



MOTION SHEET

CITY COUNCIL *of* SALT LAKE CITY

TO: City Council Members

FROM: Russell Weeks
Senior Policy Analyst

DATE: November 3, 2020

RE: MOTION SHEET – SINGLE ROOM OCCUPANCY TEXT AMENDMENTS

MOTION 1 – To Close the Public Hearing and Defer Consideration

I move that the Council close the public hearing and defer action on this item to a later date.

MOTION 2 – To Close the Public Hearing and Adopt the Ordinance

I move that the Council close the public hearing and adopt the amendments revising the ordinance and expanding the area where shared housing is permitted.

MOTION 3 – To Continue the Public Hearing

I move that the Council continue the public hearing to a later date.

MOTION 4 – To Close the Public Hearing and Not Adopt the Ordinance

I move that the Council close the public hearing, not adopt the ordinance, and deny Petition No. PLNPCM2018-00066.





COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

TO: City Council Members

FROM: Russell Weeks
Senior Policy Analyst

DATE: November 3, 2020

RE: **SINGLE ROOM OCCUPANCY TEXT AMENDMENTS**

Item Schedule:

Briefing: October 6, 2020

Set Date: October 6, 2020

Public Hearing: October 20
and November 10, 2020

Potential Action: November
17, 2020

FOLLOW UP TO OCTOBER 20 FIRST PUBLIC HEARING

This report is a follow-up to the first public hearing on the proposed ordinance to amend the Salt Lake City Code pertaining to the definition of “shared housing” and the expansion of areas where shared housing could locate. The second public hearing on this issue is scheduled for the City Council’s November 10 formal meeting. It might be noted that at the October 20 public hearing three people spoke to the issue – one in opposition and two in support. No written comments were received for the hearing.

A motion sheet reflecting the Council’s options after the second hearing is attached to this report. The motion options will be discussed later in this update.

Since the October 20 meeting two things have occurred:

- The City Council and Mayor Erin Mendenhall’s Administration plan to discuss at the Council’s work session on December 1 five proposed ordinances, including the proposed shared housing ordinance. The discussion will involve how the five ordinances interrelate and how – as a whole – they might affect Salt Lake City’s neighborhoods, future land uses and development patterns. The other proposed ordinances involve RMF-30 zoning, an affordable housing overlay district, off-street parking, and housing loss mitigation.
- At the November 2 Central Ninth Community Council meeting, Chair Paul Johnson, and Ballpark Community Council Chair Amy Hawkins, Ph.D., said they would speak to oppose the ordinance at the November 10 public hearing. They raised the following items as reasons for their opposition:



- As a matter of equity, the proposed ordinance should be part of a new land-use petition that would permit shared housing in all areas of Salt Lake City.
- The potential for shared housing to foster public safety problems as some motels in the Central Ninth and Ballpark areas have.
- The potential for erosion of home ownership in the area.

Zoning within the two Community Councils' boundaries spans the spectrum of land uses from R-1 5,000 single family homes to Downtown Central Business District, the "most urban and intense" area of the City, according to the City zoning ordinance.

Zones in the areas include R-1 5,000 single family residential; R-2 single and two-family residential; Form-Based Urban Neighborhood 1; Form-Based Urban Neighborhood 2; Residential Multi-family-35; Residential Multi-family-45; Residential Mixed Use; Community Business; Residential Business; General Commercial; D-2 Downtown Support; and D-1 Central Business District.

Under the proposed ordinance, shared housing in the Central Ninth and Ballpark Community Council areas would be prohibited in the areas zoned as R-1 5,000 single family, R-2 single and two-family; Form-Based Urban Neighborhood 1; Residential multi-family 35; Residential multi-family 45; and Community Business.

For a description of the various zones, please see the first end note of this document.¹

Motion Options

The City Council has four motion options to consider: close the public hearing and defer action to a later date; close the public hearing and adopt the proposed ordinance; continue the public hearing to a later date; and close the public hearing, not adopt the proposed ordinance, and deny the petition.

Given the Council's interest in discussing on December 1 how the proposed ordinance will work with other proposed ordinances, the first option reflects the Council's intent.

Information below this sentence has appeared in previous staff reports.

NEW INFORMATION

This item is a follow-up briefing for the City Council. The briefing is based on a further revision of a proposed text amendment discussed at an April 14, 2020, City Council work session. The latest proposed revision is intended to clarify which construction codes will be used to address building "universally accessible" spaces in a shared housing development.

The proposed text amendment plus two earlier proposed text amendments also will be scheduled for public hearings on October 20 and November 10 if the City Council adopts the hearings as part of the consent agenda during the Council's October 6 formal meeting.

Due to the length of time between the April 14 work session briefing and now, Council staff has included most of the entire New Information section from the Council staff report for the April 14 work session briefing.

Here is the new proposed clarification of the construction codes to use for "universally accessible" areas:

Accessibility: All areas of a shared housing development shall be designed to be universally accessible as required by the construction codes adopted by the Utah Building Code Commission to be used statewide, by the political subdivisions of the State applicable federal and state laws. Individual units and sleeping rooms required to be universally accessible by the adopted building code shall be located on the ground floor. If more units and sleeping rooms are required than what can be accommodated on the ground floor, the units may be located on other floors within the building, if an elevator is required and provided.

The proposed ordinance also would do three other things:

- It would eliminate the term "Single Room Occupancy" and its definition from the *City Code's* zoning ordinance.

- It would replace the term with another term – “Shared Housing” and provide a new definition.
- It would retain the original proposed zoning areas in the text amendment where Shared Housing structures would be allowed – a significant increase in the number of areas from the current zoning ordinance. However, the City Council at the November 19, 2019, meeting said the Administration should follow up in the future on potentially expanding areas where Shared Housing could be built to ensure geographic equitability citywide.

Expansion of shared housing into other areas beyond the original proposed text amendments would require a new land use petition process that first would go through the Planning Commission, Planning Division Director Nick Norris noted at the April 14, 2020, work session.²

POLICY ISSUES/QUESTIONS

- If the City Council determines to explore future expansion of Shared Housing in the interest of geographic equity, what priority might the Council place on moving any proposed ordinance like that through the City legislative process within the context of other planning issues already in process?

ADDITIONAL BACKGROUND

The proposed changes originally stem from a City Council’s discussion with Planning Division officials at a November 19, 2019, work session. Issues in the discussion included those raised in an October 22, 2019, meeting with then-Council Member Erin Mendenhall and Council Member Amy Fowler, Planning Division staff and Administration, and a variety of housing advocates who had questioned the original proposed amendments at an April 23, 2019, public hearing. The meeting between the two Council Members and the other participants aimed at striking a balance between immediate needs for housing and concerns about where housing should be located equitably.

At the November 19, 2019, work session, Council Member Mendenhall, who by then was Mayor-elect, said, adopting the proposed ordinance with amendments stemming from the October 22 meeting was “urgent, and is something that we as a Council should do what we can to instruct the Planning Division to prioritize these changes that we’ve been working on with the housing community.”³ The City Council agreed to consider changes to the proposed ordinance that could be made without starting over with a new land-use petition, but also to address geographic equity sooner than later.

The term “Shared Housing” is intended to describe better the actual function of that kind of housing. It also is an effort to jettison a term that has become pejorative in many communities. Participants in the October 22, 2020, meeting of housing advocates and advocates for homeless people concurred that the actual function of Shared Housing is that it is housing that can be used by a spectrum of people including college students, service industry workers and people working at seasonal jobs.

The proposed ordinance defines “Shared Housing” as, “A building or portion thereof, that is designated for residential purposes and contains individual housing units that may be occupied on a weekly or monthly basis. Each individual housing unit consists of one or more sleeping rooms that may contain either kitchen or bathroom amenities, but not both. Whichever amenities are not contained within the individual unit (the kitchen, bathroom, or both) shall be provided as a common facility within the same building, to be shared with other tenants of the shared housing development.”

According to the Administration transmittal, “a Shared Housing development could contain individual housing units with multiple separate sleeping rooms, rather than each housing unit being limited to one sleeping room as previously proposed. This change provides more flexibility in design and allows for Shared Housing developments that serve families rather than just singles or couples.” Planning Director Nick Norris provided the following link from Purdue University at Fort Wayne to illustrate the concept:
<https://www.pfw.edu/housing/floor-plans/>.

The proposed new section addressing accessibility to and within Shared Housing also is the result of the October 22, 2019, meeting. The idea arose when Andrew Riggle of the Disability Law Center said housing resulting from the proposed text amendment could be designed in a way that the housing becomes a model for universal design that accommodates people of all abilities.

Again, the proposed text amendments addressing where shared housing would be a permitted use are the same as in the original proposed text amendment. At the November 19, 2019, work session Planning Director Norris said current zoning allows Shared Housing on 484 acres west of Interstate 15. All the acreage is in areas zoned as Transit Station Areas. Current zoning allows “Shared Housing” on 204 acres east of I-15. The proposed amendments would boost significantly the areas where Shared Housing would be permitted, and two-thirds of the increase would be east of I-15, he said.⁴ The total proposed area where Shared Housing would be allowed west of I-15 would include 1,264 acres. The area east of I-15 would include 1,850 acres, Mr. Norris said.

To review, here are the zones where single-room occupancy structures are permitted now: Transit Station Urban Center, Transit Station Urban Neighborhood, Transit Station Mixed Use Employment Center, Transit Station Special Purpose, and Form Based Urban Neighborhood 2.

The proposed text amendment would permit Shared Housing in the following zones: Downtown Central Business District; Downtown Support District; Downtown Secondary Central Business District; Downtown Warehouse/Residential; Residential Mixed-Use; Residential Mixed-Use-45; Residential Mixed-Use 35; Corridor Commercial; Sugar House Central Business District 1 and 2; General Commercial; Mixed Use; Gateway Mixed Use; Form-Based Special Purpose Corridor Core (Sugar House); and Form-Based Special Purpose Corridor Edge (Sugar House).

Shared Housing would not be permitted in the following residential and commercial zones: All Foothill Residential districts; Residential 1/5,000; Residential 1/7,000; Residential 1/12,000; R-2 Single and Two-Family Residential District; all Special Development Pattern Residential districts; all Residential Multifamily districts; Residential/Office District; Neighborhood Commercial districts; Community Business districts; Community Shopping districts, and Small Neighborhood Business districts.

