

## CHAPTER 21A.59

### DESIGN REVIEW

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#### 21A.59.010: PURPOSE STATEMENT:

The purpose of the design review chapter is to: a) establish a process and standards of review for minor modifications to applicable design standards, and b) 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 this title 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. (Ord. 14-19, 2019)

#### 21A.59.020: AUTHORITY:

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

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 section 21A.59.040, table 21A.59.040 of this chapter 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 (section 21A.59.050 of this chapter).

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, or to achieve 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 to the Planning Commission 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. 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 subsection A of this section:

1. ~~When All projects where Planning Commission review is 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. All projects that have applied for a modification of base zoning design standards but could not be approved administratively because they exceed limits identified in section 21A.59.040, table 21A.59.040 of this chapter.

5. Projects in the TSA Transit Station Area 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 any of the following actions:

1. The commission shall approve a project if it finds that the proposal complies with the purpose of the zoning district and applicable Overlay District(s), 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. H Historic Preservation Overlay District: Modifications to design standards for properties within an H Historic Preservation Overlay District are subject to the processes

and applicable standards outlined in section 21A.34.020 of this title and not this chapter. (Ord. 14-19, 2019)

#### 21A.59.030: DESIGN REVIEW PROCESS:

A. Presubmittal Meeting: 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. Complete Application: The design review application is considered complete when it includes all of the following:

1. All of the application information required for site plan review as identified in chapter 21A.58 of this title.
2. Photos showing the facades of adjacent development, trees on the site, general streetscape character, and views to and from the site.
3. Demonstration of compliance with the purpose of the individual zoning district in written narrative and graphic images.
4. Demonstration of compliance with the purpose of the applicable design standards of the individual zoning district in written narrative, graphic images, and relevant calculations.
5. Demonstration of compliance with the applicable design review objectives (section 21A.59.060 of this chapter) in written narrative, graphics, images, and relevant calculations.
6. 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:

1. 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 of this title.

#### 2. Required Notice For Planning Commission Review:

a. Applications subject to Planning Commission review of this chapter are subject to notification requirements of title 2, chapter 2.60 of this Code.

b. Any required public hearing is subject to the public hearing notice requirements found in chapter 21A.10 of this title. (Ord. 14-19, 2019)

#### 21A.59.040: SCOPE OF MODIFICATIONS AUTHORIZED:

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. For Planning Director review, the design standards of the applicable zoning district (see chapter 21A.37, "Design Standards", of this title), may be modified according to the following table.

#### TABLE 21A.59.040

To view TABLE 21A.59.040 in PDF, click [HERE](#).

Design Standards	Primary Modification Allowed	Secondary Modification Allowed
Design Standards	Primary Modification Allowed	Secondary Modification Allowed
A. Ground Floor Use And Visual Interest:		
1. Ground floor use only	Length: 10%	Depth: 20%
2. Ground floor use and visual interest	Planning Commission only	
B. Building Materials:		
1. Ground floor building materials	Planning Commission only	
2. Upper floor building materials	Planning Commission only	
C. Glass:		
1. Ground floor glass	10%	
2. Upper floor glass	10%	
D. Building Entrances	10% Planning Commission only	
E. Maximum Length Of Blank Wall	10% Planning Commission only	
F. Maximum Length Of Street- Facing Facades	10%	
G. Upper Floor Step Back:		
1. For street facing facades	20%	
2. For facades facing Single- or Two-Family Residential Districts	Planning Commission only	

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 of this title. (Ord. 14-19, 2019)

**21A.59.050: STANDARDS 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 of this title 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. 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. 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 the street facing facades by prohibiting covering the ground floor glass with reflective treatments, interior walls, and other similar features that prevent passers-by from seeing inside of the building for non-residential uses.

~~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. 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. Building facades that exceed a combined contiguous building length of two hundred feet (200') shall include:

1. Changes in vertical plane (breaks in facade);
2. Material changes; and
3. Massing changes.

F. If provided, privately-owned public spaces shall include at least three (3) of the six (6) following elements:

1. ~~Sitting space of at~~ 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
6. Other amenities not listed above that provide a public benefit.

G. Building height shall be modified to relate to human scale and minimize negative impacts. In downtown and in the CSHBD Sugar House Business District, building height shall contribute to a distinctive City skyline.

1. Human scale:

a. Utilize stepbacks 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. The minimum stepback for any building located in a zoning district that does not contain an upper level stepback provision shall be ten feet (10'). This stepback is only required for applications requesting additional height when authorized in the underlying zoning district. The stepback shall be applied to the first full floor of the building that is seeking the request for additional height.

b. For buildings more than three (3) 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: All buildings seeking additional height as authorized in the underlying zoning district shall be subject to the following standards.

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.

d. Designed and oriented to prevent snow, ice, or water from falling directly onto a public sidewalk, public space, neighboring property, or directly onto the walkway leading to the building entrance.

3. Cornices and rooflines:

a. Cohesiveness: Shape and define rooflines to be cohesive with the building's overall form and composition. The roofline and architectural detailing, including cornices, shall be complimentary to the structure's scale, material, color, and form and create a change in plane of at least 6 inches, a change in material, utilizing at least one visible sloping plan along a minimum of 50% of the roofline on building elevations facing a street, or a change in material orientation to define the roof line of the building.

~~— b. Complement Surrounding Buildings: Include roof forms that complement the rooflines of surrounding buildings.~~

b. 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. Parking and on site circulation shall be provided with an emphasis on making safe pedestrian connections to the sidewalk, transit facilities, or midblock walkway. Parking is encouraged to be behind the principal building and away from pedestrian walkways.

1. Parking lots and structures shall be setback a minimum of twenty five feet (25') from required midblock pedestrian access locations or as required in the underlying zoning district if the underlying zoning requires a larger setback.

I. Waste and recycling containers, mechanical equipment, storage areas, and loading docks shall be fully screened from public view and, for buildings with only one street-facing frontage, are prohibited from being located along street-facing facades. They and shall incorporate building materials and detailing compatible with the building being served and shall be co-located with driveways and screened whenever possible unless prohibited by the presence of a street tree, public infrastructure, or public facility within the right of way. Service uses ~~shall be set back from the front line of building or~~ may be located within the structure(See subsection 21A.37.050K of this title.)

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

1. Provide street lights as indicated in the Salt Lake City 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. 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~~ every 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. (Ord. 14-19, 2019)

**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. (Ord. 14-19, 2019)

**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.
- 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. (Ord. 14-19, 2019)

**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. 3. Modifications that comply with an applicable standard in this Title provided the standard was not subject to a requested modification as part of this process or any other process authorized by this title and does not conflict with a specific condition of approval or a finding associated with the approval.

B. Other Modifications: Any other modifications not listed in subsection A of this section shall be processed as follows: ~~require~~

1. If the proposed modification does not require a change to a condition of approval or a finding that was identified in a staff report or record of decision the matter may be reviewed by the planning commission, or in the case of administrative approvals, by the planning director, as a reconsideration of that specific modification subject to a public hearing for planning commission decisions or a notice of application for administrative approvals.

2. Any other modification shall be considered a new application and be subject to all required processes and standards. ~~a new application (Ord. 14-19, 2019)~~