



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission
From: John Anderson, 801-535-7214 or john.anderson@slcgov.com
Date: December 1, 2014
Re: PLNPCM2014-00127

Zoning Text Amendment

PROPERTY ADDRESS: N/A

PARCEL ID: N/A

MASTER PLAN: N/A

ZONING DISTRICT: R-MU-35 and R-MU-45 Residential/Mixed Use Districts

REQUEST: The City Council formally requested that the Salt Lake City Planning Division analyze the R-MU-35 and R-MU-45 Residential/Mixed Use zoning districts and evaluate their efficiency and flexibility.

RECOMMENDATION: Based on the analysis and findings of this report, it is the opinion of staff that the proposed text amendments meet the **intent of the City Council's direction**, standards for a zoning ordinance amendment and staff recommends that the Planning Commission forward a favorable recommendation of petition PLNPCM2014-00127 to the City Council. Below is a proposed motion consistent with this recommendation:

Based on the information in the staff report and the discussion heard, I move that the Planning Commission forward a positive recommendation to the City Council regarding petition PLNPCM2014-00127, text changes to the RMU-35 and RMU-45 zoning districts.

ATTACHMENTS:

- A. Proposed Ordinance
- B. Open House Models
- C. Analysis of Standards
- D. Public Process and Comments
- E. Department Comments
- F. Motions

PROJECT DESCRIPTION:

In August 2012, the Salt Lake City Council made a motion to direct the administration to analyze the R-MU-35 and R-MU-45 zoning districts. The Council requested that the two zoning districts be amended to "include more up-to-date, flexible zoning development regulations." Further, it was understood that these zones would be employed in areas "where density is needed for new development or redevelopment but building height is an issue."

Only a few parcels within the city are zoned R-MU-35 and none are zoned R-MU-45. Part of the reason for this is because the density limitations currently in the zone have been considered barriers for redeveloping parcels

for the types of development the city desires. Because so few of the city's parcels are zoned either of these two zones, amending the language for each of the districts will create a negligible, if any, number of noncomplying lots. Making the proposed changes does increase the viability of the zoning districts to be used in various parts of the City, primarily at business nodes where current zoning is ineffective at implementing master plans.

KEY ISSUES:

The sections being changed in the zoning ordinance as part of the amendment are 21A.24.164 "R-MU-35 Residential/Mixed Use District" and 21A.24.168 "R-MU-45 Residential/Mixed Use District". There is also one change proposed in 21A.46.090.A Sign Regulations For Mixed Use and Commercial Uses. The same basic changes are being made to both zoning districts and they are detailed below in five groups: **density, setbacks, compatibility, design standards and signage.**

Issue 1: Density

Currently, R-MU-35 and R-MU-45 have the same qualifying provisions as the multi-family zoning districts: three units require 9,000 square feet and each additional unit until the twelfth requires 2,000 more square feet. 12-unit developments require 26,000 square feet and each additional unit requires 1,000 square feet. The proposed amendments would remove these qualifying provisions and multi-family development on existing lots would have no minimum area requirement while new lots would require 5,000 square feet in lot size. The density of a structure would now be based on meeting all zoning standards such as height, setbacks, lot coverage, off street parking, etc. This allows a more market based approach to zoning without changing the approval processes in the zoning district.

Other residential uses would also have decreased minimum area requirements. Three or more single-family attached dwellings would have no area minimum while single-family detached, two-family and twin homes would require only 2,500 square feet each. In all cases except for single-family attached and multi-family units, the minimum lot width would be reduced to 25 feet. Single-family attached would require 22 feet except corner lots which would require 32 feet. The required lot width for multi-family development would be decreased from 80 feet to 50 feet. The minimum lot area for single-family attached dwellings could less if the development meets specific qualifying provisions. These provisions force buildings to provide all parking including garages to the rear of the structures. This creates a safer environment for pedestrians as there will not be drive approaches for each dwelling unit.

Further, these proposed changes will help to implement the city's approved Housing Plan. The plan calls for an increase in the housing supply throughout the city. Most of this will be achieved through infill development. The plan calls for development that is mixed use and mixed income with designs that are contextually compatible with the surrounding structures and overall fabric of the neighborhood. Specifically the plan also calls for adding flexibility to the process and allowing for higher densities. The caveat being that added density should minimize any potential negative impacts to existing neighborhoods.

These proposed changes to the R-MU-35 and R-MU-45 zoning districts will create a district that can achieve those goals and work to implement the Housing Plan by allowing for additional density but minimizing any potential negative impacts to surrounding neighborhoods with the requirement of oversized landscaped buffers, controlling the permitted height adjacent to low density residential uses, the addition of design standards and controlling the location of parking areas.

Issue 2: Setbacks

The changes for setbacks in the R-MU-35 and R-MU-45 zoning districts have in some cases been reduced and maximums have been added where they do not currently exist. This has been done to bring buildings closer to the street. The front yard setbacks for all types of structures are proposed to now be the same. This will create a similar development pattern

along the streetscape and further improve the pedestrian experience. Other changes are proposed to further separate uses that may be less compatible such as multi-family housing adjacent to single-family housing.

For single-family detached units, the front and corner side yard setbacks have been revised to a minimum of five feet and a maximum of ten feet. This change reflects the development pattern that the zoning districts are intended to create.

For single family attached, two-family and twin home developments the required front and side yard setbacks have been changed to reflect other uses in the zoning district. It has also been clarified that in single-family attached, two-family and twin home dwellings that there is no side yard setback for shared or common walls but a four foot side yard is required in any other interior side yard.

For multi-family residential development, mixed use and nonresidential development, no interior side yard setbacks are required unless that yard abuts a single or two-family zoning district. In that case, a minimum ten foot setback is required for that yard. A minimum and maximum front yard setback has also been included.

Issue 3: Compatibility

The maximum building height for both zones has not changed for the R-MU-35 but has changed for the R-MU-45 district. In the R-MU-35 district, the maximum is 35 feet but the height can be increased to 45 feet through the conditional building and site design review process.

Currently, in the R-MU-45 zoning district, the maximum height is 45 feet but the height can be increased to 75 feet through the conditional building and site design review process. Because of concerns about incompatible height, it has been proposed to only allow the height to be increased to 55 feet through the conditional building and site design. This change was made because the City has other mixed use zoning districts that allow heights up to 75 feet, but lacks districts that allow a maximum of 4-5 story buildings. If a building up to 75' is appropriate, the property should be zoned to allow that height instead of trying to make a jump in building height of up to 3 stories when in close proximity to lower scale development.

An additional requirement has been added to help reduce the impact that building height has on low density neighborhoods. If the property in question abuts a single- or two-family zoning district, no height increase would be permitted beyond the 35 foot or 45 foot maximum, depending on the zone, through any city process. In other words, no additional height could be granted by the Conditional Building and Site Design process, the Planned Development process or as a special exception.

Issue 4: Design Standards

Design standards are not currently included in the R-MU-35 and R-MU-45 zoning districts. The goal of the proposed design standards is to ensure that new development in these zones fits the purpose of the zoning district. The proposed design standards are intended to promote pedestrian oriented development. The design standards include the following:

- A minimum requirement for first-floor glass on street-facing facades;
- Required building entrances for every seventy five feet of street-facing facade;
- A maximum allowable length for blank walls on the first floor;
- A requirement that all building and service areas be located within the building, on the roof or in the back yard; and
- Promote active uses on the ground floors of buildings by requiring that 50% of street facing facades have active residential or commercial uses.

Issue 5: Signage

Because the goal of these zoning districts is to create a walkable, pedestrian friendly development, it has been proposed to amend the current sign regulations to allow for projecting signs. Projecting signs are commonly referred to as blade signs. These signs are designed to draw attention specifically from pedestrians and not vehicles on the adjacent street. The proposal utilizes the same standards for blade signs as what appears in the Sugar House Business District.

DISCUSSION:

The City Council has recommended that staff analyze a request to amend the R-MU-35 and 45 zoning districts to ensure that the existing zoning standards are not barriers for utilizing these districts as tools to create pedestrian friendly, mixed use neighborhoods which are described in master plan documents as desirable amenities for the city. These zoning districts were also created to be utilized as buffers between low density residential neighborhoods and more intense uses. Staff has found that the existing qualifying provisions for density are a barrier and should be removed. Further, staff has found that additional design and buffering requirements were also needed. These requirements will help to create neighborhoods that are walkable with a mixture of uses but that are also attractive and provide the necessary buffering between new development and low density residential uses.

