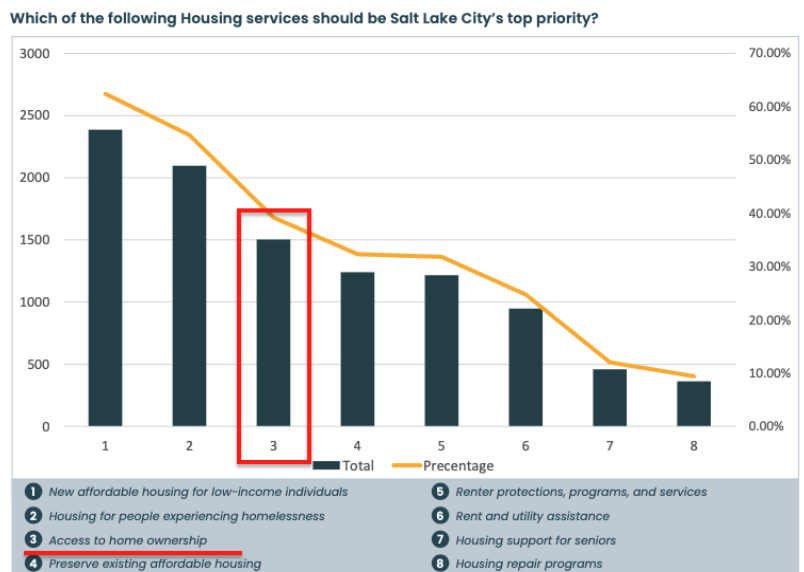
Use	Permitted And Conditional Uses By District						
	CN	CB	CS ¹	CC	CSHBD ¹	CG	SNB
Manufactured home							P
Multi-family		P	P	P	P	P	P
Residential support (large)				C		C	
Residential support (small)				C		C	
Rooming (boarding) house		P	P	P	P	P	
Shared housing				P	P	P	
Single-family attached							P
Single-family detached							P

III. Factors for City Council Consideration: This text amendment aligns with Salt Lake City's broader objective of bolstering homeownership opportunities, fostering sustainable growth, and broadening the availability of for-sale housing options.

Consistency with City Planning Documents: The amendment aligns with Salt Lake City's adopted planning documents, particularly *Growing SLC* and *Housing SLC*, which emphasize increasing homeownership opportunities and addressing the challenges of housing affordability.

In *Housing SLC*, the third goal is clearly outlined as "Enhancing opportunities for homeownership and other avenues for wealth and equity development."¹ Additionally, in *Growing SLC*, Goal 2, Objective 6 explicitly emphasizes the need to "Expand opportunities for home ownership."²

Community Support: The proposal supports the community's desire for increased opportunities for homeownership. Within *Housing SLC*, the most recent Salt Lake City Plan, survey participants consistently ranked homeownership among their top three priorities, underscoring the significance of this goal for both individual residents and their communities.³



¹ Salt Lake City Documents, Accessed October 24, 2023
www.slcdocs.com/CAN/2023-Housing-SLC-Plan-Spread-1.pdf

² Salt Lake City Documents, Accessed October 24, 2023
www.slcdocs.com/hand/Growing_SLC_Final_No_Attachments.pdf

³ Salt Lake City Documents, Accessed October 24, 2023
www.slcdocs.com/CAN/2023-Housing-SLC-Plan-Spread-1.pdf

IV. Conclusion:

This text amendment proposal seeks to enhance housing opportunities within Salt Lake City's Commercial Zoning District by allowing single-family attached housing wherever multi-family is permitted, promoting sustainable growth and making homeownership more accessible to its residents. We believe this change aligns with the city's goals, and we appreciate your consideration of this important amendment.

Should you require any additional information or wish to discuss this proposal further, please do not hesitate to contact me.

All the best,

Natalia Linchenko

Natalia@tagslc.com

From: [TAG SLC](#)
To: [TAG SLC](#); [Younger, Cassie](#); [Barlow, Aaron](#); [Natalia Linchenko](#)
Subject: (EXTERNAL) PLNPCM2023-00894 - possible changes to application
Date: Wednesday, December 20, 2023 9:58:45 AM
Attachments: [image001.png](#)

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Cassie, Aaron and the Salt Lake Planners-

We have had several conversations about the potential recommendations you sent over last week. Ultimately, we want to be a good partner to city with the goal of this application to make it easier to construct for sale housing throughout our community.

Eliminate CB Zone from the applications:

We would like CB to remain as part of our application.

I totally understand the desire to foster these community nodes and the challenges removing neighborhood commercial from neighborhoods. An overhaul of the zone is great as zoning leads to the development outcomes. Given the potential lag in the adoption of any new ordinance we think its best to propose allowing SFA in this zone since multy family is at this time allowed.

If the city and city council decides to modify the zone in the future, then SFA could be eliminated alongside multi family.

CSHBD-

We love density. The CSHBD 1 zone is unlikely to be conducive for SFA.

CSHBD 2 is a more likly place to see SFA since its only allowed to go to 60 ft but still not likly given the land values in this district.

We arent advocating to build SFA here, we are advocating to remove zoning barriers to producing owner occupied housing. I'm sure we could find some lots in this zone that SFA would be a good outcome, even in a zone that should be denser.

Adding additional design guidelines:

Frankly, this is beyond the scope of our application. Our intent was to propose a simple modification to allow SFA into zones where multi family is already allowed. Although I do think design standards are positive I think its more than this petition can handle.

Also, it doesnt seem fair that units designed for ownership have a higher bar for design than doing a for rent project. I would actually argue the opposite, if the city's intent is to promote more owner occupied units.

We understand your points and hope that you understand ours as well.

At this time we ask that our application remain the same.

Thanks



Jordan Atkin

ATTACHMENT C: STAFF RECOMMENDATION

Recommended changes are underlined.

