



MEMORANDUM

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission

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Date: July 22, 2016

Re: TSA Zoning District Improvement Update

ACTION REQUIRED: No action is required. Planning staff would like the Planning Commission's input on the direction staff is taking the general Transit Station Area zoning changes. A summary of the changes being considered is attached.

BACKGROUND/DISCUSSION: In April of this year, Planning staff provided an overview to the Planning Commission of the Transit Station Area (TSA) zoning district and the issues that had been identified with the regulations. Following that meeting on June 20th, the City Council initiated a petition to review the TSA zoning district regulations and identify changes that would resolve the issues with those regulations. In addition to the variety of issues identified in the Planning staff memo from April, the Council asked that staff consider the following objectives during the review process:

- Require that uses on the ground floor of a building encourage engagement with pedestrian on the street as well as building occupants including but not limited to, establishment of retail and commercial uses.
- Consider maximum allowable percentages of non-durable materials on building facades.
- Adjust the development score to further incentivize affordable housing.

Since that time, staff has identified a number of potential changes to the zoning district to address these issues and objectives. A summary of the potential changes are located on the following page. The specific zoning code and design guideline language to accommodate these changes has not been fully developed. The language will be developed following the Planning Commission meeting and will be brought to the Planning Commission at a follow-up meeting in August.

The Planning Division will also be hosting an open house on July 28th. The intent of this open house is to obtain feedback from the community and developers regarding the potential changes discussed in the attachment to this memo.

A summary of the proposed changes follows on the next page.

TSA Zoning District Summary of Proposed Changes

July 20, 2016

Below is a list of changes to the TSA zoning district that are being considered by the Planning Division. This list and the details are subject to change due to internal review, public input, and review by the Planning Commission.

Changes to Zoning Code (Ordinance)

Noticing	
<p>The primary issue is that neighbors do not receive any notification that a new building may be being built next door. This issue is not unique to the TSA zoning district and is similar to what would happen with a permitted use in any zoning district where the only approval or permit required is a building permit.</p>	
Current Regulation	Proposed Regulation
<p>No noticing requirement unless the project is required to be reviewed by the Planning Commission.</p>	<p>Administrative (Staff) Approval Eligible Projects:</p> <ul style="list-style-type: none"> • Courtesy notice to properties within a certain distance and recognized organizations stating that a new development has been proposed. • Courtesy notice issued at same time of development score approval. • The notice is an FYI and identifies where people can learn more. It will also explain the approval process. <p>Planning Commission Eligible Projects:</p> <ul style="list-style-type: none"> • Normal public hearing noticing requirements, which is a notice sent to all property owners and tenants within 300 feet, the property is posted with a sign, and notice sent to recognized organizations.
Table of Prohibited Uses	
<p>The table of prohibited uses in the ordinance creates confusion for the community, property owners, developers, and the lending community. The table may be producing unnecessary amount of work to administer the ordinance because of the confusion. The proposal would be to add a table of permitted and conditional uses, which is similar to all other zoning districts in the City.</p>	
Current Regulation	Proposed Regulation
<p>Table of prohibited uses lists those uses that are not allowed.</p>	<p>Adds a table of permitted and conditional uses to the land use table chapter. In most instances, the uses that were prohibited will not be permitted. Some uses that were prohibited will now be listed as permitted or conditional.</p>
Setbacks	
<p>Front setback requirement is problematic along 400 South and is not producing usable space in the setback or providing street engagement for nonresidential uses.</p>	
Current Regulation	Proposed Regulation
<p>Current min. setback along 400 South: 15'</p>	<ul style="list-style-type: none"> • Reduce the minimum from 15' to a lower number, such as 5'. Still require 10' sidewalk installation where sidewalk is currently <10'. • This could apply to a certain % of the street facing façade or be based on use (ex: ground floor

