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## Memorandum

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**DATE:** March 28, 2013

**SUBJECT:** Petition No. PLNPCM2010-00783 – Proposed changes to the City's zoning regulations relating to Conditional Building & Site Design Review - Mayor Becker, Petitioner  
Petition No. PLNPCM2010-00783

**AFFECTED COUNCIL DISTRICTS:** If the ordinance is adopted the zoning regulation changes would affect Council Districts citywide.

**FROM:** Janice Jardine

**ADMINISTRATIVE DEPT. AND CONTACT PERSON:** Community Development Department, Planning Division  
Doug Dansie, Senior Planner

**COUNCIL PHILOSOPHY STATEMENTS:** This petition relates to the Council's Economic Health of the City, Comprehensive Housing Policy, Neighborhood Quality of Life, Transportation & Mobility and Sustainability Philosophy Statements

**COUNCIL PROCESS**

February 19, 2013	Work Session Briefing
March 5, 2013	Set Public Hearing Date
March 26, 2013	Council Public Hearing
April 2, 2013	Potential Action

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### POTENTIAL MOTIONS:

1. I move that the Council adopt an ordinance changing to the City's zoning regulations relating to Conditional Building & Site Design Review.
  2. I move that the Council not adopt an ordinance changing to the City's zoning regulations relating to Conditional Building & Site Design Review.
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## WORK SESSION SUMMARY:

- A. On February 19, 2013, the Council received a briefing from the Administration and discussed proposed changes relating to the Conditional Building & Site Design Review zoning regulations. (Please see additional information at the end of this memo provided by Planning staff.) Key discussion items are summarized below.
1. The proposed changes are intended to eliminate duplication of design criteria already in individual zoning districts or other zoning chapters and remove design criteria that are more restrictive than the base zoning regulations.
  2. Recently adopted design standards and guidelines would not be affected by this proposal.
  3. Design criteria in the zoning districts are used to determine the general characteristics of a proposed development.
  4. Some zoning districts require new development over a certain size to go through this process. For example, the Sugar House Business Districts and the Transit Station Area Districts.
  5. This process allows designers with innovative or new design approaches to request changes or relief from the existing regulations.
  6. The intent is to have general criteria that allow flexibility in design and materials so not every building looks the same.
  7. A two-tiered process with both the Historic Landmark Commission and Planning Commission may be required for some projects.
- B. During the Work Session discussion, Council Member Garrott requested a change to the proposed ordinance regarding architectural detail. The change is highlighted below for reference and is included in a new ordinance.

### **21A.59.065: STANDARDS FOR DESIGN REVIEW FOR HEIGHT:**

In addition to standards provided in 21A.59.060, the following standards shall be applied to all applications for conditional building and design review regarding height:

- A. The roofline contains architectural features that make it distinctive on the skyline; flat roofs are discouraged unless also being used for other purposes such as rooftop gardens, common space for building occupants or the public, heliport, etc.
- B. There is architectural detailing at the cornice level, when appropriate to the architectural style of the building.
- C. Planning staff provided the following clarification relating to whether all the design standards in the Conditional Building & Site Design Review process would apply to all applications for design review.
1. Theoretically, a project is ONLY in the design review process if they do not meet the standards in the base zone (except in Gateway and Sugar House Business districts where the planned development process IS a base requirement).
  2. Therefore, the purpose of the review standards is to insure that a project is meeting the general spirit of the zoning district, if not the letter.
  3. All the general standards would be reviewed for each application. The assumption is that if a building is seeking relief for a singular design issue, such as height, that the overall project should still meet the general design principals and not merely the portion of the project for which the exception is requested (i.e. a tall building with a nice roofline but poor pedestrian interface is not the desired outcome).

The following information was provided previously for the Council Work Session on February 19, 2013. It is provided again for background purposes.

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## KEY ELEMENTS:

- A. This memorandum summarizes key points relating to the proposed changes for the Conditional Building and Site Design Review process and identifies potential matters at issue/questions for the Administration. The Administration's paperwork provides additional details regarding this item. (Please see the following attachments at the end of this memo and the City Council Transmittal for details.)
- ATTACHMENT A Summary of proposed zoning text changes
  - ATTACHMENT B Planning Commission minutes – January 25, 2012
  - ATTACHMENT C Planning Staff Report – January 25, 2012
- B. The proposed amendments would:
- a. Eliminate conflicts in the zoning regulations and clarify existing design criteria.
  - b. Remove design criteria that are more restrictive than the base zoning regulations.  
*(This would allow the Planning Commission broader discretion in the design review process and allow the applicant greater flexibility in identifying design solutions.)*
  - c. Change all design-related conditional uses to items that may be reviewed through the design review process. *(For example, the proposal would remove the option to allow additional height in some zoning districts as a conditional use and include the option for additional height in the design review process. Additional height is considered a design element rather than a land use.)*
- C. Through the current process, the Planning Commission has the authority to modify specific zoning district design-related regulations or standards for projects that meet the intent of the zoning district, but may need relief from strict compliance with specific zoning regulations. For example, the Planning Commission may modify setbacks or yard areas; building size, height, materials and architectural features; accessory or commercial parking lots or structures; landscaping and mid-block development. The process is not intended to be a full-scale project design review procedure.
- D. The Conditional Building and Site Design Review Purpose Statement states: "The intent of building and site design review regulations is to provide for flexible implementation of specific design requirements set forth within individual zoning districts. The purpose statement of each zoning district provides the philosophical approach to defining that flexibility. This process is intended to supplement the review and administrative procedures which are carried out under this title or other city ordinances and regulations. The design review process is intended to help ensure that newly developed properties and redeveloped properties are designed to encourage pedestrian access, circulation and orientation while acknowledging the need for transit and automobile access." (Zoning - Sec. 21A.59.010)
- E. The public process included an Open House sponsored by the Planning Division and written notification of the Planning Commission hearing through the Planning Division electronic list serve. Notice was also posted on the City's website.

## MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR THE ADMINISTRATION:

- A. The Council may wish to discuss with the Administration issues discussed by the Planning Commission. The Planning Commission minutes note that one Commissioner expressed concern that the changes were removing a lot of guidance for the Planning Commission and

another Commissioner expressed concern that the guidelines seem to be too subjective. (Please see Attachment B – Planning Commission minutes, January 25, 2012, for details.)

1. Planning staff noted at the Planning Commission meeting:
  - a. The Conditional Building and Site Design Review process was intended to give guidance for alternatives to the guidelines when allowed.
  - b. The regulations would have to be clear enough to give direction to a property owner or applicant.
  - c. The standards should also be flexible enough to accommodate other situations.
2. The Council has had a policy that City zoning regulations should establish clearly defined, specific standards of review and criteria that are clearly written and easily understandable to the public.

cc: David Everitt, Bianca Shreeve, Karen Hale, Art Raymond, Holly Hilton, Ed Rutan, Lynn Pace, Paul Nielson, Jeff Niermeyer, Tom Ward, Rick Graham, Eric Shaw, Mary De La Mare-Schafer, Orion Goff, Les Koch, Larry Butcher, Michael Akerlow, Randy Isbell, Wilf Sommerkorn, Cheri Coffey, Joel Paterson, Nick Norris, Doug Dansie, City Council Liaisons, Mayors Liaisons

File Location: Community and Economic Development Dept., Planning Division, Zoning Text change – conditional building & site design review



SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2013

(An ordinance amending certain sections of Title 21A of the  
*Salt Lake City Code* concerning conditional building and site design review)

An ordinance amending certain sections of Title 21A of the *Salt Lake City Code* pursuant to Petition No. PLNPCM2010-00783 to modify conditional building and site design review regulations.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on January 25, 2012 to consider a request made by Salt Lake City Mayor Ralph Becker (petition no. PLNPCM2010-00783) to amend various sections of Title 21A (Zoning) of the *Salt Lake City Code* to modify the conditional building and site design review regulations; and

WHEREAS, at its January 25, 2012 hearing, the planning commission voted to transmit a positive recommendation to the Salt Lake City Council on said application; and

WHEREAS, after a public hearing on this matter the city council has determined that adopting this ordinance is in the city's best interests,

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending text of Salt Lake City Code section 21A.06.030.B.5. That section 21A.06.030.B.5 of the *Salt Lake City Code* (Zoning: Decision Making Bodies and Officials: Planning Commission: Jurisdiction and Authority), shall be, and hereby is, amended to read as follows:

5. Review, hear and decide applications for conditional uses, including planned developments, pursuant to the procedures and standards set forth in chapters 21A.54, "Conditional Uses", ~~and~~ 21A.55, "Planned Developments", and 21A.59 "Conditional Building and Site Design Review", of this title;

SECTION 2. Amending text of Salt Lake City Code chapter 21A.59. That chapter 21A.59 of the *Salt Lake City Code* (Zoning: Conditional Building and Site Design Review), shall be, and hereby is, amended to read as follows:

**Chapter 21A.59**  
**CONDITIONAL BUILDING AND SITE DESIGN REVIEW**

**21A.59.010: PURPOSE STATEMENT:**

**21A.59.020: AUTHORITY:**

**21A.59.030: SCOPE OF APPLICATION:**

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

**21A.59.050: APPLICATION REQUIREMENTS:**

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

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

**21A.59.010: PURPOSE STATEMENT:**

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

**21A.59.020: AUTHORITY:**

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

- A. The planning commission shall approve design criteria upon consideration of comments received from city departments and determining whether modification of specific design regulations meets the intent of the individual zoning district.
- B. The planning commission may modify individual design requirements for specific projects if they find that the intent of the basic design criteria of the zoning district has been met.

