
MEMORANDUM

DATE: December 31, 2003

SUBJECT: Petition No. 400-01-36 - Central City Master Plan Update

AFFECTED COUNCIL DISTRICTS: If the master plan is adopted, the Plan will affect Council Districts 4 and 5 and small portions of Council Districts 3 and 7

FROM: Janice Jardine, Planning Policy Analyst

ADMINISTRATIVE DEPT. AND CONTACT PERSON: Community and Economic Development – Planning Division
Everett Joyce, Principal Planner

POTENTIAL OPTIONS/MOTIONS:

1. ["I move that the Council"] Adopt an ordinance enacting the updated Central Community Master Plan recommended by the Planning Commission with the following changes:
 - a. Remove reference to commuter rail or future light rail stations in the North Temple area from the maps and any text in the Plan and request a briefing from the Administration regarding this issue.

I further move that the Council adopt the following Legislative Intent statements:

- a. It is the intent of the City Council that the Central Community Master Plan area be divided into two or three separate areas for future master planning purposes in order to provide a more unified and timely approach to address future land use issues.
- b. The City Council recognizes the unusual length of time taken to develop the Central Community Master Plan which has significantly delayed initiating the implementation measures (action steps) identified in the Plan. The Council urges the Administration and Planning Commission to consider immediate implementation, analysis and resolution of the following items:
 - o Potential rezoning of properties identified on the *Land Use Conflict Map*. (This would include a closer analysis of the Jefferson Street area that was identified at the Council's public hearing.)
 - o Initiation of a planning process for the specific small area plan proposed for the 200 to 300 East 900 South area.
 - o Potential rezoning of the properties identified on the *Nonconforming Properties Future Land Use Evaluation Map*. (pg. 45 – draft Plan)
- c. The City Council urges the Administration and Planning Commission to consider including non-land use related policy and implementation statements in future citywide planning or policy documents such as an economic development plan or the general vision plan currently being developed by the Planning Commission rather than in the individual community master plans.

- d. The City Council urges the Administration and Planning Commission to consider including an index and glossary in future citywide planning or policy documents.
2. ["I move that the Council"] Adopt an ordinance enacting the updated Central Community Master Plan with any one or combination of the following changes:
 - a. Add to the list of specific plans in the Implementation section a small area master plan for the area 700 East to 1300 East and South Temple and 400 South. (*This Plan was initiated by the Planning Commission in November 2001 as part of their action relating to the conditional use approval of the Cancer Wellness Center located at 57/59 South 1100 East.*)
 - b. Remove reference to commuter rail or future light rail stations in the North Temple area from the maps and any text in the Plan until the Council has received a briefing from the Administration regarding this issue.
 - c. Remove the budget and non-land use related policy and implementation statements from the Plan.
 - d. Remove the budget and non-land use related policy and implementation statements from the Plan and request that the Planning Commission and /or Administration consider including the non-land use related policy and implementation statements in future citywide planning or policy documents such as an economic development plan or the general vision plan currently being developed by the Planning Commission.
 - e. Revise the Plan to be consistent with the recommendations from the community representatives such as:
 - Do not remove the budget and non-land use related policy and implementation statements from the Plan.
 - Remove the budget and non-land use related policy and implementation statements from the Plan except the statements relating to historic preservation.
 - Relocate the Public Facilities and Environmental sections from the Plan to an Appendix section.
 - f. Other changes identified by Council Members.
3. ["I move that the Council"] Adopt an ordinance enacting the updated Central Community Master Plan recommended by the Planning Commission.
 4. ["I move that the Council"] Not adopt an ordinance enacting the updated Central Community Master Plan.

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

On November 4, 2003, Council Members received a follow-up briefing regarding the proposed Central Community Master Plan and the Administration's response to the issues and questions discussed earlier this year by Council Members. (Please see attachment #1 - memo from the Administration for details.) Council Members indicated their preference for the following:

1. Divide the area into two separate areas for future master planning purposes in order to provide a more unified and timely approach to address future land use issues. The new planning areas would include: a) the higher density downtown mixed-use area and b) the lower density residential area 900 South to 2100 South and 500 East to 1300 East.

