



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Nannette Larsen, Principal Planner, 801-535-7645 or nannette.larsen@slcgov.com

Date: February 10, 2021

Re: PLNPCM2020-00804/00806 – 461 South 400 East Master Plan and Zoning Map Amendments

Master Plan and Zoning Map Amendments

PROPERTY ADDRESS: 461 South 400 East

PARCEL ID: 16-06-406-019

MASTER PLAN: Central Community – Residential/Office Mixed Use

ZONING DISTRICT: R-MU-45 (Residential Mixed Use)

REQUEST: Salt Lake City received a request from Majid Kharrati with NextStep Group, the property owner, to amend the Central Community Master Plan and the zoning map for the property located at 461 South 400 East. The proposal would rezone the property from R-MU-45 (Residential Mixed Use) to TSA-UN-C (Transit Station Area Urban Neighborhood Core) and amend the Central Community Future Land Use Map from Residential/Office Mixed Use to High Density Transit Oriented Development (50 or more dwelling units/acres).

RECOMMENDATION: Based on the information in this staff report, Planning Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the proposed zoning map and master plan amendment.

ATTACHMENTS:

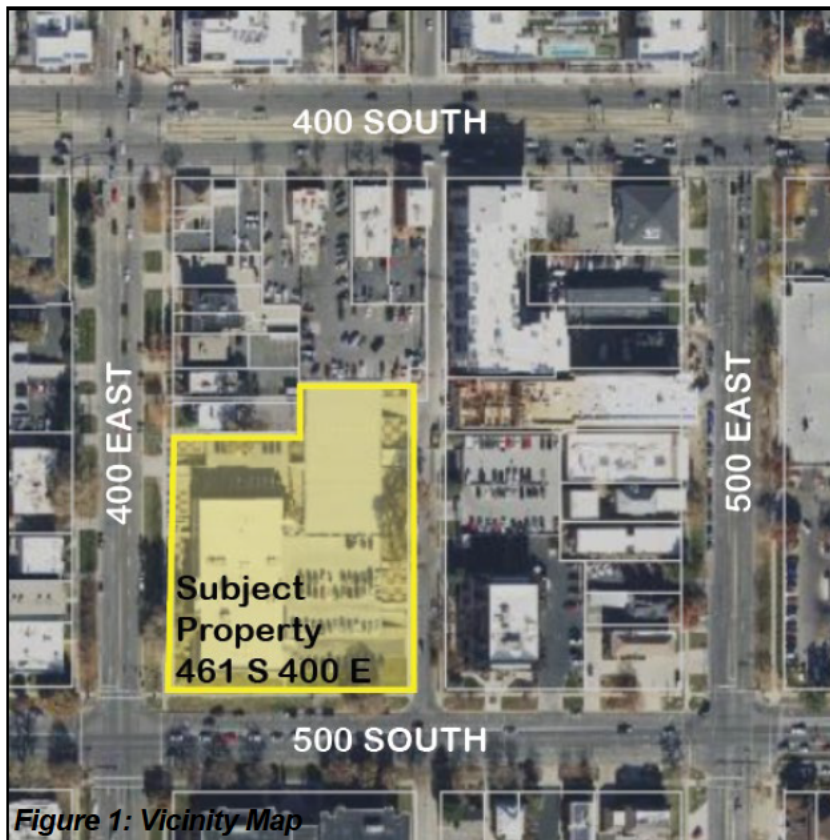
- A. Applicant Submittal and Information
- B. Zoning Map
- C. Central Community Future Land Use Map
- D. Site Photos
- E. Analysis of Amendment Standards
- F. R-MU-45 Zoning Standards
- G. TSA-UN-C Zoning Standards
- H. Department Comments
- I. Public Process and Comments

PROJECT DESCRIPTION:

The property under review to amend the master plan and zoning map is located on a parcel along three street frontages of 400 East, 500 South, and Denver Street, it is also located within the Central Community Master Plan area.

The Central Community Master Plan includes a Future Land Use map which designates the subject property as "Residential/Office Mixed Use". Residential/Office Mixed use provides for spaces to include multi-family residential dwellings and office uses within the same structure or separate structures.

The property is also within the East Downtown Neighborhood Plan. This neighborhood plan specifies development patterns that were identified as important factors to the future development of this neighborhood. These development patterns include view corridors, economic development, and land use.



This area has been identified in the East Downtown Neighborhood plan as a mixed use neighborhood district, which is designated as an area which provides local services to residents of East Downtown. This neighborhood plan also recommends that areas within the East Downtown area are rezoned to a mixed use district to further facilitate service uses directed toward residents of this neighborhood. This property is also within the East Downtown View Corridors and Height Limitations, this map is included in this staff report as Attachment D. Within this plan height limitations are recommended to protect view corridors for the State Capitol, the Cathedral of the Madeline, and the City and County Building. The height recommendation in the area of the subject property is 75' on the East Downtown View Corridors map.

The proposal is also to amend the zoning map and change the zoning district of the site. The property is currently within the R-MU-45 (Residential Mixed Use) zoning district, the applicant is proposing to rezone to TSA-UN-C (Transit Station Area Urban Neighborhood Core). The proposal to rezone the site is to accommodate a future redevelopment of the site to include residential, retail, and live/work units while eliminating the parking structures which front 500 South and Denver Street. If the master plan and zoning map amendments are approved the property owner would be allowed to fully redevelop the site in accordance to the TSA-UN-C (Transit Station Area Urban Neighborhood Core) zoning district standards and permitted land uses.

BACKGROUND

The site under review for the rezone and master plan amendment was originally developed in the middle of the 1970s with an office building on the corner of 400 East and 500 South and three parking structures fronting along 400 East and Denver Street. These structures have been in continuous use since their construction.

The subject property fronts on 400 East, 500 South, and Denver Street. 400 East is labeled as a collector street in the Major Street Plan. Collector streets facilitate less traffic volume at lower speeds and are considered to be the connection between arterial and local streets. 600 South is labeled as an arterial street, arterial streets facilitate high traffic volumes at relatively high-speeds over long distances. Denver Street, located to the east of the subject site, is considered to be a local street which provide property access to a few number of cars and at low level speeds.

While currently the site is within the R-MU-45 zoning district, prior to 2011 the property was within the RO (Residential Office) zoning district. The existing building was built while this site was zoned RO. In 2011 with the update to the zoning map and the creation of the TSA district along 400 South, the subject property was included in the 400 South and neighboring properties rezone. This rezone included the entire block that went from TC-75 (along 400 south) and RO (on the neighboring properties) to TSA-UN-C (Transit Station Area Urban Neighborhood Core) and R-MU-45 (Residential Mixed Use). The purpose of this City initiated rezone was to encourage transit oriented urban development along the 400 South corridor and a moderately dense residential R-MU-45 transition type of zone between the TSA district and the low-rise residential housing to the south at the time.

While these changes were appropriate at the time, mixed-use development has been focused along the 400 South corridor with many completed projects that are in operation. This development has prompted mix-use development further from the 400 South corridor, but still within walking distance of the fixed transit stations. Mixed-Use development located further away from the 400 South corridor includes properties just to the south and south-west of the subject site, these mixed use developments are within the R-MU district, which is similar in density and mixed-use potential as the R-MU-45 district.

The surrounding properties of the subject site include a mix of uses. To the east of the subject site is also located a R-MU-45 (Residential Mixed Use) district and TSA-UN-C (Transit Station Area Urban Neighborhood Core) district. The site to the east, zoned R-MU-45, was developed at the time the site was in the RO (Residential Office) district and therefore has a similar overall layout and design as the subject site. The properties in the TSA-UN-C district to the east of 461 S 400 E was recently redeveloped to the standards of the TSA-UN-C district. To the north is also a TSA-UN-C zoning