#### **21A.59.030: SCOPE OF APPLICATION:**

Design review approval shall be required for all permitted uses, conditional uses and accessory uses when specifically authorized and referenced by individual zoning districts.

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

The authority of the planning commission through the design review process shall be limited to modification of the specific element referenced within each zoning district. In the TSA zoning district, the planning commission or administrative hearing officer, shall have the authority to determine if a proposal generally compiles with the transit station area development guidelines and may make modifications to the Building and Site Design proposal to insure compliance.

#### **21A.59.050: APPLICATION REQUIREMENTS:**

Each application for design review shall include the same information as required for site plan review as identified in section 21A.58.060 of this title.

#### **21A.59.060: STANDARDS FOR DESIGN REVIEW:**

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

A. Development shall be primarily oriented to the street, not an interior courtyard or parking lot.

- ~~1. Primary building orientation shall be toward the street rather than the parking area. The principal entrance shall be designed to be readily apparent.~~
- ~~2. At least sixty percent (60%) of the street frontage of a lot shall have any new building located within ten feet (10') of the front setback. Parking is permitted in this area.~~
- ~~3. Any buildings open to the public and located within thirty feet (30') of a public street shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be a distinctive and prominent element of the building's architectural design, and shall be open to the public during all business hours.~~
- ~~4. Each building shall incorporate lighting and changes in mass, surface, or finish to give emphasis to its entrances.~~

B. Primary access shall be oriented to the pedestrian and mass transit.

- ~~1. Each building shall include an arcade, roof, alcove, portico, awnings, or similar architectural features that protect pedestrians from the rain and sun.~~

C. Building facades shall include detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction.

- ~~1. At least forty percent (40%) of any first floor wall area that faces and is within thirty feet (30') of a primary street, plaza, or other public open space shall contain display areas, windows, or doorways. Windows shall allow views into a working area or lobby, a pedestrian entrance, or display area. First floor walls facing a side street shall contain at least twenty five percent (25%) of the wall space in window, display area, or doors. Monolithic walls located within thirty feet (30') of a public street are prohibited.~~
- ~~2. Recessed or projecting balconies, verandas, or other usable space above the ground level on existing and new buildings is encouraged on a street facing elevation. Balconies may project over a public right of way, subject to an encroachment agreement issued by the city.~~

D. Architectural detailing shall be included on the ground floor to emphasize the pedestrian level of the building.

E. Parking lots shall be appropriately screened and landscaped to minimize their impact on adjacent neighborhoods. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods.

- ~~1. Parking areas shall be located behind or at one side of a building. Parking may not be located between a building and a public street.~~
- ~~2. Parking areas shall be shaded by large broadleaf canopied trees placed at a rate of one tree for each six (6) parking spaces. Parking shall be adequately screened and buffered from adjacent uses.~~
- ~~3. Parking lots with fifteen (15) spaces or more shall be divided by landscaped areas including a walkway at least ten feet (10') in width or by buildings.~~

~~F. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods.~~

~~GF.~~ Parking and on site circulation shall be provided with an emphasis on making safe pedestrian connections to the street or other pedestrian facilities.

- ~~1. Connections shall be made when feasible to any streets adjacent to the subject property and to any pedestrian facilities that connect with the property.~~

- ~~2. A pedestrian access diagram that shows pedestrian paths on the site that connect with a public sidewalk shall be submitted.~~

~~HG.~~ Dumpsters and loading docks shall be appropriately screened or located within the structure.

- ~~1. Trash storage areas, mechanical equipment, and similar areas are not permitted to be visible from the street nor permitted between the building and the street.~~
- ~~2. Appropriate sound attenuation shall occur on mechanical units at the exterior of buildings to mitigate noise that may adversely impact adjacent residential uses.~~

~~IH.~~ Signage shall emphasize the pedestrian/mass transit orientation.

~~IJ.~~ Lighting shall meet the lighting levels and design requirements set forth in chapter 4 of the Salt Lake City lighting master plan dated May 2006.

~~KJ.~~ Streetscape improvements shall be provided as follows:

1. One street tree chosen from the street tree list consistent with the city's urban forestry guidelines and with the approval of the city's urban forester shall be placed for each thirty feet (30') of property frontage on a street. Existing street trees removed as the result of a development project shall be replaced by the developer with trees approved by the city's urban forester.
2. Landscaping material shall be selected that will assure eighty percent (80%) ground coverage occurs within three (3) years.
3. Hardscape (paving material) shall be utilized to designate public spaces. Permitted materials include unit masonry, scored and colored concrete, grasscrete, or combinations of the above.
4. Outdoor storage areas shall be screened from view from adjacent public rights of way. Loading facilities shall be screened and buffered when adjacent to residentially zoned land and any public street.
5. Landscaping design shall include a variety of deciduous and/or evergreen trees, and shrubs and flowering plant species well adapted to the local climate.

~~L.~~ Street trees shall be provided as follows:

- ~~1. Any development fronting on a public or private street shall include street trees planted consistent with the city's urban forestry guidelines and with the approval of the city's urban forester.~~

~~2. 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.~~

~~M~~K. The following additional standards shall apply to any large scale developments with a gross floor area exceeding sixty thousand (60,000) square feet:

1. The orientation and scale of the development shall conform to the following requirements:
  - a. Large building masses shall be divided into heights and sizes that relate to human scale by incorporating changes in building mass or direction, sheltering roofs, a distinct pattern of divisions on surfaces, windows, trees, and small scale lighting.
  - b. No new buildings or contiguous groups of buildings shall exceed a combined contiguous building length of three hundred feet (300').
2. Public spaces shall be provided as follows:
  - a. One square foot of plaza, park, or public space shall be required for every ten (10) square feet of gross building floor area.
  - b. Plazas or public spaces shall incorporate at least three (3) of the five (5) following elements:
    - (1) Sitting space of at least one sitting space for each two hundred fifty (250) square feet shall be included in the plaza. Seating shall be a minimum of sixteen inches (16") in height and thirty inches (30") in width. Ledge benches shall have a minimum depth of thirty inches (30");
    - (2) A mixture of areas that provide shade;
    - (3) Trees in proportion to the space at a minimum of one tree per eight hundred (800) square feet, at least two inch (2") caliper when planted;
    - (4) Water features or public art; and/or
    - (5) Outdoor eating areas ~~or locations for food vendors.~~

~~N~~L. Any new development shall comply with the intent of the purpose statement of the zoning district and specific design regulations found within the zoning district in which the project is located as well as adopted master plan policies, the city's adopted "urban design element" and design guidelines governing the specific area of the proposed development. Where there is a conflict between the standards found in this

section and other adopted plans and regulations, the more restrictive regulations shall control.

#### **21A.59.065: STANDARDS FOR DESIGN REVIEW FOR HEIGHT:**

In addition to standards provided in 21A.59.060, the following standards shall be applied to all applications for conditional building and design review regarding height:

- A. The roofline contains architectural features that make it distinctive on the skyline; flat roofs are discouraged unless also being used for other purposes such as rooftop gardens, common space for building occupants or the public, heliport, etc.
- B. There is architectural detailing at the cornice level, when appropriate to the architectural style of the building.
- C. Lighting highlights the architectural detailing of the entire building but shall not exceed the maximum lighting standards as further described elsewhere in this title.

#### **21A.59.070: PROCEDURES FOR DESIGN REVIEW:**

~~A. Preapplication Conference: Before filing an application for design review, the applicant is encouraged to confer with the development review team (DRT) regarding the general proposal. Such action does not require formal application fees, or filing of a site plan, or landscape plan and is not to be construed as an application for formal approval. No representation made by the planning director, the DRT or other city departments during such conference shall be binding upon the city with respect to an application subsequently submitted.~~

~~B.A.~~ Fees: Every design review application shall be accompanied by a fee as established in the fee schedule, chapter 21A.64 of this title.

~~C.B.~~ Submission Of Final Plans; Review Aand Approval:

1. Planning Commission Review: After the plans and related materials and fees have been submitted pursuant to section 21A.59.050 of this chapter, and the application has been determined by the planning director to be complete pursuant to section 21A.10.010 of this title, the application shall be reviewed and processed through the planning commission in coordination with the appropriate city departments. If the plan is approved, the planning director shall certify approval and state the conditions of such approval, if any. If the design is disapproved, the planning director shall indicate reasons for such in writing to the applicant.
2. Appeal Of Planning Commission Decision: Any person adversely affected by a final decision of the planning commission may appeal to the appeals hearing officer in accordance with the provisions of chapter 21A.16 of this title.



3. ~~Certification B~~by Planning Commission: The decisions of the planning commission approving the application shall be noted on all copies of applicable plans to be retained in the record, including any changes or conditions required as part of the design review approval. One such copy shall be returned to the applicant, and others retained as required for records or further action by the planning commission or other affected agencies of the city.
4. Building Permits: Building permits shall be issued in accordance with approved plans. A copy of the approved plan shall be retained in the records of the office of the division of building services and licensing and all building and occupancy permits shall conform to the provisions of the approved design review.
5. ~~Amendments O~~r Modifications ~~T~~o Approved Design Review: Amendments or modifications to approved design review must be submitted to the planning director. Such modifications shall be submitted in accordance with the procedures and requirements of this chapter and shall be distributed to the appropriate departments for review. The planning director may waive this requirement if the planning director determines that such modification of the original design review has no significant impact upon the original proposal and still remains in conformance with design concepts approved by the planning commission.
6. Time Limit ~~O~~n Approval: Approval of design review shall be void unless a building permit has been issued or complete building plans have been submitted to the division of building services and licensing within ~~one year~~ two years from the date of approval. The planning director may grant an extension of a design review approval for up to one additional year when the applicant is able to demonstrate no change in circumstance that would result in an unmitigated impact. Extension requests must be submitted to the planning director in writing prior to the expiration of the design review approval.