21A.33.030: TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS:

	CB	CS	CC	CG	CSHBD
Multifamily	P	P	P	P	P
Single-family attached		<u>P</u>	<u>P</u>	<u>P</u>	

21A.37.060 B: DESIGN STANDARDS REQUIRED IN COMMERCIAL DISTRICTS:

Standard	CB	CS	CC	CG	CSHBD
Ground floor residential entrances (21A.37.050L)		<u>X³</u>	<u>X³</u>	<u>X³</u>	
Entry features (21A.37.050P)		<u>X³</u>	<u>X³</u>	<u>X³</u>	

3. These standards only apply to single-family attached dwellings in this district

21A.37.050: Design Standards Defined:

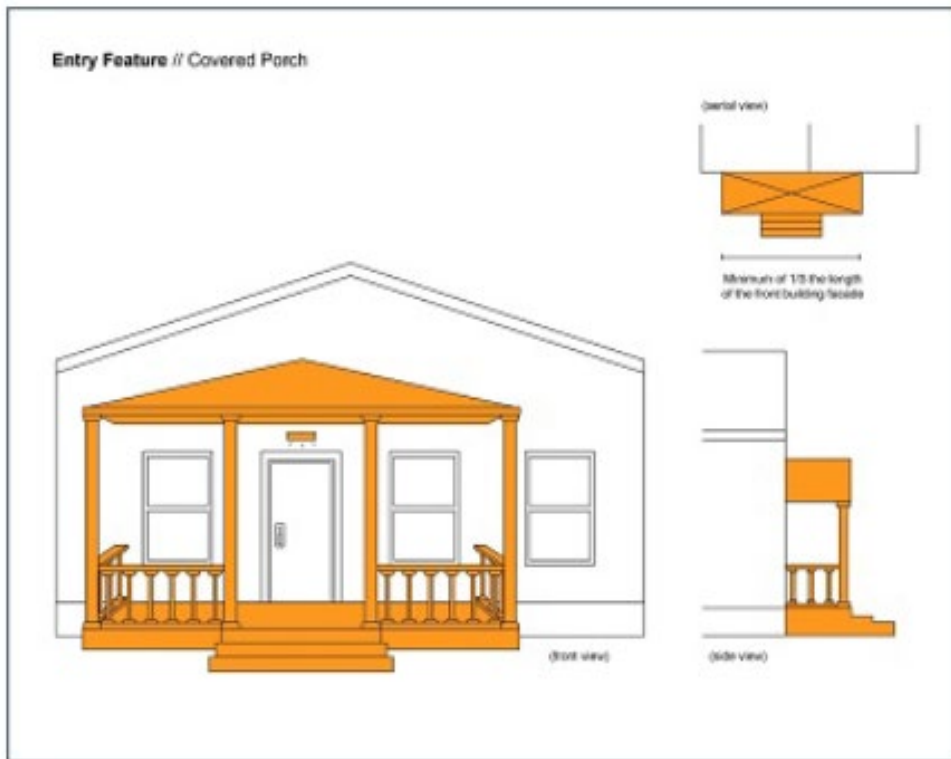
L. Ground Floor Residential Entrances for Dwellings with Individual Unit Entries: For the zoning districts listed in Section [21A.37.060](#), [Table 21A.37.060](#) of this chapter, all attached dwellings including attached single-family dwellings such as townhouses and row houses, multi-family developments with ground floor uses, and other similar housing types located on the ground floor shall have a primary entrance facing the street for each unit adjacent to a street. Units may have a primary entrance located on a courtyard, midblock walkway, or other similar area if the street facing facades also have a primary entrance.

P. Entry Features: Each required entrance per Section [21A.37.050.D](#) and [21A.37.050.L](#) of this title shall include a permitted entry feature with a walkway connected to a public sidewalk and exterior lighting that highlights the entryway(s). Where buildings are located on a corner lot, only one street facing façade must include an entry feature. Where a building does not have direct public street frontage, the entry feature should be applied to the façade where the primary entrance is determined to be located. A two-family dwelling arranged side by side, row house and cottage court developments shall include at least one entry feature per dwelling unit adjacent to a public street.

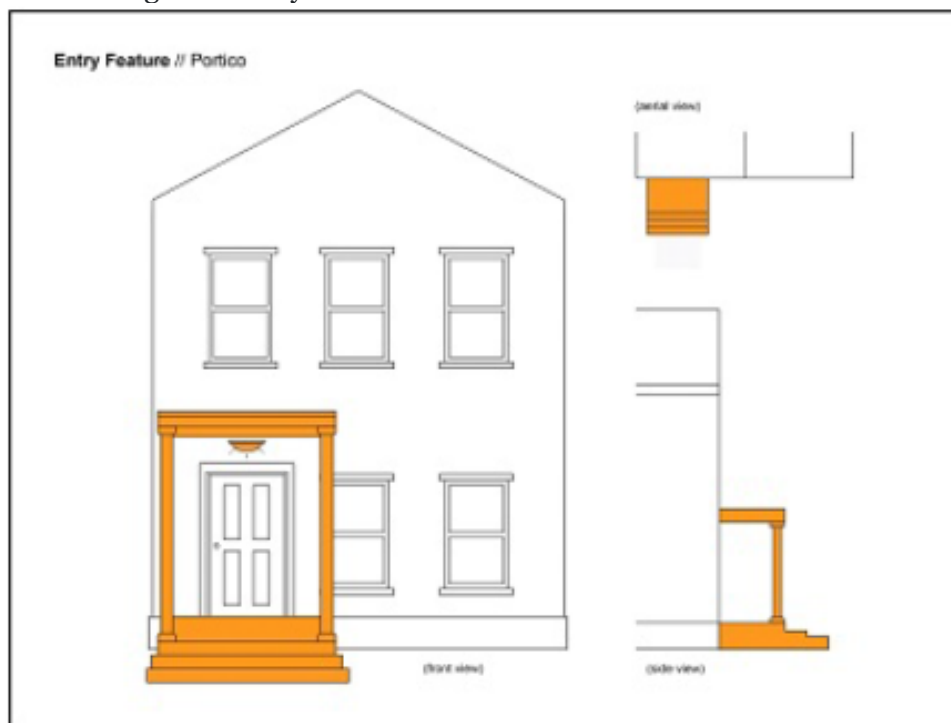
1. Permitted Encroachments: A permitted entry feature may encroach up to five feet (5') into a required front yard; however, in no case shall an encroachment be closer than five feet (5') to a front property line. A covered entry feature encroaching into a front yard may not be enclosed.

