

FRANK B. GRAY  
DIRECTOR

# SALT LAKE CITY CORPORATION


DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT  
OFFICE OF THE DIRECTOR

RALPH BECKER  
MAYOR

MARY DE LA MARE-SCHAEFER  
DEPUTY DIRECTOR

ROBERT FARRINGTON, JR.  
DEPUTY DIRECTOR

## CITY COUNCIL TRANSMITTAL

  
\_\_\_\_\_  
David Everitt, Chief of Staff

Date Received:

12/15/2009

Date Sent to City Council:

12/18/2009

**TO:** Salt Lake City Council  
Carlton Christensen, Chair

**DATE:** December 16, 2009

**FROM:** Frank Gray, Community & Economic  
Development Department Director

**RE:** Petition PLNPCM2009-00615 Zoning Text Amendment by Mayor to analyze the appropriateness of rezoning various lower intensive commercial land uses to an appropriate commercial or mixed use zoning district.

**STAFF CONTACTS:** Nole Walkingshaw, Senior Planner, at 801-535-7128 or  
nole.walkingshaw@slcgov.com

**RECOMMENDATION:** That the City Council holds a briefing, to discuss the Outline of Expectations, review the issues, proposed processes, and scope of the project.

**DOCUMENT TYPE:** Outline of Expectations

**BUDGET IMPACT:** None

### DISCUSSION:

**Issue Origin:** At the request of the Mayor, the Planning Division is taking a comprehensive look as small businesses in neighborhoods of the City. It is well known that these businesses are an essential component to the sustainability and vibrancy of our neighborhoods, providing much needed services to the community. Many of them have been in their current location for more than 50 years and have become local institutions.

**Analysis:** Over the last decade, the City has analyzed various ways to allow and encourage commercial land uses which provide important community gathering spaces, necessary services,

employment and an enhanced tax base for the City. Various studies have been conducted to try and address how to encourage appropriate business and commercial activities while ensuring compatibility and mitigation of negative impacts. These studies included identifying the former B-3 zoned properties (early 1990s), creating a draft small neighborhood business zone (2000) and performance zoning (2002). The City has successfully been able to adopt changes to the non-conforming use regulations (2006) and changes to the parking requirements (2008) to address some of the issues. However, with the goal of sustainable neighborhoods and fostering the development of business to serve the communities, the Planning Division would like to undertake a planning process to address these issues in a more comprehensive manner. This issue has also been discussed by many interested parties including members of the City Council, Mayor's Staff and the Business Advisory Board.

As part of the process, the Planning Staff will contact all of the affected property owners and business owners about the proposal. The Planning Division will follow the City adoption process for zoning map amendments which includes citizen input and public hearings with the Planning Commission and City Council.

This petition may affect non-conforming business uses as well as businesses that are currently zoned for lower intensive commercial uses. Therefore, the process may also include modifications to the existing RB, CN, CB and other similar zones as well as potentially creating a new Small Neighborhood Business zone to address the issues.

*The Citygate Associates* "Review of the Planning Process for Salt Lake City" report published April 4, 2008 recommends developing an outline of expectations for larger scale planning projects. It is the goal of the outline of expectations to identify and review the intentions, issues, proposed processes, and scope of the project. This process allows the City Council and other stake holders the ability to express their concerns and recommendations early in the process such that the project may incorporate them as it moves through the public review process.

**Master Plan Considerations:** The master plans for each planning community will be reviewed for possible amendment. These amendments will be reflective of the input we receive during the public process. Policies in the Futures Commission Report (1998) and the Central Community Master Plan support this idea. In addition, it is consistent with the goals of walk able communities and sustainability.

## **PUBLIC PROCESS:**

Up to this point the project has been presented to the Business Advisory Board (BAB) and the Planning Commission, and the City Council's Planning Subcommittee. These groups offered valuable feedback early in the process and the Business Advisory Board has requested a second briefing. A survey is being prepared to gather feedback relating to the project and following the City Council Briefing, appropriate public information materials will be prepared. Staff plans on using workgroups, open houses, the survey and a website to gather input. There will also be a formal adoption process including briefings and hearings with the Planning Commission.

**RELEVANT ORDINANCES:**

At this time only draft materials have been prepared including an outline of expectations which has been attached. Staff is seeking feed back specific to the outline of expectations to ensure that the scope of the project meets the expectations of the City Council.