Mr. Norris in remarks to the City Council at the November 19, 2019, work session, and in the Administration transmittal, said all residential uses are allowed on 21 percent of the City’s land area. Twelve percent of the total land area is designated as exclusively for single-family uses. Higher density housing is permitted on 9 percent of the total land area, according the transmittal.⁵

It should be noted that geographical equity is a focal point of the City Council and the Administration, and the extension of inequity dates back at least to the 1940s under federal programs. The following link depicts some of the thinking then: <https://dsl.richmond.edu/panorama/redlining/#loc=11/40.754/-112.052&city=salt-lake-city-ut>. (Thanks to Policy Analyst Libby Stockstill for providing the link.)

Information below this sentence has appeared in previous staff reports.

On October 22, 2019, Council Members Erin Mendenhall and Amy Fowler met with housing advocates and representatives of Mayor Jacqueline Biskupski’s Administration to discuss finding a balance between potential long-term effects of adopting a proposed ordinance that would amend the City zoning ordinance pertaining to single-room occupancy housing and short-term housing needs of people earning low incomes, including people experiencing homelessness. Administration representatives included Deputy Chief of Staff David Litvack and Planning Director Nick Norris.

At the end of the meeting, participants agreed on a four-step path forward:

- 1.) Brief the full City Council on particulars of the meeting to gauge the Council’s sentiment on further review of the proposed ordinance. The review would include studying the proposed ordinance and determining whether further changes might be made based on the October 22 meeting.
- 2.) If the City Council approves, undertake the review.
- 3.) Have a follow up meeting to discuss specifics of proposed amendments.
- 4.) Determine how to proceed to further housing needs for people earning low incomes and people experience homelessness.

To review, the City Council held a briefing on the proposed ordinance at a March 5, 2019, work session. The Council then held a public hearing on the proposed ordinance April 23, 2019. The Council then closed the hearing and deferred action until a later date. Council Members Fowler and Mendenhall then met October 22 with the Administration and housing advocates Pamela Atkinson, June Hiatt, Andrew Riggle, Tara Rollins, and Brent Willis.

Issues raised in the discussion included:

- Potential barriers in the zoning ordinance that prohibit expanding locations of single-room occupancy housing.
- The potential effect of adopting the proposed current amendments to unintentionally reinforce long-standing segregation – economically and socially within the community.
- The potential opportunity for further revisions to reverse trends in economic and community segregation.
- The potential effect of delaying short-term housing needs to address long-term housing issues.
- The need to change perceptions of single-room occupancy living from perceptions of disapproval to perceptions that it is “non-traditional” housing that can be used by a spectrum of people including college students, service industry workers and people working seasonally in the tourism industry.
- The need to put SRO housing into communities that can support people living there through the closer availability of jobs and educational opportunities.
- The potential of places where SROs could be located beyond traditional bus and rail lines that may not necessarily serve people who need public transportation.
- The need to think in terms of valley-wide transportation.
- The potential for “congregate living” to alleviate some of the need for SRO housing.
- The potential of SRO housing to be designed in a way that it becomes a model for “universal design” that accommodates people of all abilities.

POLICY QUESTIONS

- How do the locations of single-room occupancy housing in the current proposed ordinance compare with the locations very low, low, moderate, high, and very high income levels in the opportunity index census tract presented to the City Council at its November 12 work session?
- How do the locations of Section 8 housing voucher holders, and locations of rent assisted rental projects presented at the same meeting compare to the locations of single-room occupancy in the current proposed ordinance? (Please see attachment.)
- If the City Council determines to explore additional revisions, how much can the proposed ordinance be revised before it would have to return to the Planning Commission for more consideration?
- If the City Council determines to explore additional revisions, what priority might it place on moving the proposed ordinance through the legislative process within the context of other planning issues already in process?

ISSUE AT-A-GLANCE

Goal of the briefing: To inform the City Council about proposed changes to the City zoning ordinance pertaining to single-room occupancy housing.

The proposed ordinance would:

- Expand the number of zoning districts where single-room occupancy uses could locate.
- Allow for weekly rentals in SROs to make housing more easily available to some people and allow SRO owners more leverage to enforce rules they may have.
- Help add to the City’s inventory of permitted housing types.

- Appear to meet goals of *Growing SLC: A Five-Year Housing Plan 2018-2022* adopted by the City Council on December 12, 2018, and other City plans.⁶

POLICY QUESTIONS

1. Planning Commission discussion and public comment indicated an interest in having single-room occupancy structures be categorized as conditional uses instead of as permitted uses. The Planning Commission at its November 14, 2018, meeting adopted a motion to forward a positive recommendation to the City Council with the proposed amendments categorizing single-room occupancy businesses as permitted uses.⁷ Would the City Council prefer the proposed amendments designate single-room occupancy businesses as permitted uses or as conditional uses?
2. The proposed amendments include qualifying provisions for single-room occupancy use. The provisions address minimum floor areas for individual units and communal areas, requirements that a property manager be on-site 24 hours a day and security cameras continually monitor communal areas. Are there other qualifying provisions such as those similar to qualifying provisions for homeless resource centers that the City Council might want to consider?
3. The proposed amendments would remove the “dwelling” designation from single-room occupancy group. Removing the designation would allow the weekly rental of SRO rooms. However, weekly rentals are considered a “transient” use under building codes the City follows. The building codes require higher plumbing ratios, such as each room having a bathroom, than the proposed amendments contemplate for single-room occupancy housing. The Building Services Division plans to follow international building codes for hostels. The codes allow one water closet per 10 people and one shower or bathtub per eight people. The codes do not contemplate people staying longer than a month.⁸

ADDITIONAL & BACKGROUND INFORMATION

The Salt Lake City Zoning Ordinance permits single-room occupancy use in the following zones: Transit Station Urban Center, Transit Station Urban Neighborhood, Transit Station Mixed Use Employment Center, Transit Station Special Purpose, and Form Based Urban Neighborhood 2.

The proposed text amendment would permit single-room occupancy use in the following zones: Downtown Central Business District; Downtown Support District; Downtown Secondary Central Business District; Downtown Warehouse/Residential; Residential Mixed-Use; Residential Mixed-Use-45; Residential Mixed-Use 35; Corridor Commercial; Sugar House Central Business District 1 and 2; General Commercial; Mixed Use; Gateway Mixed Use; Form-Based Special Purpose Corridor Core (Sugar House); and Form-Based Special Purpose Corridor Edge (Sugar House).

Single-room occupancy use would not be permitted in the following residential and commercial zones: All Foothill Residential districts; Residential 1/5,000; Residential 1/7,000; Residential 1/12,000; R-2 Single and Two-Family Residential District; all Special Development Pattern Residential districts; all Residential Multifamily districts; Residential/Office District; Neighborhood Commercial districts; Community Business districts; Community Shopping districts, and Small Neighborhood Business districts.

For the Downtown Warehouse/Residential districts (D-3) the underlined language in bold would be inserted into the current language of City Code 21A.30.040.C.1:

- C. Controls Over Mixed Use: The concept of mixed use is central to the nature of the D-3 downtown warehouse/residential district. To ensure that mixed use developments provide for on-site compatibility as well as neighborhood compatibility, the change of land use type or an increase in floor area by twenty five percent (25%) of existing

principal buildings and the construction of buildings for new uses after April 12, 1995, shall conform to the following provisions. ...

1. Buildings containing commercial/office uses located above the second story shall incorporate multi-family dwellings, **single-room occupancy (SRO)**, boarding house, bed and breakfast, or hotel uses in the amount of at least fifty percent (50%) of the total floor area of the building;

As indicated earlier, the proposed ordinance contains qualifying provisions for single-room occupancy use. The provisions address minimum floor areas, communal areas, a requirement that a property manager be on-site 24 hours a day, and security camera monitoring. The proposed ordinance also describes a typical unit as “one combined living and sleeping room” that may contain “either a private kitchen or separate private bathroom but not both.”

Master Plans

According to the Administration, the proposed ordinance meets goals presented in *Growing SLC: A Five-Year Housing Plan 2018-2022* and *Plan Salt Lake* which the City Council adopted December 1, 2015.

Under *Growing SLC*, the proposed ordinance supports the following objectives, according to the Administration:

- **Goal 1:** Reform City practices to promote a responsive, affordable, high-opportunity housing market.
 - **Objective 1:** Modernize land-use and zoning regulations to reflect the affordability needs of a growing, pioneering city.
- **Goal 2:** Increase housing opportunities for cost-burdened households.
 - **Objective 1:** Prioritize the development of new affordable housing with an emphasis of households earning 40 percent of AMI (average median income) and below.
- **Goal 3:** Build a more equitable city.
 - **Objective 3:** Implement life cycle housing principles in neighborhoods throughout the city.⁹
 - **3.3.1:** Support diverse and vibrant neighborhoods by aligning land use policies that promote a housing market capable of accommodating residents throughout all stages of life.

Growing SLC also includes the following goal and objective:

- **Goal 2:** Increase housing opportunities for cost-burdened households.
 - **Objective 1:** Prioritize the development of new affordable housing with an emphasis of households earning 40 percent of AMI (average median income) and below.
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Under *Plan Salt Lake*, the proposed ordinance supports the following objectives, according to the Administration:

Guiding Principle 1/Neighborhoods that provide a safe environment, opportunity for social interaction, and services needed for the wellbeing of the community therein.

Initiatives:

3. Create a safe and convenient place for people to carry out their daily lives;
5. Support policies that provide people a choice to stay in their home and neighborhood as they grow older and household demographics change;
7. Promote accessible neighborhood services and amenities, including parks, natural lands, and schools.

Guiding Principle 2/Growth: Growing responsibly, while providing people with choices about where they live, how they live, and how they get around.

Initiatives:

1. Locate new development in areas with existing infrastructure and amenities, such as transit and transportation corridors.

Guiding Principle 3/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.

2040 Targets:

1. Increase diversity of housing types for all income levels throughout the city;
2. Decrease percent of income spent on housing for cost-burdened households.

Initiatives:

1. Ensure access to affordable housing citywide (including rental and very low income);
2. Encourage housing options that accommodate aging in place;
3. Direct new growth toward areas with existing infrastructure and services that have the potential to be people-oriented.

Guiding Principle 11/Equity: Ensure access to all City amenities for all citizens while treating everyone equitably with fairness, justice, and respect.

Initiatives:

3. Pursue equitable access to privately provided services and amenities across the City;
4. Support policies that provide housing choices, including affordability, accessibility, and aging in place.¹⁰

It might also be noted that the *Salt Lake City Transit Master Plan* recommends, “Residential densities should be at least 10–12 households per acre for corridors that receive high-frequency transit investments and/or have more than 12–16 jobs per acre.”¹¹ It may be that single-room occupancy housing will increase the likelihood of bolstering high-frequency transit corridors.