	residential could have more setback to create some semi-private front yards.)
<ul style="list-style-type: none"> • Front yards are only required to be landscaped as indicated in the landscaping chapter. • A minimum of 33% of the area must include live plant materials. 	Require a certain % of the yard to be usable space, such as front porches, patios, or other similar space.
Parking Lot Location	
The ordinance contains conflicting regulations regarding parking lots as a standalone use.	
Current Regulation	Proposed Regulation
Surface parking lots are permitted as the principal use on a parcel of land	Delete this provision. Surface parking lots would still be allowed, but would not be allowed to be the only use on the property.
Building Scale	
One of the primary concerns identified is that large buildings are having a negative impact on the character of the street and the function of the streets as walkable areas. There are a number of factors that create the scale of the building, including the height, setbacks, length of building wall, materials uses, ground floor design, etc.	
Current Regulation	Proposed Regulation
Building entrance required on average of every 75 feet .	<ul style="list-style-type: none"> • Building entrance required for a minimum of every 50 feet on average. • Ground floor residential uses are required to have a primary entrance facing the street.
Length of building wall uninterrupted by glass, doors, change in building wall plane, or similar design feature required every 30 feet .	Reduce the length of building wall uninterrupted by windows, doors, change in building wall plane to 15 feet .
Length of building wall adjacent to a street is not limited.	Limit the length of buildings walls adjacent to a street to 200 feet .
Ground Floor Uses	
Similar to the issue of scale, the ground floor of buildings are not including uses that help activate the street, put eyes on the street, or provide commercial spaces to help maintain the need to provide spaces for commerce and economic development.	
Current Regulation	Proposed Regulation
Prohibits ground floor parking from being visible from the street, but does not require any specific uses.	<ul style="list-style-type: none"> • Require active ground floor use for a minimum of 75% of street frontage, reducible to 50% with Planning Commission approval. • Use is required to extend a minimum of 25 feet into building. • ~25 feet would be exempt from this provision to accommodate vehicle access.
Building entrances required on average of every 75 feet .	<ul style="list-style-type: none"> • Building entrance required for every 50 feet. • Ground floor residential uses are required to have a primary entrance facing the street.
No requirements for nonresidential or commercial uses on ground floors of major streets	Add a requirement for nonresidential/commercial uses on ground floors of projects facing 400 South and North Temple.

Inner-Block Walkways

Large footprint buildings and lack of side yard setback requirements makes it unlikely for midblock walkways to ever be constructed. The large blocks of the City create longer walking distances and reduce route options. This type of infrastructure is necessary to increase the number of people who are willing to walk between where they live and/or work or other destinations

Current Regulation	Proposed Regulation
No requirement for a midblock walkway.	<ul style="list-style-type: none"> • Require midblock walkways when they are identified in an adopted master plan of the City. • Require a midblock walkway when a property is more than 200 feet from intersecting streets. • Minimum width of walkway is 10 feet, with a minimum paved path width of 10 feet. • If streets and midblock walkways already exist, new midblock walkways would not be required.

Building Materials

There are two primary issues with the existing building material regulations. The first is that the allowed materials list is very limited. Architects have expressed a desire to allow more materials. The second issue is that there are no building material requirements for upper floors. Related to this issue is the use of exterior insulated finishing systems (EIFS), which is sometimes referred to as “synthetic stucco.”

Current Regulation	Proposed Regulation
Specific high-quality ground floor building materials required for 80% of street facing facades. Allowed materials include brick, masonry, textured or patterned concrete, and/or cut stone.	<ul style="list-style-type: none"> • Keep minimum material requirement at 80%. Expand allowed materials to include fiber cement products and metal. • Other materials may be allowed if they are durable, long lasting materials and approved by the Zoning Administrator.
No building material requirements for upper floors.	<ul style="list-style-type: none"> • Require at least 50% of upper floor materials to be composed of the same high-quality materials allowed for ground floors.
No restriction on EIFS (Exterior Insulation and Finishing System)	<ul style="list-style-type: none"> • Limit EIFS to a max of 10% of all street facing facades.

Parking Structure Design Standards

Parking structures have the potential to have a large visible impact to the street and adjacent properties.