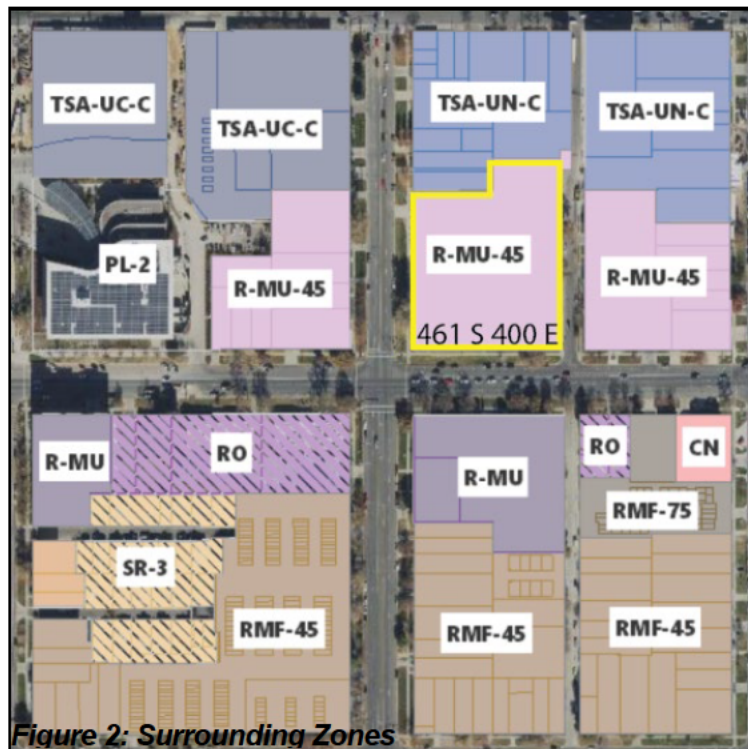
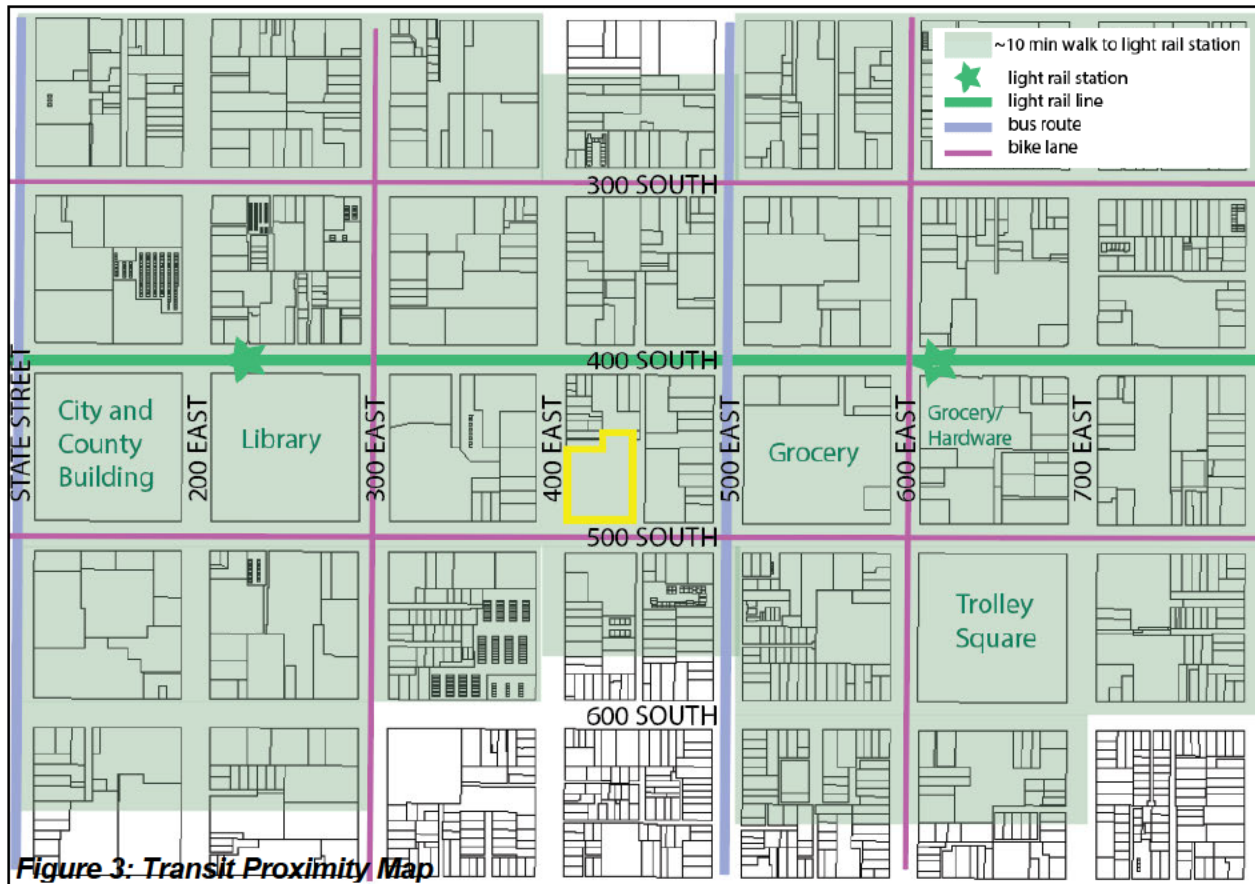


Figure 2: Surrounding Zones

district. The sites to the north include single- and two-story structures housing residential and commercial uses. To the west of the subject site is another R-MU-45 zoning district, this district houses office buildings that include many two-story structures. Finally, to the south is located a R-MU district, which houses a 3-story office building.

The differences in zoning districts in this area is due to the creation of the university light rail line along 400 South and the development along this corridor for best uses adjoining this permanent transit infrastructure. It is also the result of the lengthy history of this neighborhood and its urban historic development pattern which is common throughout the Central Community.



The surrounding existing infrastructure is also important to take into consideration when determining whether the rezone of the property is appropriate. This site is near the Central Business District and is near other more urban districts as well. The site is also approximately 1/4 mile from two different light rail stations, the Library Station and Trolley Station. Further to the east, on 500 East, is located a bus route. Along 400 South and State Street are also bus routes, all of these bus stops and routes are considered to be walkable. Bike lanes are also available to the south and north, along 500 and 300 south, and to the east and west, 300 and 600 East. Finally, the subject site is also nearby existing and established job centers, being located just east of the Central Business District and just west of Trolley Square.

KEY CONSIDERATIONS:

The key considerations listed below have been identified through the analysis of the project, neighbor and community input, and department review comments.

1. R-MU-45 and TSA-UN-C Zoning District Comparison
2. Compatibility with Master Plan and Neighborhood Plan Policies
3. Zoning Compatibility with Adjacent Properties
4. Resiliency, Sustainability, and Equity

Consideration 1 – R-MU-45 and TSA-UN-C Zoning District Comparison

Building Height

With the proposed rezone, the building height allowed on the subject site will increase to 75' in the TSA-UN-C zoning district. In the R-MU-45 district the maximum height is 45', but a building height of 55' is allowed through the Design Review process. The TSA-UN-C district allow for more density and use intensity with an increase in allowed building height.

Zone	Max. Building Height
R-MU-45	45' (55' with Design Review)
TSA-UN-C	75'

Yard Requirements

Once again, the TSA-UN-C district allows for a more dense, more intense type of development through allowed setbacks as well as building height. The front yard in the R-MU-45 district has a minimum required setback of 5' for landscaped spaced with a maximum setback of 15', the TSA-UN-C district permits building to be built to the property line with a maximum front yard setback of 5'. Corner side yards have the same requirements in the TSA-UN-C district as the front yard and the interior side yard may be built to the property line. The R-MU-45 corner side yard is the same as the front yard, the building may be built to the interior side yard. The rear yard setbacks in both zoning districts is the same, with a rear yard setback to be 25% of the lot depth up to a 30' setback.

Zone	Front Yard Min	Front Yard Max	Side/Corner Side Yards	Rear Yard
R-MU-45	5'	15'	0'/5'-15'	25% lot depth (max 30')
TSA-UN-C	0'	5'	0'/500 South average of the block	25% lot depth (max 30')

Parking

Parking standards in the R-MU-45 district is the same as most other zoning districts with the land use in the building determining the number of parking stalls required. In the R-MU-45 the only exception is for residential units where a 1/2 stall per multi-family unit is required, regardless of the number of bedrooms.

All TSA districts located in the core rather than the transition areas, do not require any parking stalls regardless of the use, this district has a maximum number of stalls allowed, which is based on the land use. For a residential use 1 space per dwelling unit is allowed, or 3 spaces for every 1,000 square feet for nonresidential uses. This is due to TSA districts generally being mapped in areas of the city that has existing or proposed infrastructure that can support car free living. The subject site is located within

one of these areas of the city as the site is near a number of bus lines that are easily accessible, it is within a ¼ of a mile of multiple light rail stations, it is also surrounded by bike friendly roads.

Landscape Buffers and Open Space

Because this site is located in an already very urban and commercial area, neither the existing nor the proposed zoning district require a landscape buffer on the site.

In both the R-MU-45 and TSA-UN-C districts open space is required. In the R-MU-45 district this open space is required to include no less than 20% of the lot area, this open space must be landscaped or designed in such a way as to be usable to the occupants of the adjoining building. The TSA-UN-C district requires open space to be provided at a rate of 1 square foot for every 10 square feet of land area, up to 5,000 square feet.

Design Standards

One of the more significant differences between the two districts is the design standards required. The TSA district requires more strict design standards in the zone, which includes more strict standards for the percent of ground floor uses, more durable ground and upper floor materials, building entrances, and building façade length.

Use

The applicant is anticipating to redevelop the site for the uses of live/work units, multi-family residential, and retail. All of the proposed uses are permitted in both the R-MU-45 and TSA-UN-C. Additionally, the majority of land uses permitted in the R-MU-45 and TSA-UN-C districts are very similar as both zoning districts are more dense and urban in nature .

The uses possible on this site that are different between the two districts are listed in the table below. These include boarding house, live theater, movie theater, bars or brewpubs, taverns, off-site parking, and large group homes.

Zone	Boarding House	Live Theater	Movie Theater	Bar, Brewpub	Tavern	Off Site Parking	Group Home (large)
R-MU-45	C	C	C	C		C	C
TSA-UN-C	P	C		P	P		P

Consideration 2 – Compatibility with Master Plan Policies

The subject site is currently within the Residential Office Mixed Use designation on the Future Land Use Map of the Master Plan. The Residential Office Mixed Use designation allows for an area with a mix of residential and office uses. The proposal is to change the future land use designation from Residential Office to High Density Transit Oriented Development. The High Density Transit Oriented Development allows for 50 or more dwelling units per acre, which fits within the proposed TSA-UN-C zoning district. As shown in the Future Land Use Map attached to this report as Attachment C , the High Density Transit Oriented Development designation is mostly centered near mass transit locations along 400 South. The proposed amendment to the Future Land Use Map in the Central Community Master Plan would extend this future land use designation further south to 500 South and encompass the half block.

The property under review is part of the Central Community Master Plan. This plan lays out general land use policies and guidelines for the community, paired with more specific guidelines and land use

policies in the master plan's Future Land Use Map. The Central Community Master Plan was adopted by City Council in 2005.

The intent of the Central Community Master Plan is based on four fundamental goals:

- *“Livable communities and neighborhoods”*
- *“Vital and sustainable commerce”*
- *“Unique and active places”*
- *“Increased Pedestrian mobility and accessibility”*

The intent of the Central Community Master Plan will be met if the proposed amendments are approved. By approving the proposed amendments the TSA district on this site will encourage livable communities and neighborhoods and activate places by encouraging transit oriented uses and structures in an area that is highly walkable and urban. Further, by permitting more dense residential and retail uses it will encourage residents to use pedestrian infrastructure and makes for a more accessible and equitable type of development.

The proposed amendments also meet the intent of the Central Community Master Plan by, *“Protecting and improving the quality of life for everyone living in the community, regardless of age or ability”*, by making residential spaces accessible for everyone of different ages and means and by reducing the price of transportation, as many different forms of active transit are available in this area. The proposed amendments also *“Promotes walkable development”* and *“Fosters transit-oriented development”* by focusing development within at least a 1/2 mile from active major transit locations, in addition to many bus lines, and bike friendly streets that make this neighborhood more accessible for people of different means and capacities.