Single-Room Occupancy

In the last five years 5,697 apartment units have been built in Salt Lake City. Another 1,750 apartment units are under construction.¹² Of the first figure, 1,464 units were affordable, and 1,057 affordable units are under construction for occupancy in the next two years.¹³

The only single-room occupancy units left in Salt Lake City are the 50 rooms at the Rio Grande Hotel, 428 West 300 South.¹⁴ Forty years ago Salt Lake City had about 800 single-room occupancy units.¹⁵

The Housing and Neighborhood Development Division describes single-room occupancy units as places with “a unique floor plan that increases housing affordability through efficiencies realized in shared amenities, as well as foster resident support systems.”¹⁶

Studies read by City Council staff describe single-room occupancy hotels as the lowest-cost, permanent rental housing that is the lowest rung on the housing ladder and often occupied by the aged, disabled and working poor.¹⁷ According to one analysis of three San Francisco SRO hotels:

“... In this research many of the residents were low-paid maids, janitors, and dishwashers. Their units enable them to save for a future for either themselves or their families. One middle-aged man who worked as a short order cook had save enough money by living in a 10-foot by 13-foot room for over 20 years to send his four children to college. Another middle-aged woman who worked as a maid in a nearby hotel had saved enough money ... to build a small home for her elderly mother.”¹⁸

However, the studies noted that as urban areas changed single-room occupancy hotels either were demolished for newer building projects or were repurposed. A 2017 report by the U.S. Interagency Council on Homelessness on ending encampments of homeless people said San Francisco, “despite having more

permanent supportive housing per capita than any other city,” still was seeking ways to build more. “The city is in the process of advocating for addition units from affordable developers to become permanent supportive housing, and has used master leasing of SRO buildings as a key strategy to create units,” the report said.¹⁹

Area Resident Concerns

The main concerns pertaining to the proposed ordinance raised by residents at the November 14, 2018, public hearing and in emails afterward were:

- Potential effects on residential neighborhoods, even if single-room occupancy structures were next to, but not in, neighborhoods.
- Single-room occupancy structures should be conditional uses instead of permitted uses.
- Well-managed SROs, whose residents have passed background checks, are OK, but poorly run SROs would degrade neighborhoods.
- How large would an SRO be?
- The number of SROs allowed in one geographical area.
- How can the City ensure that management regulations are enforced and not ignored?
- SROs often are places of drug use and interpersonal violence requiring frequent visits by paramedics or police officers.
- SROs should not be repurposed single-family homes or small unit complexes where neighbors are directly adjacent.

¹ The purpose of the **R-1/5,000 single-family residential district** is to provide for conventional single-family residential neighborhoods on lots not less than five thousand (5,000) square feet in size.

The purpose of the **R-2 single and two-family residential district** is to preserve and protect for single-family dwellings the character of existing neighborhoods which exhibit a mix of single- and two-family dwellings by controlling the concentration of two-family dwelling units.

Form-Based Urban Neighborhood 1: Generally includes small scale structures, up to two-and-one-half (2.5) stories in height, or relatively small lots with up to four dwelling units per lot depending on building type. Reuse of existing residential structures is encouraged. Development regulations are based on building type.

The purpose of the **RMF-35 moderate density multi-family residential district** is to provide an environment suitable for a variety of moderate density housing types, including single-family, two-family, and multi-family dwellings with a maximum height of thirty five feet (35').

The purpose of the **RMF-45 moderate/high density multi-family residential district** is to provide an environment suitable for multi-family dwellings of a moderate/high density with a maximum building height of forty five feet (45').

The purpose of the **R-MU residential/mixed use district** is to reinforce the mixed use character of the area and encourage the development of areas as high density residential urban neighborhoods containing retail, service commercial, and small scale office uses.

Form-Based Urban Neighborhood 2: generally included buildings up to four stories in height, with taller buildings, located on street corner parcels, which may contain a single use or a mix of commercial, office, and residential uses. Development regulations are based on building type, with the overall scale, form, and orientation of buildings as the primary focus.

The purpose of the **Residential/Business district** is to create vibrant small scale retail, service, and office uses oriented to the local area within residential neighborhoods along higher volume streets. Development is intended to be oriented to the street and pedestrian, while acknowledging the need for automobile access and parking.

The **CB community business district** is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods while limiting adverse impacts through appropriate design standards.

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.

The purpose of the **D-2 downtown support commercial district** is to provide an area that fosters the development of a sustainable urban neighborhood that accommodates commercial, office, residential and other uses that relate to and support the central business district. Development within the D-2 downtown support commercial district is intended to be less intensive than that of the central business district, with high lot coverage and buildings placed close to the sidewalk.

The purpose of the **D-1 central business district** is to provide for commercial and economic development within Salt Lake City's most urban and intense areas.

² Nick Norris, Salt Lake City Council work session video, April 14, 2020, 2:23:50.

³ Salt Lake City Council work session video, November 19, 2019, 25:29.

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- ⁴ Nick Norris, City Council work session video, November 19, 2019, 21:26.
- ⁵ Transmittal, February 28, 2020, Page 2.
- ⁶ Salt Lake City Council Minutes, December 12, 2017.
- ⁷ Salt Lake City Planning Commission Minutes, November 14, 2018
- ⁸ Emails, Orion Goff, Building Services Director, February 22, 2019.
- ⁹ Salt Lake City Planning Commission Memorandum, Ashley Scarff, June 27, 2018, Pages 3-4.
- ¹⁰ Scarff, June 27, Pages 4-5
- ¹¹ *Salt Lake City Transit Master Plan*, Land Use & Place Making, Page 6-2.
- ¹² Email, Heather Gilcrease, Development Review Supervisor, February 14, 2019.
- ¹³ Email, Tony Milner and discussion, HAND Project and Policy Manager, February 14, 2019.
- ¹⁴ *U.S. cities used to have low-rent, short-term, dorm-style housing. Is that what Utah's homeless need?* Matthew Piper, Deseret News, September 1, 2018.
- ¹⁵ Matthew Piper, Deseret News.
- ¹⁶ Presentation, Tony Milner, Planning Commission meeting, November 14, 2018.
- ¹⁷ *Single Room Occupancy Residential Hotel Program*, Innovations in American Government Awards, Harvard Kennedy School; *Housing With Dignity*, Mark Gillem and others.
- ¹⁸ *Housing With Dignity*, Mark Gillem and others.
- ¹⁹ *Ending Homelessness for People Living in Encampments: Lessons from San Francisco, CA*, U.S. Interagency Council on Homelessness, August 2017.

LEGISLATIVE DRAFT

SALT LAKE CITY ORDINANCE

No. ____ of 2020

(An ordinance amending various sections of Title 21A of the *Salt Lake City Code* pertaining to single room occupancy (SRO) uses (to be called Shared housing uses))

An ordinance amending various sections of Title 21A of the *Salt Lake City Code* pertaining to single room occupancy (SRO) uses (to be called shared housing uses) pursuant to Petition No. PLNPCM2018-00066.

WHEREAS, the Salt Lake City Planning Commission held public hearings on June 27, 2018 and November 14, 2018 to consider a request by then-Salt Lake City Mayor Jacqueline Biskupski (Petition No. PLNPCM2018-00066) to clarify the definition and appropriate locations of single room occupancy (SRO) uses and amend Subsection 21A.30.040.C.1; Sections 21A.33.020, 21A.33.030, 21A.33.035, 21A.33.050, 21A.33.060, 21A.33.070, 21A.33.080, 21A.36.360; Subsection 21A.44.030.G.1; Section 21A.60.020; and Section 21A.62.040 of the *Salt Lake City Code*; and

WHEREAS, at its November 14, 2018 hearing, the planning commission voted in favor of recommending to the Salt Lake City Council that the city council amend the above listed sections of Title 21A of the *Salt Lake City Code* identified herein; and

WHEREAS, the city council held briefings on this petition, which resulted in several modifications, including changing the name of “single room occupancy” uses to “shared housing” uses; and

WHEREAS, the Salt Lake City Council finds, after holding a public hearing on this matter, that adopting this ordinance is in the city’s best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

LEGISLATIVE DRAFT

SECTION 1. Amending the Text of Salt Lake City Code Subsection 21A.30.040.C. That Subsection 21A.30.040.C (Zoning: Downtown Districts: D-3 Downtown Warehouse/Residential District: Controls over Mixed Use) of the *Salt Lake City Code* shall be and hereby is amended to read as follows:

1. Buildings containing commercial/office uses located above the second story shall incorporate ~~multi-family dwellings, single room occupancy (SRO) boarding house, any residential uses allowed in the zoning district,~~ bed and breakfast, or hotel uses in the amount of at least fifty percent (50%) of the total floor area of the building;
2. Commercial/office uses shall be permitted as the sole use in two story buildings only; and
3. Commercial/office uses in buildings of three (3) stories or more without ~~multi-family dwellings~~ residential uses shall be allowed only as a conditional use and then only when the applicant has demonstrated that the proposed location is not suitable for ~~multi-family~~ residential use.