2. Permitted Entry Features:

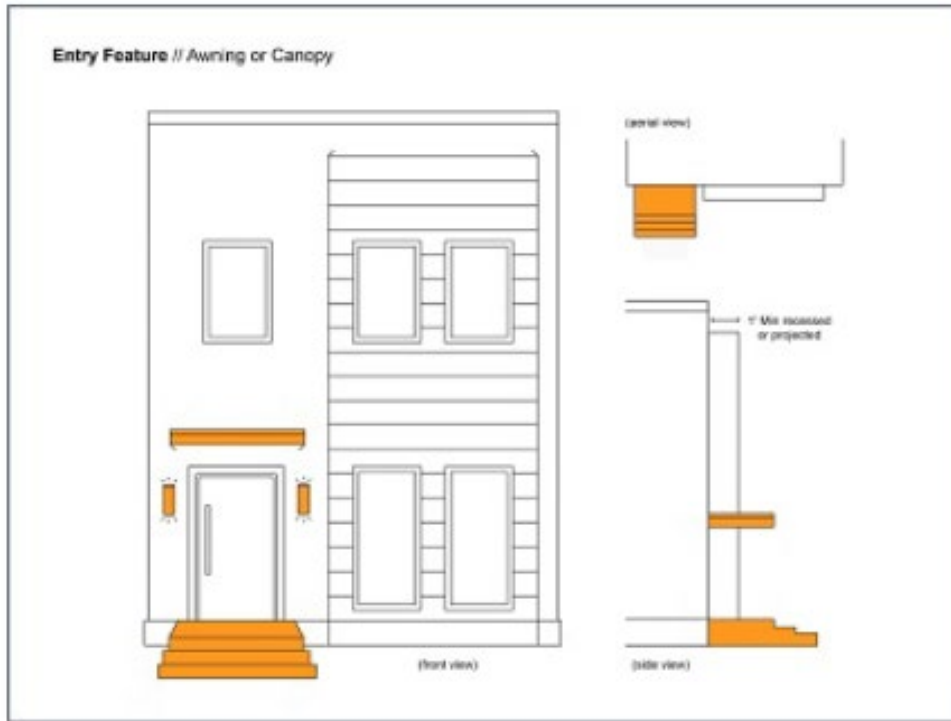
- a. Covered Porch - A covered, raised porch structure with or without railings spanning at least a third the length of the front building façade.



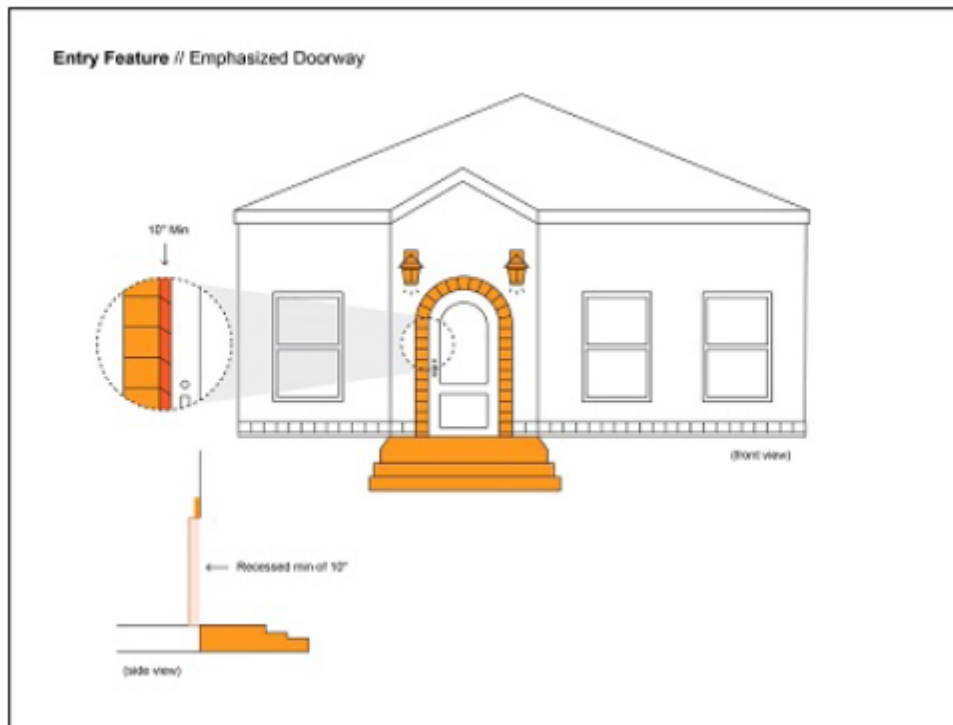
- b. Portico - A structure with a roof protruding over the building entry supported by columns over a landing or walkway.



- c. Awning or Canopy - A cover suspended above the building entry over a landing or walkway where the wall(s) around the entry project out or recess in by at least one foot (1') from the front building plane.



- d. Emphasized Doorway - A doorway that is recessed by at least ten inches (10") from the front building plane and architecturally emphasized with a doorframe of a different material than the front façade, differentiated patterns or brickwork around the door, and/or sidelights. Doorways need not be recessed more than six inches (6") on a tiny house.



ATTACHMENT D: Zoning Text Amendment Standards

ZONING TEXT AMENDMENTS

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

1. **Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents.**

Discussion:

As discussed in [Key Consideration 1](#), the proposed amendment aligns with the Housing Principle in Plan Salt Lake, which encourages additional housing options, specifically medium-density housing, throughout the city. Also discussed is Staff's concern to balance the housing needs and developments with preserving neighborhood commercial, particularly in the CB zone, and promoting high-density development in the Sugar House Business District. With Staff's recommended modifications, this request aligns with relevant goals, objectives and policies.

2. **Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance.**

Zoning Ordinance (21A.02.030)

The purpose of this title is to promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Salt Lake City, to implement the adopted plans of the City, and to carry out the purposes of the Municipal Land Use Development and Management Act, title 10, chapter 9, of the Utah Code Annotated or its successor, and other relevant statutes. This title is, in addition, intended to:

- A. *Lessen congestion in the streets or roads;*
- B. *Secure safety from fire and other dangers;*
- C. *Provide adequate light and air;*
- D. *Classify land uses and distribute land development and utilization;*
- E. *Protect the tax base;*
- F. *Secure economy in governmental expenditures;*
- G. *Foster the City's industrial, business and residential development; and*
- H. *Protect the environment.*

Discussion: These proposed amendments align with the purpose and intent of the Zoning Ordinance, as they classify land uses and distribute land development appropriately. The proposal fosters the City's residential developments by adding permitted housing style to more districts. With the addition of Planning staff's recommendations the proposal would do so without significant impacts to business development in the city by protecting smaller and specialized commercial districts from encroaching residential development.

