



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission
From: Molly Robinson, 801-535-7261
Date: February 28, 2018
Re: Zoning Text Amendment Conditional Building and Site Design Review (PLNPCM2016-00615)

Zoning Text Amendment

PROPERTY ADDRESS: *N/A*
PARCEL ID: *N/A*
MASTER PLAN: *N/A*
ZONING DISTRICT: *N/A*

REQUEST: A request by the Salt Lake City Council to review and modify the Conditional Building and Site Design Review Ordinance. A Conditional Building and Site Design Review (CBSDR) application is a development approval process that allows the Planning Commission to modify zoning design standards, allow additional building height in certain zoning districts, or allow additional building size in certain zoning districts than what is allowed under strict zoning regulations. The process is regulated in Chapter 21A.59 of the Salt Lake City Zoning Ordinance. The purpose of the proposed amendments is to:

- Align the purpose statement with citywide livability goals,
- Specify the authority that determines administrative versus Planning Commission approvals, and
- Modify the design standards to remove vague language, eliminate duplicative standards, and clarify how to implement each standard.

RECOMMENDATION: Based on the information in this staff report, Planning Staff finds the proposal adequately meets the standards for general text amendments. Planning Staff recommends that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed zoning ordinance text amendments in PLNPCM2016-00615.

ATTACHMENTS:

- [Summary of Proposed Changes](#)
- [Zoning Ordinance Amendments – Strike and Underline](#)
- [Analysis of Standards](#)
- [Public Process and Comments](#)
- [Dept. Comments](#)

PROJECT DESCRIPTION:

What is Design Review?


Design review is a commonly used tool to improve the design quality of the built environment. In Salt Lake City, design review is used in two primary ways: to promote livability, safety, and economic vitality of the city and its neighborhoods and to provide flexible implementation of the specific design requirements set forth within individual zoning districts. The Conditional Building and Site Design Review (CBSDR) process enables development of buildings that are taller or larger than what is allowed “as-of-right.” Twenty-four zoning districts enable modification of design standards or additional height or bulk through the CBSDR process.

Design review is also intended to result in a more enhanced product than what zoning requires through the application of additional design standards called “Standards of Review.”


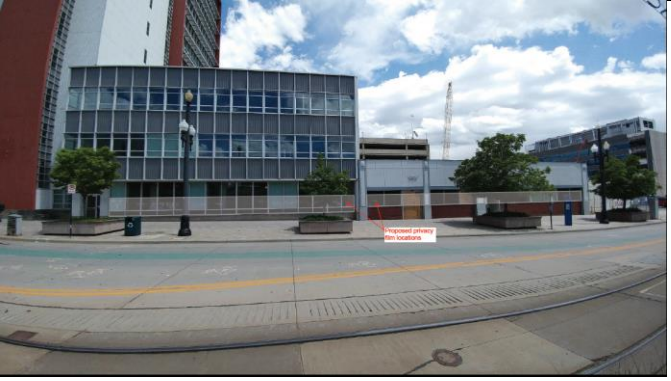
A standard development application that meets zoning and building code regulations can receive a building permit following staff review and approval of the building plans. A CBSDR application requires a special review process where the proposal is presented to abutting properties, affected Community Councils, and the Planning Commission is charged with approving the development plan by reviewing the proposal according to the Standards of Review. Some projects can be approved administratively –without Planning Commission hearing—though the current process by which this occurs is vague.

Reasons for Conditional Building and Site Design Review Requests

The following table describes the types of CBSDR requests, the general frequency of that type, and recent examples.

Type of Request	Frequency and Description	Recent Example
Building height exceeds as-of-right maximum height	The most common request for large scale projects. Nineteen zoning districts enable additional height from 10 feet to 75 feet or more, depending on the zoning district.	 <p data-bbox="743 1486 1406 1520">Block 67 Hotel and Apartment buildings (131 S 300 W).</p>
Building height does not meet the minimum	Rarely requested. Only the G-MU (Gateway Mixed-Use), TSA (Transit Station Area), and D-1 (Central Business District) allow a modification.	

		 <p>600 Lofts (600 South and State Street).</p>
<p>Building size (square footage) exceed as-of-right maximum size</p>	<p>New construction that exceeds a specific size (square footage) threshold is required to apply for CBSDR. Most common in Sugar House Business District; also exists in three other zoning districts.</p>	 <p>Sugar House Property's development of the Shopko site for the University of Utah Medical Office Building (2290 S 1300 E).</p>
<p>Setback exceeds maximum</p>	<p>Not commonly requested. Only R-MU, CN, CB, TSA, CSHBD, D-1, and D-4 allow a maximum setback modification.</p>	 <p>Auto body shop addition (1255 W 400 S).</p>

Yard does not meet minimum	Commonly requested. Can also be modified through Planned Development in many cases.	 <p>Wells Mixed Use Development (1300 S and 500 E).</p>
Lot size does not meet requirements	Not common. Typically modified through Planned Development.	None.
Failure to meet the minimum score for TSA Review	Not common. No TSA applications received to date have been required to apply for CBSDR instead of meeting the minimum score.	None.
Modification of design standards	<p>The Planning Commission may modify any of the design standards identified in Chapter 21A.37 as long as the applicant demonstrates that the modification meets the intent for the specific design standards requested to be modified. These requests are most common. The standards include:</p> <ul style="list-style-type: none"> ○ Ground floor use and visual interest ○ Building materials ○ Glass ○ Building entrances ○ Maximum length of a blank wall ○ Other design standards listed in 21A.37 	 <p>Goldman Sachs Childcare Center request to reduce minimum ground floor glass requirement (421 S Main St.)</p>

Issues and Proposed Changes

Attachment A provides a summary of all of the proposed changes including a summary of the issues associated with the existing regulations. Strike and underline versions of the ordinances proposed to be amended are included in Attachment B with the text shown in ~~strikethrough~~ being omitted and the text in underline added.

