



COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

TO: City Council Members

FROM: Brian Fullmer
Policy Analyst

DATE: February 13, 2024

**RE: 803, 805, 807, and 815 West Simondi Avenue, and 802, 806, 810,
and 814 West 300 North Zoning Map and Master Plan Amendments
PLNPCM2023-00499/00361**

Item Schedule:

Briefing: February 13, 2024

Set Date: February 20, 2024

Public Hearing: March 5, 2024

Potential Action: March 26, 2024

The Council will be briefed about a proposal from NeighborWorks Salt Lake to amend the zoning map for properties at 803, 805, 807, and 815 West Simondi Avenue, and 802, 806, 810, and 814 West 300 North in Council District Two from their current R-1/7,000 (Single-Family Residential) zoning to RMF-30 (Low-Density Multi-Family Residential). In addition, the proposal calls for amending the *Northwest Community Master Plan* future land use designations from Low-Density Residential to Medium Density Residential.

The petitioner's stated objective is to develop low-density affordable for sale townhomes on the subject parcels, though no development proposal has been submitted. Under the current R-1/7,000 zoning a total of eight single-family homes could be constructed, with the potential for an accessory dwelling unit (ADU) depending on the parcel's size. The proposed RMF-30 zoning allows additional housing types and potential for up to 20 units on the parcels.

A vacant four-plex and garage in disrepair on the 814 West 300 North parcel were demolished. The other seven parcels are vacant. An east/west public alley runs between the properties that front onto Simondi Avenue and 300 North. An alley vacation is not part of the proposal and would remain open regardless of whether the properties are rezoned.

Combined, the eight parcels total slightly less than one acre, with approximately 0.49 acres north of the alley, and 0.44 acres to the south. Area zoning is primarily R-1/7,000 west of 800 West, and primarily R-1/5,000 to the east, with some RMF-35 as shown in the area zoning map below.





Area zoning map with the subject parcels outlined in yellow.
 Image courtesy of Salt Lake City Planning Division

The Planning Commission reviewed this proposal during its September 13, 2023 meeting and held a public hearing at which two people spoke in opposition to the proposal. Both commenters cited concerns about not knowing what the potential buildings will look like. Neighborhood impacts with traffic and parking were also mentioned as was spot zoning. One commenter expressed support for NeighborWorks.

The definition of spot zoning found in Chapter 21A.62.040 *Salt Lake City Code* is worth noting. It is “the process of singling out a small parcel of land for a use classification materially different and inconsistent with the surrounding area and the adopted city master plan, for the sole benefit of the owner of that property and to the detriment of the rights of other property owners.”

The Commission voted 6-2 to forward a positive recommendation to the City Council for both the zoning map and future land use map amendments. One Commissioner who voted against the proposed rezone and master plan amendment expressed concern a development under RMF-30 might not fit well with the neighborhood. The other Commissioner who voted in opposition did not state why he voted against the proposal.

In addition to the public hearing comments, Planning staff received several emails, primarily expressing opposition to the proposal. Concerns cited included neighborhood impacts from parking and traffic, spot zoning, and changes to the single-family neighborhood character. The Fairpark Community Council Chair stated those attending a meeting at which the proposal was discussed were not opposed to potential density

but would like to know the height of the proposed homes. He also noted NeighborWorks' commitment to the community.

Goal of the briefing: *Review the proposed zoning and future land use map amendments, determine if the Council supports moving forward with the proposal.*

POLICY QUESTIONS

1. The Council may wish to ask what an anticipated price point is for the townhomes, and if they anticipate any of the units will be available at affordable levels.
2. The Council may wish to ask the Administration if the recently-adopted Affordable Housing Incentives ordinance has been reviewed with the petitioner to encourage the construction of affordable units.

ADDITIONAL INFORMATION

The Council is only being asked to consider rezoning the property and amending the future land use map. Because zoning of a property can outlast the life of buildings, any rezoning application should be considered on the merits of changing the zoning of that property, not simply based on a potential project.

KEY CONSIDERATIONS

Planning staff identified five key considerations related to the proposal which are found on pages 3-5 of the Planning Commission staff report and summarized below. For the complete analysis, please see the staff report.

Consideration 1 – How the proposal helps implement City goals and policies identified in adopted plans.

Planning staff reviewed *Plan Salt Lake* (2015) and the 1992 *Northwest Community Plan*. They used *Plan Salt Lake* as the guiding document, given that the *Northwest Community Plan* is more than 30 years old and much has changed in the city since then. That said, Planning noted two goals in the *Northwest Community Plan* that are relevant today—a desire for energy efficient land uses, and high-quality urban design. Planning found that the proposal is supported by the following initiatives found in *Plan Salt Lake*:

- Locate new development in areas with existing infrastructure and amenities, such as transit and transportation corridors.
- Promote infill and redevelopment of underutilized land.
- Accommodate and promote an increase in the city's population.
- Ensure access to affordable housing citywide (including rental and very low income).
- Increase the number of medium density housing types and options.

Consideration 2 – Master Plan Amendment

As discussed above, the *Northwest Community Plan* recommends energy efficient land uses, and high-quality urban design. Planning staff found that the proposed rezone would make more efficient use of the land by increasing density close to North Temple's commercial corridor. In addition, RMF-30 zoning has design standards not found in the current R-1/7,000 zoning, which would enhance the neighborhood's urban design. It is Planning staff's opinion that the proposed rezone and master plan amendments align with some goals of the *Northwest Community Plan*.