CB Community Business District (21A.26.030)

*Purpose Statement: The **CB Community Business District** is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.*

Response: As discussed under [staff's recommendations](#) in this report, while expanding housing options throughout the city aligns with some adopted goals and could promote homeownership, expanding permitted residential uses may interfere with the intent of the CB district to integrate “moderately sized commercial areas with adjacent residential neighborhoods.”

CS Community Shopping District (21A.26.040)

*Purpose Statement: The purpose of the **CS Community Shopping District** is to provide an environment for vibrant, efficient and attractive shopping center development at a community level scale while promoting compatibility with adjacent neighborhoods through design standards. This district provides economic development opportunities through a mix of land uses, including retail sales and services, entertainment, office and residential. This district is appropriate in areas where supported by applicable master plans, along City and State arterial streets and where the mass and scale of development is compatible with adjacent land uses. Development is intended to be oriented toward the pedestrian while accommodating other transportation modes.*

Response: Residential can be incorporated into these larger shopping centers. The design standards recommended by staff also ensure that the development would be “oriented toward the pedestrian” and to the street, benefiting the urban design of the area. Planned Development approval is required for new projects in this district, adding another level of scrutiny to residential development.

CC Corridor Commercial District (21A.26.050)

*Purpose Statement: The purpose of the **CC Corridor Commercial District** is to provide an environment for efficient and attractive commercial development with a local and regional market area along arterial and major collector streets while promoting compatibility with adjacent neighborhoods through design standards. This district provides economic development opportunities through a mix of land uses, including retail sales and services, entertainment, office and residential. Safe, convenient and inviting connections that provide access to businesses from public sidewalks, bike paths and streets are necessary. Access should follow a hierarchy that places the pedestrian first, bicycle second and automobile third. This district is appropriate in areas where supported by applicable master plans. The standards are intended to promote a safe and aesthetically pleasing environment to all users.*

Response: The CC district is located along several of the city’s major corridors and encompasses large areas of land. The uses in this zone are diverse and commercial retail, office, industrial, and residential are often missed closely together. Many areas within this district have seen significant investment in new residential development over the past few years. Much of that development has closely resembled single-family attached uses in design and density. Permitting single-family attached in this district would, therefore, be compatible with the purpose and development pattern of this district.

CSHBD Sugar House Business District (21A.26.060)

*Purpose Statement: The purpose of the **CSHBD Sugar House Business District** is to promote a walkable community with a transit oriented, mixed use town center that can support a twenty-four (24) hour population. The CSHBD provides for residential, commercial and office use opportunities, with incentives for high density residential land use in a manner compatible with the existing form and function of the Sugar House master plan and the Sugar House Business District.*

Response: As discussed under staff’s recommendations, the Sugar House Business District encourages a high-density mix of uses, including multi-family residential dwellings, within a small, core area. With heights typically maxing out at three stories and the inclusion of lots

with yards in typical townhouse developments, this makes Single Family Attached incompatible with the intended development pattern of the district.

CG General Commercial District (21A.26.070)

Purpose Statement: The purpose of the CG General Commercial District is to provide an environment for a variety of commercial uses, some of which involve the outdoor display/storage of merchandise or materials. This district provides economic development opportunities through a mix of land uses, including retail sales and services, entertainment, office, residential, heavy commercial and low intensities of manufacturing and warehouse uses. This district is appropriate in locations where supported by applicable master plans and along major arterials. Safe, convenient and inviting connections that provide access to businesses from public sidewalks, bike paths and streets are necessary. Access should follow a hierarchy that places the pedestrian first, bicycle second and automobile third. The standards are intended to create a safe and aesthetically pleasing commercial environment for all users.

Response: This zone encompasses a large, central area of the city and already incorporates many residential developments. Heights in this zone are expected to get taller as development continues, but townhouse style-development, including single-family attached dwellings would add a variety of options and types to this district. There are many developments in this district with a similar layout that could easily be converted to single family attached dwellings if the property owner wanted a different ownership style.

3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts that may impose additional standards.

South State Street Corridor (21A.34.090)

Purpose: The purpose of the SSSC South State Street Corridor Overlay District is to acknowledge and reinforce the historical land development patterns along South State Street between 900 South and 2100 South.

Response: This overlay district sits over sections of the CC Commercial Corridor District located along South State Street between 900 S and 2100 S. Its intent is to encourage improved urban design features for new development located on this corridor. The overlay includes additional development standards in regard to pedestrian connectivity, street-facing facades, and building design. These standards and the intent of this overlay do not conflict with the ability to add Single-family attached to this area.

Airport Flight Path (21A.34.040)

Purpose Statement: It is determined that a hazard to the operation of the airport endangers the lives and property of users of the Salt Lake City International Airport, and the health, safety and welfare of property or occupants of land in its vicinity. If the hazard is an obstruction or incompatible use, such hazard effectively reduces the size of the area available for landing, takeoff and maneuvering of aircraft, thus tending to destroy or impair the utility of the Salt Lake City International Airport and the public investment.

Response: This overlay is located over large swaths of the northwest section of the city that include areas zoned CC and CB. Any Single-family attached developments within the Airport Flight Path Overlay would need to comply with its provisions. The proposal does not contradict the overlay's requirements and would not negatively impact or affect its intended purpose.