SECTION 2. Amending the Text of Salt Lake City Code Section 21A.33.020. That Section 21A.33.020 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Residential Districts) shall be and hereby is amended to add a new use category titled, “Shared housing” to the Table of Permitted and Conditional Uses for Residential Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

	FR- 1/43, 560	FR- 2/21, 780	FR- 3/12, 000	R- 1/12, 000	R- 1/7, 000	R- 1/5, 000	SR -1	SR -2	SR -3	R -2	RMF- 30	RMF- 35	RMF- 45	RMF- 75	R- MU- 35	R- MU- 45	R- MU	RO
Single room occupancy (SRO) <u>Shared housing</u>															<u>P</u>	<u>P</u>	<u>P</u>	

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SECTION 3. Amending the Text of Salt Lake City Code Section 21A.33.030. That Section 21A.33.030 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Commercial Districts) shall be and hereby is amended as follows:

- a. That the use category titled “Single room occupancy” in the Table of Permitted and Conditional Uses for Commercial Districts shall be amended to read as follows:

	CN	CB	CS ¹	CC	CSHBD ¹	CG	SNB
Single room occupancy (SRO)				<u>P</u>	<u>P</u>	<u>P</u>	

- b. That a new use category titled “Shared housing” shall be inserted into the Table of Permitted and Conditional Uses for Commercial Districts in alphabetical order under the “Dwelling” category and shall read and appear in that table as follows:

	CN	CB	CS ¹	CC	CSHBD ¹	CG	SNB
<u>Shared housing</u>				<u>P</u>	<u>P</u>	<u>P</u>	

SECTION 4. Amending the Text of Salt Lake City Code Section 21A.33.035. That Section 21A.33.035 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Transit Station Area Districts) shall be and hereby is amended as follows:

- a. That the use category titled “Single room occupancy” in the Table of Permitted and Conditional Uses for Transit Station Area Districts shall be amended to read as follows:

	TSA-UC		TSA-UN		TSA-MUEC		TSA-SP	
	Core	Transition	Core	Transition	Core	Transition	Core	Transition
Single room occupancy (SRO)	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

- b. That a new use category titled “Shared housing” shall be inserted into the Table of Permitted and Conditional Uses for Transit Station Area Districts in alphabetical order under the “Dwelling” category and shall read and appear in that table as follows:

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	TSA-UC		TSA-UN		TSA-MUEC		TSA-SP	
	Core	Transition	Core	Transition	Core	Transition	Core	Transition
<u>Shared housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

SECTION 5. Amending the Text of Salt Lake City Code Section 21A.33.050. That Section 21A.33.050 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Downtown Districts) shall be and hereby is amended to add a new use category titled, “Shared housing” to the Table of Permitted and Conditional Uses for Downtown Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

	D-1	D-2	D-3	D-4
Single room occupancy (SRO) <u>Shared housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

SECTION 6. Amending the Text of Salt Lake City Code Section 21A.33.060. That Section 21A.33.060 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in the Gateway District) shall be and hereby is amended to add a new use category titled, “Shared housing” to the Table of Permitted and Conditional Uses in the Gateway District, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

	G-MU
Single room occupancy (SRO) <u>Shared housing</u>	<u>P</u>

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SECTION 7. Amending the Text of Salt Lake City Code Section 21A.33.070. That Section 21A.33.070 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Special Purpose Districts) shall be and hereby is amended to add a new use category titled, “Shared housing” to the Table of Permitted and Conditional Uses for Special Purpose Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Single room occupancy (SRO) Shared housing																	<u>P</u>

SECTION 8. Amending the Text of Salt Lake City Code Section 21A.33.080. That Section

21A.33.080 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in Form Based Districts) shall be and hereby is amended as follows:

a. That the use category titled “Single room occupancy” in the Table of Permitted and

Conditional Uses in Form Based Districts shall be amended to read as follows:

	FB-UN1	FB-UN2	FB-SC	FB-SE
Single room occupancy (SRO)		<u>P</u>	<u>P</u>	<u>P</u>

b. That a new use category titled “Shared housing” shall be inserted into the Table of

Permitted and Conditional Uses in Form Based Districts in alphabetical order under the

“Dwelling” category and shall read and appear in that table as follows:

	FB-UN1	FB-UN2	FB-SC	FB-SE
<u>Shared housing</u>		<u>P</u>	<u>P</u>	<u>P</u>

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SECTION 9. Adopting Section 21A.36.360 of Salt Lake City Code. That Chapter 21A.36 of the *Salt Lake City Code* (Zoning: General Provisions) shall be and hereby is amended to adopt a new Section 21A.36.360, which shall read and appear as follows:

21A.36.360: QUALIFYING PROVISIONS FOR THE ~~SINGLE ROOM OCCUPANCY (SRO)~~ SHARED HOUSING USE:

The shared housing ~~single room occupancy (SRO)~~ use, as defined in Chapter 21A.62 of this title, shall be allowed in zoning districts identified as provided in Chapter 21A.33 “Land Use Tables,” and are subject to the following provisions:

A. The shared housing use shall be subject to the same lot and bulk requirements as the multi-family dwelling use, but not the density requirements of the underlying zone.

B. Maximum Occupancy of Sleeping Rooms: Each sleeping room contained within the individual shared housing unit shall house a maximum of 2 people.

~~AC.~~ Minimum Floor Area of ~~Units~~ Sleeping Rooms: Each ~~individual unit~~ sleeping room contained within the individual shared housing unit shall ~~contain~~ include a minimum of 100 square feet of floor area for a single tenant, or a minimum of 120 square feet of floor area for two (2) tenants.

1. The floor area of each ~~individual unit~~ sleeping room shall be calculated as the sum of the gross horizontal area of the unit measured from the interior face of interior walls.

2. Calculation of this area shall not include ~~the areas~~ spaces consumed by ~~separate private bathroom amenities, closets/storage, or mechanical equipment, or appliances.~~ areas included within the individual unit.

~~BD.~~ Communal Areas: In an effort to provide sufficient accommodations for socializing and meeting, ~~Communal areas including, but not limited to, libraries, lounges, recreation rooms, dining rooms, and laundry rooms, and meeting rooms~~ that are accessible to all residents of the ~~SRO~~ shared housing development ~~with sufficient accommodations for socializing and meeting~~ shall be ~~provided~~ included, and shall meet the following requirements:

1. The total amount of communal area shall have ~~a~~ minimum of twenty (20) square feet per sleeping room ~~a floor area that is a minimum of 15 percent (15%) of the total floor area of all individual units.~~

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- ~~a. The total floor area of all units sleeping rooms shall be calculated by totaling the floor area of each individual unit (using the methodology outlined in Subsection 21A.36.360. ABAC.1 above), plus including the areas spaces consumed by any separate private bathroom amenities, closets/storage, or mechanical equipment, or appliances. areas included within the individual units.~~
- ~~2b. Service~~ Areas including, but not limited to, kitchens and bathrooms shared between multiple units, hallways and corridors, storage areas (including bicycle storage), operations and maintenance areas, or management areas and offices may not be counted toward the communal area requirement.
- ~~E. Management:~~
- ~~1. A shared housing development may include an office for the purpose of managing the living units and common facilities, and/or one self-contained living unit with private kitchen and bathroom facilities for a manager or caretaker.~~
- ~~2. A property manager shall be on site twenty-four (24) hours a day, who will be responsible for the conduct, operation, and maintenance of the SRO shared housing development.~~
- ~~3. All communal areas that are accessible to all tenants of the SRO shared housing, with the exception of bathrooms, shall be continuously monitored by security cameras.~~
- ~~F. Accessibility: All areas of a shared housing development shall be designed to be universally accessible as required by the construction codes adopted by the Utah Building Code Commission to be used statewide, by the political subdivisions of the State applicable federal and state laws. Individual units and sleeping rooms required to be universally accessible by the adopted building code shall be located on the ground floor. If more units and sleeping rooms are required than what can be accommodated on the ground floor, the units may be located on other floors within the building, if an elevator is required and provided.~~

SECTION 10. Amending the Text of *Salt Lake City Code* Subsection 21A.44.030.G.1. That

Table 21A.44.030 under Subsection 21A.44.030.G.1 of the *Salt Lake City Code* (Zoning: Off Street Parking, Mobility and Loading: Number of Off Street Parking Spaces Required: Schedule of Minimum Off Street Parking Requirements) shall be and hereby is amended as follows:

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- a. Amending the use category “Multiple-family dwellings.” That the use category titled “Multiple-family dwellings” shall be amended to read and appear as follows:

Residential	
Multiple-family dwellings ¹	2 parking spaces for each dwelling unit containing 2 or more bedrooms 1 parking space for 1 bedroom and efficiency dwelling 1/2 parking space for single room occupancy dwellings (600 square foot maximum)

- b. Adding the use category “Shared housing.” That a new use category titled, “Shared housing” shall be added to the Schedule of Minimum Off Street Parking Requirements, which use category shall be inserted into that table in alphabetical order under “Residential” and shall read and appear in that table as follows:

Residential	
Single room occupancy (SRO) Shared housing	1/2 parking space per individual unit sleeping room

SECTION 11. Amending the Text of *Salt Lake City Code* Section 21A.60.020. That Section 21A.60.020 of the *Salt Lake City Code* (Zoning: List of Terms: List of Defined Terms), shall be and hereby is amended as follows:

- a. Deleting the term “Dwelling, single room occupancy.” That the term “Dwelling, single room occupancy” shall be amended as follows:

~~Dwelling, single room occupancy (SRO)~~

- b. Adding the term “Shared housing”. That the term “Shared housing” shall be inserted in the list of defined terms in alphabetical order, to read as follows:

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Shared housing.

- c. Adding the term “Sleeping room”. That the term “Sleeping room” shall be inserted in the list of defined terms in alphabetical order, to read as follows:

Sleeping room.

SECTION 12. Amending the Text of Salt Lake City Code Section 21A.62.040. That Section 21A.62.040 of the *Salt Lake City Code* (Zoning: Definitions: Definitions of Terms), shall be and hereby is amended as follows:

- a. Amending the definition of “Dwelling.” That the definition of “Dwelling” shall be amended to read as follows:

DWELLING: A building or portion thereof, which is designated for residential purposes of a family for occupancy on a monthly basis and which is a self-contained unit with kitchen and bathroom facilities. The term “dwelling” excludes living space within hotels, bed and breakfast establishments, ~~apartment hotels~~ shared housing developments single room occupancy (SRO) establishments, boarding houses and lodging houses.

- b. Amending the definition of “Dwelling, single room occupancy.” That the definition of “Dwelling, single room occupancy” shall be amended to read as follows:

~~DWELLING, SINGLE ROOM OCCUPANCY: A residential dwelling facility containing individual, self-contained, dwelling units none of which may exceed five hundred (500) square feet in size.~~

- c. Adding the definition of “Shared housing.” That the definition of “Shared housing” be added and inserted into the list of definitions in alphabetical order to read as follows:

SHARED HOUSING: A building, or portion thereof, that is designated for residential purposes and contains individual housing units that may be occupied on a weekly or monthly basis. Each individual housing unit consists of one or more sleeping rooms and may contain either kitchen or bathroom amenities, but not both. Whichever amenities are not contained within the individual unit (the kitchen, bathroom, or both)

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shall be provided as a common facility within the same building, to be shared with other tenants of the shared housing development.

- d. Adding the definition of “Sleeping room.” That the definition of “sleeping room” be added and inserted into the list of definitions in alphabetical order to read as follows:

SLEEPING ROOM: A room within a shared housing land use that is identified and used for sleeping purposes.

SECTION 13. Effective Date. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2020.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor’s Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

LEGISLATIVE DRAFT

273 Bill No. _____ of 2020.

274 Published: _____.

275

276

277 Ordinance amending single room occupancy regulations

SALT LAKE CITY ORDINANCE
No. _____ of 2020
(An ordinance amending various sections of Title 21A
of the *Salt Lake City Code* pertaining to single room occupancy (SRO) uses (to be called Shared
housing uses))

An ordinance amending various sections of Title 21A of the *Salt Lake City Code* pertaining to single room occupancy (SRO) uses (to be called shared housing uses) pursuant to Petition No. PLNPCM2018-00066.

