

ERIN MENDENHALL  
Mayor



DEPARTMENT of COMMUNITY  
and NEIGHBORHOODS  
Blake Thomas  
Director

## CITY COUNCIL TRANSMITTAL

Lisa Shaffer, Chief Administrative Officer

**Date Received: 5/13/2022**  
**Date sent to Council: 5/13/2022**

**TO:** Salt Lake City Council  
Dan Dugan, Chair

**DATE:** May 12, 2022

**FROM:** Blake Thomas, Director, Department of Community & Neighborhoods

**SUBJECT:** R-2 Text Amendment: Building Coverage  
(PLNPCM2021-01228)

**STAFF CONTACT:** Meagan Booth, Principal Planner  
[meagan.booth@slcgov.com](mailto:meagan.booth@slcgov.com) or 801-535-7213

**DOCUMENT TYPE:** Ordinance

**RECOMMENDATION:** That the City Council adopt the changes to the Zoning Ordinance to allow 45% building coverage for single-family homes in the R-2 zoning district as recommended by the Planning Commission.

**BUDGET IMPACT:** None

**BACKGROUND/DISCUSSION:** Jim Bradley, owner of the property at 927 East 700 South, has submitted a petition to amend a section of the Zoning Ordinance related to building coverage limitations in the R-2 Single and Two-Family zoning district. The subject ordinance currently limits the building coverage for single-family homes to 40% of the lot and the building coverage for duplexes to 45% of the lot. The Planning Commission considered the request in a public hearing and recommended the City Council expand the proposal to allow 45% building coverage for all single-family properties, not just those located on lots less than the required minimum lot size.

## **PUBLIC PROCESS:**

**Community Council Notice:** A notice of application was sent to all recognized community organizations on February 7, 2022, per City Code Chapter 2.60 with a link to the online open house webpage. The recognized organizations were given 45 days to respond with any concerns or to request staff to meet with them and discuss the proposed zoning amendment. The 45-day public engagement period ended on March 23, 2022. No community councils requested that staff attend a meeting to review the proposal.

**Public Open House:** An online open house was held from February 7, 2022, to March 23, 2022. One written comment was submitted to the Planning Division after the publication of the staff report. The comment has been included in Exhibit 4.

**Planning Commission Meeting:** The Planning Commission held a public hearing on March 23, 2022. The public hearing was posted on the Planning Division website, the Utah Public Notice website, and shared through the Planning Division email listserv. No entities have requested mailed notice of this proposal and no mailed notice was provided. Written comments were provided to the Planning Commission and there was no public comment during the public hearing. The minutes of the Planning Commission meeting are linked in this document. The Commission voted unanimously to forward a favorable recommendation to the City Council with Planning Staff's recommended changes.

### **Planning Commission (PC) Records**

- a) [PC Agenda of March 23, 2022](#) (Click to Access)
- b) [PC Minutes of March 23, 2022](#) (Click to Access)
- c) [Planning Commission Staff Report of March 23, 2022](#) (Click to Access Report)

## **EXHIBITS:**

- 1) Project Chronology
- 2) Notice of City Council Public Hearing
- 3) Original Petition
- 4) Public Comment Received after Planning Commission Staff Report was Published

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2022

(Amending the zoning text of Subsection 21A.24.110.F of the *Salt Lake City Code* pertaining to building coverage in the R-2 Single- and Two-Family Residential District)

An ordinance amending the text of Section 21A.24.110.F of the *Salt Lake City Code* pertaining to building coverage in the R-2 Single- and Two-Family Residential District pursuant to Petition No. PLNPCM2021-01228.

WHEREAS, on November 30, 2021, Jim Bradley (“Applicant”) submitted an application to amend the text of the Subsection 21A.24.110.F of the *Salt Lake City Code* to allow 45% Building Coverage in the R-2 Single- and Two-Family Residential District pursuant to Petition No. PLNPCM2021-01228; and

WHEREAS the Applicant sought to have the text modified consistent with Salt Lake City master plans; and

WHEREAS, on March 23, 2022, the Salt Lake City Planning Commission held a public hearing regarding the Applicant’s petition; and

WHEREAS, at its March 23, 2022 meeting, the planning commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council on said application; and

WHEREAS, after a public hearing on this matter the city council has determined that adopting this ordinance is in the city’s best interests.