Consideration 3 – Housing Loss Mitigation

RMF-30 allows for some non-residential uses, so a housing loss mitigation application is required. The petitioner chose the fee-based mitigation option. The existing fourplex's value was less than replacement value, so no fee to the housing bank is necessary.

It is worth noting that an updated housing loss mitigation ordinance was recently transmitted to the Council Office and will be scheduled for a briefing in the coming weeks.

Consideration 4 – Existing Alley

As discussed above, the petitioner is not requesting an alley vacation, so the alley between the subject properties will remain accessible to the public. Future development will not be allowed to encroach on the alley unless an alley vacation is approved at some point. Because of this, a development on the subject parcels will need to be at least two separate buildings.

Consideration 5 – Development Potential in RMF-30

The current R-1/7,000 and proposed RMF-30 zoning have similar setbacks and allowed height as shown in the table below. One significant difference is current zoning only allows single-family detached homes (potentially with accessory dwelling units) while the proposed zone allows a variety of housing types including twin homes, row houses, and multi-family buildings.

In addition, RMF-30 design standards call for durable building materials, ground floor transparency, entry features, limits on blank walls, and mechanical equipment screening not required in the R-1/7,000 zone. A 10-foot landscape buffer is required when RMF-30 zoning abuts a single-family zone. In this case, the buffer would need to be placed on the development's west side adjacent to single-family homes.

ZONING COMPARISON

Tables listing development standards of R-1/7,000 and RMF-30 are found on pages 5-6 of the Planning Commission staff report. Information found in the report is replicated here for convenience.

Regulation	Existing Zoning (R-1/7,000)	Proposed Zoning (RMF-30)
Building Height	Pitched roof: maximum of 28 feet, Flat roof: 20 feet.	Single- and two-family, multi-family, row house, sideways row house: 30 feet Cottage development: pitched roof: 23 feet, flat roof: 16 feet Tiny house: 16 feet.
Front Yard Setback	Minimum 20 feet, or average of the block face.	Minimum 20 feet, or average of the block face.
Corner Side Yard Setback	Six feet	Ten feet
Interior Side Yard	Six feet on one side, and ten feet on the other.	Six feet on one side, and ten feet on the other.
Rear Yard/Setback	25 feet	Single- and two-family, multi-family, row house, sideways row house: Minimum of 20% of the lot depth, need not exceed 25 feet. Cottage development, tiny house: 10 feet.
Minimum Lot Size	7,000 square feet.	Single- and two-family, multi-family, row house, sideways row house: 2,000 square feet per dwelling unit.

		Cottage development, tiny house: 1,500 square feet per dwelling unit.
--	--	--

Off-Street Parking Standards

Use	R-1/7,000	RMF-30
Single-Family Detached	Two spaces per dwelling unit	Two spaces per dwelling unit.
Twin Home/Two-Family	Not permitted	Two spaces per dwelling unit.
Single-Family Attached	Not permitted	Two spaces per dwelling unit.
Multi-Family	Not permitted	Studio and one bedroom: 1 space per dwelling unit. Two+ bedrooms: 1.25 spaces per dwelling unit.
Single-Family Cottage-Style Development Form	Not permitted	One space per dwelling unit.

Analysis of Factors

Attachment D (pages 13-15) of the Planning Commission staff report outlines master plan and zoning map amendment standards that should be considered as the Council reviews this proposal. Please see the Planning Commission staff report for additional information.

Factor	Finding
Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents.	<i>Generally consistent</i>
Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.	<i>Generally complies</i>
The extent to which a proposed map amendment will affect adjacent properties.	<i>Complies</i>
Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards.	<i>Overlay districts are not applicable to compatibility of the proposed zone.</i>
The adequacy of public facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.	<i>Redevelopment of the site will require public facility upgrades.</i>

City Department Review

During City review of the petitions, no responding departments or divisions expressed objections to the proposal, but additional comments will be provided if the proposals are approved, and the property is rezoned.

PROJECT CHRONOLOGY

- May 24, 2023 – Petition for the zoning map amendment received by Planning Division.
- May 25, 2023 – Petition assigned to Cassie Younger, Senior Planner. Planning staff recommended the petitioner apply for a master plan amendment in addition to the zoning map amendment. Staff held zoning map amendment petition so both petitions could be processed together.
- June 26, 2023 – Master plan amendment received by Planning Division.
- July 17, 2023 –
 - Notice sent to recognized community organizations, including the Fairpark Community Council.
 - Early notification sent to property owners and residents within 300 feet of the proposal.
- July 20, 2023 – Proposal posted for an online open house.
- August 25, 2023 – Ordinance requested from the City Attorney’s Office.
- August 31, 2023 –
 - Planning Commission public hearing notices emailed to interested parties and residents/property owners who requested notice. Agenda posted to the Planning Commission website and the State of Utah Public Notice webpage.
 - Public hearing notice sign with project information and notice of the Planning Commission public hearing posted on the property.
- September 6, 2023 – Planning received the draft ordinance from the City Attorney’s Office.
- September 13, 2023 – Petitions reviewed by the Planning Commission and a public hearing was held. The Commission voted 6-2 to forward positive recommendations to the City Council for both the zoning map and future land use map amendments.
- October 14, 2023 – Public hearing notice sign with project information and notice of the Planning Commission public hearing physically posted on the property.
- October 10, 2023 – Final ordinance requested from the City Attorney’s Office.
- October 23, 2023 – Planning received final ordinance from the City Attorney’s Office.
- October 30, 2023 – Transmittal received in City Council Office.