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

When a development is proposed which requires Building and Site Design Review along with a conditional use approval, the planning commission shall review the applications together. The proposed applications shall be reviewed and approved, reviewed with conditions, approved with modifications, or denied.

SECTION 3. Amending text of Salt Lake City Code section 21A.24.164.E. That section 21A.24.164.E of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU-35 Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:



- E. Maximum Building Height: The maximum building height shall not exceed thirty five feet (35'), except that nonresidential buildings and uses shall be limited by subsections E1 and E2 of this section. Buildings taller than thirty five feet (35'), up to a maximum of forty five feet (45'), may be authorized as through the conditional building and site design review process conditional uses, subject to the requirements of chapter 21A.54, "Conditional Uses", of this title; and provided, that the proposed height conditional use is supported by the applicable master plan.

1. Maximum height for nonresidential buildings: Twenty feet (20').
2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: One floor.

SECTION 4. Amending text of Salt Lake City Code section 21A.24.168.E. That section 21A.24.168.E of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU-45 Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:

- 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 and E2 of this section. Buildings taller than forty five feet (45'), up to a maximum of seventy five feet (75'), may be authorized as through the building conditional building and site design review process conditional uses, subject to the requirements of chapter 21A.54, "Conditional Uses", of this title; and provided, that the proposed height conditional use is supported by the applicable master plan.

1. Maximum height for nonresidential buildings: Twenty feet (20').
2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: One floor.

SECTION 5. Amending text of Salt Lake City Code section 21A.24.170.F. That section 21A.24.170.F of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:

- F. Maximum Building Height: The maximum building height shall not exceed seventy five feet (75'), except that nonresidential buildings and uses shall be limited by subsections F1 and F2 of this section. Buildings taller than seventy five feet (75'), up to a maximum of one hundred twenty five feet (125'), may be authorized as through the building conditional building and site design process conditional uses, subject to the requirements of chapter 21A.54, "Conditional Uses", of this title; and provided, that the proposed height conditional use is located within the one hundred twenty five foot (125') height zone of the height map of the east downtown master plan.

1. Maximum height for nonresidential buildings: Forty five feet (45').
2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: Three (3) floors.

SECTION 6. Amending text of Salt Lake City Code section 21A.24.170.J. That section 21A.24.170.J of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:

J. Entrance ~~A~~and Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized ~~as conditional~~ through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may approve a modification to this requirement, if the planning director finds:
  - a. The requirement would negatively impact the historic character of the building,
  - b. The requirement would negatively impact the structural stability of the building, or
  - c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Appeal of administrative decision is to the planning commission.

2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection J1 of this section.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

SECTION 7. Amending text of Salt Lake City Code section 21A.24.180.I. That section 21A.24.180.I of the *Salt Lake City Code* (Zoning: Residential Districts: RO Residential/Office District), shall be, and hereby is, amended to read as follows:

- I. Offices In Existing Buildings On Lots Less Than Twenty Thousand Square Feet: Offices occupying existing buildings are permitted on a five thousand (5,000) square foot minimum lot. Additions to existing buildings that are greater than fifty percent (50%) of the existing building footprint or that exceed the height of the existing building shall be subject to conditional building and site design review ~~conditional use approval~~.

SECTION 8. Amending text of Salt Lake City Code section 21A.24.190 (qualifying provision 6). That section 21A.24.190 of the *Salt Lake City Code* (Zoning: Residential Districts: Table of Permitted and Conditional Uses for Residential Districts), shall be, and hereby is, amended to amend the text of qualifying provision 6, which qualifying provision follows the table therein, and which shall read as follows:

6. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to ~~the conditional use process~~ a conditional building and site design review.

SECTION 9. Amending text of Salt Lake City Code section 21A.26.010.J. That section 21A.26.010.J of the *Salt Lake City Code* (Zoning: Commercial Districts: General Provisions), shall be, and hereby is, amended to read as follows:

- J. Modifications To Maximum Height: Additions to the maximum height due to the natural topography of the site may be approved pursuant to the following procedures and standards:

~~1. Modifications Of Ten Percent Or Less Of Maximum Height:~~

- a. ~~The board of adjustment may approve, as a special exception, additional height not exceeding ten percent (10%) of the maximum height pursuant to the standards and procedures of chapter 21A.52 of this title. Specific conditions for approval are found in subsection 21A.52.100G of this title.~~

1. Modifications of Ten Percent or Less of Maximum Height:

- a. The planning commission may approve, as a special exception, additional height not exceeding ten percent (10%) of the maximum height pursuant to the standards and procedures of chapter 21A.52 of this title. Specific conditions for approval are found in chapter 21A.52 of this title.

2. ~~Modifications Of More Than Ten Percent Of Maximum Height:~~

- a. ~~Conditional Use~~ Conditional Building and Site Design Review: As a conditional use- Through conditional building and site design review for properties on a sloping lot in commercial zoning districts, pursuant to chapter 21A.54 ~~59~~ of this title, the planning commission, or in the case of an administrative approval the planning director or designee may allow additional building height of more than ten percent (10%) of the maximum height, but not more than one additional story, if the first floor of the building exceeds twenty thousand (20,000) square feet. The additional story shall not be exposed on more than fifty percent (50%) of the total building elevations.

SECTION 10. Amending text of Salt Lake City Code section 21A.26.020.F. That section 21A.26.020.F of the *Salt Lake City Code* (Zoning: Commercial Districts: CN Neighborhood Commercial District), shall be, and hereby is, amended to read as follows:

F. Minimum Yard Requirements:

1. ~~Front Or Corner Side Yard:~~ A fifteen foot (15') minimum front or corner side yard shall be required. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission.
2. Interior Side Yard: None required.
3. Rear Yard: Ten feet (10').
4. Buffer Yards: Any lot abutting a lot in a residential district shall conform to the buffer yard requirements of chapter 21A.48 of this title.

5. Accessory Buildings ~~A~~nd Structures ~~I~~n Yards: Accessory buildings and structures may be located in a required yard subject to table 21A.36.020B of this title.
6. Maximum Setback: A maximum setback is required for at least sixty five percent (65%) of the building facade. The maximum setback is twenty five feet (25'). Exceptions to this requirement may be authorized ~~as through the~~ conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:
- The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
  - The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission.

7. Parking Setback: Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a thirty foot (30') landscape setback from the front property line or be located behind the primary structure. Parking structures shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line or be located behind the primary structure. There are no minimum or maximum setback restrictions on underground parking. The planning director may modify or waive this requirement if the planning director finds the following:
- The parking is compatible with the architecture/design of the original structure or the surrounding architecture.
  - The parking is not part of a series of incremental additions intended to subvert the intent of the ordinance.
  - The horizontal landscaping is replaced with vertical screening in the form of berms, plant materials, architectural features, fencing and/or other forms of screening.
  - The landscaped setback is consistent with the surrounding neighborhood character.

- e. The overall project is consistent with section 21A.59.060 of this title.

Appeal of administrative decision is to the planning commission.

SECTION 11. Amending text of *Salt Lake City Code* section 21A.26.020.I. That section 21A.26.020.I of the *Salt Lake City Code* (Zoning: Commercial Districts: CN Neighborhood Commercial District), shall be, and hereby is, amended to read as follows:

I. Entrance ~~A~~and Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through the ~~as~~ conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:
  - a. The requirement would negatively impact the historic character of the building, or
  - b. The requirement would negatively impact the structural stability of the building.

Appeal of administrative decision is to the planning commission.

2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection I1 of this section.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

SECTION 12. Amending text of Salt Lake City Code section 21A.26.030. That section 21A.26.030 of the *Salt Lake City Code* (Zoning: Commercial Districts: CB Community Business District), shall be, and hereby is, amended to read as follows:

21A.26.030: CB COMMUNITY BUSINESS DISTRICT:

- A. Purpose Statement: The CB community business district is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.
- B. Uses: Uses in the CB community business district as specified in section 21A.26.080, "Table of Permitted and Conditional Uses for Commercial Districts", of this chapter are permitted subject to the general provisions set forth in section 21A.26.010 of this chapter and this section.
- C. Planned Development Review: Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections, may be approved by the planning commission pursuant to the provisions of chapter 21A.55 of this title.
- D. Lot Size Requirements: No minimum lot area or lot width is required, however any lot exceeding four (4) acres in size shall be allowed only as a conditional use through the conditional building and site design review process.
- E. Maximum Building Size: Any building having a fifteen thousand (15,000) gross square foot floor area of the first floor or a total floor area of twenty thousand (20,000) gross square feet or more, shall be allowed only as a conditional use through the conditional building and side design review process. An unfinished basement used only for storage or parking shall be allowed in addition to the total square footage.
- F. Minimum Yard Requirements:
  - 1. Front or Corner Side Yard: No minimum yard is required. If a front yard is provided, it shall comply with all provisions of this title applicable to front or corner side yards, including landscaping, fencing, and obstructions.
  - 2. Interior Side Yard: None required.
  - 3. Rear Yard: Ten feet (10').



4. Buffer Yards: Any lot abutting a lot in a residential district shall conform to the buffer yard requirements of chapter 21A.48 of this title.
5. Accessory Buildings ~~A~~and Structures ~~I~~n Yards: Accessory buildings and structures may be located in a required yard subject to table 21A.36.020B of this title.
6. Maximum Setback: A maximum setback is required for at least seventy five percent (75%) of the building facade. The maximum setback is fifteen feet (15'). Exceptions to this requirement may be authorized ~~as~~ through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:
  - a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
  - b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission.