## TABLE OF CONTENTS

1. OUTLINE OF EXPECTATIONS
2. ORIGINAL PETITION

## **1. OUTLINE OF EXPECTATIONS**

# **Small Neighborhood Business Analysis and Survey Project**

## **Outline of Expectations**

---

### **Goals**

The goal of the Small Business Analysis and Survey Project is to complete a comprehensive study of the small businesses located in the residential neighborhoods of the City, to identify nonconforming uses, and apply appropriate zoning to commercial uses in primarily residential areas. It is expected that the Planning Staff will work with business owners, property owners, community leaders, citizens, and interested parties to achieve the goals of the project. It is expected that multiple opportunities will be provided to the public to comment and review the proposed amendments and documents through open houses, task force reviews, public hearings and surveys.

### **Objectives**

- Create an inventory of all small commercial uses in residential zones (generally the “R” zones, RMU, RB, CN, CB and RO zones etc). Inventory will be divided into Planning Communities.
- Research other communities and publications regarding these issues, in order to develop some “Best Practice” policies and recommendations.
- Develop a new zoning classification currently titled “Small Neighborhood Commercial”. The district is intended for small sites in or near residential neighborhoods, sites may include midblock small commercial uses. Generally applicable to existing commercial uses meeting these criteria.
- Develop and publish the “Salt Lake City Neighborhood and Small Business Tool Box” This document will include:
  - An introduction and philosophical statements regarding Small Businesses.
  - There will be a section on developing a sense of place and design related issues, with the intent of empowering the community to create these places.
  - Business licensing processes
  - Small business advice and resources
  - General development rules, such as obtaining permits and basic planning processes.
- Develop a Survey which may be used in conjunction with the surveys which were conducted in part with the Conditional Use Amendment (2008).
- Consult with the public and local business groups through open houses, presentations and meetings.
- Prepare documents for public input and notification of the project.
- Develop formal documentation and recommendations for Zoning Text Amendment, Master Plan Amendments and Zoning Map Amendments adoption.

## ***Parameters***

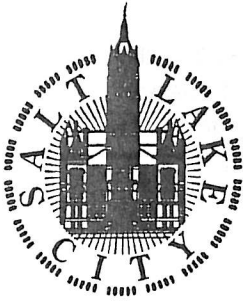
- Initially the Planning Division will complete an inventory of the subject uses within the Avenues Planning Community. From this the intensity model and general summary will be developed and debated.
- Following an agreement to the Avenues summary, a city wide inventory will commence. The purpose of this is to identify locations for review for potential amendments, noticing and survey questions.
- The survey will be conducted by an outsourced professional, who will also prepare statistics and a summary of the information collected.
- The "Salt Lake City Neighborhood and Small Business Tool Box" will be developed in house as a multi-departmental collaboration. Information and resources for information will be required from Planning, Economic Development, Business Licensing and Transportation. This document will also require development input from local business organizations.
- It is important to have at least a draft form of the "Salt Lake City Neighborhood and Small Business Tool Box" available to the public prior to the formal adoption of the proposed amendments.

## ***Expected Products***

- Recommendations for a new zoning ordinance or ordinance amendments where warranted.
- Stronger GIS data regarding neighborhood businesses.
- Identification of nonconforming uses.
- Opinion survey regarding impacts of commercial uses on neighborhoods.
- "Salt Lake City Neighborhood and Small Business Tool Box"

## **2. ORIGINAL PETITION**





# Petition Initiation Request

Planning Division  
Community & Economic Development Department

**To:** Mayor Becker

**From:** Wilf Sommerkorn, Planning Director

**Date:** April 24, 2009

**CC:** Frank Gray, Community & Economic Development Director; Mary De La Mare-Schaefer, Community & Economic Development Department Deputy Director; Bob Farrington, Economic Development Division Director; Pat Comarell, Assistant Planning Director; Cheri Coffey, Planning Manager; Mike Akerlow, Economic Development; file

**Re:** Initiate Petition to analyze the appropriateness of rezoning various lower intensive commercial land uses to an appropriate commercial or mixed use zoning districts.