Current Regulation	Proposed Regulation
<ul style="list-style-type: none"> • Ground floor of parking structures required to have an active use. • Levels of parking above the first floor that are visible from a street are required to be level, not sloped. • Vehicles shall be screened. • Underground parking may extend up to 5 feet above grade if they are screened by vegetation or wrapped in ground floor building materials. 	<ul style="list-style-type: none"> • Must be wrapped with a building material that adds interest and screens vehicles. • Parking levels must be level. All ramps must be internal to the structure. • Elevators and stairs need to be externally highlighted. • Signage and wayfinding incorporated into the building. • Interior lighting shall not create a nuisance outside the structure. • Driveways must be different than sidewalk materials. • Habitable space required along the street level.

	<ul style="list-style-type: none"> • Venting and mechanical equipment must be screened and not located near the sidewalk. • Street facing building materials and use requirements apply to parking structures.
Minor changes to make it easier to use the ordinance	
Minor changes include small changes that clarify existing regulations. These types of issues are identified as the Planning Division and Building Services reviews projects and identifies sections of the code that need create confusion or require some sort of interpretation of the code.	
Current Regulation	Proposed Regulation
Additional building height provisions allow for an extra story of building height for sloped roofs.	Require that the slope be visible from the street and cannot be hidden behind a parapet wall.
The current setback requirements are listed in a bulleted format that makes it difficult to readily determine what the setbacks are.	List setbacks in a chart so it is easier to use and administer the setbacks.

Changes to Guidelines

The following table summarizes the proposed changes to the development guidelines in the TSA zoning district. The development guidelines are used to determine the approval process for new projects. Each guideline includes a point value that is based on a combination of the cost of including the guideline in the project, the level of importance of the guideline in relation to accomplishing City goals, and level of desirability to the community in general. The proposed changes are in response to the number of projects that have been reviewed under the TSA process, issues identified with the existing guidelines and a changing emphasis on citywide goals.

Mix of Uses	
The intent of this guideline is to promote mixed use development. A mixed use development generally includes residential on the upper floors and businesses on the ground floor.	
Current Guideline	Proposed Guideline
Based on % of total ground floor area for nonresidential uses	<p>Based on % of floor area of street facing habitable space only, not entire ground floor area. Ordinance change will require this space to be a minimum depth of 25 feet.</p> <ul style="list-style-type: none"> • If 100% of area is nonresidential use: 20 points • 75-99% of area is nonresidential use: 15 points • 50-74% of area is nonresidential use: 10 points

Affordable Housing	
The intent of this guideline is to promote more mixed income housing development and increase the supply of affordable housing units in the City.	
Current Guideline	Proposed Guideline
Points are based on the % of affordable units provided. Affordable units are restricted to persons making less than 80% of area median household income. Points awarded: <ul style="list-style-type: none"> • More than 30% of units: 30 points • 20-30% of units: 20 points • 10-20% of units: 10 points 	One scale for % of units that are less than 80% of the AMI: <ul style="list-style-type: none"> • More than 30% of units: 40 pts • 20-30% of units: 30 pts • 10-20% of units: 20 pts One scale for % of units that are less than 60% of the AMI: <ul style="list-style-type: none"> • More than 30% of units: 50 points • 20-30% of units: 40 points • 10-20% of units: 20 points
Sustainable Site and Open Space Design	
The purpose of this guideline is to encourage sustainable design features into a project. This guideline includes landscaped roofs, rooftop design, energy reduction features, sustainable storm water management practices, and other similar features as design principles that qualify for points.	
Current Guideline	Proposed Guideline
Guideline allowed points for alternative energy (covered by other guidelines)	Alternative energy production removed from this guideline and placed in a separate guideline.
Green Building	
The Green Building guideline is intended to award projects that are voluntarily going through a certification process offered by an outside entity that measures building performance in terms of sustainability.	
Current Guideline	Proposed Guideline
The current guidelines use ICC (International Code Council) green building standards. This program was selected because it can be reviewed at time of building permit review. However, it is not widely known.	<ul style="list-style-type: none"> • The proposal switches to pre-certified LEED (Leadership in Energy and Environmental Design) with no change in points. • LEED is more widely known and includes a pre-certification process that is more in line with the City's approval process.
Energy Efficiency	
This guideline helps incentivize the use of alternative energy production and energy savings building systems.	
Current Guideline	Proposed Guideline
The current guideline awards points based on the % of the buildings anticipated energy consumption is provided by alternative energy. This is difficult to determine on many projects and has not been used.	Allow points based on square feet of solar or geothermal heating/cooling because they can be measured prior to building being constructed and checked through permit and inspection process.
360 Degree Architecture	
The purpose of this guideline is to incentivize the use of certain design features on multiple sides of buildings and discourage large, blank walls on the side and rear elevations of buildings.	
Current Guideline	Proposed Guideline
The current guideline lists a number of things that define what 360 degree means. The points are awarded based on the number of sides of a building that contain the features.	Add dimensional requirements to each of the design features that qualify so that it is easier to determine whether or not the guideline has been included or not.