7. Parking Setback: Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a twenty foot (20') landscape setback from the front property line or be located behind the primary structure. Parking structures shall maintain a thirty five foot (35') minimum setback from a front or corner side yard property line or be located behind the primary structure. There are no minimum or maximum setback restrictions on underground parking. The planning director may modify or waive this requirement if the planning director finds the following:
  - a. The parking is compatible with the architecture/design of the original structure or the surrounding architecture.
  - b. The parking is not part of a series of incremental additions intended to subvert the intent of the ordinance.
  - c. The horizontal landscaping is replaced with vertical screening in the form of berms, plant materials, architectural features, fencing and/or other forms of screening.



- d. The landscaped setback is consistent with the surrounding neighborhood character.
- e. The overall project is consistent with section 21A.59.060 of this title.

Appeal of administrative decision is to the planning commission.

G. Landscape Yard Requirements: If a front or corner side yard is provided, such yard shall be maintained as a landscape yard. The landscape yard can take the form of a patio or plaza, subject to site plan review approval.

H. Maximum Height: Thirty feet (30').

I. Entrance ~~A~~and Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized asthrough the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:
  - a. The requirement would negatively impact the historic character of the building,
  - b. The requirement would negatively impact the structural stability of the building, or
  - c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Appeal of administrative decision is to the planning commission.

2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection I1 of this section.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.
- J. Parking Lot/Structure Lighting: If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for the parking lot/structure security lighting are limited to sixteen feet (16') in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

SECTION 13. Amending text of Salt Lake City Code section 21A.26.050.F. That section 21A.26.050.F of the *Salt Lake City Code* (Zoning: Commercial Districts: CC Corridor Commercial District), shall be, and hereby is, amended to read as follows:

- F. Maximum Height: No building shall exceed thirty feet (30'). Buildings higher than thirty feet (30') may be allowed in accordance with the provisions of subsections F1 and F2 of this section.
  1. Procedure For Modification: A modification to the height regulations in this subsection F may be granted ~~as a conditional use~~ through the conditional building and site design process in conformance with the provisions of chapter 21A.54 59 of this title. In evaluating an application submitted pursuant to this section, the planning commission shall find that the increased height will result in improved site layout and amenities.
  2. Landscaping: If an additional floor is approved, increased landscaping shall be provided over and above that which is normally required for landscape yards, landscape buffer yards, and parking lot perimeter and interior landscaping. The amount of increased landscaping shall be equal to ten percent (10%) of the area of the additional floor.
  3. Maximum Additional Height: Additional height shall be limited to fifteen feet (15').

SECTION 14. Amending text of Salt Lake City Code section 21A.26.070.F. That section 21A.26.070.F of the *Salt Lake City Code* (Zoning: Commercial Districts: CG General Commercial District), shall be, and hereby is, amended to read as follows:

F. Maximum Height: No building shall exceed sixty feet (60'). Buildings higher than sixty feet (60') may be allowed in accordance with the provisions of subsections F1 and F2 of this section.

1. Procedure ~~F~~for Modification: A modification to the height regulations in this subsection F may be granted ~~as a conditional use in through the~~ conditional building and site design review process in conformance with the provisions of chapter 21A.5459 of this title. In evaluating an application submitted pursuant to this section, the planning commission or in the case of an administrative approval the planning director or designee, shall find that the increased height will result in improved site layout and amenities.
2. Landscaping: If additional floors are approved, increased landscaping shall be provided over and above that which is normally required for landscape yards, landscape buffer yards, and parking lot perimeter and interior landscaping. The amount of increased landscaping shall be equal to ten percent (10%) of the area of the additional floors.
3. Maximum Additional Height: Additional height shall be limited to thirty feet (30').

SECTION 15. Amending text of Salt Lake City Code section 21A.26.077. That section 21A.26.077 of the *Salt Lake City Code* (Zoning: Commercial Districts: TC-75 Transit Corridor District), shall be, and hereby is, amended to read as follows:

21A.26.077: TC-75 TRANSIT CORRIDOR DISTRICT:

- A. Purpose Statement: The purpose of the TC-75 transit corridor district is to create transit oriented neighborhoods near stations along major transit corridors with a high residential density that promotes commercial and economic growth, increases transit ridership and improves the vitality of the community. The primary focus is to increase residential density through development that takes advantage of the proximity to transit and creates a sustainable, transit oriented neighborhood. The standards for the district are intended to create a pedestrian friendly environment and to emphasize that pedestrian and mass transit access is the primary focus of development.
- B. Uses: Uses in the TC-75 transit corridor district as specified in section 21A.26.080, ~~"Table of Permitted and Conditional Uses for Commercial Districts"~~, of this chapter, are permitted subject to the general provisions set forth in section 21A.26.010 of this chapter and this section.
- C. Planned Development Review: Planned developments, which meet the intent of this section, but not the specific design criteria outlined in the following subsections may

be approved by the planning commission pursuant to the provisions of chapter 21A.55 of this title.

D. Minimum Lot Size:

1. Minimum lot area: Ten thousand (10,000) square feet.
2. Minimum lot width: Fifty feet (50').

E. Minimum Yard Requirements:

1. Front ~~A~~and Corner Side Yards: Fifteen feet (15'). Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. Exceptions to the minimum setback are limited to the two (2) lower levels of the building only; the main tower of the building must maintain the minimum setback. Exceptions are limited to structural elements that enhance the pedestrian experience of the space such as, but not limited to, patio covers, building entry canopies, etc.
2. Interior Side Yards: None required.
3. Rear Yards: None required.
4. Buffer Yards: All lots abutting property in a residential district shall conform to the buffer yard requirement of chapter 21A.48 of this title.
5. Accessory Buildings ~~A~~and Structures ~~I~~n Yards: Accessory buildings and structures may be located in a required yard subject to table 21A.36.020B of this title.
6. Maximum Building Setback: Twenty five feet (25'). Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The majority of the ground level facade of a building shall be placed parallel, and not at an angle, to the street. Where an arcade facing the street is provided, the maximum setback for the building shall be measured to the supporting beams for the arcade or the facade of the upper floors, not the facade of the arcade level. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:

- a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
- b. The addition is not part of a series of incremental additions intended to subvert the intent of this section.

Any appeal of an administrative decision made pursuant to subsection E6 of this section may be made to the planning commission.

- F. Landscape Yard Requirements: A landscape yard of fifteen feet (15') shall be required on all front and corner side yards, conforming to the requirements of section 21A.48.090 and subsection 21A.48.100\_C of this title, except as authorized ~~as a conditional use~~ through the conditional building and site design review, subject to conformance with the standards and procedures of chapter 21A.54 59 of this title.
- G. Maximum Nonresidential Building Height: The maximum building height in the TC-75 zoning district shall not exceed thirty feet (30') for those buildings used exclusively for nonresidential purposes.
  1. Additional building square footage may be allowed up to a maximum building height of seventy five feet (75') (or to a building height of 125 feet through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title and conformity with applicable master plan policy) provided that for each additional floor of nonresidential use above thirty feet (30'), the equivalent amount of square footage, inclusive of the first thirty feet (30'), is required to be built as residential square footage.
  2. The residential component may be transferred off site to another property in the TC-75 zoning district along the 400 South Street frontage generally located between 200 East and 925 East. For such off site residential configuration, the amount of residential development required is equal to the square footage of the total amount of square footage obtained for the nonresidential floors rising in the total project.
  3. For those developments where the required residential component is transferred off site, prior to the issuance of a building permit for the nonresidential structure, the applicant must identify specifically where the residential structure will be located in the area zoned TC-75 along to 400 South Street corridor generally located between 200 East and 900 East and enter into a development agreement with the city to ensure the construction of the residential structure in a timely manner. In such cases where the residential use is built off site, one of the following shall apply:

- a. Construction of the off site residential use must be progressing beyond the footings and foundation stage, prior to the nonresidential portion of the development obtaining a certificate of occupancy, or
  - b. A financial assurance that construction of the off site residential use will commence within two (2) years of receiving a certificate of occupancy for the nonresidential component of the development. The financial assurance shall be in an amount equal to fifty percent (50%) of the construction valuation for the residential component of the development as determined by the building official. The city shall call the financial assurance and deposit the proceeds in the city's housing trust fund if construction has not commenced within two (2) years of the issuance of the certificate of occupancy for the nonresidential component of the development.
4. Maximum building height may be obtained to one hundred twenty five feet (125') for any building subject to at least ninety percent (90%) of all parking for said building being provided as structured parking.
- H. Maximum Residential Building Height: No residential building, or mixed use building shall exceed seventy five feet (75') in height. Building heights in excess of seventy five feet (75'), but not more than one hundred twenty five feet (125') may be approved through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title and conformity with applicable master plan policy.
1. Maximum building height may be obtained to one hundred twenty five feet (125') where at least ninety percent (90%) of all parking for said building is provided as structured parking.
  2. The ground floor shall include either nonresidential uses or public service portions of residential buildings.
- I. Restrictions On Parking Lots And Structures: The following regulations shall apply to surface or aboveground parking facilities.
1. Block Corner Areas: Within block corner areas, surface parking lots and structures shall be located behind principal buildings, or at least sixty feet (60') from front and corner side lot lines.
  2. Mid Block Areas: Within the mid block areas, parking structures shall be located behind principal buildings, or above the first level, or at least thirty feet (30') from front and corner side lot lines. A modification to this requirement may be granted as a conditional use through the conditional building and site design review, subject to conformance with the standards and procedures of chapter 21A.54 59 of this title. Parking structures located above the first level and less than thirty feet (30') from a front or corner side yard shall meet the following:

- a. Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line.
- b. Levels of parking above the first level facing the front or corner side lot line shall have floors and/or facades that are horizontal, not sloped.