H Historic Preservation Overlay

Purpose Statement: In order to contribute to the welfare, prosperity and education of the people of Salt Lake City, the purpose of the H Historic Preservation Overlay District is to:

1. *Provide the means to protect and preserve areas of the City and individual structures and sites having historic, architectural or cultural significance;*
2. *Encourage new development, redevelopment and the subdivision of lots in Historic Districts that is compatible with the character of existing development of Historic Districts or individual landmarks;*
3. *Abate the destruction and demolition of historic structures;*
4. *Implement adopted plans of the City related to historic preservation;*
5. *Foster civic pride in the history of Salt Lake City;*
6. *Protect and enhance the attraction of the City's historic landmarks and districts for tourists and visitors;*
7. *Foster economic development consistent with historic preservation; and*
8. *Encourage social, economic and environmental sustainability.*

Response: The H Historic Preservation Overlay sits over some areas within the CS and CB districts. New development would need to comply with the provisions of the H overlay. Single-family attached development does not differ widely from townhouse-style multi-family development, a land use already permitted in the affected CS and CB districts. The proposed amendments would not negatively impact or affect this overlay. There are already many areas within Local Historic Districts that allow for and benefit from attached single-family housing.

Utah Inland Port Overlay (21A.34.150)

Purpose: The purpose of the IP Inland Port Overlay District is to allow for the development of an inland port as required in Utah Code chapter 11-58 Utah Inland Port Authority Act and its successor. The district is intended to take advantage of its location near an international airport, the interstate system, and rail infrastructure to allow for development that facilitates regional, national, and international trade. Land uses in the district are light industrial in nature, provide high quality jobs, and are an economic engine for the City and region. The district is well connected, linking people to jobs and other parts of the City and region, and linking businesses to goods and services by vehicle, rail, transit, air, bicycle, and foot. Above all, the district is a model to the Nation for sustainable development that:

1. *Respects and maintains sensitivity to the natural environment;*
2. *Helps to achieve City and State goals for air and water quality;*
3. *Minimizes resource use;*
4. *Utilizes best available technology and practices to avoid, minimize, manage and mitigate detrimental environmental impacts; and*
5. *Is compatible with and complements other uses within the district and near the district.*

Response: This overlay is located on the far west side of the city and includes areas within the CG district. This overlay is not generally encouraging of residential uses. There are a lot of properties and large areas of land in the central area of the city that are zoned CG that are more appropriate for residential uses, including single-family attached. Many of these developments are already underway in the form of multi-family that could easily be converted to single-family attached. While the input port area is not ideal for this type of development, plenty of CG zones throughout the city are compatible with attached single-family style development as a whole.

4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.

Response: The American Planning Association housing division advocates for a variety of housing types and reducing the dependence on detached single-family zoning, and a variety of other ways to encourage “missing middle housing.” Due to the mixture of housing types, ownership structures within missing middle housing can vary widely from single-family houses. [A study of barriers to “missing middle” housing](#) by the [Utah Foundation](#) found several related to condominium development. Discussions with developers revealed that “condos can be more difficult to finance than other housing [options]” (pg. 9). Financial institutions are more reticent

to finance condominium developments over leased apartments or fee-simple townhouses, citing them as riskier investments since the 2008 recession when “condo owners were more likely than other homeowners to default on mortgage payments” (pg. 10). Additionally, those institutions expect developers to “have a number of units sold before breaking ground,” despite the fact that condominiums typically take more time to sell than “leasing up apartments” (pg. 9) Purchasers of individual units also face challenges with condominiums since HOA dues are often much higher than dues for developments with private yards and less common space (pg. 10).

Ownership of a dwelling incentivizes residents to take care of their homes and get involved in their community, likely due to the significant investment required. This proposal would expand homeownership options in parts of the city within commercial districts. With Planning staff’s recommendations, the proposal would expand those options, promote good urban design, and prevent additional development encroachment into existing neighborhood-level commercial nodes.

ATTACHMENT E: Public Process & Comments

Public Notice, Meetings, Comments

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

- November 15, 2023 – All Recognized Community Organizations were sent the 45 day required notice for recognized community organizations.
- November 20th- current – The project was posted to the Online Open House webpage.

Notice of the public hearing for the proposal included:

- February 1, 2023
 - Public hearing notices posted at several libraries throughout the city
- February 2, 2023
 - Public hearing notice mailed
 - Public notice posted on City and State websites and Planning Division list serve

Public Input:

Many developers and builders expressed their support for the applicant's proposed amendments. Some RCOs expressed concern for the declining neighborhood commercial in their communities. Those comments are included in this attachment.

From: [Rhianna Riggs](#)
To: [Younger, Cassie](#)
Subject: (EXTERNAL) Re: Notice of Planning Petition PLNPCM2023-00894
Date: Friday, December 1, 2023 7:19:09 AM
Attachments: [image001.png](#)

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Hi Cassie,
Central City Neighborhood Council (CCNC) would like to express their support for these proposed amendments. CCNC is very supportive of more opportunities to build for-sale and family-sized housing in Salt Lake City.

Thank you!
Rhianna Riggs, Chair
Central City Neighborhood Council

From: [Jan Hemming](#)
To: [Younger, Cassie](#)
Cc: [Anthony Wright](#); [Stuart Bevan](#); [Eric Povilus](#); [Jennifer Evans](#); [Marguerite Henderson](#); [Eric Dyer](#); [Timothy Ermish](#)
Subject: (EXTERNAL) Opposition to Planning Petition PLNPCM2023-00894
Date: Saturday, December 30, 2023 5:55:53 PM
Attachments: [EBCC Response on planning petition.pdf](#)
[Text Amendment 2.pdf](#)
[Text Amendment.pdf](#)

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Cassie: The Yalecrest Neighborhood Council is opposed to the Planning Petition PLNPCM203-00894 We are submitting our response on December 30, 2023 — the final day for public comment. We ask that you add our letter to your official record.

We support the concerns raised by the East Bench Community Council in their original letter which is attached below.

These zones proposed for townhome development — CN, CB, CS, CC and sections of Sugar House — are crucial to the vitality of countless neighborhoods — especially sections of ELPCO, the 1100 East corridor, 9th and 9th, 15th and 15th, 1700 E and 1300 South, additional nodes along 1300 South, 2100 East, Foothill Blvd, the Avenues, Glendale, Indiana Avenue, and 1000 North in Rose Park.

That the proposal was submitted by a Salt Lake City developer should be viewed with great scrutiny and reservation since the benefit appears to be self-serving. We mean no disrespect in saying that, but the needs of local neighborhoods and the health of their cultural fabric — which was so thoughtfully expressed by the EBCC — seems to be missing from this zoning proposal. In other words, it’s one-sided. Under the guise of providing for-sale housing this proposal is ill-conceived. The city does need for-sale housing units, but decimating precious neighborhood retail zones it is the wrong way to accomplish it. Single family homes throughout the city are being demolished for dense multi-family units. The city’s planning division would be wise to create incentives that would preserve these homes and fortify our neighborhood retail.