The proposed changes do not change any of the review processes for new developments in the zoning district, but does restrict when the processes can be used. The Conditional Building and Site Design review process applies to projects seeking additional height, the conditional use process applies to specific land uses identified as a conditional use and the planned development process is an option for new developments. The proposal does limit when additional height can be approved by not allowing it when next to a single family or two family zoning district. Currently, the RMU-35 and RMU-45 allow addition height through the Conditional Building and Site Design Review process in all instances. This is the only process related change and it is more restrictive than what is currently allowed.

NEXT STEPS:

The **Planning Commission's recommendation for these proposed zoning text amendments will be forwarded** on to the City Council for their action. The City Council is the decision-making body for zoning text amendments.

ATTACHMENT A: PROPOSED ORDINANCE

21A.24.164: R-MU-35 RESIDENTIAL/MIXED USE DISTRICT

A. Purpose Statement: The purpose of the R-MU-35 residential/mixed use district is to provide areas within the city for mixed use development that promote residential urban neighborhoods containing residential, retail, service commercial and small scale office uses. ~~This district is appropriate in areas where the applicable master plan policies recommend mixed use with a residential density less than thirty (30) dwelling units per acre.~~ The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is pedestrian oriented. This zone is intended to provide a buffer for lower density residential uses and nearby collector, arterial streets and higher intensity land uses.

B. Uses: Uses in the R-MU-35 residential/mixed use district, as specified in section ~~21A.24.190~~ 21A.33.020, "Table Of Permitted And Conditional Uses For Residential Districts", of this chapter are permitted subject to the general provisions set forth in section 21A.24.010 of this chapter and this section.

C. Minimum Lot Area And Lot Width: The minimum lot areas and lot widths required in this district are as follows:

Land Use	Minimum Lot Area	Minimum Lot Width
Multi-family dwellings (3 to 11)	9,000 square feet⁴ <u>5,000 square feet for new lots.</u> <u>No minimum for existing lots</u>	80 feet <u>50 feet</u>
Multi-family dwellings (12 or more)	26,000 square feet⁴	80 feet
Municipal service uses, including city utility uses and police and fire stations	No minimum	No minimum
Natural open space and conservation areas, public and private	No minimum	No minimum
Nonresidential uses	No minimum	No minimum
Places of worship less than 4 acres in size	12,000 square feet	140 feet
Public pedestrian pathways, trails and greenways	No minimum	No minimum
Public/private utility transmission wires, lines, pipes and poles	No minimum	No minimum
Single-family attached dwellings (3 or more)	3,000 <u>2,500</u> square	Interior: 22

	feet per unit ¹	feet Corner: 32 feet
Single-family detached dwellings	5,000 square feet <u>2,500 square feet</u>	50 feet <u>25 feet</u>
Twin home dwellings	4,000 square feet per unit– <u>2,500 square feet per unit</u>	25 feet
Two-family dwellings	8,000 square feet <u>2,500 square feet</u>	50 feet <u>25 feet</u>
Utility substations and buildings	5,000 square feet	50 feet
Other permitted or conditional uses as listed in section 21A.24.190 of this chapter	5,000 square feet	50 feet

Qualifying provisions:

~~1.9,000 square feet for 3 units, plus 2,000 square feet for each additional dwelling unit up to and including 11 dwelling units. 26,000 square feet for 12 units, plus 1,000 square feet for each additional dwelling unit up to 1 acre. For developments greater than 1 acre, 1,500 square feet for each dwelling unit is required.~~

~~A modification to the density regulations in this subsection may be granted as a conditional use, subject to conformance with the standards and procedures of chapter 21A.54, "Conditional Uses", of this title and supported by the applicable master plan. Such conditional uses shall also be subject to design review.~~

1. There is no minimum lot area required provided:

- a. Parking for units shall be rear loaded and accessed from a common drive shared by all units in a particular development;
- b. Driveway access shall connect to the public street in a maximum of 2 locations; and
- c. No garages shall face the primary street and front yard parking shall be strictly prohibited.

D. Minimum Yard Requirements:

1. Single-Family Detached Dwellings:

- a. Front yard: ~~Fifteen feet (15')~~ Minimum five feet (5'). Maximum ten feet (10').
- b. Corner side yard: ~~Ten feet (10')~~ Minimum five feet (5'). Maximum ten feet (10').
- c. Interior side yard:
 - (1) Corner lots: Four feet (4').
 - (2) Interior lots: Four feet (4') ~~on one side and ten feet (10') on the other.~~
- d. Rear yard: Twenty five percent (25%) of the lot depth, but need not be more than twenty feet (20').

2. Single-Family Attached, Two-Family And Twin Home Dwellings:
 - a. Front yard: Minimum five feet (5'). Maximum ~~fifteen feet (15')~~ ten feet (10').
 - b. Corner side yard: Minimum five feet (5'). Maximum ~~fifteen feet (15')~~ ten feet (10').
 - c. Interior side yard:
 - (1) Single-family attached: ~~No yard is required, however if one is provided it shall not be less than four feet (4').~~ Four feet (4') is required for any interior side yard that is not a common wall between properties.
 - (2) Two-family:
 - (A) Interior lot: Four feet (4') ~~on one side and ten feet (10') on the other.~~
 - (B) Corner lot: Four feet (4').
 - (3) Twin home: ~~No yard is required along one side~~ the common lot line. A ten foot (10') four foot (4') yard is required on the other.
 - d. Rear yard: Twenty five percent (25%) of lot depth or twenty five feet (25'), whichever is less.
3. Multi-Family Dwellings And Any Other Residential Uses:
 - a. Front yard: ~~No setback is required. Maximum fifteen feet (15').~~
 - b. Corner side yard: ~~No setback is required. Maximum fifteen feet (15').~~
 - c. Interior side yard: ~~No setback is required.~~
 - d. Rear yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').
4. 3. Nonresidential, Multi-Family Residential and Mixed Use Developments:
 - a. Front yard: ~~No setback is required. Minimum five feet (5').~~ Maximum fifteen feet (15').
 - b. Corner side yard: ~~No setback is required. Maximum fifteen feet (15').~~
 - c. Interior side yard: ~~No setback is required. If interior side yard abuts a single- or two-family residential district, a minimum ten foot (10') setback must be provided, otherwise no setback is required.~~
 - d. Rear yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').
5. 4. Legal Lots: Lots legally existing on the effective date hereof, April 12, 1995, shall be considered legal conforming lots.
6. Landscaping: ~~For multiple-unit residential uses, nonresidential and mixed uses, no yards or landscaped setbacks are required; however any setback provided, up to fifteen feet (15'), shall be landscaped. If parking is located in the front or corner side yard of the building, then a fifteen foot (15') landscaped setback is required.~~
7. 5. Required Yards For Legally Existing Buildings: For buildings legally existing on the effective date hereof, required yards shall be no greater than the established setback line.

E. Parking Setback: Surface parking lots within an interior side yard or rear yard shall be located behind the front line of the building. Parking structures shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line or be located behind the primary

structure. There are no minimum or maximum setback restrictions on underground parking. Parking shall be allowed within the primary structure but shall comply with the provisions governing design standards listed in section I.

E-F. Maximum Building Height: The maximum building height shall not exceed thirty five feet (35'), except that nonresidential buildings and uses shall be limited by subsections E1 F1 and E2 F2 of this section. Buildings taller than thirty five feet (35'), up to a maximum of forty five feet (45'), may be authorized through the conditional building and site design review process; and provided, that the proposed height is supported by the applicable master plan.

1. Maximum height for nonresidential buildings: Twenty feet (20').
2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: One floor. Nonresidential uses are only permitted on the ground floor of any structure.
3. Nonresidential uses in Landmark Sites are exempt from the maximum height for nonresidential uses and the maximum floor area coverage limitations.
4. For any property abutting a single-family or two-family residential district, the maximum height is limited to thirty-five feet (35') and may not be increased through any process.

F-G. Minimum Open Space: For residential uses and mixed uses containing residential uses, not less than twenty percent (20%) of the lot area shall be maintained as open space. This open space may take the form of landscaped yards or plazas, balconies and courtyards, subject to site plan review approval.

