
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: February 4, 2004

SUBJECT: Petition No. 400-03-21 – Request by Planning Commission to amend the Zoning Map by changing the designation of 622, 624 and 626 South 1100 East from Institutional to Residential R-2

AFFECTED COUNCIL DISTRICTS: If the ordinance is adopted, the rezoning will affect Council District 4

STAFF REPORT BY: Sylvia Jones, Policy Analyst and Janice Jardine, Land Use Policy Analyst

ADMINISTRATIVE DEPT. AND CONTACT PERSON: Community and Economic Development – Planning Division
Joel Paterson, Senior Planner

POTENTIAL MOTIONS:

1. ["I move that the Council"] Adopt the proposed ordinance amending the Zoning Map and rezoning the properties located at 622, 624 and 626 South 1100 East from Institutional to Residential R-2.
2. ["I move that the Council"] Not adopt the proposed ordinance amending the Zoning Map and rezoning the properties located at 622, 624 and 626 South 1100 East from Institutional to Residential R-2.

WORK SESSION SUMMARY:

1. During the January 13th Work Session, the Council discussed the following issue:
 - A. The option of presenting future zoning errors to the Planning Commission and allowing the Planning Commission to initiate a petition instead of modifying the fee structure.

The following information was provided previously. It is provided again for your reference.

KEY ELEMENTS:

1. During the 1995 Zoning re-write, a legal non-conforming tri-plex property was mistakenly identified as part of the Judge Memorial High School property. As a result, the property was zoned Institutional (I) instead of R-2 Single- and Two-family Residential. A petition was initiated by the Planning Commission to correct this mapping error.

2. The Administration's paperwork indicates:
 - A. Prior to 1990, Sidwell maps mistakenly identified the southern third of the property as a portion of the Judge Memorial campus. This mistake was perpetuated by the City over the years.
 - B. On June 11, 2003, the Planning Commission voted to initiate a petition to correct the error made during the 1995 zoning rewrite.
3. The public process included a discussion of the petition at the September 17, 2003 East Central Community Council (ECCC) meeting. The ECCC had no objections to the request and referred the petition to the Douglas Neighborhood Association (DNA). The DNA responded by submitting a letter dated October 14, 2003 supporting the proposed zoning map amendment.
4. During the Planning Commission's public hearing on October 22, 2003, the Planning Commission voted to recommend that the City Council approve the amendment to the Zoning Map for the subject property. No public comments were received during the public hearing, and there was no discussion between Planning Commissioners.

MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR ADMINISTRATION:

1. It is the Council staff's understanding that the Planning Division is in the process of developing a policy to determine who is responsible for paying filing fees when the petition is necessitated by an obvious error on the part of the City. In this case, the property owner was not charged because after initial review, it was clearly determined that this situation was brought about by an error on the City's part.

MASTER PLAN AND POLICY CONSIDERATIONS:

1. Housing policy statements address a variety of issues including quality design, public and neighborhood participation and interaction, transit-oriented development, encouraging mixed-use developments, housing preservation, rehabilitation and replacement, zoning policies and programs that preserve housing opportunities as well as business opportunities.
2. The Council's growth policy notes that growth in Salt Lake City will be deemed the most desirable if it meets the following criteria:
 - i. Is aesthetically pleasing;
 - ii. Contributes to a livable community environment;
 - iii. Yields no negative net fiscal impact unless an overriding public purpose is served; and
 - iv. Forestalls negative impacts associated with inactivity.
3. The City's Strategic Plan and the Futures Commission Report express concepts such as maintaining a prominent sustainable city, ensuring the City is designed to the highest aesthetic standards and is pedestrian friendly, convenient, and inviting, but not at the expense of minimizing environmental stewardship or neighborhood vitality. The Plans emphasize placing a high priority on maintaining and developing new affordable residential housing in attractive, friendly, safe environments and creating attractive conditions for business expansion including retention and attraction of large and small businesses.

CHRONOLOGY:

The Administration's transmittal provides a chronology of events relating to the proposed Zoning Map. Key dates are listed below. Please refer to the Administration's chronology for details.

- September 17, 2003 East Central Community Council meeting
- October 14, 2003 Douglas Neighborhood Association submitted letter
- October 22, 2003 Planning Commission hearing

cc: Sam Guevara , Rocky Fluhart, DJ Baxter, Ed Rutan, Lynn Pace, Lee Martinez, David Dobbins, Louis Zunguze, Brent Wilde, Doug Wheelwright, Janice Jardine, Cheri Coffey, Joel Patterson, Gwen Springmeyer

File Location: Community and Economic Development Dept., Planning Division, Rezoning, Planning Commission, 622, 624 and 626 South 1100 East