The examples of lost neighborhood retail in the EBCC letter should raise alarms and serve as the “canary in the coal mine” about why this proposal should be denied.

Respectfully,

Yalecrest Neighborhood Council
Janet (Jan) Hemming
Chair

Code change petition to allow townhomes on community commercial zoned parcels:

A local townhome developer is requesting a code change to allow townhomes on any parcel zoned for neighborhood commercial use. The EBCC has drafted a letter in response. The primary concern is that small neighborhood commercial could be demolished and replaced with just townhomes by right. An example could be 15th and 15th, where small scale commercial currently exists, could be leveled, and replaced with townhomes. We believe more neighborhood commercial is needed, not less. See the attached response from the EBCC board labeled EBCC Response.

Additional information can be found here : <https://www.slc.gov/planning/online-open-houses/>

CASSIE YOUNGER | *(She/Her)*

Senior Planner

PLANNING DEPARTMENT | SALT LAKE CITY CORPORATION

Phone: (801) 535-6211

Email: Cassie.Younger@slcgov.com

WWW.SLCMAYOR.COM WWW.SLC.GOV

Sustainability tips slides:

See attached PowerPoint presentation labeled sustainable living.

Happy Holidays,

Anthony Wright

EBCC Chair

EBCC comments on Planning Petition PLNPCM2023-00894:

The purpose statements of CB and CN speak almost for themselves as to what is appropriate.

CN: The CN Neighborhood Commercial District is **intended to provide for small scale, low intensity commercial uses that can be located within and serve residential neighborhoods**. The standards for the district are intended to **reinforce the historic scale and ambiance of traditional neighborhood retail** that is oriented toward the pedestrian while ensuring adequate transit and automobile access. Uses are restricted in size to promote local orientation and to limit adverse impacts on nearby residential areas.

CB: The CB Community Business District is intended to **provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods**.

During the last Decade, Salt Lake City has seen a rapid loss of small businesses and stand-alone commercial spaces in the name of “progress”. Stopping all development and building is not the answer. But better planning and zoning to encourage and permit the retention and growth of small businesses is a realistic solution. The hope is that by protecting existing small scale commercial zones or creating brand new ones the city will preserve and enhance what makes SLC unique, accessible, varied, interesting, and vibrant.

The city has put a lot of effort and has made strides in adding more bicycle infrastructure and pedestrian safety measures, but these pathways need to lead to micro-commercial zones that offer shopping, dining, and services and should not be for just exercise and commuting. When you think about some of the most desirable areas in Salt Lake City, 15th and 15th, the Lower Avenues, 9th and 9th, 1300S 1600E, they all have a common denominator, small scale neighborhood oriented commercial.

Small business is the lifeblood of a community. It is what makes a city livable, unique, charming, and brings a community together. Who doesn't dream about walking with their family (or dogs) to the neighborhood coffee shop, bodega, bookstore, restaurant, gelato shop; however, Many SLC neighborhoods lack this type of walkable-livability that brings communities together. It is too often people commute home from the office to pull into their garage and lock the house for the night. To break this trend, we need places to easily go and walk to where we can interact with our neighbors and community.

Typically, small scale commercial parcels are zoned to allow for mixed use development and apartment style housing by right. Because of this, developers do not have to go through the grueling city process for a rezone, which makes these parcels more valuable. It's far more profitable to redevelop commercially zones parcels into a higher over keeping a small business in place. Many developers don't prioritize what is best for a community's fabric and instead focus on their bottom line. In the absence of protecting existing, and creating new, small-scale community commercial, this trend will not only continue, but accelerate, as fewer and fewer parcels are left to redevelop.

While some projects do retain a ground floor retail element, changes made last year now wave that requirement and allow just apartment style housing. In projects where ground floor is included, the cost for a small business owner to afford a ground floor retail space in a new AAA building is unlikely. Further, it is rare for a small business owner to have the opportunity to own these spaces, instead they will be held captive by rents, often determined by an out-of-state owner or corporation. In new developments we are seeing national chains like Buffalo Wild Wings, Chipotle, and Great Clips sign triple net leases because they can. We are creating a homogeneous urban hellscape, where all the buildings look the same, serve the same function, and leave little to be desired.

In the East Bench EBCC area, one development group has demolished almost 20 small business locations within a few blocks stretch. Roughly 8 small business locations including the iconic Cowboy Grub were replaced with a Home 2 Suites. The other project, Lamplighter Square, was the last real commercial development east of foothill, and was home to roughly 9 businesses including taqueria 27s flagship location, has been demolished to make way for the new much larger liquor store, chipotle, and apartments.

Another project that recently received a favorable recommendation by the planning commission and was forwarded to the city council was 1300S and 2300E. This parcel would be prime for small business locations or at the very least a ground floor retail element. Instead, we are slated to see another apartment only development. The apartment is not the issue we have, it is the lack of retail or community engageable space.

Our community's only real retail and dining option is Foothill Village which is simply a strip mall. Walking or biking here is mostly out of the question because you must navigate the freeway that is known as "Foothill Drive", where there are very limited intersections and crossing points. Thus, our community with upwards of 8,000 people east of Foothill Drive are almost 100% car dependent.

The EBCC understands that there is a great need to add more housing options in our city, but while doing so we cannot simply ignore the commercial components. This is what creates livability in our city. The endgame cannot be to cram as many residential units as possible into the existing landmass and then expect everyone to shop on Amazon and use Uber eats to meet their dining needs.

The city needs to allow and even encourage minor "urban creep" into established neighborhoods. I am not talking about the new Affordable Housing Incentives allowing duplex or town homes, but rather the corner bodega that neighbors can walk to for small items, the coffee shop, a neighborhood restaurant, or a wine bar. We need to create more 15th and 15^{ths}, 9th and 9^{ths}, and replicate the livability and charm of the lower avenues. Large apartments have their place and serve an important role in supplying housing, but we must not forget the importance of neighborhood commercial and community nodes. It does not need to be one or the other. We can have both. We simply need to create more with zoning changes.

