



COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

TO: City Council Members

FROM: Brian Fullmer
Policy Analyst

DATE: February 6, 2024

**RE: Zoning Map Amendment at 357 East 500 South, 375 East 500 South,
464-466 South 400 East, and 460-462 South 400 East
PLNPCM2023-00403**

Item Schedule:

Briefing: January 9, 2024

Set Date: January 16, 2024

Public Hearing: February 6, 2024

Potential Action: February 20, 2024

BRIEFING UPDATE

Much of the discussion at the January 9, 2024 briefing was focused on what community benefit would be provided if the properties are rezoned. Affordable housing, family-sized units, and green space were among the considerations Council Members suggested. The petitioner said they planned for market rate units but would consider some affordable units. They noted that, given current market conditions, it may be years before a project is developed on the parcels. They also discussed a multi-family project with 54 two-bedroom units that is under construction on one of the parcels. This building is being constructed under the existing RMU-45 zoning.

Some Council Members expressed concern with approving the zoning map amendment before more information about what is planned for the site is provided.

The petitioner will provide more information to the Council after discussing it with the property owner and other applicants.

The following information was provided for January 9, 2024 Council briefing. It is included again for background purposes.

The Council will be briefed about a proposal to amend the zoning map for parcels at 357 East 500 South, 375 East 500 South, 464-466 South 400 East, and 460-462 South 400 East in City Council District Four from their current RMU-45 (Residential/Mixed Use) zoning designation to TSA-UC-C (Transit Station