In working with the development community, public, and Planning Commission on identifying issues related to the CBSDR process, six main issues were identified:

1. **PROCESS:** The process is confusing and cumbersome for applicants, public, and staff.
2. **PREDICTABILITY:** Applicants have a perception that decision-making is unpredictable and lengthy.
3. **POLICY:** Existing standards are inconsistent with other parts of the city code.
4. **CONFLICTS:** Standards and zoning sometimes conflict.
5. **LANGUAGE:** The word “Conditional” in the title may hinder affordable housing projects due to funding rules.
6. **ADMINISTRATION:** Difficult for staff to administer due to vagueness in the Standards for Design Review language.

In particular, the requirement of projects seeking a single design standard modification to submit to the complete review and meet the Standards for Design Review is cumbersome for applicants and creates confusion for the public. This suggests that enabling limited modifications to design standards can be reasonably accommodated through an administrative (staff level) review process. Additionally, the Standards for Design Review are vague, using language that is undefined or explained in a way that applicants know what to include in their projects and that the public and Planning Commission know what to look for in the drawings.

The proposed changes include:

- **Revisions to the Purpose Statement**
These revisions establish the dual purpose of design review: flexibility for small projects/minor modifications and better design outcomes for large projects.
- **Establishes two clear paths for review**
Creates a simplified Administrative (staff) Review process for small projects and minor modifications (which is limited). Requires Planning Commission review for large projects. Public hearings are determined by the type of review and not by request. (Current noticing procedures enable community councils and adjacent property owners and tenants to request a public hearing on any CBSDR application. If a hearing is not requested, the application can be approved administratively.)
- **Application requirements are clearly stated**
A design review application is considered complete (and ready for review) when it includes five key elements, including site plan review materials, photos of the site and adjacent/nearby properties, written narrative, graphic images, and relevant calculations.
- **Revisions to the “Standards for Design Review”**
The Standards for Design Review are revised to remove vague language and adds explanation of how a project can meet each standard. These revisions are intended to help everyone know what Planning Commission expects to see and how projects are evaluated. For example, to achieve pedestrian-oriented development, applicants are directed as follows:
 - Where to locate buildings and primary entrances.
 - How to “facilitate pedestrian interest and interaction” at the ground level.
 - How to divide large building masses and heights to “relate to human scale.”
 - How to minimize negative impact of building height.
 - How to detail privately-owned public space.

These revisions also eliminate standards of review that exist elsewhere in city code and those that are considered not applicable to this ordinance. Specifically:

- Duplicative standards are eliminated, such as those that are required elsewhere in city code (street lighting, landscape, multiple “street orientation” standards).
- The revisions eliminate the public space requirement (K.), which requires 1 square foot of public space for every 10 square feet of gross building square footage over 60,000 square feet. (See Issue 3 below)

Impacts of the Proposed Changes

Staff predicts that the impacts of the proposed changes will result in:

- A shorter and simpler process for small projects and minor modifications.
- Increased predictability/timeline for large projects.
- Increased consistency with other city policy.
- Minimized conflict between standards and base zoning by recognizing that if a project meets the base zoning, it is compliant with the Standards of Review.
- Increased clarity on what staff/Planning Commission is looking for in their reviews.

KEY ISSUES:

The key issues listed below have been identified through review of the proposed amendment by community input and department review comments.

Issue 1: Difference between Administrative Review and Planning Commission Review

What qualifies a project for Administrative Review –a shorter and simpler approval process—is a key concern of community council representatives. They expressed concern that the ability to modify or loosen design standards through this process will nullify design standards over time, making them ineffective. The revisions articulate a clear path for applications eligible for Administrative Review: a new table lists what design standards can be modified through design review and to what extent. Only the design standards listed in the Scope of Modifications Authorized may be modified through design review; all other design standards not listed, setbacks, square footage, and height must be approved through Planning Commission review. Administratively reviewed projects will need to meet the *intent* of the design standard to be modified and the *applicable* Standards for Design Review.

Issue 2: Specificity of the Standards for Design Review

The current Standards for Design Review lack specific language that would direct applicants to predetermined design decisions (i.e. requiring building entrances every 30 feet to provide pedestrian interest). This is intentional and replicated in the proposed amendment. The zoning code maintains specific design standards within the base zoning; these are typically numeric (i.e. requiring certain percentages of a given building material or the maximum length of a blank wall); the Standards for Design Review are purposely more general as they apply citywide. Through this amendment, staff recommends maintaining numeric-based design standards in the base zoning and articulating how a project might meet the Standards for Design Review through guideline-like language, which increases the potential objectivity in project evaluation. The proposed amendment intentionally does not include specific design regulations (i.e. “all buildings *must* do this”). The intent of this was to avoid adding requirements that would be applied citywide, which have the potential to result in “sameness”.

Issue 3: Removal of Public Space Requirement (Standard K.)

Standard K –which requires one square foot of public space for every ten square feet of gross building floor area over 60,000 square feet—is problematic when applied citywide. It was intended to exact public space from big box retail-type projects where large parking lots are the dominant interface with the public realm.

It is considered a deterrent to development. Projects that provide publically accessible open space are guided to provide design elements for the comfort of people using the space.

DISCUSSION:

The proposed amendment complies with the standards for zoning text amendments (Attachment C). After analyzing the proposal and the applicable standards, staff recommends that the Planning Commission forward a positive recommendation to the City Council for adoption of the amendment.

NEXT STEPS:

The City Council has the final authority to make changes to the zoning ordinance. The recommendation of the Planning Commission for this request will be forwarded to the City Council for their review and decision.

ATTACHMENT A: SUMMARY OF PROPOSED CHANGES

See following pages.