---

This memo is to request that you initiate a petition requesting the Planning Division analyze the appropriateness of rezoning lower intensive commercial uses to appropriate zoning districts. This petition may affect non-conforming business uses as well as businesses that are currently zoned for lower intensive commercial uses. This may include modifications to the existing RB, CN, CB and other similar zones as well as potentially creating a new Small Neighborhood Business zone to address the issues. Policies in the Futures Commission Report (1998) and the Central Community Master Plan support this idea. In addition, it is consistent with the goals of walkable communities and sustainability.

Over the last decade, the City has analyzed various ways to allow and encourage commercial land uses which provide important community gathering spaces, necessary services, employment and an enhanced tax base for the City. Various studies have been conducted to try and address how to encourage appropriate business and commercial activities while ensuring compatibility and mitigation of negative impacts. These studies included identifying the former B-3 zoned properties (early 1990s), creating a draft small neighborhood business zone (2000) and performance zoning (2002). The City has successfully been able to adopt changes to the non-conforming use regulations (2006) and

changes to the parking requirements (2008) to address some of the issues. However, with the goal of sustainable neighborhoods and fostering the development of business to serve the communities, the Planning Division would like to undertake a planning process to address these issues in a more comprehensive manner. This issue has also been discussed by many interested parties including members of the City Council, Mayor's Staff and the Business Advisory Board.

As part of the process, the Planning Staff will contact all of the affected property owners about the proposal. The Planning Division will follow the City adoption process for zoning map amendments which includes citizen input and public hearings with the Planning Commission and City Council.

If you have any questions, please contact me.

Thank you.

***Concurrence to initiate the rezoning petition as noted above.***

---

**Ralph Becker, Mayor**

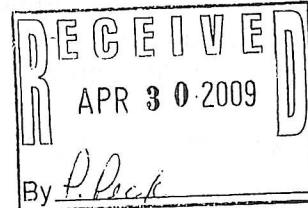
---

**Date**



# Petition Initiation Request

Planning Division  
Community & Economic Development Department



To: Mayor Becker

From: Wilf Sommerkorn, Planning Director *WS*

Date: April 24, 2009

CC: Frank Gray, Community & Economic Development Director; Mary De La Mare-Schaefer, Community & Economic Development Department Deputy Director; Bob Farrington, Economic Development Division Director; Pat Comarell, Assistant Planning Director; Cheri Coffey, Planning Manager; Mike Akerlow, Economic Development; file

Re: Initiate Petition to analyze the appropriateness of rezoning various lower intensive commercial land uses to an appropriate commercial or mixed use zoning districts.

---

This memo is to request that you initiate a petition requesting the Planning Division analyze the appropriateness of rezoning lower intensive commercial uses to appropriate zoning districts. This petition may affect non-conforming business uses as well as businesses that are currently zoned for lower intensive commercial uses. This may include modifications to the existing RB, CN, CB and other similar zones as well as potentially creating a new Small Neighborhood Business zone to address the issues. Policies in the Futures Commission Report (1998) and the Central Community Master Plan support this idea. In addition, it is consistent with the goals of walkable communities and sustainability.

Over the last decade, the City has analyzed various ways to allow and encourage commercial land uses which provide important community gathering spaces, necessary services, employment and an enhanced tax base for the City. Various studies have been conducted to try and address how to encourage appropriate business and commercial activities while ensuring compatibility and mitigation of negative impacts. These studies included identifying the former B-3 zoned properties (early 1990s), creating a draft small neighborhood business zone (2000) and performance zoning (2002). The City has successfully been able to adopt changes to the non-conforming use regulations (2006) and

changes to the parking requirements (2008) to address some of the issues. However, with the goal of sustainable neighborhoods and fostering the development of business to serve the communities, the Planning Division would like to undertake a planning process to address these issues in a more comprehensive manner. This issue has also been discussed by many interested parties including members of the City Council, Mayor's Staff and the Business Advisory Board.

As part of the process, the Planning Staff will contact all of the affected property owners about the proposal. The Planning Division will follow the City adoption process for zoning map amendments which includes citizen input and public hearings with the Planning Commission and City Council.

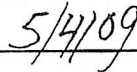
If you have any questions, please contact me.

Thank you.

***Concurrence to initiate the rezoning petition as noted above.***



**Ralph Becker, Mayor**



**Date**