The subject sites are in the Central City Neighborhood area within the Central Community Master Plan. This neighborhood area encourages the expansion of the existing housing stock as well as *“focusing commercial activity on providing services to the areas residences”*. It also states that buffers and transition areas are important elements within this neighborhood. The proposed amendments reinforce these policies by first, providing additional space for housing in an area with sufficient infrastructure to facilitate high density housing. The proposed amendments also are appropriate to the area even though it does allow for significant increase in impact and density if the site were to be redeveloped. This is because the district to the north, south, and east allow for either high or medium density residential or mixed uses.

Within the Central Community Master Plan, the subject site is within the East Downtown View Protection area. This East Downtown View protection area provides urban design policies to shape the area into livable and lively community for its residents. To accomplish this the Master plan refers to the East Downtown Master Plan and urban design elements. These elements and policies include:

“Protect view corridors, vistas, and focal points.”

“Support zoning regulations that provide opportunities for unique and creative urban design solutions.”

The East Downtown Neighborhood Plan calls out the subject sites as Mixed Use Retail Office. This Mixed Use Retail Office recommendation is site specific and only is designated to the subject site and is reflective of the current use on the site, which is office.

The proposed amendments support these goals by allowing for the future development of the site to allow for a greater mix of uses to support the surrounding residences of the East Downtown neighborhood as well as maximizing the land by allowing for a more urban and intense type of structure.

Finally, Plan Salt Lake, a city-wide plan intended to provide guidance outlines initiatives to support the guide the growth and changes as they occur in the City, also support the proposed amendments. Initiatives that are supportive of the proposed amendments include:

“Reduce individual and citywide energy consumption.”

“Reduce automobile dependency and single occupancy vehicle trips.”

“Encourage a mix of land uses”

“Encourage transit-oriented development (TOD).”

“Reduce greenhouse gas emissions.”

“Encourage housing options that accommodate aging in place.”

“Promote high density residential in areas served by transit.”

The proposed amendments meet all of these initiatives through supporting residential and retail development near accessible transit of many different modes that allow access to essential services throughout the city that promote green transportation, aging in place, and more equitable and sustainable development.

Consideration 3 – Zoning Compatibility with Adjacent Properties

Presently an office development and use occupy the subject site. The applicant anticipates redeveloping the site to a more dense residential, live/work, and retail uses. An analysis of potential impact or concerns is reviewed below.

Building Height

The allowed building height would be a significant difference if the proposed amendments were approved. The existing zoning district, R-MU-45, allows for a 45' building height or 55' through a Design Review. The proposed TSA-UN-C district would permit a building up to 75'. This building height is the same as the sites located just to the north of the subject site. Building height across 400 East and Denver Street is the same as the existing zone, 45' permitted or 55' with a Design Review.

The property just to the south of the subject site is within the zoning district R-MU and permits a building height of a nonresidential development of 45', a residential/mixed use development of 75'.

The proposed 75' building height on this site is appropriate as its adjacent to the property to the north which permits 75' and the property to the



south, if the intent of the design standards are met, would be allowed to be developed to a height of 125'. Further, the difference in height between the TSA-UN-C district and the R-MU-45 districts of the sites to the west and to the east is approximately two floors. The location of 400 East and Denver Street further provides separation between the two zoning districts, the width of 400 East is approximately 129', the width of Denver Street is approximately 50'. The difference between two possible building heights is appropriate due to the separation and green space provided by and within the public right-of-way.

Parking

The proposed amendments to rezone the property to a TSA district would have significant impact on the number of required parking stalls provided on the site. Presently, almost $\frac{3}{4}$ of the site is dedicated to parking. A rezone to the TSA-UN-C would reverse this trend, the TSA standards encourages redevelopment on the site that is devoted to active transportation as these districts are located near high transit areas.

The properties located to the north of the subject site are zoned TSA and have the same parking standards as the proposed rezone. The properties to the west, east, and south of the subject site have parking standards that are more similar to the majority of districts within the city, where the number of stalls is dependent on the land use in the structure. The TSA district, due to its proximity to mass

and active transit, does not require parking. While the district doesn't require parking, the majority of developments constructed in the TSA district have provided parking to residents and patrons of the building. Regardless, as shown on Figure 2, the subject property is surrounded by alternative transportation options that would limit any negative effect of reducing parking stalls in the area.

Building Setbacks and Landscape Buffer

Generally, the setbacks between the existing and proposed zoning districts are similar. Both districts allow the structure to be built close or on the property line. This is appropriate to the area and the heavily urban nature of these three corridors.

The only landscape buffer required in either the R-MU-45 or TSA-UN-C districts is when the property abuts a residential zone, residential uses across a street would not trigger the buffering requirements. The subject site under review does not abut a residential zone and therefore whether a landscape buffer is required is not applicable.

The proposed TSA district is similar in nature to the surrounding sites as all are considered more urban in nature, and is considered to be appropriate to the area.

Design Standards and TSA Scorecard

While other zoning districts in the area have design requirements for any new development on the site, the proposed TSA zoning district include more strict standards. The design standards in the TSA district encourage development that is more urban and pedestrian friendly than the other residential mixed use districts that are surrounding the subject site. The proposed amendments would require a baseline of design that is directed toward the pedestrian that the current and other surrounding districts to the east, west, and south do not required.

Further, the TSA district requires that any new or redevelopment of a site be reviewed for a development score through the Transit Station Area Development Guidelines. These development guidelines required in the review allow for Planning Staff, or possibly the Planning Commission to review the redevelopment of the site to ensure the proposal is well integrated into the community and creates a sense of place that encourages and active and safe pedestrian street.

Consideration 4 – Resiliency, Sustainability, and Equity

The final significant item to consider is whether this proposed amendment furthers the resiliency of this community. Resiliency includes aspects such as environmental sustainability and social equity of the larger community and the City as a whole that improve the ability of the community and residents to sustain fluctuations in the market while maintaining the value of the surrounding natural environment.

Pedestrian friendly transit oriented development generally improves the sustainability of communities as transit oriented development supports active transportation in the community, thereby improving the health and wellbeing of the residents and patrons of the building and improving the public safety in the area. Increasing the number of people on the street providing active places for the community naturally improves public safety of the area by improving visibility to the active street and neighboring properties. Transit oriented development also improves air quality in the Salt Lake Valley by encouraging the use of mass transit and other active modes of transportation which reduce the amount of emissions generated by vehicles, which account for approximately 50% of the pollution in the valley.

Finally, as the Salt Lake Valley continues to grow demand for housing will also increase, thereby increasing the cost and reducing the affordability of housing in the Valley's largest city. Providing more density in key areas of the city will help alleviate some of this demand and encourage future redevelopment in the city in places where high density is sustainable. Additionally, while housing is considered to be the largest yearly expenditure for individuals, transportation is near the top of major yearly expenditures. By locating housing and a greater number of housing units close to major transit corridors it not only assists in meeting the demand for housing, but also makes the cost of living in those residential units more affordable as the cost of transportation is reduced as the options of different and active modes of transportation are available.

DISCUSSION:

While the proposed master plan amendment and rezone on the property allows for a more dense and intense types of uses, it has been found to be appropriate to the location of the site and its proximity to the expanding Central Business District as well as mass transit and active transit infrastructure. As was described in the property background and key consideration 2 of this staff report, the subject property is located near key transit lines. This includes within a ¼ mile (approximately a 10-minute walk) of two light rail stations, within walking distance of three bus routes and bus stops, near multiple bike and adjacent to bike friendly roads, and near multiple job centers. The purpose of the TSA district is to *“provide for an environment for efficient and attractive transit and pedestrian oriented commercial, residential, and mixed use development around transit stations”*. The proposed amendments therefore meet this intent.

In addition to creating a transit friendly environment, permitting transit oriented development near active and mass transit accessible sites and the Central Business District improves the community's resiliency to natural changes in the market occur. Further, as housing demand continues to increase in Salt Lake City, the issue of pollution will worsen. Encouraging density in areas which promote active and mass transit assists in creating a more sustainable urban environment while meeting Salt Lake City's housing needs. And, by permitting more urban and dense residential dwellings in locations which support transit reduce the overall cost of living as transportation costs are reduced by increasing the number of affordable residential units that are more accessible to a greater number of people of all phases and ages.

Finally, the proposed amendments to the Master Plan's Future Land Use Map and the Zoning Map meet the intent of the Central Community Master Plan and the purpose of the Residential Mixed Use Zoning District. The intent of the Residential Mixed Use district is to *“create a walkable urban neighborhood”* while the purpose of the Central Community Master Plan is to *“increase pedestrian mobility and accessibility”*. The proposed amendments further this intent by focusing more intense mixed-use development in areas that promote pedestrian accessibility and other kinds of active transportation. The proposed amendments to the subject site is appropriate and encouraged in the Central Community Master Plan.

NEXT STEPS:

A recommendation of approval or denial by the Planning Commission will result in the proposed Master Plan and Zoning Map amendment to be sent to the City Council for a final decision.

Master Plan and Zone Amendment Approval

If the master plan and zone amendments are approved, the applicant will be permitted to build or operate any use allowed in the TSA-UN-C, Transit Station Area Urban Neighborhood Core, zone on the site. A list of uses allowed in the zone is included in this report as Attachment G. The developer will need to obtain a building permit or business license for any new development or new business and will need to comply with all applicable zoning standards.

Master Plan and Zone Amendment Denial

If the master plan and zone amendments are denied, the property will remain zoned R-MU-45, Residential Mixed Use. This zone allows the continued use of office, and may be redeveloped to a maximum height of 45'.