Conditional Building and Site Design Review Ordinance Revision Summary

TOPIC	EXISTING CODE LANGUAGE DESCRIPTION AND ISSUES	DESCRIPTION OF PROPOSED CHANGES
Purpose Statement	The purpose of design review is two-fold: allow limited flexibility of design standards and ensure better quality outcomes for large projects –specifically to minimize the impacts to the public realm that large buildings impose. Regarding the latter, the existing CBSDR ordinance is limited to “pedestrian access, circulation and orientation.”	The proposed changes broaden the scope of development impacts beyond “pedestrian access, circulation and orientation” to encompass livability, safety, and economic vitality of the city and its neighborhoods.
Authority	The existing authority section does not effectively authorize administrative review of minor modifications to design standards. This is not in line with the purpose of the ordinance, which is to allow flexibility.	<p>The proposed changes create a simplified Administrative (staff) Review process for small projects and minor modifications (which is limited). Administrative Review applications need to comply with intent of design standards they seek to modify and not all of the Standards for Review in 21A.59.050.</p> <p>The proposed changes require Planning Commission review for large projects when:</p> <ul style="list-style-type: none"> • Required by zoning • Height exceeds maximum allowed by-right • Size exceeds maximum allowed by-right • Setback modifications are sought • Modifications to other design standards sought beyond what can be modified administratively. <p>Public hearings are determined by the type of review and not by request. (Current noticing procedures enable community councils and adjacent property owners and tenants to request a public hearing on any CBSDR application. If a hearing is not requested, the application can be approved administratively.)</p>
Process	The design review process section is currently at the end of the ordinance. It does not require application materials that are needed to evaluate applications effectively.	Process section is moved to the beginning of the ordinance to clarify what is required for these types of applications up front. It includes specific submission elements that are not articulated in the current ordinance. A design review application is considered complete (and ready for review) when it includes five key elements, including site plan review materials, photos of the site and adjacent/nearby properties, written narrative, graphic images, and relevant calculations.

Scope of Modifications Authorized	This section does not currently enable administrative review and approval.	The proposed amendment enables limited modification of design standards through Administrative Review as outlined in the table. All other modifications are subject to Planning Commission review.
Standards for Design Review	The current Standards for Design Review are considered vague and lack explanation of how an application can meet each standard.	These revisions are intended to help everyone know what Planning Commission expects to see and how projects will be evaluated. Planning Commission Review applicants must demonstrate how they meet all Standards for Design Review.
A. Purpose statement of the zoning district	Previously standard L.	Moved up front to highlight macro-level planning as guidance for site-specific design. Standards of Review were reorganized to better reflect the design process from neighborhood level to site to building to design element.
B. Orientation to the sidewalk	Previously standard A. and B.	Combines previous standards A. and B. and requires site planning that is oriented towards the public sidewalk.
C. Pedestrian interest	Current standard lacks guidance on how to achieve pedestrian interest.	Combines previous standards C. and D. Adds clarifying language on how to achieve pedestrian interest, and includes consideration of active ground floor uses, ground floor glass, architectural details, and outdoor dining.
Parking screening, landscape, and lighting	This is required in other parts of city code.	Removes current standard E.
D. Human scale	Previously standard K.1. Current standard lacks guidance on how to achieve human scale.	Adds clarifying language on how to achieve human scale, and includes consideration of alignment of design elements like cornices with adjacent buildings, building modulation, inclusion of secondary elements like balconies and porches, and window proportions.
E. Building length	Current ordinance does not provide guidance on buildings that exceed 200 feet in length.	This is a new standard of review. It is similar to TSA zoning, which requires that buildings longer than 200 feet shall include changes in vertical plan, material changes, and massing changes to break up long expanses visually.
F. Privately-owned public spaces	Previously standard K. This standard requires one square foot of public space for every ten square feet of gross building floor area over 60,000 square feet. When applied citywide, it is problematic –often requiring more public space than there is available land area. This is often the case in the downtown and Sugar House in which case this requirement is considered not applicable and is waived.	Revisions remove the size-based public space requirement and other parts of current standard K. were moved to other parts of the revised ordinance. The remaining portions of this section support the design of privately-owned public spaces that are intended for use by people. Relevant only if privately-owned public spaces are included in the design.
G. Building height	Previously 21A.59.065 Standards for Design Review for Height. Current ordinance does not provide effective guidance for how to minimize negative impacts of height on public spaces.	Adds clarifying language on how to modify building design to achieve human scale with tall buildings, including utilizing setbacks and vertical composition. It also articulates how to minimize negative impacts of height by stepping the building up or down to its neighbors and requiring applicants to demonstrate shadow and wind impacts on public space. It

		also provides guidance on cornices, rooflines, and green roofs.
H. Parking and site circulation	Previously standard F.	Revisions specify the importance of pedestrian connections to the sidewalk, transit facilities, or mid-block walkway.
I. Service areas	Previously standard G.	Revisions add additional conditions for service areas, including screening and setbacks.
J. Signage	Previously standard H. Current ordinance does not provide guidance on how signage should be oriented to the pedestrian and what is required of the building design.	Adds clarifying language that requires the building design to include obvious locations for signage, coordinate with lighting design, and coordinate with landscaping for maximum pedestrian visibility.
K. Lighting	Previously standard I. Current ordinance directs applicants to the lighting master plan and does not articulate the intent of lighting as it relates to pedestrian orientation or livability.	Adds clarifying language that addresses street light requirements, building and site lighting on private property, and coordination with architecture, signage, and pedestrian circulation.
L. Streetscape improvements	Previously standard J. Current ordinance includes redundant landscaping requirements and does not effectively address paving materials.	Revisions remove redundant landscape requirements (already required in 21A.48) and add new paving standards of review that support use of durable materials, permeability, urban heat island considerations, accessibility considerations, and limited use of asphalt.
Time limit on approvals	No change.	Previously covered in 21A.59.070.

ATTACHMENT B: Zoning Ordinance Amendments – Strike and Underline

See following pages.