G. Landscape Yards: ~~All front and corner side yards provided, up to fifteen feet (15') in depth, shall be maintained as a landscape yard in conformance with chapter 21A.48, "Landscaping And Buffers", of this title.~~

H. Landscape Buffers: Where a lot in the R-MU-35 district abuts a lot in a single-family or two-family residential district, landscape buffers shall be provided as required in chapter 21A.48, "Landscaping And Buffers", of this title.

I. Design Standards:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces between three (3) and eight feet (8') above grade. All first floor glass shall be nonreflective and allow visibility into the building for a depth of at least five feet (5').
2. Facades: Provide at least one operable building entrance for every seventy five feet (75') of street-facing building facade.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

4. Building Equipment and Service Areas: All building equipment and service areas shall be located on the roof of the building or in the rear yard. These elements shall be sited to minimize their visibility and impact, or screened and enclosed as to appear to be an integral part of the architectural design of the building.

5. Active Ground Floor Uses: On the ground floor, commercial or residential uses shall occupy at least seventy-five percent (75%) of the width of any street-facing building façade. All portions of such ground floor spaces shall extend a minimum of 25 feet (25') into the building. Regardless of the above required area for active ground floor uses, all buildings are entitled to a vehicular access opening from a street at a maximum width of twenty-five (25'). There is no maximum width for a vehicular access opening if the building meets the requirement for ground floor active uses.

21A.24.168: R-MU-45 RESIDENTIAL/MIXED USE DISTRICT:

A. Purpose Statement: The purpose of the R-MU-45 residential/mixed use district is to provide areas within the city for mixed use development that promotes residential urban neighborhoods containing residential, retail, service commercial and small scale office uses. ~~This district is appropriate in areas where the applicable master plan policies recommend mixed use with a residential density less than forty four (44) dwelling units per acre.~~ The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is pedestrian oriented.

B. Uses: Uses in the R-MU-45 residential/mixed use district, as specified in section ~~21A.24.190~~ 21A.33.020, "Table Of Permitted And Conditional Uses For Residential Districts", of this chapter, are permitted subject to the general provisions set forth in section 21A.24.010 of this chapter and this section.

C. Minimum Lot Area And Lot Width: The minimum lot areas and lot widths required in this district are as follows:

Land Use	Minimum Lot Area	Minimum Lot Width
Multi-family dwellings (3 to 14)	9,000 square feet¹ <u>5,000 square feet for new lots.</u> <u>No minimum for existing lots</u>	50 feet
Multi-family dwellings (15 or more)	20,000 square feet¹	80 feet
Municipal service uses, including city utility uses and police and fire stations	No minimum	No minimum
Natural open space and conservation areas, public	No minimum	No minimum

and private		
Nonresidential uses	No minimum	No minimum
Places of worship less than 4 acres in size	5,000 square feet	50 feet
Public pedestrian pathways, trails and greenways	No minimum	No minimum
Public/private utility transmission wires, lines, pipes and poles	No minimum	No minimum
Single-family attached dwellings (3 or more)	3,000 <u>2,500</u> square feet per unit ¹	Interior: 22 feet Corner: 32 feet
Single-family detached dwellings	4,000 square feet <u>2,500 square feet</u>	50 feet <u>25 feet</u>
Twin home dwellings	3,000 square feet per unit <u>2,500 square feet per unit</u>	20 feet <u>25 feet</u>
Two-family dwellings	6,000 square feet <u>2,500 square feet</u>	40 feet <u>25 feet</u>
Utility substations and buildings	5,000 square feet	50 feet
Other permitted or conditional uses as listed in section <u>21A.24.190</u> of this chapter	5,000 square feet	50 feet

Qualifying provisions:

~~1,9,000 square feet for 3 units, plus 1,000 square feet for each additional dwelling unit up to and including 14 dwelling units. 21,000 square feet for 15 units, plus 800 square feet for each additional dwelling unit up to 1 acre. For developments greater than 1 acre, 1,000 square feet for each dwelling unit is required.~~

~~A modification to the density regulations in this subsection may be granted as a conditional use, subject to conformance with the standards and procedures of chapter 21A.54, "Conditional Uses", of this title and supported by the applicable master plan. Such conditional uses shall also be subject to design review.~~

1. There is no minimum lot area required provided:

- a. Parking for units shall be rear loaded and accessed from a common drive shared by all units in a particular development;
- b. Driveway access shall connect to the public street in a maximum of 2 locations; and

c. No garages shall face the primary street and front yard parking shall be strictly prohibited.

D. Minimum Yard Requirements:

1. Single-Family Detached Dwellings:

a. Front yard: ~~Fifteen feet (15')~~ Minimum five feet (5'). Maximum ten feet (10').

b. Corner side yard: ~~Ten feet (10')~~ Minimum five feet (5'). Maximum ten feet (10').

c. Interior side yard:

(1) Corner lots: Four feet (4').

(2) Interior lots: ~~Four feet (4') on one side and ten feet (10') on the other.~~

d. Rear yard: Twenty five percent (25%) of the lot depth, but need not be more than twenty feet (20').

2. Single-Family Attached, Two-Family And Twin Home Dwellings:

a. Front yard: Minimum five feet (5'). Maximum ~~fifteen feet (15')~~ ten feet (10').

b. Corner side yard: Minimum five feet (5'). Maximum ~~fifteen feet (15')~~ ten feet (10').

c. Interior side yard:

(1) Single-family attached: ~~No yard is required, however if one is provided it shall not be less than four feet (4').~~ Four feet (4') is required for any interior side yard that is not a common wall between properties.

(2) Two-family:

(A) Interior lot: ~~Four feet (4') on one side and ten feet (10') on the other.~~

(B) Corner lot: Four feet (4').

(3) Twin home: No yard is required along ~~one side~~ the common lot line. A ~~ten foot (10')~~ four foot (4') yard is required on the other.

d. Rear yard: Twenty five percent (25%) of lot depth or twenty five feet (25'), whichever is less.

3. ~~Multi-Family Dwellings And Any Other Residential Uses:~~

a. ~~Front yard: No setback is required. Maximum fifteen feet (15').~~

b. ~~Corner side yard: No setback is required. Maximum fifteen feet (15').~~

c. ~~Interior side yard: No setback is required.~~

d. ~~Rear yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').~~

4. 3. Nonresidential, Multi-Family Residential and Mixed Use Developments:

a. Front yard: ~~No setback is required.~~ Minimum five feet (5'). Maximum fifteen feet (15').

b. Corner side yard: No setback is required. Maximum fifteen feet (15').

c. Interior side yard: ~~No setback is required.~~ If interior side yard abuts a single- or two-family residential district, a minimum ten foot (10') setback must be provided, otherwise no setback is required.

d. Rear yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').

~~5. 4. Legal Lots: Lots legally existing on the effective date hereof, April 12, 1995, shall be considered legal conforming lots.~~

~~6. Landscaping: For multiple-unit residential uses, nonresidential and mixed uses, no yards or landscaped setbacks are required; however any setback provided, up to fifteen feet (15'), shall be landscaped. If parking is located in the front or corner side yard of the building, then a fifteen foot (15') landscaped setback is required.~~

~~7. 5. Required Yards For Legally Existing Buildings: For buildings legally existing on the effective date hereof, required yards shall be no greater than the established setback line.~~

E. Parking Setback: Surface parking lots within an interior side yard or rear yard shall be located behind the front line of the building. Parking structures shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line or be located behind the primary structure. There are no minimum or maximum setback restrictions on underground parking. Parking shall be allowed within the primary structure but shall comply with the provisions governing design standards listed in section I.

E. F. Maximum Building Height: The maximum building height shall not exceed forty five feet (45'), except that nonresidential buildings and uses shall be limited by subsections E4 F1 and ~~E2 F2~~ of this section. Buildings taller than forty five feet (45'), up to a maximum of ~~seventy five~~ seventy five feet (75') (55'), may be authorized through the conditional building and site design review process and provided, that the proposed height is supported by the applicable master plan.

1. Maximum height for nonresidential buildings: Twenty feet (20').

2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: One floor. Nonresidential uses are only permitted on the ground floor of any structure.

3. Nonresidential uses in Landmark Sites are exempt from the maximum height for nonresidential uses and the maximum floor area coverage limitations.