2. Provide notification of the Council's hearing regarding the master plan to the owners of property identified in the Plan on the *Potential Future Land Use/Zone Conflict Map*. (Please see attachment #2 - public hearing notices and mailing lists for details.)
3. Remove budget and non-land use related policy and implementation statements from the proposed Plan. (Please see attachments #3 and #4 Policy and Implementation documents for details. The statements proposed to be removed have been highlighted.)

Representatives from the community participating in development of the master plan were provided with the budget and non-land use related policy and implementation statements proposed to be removed from the Plan for their review and comment. Key points, recommendations and comments provided to Council staff are summarized below.

1. Relocate the Public Facilities and Environmental sections to an Appendix section in the Plan because the sections are generic and not specific to the Central Community.
2. Include an index and glossary.
3. Add an additional small area plan to study neighborhood impacts, parking, institutional and conditional uses in the Bryan/University area, due to the recent proposed expansion of the Salt Lake Regional Hospital.

Planning staff has provided the following information relating to this small area plan:

- *As part of the approval of the Cancer Wellness Center in the East Central Neighborhood, on November 15, 2001, the Planning Commission recommended staff develop a small area master plan for a portion of the East Central neighborhood.*
 - *The study area was identified between 700 East and 1300 East and between South Temple and 400 South.*
 - *The purpose of the plan was to determine the appropriate land use for the area and address issues relating to historic preservation, stability of the residential neighborhood and traffic circulation.*
 - *Staff drafted a work program and cost estimate (\$20,000) to develop the plan.*
 - *On March 15, 2002, staff met with Community Council representatives. In that meeting, the community representatives stated that they would rather see implementation of the existing goals of the East Central Small Area Plan, 1300 East University Plan and Salt Lake Clinic Plan than create a whole new plan. If anything they just wanted the existing plans to be tweaked.*
 - *Funding was never allocated for the small area plan.*
4. Do not delete the budget and non-land use statements for the following reasons:
 - a. Implementation may not be strictly land use related but related policies and goals in the Plan may be directly related to land use issues.
 - b. Deleting the statements may cause inconsistencies and disrupt the relationship with other sections of the Plan.
 - c. Interdepartmental coordination in the City typically fails and implementation/policy statements help to ensure coordination between City departments.
 - d. Budget and policy issues must be addressed if implementation is to occur. Otherwise, in a few years, the community will again be raising issues from the 1974 Plan that have never been adequately addressed.
 - e. Specific emphasis was placed on retaining statements that relate to historic preservation.

NEW INFORMATION AND MATTERS AT ISSUE:

- A. The Council has had a great deal of discussion relating to the public notice policies of the City in relation to the 1995 zoning rewrite. The City has been criticized for not providing notice to each property owner

outlining the specific changes recommended relating to each parcel of property. Significant additional notification has been made for the master plan issue, but every property owner did not receive notice. Those who have specifically receive notice include:

1. The Community Council mailing lists for:
 - a. Central City
 - b. East Central
 - c. Liberty Wells
 - d. People's Freeway
 - e. Rio Grande
 2. A special notice was sent to owners whose property the master plan recommends for rezoning:
 - a. Low density residential land uses
 - b. Low-medium density residential land uses
 - c. Low-density mixed-use land uses
 - d. Medium-density mixed-use land uses
 - e. Transit-oriented development land uses
 3. As previously noted on pg. 7, Council Members have noted that the master plan notification process does not include each individual property owner. Often property owners are not aware of the recommendations in the master plan until such time that they may be selling their property or they are contemplating future development. Council Members may wish to discuss if it would be appropriate to include property owner notification in the master plan process.
- B. The master plan includes references on several maps that relate to future light rail stations and the intermodal hub and one commuter rail station. The commuter rail station would have an impact on the abutting Capitol Hill area. Staff has not had an opportunity to determine whether this is in concert with the adopted Capitol Hill Master Plan. It does not appear that there is text in the document relating directly to the maps, and so it is possible that this policy issue has not had the same level of community review as other portions of the draft master plan. The Council may wish to hold this portion of the Plan and request a briefing from the Administration.

