
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: April 22, 2010

SUBJECT: Petition PLNPCM2008-00937 - Proposed changes to the City's zoning regulations relating to non-profit, charitable organizations or government entities that provide temporary housing and assistance for individuals and their families experiencing trauma, abuse, injury or illness. (Eleemosynary Facilities)

AFFECTED COUNCIL DISTRICTS: If the ordinance is adopted the zoning regulation changes would affect Council Districts citywide

STAFF REPORT BY: Janice Jardine, Land Use Policy Analyst

ADMINISTRATIVE DEPT. AND CONTACT PERSON: Community Development Department, Planning Division
Everett Joyce, Senior Planner

POTENTIAL MOTIONS:

1. ["I move that the Council"] Refer this item to a future Council meeting.
 2. ["I move that the Council"] Adopt the ordinance changing the City's zoning regulations relating to non-profit, charitable organizations or government entities that provide temporary housing and assistance for individuals and their families experiencing trauma, abuse, injury or illness.
 3. ["I move that the Council"] Not adopt the ordinance changing the City's zoning regulations relating to non-profit, charitable organizations or government entities that provide temporary housing and assistance for individuals and their families experiencing trauma, abuse, injury or illness.
-

The following information was provided previously for the Council Work Session on April 13, 2010. It is provided again for background purposes.

KEY ELEMENTS:

- A. An ordinance has been prepared for Council consideration that would change the City's zoning regulations relating to non-profit, charitable organizations or government entities that provide temporary housing and assistance for individuals and their families experiencing trauma, abuse, injury or illness.
 1. Types of facilities which customarily fall into the eleemosynary facilities use category may provide the following services:
 - a. Residential facilities providing short-term rooming for use by persons visiting patients or patients receiving medical services provided by area hospitals or extended care facilities, such as the Ronald McDonald House;
 - b. Facilities that provide a safe place for children who are taken from their homes due to domestic violence, such as the Christmas Box House;

- c. Facilities that provide a child-friendly atmosphere where children receive coordinated services during the child abuse investigative process, such as the Children's Justice Center of Salt Lake; and
 - d. Other similar uses.
 - 2. These types of uses are typically located in larger urban areas where they are close to associated uses such as hospitals, government offices and other institutional uses.
 - 3. In reviewing other cities zoning codes, eleemosynary facilities fall under the same category as group homes, group care homes, protective housing, and service organizations. Such uses are either permitted or allowed as conditional uses within residential and nonresidential zoning categories.
 - 4. The proposed amendment implements current planning practices.
 - 5. Prior to 1995, eleemosynary facilities uses were defined in the Zoning Ordinance and were allowed in a variety of zoning districts. The parking requirements were the same as for boarding houses.
 - 6. The 1995 Zoning Rewrite project and adopted zoning ordinance did not include these types of uses.
- B. The ordinance would:
- 1. Define Eleemosynary Facility as a facility operated by a nonprofit charitable organization or government entity to provide temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease as well as support for their family members. Eleemosynary facilities are traditionally not funded wholly by government but are usually supported by philanthropic, corporate and private funding. **The term "Eleemosynary Facility" shall not include places of worship, social and community services organizations, homeless shelters, community dining halls, group homes, transitional treatment homes, transitional victim homes, residential substance abuse treatment homes and other similar non-profits.**
 - 2. Allow eleemosynary facilities as a conditional use within low density residential and medium density multi-family/mixed use residential zoning districts.
 - 3. Allow eleemosynary facilities as a permitted use in high-density multi-family/mixed use and commercial zoning districts as well as in downtown, gateway, transit corridor, public lands and institutional zoning districts.
- C. The Planning staff report provides findings for the Zoning Ordinance Section 21A.50.050 - Standards for General Amendments. The standards were evaluated in the Planning staff report and considered by the Planning Commission. (Discussion and findings for the standards are found on pgs. 3-5 of the Planning staff report.)
- D. The public process included a Planning Division sponsored open house and written notification of the Planning Commission hearing to Community Council Chairs and the Planning Division electronic list serve. Notice was also posted on the City and State websites. No comments were received.
- E. On January 13, 2010, the Planning Commission held a public hearing. No public comments were received and no issues were identified. The Commission voted to forward a positive recommendation to the City Council to adopt the proposed zoning regulation changes. (Please see the Planning Commission minutes in the Administration's paperwork for additional details.)

MASTER PLAN AND POLICY CONSIDERATIONS:

- A. The Administration's paperwork and Planning staff report note the following related to master plan and policy considerations:
 - 1. No specific policy document identifies detailed policy that addresses eleemosynary uses.
 - 2. The various adopted planning documents of the City support a variety of housing needs and social service needs.

3. The inclusion of Eleemosynary Facilities throughout the city implements the city master plan's visions by supporting institutional land uses that attract and provide services to community and regional populations.
4. The proposed text amendment does support the general policies for the provision of a variety of housing and social service opportunities within the City.
5. The community master plan land use policies generally define neighborhood, community and regional land use locations and characteristics.
6. In Salt Lake City, the Zoning Ordinance and Subdivision Ordinance have been the main tools used to implement the goals and objectives of the adopted land use planning documents.
7. The proposed changes do not alter the various purpose statements included in the Zoning Ordinance.
8. The proposed amendments will help insure compatibility with the adopted master plans of the City.

- Additional citywide Master Plan and Policy considerations are provided below.

- A. 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.
- B. The Council's growth policy notes that growth in Salt Lake City will be deemed the most desirable if it meets the following criteria:
 1. Is aesthetically pleasing;
 2. Contributes to a livable community environment;
 3. Yields no negative net fiscal impact unless an overriding public purpose is served; and
 4. Forestalls negative impacts associated with inactivity.
- C. The City's 1990 Urban Design Element includes statements that emphasize preserving the City's image, neighborhood character and maintaining livability while being sensitive to social and economic realities. Policy concepts include:
 1. Allow individual districts to develop in response to their unique characteristics within the overall urban design scheme for the city.
 2. Ensure that land uses make a positive contribution to neighborhood improvement and stability.
 3. Ensure that building restoration and new construction enhance district character.
 4. Require private development efforts to be compatible with urban design policies of the city regardless of whether city financial assistance is provided.
 5. Treat building height, scale and character as significant features of a district's image.
 6. Ensure that features of building design such as color, detail, materials and scale are responsive to district character, neighboring buildings, and the pedestrian.
- D. The City's Comprehensive Housing Plan policy statements address a variety of housing issues including quality design, architectural designs compatible with neighborhoods, public and neighborhood participation and interaction, accommodating different types and intensities of residential developments, transit-oriented development, encouraging mixed-income and mixed-use developments, housing preservation, rehabilitation and replacement, zoning policies and programs that preserve housing opportunities as well as business opportunities.