WHEREAS, the Salt Lake City Planning Commission held public hearings on June 27, 2018 and November 14, 2018 to consider a request by then-Salt Lake City Mayor Jacqueline Biskupski (Petition No. PLNPCM2018-00066) to clarify the definition and appropriate locations of single room occupancy (SRO) uses and amend Subsection 21A.30.040.C.1; Sections 21A.33.020, 21A.33.030, 21A.33.035, 21A.33.050, 21A.33.060, 21A.33.070, 21A.33.080, 21A.36.360; Subsection 21A.44.030.G.1; Section 21A.60.020; and Section 21A.62.040 of the *Salt Lake City Code*; and

WHEREAS, at its November 14, 2018 hearing, the planning commission voted in favor of recommending to the Salt Lake City Council that the city council amend the above listed sections of Title 21A of the *Salt Lake City Code* identified herein; and

WHEREAS, the city council held briefings on this petition, which resulted in several modifications, including changing the name of “single room occupancy” uses to “shared housing” uses; and

WHEREAS, the Salt Lake City Council finds, after holding a public hearing on this matter, that adopting this ordinance is in the city’s best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending the Text of *Salt Lake City Code* Subsection 21A.30.040.C. That Subsection 21A.30.040.C (Zoning: Downtown Districts: D-3 Downtown Warehouse/Residential District: Controls over Mixed Use) of the *Salt Lake City Code* shall be and hereby is amended to read as follows:

1. Buildings containing commercial/office uses located above the second story shall incorporate any residential uses allowed in the zoning district, bed and breakfast, or hotel uses in the amount of at least fifty percent (50%) of the total floor area of the building;
2. Commercial/office uses shall be permitted as the sole use in two story buildings only; and
3. Commercial/office uses in buildings of three (3) stories or more without residential uses shall be allowed only as a conditional use and then only when the applicant has demonstrated that the proposed location is not suitable for residential use.

SECTION 2. Amending the Text of *Salt Lake City Code* Section 21A.33.020. That Section 21A.33.020 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Residential Districts) shall be and hereby is amended to add a new use category titled, “Shared housing” to the Table of Permitted and Conditional Uses for Residential Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

	FR- 1/43, 560	FR- 2/21, 780	FR- 3/12, 000	R- 1/12, 000	R- 1/7, 000	R- 1/5, 000	SR -1	SR -2	SR -3	R -2	RMF- 30	RMF- 35	RMF- 45	RMF- 75	R- MU- 35	R- MU- 45	R- MU	RO
Shared housing															P	P	P	

SECTION 3. Amending the Text of *Salt Lake City Code* Section 21A.33.030. That Section 21A.33.030 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Commercial Districts) shall be and hereby is amended as follows:

- a. That the use category titled “Single room occupancy” in the Table of Permitted and Conditional Uses for Commercial Districts shall be **deleted**.
- b. That a new use category titled “Shared housing” shall be inserted into the Table of Permitted and Conditional Uses for Commercial Districts in alphabetical order under the “Dwelling” category and shall read and appear in that table as follows:

	CN	CB	CS ¹	CC	CSHBD ¹	CG	SNB
Shared housing				P	P	P	

SECTION 4. Amending the Text of Salt Lake City Code Section 21A.33.035. That Section 21A.33.035 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Transit Station Area Districts) shall be and hereby is amended as follows:

- a. That the use category titled “Single room occupancy” in the Table of Permitted and Conditional Uses for Transit Station Area Districts shall be **deleted**.
- b. That a new use category titled “Shared housing” shall be inserted into the Table of Permitted and Conditional Uses for Transit Station Area Districts in alphabetical order under the “Dwelling” category and shall read and appear in that table as follows:

	TSA-UC		TSA-UN		TSA-MUEC		TSA-SP	
	Core	Transition	Core	Transition	Core	Transition	Core	Transition
Shared housing	P	P	P	P	P	P	P	P

SECTION 5. Amending the Text of Salt Lake City Code Section 21A.33.050. That Section 21A.33.050 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Downtown Districts) shall be and hereby is amended to add a new use category titled, “Shared housing” to the Table of Permitted and Conditional Uses for Downtown Districts, which

use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

	D-1	D-2	D-3	D-4
Shared housing	P	P	P	P

SECTION 6. Amending the Text of *Salt Lake City Code* Section 21A.33.060. That Section 21A.33.060 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in the Gateway District) shall be and hereby is amended to add a new use category titled, “Shared housing” to the Table of Permitted and Conditional Uses in the Gateway District, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

	G-MU
Shared housing	P

SECTION 7. Amending the Text of Salt Lake City Code Section 21A.33.070. That Section 21A.33.070 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Special Purpose Districts) shall be and hereby is amended to add a new use category titled, “Shared housing” to the Table of Permitted and Conditional Uses for Special Purpose Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

[illegible]

SECTION 8. Amending the Text of Salt Lake City Code Section 21A.33.080. That Section 21A.33.080 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in Form Based Districts) shall be and hereby is amended as follows:

- a. That the use category titled “Single room occupancy” in the Table of Permitted and Conditional Uses in Form Based Districts shall be **deleted**.
- b. That a new use category titled “Shared housing” shall be inserted into the Table of Permitted and Conditional Uses in Form Based Districts in alphabetical order under the “Dwelling” category and shall read and appear in that table as follows:

	FB-UN1	FB-UN2	FB-SC	FB-SE
Shared housing		P	P	P

SECTION 9. Adopting Section 21A.36.360 of Salt Lake City Code. That Chapter 21A.36 of the *Salt Lake City Code* (Zoning: General Provisions) shall be and hereby is amended to adopt a new Section 21A.36.360, which shall read and appear as follows:

21A.36.360: QUALIFYING PROVISIONS FOR THE SHARED HOUSING USE:

The shared housing use, as defined in Chapter 21A.62 of this title, shall be allowed in zoning districts as provided in Chapter 21A.33 “Land Use Tables,” and are subject to the following provisions:

- A. The shared housing use shall be subject to the same lot and bulk requirements as the multi-family dwelling use, but not the density requirements of the underlying zone.
- B. Maximum Occupancy of Sleeping Rooms: Each sleeping room contained within the individual shared housing unit shall house a maximum of 2 people.
- C. Minimum Floor Area of Sleeping Rooms: Each sleeping room contained within the individual shared housing unit shall include a minimum of 100 square feet of floor area for a single tenant, or a minimum of 120 square feet of floor area for two (2) tenants.

1. The floor area of each sleeping room shall be calculated as the sum of the gross horizontal area of the unit measured from the interior face of interior walls.
2. Calculation of this area shall not include spaces consumed by closets/storage, mechanical equipment, or appliances.

D. Communal Areas: In an effort to provide sufficient accommodations for socializing and meeting, communal areas including, but not limited to libraries, lounges, recreation rooms, dining rooms, and laundry rooms that are accessible to all residents of the shared housing development shall be included, and shall meet the following requirements:

1. The total amount of communal area shall have a minimum of twenty (20) square feet per sleeping room.
2. Areas including, but not limited to kitchens and bathrooms shared between multiple units, hallways and corridors, storage areas (including bicycle storage), operations and maintenance areas, or management areas and offices may not be counted toward the communal area requirement.

E. Management:

1. A shared housing development may include an office for the purpose of managing the living units and common facilities, and/or one self-contained living unit with private kitchen and bathroom facilities for a manager or caretaker.
2. A property manager shall be on site twenty-four (24) hours a day, who will be responsible for the conduct, operation, and maintenance of the shared housing development.
3. All communal areas that are accessible to all tenants of the shared housing, with the exception of bathrooms, shall be continuously monitored by security cameras.

F. Accessibility: All areas of a shared housing development shall be designed to be universally accessible as required by the construction codes adopted by the Utah Building Code Commission to be used statewide, by the political subdivisions of the State. Individual units and sleeping rooms required to be universally accessible by the adopted building code shall be located on the ground floor. If more units and sleeping rooms are required than what can be accommodated on the ground floor, the units may be located on other floors within the building, if an elevator is required and provided.

SECTION 10. Amending the Text of *Salt Lake City Code* Subsection 21A.44.030.G.1. That

Table 21A.44.030 under Subsection 21A.44.030.G.1 of the *Salt Lake City Code* (Zoning: Off Street

Parking, Mobility and Loading: Number of Off Street Parking Spaces Required: Schedule of Minimum Off Street Parking Requirements) shall be and hereby is amended as follows:

- a. Amending the use category “Multiple-family dwellings.” That the use category titled “Multiple-family dwellings” shall be amended to read and appear as follows:

Residential		
	Multiple-family dwellings ¹	2 parking spaces for each dwelling unit containing 2 or more bedrooms 1 parking space for 1 bedroom and efficiency dwelling

- b. Adding the use category “Shared housing.” That a new use category titled, “Shared housing” shall be added to the Schedule of Minimum Off Street Parking Requirements, which use category shall be inserted into that table in alphabetical order under “Residential” and shall read and appear in that table as follows:

Residential		
	Shared housing	½ parking space per sleeping room

SECTION 11. Amending the Text of *Salt Lake City Code* Section 21A.60.020. That Section 21A.60.020 of the *Salt Lake City Code* (Zoning: List of Terms: List of Defined Terms), shall be and hereby is amended as follows:

- a. Deleting the term “Dwelling, single room occupancy.” That the term “Dwelling, single room occupancy” shall be **deleted**.
- b. Adding the term “Shared housing”. That the term “Shared housing” shall be inserted in the list of defined terms in alphabetical order, to read as follows:

Shared housing.

- c. Adding the term “Sleeping room”. That the term “Sleeping room” shall be inserted in the list of defined terms in alphabetical order, to read as follows:

Sleeping room.

SECTION 12. Amending the Text of Salt Lake City Code Section 21A.62.040. That Section 21A.62.040 of the *Salt Lake City Code* (Zoning: Definitions: Definitions of Terms), shall be and hereby is amended as follows:

- a. Amending the definition of “Dwelling.” That the definition of “Dwelling” shall be amended to read as follows:

DWELLING: A building or portion thereof, which is designated for residential purposes of a family for occupancy on a monthly basis and which is a self-contained unit with kitchen and bathroom facilities. The term “dwelling” excludes living space within hotels, bed and breakfast establishments, shared housing developments, boarding houses and lodging houses.