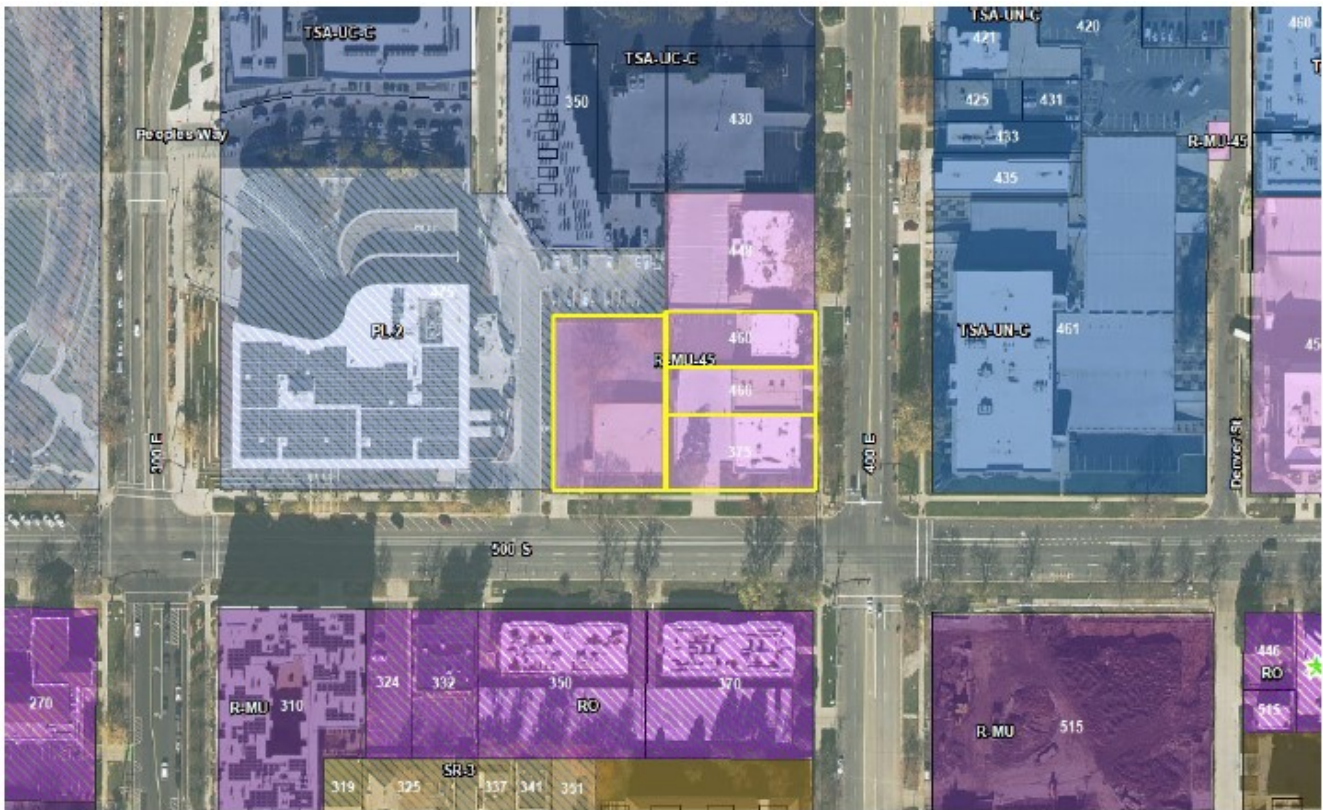


Area-Urban Center-Core). The proposed zoning would allow greater building height than the current RMU-45 zoning.

Current zoning allows residential buildings up to 45 feet high (up to 55 feet through design review). The proposed zoning allows buildings up to 90 feet, with potential for an additional story if the development score qualifies for administrative review. Though plans have not been submitted, the petitioner’s stated intent is to construct a mixed-use development with ground floor commercial and retail, with residential uses above.

The four subject properties total approximately 1.28 acres and include one- and two-story buildings used for commercial purposes. A single-story commercial building at 357 East 500 South was recently demolished. In 2010 the Central Community Master Plan was amended with the block’s various land use designations changing to “Civic/Mixed-Use.” Prior to that time the subject parcels were designated as Residential/Office Mixed Use. A City initiated zoning map amendment was adopted in 2012 which changed the zoning from RO (Residential/Office) to the current RMU-45.

Zoning on the block includes a mix of R-MU-45, TSA-UC-C, and PL-2 (Public Lands (the Public Safety Building is west of the subject properties). Zoning on adjacent blocks consists of TSA-UN-C (Transit Station Area - Urban Neighborhood – Core), RO, R-MU, and PL-2 as shown in the zoning map below.



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

The Planning Commission reviewed the proposed zoning map amendment during its September 13, 2023 meeting and held a public hearing at which two people spoke in support of the proposal. Planning staff received email comments expressing concern with loss of mountain and downtown views, traffic, parking, congestion, pollution, and construction issues. **Planning staff recommended and the Commission**

voted 8-1 to forward a positive recommendation to the City Council. The Commissioner who voted against the motion did not state why he was opposed.

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

POLICY QUESTIONS

1. The Council may wish to ask the applicant if they plan to include any affordable housing in potential future projects on the subject sites. If yes, is the Council interested in asking the applicant if they would be willing to enter into a development agreement pertaining to affordable housing units?
2. The Council may wish to ask the Administration how the Affordable Housing Incentives may impact this petition or development potential on the property.

ADDITIONAL INFORMATION

The Council is only being asked to consider rezoning the property. No formal site plan has been submitted to the City nor is it within the scope of the Council’s authority to review the plans. Because zoning of a property can outlast the life of a building, 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 two key considerations related to the proposal which are found on pages 3-7 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 found that the proposed zoning map amendment generally aligns with *Plan Salt Lake*, the *Central Community Master Plan*, and *Housing Salt Lake’s* goals and initiatives. It would provide redevelopment potential for additional density in an area with existing infrastructure and served by transit.

Consideration 2 – Compatibility with nearby properties.

It is Planning staff’s opinion that the proposed TSA-UC-C zoning is appropriate based on land to the north of the Public Safety Building with the same zoning, and the site’s proximity to the Trax Library Station.