ATTACHMENT A: APPLICANT SUBMITTAL AND INFORMATION



Master Plan Amendment

☐ Amend the text of the Master Plan☒ Amend the Land Use Map

OFFICE USE ONLY

Received By:

Date Received:

Project #:

Name of Master Plan Amendment:

PLEASE PROVIDE THE FOLLOWING INFORMATION

Address of Subject Property (or Area):

461 South 400 East Salt Lake City UT 84111

Name of Applicant:

Nextstep Group, LLC

Phone:

Address of Applicant:

E-mail of Applicant:

Cell/Fax:

Applicant's Interest in Subject Property:

☒ Owner☐ Contractor☐ Architect☐ Other:

Name of Property Owner (if different from applicant):

E-mail of Property Owner:

Phone:

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

AVAILABLE CONSULTATION

Planners are available for consultation prior to submitting this application. Please call (801) 535-7700 if you have any questions regarding the requirements of this application.

REQUIRED FEE

Filing fee of \$992 plus \$121 per acre in excess of one acre.

\$100 for newspaper notice.

Plus additional fee for mailed public notices.

SIGNATURE

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

Signature of Owner or Agent:

Date:

11/19/2020

Updated 7/1/20



Zoning Amendment

SALT LAKE CITY PLANNING

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

OFFICE USE ONLY

Received By:

Date Received:

Project #:

Name or Section/s of Zoning Amendment:

PLEASE PROVIDE THE FOLLOWING INFORMATION

Address of Subject Property (or Area):

461 South 400 East Salt Lake City UT 84111

Name of Applicant:

Nextstep Group, LLC

Phone:

Address of Applicant:

E-mail of Applicant:

Cell/Fax:

Applicant's Interest in Subject Property:

☒ Owner ☐ Contractor ☐ Architect ☐ Other:

Name of Property Owner (if different from applicant):

E-mail of Property Owner:

Phone:

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

AVAILABLE CONSULTATION

☐ If you have any questions regarding the requirements of this application, please contact Salt Lake City Planning Counter at (801) 535-7700 prior to submitting the application.

REQUIRED FEE

- ☐ Map Amendment: filing fee of \$1,058 plus \$121 per acre in excess of one acre
- ☐ Text Amendment: filing fee of \$1,058, plus fees for newspaper notice.
- ☐ Plus additional fee for mailed public notices.

SIGNATURE

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

Signature of Owner or Agent:

Date:

11/19/2020

Updated 7/1/20

We (the owner of the property located at 461 S 400 E, Salt Lake City, Utah, Parcel number 16064060190000) propose to amend the current Zoning of the property from R-MU-45 to TSA-UN-C.

As evident in the 5 Year Housing Plan there is a need for more housing in Salt Lake City. We can do our part by developing our property with a TSA zone to help achieve the Growing SLC goal. This will be more in line with the Central community 's Master plan and the Growing SLC Five Year Housing Plan 2018-2022. Our property is located at the corner of 5th South (Major thoroughfare) and 400 East. This location is very walkable, just a few blocks from Central Business district and .3 mile or a six minutes walk to both the Library and Trolley Trax stations on 4th South. Future residents will have easy access to employment, retail amenities and the University of Utah. Also Denver Street will act as the midblock access connecting the project and 500 South to 400 South. The parcel immediately north of us is zoned TSA-UN-C and the parcel across the street to the south of us is zoned R-MU and the parcel immediately to the west of it is zoned RMF-75. There are a number of newly built dense Mixed use projects within 1000 to 1500 feet of our property.

Currently the majority of the land on the property is dedicated to parking. We would like the flexibility to create a project with residential, retail and some office (work/Live) component to thoughtfully add more density, walkability and vibrancy as highlighted in the goals of the Growing SLC (Five Year Housing Plan 2018-2022) document. We believe that this amendment is in line with the 5 Year Housing Plan strategy of improving or expanding on zones that have enabled recent housing development, including the Transit Station Area (TSA).

Growth and Housing section of plan Salt Lake has a number initiative listed below, which we believe will be met in future developments by the rezoning of the parcel to TSA-UN-C and the master plan land use designation of high density transit oriented development,

- Locate new development in areas with existing infrastructure and amenities, such as transit and transportation corridors.
- Direct new growth toward areas with existing infrastructure and services that have the potential to be people-oriented.
- Promote high density residential in areas served by transit.
- Encourage a mix of land uses.
- Promote energy efficient housing and rehabilitation of existing housing stock.

As 461 is located almost equal distance from Library and Trolley station and couple of hundred feet from 400 south, we believe many of the Goals of 400 South Livable Communities Project (Transit Oriented Development) would apply to 461 South as listed below,

Library Station Area Goals:

- Rezone properties fronting 400 South so that the zoning reflects the vision for the station area. Rezone the properties that are in the vicinity to a mix of zoning districts that promote high density residential development while allowing limited commercial types of uses.

- Require midblock connections from 300 South and 500 South that connect to 400 South.

(The easterly property line abuts Denver Street which is a mid block Crossing)

- Discourage additional or expanded stand alone automobile oriented uses such as: large surface parking lots, fuel stations, auto repair shops, auto dealerships, large scale retail development, car washes and drive-thru facilities.

(Parking Structure occupies more than 60% of the 461 Property Current layout of 461 South)

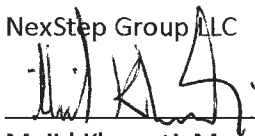
Trolley Station Area Goals:

- The primary purpose of the Trolley Station Area is to provide housing and access to higher intensity employment, commercial centers, downtown, and to the University of Utah.
- Rezone properties fronting 400 South so that the zoning reflects the vision for the station area. Rezone the properties that are in the vicinity to a mix of zoning districts that promote high density residential development, while allowing limited commercial types of uses in appropriate places. ...
- Require midblock connections from 300 South and 500 South that connect to 400 South.

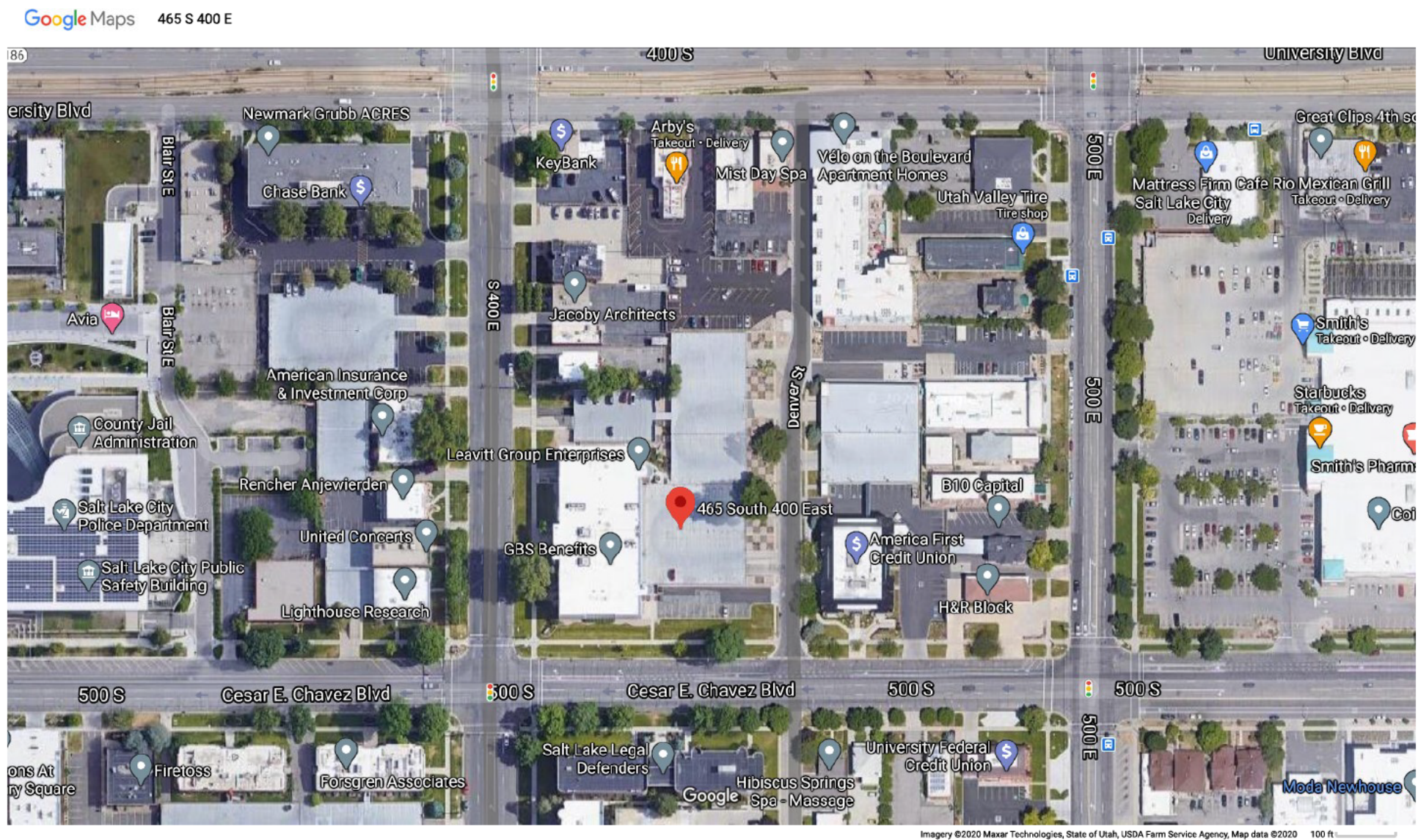
(The easterly property line abuts Denver Street which is a mid block Crossing)