Mid block surface parking lots shall have a twenty five foot (25') landscaped setback.

3. Accessory ~~And~~ Commercial Parking Structures: Accessory parking structures, built prior to the principal use, and commercial parking structures, shall be permitted ~~as conditional uses through the~~ conditional building and site design review with the approval of the planning commission pursuant to the provisions of chapter 21A.54 ~~59~~ of this title.
4. Belowground Parking Facilities: No special design and setback restrictions shall apply to belowground parking facilities.
5. Landscape Requirements: Surface parking lots shall meet interior landscape requirements as outlined in chapter 21A.48 of this title.
6. Waiver: The planning director may modify or waive this requirement if the planning director finds the following:
  - a. The parking is compatible with the architecture/design of the original structure or the surrounding architecture.
  - b. The parking is not part of a series of incremental additions intended to subvert the intent of this section.
  - c. The horizontal landscaping is replaced with vertical screening in the form of berms, plant materials, architectural features, fencing and/or other forms of screening.
  - d. The landscaped setback is consistent with the surrounding neighborhood character.
  - e. The overall project is consistent with section 21A.59.060 of this title.

Any appeal of an administrative decision made pursuant to this subsection I6 may be made to the planning commission.

7. Conditional Building ~~And~~ Site Design Review: A modification to the restrictions on parking lots and structures provisions of this section may be authorized as conditional building and site design review, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission.



J. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings, or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. There must be visual clearance behind the glass for a minimum of two feet (2'). All first floor glass shall be nonreflective. The reflectivity in glass shall be limited to eighteen percent (18%) as defined by ASTA standards. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through the as conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:

1. The requirement would negatively impact the historic character of the building, or
2. The requirement would negatively impact the structural stability of the building.
3. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Any appeal of an administrative decision made pursuant to this subsection may be made to the planning commission.

K. Doors And Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement as outlined in subsection J of this section.

L. Maximum Length Of Blank Walls: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

M. Density: There is no maximum residential density.

SECTION 16. Amending text of Salt Lake City Code section 21A.30.020. That section 21A.30.020 of the *Salt Lake City Code* (Zoning: Downtown Districts: D-1 Central Business District), shall be, and hereby is, amended to read as follows:

21A.30.020: D-1 CENTRAL BUSINESS DISTRICT:

A. Purpose Statement: The purpose of the D-1 central business district is to provide for commercial and economic development within Salt Lake City's most urban and intense areas. A broad range of uses, including very high density housing, are



intended to foster a twenty four (24) hour activity environment consistent with the area's function as the business, office, retail, entertainment, cultural and tourist center of the region. Development is intended to be very intense with high lot coverage and large buildings that are placed close together while being oriented towards the pedestrian with a strong emphasis on a safe and attractive streetscape and preserving the urban nature of the downtown area. This district is appropriate in areas where supported by applicable master plans. The standards are intended to achieve established objectives for urban design, pedestrian amenities and land use control.

- B. Uses: Uses in the D-1 central business district as specified in section 21A.30.050, "Table of Permitted and Conditional Uses for Downtown Districts", of this chapter, are permitted subject to the general provisions set forth in section 21A.30.010 of this chapter. In addition, all conditional uses in the D-1 district shall be subject to design review approval by the planning commission.
- C. Organization of District Regulations: In addition to regulations that apply to the D-1 central business district as a whole, three (3) sets of regulations are contained in this district that apply to specific geographical areas:
1. Special Controls over Block Corners: These regulations apply only to properties within a specified distance from street intersections, as established in subsection E of this section.
  2. Special Controls over Mid Block Areas: These regulations apply only to the intervening property between block corner properties, as established in subsection F of this section.
  3. Special Controls over the Main Street Retail Core: These regulations apply only to the Main Street retail core area, as established in subsection G of this section. The regulations governing block corners and mid block areas also apply to the Main Street retail core.
- D. D-1 District General Regulations: The regulations established in this section apply to the D-1 district as a whole.
1. Minimum Lot Size: No minimum lot area or lot width is required, except in block corner areas as specified in subsection E5 of this section.
  2. Yard Requirements:
    - a. Front and Corner Side Yards: No minimum yards are required, however, no yard shall exceed five feet (5') except as authorized ~~as a conditional use through the conditional building and site design review process~~. Such ~~conditional uses conditional building and site design reviews~~ shall be subject to the requirements of chapter 21A.54 59 of this title, ~~as well as design review by the planning commission~~. Where an entire block frontage is under

one ownership, the setback for that block frontage shall not exceed twenty five feet (25'). Exceptions to this requirement may be authorized as conditional uses through the conditional building and site design review, subject to the requirements of chapter 21A.54 59 of this title, and the review and approval of the planning commission.

- b. Interior Side ~~A~~and Rear Yards: None required.
3. Restrictions On Parking Lots ~~A~~and Structures: An excessive influence of at or above ground parking lots and structures can negatively impact the urban design objectives of the D-1 district. To control such impacts, the following regulations shall apply to at or above ground parking facilities:
    - a. Within block corner areas and on Main Street, parking lots and structures shall be located behind principal buildings, or at least seventy five feet (75') from front and corner side lot lines.
    - b. Within the mid block areas, parking lots and structures shall conform to the following:
      - (1) Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line. The facades of such first floor shall be compatible and consistent with the associated retail or office portion of the building and other retail uses in the area.
      - (2) Levels of parking above the first level facing the front or corner side lot line shall have floors/facades that are horizontal, not sloped.
    - c. Accessory parking structures built prior to the principal use, and commercial parking structures, shall be permitted as conditional uses with the approval of the planning commission pursuant to the provisions of chapter 21A.54 of this title.
    - d. No special restrictions shall apply to belowground parking facilities.
    - e. Parking lots, proposed as a principal use to facilitate a building demolition, shall be permitted as a conditional use with the approval of the planning commission pursuant to the provisions of chapter 21A.54 of this title, where it is found that the parking lot is:
      - (1) Associated with a proposed principal land use; or
      - (2) Shown to be necessary for an existing adjacent land use(s). Demand shall be demonstrated through affidavits or executed lease agreements for off site parking. Said lot shall be located within five hundred feet (500') of the

principal use(s) that it is proposed to serve, and shall not exceed more than fifty percent (50%) of the required parking stall count for said use(s); or

- (3) Not associated with a principal land use or a specific increase in parking demand. The applicant shall document to the planning commission's satisfaction that there is a need for more commercial parking in a given area and, if so, it must participate in the overall downtown token program.
4. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the D-1 central business district shall be at least forty percent (40%) glass surfaces, except that in the Main Street retail core where this requirement shall be sixty percent (60%). All first floor glass in the Main Street retail core shall be nonreflective type glass. Exceptions to this requirement may be authorized ~~as conditional uses through the conditional building and site design review process~~, subject to the requirements of chapter 21A.54 59 of this title. ~~The zoning administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in chapter 21A.14 of this title, if the zoning administrator finds: The planning director may approve a modification to this requirement, if the planning director finds:~~
  - a. The requirement would negatively impact the historic character of the building, or
  - b. The requirement would negatively impact the structural stability of the building.
  - c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).

Appeal of administrative decision is to the planning commission.
5. Interior Plazas, Atriums ~~A~~and Galleries: Interior plazas, atriums and galleries shall be permitted throughout the D-1 central business district.
6. Location ~~O~~f Service Areas: All loading docks, refuse disposal areas and other service activities shall be located on block interiors away from view of any public street. Exceptions to this requirement may be approved through the site plan review process when a permit applicant demonstrates that it is not feasible to accommodate these activities on the block interior. If such activities are permitted adjacent to a public street, a visual screening design approved by the zoning administrator shall be required.

7. Landscape Requirements: All buildings constructed after April 12, 1995, shall conform to the special landscape requirements applicable to the D-1 central business district as contained in chapter 21A.48 of this title.
8. Mid Block Walkways: As part of the city's plan for the downtown area, it is intended that mid block walkways be provided to facilitate pedestrian movement within the area. To delineate the public need for such walkways, the city has formulated an official plan for their location and implementation, which is on file at the planning division office. All buildings constructed after the effective date hereof within the D-1 central business district shall conform to this officially adopted plan for mid block walkways.
9. Landscape Requirements For Demolition Sites: Vacant lots, resulting from demolition activities where no replacement use is proposed, shall conform to chapter 21A.48 of this title, special landscape requirements applicable to the D-1 central business district.

E. Special Controls Over Block Corners:

1. Intent: Special controls shall apply to land at block corners to encourage greater commercial vitality in the downtown by focusing a higher level of development intensity at street intersections. Control over the intensity of development on blocks is needed due to the large size of blocks and streets and the resulting effects on pedestrian/vehicular circulation and business activity.
2. Block Corner: "Block corner" means the ninety degree (90°) intersection of private property adjacent to the intersection of two (2) public street rights of way both of which are at least one hundred thirty two feet (132') wide.
3. Corner Building: "Corner building" means a building, the structure of which rises above the ground within one hundred feet (100') of a block corner on the street face and one hundred feet (100') in depth.
4. Application: For corner buildings, the provisions of this subsection shall extend to one hundred sixty five feet (165') from the block corner on the street face and one hundred sixty five feet (165') in depth.
5. Lot Size And Shape: The size and shape of the lot shall conform to the following. Lots existing prior to April 12, 1995, which do not meet these requirements shall be exempt.
  - a. Minimum lot area: Ten thousand (10,000) square feet.
  - b. Minimum lot width: One hundred feet (100').