CHAPTER 21A.59 ~~CONDITIONAL BUILDING AND SITE DESIGN REVIEW~~

21A.59.010: PURPOSE STATEMENT:

21A.59.020: AUTHORITY:

21A.59.030: ~~SCOPE OF APPLICATION:~~ DESIGN REVIEW PROCESS:

21A.59.040: SCOPE OF MODIFICATIONS AUTHORIZED:

21A.59.050: ~~APPLICATION REQUIREMENTS:~~ STANDARDS FOR DESIGN REVIEW:

21A.59.060: ~~STANDARDS FOR DESIGN REVIEW:~~ TIME LIMIT ON APPROVED APPLICATIONS FOR DESIGN REVIEW:

21A.59.065: ~~STANDARDS FOR DESIGN REVIEW FOR HEIGHT:~~

21A.59.070: ~~PROCEDURES FOR DESIGN REVIEW:~~ EFFECT OF APPROVAL OF APPLICATIONS FOR DESIGN REVIEW:

21A.59.080: ~~BUILDING AND SITE DESIGN REVIEW AND CONDITIONAL USES:~~ MODIFICATIONS TO APPROVED DESIGN REVIEW PLANS:

21A.59.010 PURPOSE STATEMENT

The intent of building and site design review regulations is to provide for the flexible implementation of the specific design requirements set forth within individual zoning districts. The purpose statement of each zoning district provides the philosophical approach to defining that flexibility. This process is intended to supplement the review and administrative procedures which are carried out under this title or other city ordinances and regulations. The conditional building and site design review process is intended to help ensure that newly developed properties and redeveloped properties are designed to encourage pedestrian access, circulation and orientation while acknowledging the need for transit and automobile access. (Ord. 15-13, 2013)

The purpose of the design review chapter is to: 1. establish a process and standards of review for minor modifications to applicable design standards, and 2. ensure high quality outcomes for larger developments that have a significant impact on the city. The intent of the process to review applications for minor modifications to applicable design standards is to allow some flexibility in how the design standards are administered by recognizing that the zoning ordinance cannot anticipate all development issues that may arise. The intent of the process to review larger developments is to verify new developments are compatible with their surroundings, impacts to public infrastructure and public spaces are addressed, and that new development helps achieve development goals outlined in the adopted master plans of the City as identified in the purpose statements of each zoning district.

21A.59.020 AUTHORITY

Design review shall be required pursuant to the provisions of this chapter for uses developments and alternate building and site design features as specified within individual zoning districts before ~~zoning certificates, building permits or certificates of occupancy~~ may be issued.

- A. ~~The planning commission shall approve design criteria upon consideration of comments received from city departments and determining whether modification of specific design regulations meets the intent of the individual zoning district.~~

- A. Administrative Review: The Planning Director may approve, approve with modifications, deny or refer to the planning commission modifications to specific design standards when proposed as new construction, an addition or modification to the exterior of an existing structure, or a modification to an existing structure as authorized in Table 21A.59.040 or when authorized in the specific zoning district.
1. The director shall approve a request to modify a design standard if the director finds that the proposal complies with the purpose of the individual zoning district, the purpose of the individual design standards that are applicable to the project, the proposed modification is compatible with the development pattern of other buildings on the block face or on the block face on the opposite side of the street, and the project is compliant with the applicable design review objectives (21A.59.060).
 2. The director may approve a request to modify a design standard with conditions or modifications to the design if the director determines a modification is necessary to comply with the purpose of the base zoning district, the purpose of the applicable design standards of the base zoning, to achieve compatibility with the development pattern of other buildings on the block face or on the block face on the opposite side of the street, and the applicable design review objectives.
 3. The director shall deny a request to modify a design standard if the design does not comply with the purpose of the base zoning district, the purpose of the applicable design standards or the applicable design review objectives and no modifications or conditions of approval can be applied that would make the design comply.
 4. The director may forward a request to modify a design standard if the director finds that the request for modification is greater than allowed by this chapter, a person receiving notice of the proposed modification can demonstrate that the request will negatively impact their property, or at the request of the applicant if the director is required to deny the request as provided in this section.
- ~~B. The planning commission may modify individual design requirements for specific projects if they find that the intent of the basic design criteria of the zoning district has been met. (Ord. 15-13, 2013)~~
- B. Planning Commission Review: The following types of applications shall be reviewed by the Planning Commission. If an application for design review is not listed below, it shall be eligible for administrative review as outlined in section 21A.59.020 A.:
1. When required in the specific zoning district.
 2. All projects that include a request for additional building height or a reduction to a minimum height requirement;
 3. All projects that request additional square footage when authorized in the specific zoning district;
 4. Projects that have applied for a modification of base zoning design standards but could not be approved administratively because they exceed limits identified in Table 21A.59.040.
 5. Projects in the TSA zoning district that have a development score that requires planning commission review and approval.
- C. Planning Commission Decisions: when reviewing design review applications, the Planning Commission may take the following action:
1. The commission shall approve a project if it finds that the proposal complies with the purpose of the individual zoning district, the purpose of the individual design standards that are applicable to the project, and the project is compliant with the applicable design review objectives found in this chapter.
 2. The commission may approve a project with conditions or modifications to the design if it determines a modification is necessary to comply with the purpose of the base zoning district, the purpose of the applicable design standards of the base zoning, or the applicable design review objectives.

3. The commission shall deny the design of a project if the design does not comply with the purpose of the base zoning district, the purpose of the applicable design standards or the applicable design review objectives and no modifications or conditions of approval can be applied that would make the design comply.
- D. Modifications to design standards for properties within an H Historic Preservation Overlay District are subject to the processes and applicable standards outlined in 21A.34.020 and not this design review chapter.

21A.59.030 SCOPE OF APPLICATION DESIGN REVIEW PROCESS

~~Design review approval shall be required for all permitted uses, conditional uses and accessory uses when specifically authorized and referenced by individual zoning districts. (Ord. 15-13, 2013)~~

- A. A presubmittal meeting with Planning Staff is recommended prior to submitting an application for design review to ensure a detailed understanding of the application submission requirements and design review process.
- B. The design review application is considered complete when it includes all of the following:
 - i. All of the application information required for site plan review as identified in section 21A.58 of this title.
 - ii. Photos showing the facades of adjacent development, trees on the site, general streetscape character, and views to and from the site.
 - iii. Demonstration of compliance with the purpose of the individual zoning district in written narrative and graphic images.
 - iv. Demonstration of compliance with the purpose of the applicable design standards of the individual zoning district in written narrative, graphic images, and relevant calculations.
 - v. Demonstration of compliance with the applicable design review objectives (21A.59.060) in written narrative, graphics, images, and relevant calculations.
 - vi. The zoning administrator may waive a submittal requirement if it is not necessary in order to determine if a request for a modification to a design standard complies with the standards of review.
- C. Public Notification and Engagement
 - a. Notice of Application for Administrative Review: Prior to the approval of an administrative decision for a modification to a specific design standard, the Planning Director shall provide written notice as provided in chapter 21A.10.
 - b. Required Notice for Planning Commission Review
 - i. Applications subject to Planning Commission review of this chapter are subject to notification requirements of title 2, chapter 2.60 of this code.
 - ii. Any required public hearing is subject to the public hearing notice requirements found in chapter 21A.10.