- E. The City's Transportation Master Plan includes general policy statements summarized below:
1. Focus on ways to transport people, not on moving vehicles at the expense of neighborhoods.
 2. Support transportation decisions that increase the quality of life, not necessarily the quantity of development.
 3. Support the creation of linkages (provisions and incentives) to foster appropriate growth in currently defined growth centers.
 4. Support public/private partnerships in which all who benefit from capital improvements participate in funding those improvements.
 5. Consider impacts on neighborhoods on an equal basis with impacts on transportation systems.
 6. Give all neighborhoods equal consideration in transportation decisions.

CHRONOLOGY:

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

- December 12, 2008 Petition initiated
- December 29, 2008 Petition received in the Planning office
- October 29, 2009 Petition assigned to Everett Joyce
- December 17, 2009 Planning Division Open House
- January 13, 2010 Planning Commission hearing
- January 13, 2010 Ordinance requested from City Attorney's office
- February 24, 2010 Transmittal paperwork received in Council office

cc: David Everitt, Karen Hale, Bianca Shreeve, Holly Hilton, Ed Rutan, Lynn Pace, Paul Nielson, Jeff Niermeyer, Tom Ward, Rick Graham, Frank Gray, Mary De La Mare-Schafer, Tim Harpst, Kevin Young, Wilf Sommerkorn, Pat Comarell, Cheri Coffey, Joel Paterson, Everett Joyce Craig Spangenberg, Randy Isbell, Orion Goff, Les Koch, Larry Butcher, City Council Liaisons, Mayors Liaisons

File Location: Community and Economic Development Dept., Planning Division, Zoning regulation changes, Eleemosynary Facilities

FRANK B. GRAY
DIRECTOR

MARY DE LA MARE-SCHAEFER
DEPUTY DIRECTOR

ROBERT FARRINGTON, JR.
DEPUTY DIRECTOR

SALT LAKE CITY CORPORATION

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
OFFICE OF THE DIRECTOR

SCANNED TO: *mayor*
SCANNED BY: *mayor*
DATE: *2/22/2010*
RALPH BECKER
MAYOR



CITY COUNCIL TRANSMITTAL



David Everitt, Chief of Staff

Date Received: _____

Date Sent to City Council: 02/24/2010

TO: Salt Lake City Council
JT Martin, Chair

DATE: February 18, 2010

FROM: Frank Gray, Community & Economic
Development Department Director

RE: Petition PLNPCM2008-00937: Zoning Text Amendment to allow Eleemosynary
Facilities

STAFF CONTACTS: Everett Joyce, Senior Planner at 801-535-7930 or
everett.joyce@slcgov.com

RECOMMENDATION: That the City Council hold a briefing and schedule a Public
Hearing

DOCUMENT TYPE: Ordinance

BUDGET IMPACT: None

DISCUSSION:

Issue Origin: Petition PLNPCM2008-00937, by Mayor Becker, addresses zoning text amendment for Eleemosynary Facilities. The proposed text amendment redefines Eleemosynary Facilities and allows such facilities, as appropriate, in various zoning districts. The proposal includes allowing the use as a conditional use within low-medium density residential/mixed use zoning districts. The proposal also includes allowing the use as a permitted use in high-density residential/mixed use and in commercial, transit corridor, Downtown and Gateway zoning districts, as well as in public lands and institutional zoning districts. The proposed text change affects zoning districts city-wide.

Prior to 1995, such uses were defined in the Zoning Ordinance and were allowed in various zoning districts. The parking requirements were the same as for boarding houses. The 1995 Zoning Rewrite project and adopted zoning ordinance did not include such uses.

Salt Lake City is a regional center of the intermountain area. The position of Salt Lake City as a regional center has encouraged the establishment of several hospitals to serve the local metropolitan area, as well as the intermountain region. Facilities within Salt Lake City that provide regional services are: University of Utah, LDS, Salt Lake Regional, VA Medical Center, Primary Children's and Shriners Children's hospitals.

Eleemosynary services are provided through both local government and nonprofit corporations. Uses which would customarily fall into this use category may provide the following services:

- Residential facilities providing short-term rooming for use by persons visiting patients or patients receiving medical services provided by area hospitals or extended care facilities, such as the Ronald McDonald House;
- Facilities that provide a safe place for children who are taken from their homes due to domestic violence, such as the Christmas Box House;
- Facilities that provide a child-friendly atmosphere where children receive coordinated services during the child abuse investigative process, such as the Children's Justice Center of Salt Lake; and
- Other similar uses.

Analysis: The proposed text changes to allow Eleemosynary Facilities affects the Residential, Special Purpose, Commercial, Downtown and Gateway Zoning Districts. The proposal amends Chapter 44 regarding off-street parking requirements and Chapter 62, Definitions.

The proposed definition that defines Eleemosynary Facilities is: "Eleemosynary facility" means a facility operated by a nonprofit charitable organization or government entity to provide temporary housing and assistance to individuals who suffer from, and are being treated for, trauma, injury or disease, as well as support for their family members. Eleemosynary facilities are traditionally not funded wholly by government, but are usually supported by philanthropic, corporate and private funding. The term "Eleemosynary facilities" shall not include places of worship, social and community services organizations, homeless shelters, community dining halls, group homes, transitional treatment homes, transitional victim homes, residential substance abuse treatment homes and other similar non-profits.

The following is synopsis of the proposed text changes:

1. Modify the table of Permitted and Conditional Uses to allow "eleemosynary facilities" as a conditional use in the Residential Districts FR-1 through RMF-35 and in the RMU-35 Zoning District.
2. Modify the table of Permitted and Conditional Uses to allow "eleemosynary facilities" as a permitted use in the Residential Districts RMF-45 through RO and in the PL, PL2, I, UI, MU, CB, CSHBD, TC-75, D-1 through D-4 and the GMU Zoning Districts.
3. Modify the Schedule of Minimum Off-Street Parking Requirements, requiring 1 parking space for each family, plus 1 parking space for every 4 individual

bedrooms, plus 1 parking space for every 2 support staff on the busiest shift for Eleemosynary Facilities.

4. Modify the Definitions Chapter to include a definition for Eleemosynary Facilities

Master Plan Considerations: No specific policy document identifies detailed policy that addresses eleemosynary uses. The various adopted planning documents of the City support a variety of housing needs and social service needs. The inclusion of Eleemosynary Facilities throughout the City implements the City Master Plan visions by supporting institutional land uses that attract and provide services to community and regional populations. The proposed text amendment does support the general policies for the provision of a variety of housing and social service opportunities within the City.

The community master plan land use policies generally define neighborhood, community, and regional land use locations and characteristics. They do not specifically address the level of detail that addresses a specific land use.

In Salt Lake City, the Zoning Ordinance has been one of the main tools used to implement the goals and objectives of the adopted land use planning documents. The proposed change to the text to allow Eleemosynary Facilities further advances the purposes, goals, objectives, and policies of the adopted General Plan of Salt Lake City. The proposed change does not alter the various purpose and intent statements included in the Zoning Ordinance.

PUBLIC PROCESS:

An Open House was held on December 17, 2009. Notice of the Open House was sent to Community Council Chairs and those whose names are on the Planning Division's Listserve. Notice was also posted on the City's website. There were no comments received.