Sincerely,

NexStep Group LLC



Majid Kharrati, Managing Partner



ATTACHMENT B: ZONING MAP



ATTACHMENT C: CENTRAL COMMUNITY FUTURE LAND USE MAP



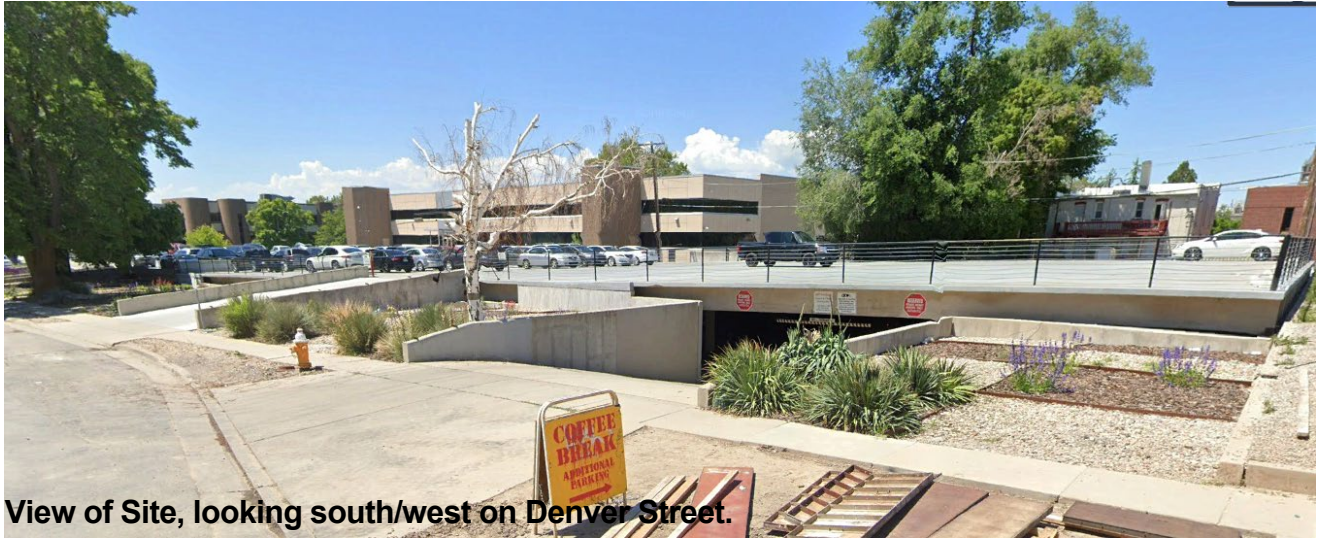
ATTACHMENT D: SITE PHOTOS



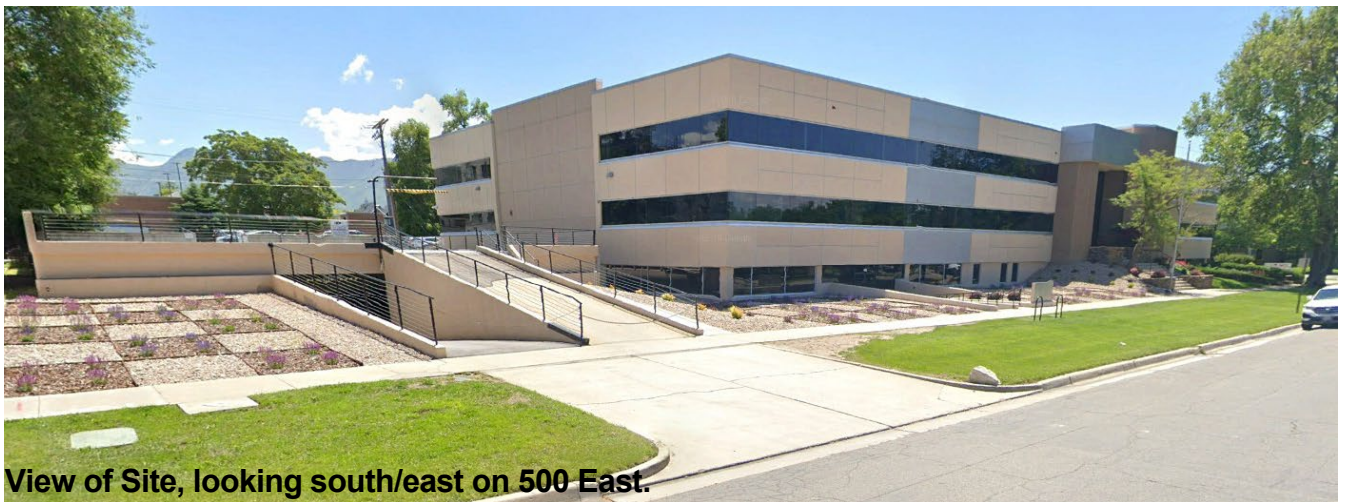
View of Site, looking north/east on 500 South.



View of Site, looking north/west on 500 South.



View of Site, looking south/west on Denver Street.



View of Site, looking south/east on 500 East.

ATTACHMENT E: ANALYSIS OF AMENDMENT STANDARDS

Zoning Map Amendments

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 to amend the zoning map, the City Council should consider the following:

STANDARDS FOR GENERAL AMENDMENTS (21A.50.050)		
Factor	Rationale	Finding
1. Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;	Proposed Amendments are consistent with general goals and policies.	<p>As reviewed previously in this staff report as Key Consideration 2, the proposed amendments to the Central Community Master Plan meet the purpose and intent of the Master Plan as the Central Community Master Plan encourages development that supports the existing urban community and focusing urban development in urban areas of the community.</p> <p>Also discussed in Key Consideration 2, the amendments are also supportive of Plan Salt Lake, a citywide plan which guides the direction of the city as a whole. Finally it was also found that the proposed amendment meets the goals and initiatives of the Central Community Master Plan, the East Downtown Neighborhood Plan, and the citywide Plan Salt Lake.</p>
2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.	Complies	<p>The purpose stated in the TSA-UN-C district and whether the proposed amendment complies with this purpose statement is reviewed in Key Consideration 2 section of this staff report.</p> <p>The Transit Station Area Urban Neighborhood Core zoning district purpose is to:</p> <ul style="list-style-type: none"> • “provide an environment for efficient and attractive transit and pedestrian oriented commercial, residential and mixed use development around transit stations” • “The purpose of the core area is to provide areas for comparatively intense land development with a mix of land uses incorporating the principles of sustainable, transit oriented development and to enhance the area closest to a transit station as a lively, people oriented place”

		<ul style="list-style-type: none"> • <i>“Redevelopment, infill development and increased development on underutilized parcels should include uses that allow them to function as part of a walkable, Mixed Use District.”</i> <p>It was stated earlier in this staff report that the proposed amendments to the zoning map maintains these purposes as the amendments will further the goals of the community and master plan through the installation of the TSA-UN-C district which is accessible to multiple pedestrian oriented infrastructure nodes. Presently the current use and development of the site is underutilized, as it is a single use site and the majority of the property is used as surface or structure parking. The proposed amendments will encourage the redevelopment of the site to the best use of the property with its ease of access to important transit infrastructure.</p>
3. The extent to which a proposed map amendment will affect adjacent properties;	Complies	<p>The compatibility of the proposed rezone and master plan amendment is reviewed in Key Consideration 3.</p> <p>During this review staff found the proposed zoning district and its permitted land uses, allowed building height, and required parking as appropriate to the surrounding properties and are similar in massing and bulk as the development potential of the surrounding properties.</p>
4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards	Complies	<p>The property is located within the Groundwater Source Secondary Protection Zone. This overlay will not impose additional standards which would affect the rezoning of this property. At the time of development the proposed use of the site will be reviewed to ensure compatibility with this overlay district.</p>
5. The adequacy of public facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.	Complies	<p>The property is located within a built environment where public facilities and services already exist.</p> <p>During the review all applicable City departments were notified of the proposed amendments and it was indicated that there are no concerns presented due to the rezone of the property which could not be updated by the future development of the property. Please see Attachment I of this report.</p>

ATTACHMENT F: R-MU-45 ZONING STANDARDS

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. 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.33.020, "Table Of Permitted And Conditional Uses For Residential Districts", of this title, 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	5,000 square feet for new lots. No minimum for existing lots	50 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	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)	2,500 square feet per unit ¹	Interior: 22 feet Corner: 32 feet
Single-family detached dwellings	2,500 square feet	25 feet
Two-family dwellings	2,500 square feet	25 feet
Utility substations and buildings	5,000 square feet	50 feet
Other permitted or conditional uses as	5,000 square feet	50 feet

listed in section 21A.33.020 of this title		
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Qualifying provisions:

1. There is no minimum lot area nor lot width 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: Minimum five feet (5'). Maximum ten feet (10').
 - b. Corner Side Yard: Minimum five feet (5'). Maximum ten feet (10').
 - c. Interior Side Yard:
 - (1) Corner lots: Four feet (4').
 - (2) Interior lots: Four feet (4').
 - 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 ten feet (10').
 - b. Corner Side Yard: Minimum five feet (5'). Maximum ten feet (10').
 - c. Interior Side Yard:
 - (1) Single-family attached: 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').
 - (B) Corner lot: Four feet (4').
 - (3) Twin home: No yard is required along the common lot line. A 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. Nonresidential, Multi-Family Residential And Mixed Use Developments:
 - a. Front Yard: Minimum five feet (5'). Maximum fifteen feet (15').
 - b. Corner Side Yard: Minimum five feet (5'). Maximum fifteen feet (15').
 - c. Interior Side Yard: No setback is required unless an interior side yard abuts a Single- or Two-Family Residential District. When a setback is required, a minimum ten foot (10') setback must be provided, and the minimum side yard setback shall be increased one foot (1') for every one foot (1') increase in height above thirty feet (30'). Buildings may be stepped so taller portions of a building are farther away from the side property line. The horizontal measurement of the step shall be equal to the vertical measurement of the taller portion of the building.
 - d. Rear Yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').
4. Legal Lots: Lots legally existing on the effective date hereof, April 12, 1995, shall be considered legal conforming lots.
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. 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 E1, E2, E3 and E4 of this section. Buildings taller than forty five feet (45'),

up to a maximum of fifty five feet (55'), may be authorized through the design review process ([chapter 21A.59](#) of this title) and provided that the proposed height is supported by the applicable master plan.