6. Height Regulations: No corner building shall be less than one hundred feet (100') nor more than three hundred seventy five feet (375') in height. The minimum one hundred foot (100') high portion of the building shall be located not further than five feet (5') from the lot line along front and corner lot lines. Buildings higher than three hundred seventy five feet (375') may be allowed in accordance with the provisions of subsections E6a and E6b of this section.

a. Conditions For Taller Corner Buildings: Corner buildings may exceed the three hundred seventy five foot (375') height limit provided they conform to the following requirements:

- (1) To minimize excessive building mass at higher elevations and preserve scenic views, some or all of the building mass over the three hundred seventy five foot (375') height level shall be subject to additional setback, as determined appropriate through the ~~conditional use approval process~~ conditional building and site design process.
- (2) Not less than one percent (1%) of the building construction budget shall be used for enhanced amenities, including art visible to the public, enhanced design elements of the exterior of the building or exterior spaces available to the public for cultural or recreational activities. The property owner shall not be required to exceed one hundred thousand dollars (\$100,000.00) in required amenities.
- (3) The operation of uses within the building, including accessory parking facilities, shall comply with the adopted traffic demand management guidelines administered by the city traffic engineer.

b. Additional Standards For Certain Height Modifications:

- (1) The first one hundred feet (100') of height shall not be set back from the street front more than five feet (5') except that setbacks above the first fifty feet (50') may be approved ~~as a conditional use~~ through the conditional building and site design process.
- (2) Modifying the height will achieve the preservation of a landmark site or contributing structure in an H historic preservation overlay district.
- (3) Modifying the height will allow interim service commercial uses to support the downtown community.

c. ~~Conditional Use~~ Conditional Building and Site Design Approval: A modification to the height regulations in subsection E6a of this section may be granted ~~as a conditional use~~ through the conditional building and site design process, subject to conformance with the standards and procedures of chapter

21A.5459 of this title. ~~Such conditional uses shall also be subject to design review.~~

F. Special Controls Over Mid Block Areas:

1. Intent: Special controls shall apply to land located at the middle of blocks. Such controls are needed to establish coordinated levels of development intensity and to promote better pedestrian and vehicular circulation.
2. Area of Applicability: The controls established under this subsection shall apply to:
  - a. Buildings constructed after April 12, 1995; and
  - b. All intervening land between block corner properties, as established in subsection E2 of this section.
3. Height Regulations: No building shall be more than one hundred feet (100') in height; provided, that taller buildings may be authorized ~~as a conditional use through the conditional building and site design review~~, subject to the requirements of chapter 21A.5459 of this title, ~~and design review~~.

G. Special Controls Over the Main Street Retail Core:

1. Intent: Special controls shall apply to land located within the Main Street retail core area to preserve and enhance the viability of retail uses within the downtown area. The regulations of this subsection shall be in addition to the requirements of subsections E and F of this section.
2. Area of Applicability: The controls established in this subsection shall apply to property developed or redeveloped after April 12, 1995, when located along any block face on the following streets:
  - a. Main Street between South Temple Street and 400 South Street;
  - b. 100 South Street between West Temple Street and State Street;
  - c. 200 South Street between West Temple Street and State Street; and
  - d. 300 South Street between West Temple Street and State Street.
3. First Floor Retail Required: The first floor space of all buildings within this area shall be required to provide uses consisting of retail goods establishments, retail service establishments or restaurants, public service portions of businesses, department stores, art galleries, motion picture theaters or performing arts facilities.

4. Restrictions ~~O~~n Driveways: Driveways shall not be permitted along Main Street, but shall be permitted along other streets within the Main Street retail core area, provided they are located at least eighty feet (80') from the intersection of two (2) street right of way lines.

SECTION 17. Amending text of Salt Lake City Code section 21A.30.030.D. That section 21A.30.030.D of the *Salt Lake City Code* (Zoning: Downtown Districts: D-2 Downtown Support District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: No building shall exceed sixty five feet (65'). Buildings taller than sixty five feet (65') but less than one hundred twenty feet (120') may be authorized ~~as conditional uses~~ through the conditional building and site design process, subject to the requirements of chapter 21A.5459 of this title.

SECTION 18. Amending text of Salt Lake City Code section 21A.30.040. That section 21A.30.040 of the *Salt Lake City Code* (Zoning: Downtown Districts: D-3 Downtown Warehouse/Residential District), shall be, and hereby is, amended to read as follows:

**21A.30.040: D-3 DOWNTOWN WAREHOUSE/RESIDENTIAL DISTRICT:**

- A. Purpose Statement: The purpose of the D-3 downtown warehouse/residential district is to provide for the reuse of existing warehouse buildings for multi-family and mixed use while also allowing for continued retail, office and warehouse use within the district. The reuse of existing buildings and the construction of new buildings are to be done as multi-family residential or mixed use developments containing retail or office uses on the lower floors and residential on the upper floors. This district is appropriate in areas where supported by applicable master plans. The standards are intended to create a unique and sustainable downtown neighborhood with a strong emphasis on urban design, adaptive reuse of existing buildings, alternative forms of transportation and pedestrian orientation.
- B. Uses: Uses in the D-3 downtown warehouse/residential district as specified in section 21A.30.050, "~~Table O~~of Permitted ~~A~~and Conditional Uses ~~F~~for Downtown Districts", of this chapter, are permitted subject to the provisions of this chapter and other applicable provisions of this title.
- C. Controls ~~O~~ver Mixed Use: The concept of mixed use is central to the nature of the D-3 downtown warehouse/residential district. To ensure that mixed use developments provide for on site compatibility as well as neighborhood compatibility, the change of land use type or an increase in floor area by twenty five percent (25%) of existing principal buildings and the construction of buildings for new uses after April 12,



1995, shall conform to the following provisions. Construction related to the rehabilitation including remodeling or modification of existing uses, or the change of use to a similar use, shall not be subject to these provisions.

1. Buildings containing commercial/office uses located above the second story shall incorporate multi-family dwellings, boarding house, bed and breakfast, or hotel uses in the amount of at least fifty percent (50%) of the total floor area of the building;
2. Commercial/office uses shall be permitted as the sole use in two-story buildings only; and
3. Commercial/office uses in buildings of three (3) stories or more without multi-family dwellings shall be allowed only as a conditional use and then only when the applicant has demonstrated that the proposed location is not suitable for multi-family residential use.

D. Lot Size Requirements: No minimum lot area or lot width shall be required.

E. Maximum Building Height: No building shall exceed seventy five feet (75'). Buildings taller than seventy five feet (75') but less than ninety feet (90') may be authorized ~~as conditional uses~~ through the conditional building and site design review process, provided the additional height is supported by the applicable master plan, the overall square footage of the buildings is greater than fifty percent (50%) residential use, and subject to the requirements of chapter 21A.54 ~~59~~ of this title.

F. Minimum Yard Requirements: None required, except for surface parking lots which are required to be set back from the front and corner side yard property lines fifteen feet (15').

G. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the D-3 downtown warehouse/residential district, shall be at least forty percent (40%) glass surfaces. Exceptions to this requirement may be authorized ~~as conditional uses~~ through the conditional building and site design review process, subject to the requirements of chapter 21A.54 ~~59~~ of this title. ~~The zoning administrator may approve a modification to this requirement, as a routine and uncontested special exception pursuant to the procedures found in chapter 21A.14 of this title if the zoning administrator finds: The planning director may approve a modification to this requirement, if the planning director finds:~~

1. The requirement would negatively impact the historic character of the building, or
2. The requirement would negatively impact the structural stability of the building.



3. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).

Appeal of administrative decision is to the planning commission.

- H. Mid Block Walkways: As a part of the city's plan for the downtown area, it is intended that mid block walkways be provided to facilitate pedestrian movement within the area. To delineate the public need for such walkways, the city has formulated an official plan for their location and implementation, which is on file at the planning division office. All buildings constructed within the D-3 downtown district shall conform to this plan for mid block walkways.
- I. Special Provisions:
1. All new buildings constructed in the D-3 downtown district shall have a minimum of seventy percent (70%) of the exterior material of brick, masonry, textured or patterned concrete and/or cut stone. The seventy percent (70%) includes the windows of the building.
    - a. Except for minor building designs (e.g., soffit, fascia) the following materials are only allowed under the conditional use process: EIFS, vinyl, tilt-up concrete panels, corrugated metal and aluminum siding and other materials.
    - b. Two-dimensional curtain wall veneer of glass, spandrel glass or metal as a primary building material is prohibited.
    - c. The fenestration of all new construction shall be three-dimensional (e.g., recessed windows, protruding cornices, etc.).
  2. Notwithstanding the residential parking requirements, any building that has ten (10) or more residential units with at least twenty percent (20%) of the units as either affordable, senior housing, or assisted living units shall be allowed to have a minimum of one-half ( $\frac{1}{2}$ ) of a parking space provided for each dwelling unit.
  3. A modification to the special provisions of this section may be granted ~~as a conditional use~~ through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.54 59 of this title. ~~Such conditional uses shall also be subject to design review.~~
- J. Minimum Open Space: All lots containing dwelling units shall provide common open space in the amount of twenty percent (20%) of the lot area. This common open space may take the form of ground level plazas, interior atriums, landscape areas, roof gardens and decks on top of buildings or other such forms of open space available for the common use by residents of the property.