Building Materials

This guideline incentivizes the use of higher quality building materials on street facing facades than what is required by the TSA zoning district. The TSA zoning district currently requires 80% of street facing, ground floors to be covered in high quality, durable building materials. A new standard is being added that requires 50% of street facing, upper floors to use high quality building materials. On a 6 story building, this could result in approximately 54% of an overall façade using high quality, durable building materials. This guideline awards points if the project exceeds the minimum requirements of the zoning ordinance.

Current Guideline	Proposed Guideline
<ul style="list-style-type: none"> Limited materials that qualified Low % of total street facing façade 	<ul style="list-style-type: none"> 15 points are available if more than 75% of the overall street facing façade is clad in durable materials. 10 points are available if more than 65% of the overall street facing is clad in durable materials.

Rooftop Design

This guideline is intended to add variety to the roof shapes of buildings and add interest to the skyline.

Current Guideline	Proposed Guideline
Awards points for roof top designs that include sloping roofs and other rooftop design features.	Clarify that a sloping roof has to be visible from a public street to qualify and cannot be hidden behind a parapet wall.

Eyes on the Street

Windows, doors, and outdoor space on buildings tend to make public spaces safer and more inviting. This guideline is intended to incentivize building features that accomplish this.

Current Guideline	Proposed Guideline
The guideline lists but does not provide any dimensional requirements to qualify.	Add a minimum dimension for usable balconies and increase the total points from 10 to 15 .

Public Art

The intent of this guideline is to increase the amount of art in the city that is visible to the public.

Current Guideline	Proposed Guideline
The current guideline provides points based on the % of a project budget that is allocated for public art. This guideline has not been used and often times total project budget is difficult to determine until construction drawings are complete.	<ul style="list-style-type: none"> Allow points based on the number of public art pieces provided. Public art has to be visible from a public space. A maximum of 6 points are available.

Bicycle Amenities

This guideline is intended to increase the bicycle infrastructure in buildings to encourage cycling in the City.

Current Guideline	Proposed Guideline
<ul style="list-style-type: none"> Provides points for providing a bike rack. The zoning ordinance has been changed since this guideline was created and now requires bike racks. 	<ul style="list-style-type: none"> Remove points for bike racks (required by ordinance) Add 30 points for a green bike station.

Midblock Walkways	
<p>The purpose of this guideline is to encourage the creation of walkways, alleys, and small streets that break up the large city blocks and encourage more walking, biking, and alternative routes for vehicles.</p>	
Current Guideline	Proposed Guideline
<ul style="list-style-type: none"> The current guideline is worth a limited number of points that do not incentivize providing a midblock walkway. The guideline does not indicate what the minimum width for a walkway should be. 	<ul style="list-style-type: none"> Add minimum widths and increase the points. 30 points would be available if a narrow alley or street is provided. 20 points if it is a walkway that is a minimum of 10 feet in width. <p>Changes to the TSA zoning district are going to require midblock walkways where the walkway is indicated in an adopted master plan or for developments that are more than 200 feet from an intersection.</p>
Parking	
<p>The parking guideline was initially created to encourage structure parking versus surface parking. The guideline also included basic design guidelines to address the overall design of the structure.</p>	
Current Guideline	Proposed Guideline
<p>Points are based on the % of total parking that is located in a parking structure or below grade.</p> <ul style="list-style-type: none"> 100% of the parking is structured: 50 points 75% of the parking is structured: 40 points 50% of the parking is structured: 25 points. 	<ul style="list-style-type: none"> Changed to parking structure design and % of parking structure wrapped by habitable space or that is wrapped in building materials similar to habitable portion of building. The total available points are limited to 25. <p>Ordinance changes add design requirements for parking structures. This guideline will be above and beyond what is required by ordinance, but may not be necessary depending on the outcome of the proposed ordinance changes.</p>
Alternative Parking	
<p>This guideline was meant to incentivize projects that provided parking for electric vehicles, scooters, and other alternative vehicles.</p>	
Current Guideline	Proposed Guideline
<ul style="list-style-type: none"> Points are available for providing any type of EV stations. <p>Since this guideline was adopted, the City started requiring all new projects to provide EV stations. The City Council is considering making changes so that an actual station is not required, but new buildings will be required to have the conduit and electrical capacity to provide stations.</p>	<ul style="list-style-type: none"> Points provided based on type of EV charging stations. EV stations with the capability of charging vehicles faster receive more points. These changes are in response to the changes in City ordinance.