It should be noted that the current RMU-45 zoning requires one parking space per dwelling unit, and 1.5 spaces per 1,000 square feet for retail goods and services establishments. The proposed TSA-UC-C zoning does not have a minimum parking requirement.

ZONING COMPARISON

The following table compares building height, setback, and other requirements for the current RMU-45 and proposed RMF-30 zoning districts.

	<i>RMF-35 (Current)</i>	<i>TSA-UC-C (Proposed)</i>
<i>Maximum Building Height</i>	45 feet, except that nonresidential buildings are limited to 20 feet and nonresidential uses are only permitted on the ground floor.	90 feet, buildings with a roof with at least two sloping planes may be allowed up to 105 feet. An additional story may be added when a project has a development

	Buildings up to a maximum of 55 feet, may be authorized through the design review process.	score that qualifies for administrative review.
<i>Yards/Setbacks</i>	Nonresidential, Multifamily, and Mixed Use: Front/Corner side yard: Minimum five feet, Maximum 15 feet. Interior side yard: No setback required. Rear yard: 25% of lot depth, but need not exceed 30 feet.	500 South: Front/Corner side yard: Minimum is equal to the average setback of other principal buildings on the same block face. All other streets: Front/Corner side yard: None Interior side and rear yards: Minimum: None, based on existing surrounding zoning.
<i>Minimum Open Space</i>	For residential uses and mixed uses containing residential uses, not less than 20% of the lot area shall be maintained as an open space area. This open space area may take the form of landscaped yards or plazas and courtyards, subject to site plan review approval.	Open space areas shall be provided at a rate of one square foot for every 10 square feet of land area included in the development, up to 5,000 square feet for core areas, and up to 2,500 square feet for transition areas. Open space areas include landscaped yards, patios, public plazas, pocket parks, courtyards, rooftop and terrace gardens and other similar types of open space area amenities. All required open space areas shall be accessible to the users of the building(s).
<i>Parking Structures/Circulation</i>	Parking structures not attached to the principal building shall maintain a 45-foot minimum setback from a front or corner side yard property line or be located behind the primary structure.	Parking is prohibited between the street-facing building line and any front or corner side property line. This shall include any drive aisle that is not perpendicular to the front or corner side property line.
<i>Lot Area/Width</i>	Multi-Family Dwellings: 5,000 square feet for new lots. No minimum for existing lots. 50-foot lot width. Nonresidential Uses: No minimum lot area or lot width. <i>*See table in 21A.24.168.C for additional uses</i>	Minimum lot area: 2,500 square feet. Minimum lot width: 40 feet. <i>Do not apply to existing lots</i>

Analysis of Standards

Attachment E (pages 31-32) of the Planning Commission staff report outlines zoning map amendment standards that should be considered as the Council reviews this proposal. The standards and findings are summarized below. 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>Complies</i>
Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.	<i>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>Complies</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>Complies</i>

City Department Review

During City review of the petitions, no responding departments or divisions expressed concerns with the proposal, but stated additional review and permits would be required if the property is developed. The Police Department said the current placement of communications antennas and dishes would not be impacted by a new building at the subject location. The department wondered whether additional point-to-point connections on a new building would be possible. Discussions about installing equipment on a new building would not involve the City Council.

PROJECT CHRONOLOGY

- May 24, 2023-Petition for zoning map amendment received by Planning Division.
- June 8, 2023-Petition assigned to Sara Javoronok, Senior Planner.
- June 15, 2023-Email sent to Central City Community Council informing them of the petition.
- August 31, 2023-
 - Planning Commission hearing notices posted on City and State websites and Planning Division listserv.
 - Notices mailed to property owners/residents.
 - Sign posted on property
- September 13, 2023- Planning Commission public hearing. The Planning Commission voted 8-1 to forward a positive recommendation to the City Council for the proposed zoning map amendment.
- September 14, 2023-Ordinance review requested from City Attorney’s Office.

- September 26, 2023-Planning received signed ordinance from the Attorney's Office.
- October 17, 2023-Transmittal received in City Council Office.