

Memorandum

Planning Division
Community & Economic Development Department

To: Planning Commission

From: Nick Norris, Senior Planner

Date: June 1, 2010

Re: Petition PLNPCM2010 TSA Transit Station Area Zoning District

During the May 26, 2010 Public Hearing on the proposed zoning changes along North Temple, several issues were raised that prompted the Planning Commission to request additional information. Below is a summary of those issues raised and an analysis of the issue.

All Seasons Mobile Home Park: Based on the input received from the residents of the All Seasons Mobile Home Park, it is the recommendation of staff to remove the park from the proposal to amend the zoning of the property.

Jordan River Parkway: The proposed zoning regulations would allow buildings up to 75 feet tall on those properties that are located in a Core area. Transitions areas would allow buildings up to 60 feet in height. The Riparian Corridor Overlay Zoning District establishes different regulations based on whether or not a parcel is developed or undeveloped. A developed parcel contains a 25 foot "no disturbance area" measured from the annual high water line. No development is allowed in this area. A developed parcel also contains a 25 foot wide "structure limit area." Within this area, new development permitted in the underlying zoning district is prohibited. The "no disturbance area" and "structure limit area" create a 50 foot wide buffer measured from the annual high water line and any new development. On undeveloped land that is greater than one acre in size, the "no disturbance area" is extended to 100 feet.

In the Station Areas adjacent to the river, there are no privately owned parcels that are not developed. The former "White Ball Park" property, now owned by the State, is undeveloped. However, because it is owned by the State of Utah, the State can opt out of the local zoning regulations.

The Riparian Corridor Overlay Zoning District would require a 50 foot setback from the Annual High Water Line on most properties within the area proposed to be rezoned to TSA

Transit Station Area Zoning District. The proposed ordinance states that the Overlay Zoning Districts take precedence over the standards in the TSA district. Therefore, the Riparian Corridor standards would apply to all new development within the TSA district and the Riparian Overlay.

Planning Staff looked at regulations in other Cities that have an urban interface with a river. In San Antonio, the regulations vary based on the underlying zoning district. Some sections of their rivers and streams have a minimum setback of 150 feet, while other areas, such as the San Antonio Riverwalk have a 20 foot setback. The setbacks seem to vary based on the type of interface with the rivers. Urban interfaces have a smaller setback while non-urban or rural interfaces have the 150 foot setback.

The City of Milwaukee requires the creation of a "bluff" that is a location adjacent to a river that reaches a certain grade above the water line. There is no readily available definition of what the bluff is, but it appears that it is a common feature along water ways. The minimum setback from the bluff is 50 feet, although it can be reduced to 25 feet in some instances.

The proposed ordinance is drafted in a manner that gives precedent to the Overlay districts. Along the Jordan River, the regulations of the Overlay would be additional requirements for new development. An additional setback from the river could be added to the proposed section. Doing so would impact 4 privately owned properties. Two of these properties are less than one acre in size and are currently developed. This means that the 50 foot setback in the Overlay District would apply.

The maximum permitted building height in the Core area near the Jordan River is 75 feet. A provision could be added that would require the building setback to equal the building height provided that the setback complies with the minimum requirements of the Riparian Overlay Zoning District.

The 700 West block of 200 North: This area is identified as an area where the existing zoning should not be changed. At the May 26th public hearing, the Planning Commission asked staff to review the 200 North block face to determine if changing the zoning is appropriate or if it should be left alone. Staff's original recommendation was based on community input throughout the North Temple planning process, the nature of the area north of 200 North, which is primarily low density residential and institutional uses, the presence of the National Historic District, and the proximity of Jackson Elementary. The potential impacts created by transit oriented development, an increase in building intensity (use, height, lot coverage, etc) and the desire to integrate new development with existing neighborhoods led to the proposal to maintain the 200 North block as is.

At the request of the Planning Commission, Staff has revisited the issue. The area is located in the "Northwest National Historic District." The National District designation does not create any local protection for historic properties and the area is not listed as a local historic district. In 2000 an Architectural Survey was performed on the properties in the area. The 700 West block of 200 North contains 8 properties that were surveyed. Six of the eight properties were identified as an "A" or "B" site in the survey. A and B sites are

those that are considered to contribute to the history of the district. Two properties were “C” properties, which are properties that have been significantly altered and do not contribute to the history of the district. Staffs position remains unchanged and the recommendation is to maintain the existing zoning on the 200 North block face between 700 and 800 West.

Summary: Planning staff recommends the Planning Commission make the following changes to the proposed TSA zoning ordinance:

1. Remove the All Seasons Mobile Home Park from the zoning proposal and maintain the existing zoning.
2. Add a provision about the setback from the Jordan River matching the building height provided that in no case shall the setback be less than what is required in the Riparian Corridor Overlay Zoning district.
3. Maintain the existing zoning along the 200 North block face between 700 West and 800 West.