POTENTIAL OPTIONS/MOTIONS:

1. Close the public hearing and refer action to a future Council meeting.
2. Adopt an ordinance enacting the updated Central Community Master Plan with the following changes:
 - a. Remove the budget and non-land use related policy and implementation statements from the Plan.
 - b. Remove reference to commuter rail or future light rail stations in the North Temple area from the maps and any text in the Plan until the Council has received a briefing from the Administration regarding this issue.
 - c. Remove the budget and non-land use related policy and implementation statements from the Plan and request that the Planning Commission and / or Administration consider including the non-land use related policy and implementation statements in future citywide planning or policy documents such as an economic development plan or the general vision plan currently being developed by the Planning Commission.
 - d. Revise the Plan to be consistent with the recommendations from the community representatives such as:
 - Do not remove the budget and non-land use related policy and implementation statements from the Plan.

- Remove the budget and non-land use related policy and implementation statements from the Plan except the statements relating to historic preservation.
 - Relocate the Public Facilities and Environmental sections from the Plan to an Appendix section.
- e. Other changes identified by Council Members.
 - f. Any combination of the above.
3. Adopt an ordinance enacting the updated Central Community Master Plan recommended by the Planning Commission.
 4. Do not adopt an ordinance enacting the updated Central Community Master Plan.

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

OPTIONS:

1. Forward the master plan to a future Council meeting for a public hearing.
2. Identify changes to the proposed master plan and forward to a future Council meeting for a public hearing.
3. Request additional written information and refer to an additional Council work session.
4. Do not advance the master plan to a future Council meeting for consideration.
5. Other options identify by Council Members.
6. Any combination of the above.

NEW INFORMATION:

- A. On February 18, 2003, Council Members received a briefing from the Administration regarding the proposed Central Community Master Plan. The attached memorandum from Administration provides a response to the issues and questions raised by Council Members.
- B. Items discussed at the Council Work Session and the Administration's response is summarized below. (Please refer to the Administration's memorandum, previous Council staff report and additional documentation for details and background information.)
 1. At the Council briefing, Planning staff indicated that the Plan:
 - a. Provides general land use guidelines and a land use map to direct future development.
 - b. Incorporates many small area or specific plans as policy guides.
 - c. Updates land use designations to be consistent with the zoning applied during the 1995 Zoning Rewrite project.
 - d. May recommend rezoning some properties or areas to provide consistency between the Plan and zoning classifications.
 - e. Recommends application of new concepts and zoning such as transit-oriented development and mixed-use areas.
 - f. Allows for expansion of National Register Historic Districts. (This is a strictly voluntary program that allows a property owner to take advantage of tax credits for structure rehabilitation consistent with National Historic Preservation guidelines.)(Please see the Council staff report Key Elements, items C and D and the Administration's previous transmittal letter for additional details.)

2. Zoning and land use policy conflicts in the Plan. The Administration notes that a key implementation strategy identified in the Plan recommends that zoning conflict areas be evaluated through a rezoning process. As requested by the Council, the Administration's memo includes a map that identifies potential future land use and zoning conflicts. (Please refer to the Central Community Potential Future Land Use/Zone Conflict Map in the Administration's memo for specific affected properties and areas.)
 - a. The rezoning process would:
 - Provide a detailed analysis of existing land uses, development patterns, neighborhood character and potential non-conforming uses.
 - Include notification and participation of affected property owners.
 - Identify an appropriate zoning classification or the need to develop new zoning or overlay classifications to implement the goals of the Plan.
 - b. Existing zoning districts that contain potential conflicts with the land use proposed in the Plan include:
 - Low and Medium Density Mixed-Use – current zoning classifications do not permit mixed-use.
 - Low/Medium Density Residential – current zoning classifications may exceed the desired density.
 - Institutional – some parcels identified for institutional uses are zoned for residential use.
 - Transit-oriented development – current commercial zoning classifications do not support the proposed transit-oriented/mixed-use design concepts. The Plan recommends three transit-oriented development districts - low, medium and high-density. (In addition, Planning staff notes the need to adjust the Plan's Future Land Use Map to include all of the property owned by the Village Inn Restaurant at the southeast corner of 400 South and 900 East.)
 - c. Implementation – Planning staff recommends changing the Plan's implementation timeframe for initiating the rezoning process from 1-5 years to 1 year.