Currently before the planning commission is a proposal to allow townhomes to be allowed by right on CB/CN zoning districts as well as others that are intended to be community nodes with community businesses. To entertain this idea as is currently being proposed by a local townhome developer is unconscionable. Sure, adding an apartment building can add a lot of housing units, but townhomes? Townhomes should be built next to CN/CB parcels that might currently be Single family homes, don't encourage townhomes on parcels that can be important

nodes or gateways to a community. Last year, the city amended its zoning to allow for residential use in these zones for the first time. This opened the door to developers to build simple apartments and allowed ideas like this proposal to surface.

Once you destroy small scale standalone commercial space, it is very rare for it to return. Communities will fight tooth and nail to keep a commercial property from opening next to their little single-family home. This occurred when a small wine bar was proposed just east of the 9th and 9th business core. If the proposed change to the zoning code is adopted, the business district on 15th and 15th, Rio Grande Cafe by the University of Utah, and other cherished community commercial spaces could become townhomes by right. This isn't logical. We need more neighborhood commercial, not less.

The trend is infiltrating every neighborhood in our city. I hope you think about what we can do to stop this from further eroding the cultural fabric of SLC.



January 18, 2024

TO: Cassie Younger, Senior Planner
Salt Lake City Corporation

FROM: Judi Short, Vice Chair and Land Use Chair
Sugar House Community Council

RE: Adding Single Family Attached to Select Commercial Zones

TAG SLC has initiated a petition to add "Single Family Attached" as a Permitted use in Commercial Zones where "Multi-Family" is also permitted.

We presented this at our December 11, 2023 SHCC Land Use and Zoning meeting. There was not a big discussion, everyone seemed to think it made sense. We were reminded of the apartment over a store retail building that we used to have so many of. Why can't a family have a home attached to their retail building, if there is enough room and it still allows for all the requirements of the business, like setbacks and parking?

We posted this on our website November 18, and this was in the Land Use Report included in the SHCC December newsletter. We have received no comments about this approval, and we recommend that you approve this text amendment to our zoning code.

From: [Kara Freedman](#)
To: [Younger, Cassie](#)
Subject: (EXTERNAL) PLNPCM2023-00894
Date: Saturday, December 30, 2023 12:21:39 PM

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Hi Cassie,

As a resident of central city (84111), I wanted to drop a quick line in support of the zoning amendment proposal PLNPCM2023-00894. I am in favor of removing most zoning requirements in the city, as many other cities have done, to reduce barriers to mixed-use developments and homes built for ownership rather than renters, so this seems like a small positive step in that direction.

Thanks,
Kara

From: [Jarod Hall](#)
To: [Younger, Cassie](#)
Subject: (EXTERNAL) Zoning Text Amendment for Single Family Attached
Date: Tuesday, December 5, 2023 4:55:33 PM

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Howdy Cassie

I am writing a quick email in support of this zoning change. Having zones that allow multi-family but not single family attached feels like a relic of how urban housing would look. Townhomes are the only way that relatively affordable new for sale construction can happen in the city. The lending complications associated with condominiums make them a hard option to provide.

Thanks
Jarod Hall, AIA
Divelept
e: j@divelept.com
c: 801-680-4485
w: www.divelept.com

Dear Salt Lake City,

I am writing to express my strong support for the text amendment application titled PLNPCM2023-00894. I believe that allowing single-family attached residences in zones where multifamily is allowed within Salt Lake City's Commercial district is a positive step toward addressing housing needs and promoting responsible urban development.

This proposal eases the burden on creating for-sale housing products. The request aligns with the city's growth goals and supports economic vitality by meeting the demand for for-sale housing products.

As [your title/position] of [your organization], I endorse this petition as a forward-thinking approach to urban planning that considers the varied needs of our residents. I believe this adjustment will positively impact the growth and prosperity of Salt Lake City.

Thank you for your consideration.

DocuSigned by:
Matt Strong 01/06/2024
4F71B12D586B43E...

Matt Strong
(801) 244-3888
mstrong@conradcruz.com



January 9th, 2024

Dear Salt Lake City,

I am writing to express my strong support for the text amendment application titled **PLNPCM2023-00894**. I believe that allowing single-family attached residences in zones where multifamily is allowed within Salt Lake City's Commercial district is a positive step toward addressing housing needs and promoting responsible urban development.

As the developer of Dawson Place (1146 S Redwood Rd), Manifest Development has deep experience in tackling the affordable for-sale residential market in Salt Lake City. We are building and selling 58 new condo townhomes at around the \$350,000 price point. We've worked hard to craft a product and price point that addresses an unmet need in today's challenging housing market, yet the city's current zoning rules allowing a condominium plat layered on a multifamily project but not allowing attached single-family homes (though physically identical from a construction and code perspective) has resulted in a harder project for us, our bank, and the end buyers.

All else equal, condominium units are inferior to townhouses on their own distinct parcels. Many developers categorically avoid any condominium projects due to financing hurdles and perceived liabilities. Achieving compliance with HUD requirements (to make the units financeable for FHA/VA buyers) is much more paperwork (with potential pitfalls) for condominium units. As a legal ownership instrument, condominiums make sense for stacked units in taller, denser urban cores. But condominiums are not the right solution to 2-3 story townhouses with vertical partition walls (no stacking or horizontal partition walls).

This proposal corrects a zoning oversight and eases the burden on creating for-sale housing products. The request aligns with the city's growth goals and supports economic vitality by meeting the demand for for-sale housing products. The proposal does not open the door to any different or denser form of development than is already allowed in Commercial zones in Salt Lake City.

As a Principal of Manifest Development, I endorse this petition as a forward-thinking approach to urban planning that considers the varied needs of our residents.

Alec Myres
Principal
Manifest Development



273 N. East Capitol Street
Salt Lake City, UT 84103

Phone: 801.456.2430
Fax: 801.456.2431

Dear Salt Lake City,

I am writing to express my strong support for the text amendment application titled PLNPCM2023-00894. Allowing single-family attached residences in zones where multifamily is allowed within Salt Lake City's Commercial district makes a lot of sense. This will have a minimal impact on the neighborhood as projects from the outside will look identical, but will have a huge impact on the new residents to the City who will have a much easier time getting financing and purchasing their home.