The Planning Commission held a Public Hearing on January 13, 2010. There were no public comments and no issues were brought forward. The Planning Commission unanimously passed a motion to forward a favorable recommendation to the City Council.

RELEVANT ORDINANCES:

Amendments to the Zoning Ordinance and Maps are authorized under Section 21A.50 of the Salt Lake City Zoning Ordinance, as detailed in Section 21A.50.050: "A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard." It does, however, list standards, which should be analyzed prior to rezoning property (Section 21A.50.050 A-E). The standards are discussed in detail starting on page 3 of the Planning Commission Staff Report.

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Petition PLNPCM2008-00937 Zoning Text Amendment

Exhibit 1

Chronology

Chronology

December 12, 2008	Petition initiated
December 29, 2008	Petition delivered to the Planning office
October, 29, 2009	Petition re-assigned to Everett Joyce
December 2, 2009	Requested City departmental review of petition request.
December 17, 2009	Open House
December 29, 2009	Mailed notices for Planning Commission public hearing
December 29, 2009	Posted public hearing notice on site
December 30, 2009	Newspaper notice published
January 8, 2009	Staff report posted on web page
January 13, 2010	Planning Commission public hearing
January 20, 2010	Ordinance request sent to City Attorney
January 27, 2010	Planning Commission ratified minutes of January 13, 2010 meeting

Exhibit 2

Ordinance

SALT LAKE CITY ORDINANCE

No. _____ of 2010

(An ordinance amending certain land use provisions of Title 21A (Zoning) of the *Salt Lake City Code* pertaining to Eleemosynary Facilities)

An ordinance amending certain sections of Title 21A (Zoning) of the *Salt Lake City Code* pursuant to Petition No. PLNPCM2008-00937 pertaining to Eleemosynary Facilities.

WHEREAS, the Salt Lake City Planning Commission (“Planning Commission”) held a public hearing on January 13, 2010 to consider a request made by Salt Lake City Mayor Ralph Becker (petition no. PLNPCM2008-00937) to amend the text of certain sections of Title 21A (Zoning) of the *Salt Lake City Code* to allow Eleemosynary Facilities in certain zoning districts as permitted or conditional uses; and

WHEREAS, at its January 13, 2010 hearing, the Planning Commission voted in favor of recommending to the City Council that the City Council amend the sections of Title 21A of the *Salt Lake City Code* identified herein; and

WHEREAS, after a public hearing on this matter the City Council has determined that the following 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 text of *Salt Lake City Code* section 21A.24.190. That the table, titled “Table of Permitted and Conditional Uses for Residential Districts”, which is located at section 21A.24.190 of the *Salt Lake City Code*, shall be, and hereby is, amended, in part, such that only the following provisions of said table are amended:

21A.24.190: TABLE OF PERMITTED AND CONDITIONAL USES FOR RESIDENTIAL DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
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Permitted And Conditional Uses, By District Residential Districts										
Use	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
Residential:										
<u>Eleemosynary Facilities</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>	<u>C</u>
Permitted And Conditional Uses, By District Residential Districts (Continued)										
	RMF-30	RMF-35	RM F-45	RMF-75	RB	R- MU- 35	R- MU- 45	R-MU	RO	
<u>Eleemosynary Facilities</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>		<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	

SECTION 2. Amending text of Salt Lake City Code section 21A.32.140. That the table, titled "Table of Permitted and Conditional Uses for Special Purpose Districts", which is located at section 21A.32.140 of the *Salt Lake City Code*, shall be, and hereby is, amended, in part, such that only the following provisions of said table are amended:

21A.32.140: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

Legend: C = Conditional use P = Permitted use

Use	Permitted And Conditional Uses																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Residential:																	
<u>Eleemosynary Facilities</u>											P	P	P	P			P

SECTION 3. Amending text of Salt Lake City Code section 21A.26.080. That the table, titled "Table of Permitted and Conditional Uses for Commercial Districts", which is located at

section 21A.26.080 of the *Salt Lake City Code*, shall be, and hereby is, amended, in part, such that only the following provisions of said table are amended:

21A.26.080: TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
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Permitted And Conditional Uses By District							
Use	CN	CB	CS ¹	CC	CSHBD ¹	CG	TC-75
Residential:							
<u>Eleemosynary Facilities</u>		P			P		P

SECTION 4. Amending text of *Salt Lake City Code* section 21A.30.050. That the table, titled “Table of Permitted and Conditional Uses for Downtown Districts”, which is located at section 21A.30.050 of the *Salt Lake City Code*, shall be, and hereby is, amended, in part, such that only the following provisions of said table are amended:

21A.30.050: TABLE OF PERMITTED AND CONDITIONAL USES FOR DOWNTOWN DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
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Permitted And Conditional Uses By District				
Use	D-1	D-2	D-3	D-4
Residential:				
<u>Eleemosynary Facilities</u>	P	P	P	P

SECTION 5. Amending text of *Salt Lake City Code* section 21A.31.050. That the table, titled “Table of Permitted and Conditional Uses in the Gateway District”, which is located at

section 21A.31.050 of the *Salt Lake City Code*, shall be, and hereby is, amended, in part, such that only the following provisions of said table are amended:

21A.31.050: TABLE OF PERMITTED AND CONDITIONAL USES IN THE GATEWAY DISTRICT:

Legend:	C =	Conditional	P =	Permitted
Permitted And Conditional Uses By District				
Use	G-MU			
Residential:				
<u>Eleemosynary Facilities</u>	P			

SECTION 6. Amending text of Salt Lake City Code section 21A.44.060.F. That the table, titled “Schedule of Minimum Off Street Parking Requirements”, which is located at section 21A.44.060.F of the *Salt Lake City Code*, shall be, and hereby is, amended, in part, such that only the following provisions of said table are amended:

TABLE 21A.44.060F
SCHEDULE OF MINIMUM OFF STREET
PARKING REQUIREMENTS

Each principal building or use shall have the following minimum number of parking spaces:

Residential:	
<u>Eleemosynary Facility</u>	<u>1 parking space for each family, plus 1 parking space for every 4 individual bedrooms, plus 1 parking space for every 2 support staff on the busiest shift.</u>

SECTION 7. Amending 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), shall be, and hereby is, amended

to add the following term, to be inserted in alphabetical order, with no additional revisions to that section:

Eleemosynary Facility

SECTION 8. Amending text of Salt Lake City Code section 21A.62.040. That section 21A.62.040 of the *Salt Lake City Code* (Zoning: Definition of Terms), shall be, and hereby is, amended add the following definition of Eleemosynary Facility, to be inserted in alphabetical order, with no additional revisions to that section:

“Eleemosynary Facility” means a facility operated by a nonprofit charitable organization or government entity to provide temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease and/or their family members. Eleemosynary facilities are traditionally not funded wholly by government but are usually supported by philanthropic, corporate and private funding. The term “Eleemosynary facilities” shall not include places of worship, social and community services organizations, homeless shelters, community dining halls, group homes, transitional treatment homes, transitional victim homes, residential substance abuse treatment homes and other similar non-profit organizations.