3. Non-conforming industrial land uses. The Plan notes the policy of encouraging relocation of heavy industrial uses to appropriate locations. (pg. 51, Policy ILU-2.2) At the Council briefing, information was requested regarding criteria used to identify industrial uses to be relocated, a list of specific types of industrial uses to be relocated, clarification of the policy in regard to what steps should be taken in relocating industrial uses, facilitating redevelopment and implementation of the policy. One Council Member noted that if the City's desire is to have people live in the City residents should be able to live and work in the City rather than forcing jobs outside the City. The Administration's memo notes:
 - a. The policy noting relocation of heavy industrial uses reflects existing policy of the 1974 Central Community Master Plan.
 - b. The policy to encourage the relocation of heavy industrial uses has been a passive policy in that the zoning classifications within the Central Community has not permitted heavy industrial uses since the 1960's.
 - c. The relocation policy is a general approach and is not targeted at specific business but targets types of industries (i.e. assembly plants).
 - d. Examples of heavy industrial uses are chemical manufacturing and storage, drop forge industry, explosive manufacturing and storage, flammable liquids, gases or heating fuel distribution and storage, grain elevator, incinerator for medical or hazardous waste, paint manufacturing and refineries.
 - e. The proposed policy was specifically placed in the master plan text to reaffirm existing policy of prohibiting expansion of such industries.
 - f. There is no intent for a specific program to assist in the relocation of heavy industries to more appropriate locations within the City.

4. Central City Small Area Master Plan - The Administration's memo notes additional text will be added to the Plan identifying development of a small area plan for the Central Community neighborhood. (This would be included in the Implementation Measures section, Item 2. Specific Plans, pg. 107.) The small area plan would address issues raised at the Council briefing including commercial encroachment, light rail, proposed transit-oriented development and "walkable community" ordinances, and protection of the low-density neighborhood character of the area. Specific boundaries of the small area plan would be established during the small area planning process.
 5. Council's Downtown Development Policies – The Administration's memo notes that additional text will be added to the Plan from the Council's policy statement on the future economic development for downtown. (Please see page 6 of the Administration's memo for specific language to be included in the Plan.)
 6. Business participation in the master plan process. At the Council briefing, Council Members inquired as to the notification and participation of various business organizations in the planning process such as the Chamber of Commerce, the Downtown Alliance. The Administration's memo notes that review of the mailing lists soliciting comment at open houses and public hearings included the Downtown Alliance, Downtown Retail Merchants Association and over 100 individual businesses. In addition, a representative of the Vest Pocket Business Coalition was a member of the master plan advisory committee. The Redevelopment Agency along with other City Departments was involved in the development of the Plan and had opportunities to address issues and concerns.
- C. Additional issues discussed at the Council briefing included:
1. Examples of steps to be taken to increase parks and open space or identify parcels for park development. Planning staff noted that the implementation section of the Plan is intended to take the City to the next step to address at a more detailed level specific actions required to address individual open space or park needs.
 2. Specific recommendations or actions that would generate a budget impact. Examples identified by Planning staff included:
 - a. Increasing funding for code enforcement staffing and city housing resources.
 - b. Allocating resources or funding for development of specific neighborhood plans.
 - c. Funding capital improvements.
 3. The rationale for including staffing and non-land use related recommendations in planning documents. (Example – pg. 113 - #11 Funding – Continue to fund the Salt Lake City Arts Council and other organizations that sponsor special events or activities related to cultural entertainment.) Planning staff noted that since the development of the Capitol Hill Community Master Plan and in planning communities in the City that are largely developed, master plans often contain more specific recommendations and implementation strategies.
 4. Opportunities or steps that could be taken to increase public participation in the master plan process. Council Members noted the desire to include more business owner participation and better coordination with other governmental agencies such as the Utah Transit Authority. Planning staff noted:
 - a. Generally there is not a broad range of participation in the master planning process.
 - b. Development of the small area plans recommended in the Plan would provide an opportunity to increase participation of area residents, business owners and other groups.