The request aligns with the city's growth goals and supports economic vitality. Condominium red tape is cumbersome not only to the developers but also the buyers. Providing more housing is essential to alleviate the shortage we are experiencing and this amendment will go a long ways in addressing that without any negative side effects to neighbors.

As CEO of Garbett Homes I endorse this petition as an innovative approach to urban planning that considers the varied needs of our residents. I believe this adjustment will positively impact the growth and prosperity of Salt Lake City.

Thank you for your consideration.



its president

Bryson Garbett
CEO, Garbett Homes



January 12, 2024

Dear Salt Lake City,

I am writing to express my strong support for the text amendment application titled PLNPCM2023-00894. I believe that allowing single-family attached residences in zones where multifamily is allowed within Salt Lake City's Commercial district is a positive step toward addressing housing needs and promoting responsible urban development.

This proposal eases the burden on creating for-sale housing products. The request aligns with the city's growth goals and supports economic vitality by meeting the demand for for-sale housing products.

As [your title/position] of [your organization], I endorse this petition as a forward-thinking approach to urban planning that considers the varied needs of our residents. I believe this adjustment will positively impact the growth and prosperity of Salt Lake City.

Thank you for your consideration.

Sincerely,

Hayley Pratt
Partner
Castlewood Development

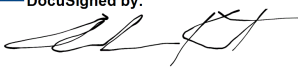
Dear Salt Lake City,

I am writing to express my strong support for the text amendment application titled PLNPCM2023-00894. I believe that allowing single-family attached residences in zones where multifamily is allowed within Salt Lake City's Commercial district is a positive step toward addressing housing needs and promoting responsible urban development.

This proposal eases the burden on creating for-sale housing products. The request aligns with the city's growth goals and supports economic vitality by meeting the demand for for-sale housing products.

As the owner/operator of RM Development Enterprises, I endorse this petition as a forward-thinking approach to urban planning that considers the varied needs of our residents. I believe this adjustment will positively impact the growth and prosperity of Salt Lake City.

Thank you for your consideration.

DocuSigned by:

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Andrew Kent, Owner of RM Dev


Dear Salt Lake City,

I am writing to express my strong support for the text amendment application titled PLNPCM2023-00894. I believe that allowing single-family attached residences in zones where multifamily is allowed within Salt Lake City's Commercial district is a positive step toward addressing housing needs and promoting responsible urban development.

This proposal eases the burden on creating for-sale housing products. The request aligns with the city's growth goals and supports economic vitality by meeting the demand for for-sale housing products.

As Founding Principal of Urban Alfandre, I endorse this petition as a forward-thinking approach to urban planning that considers the varied needs of our residents. I believe this adjustment will positively impact the growth and prosperity of Salt Lake City.

Thank you for your consideration.

 _____ 1/31/2024

From: [Stephen Alfandre](#)
To: [Younger, Cassie](#)
Cc: [TAG SLC](#)
Subject: (EXTERNAL) Support for text amendment to allow single family attached
Date: Tuesday, January 9, 2024 10:38:35 AM

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

I am writing to express my strong support for the text amendment application titled PLNPCM2023-00894. This would allow developers to bring to market more for-sale housing in Salt Lake City, which is desperately needed.

--

Stephen Alfandre
Founding Principal - Urban Alfandre
steve@urbanalfandre.com
www.urbanalfandre.com

From: [Pierre Langué](#)
To: [Younger, Cassie](#)
Cc: [Barlow, Aaron](#); [TAG SLC](#)
Subject: (EXTERNAL) text amendment PLNPCM2023-00894
Date: Sunday, January 7, 2024 6:53:25 AM

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Cassie,

I am writing to express my strong support for the text amendment application titled PLNPCM2023-00894. I believe that allowing single-family attached residences in zones where multifamily is allowed within Salt Lake City's Commercial district is a positive step toward addressing housing needs and promoting responsible urban development.

This proposal eases the burden on creating for-sale housing products. The request aligns with the city's growth goals and supports economic vitality by meeting the demand for for-salehousing products.

As an architect and owner of Axis Architects, I endorse this petition as a forward-thinking approach to urban planning that considers the varied needs of our residents. I believe this adjustment will positively impact the growth and prosperity of Salt Lake City.

Thank you for your consideration.

Pierre Langué, AIA, DPLG
Principal
Axis Architects
P: [801-355-3003](tel:801-355-3003)
www.AxisArchitects.com





Dear Salt Lake City,

I am writing to express my strong support for the text amendment application titled PLNPCM2023-00894. I believe that allowing single-family attached residences in zones where multifamily is allowed within Salt Lake City's Commercial district is a positive step toward addressing housing needs and promoting responsible urban development.

This proposal eases the burden on creating for-sale housing products. The request aligns with the city's growth goals and supports economic vitality by meeting the demand for for-sale housing products.

As Development Manager of Northstar, I endorse this petition as a forward-thinking approach to urban planning that considers the varied needs of our residents. I believe this adjustment will positively impact the growth and prosperity of Salt Lake City.

Thank you for your consideration.

Kaia Ragnhildstveit

ATTACHMENT F: Department Review Comments

This proposal was reviewed by the following departments. Any requirement identified by a City Department is required to be complied with.

Engineering:

No objections.

Urban Forestry:

Urban Forestry has no concerns with this proposal.

Airport:

This text amendment will have no impact on the airport.

Legal :

I suggest that, if Planning is willing to recommend approval, then such approval be conditioned on the applicant complying with the provisions of 21A.50 set forth in the pending ordinance recently approved by the Planning Commission on 11/8.

Housing :

Housing Stability has no comments on this petition. The petitioner already cites the *Housing SLC* plan.

Building:

There are no comments from Building Code during this phase of the development process.

Transportation:

No transportation concerns with the proposed amendment.

Public Utilities:

Public Utilities has no issues with the text amendment proposal. However, with increased densification, the applicant must consider the potential increase in construction costs resulting from required offsite utility improvements, potentially downstream of the subject property. Densification may place greater demands on water, sewer, and storm drain systems, which could exceed the capacity of the existing infrastructure. Property owners and developers will be required to upgrade the offsite public utilities to ensure sufficient capacity for the new development.