- b. Amending the definition of “Dwelling, single room occupancy.” That the definition of “Dwelling, single room occupancy” shall be **deleted**.
- c. Adding the definition of “Shared housing.” That the definition of “Shared housing” be added and inserted into the list of definitions in alphabetical order to read as follows:

SHARED HOUSING: A building, or portion thereof, that is designated for residential purposes and contains individual housing units that may be occupied on a weekly or monthly basis. Each individual housing unit consists of one or more sleeping rooms and may contain either kitchen or bathroom amenities, but not both. Whichever amenities are not contained within the individual unit (the kitchen, bathroom, or both) shall be provided as a common facility within the same building, to be shared with other tenants of the shared housing development.

d. Adding the definition of "Sleeping room." That the definition of "sleeping room" be added and inserted into the list of definitions in alphabetical order to read as follows:

SLEEPING ROOM: A room within a shared housing land use that is identified and used for sleeping purposes.

SECTION 13. Effective Date. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2020.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2020.
Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office

Date: July 20, 2020

By: Paul C. Nielson
Paul C. Nielson, Senior City Attorney

Ordinance amending single room occupancy regulations (final)



CITY COUNCIL TRANSMITTAL

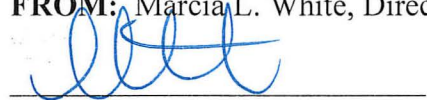

Rachel Otto, Chief of Staff

Date Received: 2-24-20
Date sent to Council: 2-28-20

TO: Salt Lake City Council
Chris Wharton, Chair

DATE: 2-26-2020

FROM: Marcia L. White, Director Department of Community & Neighborhoods



SUBJECT: Revised Transmittal re: Petition PLNPCM2018-00066 – Shared Housing Zoning Text Amendments (formerly titled Single Room Occupancy (SRO) Text Amendments)

STAFF CONTACT: Ashley Ogden, RDA Project Manager (formerly Principal Planner)
(801) 535-7207, ashley.ogden@slcgov.com

DOCUMENT TYPE: Ordinance

RECOMMENDATION: Adopt the attached ordinance, which has been revised in response to feedback received during the City Council public hearing held on April 23, 2019, a meeting with local housing advocates held on October 22, 2019, and direction received from the Council during the November 19, 2019, work session.

BUDGET IMPACT: None

BACKGROUND/DISCUSSION: This is a follow up briefing memo to the existing transmittal package for this proposal and includes the following updated information:

On **March 19, 2019**, Planning Division Staff briefed the City Council on a Mayor-initiated proposal to amend sections of the Zoning Ordinance to better define Single Room Occupancy (SRO) housing and determine appropriate locations within the City for the use. Proposed amendments included changing the existing definition of SRO Dwelling, expanding the number of zoning districts that permit SROs, and creating qualifying provisions for the use.

The Council held a public hearing on **April 23, 2019**, where numerous residents with differing views provided comment: some expressed concerns with the potential negative impacts of SRO

developments, and some felt that the ordinance didn't go far enough, and that the use would be restricted to parts of the City that were historically reserved for undesirable uses and lower-income and minority residents through redlining practices.

In an effort to address equity concerns, Council Staff organized a meeting with local housing advocates who had provided comments at the public hearing, representatives from the Community & Neighborhoods (CAN) Department, and Councilmembers Fowler and Mendenhall on **October 22, 2019**. A constructive conversation was had regarding the terminology used, accessibility of the units, the history of discriminatory zoning and lending practices, and the City's immediate need for the SRO housing type versus more long-term Zoning Ordinance reform.

The item was scheduled for another Council briefing on **November 19, 2019**, where Planning Director Nick Norris described how the City's existing zoning only permits residential uses on 21% of the City's land area, with 12% of that area reserved exclusively for single-family uses. When Staff identified zoning districts that are appropriate for the SRO use, they included districts that already permit uses with similar levels of intensity such as multi-family residential dwellings. Because higher density housing is only permitted on approximately 9% of the City's land, the proposed locations for SROs are limited.

Councilmembers indicated that due to the City's immediate need for more affordable housing types they were willing to adopt the text amendment as proposed but expressed an interest in taking a deeper look into the way the City is currently zoned and tackling unintended impediments to constructing housing. In response to feedback received at the October 22 meeting with housing advocates, Planning Staff requested to transmit a revised ordinance with a new name for the use and added accessibility requirements—Councilmembers agreed.

The revised ordinance is attached and the following changes have been made:

1. The term 'Single Room Occupancy (SRO)' has been changed to 'Shared Housing.'
2. Shared Housing is defined as follows:

A building, or portion thereof, that is designated for residential purposes and contains individual housing units that may be occupied on a weekly or monthly basis. Each individual housing unit consists of one or more sleeping rooms and may contain either kitchen or bathroom amenities, but not both. Whichever amenities are not contained within the individual unit (the kitchen, bathroom, or both) shall be provided as a common facility within the same building, to be shared with other tenants of the shared housing development.

3. Under this definition, a Shared Housing development could contain individual housing units with multiple separate sleeping rooms, rather than each housing unit being limited to one sleeping room as previously proposed. This change provides more flexibility in design and allows for Shared Housing developments that serve families rather than just singles or couples.
4. All requirements formerly proposed for individual sleeping rooms (maximum occupancy, minimum square footage, etc.) still apply.

5. A general provision was added that requires all aspects of a Shared Housing development to be accessible to and usable by people with disabilities as outlined in applicable federal and state laws.

PUBLIC PROCESS: Since the initial transmittal, this petition has been briefed to the Council twice, and one public hearing was held. In addition, select Councilmembers and Council Staff held a meeting that included CAN Staff, Pamela Atkinson (local housing advocate), Brent Willis (current operator of the only SRO in Salt Lake City, the Rio Grande Hotel), and representatives of the Disability Law Center and Utah Housing Coalition.

EXHIBITS:

- 1) Revised Ordinance

LEGISLATIVE DRAFT

SALT LAKE CITY ORDINANCE

No. ____ of 2020

(An ordinance amending various sections of Title 21A of the *Salt Lake City Code* pertaining to single room occupancy (SRO) uses (to be called Shared housing uses))

An ordinance amending various sections of Title 21A of the *Salt Lake City Code* pertaining to single room occupancy (SRO) uses (to be called shared housing uses) pursuant to Petition No. PLNPCM2018-00066.

WHEREAS, the Salt Lake City Planning Commission held public hearings on June 27, 2018 and November 14, 2018 to consider a request by then-Salt Lake City Mayor Jacqueline Biskupski (Petition No. PLNPCM2018-00066) to clarify the definition and appropriate locations of single room occupancy (SRO) uses and amend Subsection 21A.30.040.C.1; Sections 21A.33.020, 21A.33.030, 21A.33.035, 21A.33.050, 21A.33.060, 21A.33.070, 21A.33.080, 21A.36.360; Subsection 21A.44.030.G.1; Section 21A.60.020; and Section 21A.62.040 of the *Salt Lake City Code*; and

WHEREAS, at its November 14, 2018 hearing, the planning commission voted in favor of recommending to the Salt Lake City Council that the city council amend the above listed sections of Title 21A of the *Salt Lake City Code* identified herein; and

WHEREAS, the city council held briefings on this petition, which resulted in several modifications, including changing the name of “single room occupancy” uses to “shared housing” uses; and

WHEREAS, the Salt Lake City Council finds, after holding a public hearing on this matter, that adopting this ordinance is in the city’s best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

LEGISLATIVE DRAFT

SECTION 1. Amending the Text of Salt Lake City Code Subsection 21A.30.040.C. That

Subsection 21A.30.040.C (Zoning: Downtown Districts: D-3 Downtown Warehouse/Residential

District: Controls over Mixed Use) of the *Salt Lake City Code* shall be and hereby is amended to

read as follows:

1. Buildings containing commercial/office uses located above the second story shall incorporate ~~multi-family dwellings, single room occupancy (SRO) boarding house, any~~ residential uses allowed in the zoning district, bed and breakfast, or hotel uses in the amount of at least fifty percent (50%) of the total floor area of the building;
2. Commercial/office uses shall be permitted as the sole use in two story buildings only; and
3. Commercial/office uses in buildings of three (3) stories or more without ~~multi-family dwellings~~ residential uses shall be allowed only as a conditional use and then only when the applicant has demonstrated that the proposed location is not suitable for ~~multi-family~~ residential use.

SECTION 2. Amending the Text of Salt Lake City Code Section 21A.33.020. That Section

21A.33.020 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and

Conditional Uses for Residential Districts) shall be and hereby is amended to add a new use category

titled, "Shared housing" to the Table of Permitted and Conditional Uses for Residential Districts, which

use category shall be inserted into that table in alphabetical order and shall read and appear in that table as

follows:

	FR- 1/43, 560	FR- 2/21, 780	FR- 3/12, 000	R- 1/12, 000	R- 1/7, 000	R- 1/5, 000	SR -1	SR -2	SR -3	R -2	RMF- 30	RMF- 35	RMF- 45	RMF- 75	R- MU- 35	R- MU- 45	R- MU	RO
<u>Single room occupancy (SRO) Shared housing</u>															<u>P</u>	<u>P</u>	<u>P</u>	

LEGISLATIVE DRAFT

SECTION 3. Amending the Text of Salt Lake City Code Section 21A.33.030. That Section 21A.33.030 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Commercial Districts) shall be and hereby is amended as follows:

- a. That the use category titled “Single room occupancy” in the Table of Permitted and Conditional Uses for Commercial Districts shall be amended to read as follows:

	CN	CB	CS ¹	CC	CSHBD ¹	CG	SNB
Single room occupancy (SRO)				<u>P</u>	<u>P</u>	<u>P</u>	

- b. That a new use category titled “Shared housing” shall be inserted into the Table of Permitted and Conditional Uses for Commercial Districts in alphabetical order under the “Dwelling” category and shall read and appear in that table as follows:

	CN	CB	CS ¹	CC	CSHBD ¹	CG	SNB
<u>Shared housing</u>				<u>P</u>	<u>P</u>	<u>P</u>	

SECTION 4. Amending the Text of Salt Lake City Code Section 21A.33.035. That Section 21A.33.035 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Transit Station Area Districts) shall be and hereby is amended as follows:

- a. That the use category titled “Single room occupancy” in the Table of Permitted and Conditional Uses for Transit Station Area Districts shall be amended to read as follows:

	TSA-UC		TSA-UN		TSA-MUEC		TSA-SP	
	Core	Transition	Core	Transition	Core	Transition	Core	Transition
Single room occupancy (SRO)	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