21A.59.040 SCOPE OF MODIFICATIONS AUTHORIZED

~~The authority of the planning commission through the design review process shall be limited to modification of the specific element referenced within each zoning district. In the TSA zoning district, the planning commission or administrative hearing officer, shall have the authority to determine if a proposal generally complies with the transit station area development guidelines and may make modifications to the building and site design proposal to ensure compliance. (Ord. 15-13, 2013)~~

- A. The authority of the Planning Director through the design review process shall be limited to modification of the specific element referenced within each zoning district.
- a. For Planning Director review, the design standards of the applicable zoning district (see Chapter 21A.37 Design Standards), may be modified according to the following table.

Table 21A.59.040

<u>Design Standards</u>	<u>Primary Modification Allowed</u>	<u>Secondary Modification Allowed</u>
<u>A. Ground Floor Use and Visual Interest</u>		
1. <u>Ground Floor Use Only</u>	<u>length: 10%</u>	<u>depth: 20%</u>
2. <u>Ground Floor Use and Visual Interest</u>	<u>PC only</u>	
<u>B. Building Materials</u>		
1. <u>Ground Floor Building Materials</u>	<u>PC only</u>	
2. <u>Upper Floor Building Materials</u>	<u>PC only</u>	
<u>C. Glass</u>		
1. <u>Ground Floor Glass</u>	<u>10%</u>	
2. <u>Upper Floor Glass</u>	<u>10%</u>	
<u>D. Building Entrances</u>	<u>PC only</u>	
<u>E. Maximum Length of Blank Wall</u>	<u>PC only</u>	
<u>F. Maximum Length of Street-Facing Facades</u>	<u>10%</u>	
<u>G. Upper Floor Step Back</u>		
1. <u>For street facing facades</u>	<u>20%</u>	
2. <u>For facades facing single- or two-family residential districts</u>	<u>PC only</u>	

- B. The Planning Commission may consider modifications that exceed allowances listed in this section or any other design standard modification authorized in the base zoning district or Chapter 21A.37.

21A.59.050: APPLICATION REQUIREMENTS:

Each application for design review shall include the same information as required for site plan review as identified in section [21A.58.060](#) of this title. (Ord. 15-13, 2013)

21A.59.060: STANDARDS FOR DESIGN REVIEW: 21A.59.050: STANDARDS FOR DESIGN REVIEW:

In addition to standards provided in other sections of this title for specific types of approval, the following standards shall be applied to all applications for design review:

The standards in this section apply to all applications for design review as follows:

For applications seeking modification of base zoning design standards, applicants shall demonstrate how the applicant's proposal complies with the standards for design review that are directly applicable to the design standard(s) that is proposed to be modified.

For applications that are required to go through the design review process for purposes other than a modification to a base zoning standard, the applicant shall demonstrate how the proposed project complies with each standard for design review. If an application complies with a standard in the base zoning district or with an applicable requirement in chapter 21A.37 and that standard is directly related to a standard found in this section, the planning commission shall find that application complies with the specific standard for design review found in this section. An applicant may propose an alternative to a standard for design review provided the proposal is consistent with the intent of the standard for design review.

- A. Development shall be primarily oriented to the street, not an interior courtyard or parking lot. Any new development shall comply with the intent of the purpose statement of the zoning district and specific design regulations found within the zoning district in which the project is located as well as the city's adopted "urban design element" and adopted master plan policies and design guidelines governing the specific area of the proposed development.
- B. Primary access shall be oriented to the pedestrian and mass transit. Development shall be primarily oriented to the sidewalk, not an interior courtyard or parking lot.
 - 1. Primary entrances shall face the public sidewalk (secondary entrances can face a parking lot).
 - 2. Building(s) shall be sited close to the public sidewalk, following and responding to the desired development patterns of the neighborhood.
 - 3. Parking shall be located within, behind, or to the side of buildings.
- C. Building facades shall include detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction.
 - 1. Locate active ground floor uses at or near the public sidewalk.
 - 2. Maximize transparency of ground floor facades.
 - 3. Use or reinterpret traditional storefront elements like sign bands, clerestory glazing, articulation, and architectural detail at window transitions.
 - 4. Locate outdoor dining patios, courtyards, plazas, habitable landscaped yards, and open spaces so that they have a direct visual connection to the street and outdoor spaces.
- D. Architectural detailing shall be included on the ground floor to emphasize the pedestrian level of the building. Large building masses shall be divided into heights and sizes that relate to human scale.
 - 1. Relate building scale and massing to the size and scale of existing and anticipated buildings, such as alignments with established cornice heights, building massing, step-backs and vertical emphasis.
 - 2. Modulate the design of a larger building using a series of vertical or horizontal emphases to equate with the scale (heights and widths) of the buildings in the context and reduce the visual width or height.
 - 3. Include secondary elements such as balconies, porches, vertical bays, belt courses, fenestration and window reveals.
 - 4. Reflect the scale and solid-to-void ratio of windows and doors of the established character of the neighborhood or that which is desired in the master plan.