4. For any property abutting a single-family or two-family residential district, the maximum height is limited to forty-five feet (45') and may not be increased through any process.

F. G. Minimum Open Space: For residential uses and mixed uses containing residential uses, not less than twenty percent (20%) of the lot area shall be maintained as open space. This open space may take the form of landscaped yards or plazas, balconies and courtyards, subject to site plan review approval.

~~G. Landscape Yards: All front and corner side yards provided, up to fifteen feet (15') in depth, shall be maintained as a landscape yard in conformance with chapter 21A.48, "Landscaping And Buffers", of this title.~~

H. Landscape Buffers: Where a lot in the R-MU-45 district abuts a lot in a single-family or two-family residential district, landscape buffers shall be provided as required in chapter 21A.48, "Landscaping And Buffers", of this title.

I. Design Standards:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces between three (3) and eight feet (8') above grade. All first floor glass shall be nonreflective and allow visibility into the building for a depth of at least five feet (5').
2. Facades: Provide at least one operable building entrance for every seventy five feet (75') of street-facing building facade.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
4. Building Equipment and Service Areas: All building equipment and service areas shall be located on the roof of the building or in the rear yard. These elements shall be sited to minimize their visibility and impact, or screened and enclosed as to appear to be an integral part of the architectural design of the building.
5. Active Ground Floor Uses: On the ground floor, commercial or residential uses shall occupy at least seventy-five percent (75%) of the width of any street-facing building façade. All portions of such ground floor spaces shall extend a minimum of 25 feet (25') into the building. Regardless of the above required area for active ground floor uses, all buildings are entitled to a vehicular access opening from a street at a maximum width of twenty-five (25'). There is no maximum width for a vehicular access opening if the building meets the requirement for ground floor active uses.

21A.46.090.A Sign Regulations For The R-MU-35, R-MU-45, R-MU, MU, SNB, CN And CB Districts:

1. Purpose: Signage in the R-MU-35, R-MU-45, R-MU, MU, SNB, CN and CB districts should be appropriate for small scale commercial uses and business districts. These districts are located in proximity to residential areas or, in the case of the R-MU-35, R-MU-45, R-MU and MU districts, contain a residential/commercial mix of uses. The sign regulations for these districts are intended to permit signage that is appropriate for small scale commercial uses and business districts, with minimum impacts on nearby residential uses.
2. Applicability: Regulations in subsections A3, A4 and A5 of this section, respectively, shall apply to all uses within the R-MU-35, R-MU-45, R-MU, MU, CN and CB districts.
3. Sign Type, Size And Height Standards For The R-MU-35, R-MU-45, R-MU And MU Districts:

STANDARDS FOR THE R-MU-35, R-MU-45, R-MU AND MU DISTRICTS

Types Of Signs Permitted	Maximum Area Per Sign Face	Maximum Height Of Freestanding Signs ¹	Minimum Setback ²	Number Of Signs Permitted Per Sign Type	Limit On Combined Number Of Signs ⁴
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Awning sign/ canopy sign	1 square foot per linear foot of storefront; building total not to exceed 40 square feet (sign area only)	See note 1	May extend 6 feet from face of building 2 feet from back of curb ⁶	1 per first floor door/window	None
Canopy, drive-through	40% of canopy face if signage is on 2 faces. 20% of canopy face if signs are on 4 faces	See note 1	n/a	1 per canopy face	None
Construction sign	32 square feet	8 feet	5 feet	1 per street frontage	None
Flat sign (general building orientation) ⁸	1 square foot per linear foot of building frontage ⁵	See note 1	n/a	1 sign per building frontage	None
Flat sign (storefront orientation) ^{7,8}	1 square foot per linear foot of store frontage ⁵	See note 1	n/a	1 per business or storefront	None
Garage/yard sale sign	6 square feet	4 feet	5 feet	1 per street frontage	None
Monument and pole signs:					
Monument sign ³	100 square feet	12 feet	5 feet	1 per street frontage	1 sign per street frontage
Pole sign (1	75 square	25 feet	15 feet and a	1 per street	

acre minimum)	feet		6 foot maximum projection	frontage	
Nameplate	2 square feet	See note 1	n/a	1 per building entry	None
New development sign	80 square feet	10 feet	5 feet	1 per street frontage	None
Political sign	16 square feet	6 feet	5 feet	No limit	None
Private directional sign	8 square feet	4 feet	5 feet	No limit	None
<u>Projecting business storefront sign</u>	<u>6 square feet per sign side, total of 12 square feet.</u>	<u>See note 1.</u>	<u>May extend 4 feet from face of the building and 2 feet from back of curb. A minimum height of 10 feet above the sidewalk shall be maintained. See note 9.</u>	<u>1 per leasable space. All signs shall be located within the tenant's leasable space</u>	<u>None</u>
Public safety sign	8 square feet	6 feet	5 feet	No limit	None
Real estate sign	16 square feet	6 feet	5 feet	1 per street frontage	None
Window sign	25% of window area of each use	See note 1	n/a	No limit	None

Notes:

1. For height limits on building signs, see subsection [21A.46.070J](#) of this chapter.
2. Not applicable to temporary signs mounted as flat signs.
3. Monument signs shall have a 5 foot setback, unless integrated into the fence structure. Height requirements for fence apply.
4. The total number of signs permitted from the sign types combined.
5. A single-tenant building may combine the square footage total of both the storefront orientation and the general building orientation flat signs to construct 1 larger sign.
6. Public property lease and insurance required for projection over property line.
7. Storefront flat signs limited to locations on the lower 2 floors.
8. Backlit awnings excluded.
9. Public property lease and insurance required for projection over property line.

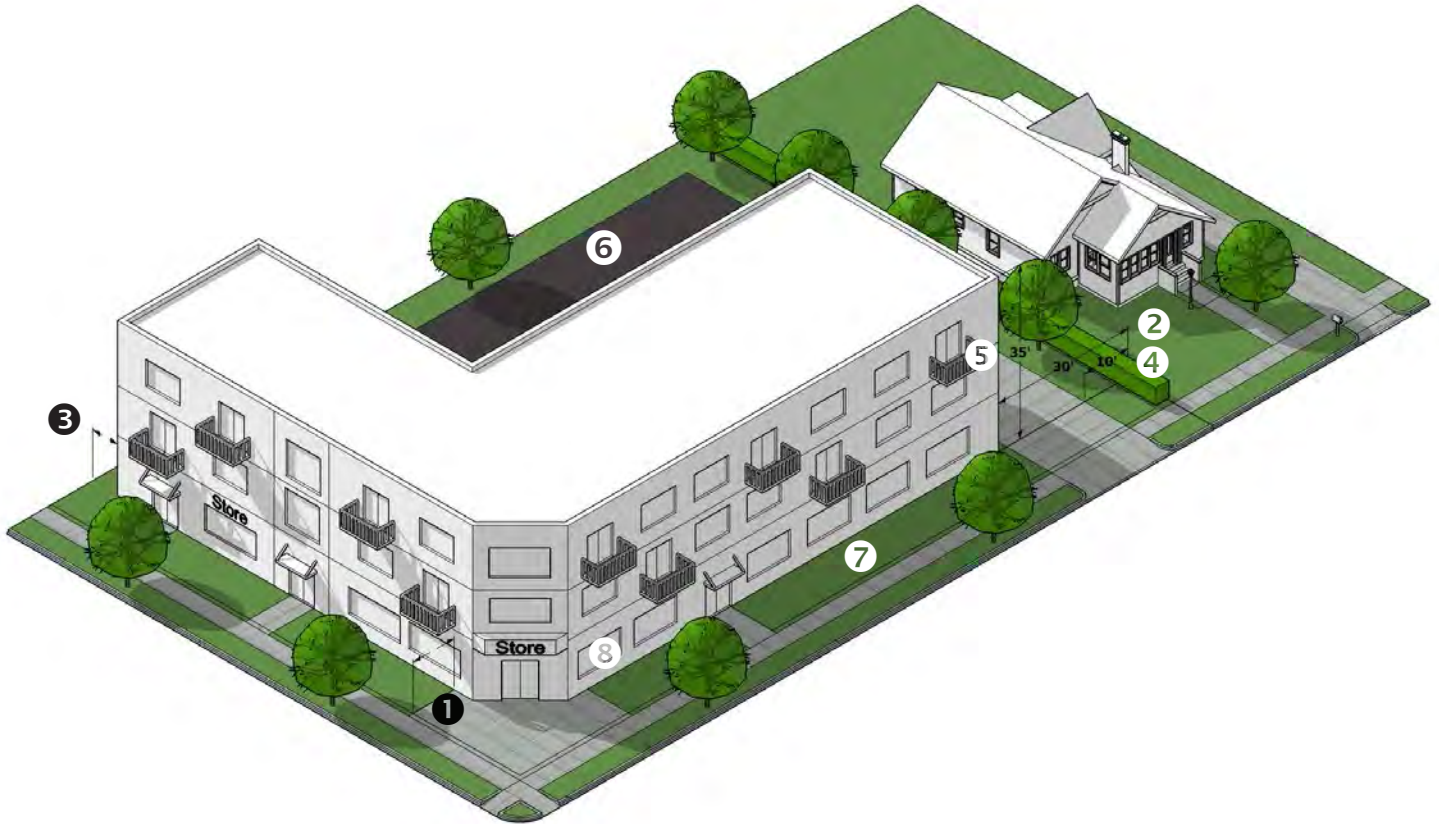
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ATTACHMENT B: OPEN HOUSE MODELS