Issues carried over from May 28th Public Hearing:

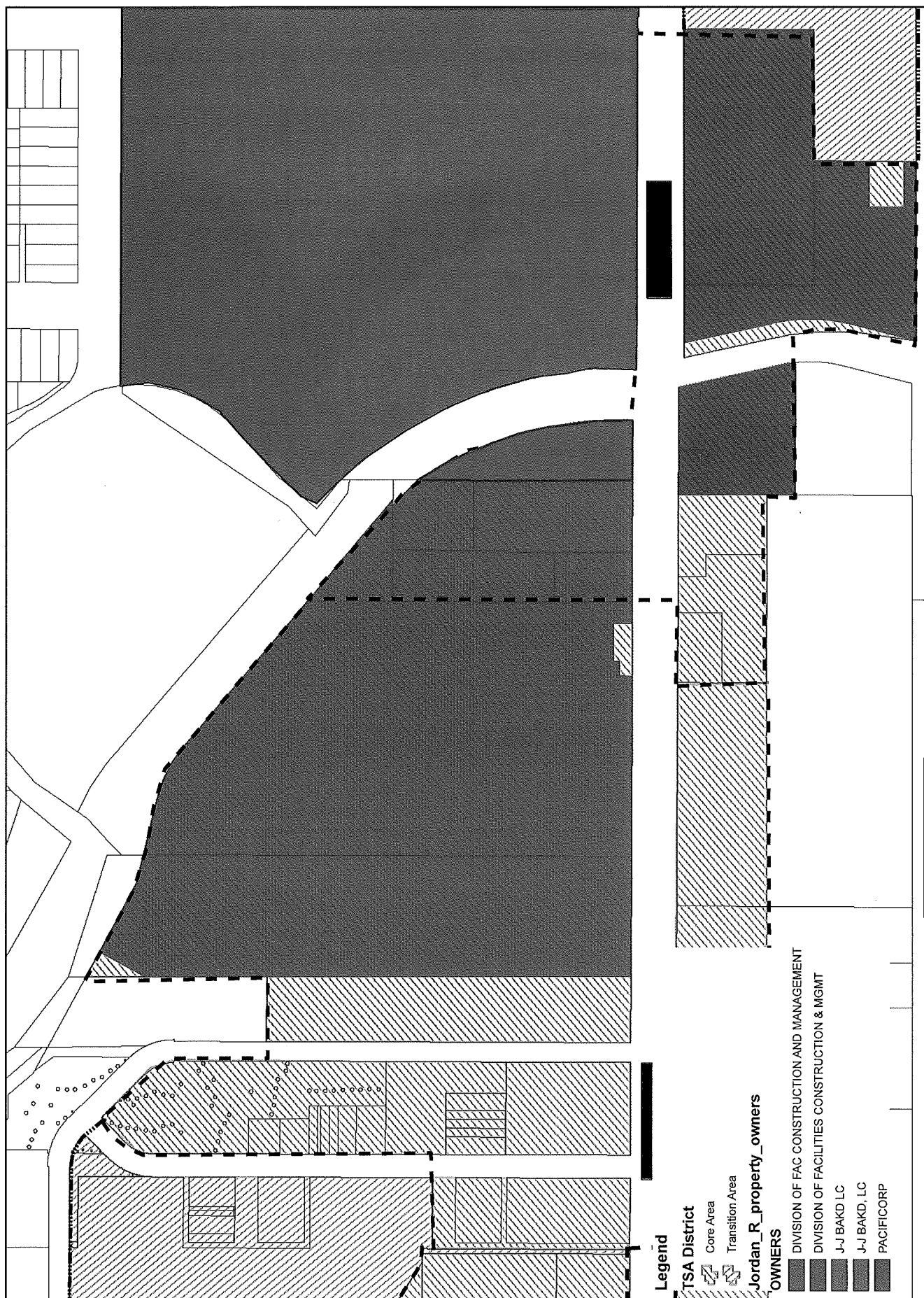
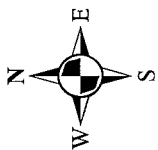
During the meeting on the 28th, Planning staff asked the Planning Commission to clarify certain issues. The issues included:

1. Clarifying the prohibition on “outdoor storage” as a principal use and not as an accessory use when located in the rear of a property.
2. Clarifying the location of surface parking lots on corner properties. The proposed regulation would require surface parking lots to be located a minimum of 60 feet from a front or corner side yard setback.
3. Removing LEED standards as a development guideline and replacing it with the ICC National Green Building Standard.

Planning Staff Recommendation:

Based on the discussion and findings in the staff report, it is the Planning Staff’s opinion that the Planning Commission transmits a favorable recommendation to the City Council to adopt chapter 21A.26.078 TSA Transit Station Area zoning district and to amend the official zoning map to add the TSA zoning district to properties on and near North Temple as indicated in Attachment C of this staff report; amend chapter 21A.44.040 Transportation Demand Management and chapter 21A.46.095 Sign Regulations for Transit Corridor and Transit Station Area Districts as indicated in Attachment A for the following reason:

1. The proposal is consistent with existing Citywide land use policies and the North Temple Boulevard Station Area Plans that are under consideration for adoption;
2. The proposal furthers the purposes of the Title 21A;
3. The proposal is consistent with the factors of consideration identified in ordinance 21A.50 for zoning text and zoning map amendments. And
4. That the proposed amendments discussed in this memo be included.



200 North between 700-800 West