- E. ~~Parking lots shall be appropriately screened and landscaped to minimize their impact on adjacent neighborhoods. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods.~~ Building facades that exceed a combined contiguous building length of two hundred feet (200') shall include:
1. Changes in vertical plane (breaks in façade),
 2. Material changes, and
 3. Massing changes.
- F. ~~Parking and on site circulation shall be provided with an emphasis on making safe pedestrian connections to the street or other pedestrian facilities. If provided, privately-owned public spaces shall include at least three (3) of the five (5) following elements:~~
1. Sitting space of at least one sitting space for each two hundred fifty (250) square feet shall be included in the plaza. Seating shall be a minimum of sixteen inches (16") in height and thirty inches (30") in width. Ledge benches shall have a minimum depth of thirty inches (30");
 2. A mixture of areas that provide seasonal shade;
 3. Trees in proportion to the space at a minimum of one tree per eight hundred (800) square feet, at least two inch (2") caliper when planted;
 4. Water features or public art;
 5. Outdoor dining areas; and/or
 6. Other amenities not listed above that provide a public benefit.
- G. ~~Dumpsters and loading docks shall be appropriately screened or located within the structure.~~ Building height shall be modified to relate to human scale and minimize negative impacts. In downtown and in the Sugar House business district, building height shall contribute to a distinctive city skyline.
1. Human scale:
 - a. Utilize setbacks to design a building that relate to the height and scale of adjacent and nearby buildings, or where identified, goals for future scale defined in adopted master plans.
 - b. For buildings more than three stories or buildings with vertical mixed use, compose the design of a building with distinct base, middle and top sections to reduce the sense of apparent height.
 2. Negative impacts:
 - a. Modulate taller buildings vertically and horizontally so that it steps up or down to its neighbors.
 - b. Minimize shadow impacts of building height on the public realm and semi-public spaces by varying building massing. Demonstrate impact from shadows due to building height for the portions of the building that are subject to the request for additional height.
 - c. Modify tall buildings to minimize wind impacts on public and private spaces, such as the inclusion of a wind break above the first level of the building.
 3. Cornices and rooflines:
 - a. Shape and define rooflines to be cohesive with the building's overall form and composition.
 - b. Include roof forms that complement the rooflines of surrounding buildings.

- c. Green roof and roof deck: Include a green roof and/or accessible roof deck to support a more visually compelling roof landscape and reduce solar gain, air pollution, and the amount of water entering the stormwater system.
- H. Signage shall emphasize the pedestrian/mass transit orientation. Parking and on site circulation shall be provided with an emphasis on making safe pedestrian connections to the sidewalk, transit facilities, or midblock walkway.
- I. Lighting shall meet the lighting levels and design requirements set forth in [chapter 4](#) of the Salt Lake City lighting master plan dated May 2006. Waste and recycling containers, mechanical equipment, storage areas, and loading docks shall be fully screened from public view and shall incorporate building materials and detailing compatible with the building being served. Service uses shall be set back from the front line of building or located within the structure. (21A.37.050.K.)
- J. Streetscape improvements shall be provided as follows:
- ~~1. One street tree chosen from the street tree list consistent with the city's urban forestry guidelines and with the approval of the city's urban forester shall be placed for each thirty feet (30') of property frontage on a street. Existing street trees removed as the result of a development project shall be replaced by the developer with trees approved by the city's urban forester.~~
 - ~~2. Landscaping material shall be selected that will assure eighty percent (80%) ground coverage occurs within three (3) years.~~
 - ~~3. Hardscape (paving material) shall be utilized to designate public spaces. Permitted materials include unit masonry, scored and colored concrete, grasscrete, or combinations of the above.~~
 - ~~4. Outdoor storage areas shall be screened from view from adjacent public rights of way. Loading facilities shall be screened and buffered when adjacent to residentially zoned land and any public street.~~
 - ~~5. Landscaping design shall include a variety of deciduous and/or evergreen trees, and shrubs and flowering plant species well adapted to the local climate.~~
- Signage shall emphasize the pedestrian/mass transit orientation.
1. Define specific spaces for signage that are integral to building design, such as commercial sign bands framed by a material change, columns for blade signs, or other clearly articulated band on the face of the building.
 2. Coordinate signage locations with appropriate lighting, awnings, and other projections.
 3. Coordinate sign location with landscaping to avoid conflicts.
- K. The following additional standards shall apply to any large scale developments with a gross floor area exceeding sixty thousand (60,000) square feet:
- ~~1. The orientation and scale of the development shall conform to the following requirements:
 - ~~a. Large building masses shall be divided into heights and sizes that relate to human scale by incorporating changes in building mass or direction, sheltering roofs, a distinct pattern of divisions on surfaces, windows, trees, and small scale lighting.~~
 - ~~b. No new buildings or contiguous groups of buildings shall exceed a combined contiguous building length of three hundred feet (300').~~~~
 - ~~2. Public spaces shall be provided as follows:
 - ~~a. One square foot of plaza, park, or public space shall be required for every ten (10) square feet of gross building floor area.~~~~

- ~~b. Plazas or public spaces shall incorporate at least three (3) of the five (5) following elements:~~
- ~~(1) Sitting space of at least one sitting space for each two hundred fifty (250) square feet shall be included in the plaza. Seating shall be a minimum of sixteen inches (16") in height and thirty inches (30") in width. Lodge benches shall have a minimum depth of thirty inches (30");~~
 - ~~(2) A mixture of areas that provide shade;~~
 - ~~(3) Trees in proportion to the space at a minimum of one tree per eight hundred (800) square feet, at least two inch (2") caliper when planted;~~
 - ~~(4) Water features or public art; and/or~~
 - ~~(5) Outdoor eating areas.~~

Lighting shall support pedestrian comfort and safety, neighborhood image, and dark sky goals.