R-MU-35

RESIDENTIAL/
MIXED USE

DEVELOPMENT NEXT TO SINGLE/
TWO-FAMILY ZONES



Zoning Diagram of Mixed Use Building When Next to a Single/Two-Family Zone

R-MU-35 Development Standards (21A.24.164) For Multi-family Residential & Mixed Uses									
LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	OPEN SPACE ⑦	MIXED USE LIMITATION ⑧
Min 25'	5,000 sq ft min	Min 5', Max 15'	25% of lot depth, need not exceed 30'	10' next to single- & two family residential zones	10' next to single- & two family residential zones	35' max + 10' with CBSD*	Located behind front line of the building	Min 20% of lot area, includes yards, plazas, balconies, courtyards	Non-residential use limited to 1 floor

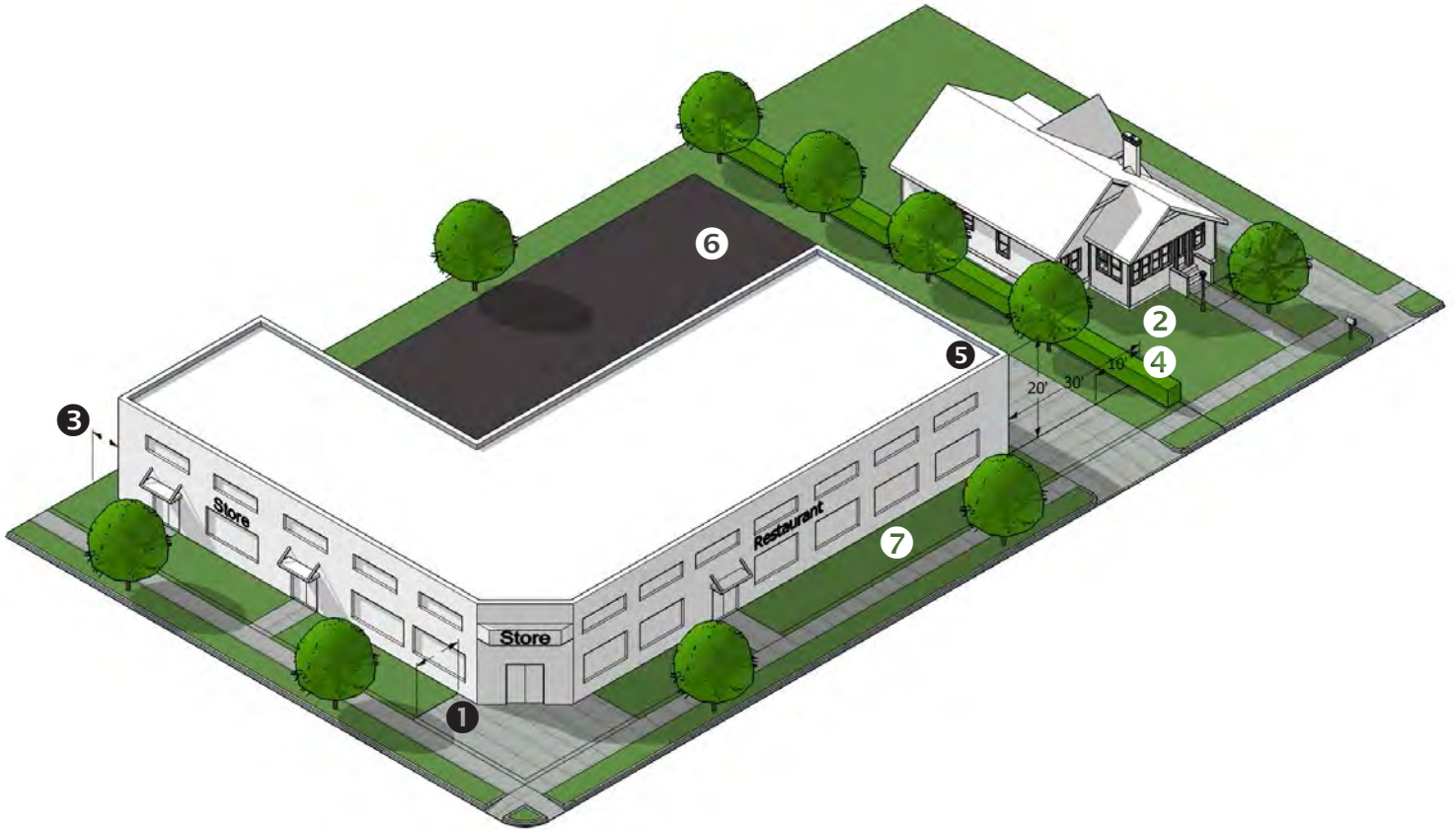
*Additional height is not allowed when the development is next to a single or two-family residential zone.

R-MU-35 Building Design Standards				
1ST FLOOR VISIBILITY	FRONT ENTRANCE	1ST FLOOR DETAILING	MECHANICAL EQUIPMENT/ SERVICE AREAS	GROUND FLOOR ACTIVE USES
40% glass & non-reflective, allows 5' of visibility into building	1 entry that faces street, for every 75' of facade	No blank walls over 15' long	On roof or in rear yard, sited to minimize visibility or integrated into design	75% of ground floor facade must include residential or commercial uses