SECTION 9. 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 _____, 2010.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2010.

Published: _____.

HB_ATTYY-#11676-v1-Ordinance_-_Eleemosynary_Facilities.DOC

Exhibit 3
City Council Notice
and Mailing List

Exhibit 3i
City Council Hearing Notice

NOTICE OF PUBLIC HEARING

The Salt Lake City Council will review **Petition No. PLNPCM2008-00937** requested by Mayor Becker to amend the Salt Lake City Zoning Ordinance, regarding Eleemosynary Facilities. The purpose of the request is to redefine and allow such facilities as appropriate in various zoning districts. The proposal includes allowing Eleemosynary Facilities as a conditional use within low and medium density residential/mixed use zoning districts. The proposal also allows such facilities as a permitted use in high-density residential/mixed use zoning districts as well as various nonresidential zoning districts. The proposed text change affects zoning districts citywide.

As part of this request the City Council is holding an advertised public hearing to receive comments regarding this petition request. During this hearing, the Planning staff may present information on the petition and anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

DATE:

TIME: 7:00 P.M.

PLACE: City Council Chambers
Room 415
City and County Building
451 South State Street
Salt Lake City

If you have any questions relating to this proposal, please attend the meeting or call Everett L. Joyce at 801-535-7930, between the hours of 8:30 a.m. and 5:30 p.m. Monday through Friday.

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this City Council meeting. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact Everett Joyce at 535-7930; TDD 535-6220.

Exhibit 3ii
City Council Mailing List

KEVIN JONES
EAST BENCH CHAIR
2500 SKYLINE DRIVE
SALT LAKE CITY, UT 84108

PETE TAYLOR
SUNNYSIDE EAST
933 SOUTH 2300 EAST
SALT LAKE CITY, UT 84108

ANGIE VORHER
JORDAN MEADOWS CHAIR
1988 SIR JAMES DRIVE
SALT LAKE CITY, UT 84116

GORDON STORRS
FAIRPARK CHAIR
159 NORTH 1320 WEST
SALT LAKE CITY, UT 84116

ELLEN REDDICK
BONNEVILLE HILLS CHAIR
2177 ROOSEVELT AVENUE
SALT LAKE CITY UT 84108

RANDY SORENSON
GLENDALE CHAIR
1184 SOUTH REDWOOD DR
SLAT LAKE CITY UT 84104

PHILIP CARLSON
SUGAR HOUSE CHAIR
1917 EAST 2700 SOUTH
SALT LAKE CITY, UT 84106

ESTHER HUNTER
UNIVERSITY NEIGHBORHOOD
1049 NORRIS PLACE
SALT LAKE CITY, UT 84102

BILL DAVIS
PEOPLE'S FREEWAY
332 WEST 1700 SOUTH
SALT LAKE CITY UT 84115

TERRY THOMAS
WESTPOINT CHAIR
1840 STALLION LANE
SALT LAKE CITY, UT 84116

VACANT
FOOTHILL/SUNNYSIDE CHAIR
SALT LAKE CITY UT

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JUDITH LOCKE
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*Kimble Shaw
1127 East 2nd Avenue
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DEWITT SMITH
LIBERTY WELLS
328 EAST HOLLYWOOD AVE
SALT LAKE CITY, UT 84115

LOGGINS MERRILL
EAST CENTRAL CHAIR
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SALT LAKE CITY, UT 84152

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YALECREST CHAIR
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SALT LAKE CITY, UT 84108

MIKE HARMAN
POPLAR GROVE CHAIR
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SALT LAKE CITY UT 84104

BEVERLY NELSON
FEDERAL HEIGHTS
26 SOUTH WOLCOTT STREET
SALT LAKE CITY, UT 84102

RON JARRETT
ROSE PARK CHAIR
1441 WEST SUNSET DRIVE
SALT LAKE CITY, UT 84116

PAMELA PEDERSEN
EAST LIBERTY PARK
SALT LAKE CITY SCHOOL DIST.
440 EAST 100 SOUTH
SALT LAKE CITY, UT 84111

POLLY HART
CAPITOL HILL CHAIR
355 NORTH QUINCE STREET
SALT LAKE CIYT, UT 84103

MARK BRINTON
WASATCH HOLLOW
1869 LOGAN AVE
SALT LAKE CITY, UT 84108

THOMAS MUTTER
CENTRAL CITY CHAIR
228 EAST 500 SOUTH #100
SALT LAKE CITY, UT 84111



Downtown Alliance
Bob Farrington, Director
175 East 400 South #100
Salt Lake City, UT 84111

S.L. Chamber of Commerce
175 East 400 South, Suite #100
Salt Lake City, UT 84111

Attn: Carol Dibblee
Downtown Merchants Assn.
10 W. Broadway, Ste #420
P.O. Box
Salt Lake City, UT 84101

Sugar House Merchant's Assn.
C/o Barbara Green
Smith-Crown
2000 South 1100 East
Salt Lake City, UT 84106

Hispanic Chamber of Commerce
P.O. Box 1805
Salt Lake City, UT 84110

Vest Pocket Business Coalition
P.O. Box 521357
Salt Lake City, UT 85125-1357

Westside Alliance
C/o Neighborhood Housing Svs.
Maria Garcia
622 West 500 North
Salt Lake City, UT 84116

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Exhibit 4

Planning Commission

Public Hearing Notice/Postmark/Agenda
Newspaper Ad
Minutes
Staff Report

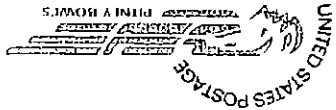
Exhibit 4i
Public Hearing Notice/Postmark/Agenda

PLANNING COMMISSION PUBLIC HEARING NOTICE

MAILED FROM ZIP CODE 84114

DEC 29 2009 0002099733

\$ 00.44



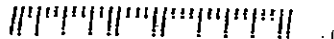
FIRST CLASS

STATEMAIL SVCS 12/30/2009 04:20 PM

Salt Lake City Planning Division
451 South State Street, Room 406
PO Box 145480
Salt Lake City UT 84114

1. Fill out registration card and indicate if you wish to speak and which agenda item you will address.
2. After the staff and petitioner presentations, hearings will be opened for public comment. Community Councils will present their comments at the beginning of the hearing.
3. In order to be considerate of everyone attending the meeting, public comments are limited to two (2) minutes per person, per item. A spokesperson who has already been asked by a group to summarize their concerns will be allowed five (5) minutes to speak. Written comments are welcome and will be provided to the Planning Commission in advance of the meeting if they are submitted to the Planning Division prior to noon the day before the meeting. Written comments should be sent to:

Salt Lake City Planning Commission
451 South State Street, Room 406
Salt Lake City UT 84111
4. Speakers will be called by the Chair.
5. Please state your name and your affiliation to the petition or whom you represent at the beginning of your comments.
6. Speakers should address their comments to the Chair. Planning Commission members may have questions for the speaker. Speakers may not debate with other meeting attendees.
7. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.
8. After those registered have spoken, the Chair will invite other comments. Prior speakers may be allowed to supplement their previous comments at this time.
9. After the hearing is closed, the discussion will be limited among Planning Commissioners and Staff. Under unique circumstances, the Planning Commission may choose to reopen the hearing to obtain additional information.
10. The Salt Lake City Corporation complies with all ADA guidelines. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this meeting. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact the Planning Office at 535-7757; TDD 535-6220.



SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA
In Room 326 of the City & County Building at 451 South State Street
Wednesday, January 13, 2010 at 5:45 p.m.

The field trip is scheduled to leave at 4:00 p.m. Dinner will be served to the Planning Commissioners and Staff at 4:45 p.m., in Room 126. **Work Session**—The Planning Commission may discuss project updates and minor administrative matters. This portion of the meeting is open to the public for observation.

Approval of Minutes from Wednesday, November 18, 2009 and December 9, 2009

Report of the Chair and Vice Chair

Report of the Director

Briefing

1. **Petition PLNPCM2009-00510 North Temple Boulevard Station Area Plans**—an amendment to the West Salt Lake and Northwest Community Master Plans regarding station area plans along the Airport Light Rail Line. Planning Staff will hand out draft copies of the plan and review the major components of the Plan with the Planning Commission. A Public Hearing for the plans will occur at a later date (Staff: Nick Norris at 801.535.6173 or nick.norris@slcgov.com).

Public Hearings

2. **PLNPCM2008-00206 Christian Center Maranatha Place of Worship Conditional Use**—a request by Maria Novoa and Melquiades Flores for conditional use approval for a Place of Worship located at approximately 755 West 800 South. The subject property is located in an M-1 (Light Manufacturing) zoning district in Council District 2, represented by Van Turner (Staff contact: Cheri Coffey at 801-535-6188 or cheri.coffey@slcgov.com).
3. **PLNPCM2009-01231: Thatcher Company Street Closure and Declaration of Surplus Property**—a request by the Thatcher Company for a Street Closure and Declaration of Surplus Property for approximately 985 feet of west Fortune Road at 1905 West. The property is zoned M-1 Light Manufacturing and is accessed only by property in the ownership of the Thatcher Company (Staff contact: Bill Peperone at 801.535.7214 or bill.peperone@slcgov.com).
4. **PLNPCM2009-00167; Nonconforming and Noncomplying Zoning Text Amendment**—a request by the Salt Lake City Council to amend Chapter 21A.38 of the Salt Lake City Zoning Ordinance, relating to nonconforming uses and noncomplying structures regulations. The purpose of petition is to simplify and clarify the existing regulations and to ensure consistency with State Law (Staff contact: Kevin LoPiccolo at 801.535.6003 or kevin.lopiccolo@slcgov.com).
5. **Petition PLNPCM2008-00937, Zoning Text Amendment for Charitable Facilities**—a request by Mayor Becker to amend the Salt Lake City Zoning Ordinance, regarding Eleemosynary Facilities. The purpose of the request is to redefine and allow such facilities as appropriate in various zoning districts. The proposal includes allowing the use as a conditional use within low density and medium density multi-family/mixed use residential zoning districts. The proposal also includes allowing the use as a permitted use in high-density multi-family/mixed use zoning districts as well as in transit corridor, public lands and institutional zoning districts. The proposed text change affects all residential, mixed use, transit corridor, public lands and institutional zoned properties city-wide (Staff contact: Everett Joyce at 801.535.7390 or everett.joyce@slcgov.com).

Visit the Planning Division's website at www.slcgov.com/CED/planning for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission

Exhibit 4ii
Newspaper Ad

Order Confirmation for Ad #0000532393-01

Client	PLANNING DIVISION	Payor Customer	PLANNING DIVISION
Client Phone	801-535-6184	Payor Phone	801-535-6184
Account#	9001394298	Payor Account	9001394298
Address	PO BOX 145480 SALT LAKE CITY UT 84114-5455 USA	Payor Address	PO BOX 145480 SALT LAKE CITY UT 84114-5455
Fax		Ordered By	Acct. Exec
EMail	everett.joyce@slcgov.com	Joyce	jvaldez

Total Amount	\$87.50			
Payment Amt	\$0.00			
Amount Due	\$87.50	Tear Sheets	Proofs	Affidavits
		0	0	1
Payment Method		PO Number	Planning Division Pub	

Confirmation Notes:

Text:

Ad Type	Ad Size	Color
Legal Liner	1.0 X 66 Li	<NONE>

Product	Placement
Salt Lake Tribune::	Legal Liner Notice - 0998

Scheduled Date(s): 12/30/2009

Product	Placement
sltrib.com::	Legal Liner Notice - 0998

Scheduled Date(s): 12/30/2009

Ad Content Proof Actual SizeSALT LAKE CITY
PLANNING COMMISSION
ZONING TEXT AMEND-
MENT PUBLIC HEARING

On Wednesday January 13, 2010 at 5:45 P.M., the Salt Lake City Planning Commission will hold a hearing to take comment on petition number PLNPCM2008-00937, regarding Eleemosynary Facilities. The proposed action redefines Eleemosynary Facilities and allows such facilities as appropriate in various zoning districts. The proposal includes allowing the use as a conditional use within low density and medium density multi-family/mixed use residential zoning districts. The proposal also includes allowing the use as a permitted use in high-density multi-family/mixed use and commercial zoning districts as well as in transit corridor, public lands and institutional zoning districts. The proposed text change affects various zoned properties city-wide.

All persons interested and present will be given an opportunity to be heard. The hearing will be held in Room 326 of the Salt Lake City and County Building, 451 South State Street. Accessible parking and entrance is located on the east side of the building. Hearing impaired individuals who wish to attend this meeting should contact our TOD service number, 535-6220, four days in advance. For further information regarding this hearing, call Everett Joyce at 535-7930.

532393 UPAXLP

Exhibit 4iii
Minutes

SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, January 13, 2010

Petition PLNPCM2008-00937, Zoning Text Amendment for Charitable Facilities—a request by Mayor Becker to amend the Salt Lake City Zoning Ordinance, regarding Eleemosynary Facilities. The purpose of the request is to redefine and allow such facilities as appropriate in various zoning districts. The proposal includes allowing the use as a conditional use within low density and medium density multi-family/mixed use residential zoning districts. The proposal also includes allowing the use as a permitted use in high-density multi-family/mixed use zoning districts as well as in transit corridor, public lands and institutional zoning districts. The proposed text change affects all residential, mixed use, transit corridor, public lands and institutional zoned properties city-wide.

Acting Chair Algarin recognized Everett Joyce as staff representative.

Mr. Joyce stated this was an item in the zoning ordinance until 1995 when it was unintentionally taken out. He stated the key item in this definition rewrite was there were certain things that eleemosynary facilities were not, including shelters. He stated staff looked at where these types of facilities should be allowed in the city as well, which was included in the staff report.