1. Maximum height for nonresidential buildings: Twenty feet (20').
2. 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 buildings 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. Minimum Open Space Area: For residential uses and mixed uses containing residential uses, not less than twenty percent (20%) of the lot area shall be maintained as an open space area. This open space area may take the form of landscaped yards or plazas and courtyards, subject to site plan review approval.

G. 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.

H. Parking Structures: Parking structures not attached to the principal building 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. (Ord. 14-19, 2019; Ord. 13-19, 2019; Ord. 12-17, 2017)

ATTACHMENT G: TSA ZONING STANDARDS

21A.26.078: TSA TRANSIT STATION AREA DISTRICT:

A. Purpose Statement: The purpose of the TSA Transit Station Area District is to provide an environment for efficient and attractive transit and pedestrian oriented commercial, residential and mixed use development around transit stations. Redevelopment, infill development and increased development on underutilized parcels should include uses that allow them to function as part of a walkable, Mixed Use District. Existing uses that are complementary to the district, and economically and physically viable, should be integrated into the form and function of a compact, mixed use pedestrian oriented neighborhood. Each transit station is categorized into a station type. These typologies are used to establish appropriate zoning regulations for similar station areas. Each station area will typically have two (2) subsections: the core area and the transition area. Due to the nature of the area around specific stations, the restrictions of Overlay Zoning Districts, and the neighborhood vision, not all station areas are required to have a core area and a transition area.

1. Core Area: The purpose of the core area is to provide areas for comparatively intense land development with a mix of land uses incorporating the principles of sustainable, transit oriented development and to enhance the area closest to a transit station as a lively, people oriented place. The core area may mix ground floor retail, office, commercial and residential space in order to activate the public realm.

2. Transition Area: The purpose of the transition area is to provide areas for a moderate level of land development intensity that incorporates the principles of sustainable transit oriented development. The transition area is intended to provide an important support base to the core area and transit ridership as well as buffer surrounding neighborhoods from the intensity of the core area. These areas reinforce the viability of the core area and provide opportunities for a range of housing types at different densities. Transition areas typically serve the surrounding neighborhood and include a broad range of building forms that house a mix of compatible land uses. Commercial uses may include office, retail, restaurant and other commercial land uses that are necessary to create mixed use neighborhoods.

B. Station Area Types: A station area typology is the use of characteristics, such as building types, mix of land use, transit service and street network to create generalizations about an area that can be used to define a common vision for development of a transit station area. Each typology recognizes the important difference among places and destinations and takes into account the local context of a station and its surroundings. Refer to the official Salt Lake City zoning map to determine the zoning of the land within each station area.

1. Urban Center Station (TSA-UC): An urban center station contains the highest relative intensity level and mix of uses. The type of station area is meant to support Downtown Salt Lake and not compete with it in terms of building scale and use.

2. Urban Neighborhood Station (TSA-UN): An evolving and flexible development pattern defines an urban neighborhood station area. Urban neighborhoods consist of multilevel buildings that are generally lower scale than what is found in the urban center station area. The desired mix of uses would include ground floor commercial or office uses with the intent of creating a lively, active, and safe streetscape.

3. Mixed Use Employment Center Station (TSA-MUEC): A mixed use employment station is an area with a high concentration of jobs that attract people from the entire

region. Buildings are often large scale in nature and may have large footprints. Land uses that support the employment centers such as retail sales and service and restaurants are located throughout the station area and should occupy ground floor space in multi-story buildings oriented to the pedestrian and transit user. A mix of housing types and sizes are appropriate to provide employees with the choice to live close to where they work. Building types should trend toward more flexible building types over time. Connectivity for all modes of travel is important due to the limited street network.

4. Special Purpose Station (TSA-SP): The special purpose station is typically centered on a specific land use or large scale regional activity. These areas are generally served by a mix of transit options. Land uses such as restaurants and retail support the dominant land use and attract people to the area. A mix of housing types and sizes are appropriate in certain situations. Future development should be aimed at increasing the overall intensity and frequency of use in the station area by adding a mix of uses that can be arranged and designed to be compatible with the primary use.

C. Review Process: The review process for all new development and redevelopment within the Transit Station Area Zoning District is based on the development score which is generated by the "Transit Station Area Development Guidelines" hereby adopted by reference.

1. The following types of development are required to go through this review process:

- a. Any addition of one thousand (1,000) square feet or more that extend a street facing building facade or are located to the side of a building and are visible from a public space; or
- b. Additions that increase the height of an existing building or change the existing roofline;
- c. Additions to the rear of buildings that are not adjacent to a public street, trail or other public space are not required to obtain a development score but must comply with all other applicable regulations. Signs, fences, accessory structures and any other structure or addition not listed in this section are not required to obtain a development score.

d. Single-family detached dwellings and two-family dwellings are not required to obtain a development score.

2. Application process steps:

a. Presubmittal Conference: All applicants for development within the Transit Station Area Zoning District are required to attend a presubmittal conference with the Planning Division. The purpose of the presubmittal conference is to notify the applicant of the goals of the station area plans, the standards in this section, and the review and approval process.

b. Development Review Application: After a presubmittal conference, the developer can submit a development review application. This application and all submittal requirements will be used to determine the development score. The application shall include a score sheet on which the development guidelines and their assigned values are indicated and two (2) checklists: one for the applicant's use and one for the Planning Division's use.

c. Public Noticing: A notice of application for a development review shall be provided in accordance with [chapter 21A.10](#) of this title.

d. Application Review: Table 21A.26.078C2d of this subsection C summarizes the application review process. All applications shall be processed as follows:

(1) Tier 1 Planning Commission Review: If a project is assigned a score less than 125 points, the project can only be approved by the Planning Commission through the design review process in [chapter 21A.59](#) of this title. Once the applicant receives written notice of their score, they will be given thirty (30) days to notify the Planning Division of their intention to proceed with the project through the design review process or make necessary plan adjustments to increase their development score to the minimum level in order to go through an administrative review process.

(2) Tier 2 Administrative Review: The Planning Director has the authority to approve a project scoring 125 points or more without holding a public hearing. The project shall be allowed to go through the standard building permit process. A public hearing is not required because the project incorporates adequate development guidelines or development incentives to be deemed compliant with the vision for the station area.

**TABLE 21A.26.078C2d
APPLICATION REVIEW**

Development Score	Review Process
0 - 124 points	Planning Commission design review process
125 or more points	Administrative review

D. Development Score: The purpose of the development score is to allow flexibility for designers while implementing the City's vision of the applicable station area plans and the purpose of this zoning district. The development score measures the level of compatibility between a proposed project and the station area plan. A "station area plan" is a development, land use, urban design and place making policy document for the area around a specific transit station. The development score is based on the development guidelines and development incentives in the "Transit Station Area Development Guidelines" book, hereby adopted by reference. The "Transit Station Area Development Guidelines" shall be amended following the adopted procedures for zoning text amendments in [chapter 21A.50](#), "Amendments", of this title.

1. Formulating The Score: The development score is formulated by calculating all of the development guideline values for a particular project. Each design guideline and incentive is given a value based on its importance. Some guidelines are considered more important and carry a higher value than others. All other applicable zoning regulations shall be complied with by all projects and are not calculated in the development score.

2. Project Review: A development score shall be assigned to all projects within the Transit Station Area Zoning District after a complete development review application is submitted. The Planning Director shall provide, in writing, a copy of the review checklist and explanation of the outcome of the score to the applicant within thirty (30) days of submitting a complete application.

3. Appeals: The development score may be appealed. All appeals of the development score are heard by the Appeals Hearing Officer. In hearing the appeal, the Appeals Hearing Officer shall hold a public hearing in accordance with section [21A.10.030](#) of this title. In deciding the appeal, the Appeals Hearing Officer shall base its decision on its interpretation of the development guidelines and the development score.

4. Expiration: No development score shall be valid for a period longer than one year unless a building permit has been issued or complete building plans have been submitted to the Division of Building Services.

E. Development Standards:

1. Application: The dimensional requirements of this section apply to all new buildings and developments as well as additions to existing buildings. Additions that bring the property closer to compliance are allowed. The following development standards apply to the core and transition areas of all station types.

2. Building Height: The minimum and maximum building heights are found in table 21A.26.078E2, "Building Height Regulations", of this subsection E2. The following exceptions apply:

a. The minimum building height applies to all structures that are adjacent to a public or private street. The building shall meet the minimum building height for at least fifty percent (50%) of the width of the street facing building wall.

b. Projects that achieve a development score that qualifies for administrative review are eligible for an increase in height. The increase shall be limited to one story of habitable space. The height of the additional story shall be equal to or less than the average height of the other stories in the building. This is in addition to the height authorized elsewhere in this title.

**TABLE 21A.26.078E2
BUILDING HEIGHT REGULATIONS**

	Minimum Height	Maximum Height
Urban Center:		
Core	40'	90'
Transition	25'	60'
Urban Neighborhood:		
Core	25'	75'
Transition	0'	60'
Mixed Use Employment Center:		
Core	25'	75'
Transition	0'	60'
Special Purpose:		
Core	25'	75'
Transition	0'	60'

3. Setbacks:

a. General Standards For Front/Corner Side Yards:

(1) All portions of the yard not occupied by building, driveways, walkways or other similar features must be landscaped or include an active outdoor use, such as outdoor dining, plazas, courtyards or other similar outdoor use. See subsection F of this section for specific front yard design requirements.

(2) Parking is prohibited in the front and corner side yards.

(3) Walls up to three feet (3') in height, patios and other similar elements intended to activate the sidewalk can be located to the property line.

(4) Awnings or canopies may be located within any portion of the yard and are not subject to the front or corner side yard restrictions in subsection 21A.36.020B, table 21A.36.020B of this title.

(5) Balconies may project up to two feet (2') into the required yards and are not subject to the front or corner side yard restrictions in subsection 21A.36.020B, table 21A.36.020B of this title.