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

SECTION 1. Amending the Zoning Text. That Subsection 21A.24.110.F of the *Salt Lake City Code* (Zoning: Residential Districts: Single- and Two-Family Residential District: Maximum Building Coverage), shall be and hereby is amended read as follows:

- F. Maximum Building Coverage: The building coverage of all principal and accessory buildings shall not exceed forty-five percent (45%) of the lot for single-family and two-

family uses. For lots with buildings legally existing on April 12, 1995, the coverage of existing buildings shall be considered legal conforming.

SECTION 2. 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 \_\_\_\_\_, 2022.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

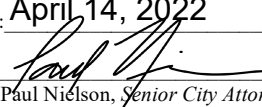
Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER  
(SEAL)

Bill No. \_\_\_\_\_ of 2022.

<b>APPROVED AS TO FORM</b>
Salt Lake City Attorney's Office
Date: <u>April 14, 2022</u>
By: <u></u>
Paul Nielson, Senior City Attorney

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SALT LAKE CITY ORDINANCE

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WHEREAS the Applicant sought to have the text modified consistent with Salt Lake City master plans; and

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F. Maximum Building Coverage: The ~~surface~~ building coverage of all principal and accessory buildings shall not exceed forty-five percent (45%) of the lot for single-family and two-

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family dwellings uses, and forty percent (40%) for single-family dwellings. For lots with buildings legally existing on April 12, 1995, the coverage of existing buildings shall be considered legal conforming.

SECTION 2. 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 \_\_\_\_\_, 2022.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER  
(SEAL)

Bill No. \_\_\_\_\_ of 2022.

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## **1) PROJECTCHRONOLOGY**





## PROJECT CHRONOLOGY

**Petition:** PLNPCM2021-01228

<b>November 30, 2021</b>	Application Accepted
<b>December 29, 2021</b>	Petition assigned to Meagan Booth, Principal Planner
<b>January 6, 2022</b>	Petition was reviewed internally, and staff provided comments to the applicant.
<b>February 7, 2022</b>	Notice mailed to all Community Councils
<b>February 7, 2022</b>	Application posted for the online open house.
<b>March 10, 2022</b>	Planning Commission agenda posted to the website and emailed to the listserv.
<b>March 17, 2022</b>	Staff report posted to Planning's website
<b>March 23, 2022</b>	Planning Commission Meeting and Public Hearing: A positive recommendation was forwarded to City Council with Staff's recommended changes.

**2) NOTICE OF CITY COUNCIL HEARING**

## **NOTICE OF PUBLIC HEARING**

The Salt Lake City Council is considering Petition **PLNPCM2021-01228**. Jim Bradley, the property owner at approximately 927 East 700 South, has submitted a petition to amend a section of the Zoning Ordinance related to building coverage limitations in the R2 Single and Two-Family Residential District. The subject regulation is found in Section 21A.24.110F. The Zoning Ordinance currently limits the building coverage for single-family homes to 40% of the lot and the building coverage for duplexes to 45% of the lot. The proposed amendment would increase the allowable building coverage to 45% for single-family homes in the R-2 district city-wide. (Staff Contact: Meagan Booth at 801-535-7213)

As part of their study, the City Council is holding an advertised public hearing to receive comments regarding the petition. During the hearing, anyone desiring to address the city Council concerning this issue will be given an opportunity to speak. The Council may consider adopting the ordinance the same night of the public hearing. The hearing will be held:

**DATE:**           **TBD**

**TIME:**           **7:00 PM**

**PLACE:**        **\*Electronic and In-Person Options**  
                      **City and County Building**  
                      **Room 326**  
                      **451 South State Street,**  
                      **Salt Lake City, Utah**

**\*\* This meeting will be held via electronic means, while also providing for an in-person opportunity to attend or participate in the hearing at the City and County Building, located at 451 South State Street, Room 326, Salt Lake City, Utah. For more information, including WebEx connection information, please visit [www.slc.gov/council/virtual-meetings](http://www.slc.gov/council/virtual-meetings). Comments may also be provided by calling the 24-Hour comment line at (801) 535-7654 or sending an email to [council.comments@slcgov.com](mailto:council.comments@slcgov.com). All comments received through any source are shared with the Council and added to the public record.**

If you have any questions relating to this proposal or would like to review the file, please call Meagan Booth at 801-535-7213 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, or via e-mail [or meagan.booth@slcgov.com](mailto:meagan.booth@slcgov.com)) The application details can be accessed at <https://citizenportal.slcgov.com/>, by selecting the “planning” tab and entering the petition number PLNPCM2021-01228.