Public Hearing

Acting Chair Algarin opened the public hearing. He noted there was no one present to speak, and closed the public hearing.

Motion

Commissioner Woodhead made a motion regarding Petition PLNPCM2008-00937, the Planning Commission transmits a positive recommendation to the City Council based on the staff report and testimony from staff.

Commissioner Dean seconded the motion.

Commissioners Gallegos, Fife, Chambless, Wirthlin, Muir, and Woodhead voted, "Aye". The motion passed unanimously.

Exhibit 4iv
Staff Report

PLANNING COMMISSION STAFF REPORT

Eleemosynary Facilities Zoning Text Amendment Petition No. PLNPCM2008-00937 January 13, 2010



Planning Division
Department of Community and
Economic Development

Applicant: Mayor Becker

Staff: Everett Joyce, 801-535-7930, everett.joyce@slcgov.com

Master Plan Designation:
City-wide text amendment

Council District: City-wide

Council District: City-wide

Applicable Land Use Regulations:
21A.24.190; 21A.26.080;
21A.30.050; 21A.31.050;
21A.32.140; 21A.44.060;
21A.60.020; and 21A.62.040

Notification

- Newspaper Notice Salt Lake Tribune on December 30, 2009
- Notice mailed on December 29, 2009
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on December 29, 2009

Attachments:

- A. Proposed Text
- B. Department Input.

Request

This petition is a request to analyze the appropriateness of amending the Zoning Ordinance to allow eleemosynary uses in appropriate zoning districts. Eleemosynary uses are nonprofit organizations or government entities that provide temporary housing and assistance to individuals and their family members that suffer from and are being treated for trauma, injury or disease.

The proposed text changes redefine and allow such facilities as a conditional use within low density residential and medium density multi-family/mixed use residential zoning districts. Eleemosynary facilities would also be a permitted use in high-density multi-family/mixed use and commercial zoning districts as well as in downtown, gateway, transit corridor, public lands and institutional zoning districts.

Staff Recommendation

Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the project generally meets the applicable standards and therefore, recommends the Planning Commission transmit a favorable recommendation to the City Council.

Background

Project Description

This petition was created so that Planning Staff could analyze and evaluate the appropriateness of amending the Zoning Ordinance to allow eleemosynary uses in appropriate zoning districts. Prior to 1995, such uses were defined in the Zoning Ordinance and were allowed in various zoning districts. The parking requirements were the same as for boarding houses. The 1995 Zoning Rewrite project and adopted zoning ordinance did not include such uses.

Uses which would customarily fall into this use category may provide the following services:

- Residential facilities providing short-term rooming for use by persons visiting patients or patients receiving medical services provided by area hospitals or extended care facilities, such as the Ronald McDonald House;
- Facilities that provide a safe place for children who are taken from their homes due to domestic violence, such as the Christmas Box House;
- Facilities that provide a child-friendly atmosphere where children receive coordinated services during the child abuse investigative process, such as the Children's Justice Center of Salt Lake; and
- Other similar uses.

Salt Lake City is a regional center of the intermountain area. The position of Salt Lake City as a regional center has encouraged the establishment of several hospitals to serve the local metropolitan area population as well as for the intermountain region. Facilities within Salt Lake City that provide regional services are: University of Utah, LDS, Salt Lake Regional, VA Medical Center, Primary Children's and Shriners Children's hospitals. Additional eleemosynary services are provided through local government and nonprofit corporations. Examples are the Ronald McDonald House, Christmas Box House, Children's Justice Center and United Way.

Proposed Text Changes

The proposed text changes redefine and allow Eleemosynary Facilities as a conditional use within low density residential and medium density multi-family/mixed use residential zoning districts. Eleemosynary Facilities will also be a permitted use in high-density multi-family/mixed use and commercial zoning districts as well as in downtown, gateway, transit corridor, public lands and institutional zoning districts. Attachment A shows the proposed text changes to accommodate Eleemosynary Facilities with Salt Lake City.

The following proposed definition defines Eleemosynary Facilities. "Eleemosynary facility" means a facility operated by a nonprofit charitable organization or government entity to provide temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease as well as support for their family members. Eleemosynary facilities are traditionally not funded wholly by government but are usually supported by philanthropic, corporate and private funding. The term "Eleemosynary facilities" shall not include places of worship, social and community services organizations, homeless shelters, community dining halls, group homes, transitional treatment homes, transitional victim homes, residential substance abuse treatment homes and other similar non-profit

Comments

Public Comments

An Open House was held on December 17, 2009 in the City and County Building 1st floor. There was one community council member that attended the open house. There were no comments received.

City Department Comments

The comments received from pertinent City Departments / Divisions are attached to this staff report in Attachment B. The Planning Division has not received comments from the applicable City Departments / Divisions that cannot reasonably be fulfilled or that warrant denial of the petition.

The Transportation Division's concerns to not allow on-street parking credit for these types of facilities is a general philosophy issue regarding on-street parking credits. Staff further discussed the issue with Transportation staff and is of the opinion that there are adequate provisions through the conditional use process and the ability through the development review process to require Traffic Impact Reports if it is believed that potential problems may occur with a proposed eleemosynary facility.

Analysis and Findings

Futures Commission Report

The Salt Lake City Futures Commission Report identifies that Salt Lake City desires to provide a safe place where all people, regardless of age, ability, or economic condition, can live with dignity and respect and without fear.

Central Community Master Plan

The Salt Lake City Central Community Master Plan identifies key City policy regarding the Salt Lake's integration with the larger community. The goals of the plan should be in accord with regional, local and community visions. The plan's vision identifies the institutional land uses generate employment opportunities and attract community and regional populations that are part of a vital and sustainable commerce.

Findings

Section 21A.50.050 Standards for general amendments. A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard.

A. In making its decision concerning a proposed text amendment, the city council should consider the following factors:

- 1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;**

Finding: No specific policy document identifies detailed policy that addresses eleemosynary uses. The various adopted planning documents of the City support a variety of housing needs and social service needs. The inclusion of Eleemosynary Facilities throughout the city implements the city master plan's visions by supporting institutional land uses that attract and provide services to community and regional

populations. The proposed text amendment does support the general policies for the provision of a variety of housing and social service opportunities within the City.