1. Provide street lights as indicated in the SLC Lighting Master Plan.
 2. Outdoor lighting should be designed for low-level illumination and to minimize glare and light trespass onto adjacent properties and uplighting directly to the sky.
 3. Coordinate lighting with architecture, signage, and pedestrian circulation to accentuate significant building features, improve sign legibility, and support pedestrian comfort and safety.
- L. ~~Any new development shall comply with the intent of the purpose statement of the zoning district and specific design regulations found within the zoning district in which the project is located as well as adopted master plan policies, the city's adopted "urban design element" and design guidelines governing the specific area of the proposed development. Where there is a conflict between the standards found in this section and other adopted plans and regulations, the more restrictive regulations shall control. (Ord. 15-13, 2013)~~

Streetscape improvements shall be provided as follows:

1. One street tree chosen from the street tree list consistent with the city's urban forestry guidelines and with the approval of the city's urban forester shall be placed for each thirty feet (30') of property frontage on a street. Existing street trees removed as the result of a development project shall be replaced by the developer with trees approved by the city's urban forester.
2. Hardscape (paving material) shall be utilized to differentiate privately-owned public spaces from public spaces. Hardscape for public sidewalks shall follow applicable design standards. Permitted materials for privately-owned public spaces shall meet the following standards:
 - a. Use materials that are durable (withstand wear, pressure, damage), require a minimum of maintenance, and are easily repairable or replaceable should damage or defacement occur.
 - b. Where practical, as in lower-traffic areas, use materials that allow rainwater to infiltrate into the ground and recharge the water table.
 - c. Limit contribution to urban heat island effect by limiting use of dark materials and incorporating materials with a high Solar-Reflective Index (SRI).
 - d. Utilize materials and designs that have an identifiable relationship to the character of the site, the neighborhood, or Salt Lake City.
 - e. Use materials (like textured ground surfaces) and features (like ramps and seating at key resting points) to support access and comfort for people of all abilities.
 - f. Asphalt shall be limited to vehicle drive aisles.

21A.59.060 TIME LIMIT ON APPROVED APPLICATIONS FOR DESIGN REVIEW

No design review approval shall be valid for a period longer than one year from the date of approval unless a building permit is issued or a complete building plans and building permit applications have been submitted to the division of building services and licensing. An extension of one year may be granted by the entity that approved the application. Extension requests must be submitted prior to the expiration of the design review approval.

~~21A.59.065: STANDARDS FOR DESIGN REVIEW FOR HEIGHT:~~

~~In addition to standards provided in section [21A.59.060](#) of this chapter, the following standards shall be applied to all applications for conditional building and design review regarding height:~~

- ~~A. The roofline contains architectural features that give it a distinctive form or skyline, or the rooftop is designed for purposes such as rooftop gardens, common space for building occupants or the public, viewing platforms, shading or daylighting structures, renewable energy systems, heliports, and other similar uses, and provided that such uses are not otherwise prohibited.~~
- ~~B. There is architectural detailing at the cornice level, when appropriate to the architectural style of the building.~~
- ~~C. Lighting highlights the architectural detailing of the entire building but shall not exceed the maximum lighting standards as further described elsewhere in this title. (Ord. 15-13, 2013)~~

~~21A.59.070: PROCEDURES FOR DESIGN REVIEW:~~

- ~~A. Fees: The application shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by chapter 21A.10 of this title.~~
- ~~B. Submission Of Final Plans; Review And Approval:
 - ~~1. Planning Commission Review: After the plans and related materials and fees have been submitted pursuant to section [21A.59.050](#) of this chapter, and the application has been determined by the planning director to be complete pursuant to section [21A.10.010](#) of this title, the application shall be reviewed and processed through the planning commission in coordination with the appropriate city departments. If the plan is approved, the planning director shall certify approval and state the conditions of such approval, if any. If the design is disapproved, the planning director shall indicate reasons for such in writing to the applicant.~~
 - ~~2. Appeal Of Planning Commission Decision: Any person adversely affected by a final decision of the planning commission may appeal to the appeals hearing officer in accordance with the provisions of chapter 21A.16 of this title.~~
 - ~~3. Certification By Planning Commission: The decisions of the planning commission approving the application shall be noted on all copies of applicable plans to be retained in the record, including any changes or conditions required as part of the design review approval. One such copy shall be returned to the applicant, and others retained as required for records or further action by the planning commission or other affected agencies of the city.~~~~

- ~~4. Building Permits: Building permits shall be issued in accordance with approved plans. A copy of the approved plan shall be retained in the records of the office of the division of building services and licensing and all building and occupancy permits shall conform to the provisions of the approved design review.~~
- ~~5. Amendments Or Modifications To Approved Design Review: Amendments or modifications to approved design review must be submitted to the planning director. Such modifications shall be submitted in accordance with the procedures and requirements of this chapter and shall be distributed to the appropriate departments for review. The planning director may waive this requirement if the planning director determines that such modification of the original design review has no significant impact upon the original proposal and still remains in conformance with design concepts approved by the planning commission.~~
- ~~6. Time Limit On Approval: Approval of design review shall be void unless a building permit has been issued or complete building plans have been submitted to the division of building services and licensing within two (2) years from the date of approval. The planning director may grant an extension of a design review approval for up to one additional year when the applicant is able to demonstrate no change in circumstance that would result in an unmitigated impact. Extension requests must be submitted to the planning director in writing prior to the expiration of the design review approval. (Ord. 54-14, 2014; Ord. 15-13, 2013)~~

21A.59.070 EFFECT OF APPROVAL OF APPLICATIONS FOR DESIGN REVIEW

- A. The approval of a design review application shall authorize the preparation, filing and processing of applications for any permits or approval that may be required by the city, including, but not limited to, a building permit, certificate of occupancy and subdivision approval.
- B. Following the approval of a design review application, any future alteration to the property, building or site shall comply with the approved design review application unless a modification is approved subject to the process outlined in this chapter.

21A.59.080: BUILDING AND SITE DESIGN REVIEW AND CONDITIONAL USES:

~~When a development is proposed which requires building and site design review along with a conditional use approval, the planning commission shall review the applications together. The proposed applications shall be reviewed and approved, approved with conditions, approved with modifications, or denied. (Ord. 15-13, 2013)~~

21A.59.080 MODIFICATIONS TO APPROVED DESIGN REVIEW PLANS

- A. Minor modifications: the planning director may authorize minor modifications to approved design review applications as listed below.
 1. Dimensional requirements that are necessary in order to comply with adopted building codes, fire codes, or engineering standards. The modification is limited

to the minimum amount necessary to comply with the applicable building code, fire codes, or engineering standard.