R-MU-35

RESIDENTIAL/
MIXED USE

DEVELOPMENT NEXT TO SINGLE/
TWO-FAMILY ZONES



Zoning Diagram of Commercial Building When Next to a Single/Two-Family Zone

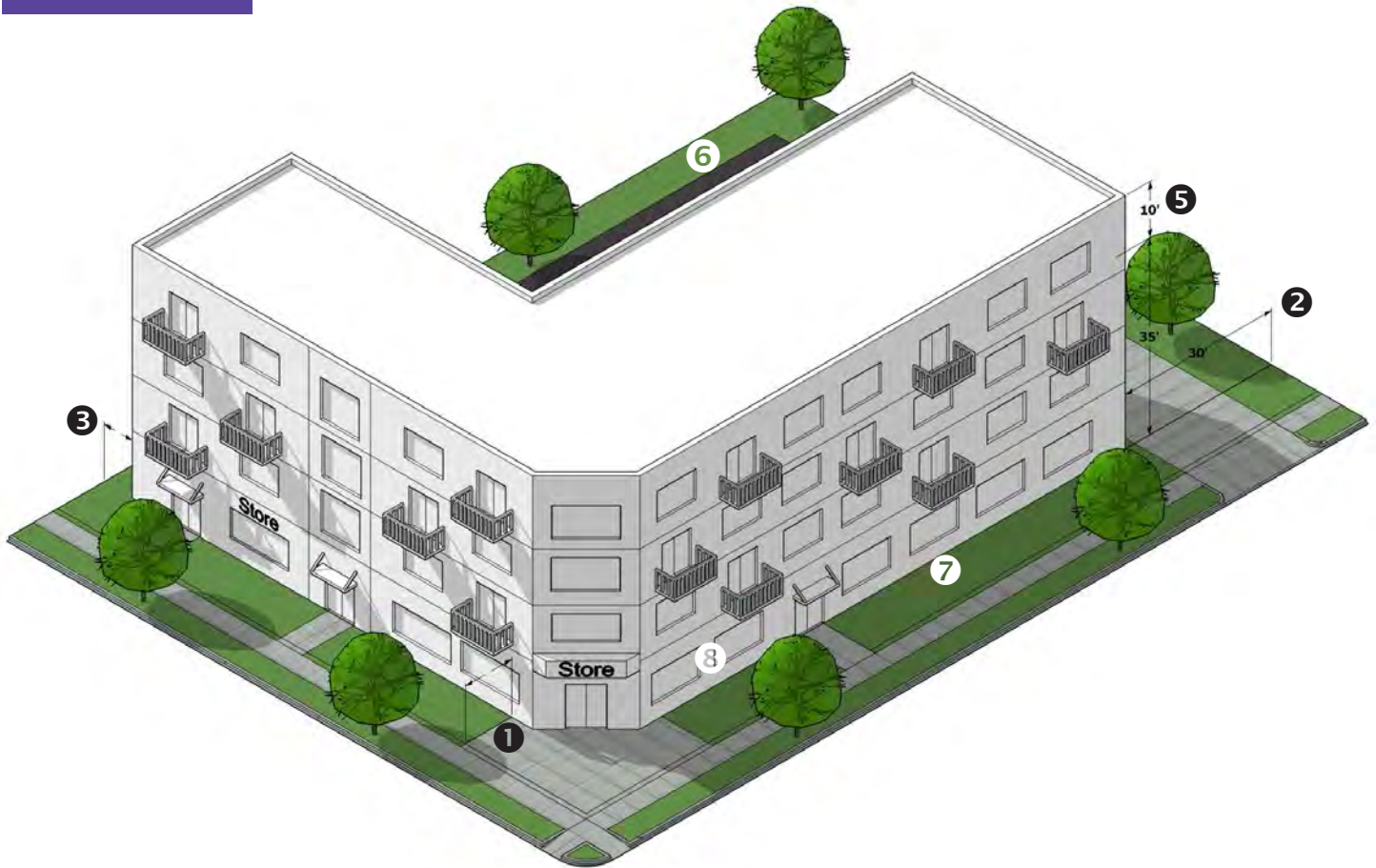
R-MU-35 Development Standards (21A.24.164) For Commercial Uses (No Residential Component)								
LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	OPEN SPACE ⑦
No min	No min or max	0', max. 15'	25% of lot depth, need not exceed 30'	10' next to single- & two family residential zones	10' required next to single- & two-residential zones	20' max	Located behind front line of the building	Min 20% of lot area, includes yards, plazas, balconies, courtyards

R-MU-35 Building Design Standards			
1ST FLOOR VISIBILITY	FRONT ENTRANCE	1ST FLOOR DETAILING	MECHANICAL EQUIPMENT/SERVICE AREAS
40% glass & non-reflective, allows 5' of visibility into building	1 entry that faces street, for every 75' of facade	No blank walls over 15' long	On roof or in rear yard, sited to minimize visibility or integrated into design

R-MU-35

RESIDENTIAL/
MIXED USE

DEVELOPMENT NOT NEXT TO SINGLE/
TWO-FAMILY RESIDENTIAL



Zoning Diagram of Mixed Use Building When Not Next to a Single/Two-Family Zone

R-MU-35 Development Standards (21A.24.164) For Multi-family Residential & Mixed Uses									
LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	OPEN SPACE ⑦	MIXED USE LIMITATION ⑧
Min 25'	5,000 sq ft min	Min 5', Max 15'	25% of lot depth, need not exceed 30'	10' next to single- & two family residential zones	10' next to single- & two family residential zones	35' max + 10' with CBSD*	Located behind front line of the building	Min 20% of lot area, includes yards, plazas, balconies, courtyards	Non-residential use limited to 1st floor

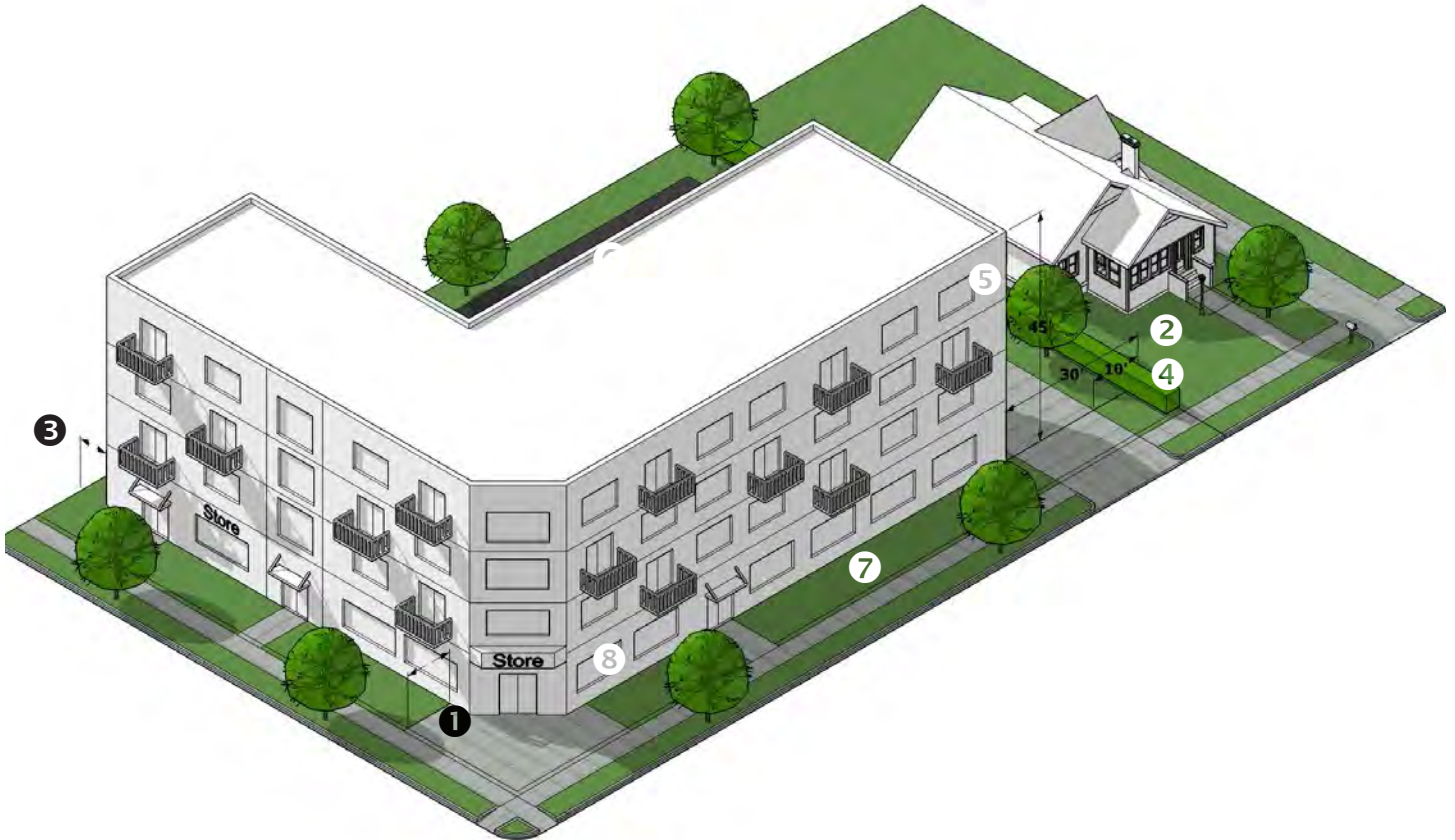
*Additional height can be permitted through the Conditional Building and Site Design process, which requires the development meet a higher level of building and site standards. This additional height is only allowed when development is not next to property zoned single or two-family residential.