2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;

Discussion: The Zoning Ordinance contains the following general purpose and intent statements:

- **Chapter 21A.02 Title, Authority, Purpose And Applicability:** Purpose And Intent: The purpose of this title is to promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Salt Lake City, to implement the adopted plans of the city, and to carry out the purposes of the municipal land use development and management act, title 10, chapter 9, of the Utah Code Annotated or its successor, and other relevant statutes.
- **Chapter 21A.24 Residential Districts:** Statement Of Intent: The residential districts are intended to provide a range of housing choices to meet the needs of Salt Lake City's citizens, to offer a balance of housing types and densities, to preserve and maintain the city's neighborhoods as safe and convenient places to live, to promote the harmonious development of residential communities, to ensure compatible infill development, and to help implement adopted plans.
- **Chapter 21A.26 Commercial Districts:** Statement Of Intent: The commercial districts are intended to provide controlled and compatible settings for office and business/commerce developments, to enhance employment opportunities, to encourage the efficient use of land, to enhance property values and the tax base, to ensure high quality of design, and to help implement officially adopted master plans.
- **Chapter 21A.30 Downtown Districts:** Statement Of Intent: The downtown districts are intended to provide use, bulk, urban design and other controls and regulations appropriate to the commercial core of the city and adjacent areas in order to enhance employment opportunities; to encourage the efficient use of land; to enhance property values; to improve the design quality of downtown areas; to create a unique downtown center which fosters the arts, entertainment, financial, office, retail and governmental activities; to provide safety and security; encourage permitted residential uses within the downtown area; and to help implement adopted plans.
- **Chapter 21A.31 Gateway Districts:** Statement Of Intent: The gateway districts are intended to provide controlled and compatible settings for residential, commercial, and industrial developments, and implement the objectives of the adopted gateway development master plan through district regulations that reinforce the mixed use character of the area and encourage the development of urban neighborhoods containing supportive retail, service commercial, office, industrial uses and high density residential.
- **Chapter 21A.32 Special Purpose Districts:** Statement Of Intent: Certain geographic areas of the city contain land uses or platting patterns that do not fit traditional zoning classifications (e.g., residential, commercial, industrial) or uniform bulk regulations. These areas currently contain special land uses (e.g., airports or medical centers) which have a unique character, or contain mixed land uses which are difficult to regulate using uniform bulk and density standards. Because these areas have unique land uses, platting patterns and resources, special districts are needed to respond to these conditions. These special purpose districts are further intended to maintain the integrity of these areas, allow for greater flexibility in site design, and achieve the specialized goals for these areas
- **Chapter 21A.44 Off Street Parking And Loading:** Purpose Statement: The requirements of this chapter are intended to promote the orderly use of land and buildings by identifying minimum and maximum standards for accessory parking and loading facilities that will promote safe and

convenient vehicular transportation and movement of goods. These requirements are also intended to help lessen traffic congestion and promote public health and welfare through a cleaner environment by reducing the number of vehicle trips. Encouraging nonmotorized transportation and relating parking requirements to the local land use/transportation system are consistent with the objectives of this chapter.

Finding: The proposed text amendment meets this standard in that it furthers the specific purpose and intent statements of the Zoning Ordinance. These types of uses are typically located in larger urban areas where they are close to associated uses such as hospitals, government offices and other institutional uses.

3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and

Finding: The proposed text amendment does not affect any overlay zoning districts. Any specific development proposal would have to comply with applicable Overlay Zone requirements.

4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.

Finding: In review of other cities zoning codes, eleemosynary facilities fall under the same title or as group homes, group care homes, protective housing, and service organizations. Such uses are either permitted or allowed as conditional uses within residential and nonresidential zoning categories. The proposed amendment implements current planning practices. Other larger urban areas have similar uses as the eleemosynary facilities that support related facilities that serve the region.

Attachment A
Proposed Ordinance Text

Petition PLNPCM2008-00937 – Eleemosynary Facilities

The Planning Division is reviewing a petition requested by Mayor Becker to amend the Salt Lake City Zoning Ordinance, regarding Eleemosynary Facilities. The proposed text changes redefine and allow such facilities as a conditional use within low density residential and medium density multi-family/mixed use residential zoning districts. Eleemosynary facilities will also be a permitted use in high-density multi-family/mixed use zoning districts as well as in downtown, gateway, transit corridor, public lands and institutional zoning districts.

Proposed Text Changes

21A.24.190: TABLE OF PERMITTED AND CONDITIONAL USES FOR RESIDENTIAL DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
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Permitted And Conditional Uses, By District Residential Districts										
Use	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
Residential:										
Eleemosynary Facilities	C	C	C	C	C	C	C		C	C
Permitted And Conditional Uses, By District Residential Districts (Continued)										
	RMF-30	RMF-36	RMF-45	RMF-75	RB	R-MU-35	R-MU-45	R-MU	RO	
Eleemosynary Facilities	C	C	P	P		C	P	P	P	

21A.32.140: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

Legend:	C =	Conditional use	P =	Permitted use
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Use	Permitted And Conditional Uses																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Residential:																	
Eleemosynary Facilities											P	P	P	P			P

21A.26.080: TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District						
	CN	CB	CS ¹	CC	CSHBD ¹	CG	TC-75
Residential:							
Eleemosynary Facilities		P			P		P

21A.30.050: TABLE OF PERMITTED AND CONDITIONAL USES FOR DOWNTOWN DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District			
	D-1	D-2	D-3	D-4
Residential:				
Eleemosynary Facilities	P	P	P	P

21A.31.050: TABLE OF PERMITTED AND CONDITIONAL USES IN THE GATEWAY DISTRICT:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Permitted And Conditional Uses By District	
Use	G-MU
Residential:	
<u>Eleemosynary Facilities</u>	P

21A.44.060: NUMBER OF OFF STREET PARKING SPACES REQUIRED:

TABLE 21A.44.060F
SCHEDULE OF MINIMUM OFF STREET
PARKING REQUIREMENTS

Each principal building or use shall have the following minimum number of parking spaces:

Residential:	
<u>Eleemosynary Facility</u>	<u>1 parking space for each family, plus 1 parking space for every 4 individual bedrooms, plus 1 parking space every 2 support staff on the busiest shift.</u>

Section 21A.60.020 List of Defined Terms

Eleemosynary Facility

Section 21A.62.040 Definition of Terms:

"Eleemosynary facility" means a facility operated by a nonprofit charitable organization or government entity to provide temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease and/or their family members. Eleemosynary facilities are traditionally not funded wholly by government but are usually supported by philanthropic, corporate and private funding. The term "Eleemosynary facilities" shall not include places of worship, social and community services organizations, homeless shelters, community dining halls, group homes, transitional treatment homes, transitional victim homes, residential substance abuse treatment homes and other similar non-profit organizations.

Joyce, Everett

Transportation

From: Walsh, Barry
Sent: Thursday, December 03, 2009 9:35 AM
To: Joyce, Everett
Cc: Young, Kevin; Weiler, Scott; Garcia, Peggy; Itchon, Edward; Butcher, Larry
Subject: RE: Request to review and comment on Petition PLNPCM2008-00937 - Eleemosynary Zoning Text Changes

Categories: Other

December 3, 2009

Everett Joyce, Planning

Re; petition PLNPCM2009-00937 – Eleemosynary Facilities – Zoning Text Change.