People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the City Council Office at [council.comments@slcgov.com](mailto:council.comments@slcgov.com), (801)535-7600, or relay service 711.

### **3) ORIGINAL APPLICATION PETITION**



# Zoning Amendment

SALT LAKE CITY PLANNING

☒ Amend the text of the Zoning Ordinance    ☐ Amend the Zoning Map

## OFFICE USE ONLY

Received By:

Date Received:

Project #:

Name or Section/s of Zoning Amendment:  
21A.24.110F

## PLEASE PROVIDE THE FOLLOWING INFORMATION

Address of Subject Property (or Area):  
R-2 Zoned Areas in Salt Lake City. (927 East 700 South, 84102 - Subject Property)

Name of Applicant:  
Edwin James Bradley

Phone:

Address of Applicant:  
749 Hilltop Road Salt Lake City, Utah. 84103

E-mail of Applicant:  
ejamesbradley@comcast.net

Cell/Fax:  
801-518-7600

Applicant's Interest in Subject Property:

☐ Owner    ☐ Contractor    ☐ Architect    ☒ Other:

Name of Property Owner (if different from applicant):  
Glenda Bradley

E-mail of Property Owner:  
ejamesbradley@comcast.net

Phone:  
801-518-7600

**Please note** that additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information required for staff analysis will be copied and made public, including professional architectural or engineering drawings, for the purposes of public review by any interested party.

## AVAILABLE CONSULTATION

If you have any questions regarding the requirements of this application, please contact Salt Lake City Planning Counter at [zoning@slcgov.com](mailto:zoning@slcgov.com) prior to submitting the application.

## REQUIRED FEE

Map Amendment: filing fee of **\$1,075** plus **\$121** per acre in excess of one acre

Text Amendment: filing fee of **\$1,075**, plus fees for newspaper notice.

Plus, additional fee for mailed public notices. Noticing fees will be assessed after the application is submitted.

## SIGNATURE

➔ If applicable, a notarized statement of consent authorizing applicant to act as an agent will be required.

Signature of Owner or Agent:

Date:

*Edwin Bradley*

11/29/21

Updated 8/21/2021

## SUBMITTAL REQUIREMENTS

Staff Review

1. **Project Description** (please electronically attach additional sheets. See [Section 21A.50](#) for the Amendments ordinance.)

- ☐ ☒ A statement declaring the purpose for the amendment.
- ☐ ☒ A description of the proposed use of the property being rezoned.
- ☐ ☒ List the reasons why the present zoning may not be appropriate for the area.
- ☐ ☒ Is the request amending the Zoning Map?  
If so, please list the parcel numbers to be changed.
- ☐ ☒ Is the request amending the text of the Zoning Ordinance?  
If so, please include language and the reference to the Zoning Ordinance to be changed.

## WHERE TO FILE THE COMPLETE APPLICATION

Apply online through the [Citizen Access Portal](#). There is a [step-by-step guide](#) to learn how to submit online.

## INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

\_\_\_\_\_ I acknowledge that Salt Lake City requires the items above to be submitted before my application can be processed. I understand that Planning will not accept my application unless all of the following items are included in the submittal package.

## **PROJECT DESCRIPTION**

### **Statement declaring the purpose of the amendment.**

The purpose of this proposed amendment is to amend Ordinance 21A.24.110.F to allow single-family dwellings in a R-2 Zone to use up to a maximum of 45% of the total lot square footage with covered structures on legally existing lots that are less than the current minimum lot size requirement. The existing ordinance allows single-family dwellings in an R-2 Zone to place up to a maximum of 40% of total lot square footage with covered structures which typically would be a home, a garage, and possibly a covered patio or shed. In the past, a number of single-family dwellings in the R-2 zone were legally platted with less than the current legal minimum lot size of 5,000 SF. Single family homeowners with less than a 5,000 SF lot are still subject to the 40% maximum covered structures ordinance. Consequently, those homeowners are more limited in their ability to expand the total square footage of covered structures on their property.

This amendment would allow expansions that would enhance the livability of single family dwellings in the R-2 Zone. Increasing the 40% requirement for those homes to 45% would bring it in line with the maximum coverage requirement for a two-family dwelling in the same R-2 Zone.