- b. That a new use category titled “Shared housing” shall be inserted into the Table of Permitted and Conditional Uses for Transit Station Area Districts in alphabetical order under the “Dwelling” category and shall read and appear in that table as follows:

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	TSA-UC		TSA-UN		TSA-MUEC		TSA-SP	
	Core	Transition	Core	Transition	Core	Transition	Core	Transition
<u>Shared housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

SECTION 5. Amending the Text of Salt Lake City Code Section 21A.33.050. That Section 21A.33.050 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Downtown Districts) shall be and hereby is amended to add a new use category titled, “Shared housing” to the Table of Permitted and Conditional Uses for Downtown Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

	D-1	D-2	D-3	D-4
Single room occupancy (SRO) <u>Shared housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

SECTION 6. Amending the Text of Salt Lake City Code Section 21A.33.060. That Section 21A.33.060 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in the Gateway District) shall be and hereby is amended to add a new use category titled, “Shared housing” to the Table of Permitted and Conditional Uses in the Gateway District, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

	G-MU
Single room occupancy (SRO) <u>Shared housing</u>	<u>P</u>

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SECTION 7. Amending the Text of Salt Lake City Code Section 21A.33.070. That Section 21A.33.070 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Special Purpose Districts) shall be and hereby is amended to add a new use category titled, “Shared housing” to the Table of Permitted and Conditional Uses for Special Purpose Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Single room occupancy (SRO) Shared housing																	<u>P</u>

SECTION 8. Amending the Text of Salt Lake City Code Section 21A.33.080. That Section 21A.33.080 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in Form Based Districts) shall be and hereby is amended as follows:

a. That the use category titled “Single room occupancy” in the Table of Permitted and Conditional Uses in Form Based Districts shall be amended to read as follows:

	FB-UN1	FB-UN2	FB-SC	FB-SE
Single room occupancy (SRO)		<u>P</u>	<u>P</u>	<u>P</u>

b. That a new use category titled “Shared housing” shall be inserted into the Table of Permitted and Conditional Uses in Form Based Districts in alphabetical order under the “Dwelling” category and shall read and appear in that table as follows:

	FB-UN1	FB-UN2	FB-SC	FB-SE
<u>Shared housing</u>		<u>P</u>	<u>P</u>	<u>P</u>

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SECTION 9. Adopting Section 21A.36.360 of *Salt Lake City Code*. That Chapter 21A.36 of the *Salt Lake City Code* (Zoning: General Provisions) shall be and hereby is amended to adopt a new Section 21A.36.360, which shall read and appear as follows:

21A.36.360: QUALIFYING PROVISIONS FOR THE ~~SINGLE ROOM OCCUPANCY (SRO)~~ SHARED HOUSING USE:

The shared housing ~~single room occupancy (SRO)~~ use, as defined in Chapter 21A.62 of this title, shall be allowed in zoning districts identified as provided in Chapter 21A.33 "Land Use Tables," and are subject to the following provisions:

A. The shared housing use shall be subject to the same lot and bulk requirements as the multi-family dwelling use, but not the density requirements of the underlying zone.

B. Maximum Occupancy of Sleeping Rooms: Each sleeping room contained within the individual shared housing unit shall house a maximum of 2 people.

~~AC.~~ Minimum Floor Area of ~~Units~~ Sleeping Rooms: Each ~~individual unit~~ sleeping room contained within the individual shared housing unit shall ~~contain~~ include a minimum of 100 square feet of floor area for a single tenant, or a minimum of 120 square feet of floor area for two (2) tenants.

1. The floor area of each ~~individual unit~~ sleeping room shall be calculated as the sum of the gross horizontal area of the unit measured from the interior face of interior walls.

2. Calculation of this area shall not include ~~the areas~~ spaces consumed by ~~separate private bathroom amenities, closets/storage, or mechanical equipment, or appliances.~~ areas included within the individual unit.

~~BD.~~ Communal Areas: In an effort to provide sufficient accommodations for socializing and meeting, ~~C~~communal areas including, but not limited to, libraries, lounges, recreation rooms, dining rooms, and laundry rooms, ~~and meeting rooms~~ that are accessible to all residents of the ~~SRO~~ shared housing development ~~with sufficient accommodations for socializing and meeting~~ shall be ~~provided~~ included, and shall meet the following requirements:

1. The total amount of communal area shall have a minimum of twenty (20) square feet per sleeping room ~~a floor area that is a minimum of 15 percent (15%) of the total floor area of all individual units.~~

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~~a. The total floor area of all units sleeping rooms shall be calculated by totaling the floor area of each individual unit (using the methodology outlined in Subsection 21A.36.360.ABAC.1 above), plus including the areas spaces consumed by any separate private bathroom amenities, closets/storage, or mechanical equipment, or appliances, areas included within the individual units.~~

~~2b. Service a~~ Areas including, but not limited to, kitchens and bathrooms shared between multiple units, hallways and corridors, storage areas (including bicycle storage), operations and maintenance areas, or management areas and offices may not be counted toward the communal area requirement.

E. Management:

1. A shared housing development may include an office for the purpose of managing the living units and common facilities, and/or one self-contained living unit with private kitchen and bathroom facilities for a manager or caretaker.

~~2~~2. A property manager shall be on site twenty-four (24) hours a day, who will be responsible for the conduct, operation, and maintenance of the SRO shared housing development.

~~23~~3. All communal areas that are accessible to all tenants of the SRO shared housing, with the exception of bathrooms, shall be continuously monitored by security cameras.

F. Accessibility: All areas of a shared housing development shall be designed to be universally accessible as required by applicable federal and state laws.

SECTION 10. Amending the Text of Salt Lake City Code Subsection 21A.44.030.G.1. That

Table 21A.44.030 under Subsection 21A.44.030.G.1 of the *Salt Lake City Code* (Zoning: Off Street Parking, Mobility and Loading: Number of Off Street Parking Spaces Required: Schedule of Minimum Off Street Parking Requirements) shall be and hereby is amended as follows:

a. Amending the use category “Multiple-family dwellings.” That the use category titled “Multiple-family dwellings” shall be amended to read and appear as follows:

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Residential	
	Multiple-family dwellings ¹
	2 parking spaces for each dwelling unit containing 2 or more bedrooms 1 parking space for 1 bedroom and efficiency dwelling ¹/₂ parking space for single room occupancy dwellings (600 square foot maximum)

- b. Adding the use category “Shared housing.” That a new use category titled, “Shared housing” shall be added to the Schedule of Minimum Off Street Parking Requirements, which use category shall be inserted into that table in alphabetical order under “Residential” and shall read and appear in that table as follows:

Residential	
	Single room occupancy (SRO) Shared housing
	¹/₂ parking space per individual unit sleeping room

SECTION 11. Amending the Text of Salt Lake City Code Section 21A.60.020. That Section 21A.60.020 of the *Salt Lake City Code* (Zoning: List of Terms: List of Defined Terms), shall be and hereby is amended as follows:

- a. Deleting the term “Dwelling, single room occupancy.” That the term “Dwelling, single room occupancy” shall be amended as follows:

~~Dwelling, single room occupancy (SRO)~~

- b. Adding the term “Shared housing”. That the term “Shared housing” shall be inserted in the list of defined terms in alphabetical order, to read as follows:

Shared housing.

- c. Adding the term “Sleeping room”. That the term “Sleeping room” shall be inserted in the list of defined terms in alphabetical order, to read as follows:

LEGISLATIVE DRAFT

Sleeping room.

SECTION 12. Amending the Text of Salt Lake City Code Section 21A.62.040. That Section

21A.62.040 of the *Salt Lake City Code* (Zoning: Definitions: Definitions of Terms), shall be and hereby is amended as follows:

- a. Amending the definition of “Dwelling.” That the definition of “Dwelling” shall be amended to read as follows:

DWELLING: A building or portion thereof, which is designated for residential purposes of a family for occupancy on a monthly basis and which is a self-contained unit with kitchen and bathroom facilities. The term “dwelling” excludes living space within hotels, bed and breakfast establishments, ~~apartment hotels~~ shared housing developments ~~single room occupancy (SRO) establishments~~, boarding houses and lodging houses.

- b. Amending the definition of “Dwelling, single room occupancy.” That the definition of “Dwelling, single room occupancy” shall be amended to read as follows:

~~DWELLING, SINGLE ROOM OCCUPANCY: A residential dwelling facility containing individual, self-contained, dwelling units none of which may exceed five hundred (500) square feet in size.~~

- c. Adding the definition of “Shared housing.” That the definition of “Shared housing” be added and inserted into the list of definitions in alphabetical order to read as follows:

SHARED HOUSING: A building, or portion thereof, that is designated for residential purposes and contains individual housing units that may be occupied on a weekly or monthly basis. Each individual housing unit consists of one or more sleeping rooms and may contain either kitchen or bathroom amenities, but not both. Whichever amenities are not contained within the individual unit (the kitchen, bathroom, or both) shall be provided as a common facility within the same building, to be shared with other tenants of the shared housing development.

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d. Adding the definition of "Sleeping room." That the definition of "sleeping room" be added and inserted into the list of definitions in alphabetical order to read as follows:

SLEEPING ROOM: A room within a shared housing land use that is identified and used for sleeping purposes.

SECTION 13. Effective Date. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2020.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2020.

Published: _____.

LEGISLATIVE DRAFT

271

272 Ordinance amending single room occupancy regulations

SALT LAKE CITY ORDINANCE
No. _____ of 2020
(An ordinance amending various sections of Title 21A
of the *Salt Lake City Code* pertaining to single room occupancy (SRO) uses (to be called Shared
housing uses))

An ordinance amending various sections of Title 21A of the *Salt Lake City Code* pertaining to single room occupancy (SRO) uses (to be called shared housing uses) pursuant to Petition No. PLNPCM2018-00066.