SECTION 19. Amending text of Salt Lake City Code section 21A.30.045. That section 21A.30.040 of the *Salt Lake City Code* (Zoning: Downtown Districts: D-4 Downtown Secondary Central Business District), shall be, and hereby is, amended to read as follows:

**21A.30.045: D-4 DOWNTOWN SECONDARY CENTRAL BUSINESS DISTRICT:**

- A. Purpose Statement: The purpose of the D-4 secondary central business district is to foster an environment consistent with the area's function as a housing, entertainment, cultural, convention, business, and retail section of the city that supports the central business district. Development is intended to support the regional venues in the district, such as the Salt Palace Convention Center, and to be less intense than in the central business district. This district is appropriate in areas where supported by applicable master plans. The standards are intended to achieve established objectives for urban and historic design, pedestrian amenities, and land use control, particularly in relation to retail commercial uses.
- B. Uses: Uses in the D-4 secondary central business district as specified in section 21A.30.050, "Table ~~Of~~ Permitted ~~And~~ Conditional Uses ~~For~~ Downtown Districts", of this chapter, are permitted subject to the general provisions set forth in section 21A.30.010 of this chapter. In addition, all conditional uses in the D-4 district shall be subject to design ~~review~~ evaluation and approval by the planning commission.
- C. D-4 District General Regulations:
  - 1. Minimum Lot Size: No minimum lot area or lot width is required.
  - 2. Yard Requirements:
    - a. Front ~~And~~ Corner Side Yards: No minimum yards are required, however, no yard shall exceed five feet (5') except as authorized ~~as a conditional use through the conditional building and site design review process~~. Such ~~conditional uses designs~~ shall be subject to the requirements of chapter 21A.54 59 of this title, ~~as well as design review by the planning commission~~. Where an entire block frontage is under one ownership, the setback for that block frontage shall not exceed twenty five feet (25'). Exceptions to this requirement may be authorized ~~as conditional uses, through the conditional building and site design review process~~ subject to the requirements of chapter 21A.54 59 of this title ~~and the review and approval of the planning commission~~.
    - b. Interior Side ~~And~~ Rear Yards: None required.

3. ~~Restrictions On~~ Parking Lots ~~And~~ Structures: An excessive influence of at or above ground parking lots and structures can negatively impact the urban design objectives of the D-4 district. To control such impacts, the following regulations shall apply to at or above ground parking facilities:
- a. Within block corner areas, structures shall be located behind principal buildings, or at least seventy five feet (75') from front and corner side lot lines.
  - b. Within the mid block areas, parking structures shall be located behind principal buildings, or at least thirty feet (30') from front and corner side lot lines. A modification to this requirement may be granted as a conditional use, subject to conformance with the standards and procedures of chapter 21A.54 of this title. Parking structures shall meet the following:
    - (1) Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line. The facades of such first floor shall be compatible and consistent with the associated retail or office portion of the building and other retail uses in the area.
    - (2) Levels of parking above the first level facing the front or corner side lot line shall have floors/facades that are horizontal, not sloped.
    - (3) Mid block surface parking lots shall have a fifteen foot (15') landscaped setback.
  - c. Accessory parking structures built prior to the principal use, and commercial parking structures, shall be permitted as conditional uses with the approval of the planning commission pursuant to the provisions of chapter 21A.54 of this title.
  - d. No special restrictions shall apply to belowground parking facilities.
  - e. At grade (surface) parking facilities shall be set back behind the principal building and shall be set back at least seventy five feet (75') from front and corner side lot lines and landscaped in a way that minimizes visual impacts.
4. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the D-4 secondary central business district, shall be at least forty percent (40%) glass surfaces. All first floor glass shall be nonreflective type glass. Exceptions to this requirement may be authorized as conditional uses through the conditional building and site design process, subject to the requirements of chapter 21A.54.59 of this title. ~~The zoning administrator may approve a modification to this requirement, as a routine and uncontested~~

~~special exception pursuant to the procedures found in chapter 21A.14 of this title if the zoning administrator finds: The planning director may approve a modification to this requirement, if the planning director finds:~~

- a. The requirement would negatively impact the historic character of the building; or
- b. The requirement would negatively impact the structural stability of the building.
- c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).

Appeal of administrative decision is to the planning commission.

- 5. Interior Plazas, Atriums ~~And~~ Galleries: Interior plazas, atriums and galleries shall be permitted throughout the D-4 secondary central business district.
- 6. Location ~~Of~~ Service Areas: All loading docks, refuse disposal areas and other service activities shall be located on block interiors away from view of any public street. Exceptions to this requirement may be approved through the site plan review process when a permit applicant demonstrates that it is not feasible to accommodate these activities on the block interior. If such activities are permitted adjacent to a public street, a visual screening design approved by the zoning administrator shall be required.
- 7. Landscape Requirements: All buildings constructed after April 12, 1995, shall conform to the special landscape requirements applicable to the D-4 secondary central business district as contained in chapter 21A.48 of this title.
- 8. Maximum Building Height: No building shall exceed seventy five feet (75'). Buildings taller than seventy five feet (75') but less than one hundred twenty feet (120') may be authorized ~~as conditional uses through conditional building and site design review~~, subject to the requirements of chapter 21A.54~~59~~ of this title.
- 9. Mid Block Walkways: As a part of the city's plan for the downtown area, it is intended that mid block walkways be provided to facilitate pedestrian movement within the area. To delineate the public need for such walkways, the city has formulated an official plan for their location and implementation, which is on file at the planning division office. All buildings constructed after the effective date hereof within the D-4 downtown district shall conform to this plan for mid block walkways.

10. Mid Block Streets: Developments constructing mid block streets, either privately owned with a public easement or publicly dedicated, that are desired by an applicable master plan:

- a. May use a portion or all of the overhead and underground right of way of the new mid block street as part of their developable area irrespective of lot lines, subject to design review and approval of the planning commission.
- b. May increase the height of the building on the remaining abutting parcel, subject to the conditional building and site design review process in conformance with the standards and procedures of chapter 21A.54<sup>59</sup> of this title. Such conditional uses shall also be subject to design review approval by the planning commission.

11. Exception To Parking Requirements: Notwithstanding the residential parking requirements, any building that has ten (10) or more residential units with at least twenty percent (20%) of the units as either affordable, senior housing, or assisted living units shall be allowed to have a minimum of one-half ( $\frac{1}{2}$ ) of a parking space provided for each dwelling unit.

SECTION 20. Amending text of Salt Lake City Code section 21A.31.010.D. That section 21A.31.010.D of the *Salt Lake City Code* (Zoning: Gateway Districts: General Provisions), shall be, and hereby is, amended to read as follows:

- D. Conditional Uses: The uses specified as conditional uses in section 21A.31.050, "Table Of Permitted And Conditional Uses In The Gateway District", of this chapter, shall be permitted in the gateway district provided they are approved pursuant to the standards and procedures for conditional uses set forth in chapter 21A.54 of this title, and comply with all other applicable requirements of this title, including the urban design evaluation and/or the conditional building and site design review design review process established in this chapter and 21A.59.

SECTION 21. Amending text of Salt Lake City Code section 21A.31.010.E. That section 21A.31.010.E of the *Salt Lake City Code* (Zoning: Gateway Districts: General Provisions), shall be, and hereby is, amended to read as follows:

- E. Site Plan Review; Design Review: In certain districts, permitted uses and conditional uses have the potential for adverse impacts if located and oriented on lots without careful planning. Such impacts may interfere with the use and enjoyment of adjacent property and uses. Site plan review is a process designed to address such adverse impacts and minimize them where possible. Design review is a process that addresses elements of urban design. The design may also be evaluated to address elements of

urban design.

Site plan review, pursuant to chapter 21A.58 of this title, for all of the gateway districts, is required to protect the local economy, maintain safe traffic conditions, maintain the environment, and assure harmonious land-use relationships between commercial uses and more sensitive land uses in affected areas.

Design review evaluation is necessary to implement the policies of the urban design plan as adopted by the city council. Design review shall apply only to conditional uses in the gateway district. In the gateway district, the conditional building and site design review process is used to evaluate and resolve urban design.

SECTION 22. Amending text of Salt Lake City Code section 21A.31.010.H. That section 21A.31.010.H of the *Salt Lake City Code* (Zoning: Gateway Districts: General Provisions), shall be, and hereby is, amended to read as follows:

H. ~~Restrictions On~~ Parking Lots ~~And~~ Structures: The following regulations shall apply to surface or aboveground parking facilities:

1. Block Corner Areas: Within block corner areas, surface parking lots and structures shall be located behind principal buildings, or at least seventy five feet (75') from front and corner side lot lines.
2. Mid Block Areas: Within the mid block areas, parking structures shall be located behind principal buildings, or at least thirty feet (30') from front and corner side lot lines. A modification to this requirement may be granted as a conditional use, subject to conformance with the standards and procedures of chapter 21A.54 of this title. Parking structures shall meet the following:
  - a. Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line. The facades of such first floors shall be compatible and consistent with the associated retail or office portion of the building and other retail uses in the area.
  - b. Levels of parking above the first level facing the front or corner side lot line shall have floors and/or facades that are horizontal, not sloped.
  - c. Mid block surface parking lots shall have a fifteen foot (15') landscaped setback.
3. Accessory ~~And~~ Commercial Parking Structures: Accessory parking structures built prior to the principal use, and commercial parking structures, shall be

permitted as conditional uses with the approval of the planning commission pursuant to the provisions of chapter 21A.54 of this title.

4. Belowground Parking Facilities: No special design and setback restrictions shall apply to belowground parking facilities.
5. Height Requirements: The minimum height for a parking structure shall be forty five feet (45'). The maximum height shall not exceed seventy five feet (75').
6. Site Plan Review: Parking structures shall be required to go through the site plan review process.
7. Landscape Requirements: Surface parking lots shall have a landscaped setback of at least twenty feet (20') and meet interior landscaped requirements as outlined in chapter 21A.48 of this title.
8. ~~Conditional Use~~ Conditional Building and Site Design Approval: A modification to the restrictions on parking lots and structures provisions of this section may be granted as a conditional use through the conditional building and site design process, subject to conformance with the standards and procedures of chapter 21A.54.59 of this title. Such conditional uses shall also be subject to urban design review. evaluation.