### **Description of the proposed use of the property being rezoned.**

The proposed zoning amendment would apply to any single family dwelling in a R-2 Zone that was legally platted on a lot of less than 5,000 SF. It would allow those homes to have 45% of their lot under covered structures. Two-family dwellings in the R-2 Zone are all ready at the 45% threshold.

### **List Reasons Why Present Zoning May Not Be Appropriate for the Area**

Existing policies in Salt Lake City Zoning Ordinances as well as official planning documents support this request to amend Ordinance 21A.24.110F.



The Purpose Statement for Ordinance 21A.24.110:R-2 reads as follows:

*“Purpose of the R-2 Single and Two Family residential district is to preserve and protect for single family dwellings the character of existing neighborhoods which exhibit a mix of single and 2-family dwellings by controlling the concentration of 2-family dwellings.”*

The Purpose Statement is clear in its intent to preserve the character of existing neighborhoods in favor of single family dwellings *“....by controlling the concentration of 2-family dwellings.”* A single family home in a R-2 Zone can be converted into a 2-family dwelling by adding an apartment in a basement, attic, or main floor. Such a conversion is aided by the existing Ordinance which allows a 2-family dwelling to have a maximum of 45% of its total lot size available for covered structures; a 5% greater allowance than that which is available for single family dwellings. Consequently, a number of single family dwellings in a R-2 Zone have been, and will continue to be, converted into 2- family dwellings which often means two small rental apartments. This appears to be antithetical to the stated goal in the Purpose Statement to *“...preserve and protect for single family dwellings the character of existing neighborhoods...”*

Additionally, the **Salt Lake City Community Preservation Plan** that was unanimously adopted by the Salt Lake City Council on October 23, 2012, is replete with references for the need to preserve and stabilize neighborhood character. Under the heading of Community Character Preservation on page I-8 of the Plan, It clearly states the goal of preservation of neighborhood character. It reads as follows:

*“The need to preserve the unique character of the City’s urban neighborhoods, while allowing for modifications to existing homes to meet today’s current living standards for space and convenience are important City policies. The policies are aimed at ensuring the City provides housing choices that continue to attract residents to live in the Capital City.”*

Over the past years and under previous ordinances, a number of single family dwellings were legally permitted on lots less than the current requirement of 5,000 SF. These older homes represent a historical look back at the architectural styles of the times and present an understanding of the character of the



neighborhoods in which they are located. The preservation and protection of these homes are vital to our City's heritage and aesthetics.

The acceptance of the proposed text amendment would allow modifications to these homes to meet the needs of modern life. Conveniences such as dishwashers, laundry appliances, staircases to basements, and second bathrooms are the necessities needed to maintain a home as a family dwelling. At the time these homes were built, space for these conveniences was not a consideration. Increasing the allowable square footage footprint of covered structures on legally platted lots in a R-2 Zone to 45% allows for modest modifications that would increase their livability and value to the neighborhood as single family homes and would reflect and preserve the historical character of the area.

**Is the request amending the zoning map?**

NO

**Is the request amending the text of the Zoning Ordinance?**

YES.

Ordinance 21A24.110.F would be amended to read as follows:

"Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed forty-five percent (45%) of the lot for two-family dwellings and forty percent (40%) for single family dwellings" **(proposed added language follows)** except for single-family dwellings on legally existing lots that are less square footage than the minimum lot size of 5,000 square feet. Single family dwellings on legally existing lots of less than 5,000 square feet are allowed surface coverage of all principal and accessory buildings not to exceed forty-five percent (45%) of the lot's total SF.

## ADDENDUM

The following is an example of the limitations placed on a single family dwelling in an R-2 Zone subject to Ordinance 21A.24.110-R2, Section F.



927 East 700 South, SLC (R-2 Zone)

### History

This 92 year old home was purchased by its current owner and resident in 2012. It sits on a 4427.2 SF legally platted lot. In 2019, due to structural problems with the original earthen wall foundation, the earthen cellar wall was replaced with a concrete foundation and floor. That work included replacing an old indoor trap door access to the basement with a staircase. This expensive and necessary work to prevent the home from collapsing preserved a charming, single family home that exhibits the historical character of the neighborhood. All work was permitted.

### Problem

Staircase replacing trap door took so much space it made the room it was in useless as a living space. (See photo) Owner wanted to extend back of home 8.5 feet to recapture the lost living space. The existing ordinance limiting a single family home to a maximum of 40% coverage of principle and accessory buildings prevents any extension greater than one foot.