(6) All front and corner side yard standards in table 21A.26.078E3b of this subsection E may be modified through the design review process of [chapter 21A.59](#) of this title, except that the front and corner side yard setback for 400 South shall not be reduced below the minimum.

b. Table 21A.26.078E3b Setback Standards:

**TABLE 21A.26.078E3b
SETBACK STANDARDS**

Property Frontage	Front/Corner Side Yard Setback	Interior Side Yard	Rear Yard
400 South	Minimum: 10', and at least 50% of the street facing building facade must be built to the minimum.		Minimum: None, except a 25' setback is required when adjacent to an OS, R-1, R-2, SR, RMF-30, RMF-35 or RMF-45 Zoning District. The minimum shall increase 1' for every 1' increase in building height above 25' and is applied to the portion of the building over 25' in height.
	Maximum setback: 20', but may be increased if the additional setback is used for plazas, courtyards, or outdoor dining areas.		
	In locations where the sidewalk is not a minimum of 10' wide, additional sidewalk width shall be installed by the developer so there is a minimum width sidewalk of 10'. This applies to new buildings and to additions that increase the gross building square footage by more than 50%. This standard does not require removal of existing buildings or portions thereof.		
North Temple	Minimum: 5', and at least 50% of the street facing building facade must be built to the minimum.		
	Maximum: 15', but may be increased if the additional setback is used for plazas, courtyards, or outdoor dining areas.		
	In locations where the sidewalk is not a minimum of 10' wide, additional sidewalk width shall be installed by the developer so there is a minimum width sidewalk of 10'. This applies to new buildings and to additions that increase the gross building square footage by more than 50%. This standard does not require removal of existing buildings or portions thereof.		

300 South, 500 South, 600 East	Minimum: Equal to the average setback of other principal buildings on the same block face.	
Streets with right-of-way width of 50' or less with R-1, R-2, SR, RMF-30, RMF-35 or RMF-45 Zoning District on either side of the street	Minimum: 25% of lot depth, up to 25'. For buildings taller than 25', setback shall increase 2' for every 1' of building height above 25' and is applied to the portion of the building over 25' in height.	
All other streets	Minimum: None At least 50% of the street facing building facade shall be within 5' of the front or corner side property line.	

c. Special Setback Provisions For Properties Adjacent To Jordan River: For properties that are adjacent to the Jordan River, the building setback from the Jordan River shall be fifty feet (50'), measured from the annual high water level as defined in section [21A.34.130](#) of this title. For buildings over fifty feet (50') in height, the setback shall increase one foot (1') for every foot in height over fifty feet (50') up to a maximum of seventy five feet (75'). Portions of buildings over fifty feet (50') in height may be stepped back to comply with this standard.

4. Minimum Lot Area And Lot Width Requirements:

**TABLE 21A.26.078E4
MINIMUM LOT AREA AND LOT WIDTH STANDARDS**

Standard	Required Dimension
Minimum lot area	2,500 square feet
Minimum lot width	40 feet

a. The minimum lot area applies to all new subdivisions of land and shall not be used to calculate residential density.

b. Any legally existing lot may be developed without having to comply with the minimum lot size or width requirements.

c. Lots subdivided for single-family detached, single-family attached, and two-family residential dwellings are exempt from minimum lot width requirements.

d. Lots subdivided for single-family attached dwellings are exempt from minimum lot area provided that:

(1) Parking for units shall be rear loaded and accessed from a common drive shared by all units in a particular development;

(2) Driveway access shall connect to the public street in a maximum of two (2) locations; and

(3) No garages shall face the primary street and front yard parking shall be strictly prohibited.

5. Open Space Area: Open space areas shall be provided at a rate of one square foot for every ten (10) square feet of land area included in the development, up to five thousand (5,000) square feet for core areas, and up to two thousand five hundred (2,500) square feet for transition areas. Open space areas includes landscaped yards, patios, public plazas, pocket parks, courtyards, rooftop and terrace gardens and other similar types of open space area amenities. All required open space areas shall be accessible to the users of the building(s).

6. Circulation And Connectivity: Development within the station area shall be easily accessible from public spaces and provide safe and efficient options for all modes of travel. Circulation networks, whether public or private, require adequate street, pedestrian and bicycle connections to provide access to development. The internal circulation network shall be easily recognizable, formalized and interconnected.

a. All parking lots shall comply with the standards in section [21A.44.020](#), "General Off Street Parking Regulations", of this title.

b. Parking is prohibited between the street-facing building line and any front or corner side property line. This shall include any drive aisle that is not perpendicular to the front or corner side property line.

c. Any new development shall provide a midblock walkway if a midblock walkway on the subject property has been identified in a master plan that has been adopted by the City. The following standards apply to the midblock walkway:

(1) The midblock walkway must be a minimum of ten feet (10') wide and include a minimum six foot (6') wide unobstructed path.

(2) The midblock walkway may be incorporated into the building provided it is open to the public. A sign shall be posted indicating that the public may use the walkway.

7. Accessory Structures: No accessory structure shall be located in a required front yard or between the primary building and a property line adjacent to a public street.

F. Design Standards:

1. Development shall comply with the design standards in [chapter 21A.37](#) of this title when applicable as specified in that chapter.

2. All developments required to obtain a review score by subsection C of this section shall comply with the following additional design standards. These specific standards may be modified through the design review in [chapter 21A.59](#) of this title if the modifications meet the intent of the specific design standard requested to be modified:

a. EIFS And Stucco Limitation: Use of Exterior Insulation and Finishing System (EIFS) or traditional stucco is not allowed as a building material on the ground floor of street facing building facades. Use of EIFS and stucco is allowed for up to ten percent (10%) of the upper level street facing facades.

b. Front And Corner Side Yard Design Requirements:

(1) In yards greater than ten feet (10') in depth, one shade tree shall be planted for every thirty feet (30') of street frontage. For the purpose of this section, a shade tree is any tree that has a mature minimum tree canopy of thirty feet (30') and a mature height that is forty feet (40') or greater.

(2) At least fifty percent (50%) of the front or corner side yards shall be covered in live plant material. This can include raised planter boxes. This percentage can be reduced to thirty percent (30%) if the yard includes outdoor dining, patios, outdoor public space, or private yards for ground floor residential uses that cover at least fifty percent (50%) of the provided front or corner side yard.

(3) At least thirty percent (30%) of the front or corner side yard shall be occupied by outdoor dining areas, patios, outdoor public space, or private yards for ground floor residential uses.

(4) Driveways necessary for vehicle access to the site are allowed regardless of compliance with the minimum percentages required by this subsection.

c. Entry Feature Requirements: All required building entries shall include at least one of the following features:

(1) An awning or canopy over the entrance that extends a minimum of five feet (5') from the street facing building facade;

(2) A recessed entrance that is recessed at least five feet (5') from the street facing facade;

(3) A covered porch that is at least five feet (5') in depth and at least forty (40) square feet in size; or

(4) A stoop that is at least two feet (2') above sidewalk level and that includes an awning or canopy that extends at least three feet (3') from the street facing building facade.

d. Ground Floor Use Requirement For 400 South And North Temple Boulevard: When facing 400 South or North Temple Boulevard, the ground floor use area required by [chapter 21A.37](#) of this title shall be built to accommodate an allowed commercial, institutional, or public use. Live/work uses qualify as a commercial use for this subsection.

(1) Exception: Residential uses may be permitted within the required area in lieu of the required use, if the ground floor is designed so that it can be converted to an allowed commercial use in the future. To accommodate this conversion, the shell space of the ground floor shall be built to an occupancy standard required by the adopted Building Code that can accommodate conversion of the interior of the space to a future permitted commercial use.

(2) The following additional requirements shall apply to the ground floor space if used for residential uses:

(A) The shell space shall be at least twelve feet (12') in height;

(B) The street facing facade of each ground floor residential unit shall be at least sixty percent (60%) glass;

(C) Each ground floor unit shall have a direct entrance from the sidewalk to the unit;

(D) Each ground floor unit shall be ADA accessible; and

(E) Each ground floor unit shall include a porch, patio, stoop or other entrance feature that is a minimum depth of at least five feet (5').

G. Multiple Buildings On A Single Parcel: Multiple principal buildings on a single parcel are permitted provided each principal building meets the requirements of this chapter and each principal building obtained a separate development score. New principal buildings can be located toward the rear of a parcel provided there is an existing or additional new principal building that complies with the front yard building setbacks. If one principal building receives a development score lower than other principal buildings on the site, the project shall be processed based on the lowest development score obtained. Multiple single-family detached dwellings and two-family dwellings may be located on one lot and are not required to obtain a development score.

H. Parking: The purpose of this subsection is to provide locations for off street parking. All off street surface parking lots should be located so that they are compatible with pedestrian oriented streets. New uses and development or

redevelopment within this district shall comply with the requirements of this subsection.

1. Surface Parking On Corner Properties: On corner properties, surface parking lots shall be located behind principal buildings or at least sixty feet (60') from the intersection of the front and corner side lot lines, and are subject to the additional requirements established for core or transition areas below.

2. Surface Parking In The Core Area: Surface parking lots in the core area are required to be located behind the principal building or to the side of a principal building.

a. Requirements: When located to the side of a building, the parking lot shall be:

(1) Set back a minimum of thirty feet (30') from a property line adjacent to a public street. The space between the parking lot and the property line adjacent to a public street shall be landscaped or activated with outdoor dining, plazas or similar feature.

(2) Screened with a landscaped hedge or wall that is at least thirty six inches (36") above grade and no taller than forty two inches (42") above grade. Landscaping berms are not permitted.

(3) The parking lot shall be no wider than what is required for two (2) rows of parking and one (1) drive aisle as indicated in section [21A.44.020](#), table [21A.44.020](#) of this title.

b. One Driveway And Drive Aisle Per Street Frontage: Only one (1) driveway and drive aisle is permitted per street frontage and the access point shall be located a minimum of one hundred feet (100') from the intersection of the front and corner side property lines. If the front or corner side property line is less than one hundred feet (100') in length, then the drive approach shall be located within twenty feet (20') of the side or rear property line.