Parking Ratio	
This is a new guideline that is being proposed. This guideline is an alternative approach to incentivizing projects that provide less parking than what the market is currently providing in transit areas.	
Current Guideline	Proposed Guideline
This is a new guideline being added.	<ul style="list-style-type: none"> • Points based on the parking ratio of the project. • Residential components of a project receive 25 points if the parking provided is less than 1 stall per unit and 15 points if the ratio is between 1.25 stalls per unit and 1 stall per unit. • Non residential projects receive 25 points if the parking ratio is 2 or less stalls for every 1,000 square feet.

Changes to the Approval Process

The Planning Division is currently reviewing the point system based on the changes to the guidelines, outcomes of completed projects and identified issues with the current process. The current process creates a three tiered approval process:

0-49 points: Projects are required to be approved by the Planning Commission through the Conditional Building and Site Design (CBSD) review process.

50-99 points: Projects are required to be approved at an administrative public hearing that uses the CBSD review standards to determine if a project should be approved.

100+ points: Projects are approved “administratively” at the staff level.

The proposed changes to the approval process include the following changes:

- Exempting single family, two family and three family dwellings from the approval process. These types of projects would not be subject to the development guidelines, but would be required to comply with all zoning regulations.
- Changing from a three tiered process to a two tiered process. The middle tier would be eliminated and projects would either be approved by the Planning Commission after a public hearing or at the staff level.
- Increasing the threshold for administrative approvals. A number of past projects are being re-evaluated based on the proposed changes to the guidelines outlined above. If the results of that evaluation indicate a change in threshold is warranted, a change will be proposed that is based on how the outcome of past projects may have changed and a change in citywide development goals. There are a number of options:
 - Leave the administrative approval threshold at 100.
 - Increase the administrative approval threshold based on the results of the re-evaluation. The threshold should be set at a level that can be justified, such as a certain % above the median or mean score.

As of July 7, 2016, a total of 8 completed projects have been re-evaluated using draft alternative guideline scoring. The results are in the below table. The median value of the projects in the table is 100. The mean score is 119, but is heavily influenced by the Eco-Lofts project, which is the highest scoring project in the TSA scoring district. These numbers will be adjusted as other projects are re-evaluated.

Project	Old Score	New Score	Primary Reasons for change in score
Encore 455 East 400 South	151	84	Architecture: -15 Building materials -10 Emphasis on corner building -10 Structured parking: -50 Parking ratio: +15
Seasons on the Boulevard 448 East 400 South	132	83	360 Architecture: -20 Structured parking: -40 Parking ratio 1-1.25: +15
Eco Lofts 444 South 900 East	200	250	33% or more affordable housing: +20 Parking structure below grade: net change of -25 Parking ratio less than 1: +25
West Station Apartments 167 North Harold Street	111	89	360 degree architecture: -20 points
Family Dollar Store 50 North 900 West	103	100	Bike rack: -3
The Lofts at Gateway 400 West 300 North	120	114	Charging stations: -3 Plaza design: -3
North Temple Apartments 664 West North Temple	119	109	Parking structure design: net decrease of 15 Gained a few misc. points
Red Iguana 2 Expansion 872 W South Temple	130	120	360 degree architecture: -20 points Eyes on the Street: +10 points