- c. Any rezoning recommended in the Plan would require notification and involvement of affected property owners.
 - d. The current master planning process includes:
 - o An advisory committee made up of representatives from the community, open houses and the public hearing process.
 - o Review of the Plan by City Departments and other outside governmental agencies.
5. Non-conforming uses. At the Council briefing, Council Members expressed concern regarding the potential of creating new non-conforming uses based on proposed zoning changes recommended in the Plan. Council Members also discussed with Planning staff steps that could be taken to address issues relating to existing non-conforming uses. (Please see above - Item 2. Zoning and land use policy conflicts for additional related information.) Planning staff indicated:
- a. The Plan identifies an implementation measure to address this as a separate issue. The intent is to provide an in-depth evaluation to determine an appropriate zoning classification, develop a new zoning classification or establishing a legal conforming status for existing uses. (See pg. 45, Future Neighborhood Commercial Evaluation Map and pg.111, Implementation #12.)
 - b. Several commercial land use policies identified in the Plan also address the neighborhood commercial non-conforming use issue. (See pgs. 46 – 49 for specific statements.)
 - c. The Administration is currently considering new regulations that would support placing the non-conforming uses in an appropriate zoning classification and the use of performance zoning to address potential impacts and compatibility issues.
6. Steps that could be taken or best practices to implement the vision, policies and goals of the Plan into everyday application such as through the building permit process. Planning staff indicated that implementation would include modification of the current Zoning Ordinance and zoning classifications to reflect the Plan recommendations through the use of revised standards or design guidelines.
7. One Council Member suggested possibility of initiating a Council audit to evaluate the performance of the zoning since the 1995 Zoning Rewrite project.
8. One Council Member, noting the wide geographic area encompassed by the Plan and the variety of land use issues generated through the planning process, inquired as to whether it may be more practical to divide the planning area in order to provide a more unified and timely approach to address future land use issues. Planning staff indicated that it would be possible to divide the area in to two separate areas: 1) the higher density downtown mixed-use area and 2) the lower density residential area 900 South to 2100 South and 500 East to 1300 East.

MATTERS AT ISSUE/POTENTIAL QUESTIONS FOR ADMINISTRATION:

- A. Council Members have noted that the master plan notification process does not include each individual property owner. Often property owners are not aware of the recommendations in the master plan until such time that they may be selling their property or they are contemplating future development. Council Members may wish to discuss if it would be appropriate to include property owner notification in the master plan process.
- B. Council Members may wish to identify any additional specific changes they would like to see in the Plan in addition to those recommended in the Administration’s memo. For example:
 - 1. Recommend that the planning area be divided into two separate areas as discussed at the Council briefing.

2. Remove recommendations and implementation strategies relating to staffing and non-land use related items.

cc: Rocky Fluhart, Sam Guevara, DJ Baxter, Ed Rutan, Lynn Pace, Rick Graham, LeRoy Hooton, Alison Weyher, David Dobbins, Tim Harpst, LuAnn Clark, Louis Zunguze, Brent Wilde, Enzo Calfa, Cheri Coffey, Elizabeth Giraud, Everett Joyce, Jan Aramaki, Marge Harvey, Sylvia Jones, Lehua Weaver, Annette Daley, Barry Esham, Gwen Springmeyer

File Location: Community and Economic Development Department, Planning Division, Master Plans, Central Community Master Plan