WHEREAS, the Salt Lake City Planning Commission held public hearings on June 27, 2018 and November 14, 2018 to consider a request by then-Salt Lake City Mayor Jacqueline Biskupski (Petition No. PLNPCM2018-00066) to clarify the definition and appropriate locations of single room occupancy (SRO) uses and amend Subsection 21A.30.040.C.1; Sections 21A.33.020, 21A.33.030, 21A.33.035, 21A.33.050, 21A.33.060, 21A.33.070, 21A.33.080, 21A.36.360; Subsection 21A.44.030.G.1; Section 21A.60.020; and Section 21A.62.040 of the *Salt Lake City Code*; and

WHEREAS, at its November 14, 2018 hearing, the planning commission voted in favor of recommending to the Salt Lake City Council that the city council amend the above listed sections of Title 21A of the *Salt Lake City Code* identified herein; and

WHEREAS, the city council held briefings on this petition, which resulted in several modifications, including changing the name of “single room occupancy” uses to “shared housing” uses; and

WHEREAS, the Salt Lake City Council finds, after holding a public hearing on this matter, that adopting this ordinance is in the city’s best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending the Text of Salt Lake City Code Subsection 21A.30.040.C. That Subsection 21A.30.040.C (Zoning: Downtown Districts: D-3 Downtown Warehouse/Residential District: Controls over Mixed Use) of the *Salt Lake City Code* shall be and hereby is amended to read as follows:

1. Buildings containing commercial/office uses located above the second story shall incorporate any residential uses allowed in the zoning district, bed and breakfast, or hotel uses in the amount of at least fifty percent (50%) of the total floor area of the building;
2. Commercial/office uses shall be permitted as the sole use in two story buildings only; and
3. Commercial/office uses in buildings of three (3) stories or more without residential uses shall be allowed only as a conditional use and then only when the applicant has demonstrated that the proposed location is not suitable for residential use.

SECTION 2. Amending the Text of Salt Lake City Code Section 21A.33.020. That Section 21A.33.020 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Residential Districts) shall be and hereby is amended to add a new use category titled, "Shared housing" to the Table of Permitted and Conditional Uses for Residential Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

	FR- 1/43, 560	FR- 2/21, 780	FR- 3/12, 000	R- 1/12, 000	R- 1/7, 000	R- 1/5, 000	SR -1	SR -2	SR -3	R -2	RMF- 30	RMF- 35	RMF- 45	RMF- 75	R- MU- 35	R- MU- 45	R- MU	RO
Shared housing															P	P	P	

SECTION 3. Amending the Text of Salt Lake City Code Section 21A.33.030. That Section 21A.33.030 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Commercial Districts) shall be and hereby is amended as follows:

- a. That the use category titled “Single room occupancy” in the Table of Permitted and Conditional Uses for Commercial Districts shall be **deleted**.
- b. That a new use category titled “Shared housing” shall be inserted into the Table of Permitted and Conditional Uses for Commercial Districts in alphabetical order under the “Dwelling” category and shall read and appear in that table as follows:

	CN	CB	CS ¹	CC	CSHBD ¹	CG	SNB
Shared housing				P	P	P	

SECTION 4. Amending the Text of *Salt Lake City Code* Section 21A.33.035. That Section 21A.33.035 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Transit Station Area Districts) shall be and hereby is amended as follows:

- a. That the use category titled “Single room occupancy” in the Table of Permitted and Conditional Uses for Transit Station Area Districts shall be **deleted**.
- b. That a new use category titled “Shared housing” shall be inserted into the Table of Permitted and Conditional Uses for Transit Station Area Districts in alphabetical order under the “Dwelling” category and shall read and appear in that table as follows:

	TSA-UC		TSA-UN		TSA-MUEC		TSA-SP	
	Core	Transition	Core	Transition	Core	Transition	Core	Transition
Shared housing	P	P	P	P	P	P	P	P

SECTION 5. Amending the Text of *Salt Lake City Code* Section 21A.33.050. That Section 21A.33.050 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Downtown Districts) shall be and hereby is amended to add a new use category titled, “Shared housing” to the Table of Permitted and Conditional Uses for Downtown Districts, which

use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

	D-1	D-2	D-3	D-4
Shared housing	P	P	P	P

SECTION 6. Amending the Text of Salt Lake City Code Section 21A.33.060. That Section 21A.33.060 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in the Gateway District) shall be and hereby is amended to add a new use category titled, “Shared housing” to the Table of Permitted and Conditional Uses in the Gateway District, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

	G-MU
Shared housing	P

SECTION 7. Amending the Text of Salt Lake City Code Section 21A.33.070. That Section 21A.33.070 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Special Purpose Districts) shall be and hereby is amended to add a new use category titled, “Shared housing” to the Table of Permitted and Conditional Uses for Special Purpose Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

[illegible]

SECTION 8. Amending the Text of *Salt Lake City Code* Section 21A.33.080. That Section 21A.33.080 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in Form Based Districts) shall be and hereby is amended as follows:

- a. That the use category titled “Single room occupancy” in the Table of Permitted and Conditional Uses in Form Based Districts shall be **deleted**.
- b. That a new use category titled “Shared housing” shall be inserted into the Table of Permitted and Conditional Uses in Form Based Districts in alphabetical order under the “Dwelling” category and shall read and appear in that table as follows:

	FB-UN1	FB-UN2	FB-SC	FB-SE
Shared housing		P	P	P

SECTION 9. Adopting Section 21A.36.360 of *Salt Lake City Code*. That Chapter 21A.36 of the *Salt Lake City Code* (Zoning: General Provisions) shall be and hereby is amended to adopt a new Section 21A.36.360, which shall read and appear as follows:

21A.36.360: QUALIFYING PROVISIONS FOR THE SHARED HOUSING USE:

The shared housing use, as defined in Chapter 21A.62 of this title, shall be allowed in zoning districts as provided in Chapter 21A.33 “Land Use Tables,” and are subject to the following provisions:

- A. The shared housing use shall be subject to the same lot and bulk requirements as the multi-family dwelling use, but not the density requirements of the underlying zone.
- B. Maximum Occupancy of Sleeping Rooms: Each sleeping room contained within the individual shared housing unit shall house a maximum of 2 people.
- C. Minimum Floor Area of Sleeping Rooms: Each sleeping room contained within the individual shared housing unit shall include a minimum of 100 square feet of floor area for a single tenant, or a minimum of 120 square feet of floor area for two (2) tenants.

1. The floor area of each sleeping room shall be calculated as the sum of the gross horizontal area of the unit measured from the interior face of interior walls.
 2. Calculation of this area shall not include spaces consumed by closets/storage, ~~or~~ mechanical equipment, or appliances.
- D. Communal Areas: In an effort to provide sufficient accommodations for socializing and meeting, communal areas including, but not limited to libraries, lounges, recreation rooms, dining rooms, and laundry rooms that are accessible to all residents of the shared housing development shall be included, and shall meet the following requirements:
1. The total amount of communal area shall have a minimum of twenty (20) square feet per sleeping room.
 2. Areas including, but not limited to, kitchens and bathrooms shared between multiple units, hallways and corridors, storage areas (including bicycle storage), operations and maintenance areas, or management areas and offices may not be counted toward the communal area requirement.
- E. Management:
1. A shared housing development may include an office for the purpose of managing the living units and common facilities, and/or one self-contained living unit with private kitchen and bathroom facilities for a manager or caretaker.
 2. A property manager shall be on site twenty-four (24) hours a day, who will be responsible for the conduct, operation, and maintenance of the shared housing development.
 3. All communal areas that are accessible to all tenants of the shared housing, with the exception of bathrooms, shall be continuously monitored by security cameras.
- F. Accessibility: All areas of a shared housing development shall be designed to be universally accessible as required by applicable federal and state laws.

SECTION 10. Amending the Text of *Salt Lake City Code* Subsection 21A.44.030.G.1. That Table 21A.44.030 under Subsection 21A.44.030.G.1 of the *Salt Lake City Code* (Zoning: Off Street Parking, Mobility and Loading: Number of Off Street Parking Spaces Required: Schedule of Minimum Off Street Parking Requirements) shall be and hereby is amended as follows:

- a. Amending the use category “Multiple-family dwellings.” That the use category titled “Multiple-family dwellings” shall be amended to read and appear as follows:

Residential	
	Multiple-family dwellings ¹
	2 parking spaces for each dwelling unit containing 2 or more bedrooms 1 parking space for 1 bedroom and efficiency dwelling

- b. Adding the use category “Shared housing.” That a new use category titled, “Shared housing” shall be added to the Schedule of Minimum Off Street Parking Requirements, which use category shall be inserted into that table in alphabetical order under “Residential” and shall read and appear in that table as follows:

Residential	
	Shared housing
	½ parking space per sleeping room

SECTION 11. Amending the Text of Salt Lake City Code Section 21A.60.020. That Section 21A.60.020 of the *Salt Lake City Code* (Zoning: List of Terms: List of Defined Terms), shall be and hereby is amended as follows:

- a. Deleting the term “Dwelling, single room occupancy.” That the term “Dwelling, single room occupancy” shall be **deleted**.
- b. Adding the term “Shared housing”. That the term “Shared housing” shall be inserted in the list of defined terms in alphabetical order, to read as follows:
- Shared housing.

- c. Adding the term “Sleeping room”. That the term “Sleeping room” shall be inserted in the list of defined terms in alphabetical order, to read as follows:

Sleeping room.

SECTION 12. Amending the Text of Salt Lake City Code Section 21A.62.040. That Section 21A.62.040 of the *Salt Lake City Code* (Zoning: Definitions: Definitions of Terms), shall be and hereby is amended as follows:

- a. Amending the definition of “Dwelling.” That the definition of “Dwelling” shall be amended to read as follows:

DWELLING: A building or portion thereof, which is designated for residential purposes of a family for occupancy on a monthly basis and which is a self-contained unit with kitchen and bathroom facilities. The term “dwelling” excludes living space within hotels, bed and breakfast establishments, shared housing developments, boarding houses and lodging houses.

- b. Amending the definition of “Dwelling, single room occupancy.” That the definition of “Dwelling, single room occupancy” shall be **deleted**.
- c. Adding the definition of “Shared housing.” That the definition of “Shared housing” be added and inserted into the list of definitions in alphabetical order to read as follows:

SHARED HOUSING: A building, or portion thereof, that is designated for residential purposes and contains individual housing units that may be occupied on a weekly or monthly basis. Each individual housing unit consists of one or more sleeping rooms and may contain either kitchen or bathroom amenities, but not both. Whichever amenities are not contained within the individual unit (the kitchen, bathroom, or both) shall be provided as a common facility within the same building, to be shared with other tenants of the shared housing development.

- d. Adding the definition of “Sleeping room.” That the definition of “sleeping room” be added and inserted into the list of definitions in alphabetical order to read as follows:

SLEEPING ROOM: A room within a shared housing land use that is identified and used for sleeping purposes.

SECTION 13. Effective Date. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2020.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2020.
Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office

Date: FEBRUARY 6, 2020

By: Paul C. Nielson
Paul C. Nielson, Senior City Attorney

Ordinance amending single room occupancy regulations (final)