R-MU-35 Building Design Standards				
1ST FLOOR VISIBILITY	FRONT ENTRANCE	1ST FLOOR DETAILING	MECHANICAL EQUIPMENT/ SERVICE AREAS	GROUND FLOOR ACTIVE USES
40% glass & non-reflective, allows 5' of visibility into building	1 entry that faces street, for every 75' of facade	No blank walls over 15' long	On roof or in rear yard, sited to minimize visibility or integrated into design	75% of ground floor facade must include residential or commercial uses

R-MU-45

RESIDENTIAL/ MIXED USE

DEVELOPMENT NEXT TO SINGLE/ TWO-FAMILY RESIDENTIAL



Zoning Diagram of Mixed Use Building When Next to a Single/Two-Family Residential Zone

R-MU-45 Development Standards (21A.24.168) For Multi-family Residential & Mixed Uses									
LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	OPEN SPACE ⑦	MIXED USE LIMITATION ⑧
Min 25'	5,000 sq ft min	Min 5', Max 15'	25% of lot depth, need not exceed 30'	10' next to single- & two family residential zones	10' next to single- & two family residential zones	45' max + 10' with CBSD*	Located behind front line of the building	Min 20% of lot area, includes yards, plazas, balconies, courtyards	Non-residential use limited to 1 floor

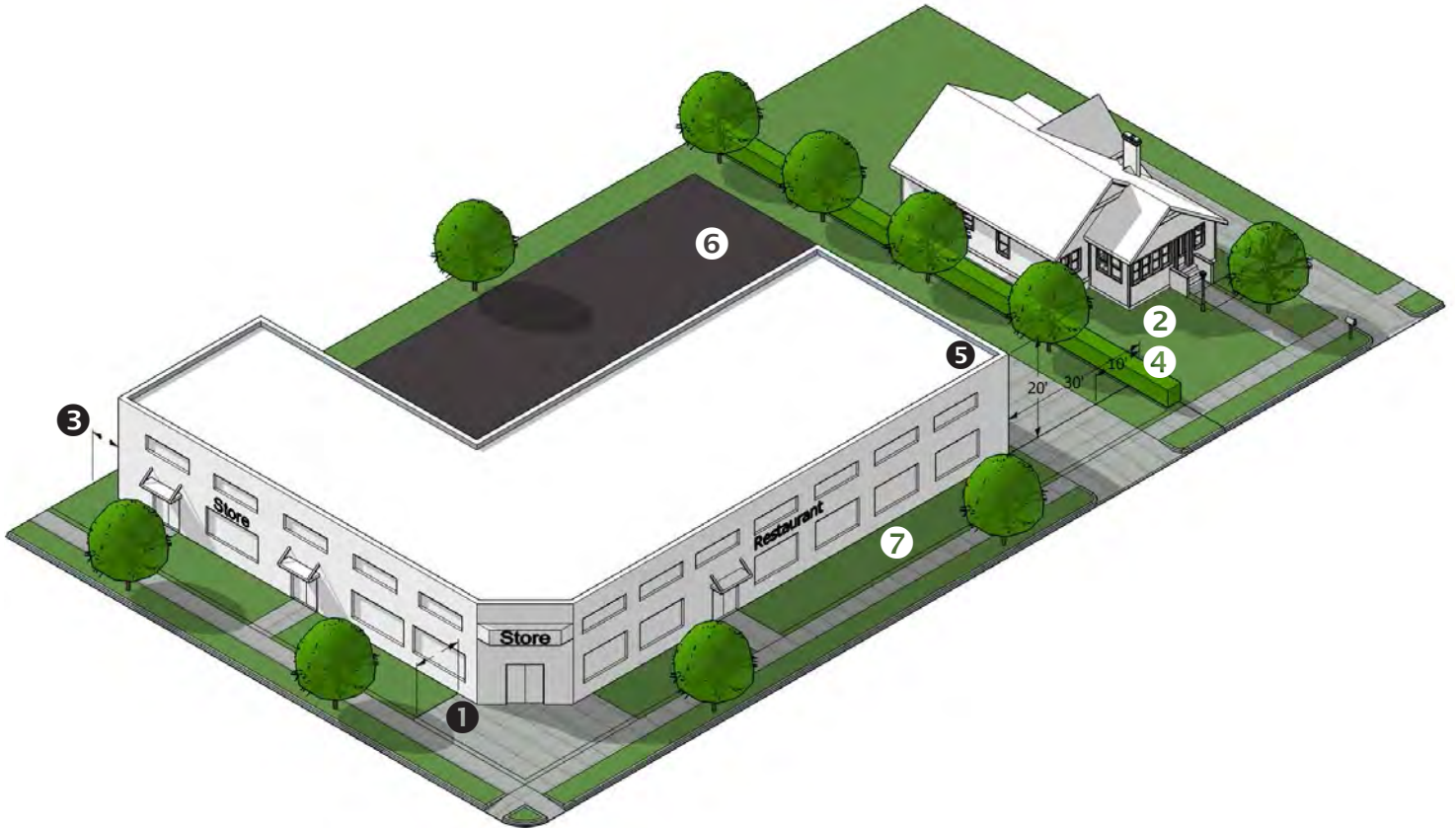
*Additional height is not allowed when the development is next to a single or two-family residential zone.

R-MU-45 Building Design Standards				
1ST FLOOR VISIBILITY	FRONT ENTRANCE	1ST FLOOR DETAILING	MECHANICAL EQUIPMENT/ SERVICE AREAS	GROUND FLOOR ACTIVE USES
40% glass & non-reflective, allows 5' of visibility into building	1 entry that faces street, for every 75' of facade	No blank walls over 15' long	On roof or in rear yard, sited to minimize visibility or integrated into design	75% of ground floor facade must include residential or commercial uses

R-MU-45

RESIDENTIAL/
MIXED USE

DEVELOPMENT NEXT TO SINGLE/
TWO-FAMILY RESIDENTIAL



Zoning Diagram of Commercial Building When Next to a Single/Two-Family Residential Zone

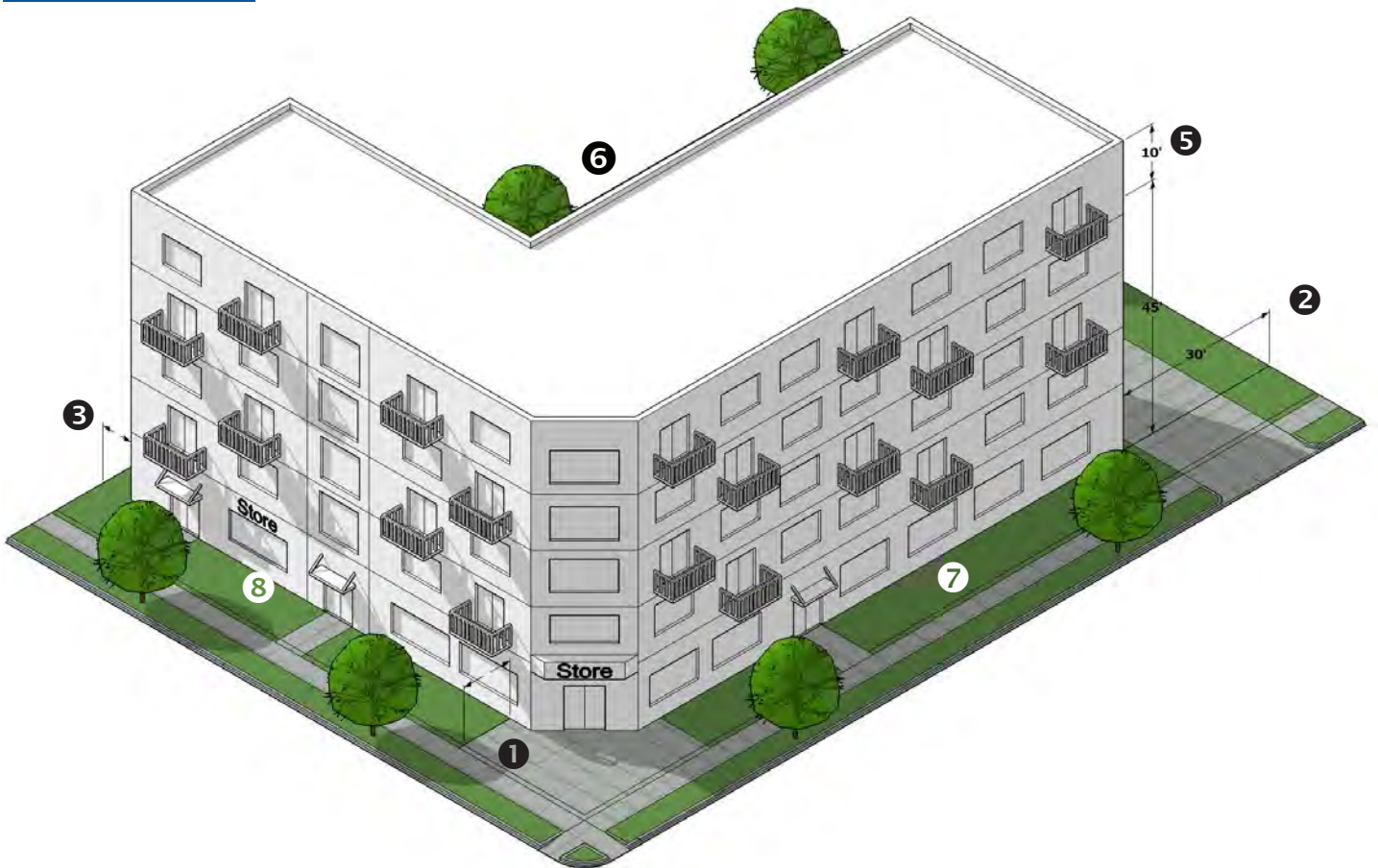
R-MU-45 Development Standards (21A.24.168) For Commercial Uses (No Residential Component)								
LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	OPEN SPACE ⑦
No min	No min or max	Min 5', Max 15'	25% of lot depth, need not exceed 30'	10' next to single- & two family residential zones	10' required next to single- & two-residential zones	20' max	Located behind front line of the building	Min. 20% of lot area, includes yards, plazas, balconies, courtyards