**Calculating the 40% Regulation:**

Total Property S.F. - 4427.2 S.F.

Existing home and garage - 1752.5 S.F.

Percent covered - **39.58%**

Existing home, garage and  
proposed addition (189.6S.F.) 1942 S.F.

Percent covered - **43.8%**

The proposed extension of 8.5 feet exceeds the Ordinance requirement of 40% maximum building coverage by 3.8%. There are no exceptions to this requirement nor are there any administrative processes available to allow a review of the merits of the proposed increase. However, note that if this was a two-family dwelling (two small apartments) it would meet the two-family dwelling requirement which allows a maximum of 45% covered with structures within the same R-2 Zone.



#### **4) PUBLIC COMMENT**

23 March 2022

Re: PLNPCM2021-01228, Zoning Text Amendment Building Coverage- R-2

Dear Members of the Planning Commission and Staff,

My husband and I own a small, 1890s-era cottage in the Bryant neighborhood on a small R-2 lot but one that is larger than current minimum standards. Our property would not be affected directly by the originally proposed text amendment. However, it would be if the staff's revised amendment for all R-2 properties is given a positive recommendation. Given our deep, narrow lot and side setback issues, if we ever chose to add to the house it would possibly give us more options.

I do support the narrower text amendment. I support the broader one, with reservations.

Given the deluge of other pressing planning, zoning, and development issues in our neighborhood and the city at large, this zoning text amendment is relatively minor – though to the applicant and other property owners in affected districts based on the example case, it is significant.

I do have several concerns that I hope the Commission will discuss and consider addressing in any motion to approve or modify.

Issue 1- The analysis does not show how many non-conforming structures or non-complying uses there are in current R-2 zones. There are many existing unit-legalized rentals that appear to be single family houses on the surface until you count the mailboxes, some businesses, and even a boarding house or three (an analysis I have had to do on my own since it was not included in the Bueno Avenue Apartments analysis). Before the PC considers an expanded text amendment, this should be mapped and evaluated. How many R-2 lots are in the various size categories? Not shown. How many are currently vacant lots? Boarded buildings? Also not shown.

Issue 2- If this amendment helps current owners rehabilitate existing homes with small additions, that is a positive outcome. However, if it leads to a bigger wave of teardowns for mini-garage-mahals and other generally problematic house replacements rather than rehabs, that would be a negative impact. Hopefully the 5% increase in lot coverage would not provide enough incentive but given the current market, its hard to say. I note that Salt Lake City has no compatible infill design standards for R-2, not even in national historic districts.

Issue 3- In the 2021 Session, the Legislature effectively eliminated single-family zoning by making internal/attached ADUs allowed by right. How does the staff's recommendation to extend this 45% lot coverage affect single family structures in R-2, if at all, in the context of this change? Does it make them more likely to be feasible? Infill/adding units that also preserves existing structures is beneficial in general from a neighborhood character and sustainability perspective.

Issue 4-The purpose of lot coverage standards should be more than providing some outdoor living space, it should be for sustainability and green infrastructure purposes. Salt Lake City suffers from an accelerating heat island effect, an impaired Jordan River watershed and overwhelmed storm sewers, and poor air quality, among other negative environmental impacts, due to hardened, impervious – and often dark-colored – building envelope and landscape surfaces.

Can this text amendment be accompanied by stronger green infrastructure requirements like runoff retention and infiltration on site?

I note that the staff's statement "According to the US Census, the average US house has risen from 1,660 square feet in 1973 to 2,687 square feet today." should not be cause for support or celebration. US homes have ballooned in size on average, negatively affecting sustainability, energy consumption, poor air quality, and fueling the climate emergency. Can this text amendment be accompanied by any additional conditions of no net energy consumption gain? Other green building practices as a trade-off for the flexibility and value increase of properties?

I concur with the applicant and staff report that it is far better to allow small, efficient, compatible additions in our historic and older neighborhoods to keep families and residents here rather than moving to South Jordan, Draper, Herriman, or the like for much bigger – if not better – houses.

At this point, I would recommend forwarding a positive recommendation the original, more narrow text amendment or briefly tabling the broader one until staff can do a more detailed analysis of R-2 to better understand if the claim of "little or no impact" is likely. Simpler is not always better.

Please note that these are my personal comments.

Sincerely,

Jen Colby, D4 Resident