The division of transportation review comments and recommendations are as follows:

Due to the multiple zoning district applications and possible conversion of an existing facility, the potential for parking provisions may become an issue. All parking provisions are to be provided on site per city design standards. On-street parking credits or provisions will not be accepted.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
Scott Weiler, P.E.
Peggy Garcia, Public Utilities
Ted Itchon, Fire
Larry Butcher, Permits
File

From: Joyce, Everett
Sent: Wednesday, December 02, 2009 1:34 PM
To: Walsh, Barry; Weiler, Scott; Garcia, Peggy; Itchon, Edward; Butcher, Larry; Brede, Richard; McCandless, Allen
Cc: Coffey, Cheri; Harpst, Tim; Niermeyer, Jeff; Graham, Rick; McKone, Dennis; Burbank, Chris; Boskoff, Nancy; Riley, Maureen; Clark, Luann; Creswell, Lyn; Gray, Frank; Baxter, DJ; Farrington, Bob; Rutan, Ed; Limburg, Garth
Subject: Request to review and comment on Petition PLNPCM2008-00937 - Eleemosynary Zoning Text Changes

To those who received the email regarding Petition PLNPCM2008-00937 - Eleemosynary zoning , examples of such uses are:

- Lodging for families whose children are hospitalized or receiving medical treatment, such as Ronald McDonald House;
- Facilities that provide a safe place for children who are taken from their homes due to domestic violence, such as the Christmas Box House; and
- Facilities that provide a child-friendly atmosphere where children receive coordinated services during the child abuse investigative process, such as the Children's Justice Center of Salt Lake.

Joyce, Everett

Engineering

From: Weiler, Scott
Sent: Friday, December 04, 2009 11:51 AM
To: Joyce, Everett
Cc: Drummond, Randy
Subject: RE: Request to review and comment on Petition PLNPCM2008-00937 - Eleemosynary Zoning Text Changes

Categories: Other

Everett,

SLC Engineering has no comment on the proposed changes.
Please send future requests to Randy Drummond.

Thanks,
Scott

From: Joyce, Everett
Sent: Wednesday, December 02, 2009 1:34 PM
To: Walsh, Barry; Weiler, Scott; Garcia, Peggy; Itchon, Edward; Butcher, Larry; Brede, Richard; McCandless, Allen
Cc: Coffey, Cheri; Harpst, Tim; Niermeyer, Jeff; Graham, Rick; McKone, Dennis; Burbank, Chris; Boskoff, Nancy; Riley, Maureen; Clark, Luann; Creswell, Lyn; Gray, Frank; Baxter, DJ; Farrington, Bob; Rutan, Ed; Limburg, Garth
Subject: Request to review and comment on Petition PLNPCM2008-00937 - Eleemosynary Zoning Text Changes

Everett L. Joyce, AICP
Senior Planner
801-535-7930
Salt Lake City Planning Division
451 South State Street, Rm 406
PO Box 145480
Salt Lake City, UT 84114-5480

Joyce, Everett

Permits Office

From: Butcher, Larry
Sent: Thursday, December 31, 2009 7:33 AM
To: Joyce, Everett
Subject: RE: Request to review and comment on Petition PLNPCM2008-00937 - Eleemosynary Zoning Text Changes

Categories: Other

Everett:

Sorry this is late. The use examples you listed are related to youth and family oriented care. However, the definition does not appear to limit the facilities to families or youth (age?) that require temporary housing.

The parking requirement lists family units and youth bedrooms but does not contemplate individual adult bedrooms. I'm uncertain how we would determine if a room was for a child. It might be reasonable to remove the "youth" verbiage from the requirement.

I'm sure you have considered this but should the definition make a distinction between transitional victim facilities and these uses based upon the need for medical care or the age of the victim?

Again, sorry this is late.

LB

From: Joyce, Everett
Sent: Wednesday, December 02, 2009 1:34 PM
To: Walsh, Barry; Weller, Scott; Garcia, Peggy; Itchon, Edward; Butcher, Larry; Brede, Richard; McCandless, Allen
Cc: Coffey, Cheri; Harpst, Tim; Niermeyer, Jeff; Graham, Rick; McKone, Dennis; Burbank, Chris; Boskoff, Nancy; Riley, Maureen; Clark, Luann; Creswell, Lyn; Gray, Frank; Baxter, DJ; Farrington, Bob; Rutan, Ed; Limburg, Garth
Subject: Request to review and comment on Petition PLNPCM2008-00937 - Eleemosynary Zoning Text Changes

Everett L. Joyce, AICP
Senior Planner
801-535-7930
Salt Lake City Planning Division
451 South State Street, Rm 406
PO Box 145480
Salt Lake City, UT 84114-5480

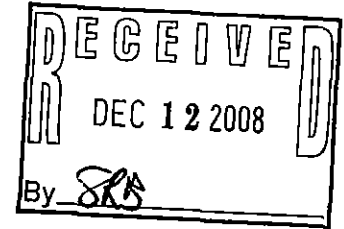
Exhibit 5

Original Petition



Petition Initiation Request

Planning Division
Community & Economic Development Department



To: Mayor Becker

From: Wilf Sommerkorn *WS*

Date: December 10, 2008

CC: Frank Gray, Community & Economic Development Director; Mary De La Mare-Schaefer, Community & Economic Development Department Deputy Director; Pat Comarell, Assistant Planning Director; file

Re: Initiate Petition to amend the zoning ordinance to allow Eleemosynary / Philanthropic institutional uses in appropriate zoning districts.

The Planning Staff is requesting that you initiate a petition to analyze the appropriateness of amending the Zoning Ordinance to allow eleemosynary / philanthropic institutional uses in appropriate zoning districts. Prior to 1995, such uses were defined in the Zoning Ordinance and allowed in various zoning districts. The 1995 Zoning Ordinance did not include such uses. Uses which would fall into this category may provide the following:

- Lodging for families whose children are hospitalized or receiving medical treatment, such as the Ronald McDonald House,
- Facilities that provide a safe place for children who are taken from their homes due to domestic violence, such as the Christmas Box House,
- Facilities that provide a child-friendly atmosphere where children receive coordinated services during the child abuse investigative process, such as the Children's Justice Center of Salt Lake; and
- Other similar uses

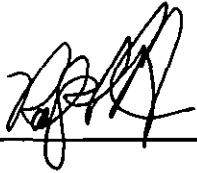
As part of the process, the Planning Staff will review ordinances from other cities, gather information about what the needs are and what services are provided in order to develop a definition that comprehensively describes such services. Staff will then analyze what zones these types of uses should be allowed in and through what process the review should occur (such as permitted or conditional use process). Once a draft ordinance is prepared, the text amendment will be taken

through the formal City adoption process including citizen input and public hearings with the Planning Commission and City Council.


If you have any questions, please contact me.

Thank you.

Concurrence to initiating the rezoning petition as noted above.



Ralph Becker, Mayor



Date

Remarks:

Petition No: **PLNPCM2008-00937**

By: **Salt Lake City Planning Division**

Zoning Text Amendment – To Allow Eleemosynary /
Philanthropic Institutional Uses in Appropriate Zoning
Districts

Date Filed: 12/12/2008

Address: **N/A**