3. Surface Parking In The Transition Area: Surface parking lots in the transition area are required to be located behind the principal building or to the side of a principal building.

a. Requirements: When located to the side of a principal building, the parking lot shall be:

(1) Set back so that no portion of the parking area other than the driveway is closer to the street than the front wall setback of the building. In cases where the front wall of the building is located within five feet (5') of a property line adjacent to a street, the parking lot shall be set back a minimum of eight feet (8'). The space between the parking lot and the property line adjacent to a street shall be landscaped or activated with outdoor dining, plazas or similar feature.

(2) Screened with a landscaped hedge or wall that is at least thirty six inches (36") above grade and no taller than forty two inches (42") above grade. Landscaping berms are not permitted.

4. Walkways Through Parking Lots: Parking lots with more than fifteen (15) spaces shall provide a pedestrian walkway through the parking lot to the primary building entrance or a sidewalk providing access to a primary building entrance. One (1) walkway must be provided for every three (3) drive aisles. Walkways shall be curb separated from the parking areas and a minimum of five feet (5') wide. Vehicles shall not overhang the walkway. Parking lot landscaping requirements in [chapter 21A.48](#) of this title shall be included on the side of the walkway. Where the walkway crosses a drive aisle, a crosswalk that is clearly identified by a change in color, material, or similar technique shall be used.

5. Other Applicable Standards: All other standards in [chapter 21A.44](#), "Off Street Parking, Mobility And Loading", of this title shall apply.

I. Conflicting Regulations: In cases where the regulations of this section conflict with another section of this zoning ordinance, this section shall take precedence except in situations where the conflict is related to the use of the property, in which case the more restrictive regulation takes precedence. In station areas within an overlay district, the overlay district shall take precedence.

J. Developments Over Five Acres:

1. Intent: Large scale developments have the potential to function as a self-contained mixed use neighborhood and could have both positive and negative impacts on nearby properties. All developments over five (5) acres in size shall be designed and planned to include a series of blocks and a network of public or private streets that connects to the existing public streets in the area and to adjacent development and neighborhoods. Buildings should be oriented to this street network. Regulating block size is necessary to provide development sites that are oriented to the pedestrian while accommodating other modes of transportation. A street network is required to ensure adequate circulation for pedestrians, bicycles, automobiles and service vehicles through the site, to adjacent sites and the public streets.

2. Application: These standards are in addition to all other applicable standards. In situations where the standards in this section conflict with a standard in another section, the standard in this section shall take precedence. A separate development score is required for each new principal building in a development over five (5) acres.

a. Block Layout: The intent of regulating block size and dimension is to create a development pattern where all principal buildings have their primary facades facing a street, whether public or private. All developments over five (5) acres in size shall be designed to include a series of blocks based on the standards below:

(1) The maximum perimeter dimension of any block shall be one thousand six hundred feet (1,600'). The maximum length of any individual block face shall be four hundred forty feet (440').

(2) The maximum perimeter dimension of a block may be increased to two thousand four hundred (2,400) linear feet, and the maximum length of any block face increased to six hundred feet (600') provided a mid block pedestrian network is included. The mid block pedestrian network must be a minimum of twenty feet (20') wide and include pedestrian amenities such as lighting, benches, and other similar features. The mid block walkway shall connect to at least two (2) block faces or be extended to the property line to allow for future extension.

b. Connectivity To Public Streets, Sidewalks, And Bicycle Lanes: In order to ensure that the development will be fully integrated into the transit station area, that safe and efficient travelways are provided, and to limit the impact on the primary transit street and other adjacent streets, the internal circulation system, including private streets, drive aisles, sidewalks and bicycle lanes shall connect to the public street, sidewalks and bicycle lanes. All new streets shall be designed as a "complete street" defined as a street that provides dedicated space for pedestrians, bicyclists and automobiles.

c. Vehicle Access: Regulating access to private property from public streets is necessary for integrating private development and public spaces. Limiting the number of access points and spacing between access points reduces areas of conflict between vehicles, pedestrians and bicycles. Maximum access widths promote a development pattern that is oriented to pedestrians and bicyclists while accommodating vehicles.

(1) Access points located on public streets intended for vehicles shall be spaced a minimum of one hundred feet (100') apart.

(2) No property shall have more than one (1) vehicle access point for every two hundred (200) linear feet of frontage on a public street.

(3) No access drive shall be greater than twenty four feet (24') wide.

(4) The location of all vehicle access points is subject to approval from the Transportation Division of the City. The standards of this section may be modified by the Transportation Division when, in the opinion of the Director of the Transportation Division, a different design would improve the overall safety for all modes of transportation or improve the efficiency of the transportation network.

d. Internal Circulation: Internal circulation systems allow for vehicles, pedestrians and bicyclists to move safely and efficiently throughout a development site. A logical, simple and well designed internal circulation system that connects with adjacent circulation networks provides room for vehicles, safe walking paths for pedestrians through the parking lot and the site to the public way, and well marked routes for bicycles traveling from public spaces to bicycle parking areas within a site. All new developments over five (5) acres are required to submit an internal circulation network plan.

(1) Travel Lanes That Connect Parking Areas With A Public Street: All internal vehicle travel lanes that connect internal parking areas with a public street shall be designed to meet the minimum requirements in section [21A.44.020](#) of this title.

(2) Design Speed: The internal circulation system shall be designed to move vehicles at speeds of twenty (20) miles per hour or less.

(3) Future Access To Adjacent Properties And Rights-Of-Way: All internal drive aisles, sidewalks, and paths shall be extended to property lines to allow for future cross access to adjacent properties when the adjacent property is undeveloped and to rights-of-way.

(4) Centerlines: The centerline of all internal streets shall be in line with the centerline of a street on the opposite side of an intersecting street unless the intersecting street is divided by a median. Offset streets shall be a minimum of two hundred feet (200') apart, measured from centerline to centerline.

(5) Publicly Dedicated Streets: Any street that is to be publicly dedicated shall meet the City's minimum construction and design standards (including street lighting, park strip, street trees, etc.).

(6) Pedestrian Routes: Pedestrian routes that provide safe, comfortable, clear and direct access throughout the development shall be provided. Pedestrian paths shall be bordered by residential fronts, green space, active open space, or commercial storefronts.

(7) Bicycle Paths: A coordinated system of bicycle paths should be provided.

(8) Approval; Modification Of Standards: The internal circulation network is subject to approval from the Transportation Division of the City. The standards of this section may be modified by the Transportation Division when, in the opinion of the Director of the Transportation Division, a different design would improve the overall safety for all modes of transportation or improve the efficiency of the transportation network.

e. Parking: Parking may be provided along any private street within a development over five (5) acres. The parking shall be counted toward the applicable off street parking standard when provided on private streets. All parking areas and spaces must comply with the parking lane widths identified in section [21A.44.020](#), table [21A.44.020](#) of this title.

f. Open Space Area: In order to provide space for passive and active recreation, public and private gatherings, offset storm drainage due to nonpermeable surfaces and as an amenity to individual developments and their residents, employees and customers, usable open space areas are required for all new developments.

(1) Required: In the core and transition areas of all station areas, a minimum of ten percent (10%) of the site, up to fifteen thousand (15,000) square feet, shall be devoted to open space areas. "Usable open space area" is defined as landscaped areas, plazas, outdoor dining areas, terraces, rooftop gardens, stormwater retention areas, and any other similar type of area.

(2) Connectivity To Adjacent Open Space Area: When adjacent to public open space areas, parks, trails and pathways, open space areas on developments over five (5) acres in size are encouraged to provide access to the public open space area.

g. Landscaping: All areas not occupied by buildings, plazas, terraces, patios, parking areas, or other similar feature shall be landscaped. If a project is developed in phases, only those areas in a phase that is under construction shall be landscaped. Landscaping in future phases shall be installed as those phases develop. Areas in future phases may be used as community gardens or other active open space until such time as development of that phase begins. (Ord. 14-19, 2019; Ord. 13-19, 2019; Ord. 25-17, 2017)

ATTACHMENT H: DEPARTMENT COMMENTS

Transportation Review: (*Michael Barry, michael.barry@slcgov.com*)

- There are no objections from Transportation.

Building Review: (*Todd Christopher, todd.christopher@slcgov.com*)

- No Building Code concerns with the Master Plan Amendment and Zoning Amendment.

Engineering Review: (*Scott Weiler, scott.weiler@slcgov.com*)

- Engineering has no objection to either of these amendments

Public Utilities Review: (*Jason Draper, jason.draper@slcgov.com*)

- No objections to the proposed master plan and zoning map amendment.

Zoning Review: (*Greg Mikolash, greg.mikolash@slcgov.com*)

- Building Services finds no zoning related issues with this Master Plan Amendment.

Fire Review: (*Ted Itchon, ted.itchon@slcgov.com*)

- No concerns were posted by the Fire Department.

ATTACHMENT I: 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:

PUBLIC PROCESS AND INPUT

Timeline

- The application for a rezone was submitted on October 1, 2020.
- The application for a master plan amendment was submitted on October 13, 2020.
- Notice of the proposal, and request for input, was provided to the Central Community Council on November 23, 2020.
 - The Central Community Council chose not to meet on the proposed amendments.
- Early Notification mailings were sent out on November 24, 2020 to property owners and residents within 300' of all four corners of the project site.
- Public notice of the Planning Commission hearing was mailed to property owners and residents within 300' of the subject site.
- A public notice sign was posted on both frontages of the subject site on January 29, 2021.
- One public comment was received before this report was finalized and is attached to this report.

From: [Kyle Deans](#)
To: [Larsen, Nannette](#)
Subject: (EXTERNAL) Planning Commission
Date: Thursday, January 28, 2021 3:02:13 PM

I am sending in my comments regarding the February 10 PC meeting.

I fully support the Re-zone of the property at 461 S 400 E. The East side of downtown south of 400 S needs much more density. There was a planning charrette several years ago regarding how to activate Library Square. Spaces such as Library Square can't simply be activated with new or additional programming, these spaces need built in density surrounding them, a built in audience. This is one such project that will go along way to activating that entire neighborhood into a much more vibrant, walkable neighborhood within the city.

Kyle Deans
Salt Lake City Resident