R-MU-45 Building Design Standards				
1ST FLOOR VISIBILITY	FRONT ENTRANCE	1ST FLOOR DETAILING	MECHANICAL EQUIPMENT/SERVICE AREAS	GROUND FLOOR ACTIVE USES
40% glass & non-reflective, allows 5' of visibility into building	1 entry that faces street, for every 75' of facade	No blank walls over 15' long	On roof or in rear yard, sited to minimize visibility or integrated into design	75% of ground floor facade must include residential or commercial uses

R-MU-45

RESIDENTIAL/
MIXED USE

DEVELOPMENT NOT NEXT TO SINGLE/
TWO-FAMILY RESIDENTIAL



Zoning Diagram of Mixed Use Building When Not Next to a Single/Two-Family Zone

R-MU-45 Development Standards (21A.24.168) For Multi-family Residential & Mixed Uses

LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	OPEN SPACE ⑦	MIXED USE LIMITATION ⑧
Min 25'	5,000 sq ft min	Min 5', Max 15'	25% of lot depth, need not exceed 30'	10' next to single- & two family residential zones	10' next to single- & two family residential zones	45' max + 10' with CBSD*	Located behind front line of the building	Min 20% of lot area, includes yards, plazas, balconies, courtyards	Non-residential use limited to 1 floor

*Additional height can be permitted through the Conditional Building and Site Design process, which requires the development meet a higher level of building and site standards. Additional height is not allowed when the development is next to a single or two-family residential zone.

R-MU-45 Building Design Standards

1ST FLOOR VISIBILITY	FRONT ENTRANCE	1ST FLOOR DETAILING	MECHANICAL EQUIPMENT/ SERVICE AREAS	GROUND FLOOR ACTIVE USES
40% glass & non-reflective, allows 5' of visibility into building	1 entry that faces street, for every 75' of facade	No blank walls over 15' long	On roof or in rear yard, sited to minimize visibility or integrated into design	75% of ground floor facade must include residential or commercial uses

ATTACHMENT C: ANALYSIS OF STANDARDS

As per 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. In making a decision concerning a proposed text amendment, the City Council should consider the following:

Factor	Finding	Rationale
<p>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;</p>	<p>The proposed amendment is consistent with the purposes, goals, objectives and policies of the city.</p>	<p>Providing a mix of uses and a pedestrian-friendly development environment help increase the housing stock, the mix of housing types and reduce the potential trip generation for daily needs and employment which in turn helps reduce degradation of air quality. These goals are priorities of both the Mayor and the City Council and are supported by all other applicable master plans.</p> <p>The city’s Housing Plan calls for an increase in the housing supply throughout the city. Most of that new housing will be infill development. The plan calls for development that is mixed use and mixed income with designs that are contextually compatible with the surrounding structures and overall fabric of the neighborhood. Specifically the plan also calls for adding flexibility to the process and allowing for higher densities. The caveat being that added density should minimize any potential negative impacts. The proposal will further implement this plan by allowing additional density but minimizes negative impacts on surrounding properties with the requirement of oversized landscaped buffers, controlling the permitted height adjacent to low density residential uses, the addition of design regulations and controlling the location of parking areas.</p> <p>With the proposed changes these zoning districts can be utilized in areas of the city where the master plans desire mixed use development but there are concerns that building heights allowed in other existing mixed use</p>

		zoning districts would be inappropriate. Specifically, the newly adopted Westside Master Plan advocates for additional density in specific nodes but is clear that this density should not negatively impact the existing neighborhoods.
2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;	The proposed amendment furthers the specific purpose statements of the zoning ordinance.	The proposal provides needed flexibility in the R-MU-35 and R-MU-45 zoning districts which will promote mixed use neighborhoods that are appropriately scaled and pedestrian oriented. Because of existing barriers, this zoning district has been unable to be utilized to develop a neighborhood as has been described in the purpose statement. Additionally, both zones have built-in protections to provide appropriate buffering between new development and single-family and two-family zoning districts. This will fulfill the intent
3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards;	At this current time, this standard does not apply.	There are no overlay districts that would be impacted by these proposed zoning ordinances because the R-MU-45 zoning district is not currently applied to any parcels and the R-MU-35 parcels do not have any overlays applied to them. If either of these zones are applied to parcels that have an overlay zoning district applied to them, the regulations of that overlay district will still apply.
4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.	The proposed amendment is in keeping with the best and current professional practices of urban planning and design.	The proposed ordinances are intended to create a mixed use zone without density regulations which provides developers with flexibility in designing new development projects. At the same time it has built-in protections for abutting single-family and two-family zoning districts. It also implements design guidelines and allows projecting signs all of which are intended to make new development more pedestrian-oriented and visually appealing. All of these elements are in keeping with best and current professional practices of urban planning and

		design.
NOTES:		

ATTACHMENT D: PUBLIC PROCESS AND COMMENTS

Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project:

Open House:

Because this zoning text amendment impacts the entire city and not just a specific community council, an open house was held on August 21, 2014. All recognized community based organizations were notified of the open house. No comments were received during the open house.

Zoning text amendments require that both the Planning Commission and the City Council hold a public hearing giving the public further opportunities to voice their opinion. With this specific proposal no specific areas of the city have been identified for a change in zoning. At the time that these zoning districts are proposed to be utilized on a given property there will be an extensive public process allowing interested parties to voice their opinion.

Notice of the public hearing for the proposal included:

Public hearing notice published in the newspaper on November 25, 2014

Public hearing notice posted on November 25, 2014

Public notice posted on City and State websites and Planning Division list serve: November 25, 2014

Public Input:

No further comments were received.

ATTACHMENT E: DEPARTMENT REVIEW COMMENTS

Input was requested from all pertinent city divisions and departments. No comments were received from other city divisions/departments with regard to these proposed amendments.

ATTACHMENT F: MOTIONS

Potential Motions

Consistent with Staff Recommendation:

Based on the findings in the staff report, public input and discussion, I move to transmit a favorable recommendation to the City Council to adopt the proposed text amendments to the R-MU-35 and R-MU-45 Residential Mixed Use Districts and to the sign ordinance which would remove qualifying provisions for residential density, adjust required setbacks and lot width, add design requirements and allow projecting signs.

Not consistent with Staff Recommendations:

Based on the staff report information, public input and discussion and the following finding(s), I move that the Planning Commission transmit a negative recommendation to the City Council relating to amend the R-MU-35 and R-MU-45 Residential Mixed Use Districts and to the sign ordinance which would remove qualifying provisions for residential density, adjust required setbacks and lot width, add design requirements and allow projecting signs.

The Planning Commission shall make findings on the Zoning Text Amendment standards as listed below:

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;
2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;
3. The extent to which a proposed map amendment will affect adjacent properties;
4. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
5. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.