2. Minor changes to building materials provided the modification is limited to the dimension of the material, color of material, or texture of material. Changes to a different material shall not be considered a minor modification.
- B. Any other modifications not listed in subsection A shall require a new application.

ATTACHMENT C: ANALYSIS OF STANDARDS

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
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;	Complies	<p>Plan Salt Lake provides the vision for the future of Salt Lake City. It also lists guiding principles and initiatives to achieve the vision. Plan Salt Lake was used to develop the objectives that the City wants to achieve when approving a project through design review. The proposed Standards of Design Review were developed to provide a framework for the Planning Commission to use when evaluating a project to ensure that it is meeting the goals and initiatives stated in Plan Salt Lake. The purpose of the proposed amendments is provide better guidance for design review applications to ensure livability, safety, and economic vitality of the city and its neighborhoods and to provide flexible implementation of the specific design requirements set forth within individual zoning districts.</p> <p>The current standard L. presents issues related to master plans, inviting master plans to serve as regulation, which is not allowed by state law. The proposed amendment to this standard (now A.) eliminate language that states that when there is a conflict “the more restrictive regulations shall control.” The role of a master plan in design review is to establish the <i>desired</i> character and development patterns for a neighborhood.</p>
2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;	Complies	<p>The overall purpose of the proposed amendments is to ensure that a design review application is consistent with citywide planning objectives, specifically to:</p> <ul style="list-style-type: none"> A. Lessen congestion in the streets or roads; B. Secure safety from fire and other dangers; C. Provide adequate light and air; D. Classify land uses and distribute land development and utilization; E. Protect the tax base; F. Secure economy in governmental expenditures; G. Foster the city’s industrial, business and residential development; and H. Protect the environment. (from the Zoning Purpose and Intent 21A.02.030) <p>The proposed text amendment establishes a multifaceted purpose of design review in Salt Lake City: flexibility for small projects and minor modifications and better outcomes for large projects and the neighborhoods in which they’re located. It also broadens the purpose by providing for the livability, safety, and economic vitality of the city and its neighborhoods as outlined in applicable master plans.</p>
3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts	Complies	<p>The proposed amendment formally recognizes that modifications to design standards for properties within a Historic Preservation Overlay District are subject to the processes and applicable standards outlined in 21A.34.020.</p>

which may impose additional standards;		
<p>4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.</p>	<p>Complies</p>	<p>Design review is a commonly used tool to improve the design quality of the built environment. Administration varies, often depending on the size and age of the municipality, design professional participation, political interest, and other factors. The proposed amendment loosely follows an “educative guidelines” model that meets the following criteria:</p> <ul style="list-style-type: none"> • Culturally compatible, contextualized to Salt Lake City • Technically appropriate • Linked to city policy • Actionable and predictable <p>Best practices in design review tend toward more precise design guidelines to increase predictability and minimize arbitrary style-based decision making. Proscriptive, performance-based, and prescriptive guidelines are determined to be appropriate for the base zoning code and not for the Standards for Design Review. The proposed amendments aim to identify the elements or features of a design that should be included (or eliminated) that will demonstrate compliance with the Standards of Design Review.</p> <p>The proposed amendment maintains a participatory process and public review for large scale projects and projects that do not meet the requirements for Administrative Review.</p>
<p>NOTES:</p>		

ATTACHMENT D: Public Process and Comments

A focus group was held on September 13, 2016 to assess the existing ordinance and identify issues. Ten developers and architects participated in the meeting.

The Planning Division held three public open houses regarding the proposed ordinance amendments:

- October 13, 2016 (8 people signed the attendance sheet)
- February 16, 2017 (no one signed the attendance sheet)
- February 15, 2018

The open house meeting notices were sent to all community council chairs and the Planning Division listserv. Detailed information regarding the proposed amendments was posted on the Planning Division website and the open house notices made reference to that posted information in the event that an individual could not attend the open house.

Staff presented the proposed text amendment at seven community meetings:

- January 17, 2018: Downtown Development Committee, Downtown Alliance, approximately 25 people in attendance
- January 17, 2018: Downtown Community Council, approximately 12 people in attendance
- January 25, 2018: East Liberty Park Community Organization, approximately 15 people in attendance, broadcast via Facebook Live
- February 1, 2018: Ballpark Community Council, approximately 15 people in attendance
- February 7, 2018: Central City Community Council, approximately 8 people in attendance, broadcast via Facebook Live
- February 7, 2018: Sugar House Community Council, approximately 30 people in attendance
- February 12, 2018: Sugar House Land Use Subcommittee, approximately 7 people in attendance

In general, both developers and the public were supportive of efforts to streamline the process and the creation of an Administrative Review option. Community council representatives and others expressed concern about “creep” wherein design standards would be minimized or consistently overridden over time if the bar is lowered too much. Removal of vague language and addition of “how to” guidance for each standard was heavily supported by many. Some community council representatives and developers requested more specific design standards be included, which would eliminate reviewer bias but create additional regulation when flexibility may be more appropriate. No objections were made about the removal of the public space requirement (standard K. in the current ordinance).

ATTACHMENT E: City Department Comments

Building Services

No comments received.

Engineering

More discussion with SLC Engineering and SLC Transportation is recommended regarding the proposed language for materials used to construct public sidewalk (21A.59.050L.2.) Scott Weiler. 2/21/18.

Preface subparagraphs a-f with “Private sidewalk materials” to make it clear that those subparagraphs do not relate to public sidewalks. Scott Weiler. 2/23/18.

Public Utilities

No comments received.

Fire

No comments received.

Police

No comments received.

Housing and Neighborhood Development

No comments received.

Redevelopment Agency

No comments received.

Sustainability

Recommend changing reference to “dumpsters” in standard I. to say “waste and recycling containers”, and reference ordinance 9.08.200 as many of these types of developments are required to have both waste and recycling services. Putting the reference in there will help remind everyone of the requirement. Vicki Bennett. 2/7/18.

Transportation

No comments. Mike Barry. 2/8/18.