SECTION 23. Amending text of Salt Lake City Code section 21A.31.010.P. That section 21A.31.010.P of the *Salt Lake City Code* (Zoning: Gateway Districts: General Provisions), shall be, and hereby is, amended to read as follows:

- P. Urban Design: The urban design standards are intended to foster the creation of a rich urban environment that accommodates growth and is compatible with existing buildings and uses in the area. All general development and site plans shall be designed to complement the surrounding existing contiguous (historic) development. The following design standards will provide human scale through change, contrast, intricacy, color and materials where the lower levels of buildings face public streets and sidewalks. They will also spatially define the street space in order to concentrate pedestrian activity, create a clear urban character and promote visibility of commercial activities at the ground level. The standards will also encourage diversity through the use of building forms and materials, while respecting the patterns, styles and methods of construction traditionally used in the gateway area.

The following urban design standards will be reviewed as part of the site plan review process, with assistance from planning division staff as necessary:

1. Architectural Character ~~A~~and Materials:



- a. A differentiated base (on a building over 45 feet high) will provide human scale through change, contrast, and intricacy in facade form, color and/or material where the lower levels of the building face the sidewalk(s) and street(s). Scaling elements such as insets and projections serve to break up flat or monotonous facades, and respond to older nearby buildings. Therefore, all buildings in the gateway districts are subject to the following standards:

- (1) All buildings over forty five feet (45') in height shall be designed with a base that is differentiated from the remainder of the building. The base shall be between one and three (3) stories in height, be visible from pedestrian view, and appropriately scaled to the surrounding contiguous historic buildings. The base shall include fenestration that distinguishes the lower from upper floors. Insets and/or projections are encouraged.
- (2) All new buildings in the gateway district shall have a minimum of seventy percent (70%) of the exterior material (excluding windows) be brick, masonry, textured or patterned concrete and/or cut stone. With the exception of minor building elements (e.g., soffit, fascia) the following materials are allowed only under the conditional use through the conditional building site and design review process: EIFS, tilt-up concrete panels, corrugated metal, vinyl and aluminum siding, and other materials.
- (3) All buildings which have been altered over seventy five percent (75%) on the exterior facade shall comply with the exterior material requirement for new construction. Buildings older than fifty (50) years are exempt from this requirement if alterations are consistent with the existing architecture.
- (4) Two-dimensional curtain wall veneer of glass, spandrel glass or metal as a primary building material is prohibited. The fenestration of all new construction shall be three-dimensional (e.g., recessed windows, protruding cornice, etc.).

- b. The climate in Salt Lake City is such that in the summer months shade is preferred, and in the winter months protection from snow is preferred. By providing the pedestrian with a sidewalk that is enjoyable to use year round, a pedestrian oriented neighborhood is encouraged. Therefore, new construction in the gateway area is subject to the following standards:

- (1) Arcades are permitted in the gateway district, but where an arcade extends over the public way, a revocable permit is required. Where an arcade is on private property facing the street, the maximum setback for the building shall be measured to the supporting beams for the arcade or the facade of the upper floors, not the facade of the arcade level.

- (2) Awnings and/or marquees, with or without signage, are required over entry doors which are set back from the property line and may be allowed, under revocable permit, when an entry is at a property line.
- (3) Awnings, with or without signage, are permitted over ground level windows. Where awnings extend out over the public way, a revocable permit is required.

## 2. Windows ~~And~~ Building Fenestration:

- a. Buildings whose exteriors are smooth, and do not provide any three-dimensional details or fenestration are not appropriate in the gateway district. Recessed windows will eliminate flat, sterile elevations. Highly reflective materials are distracting, and focus attention away from the positive qualities of the gateway district. Therefore, all buildings in the gateway districts are subject to the following standards:
  - (1) Buildings with completely smooth exterior surfaces shall not be permitted, all new construction shall have three-dimensional details on the exterior that includes cornices, windowsills, headers and similar features.
  - (2) All windows shall be recessed from the exterior wall a minimum of three inches (3"). Bay windows, projecting windows, and balcony doors are exempt from this requirement.
  - (3) The reflectivity of the glass used in the windows shall be limited to eighteen percent (18%) as defined by the ASTA standard.

## 3. Entrance ~~And~~ Visual Access:

- a. The intent in the gateway district is to encourage pedestrian activity between the public street/sidewalk and buildings. Sidewalks shall provide continuous, uninterrupted interest to the pedestrian by providing visual interest and/or amenities. The gateway environment will benefit with increased pedestrian activity; this activity will only occur if opportunities are provided that make walking to a destination a preferred and an enjoyable pursuit. The use of blank building facade walls is discouraged. Therefore, all buildings in the gateway area are subject to the following standards:
  - (1) Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the gateway district shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be

~~authorized as conditional uses through the conditional building and site and design review process~~, subject to the requirements of chapter 21A.54 59 of this title, and the review and approval of the planning commission. ~~The zoning administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in chapter 21A.14 of this title, if the zoning administrator finds: The planning director may approve a modification to this requirement if the planning director finds:~~

(A) The requirement would negatively impact the historic character of the building, or

(B) The requirement would negatively impact the structural stability of the building.

(C) The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).

Appeal of Administrative Decision is to the Planning Commission.

#### 4. Building Lines ~~And~~ Front Area Requirements:

- a. A continuity of building frontage adjacent and parallel to the street encourages a more active involvement between building uses and pedestrians. Leftover or ambiguous open space that has no apparent use or sense of place will not contribute positively to an active street life. Therefore, all buildings in the gateway district are subject to the following standard:

- (1) The majority of the ground level facade of a building shall be placed parallel, and not at an angle, to the street.

#### 5. Public Amenities ~~And~~ Public Art:

- a. Amenities and works of art enhance quality of life as well as visual interest. Public amenities and public art encourage pedestrian activity and contribute to the pedestrian experience. A cohesive, unified lighting and amenity policy will help give the gateway district its own distinctive identity. Therefore, public amenities and public art are subject to the following standards:

- (1) Sidewalks and street lamps installed in the public right of way shall be of the type specified in the sidewalk/street lighting policy document.

- (2) Public art (which may include artists' work integrated into the design of the building and landscaping, sculpture, painting, murals, glass, mixed media or work by artisans), that is accessible or directly viewable to the

general public shall be included in all projects requiring conditional building and site design review ~~conditional use~~ approval for a site or design standard. The plan to incorporate public art shall be reviewed by the Salt Lake art design board.

6. ~~Conditional Use~~Conditional Building and Site Design Review Approval: A modification to the urban design provisions of this section may be granted ~~as a conditional use through the conditional building and site design review process,~~ subject to conformance with the standards and procedures of chapter 21A.5459 of this title. ~~Such conditional uses shall also be subject to design review.~~

SECTION 24. Amending text of Salt Lake City Code section 21A.31.020. That section 21A.31.020 of the *Salt Lake City Code* (Zoning: Gateway Districts: G-MU Gateway-Mixed Use District), shall be, and hereby is, amended to read as follows:

**21A.31.020: G-MU GATEWAY-MIXED USE DISTRICT:**

- A. Purpose Statement: The G-MU gateway-mixed use district is intended to implement the objectives of the adopted gateway development master plan and encourage the mixture of residential, commercial and assembly uses within an urban neighborhood atmosphere. The 200 South corridor is intended to encourage commercial development on an urban scale and the 500 West corridor is intended to be a primary residential corridor from North Temple to 400 South. Development in this district is intended to create an urban neighborhood that provides employment and economic development opportunities that are oriented towards the pedestrian with a strong emphasis on a safe and attractive streetscape. The standards are intended to achieve established objectives for urban and historic design, pedestrian amenities and land use regulation.
- B. Uses: Uses in the G-MU gateway-mixed use district as specified in section 21A.31.050, "Table Of Permitted And Conditional Uses In The Gateway District", of this chapter are permitted subject to the general provisions set forth in section 21A.31.010 of this chapter and this section.
- C. Planned Development Review: All new construction of principal buildings, uses, or additions that increase the floor area and/or parking requirement by twenty five percent (25%) in the G-MU gateway-mixed use district may be approved only as a planned development in conformance with the provisions of chapter 21A.55 of this title.
- D. Special Provisions:
1. Commercial Uses, 200 South: All buildings fronting 200 South shall have commercial uses that may include retail goods/services establishments, offices,

restaurants, art galleries, motion picture theaters or performing arts facilities shall be provided on the first floor adjacent to the front or corner side lot line. The facades of such first floor shall be compatible and consistent with the associated retail or office portion of the building and other retail uses in the area.

2. Residential Units, 500 West: Buildings fronting on 500 West shall be required to have residential units occupying a minimum of fifty percent (50%) of the structure's gross square footage.
3. Mid Block Street Development: Developments constructing mid block streets, either privately owned with a public easement or publicly dedicated, that are desired by an applicable master plan:
  - a. May use a portion or all of the overhead and underground right of way of the new mid block street as part of their developable area irrespective of lot lines, subject to design ~~review~~ evaluation and approval of the planning commission.
  - b. May increase the height of the building on the remaining abutting parcel, subject to conformance with the standards and procedures of Conditional Building and Site Design chapter 21A.54 59 of this title. ~~Such conditional uses shall also be subject to design review approval by the planning commission.~~
4. ~~Conditional Use Approval~~ Conditional Building and Site Design Reviews: A modification to the special provisions of this section may be granted ~~as a conditional use through the building and site design review process~~, subject to conformance with the standards and procedures of chapter 21A.5459 of this title. ~~Such conditional uses shall also be subject to design review.~~

E. Building Height: The minimum building height shall be forty five feet (45') and the 200 South street corridor shall have a minimum height of twenty five feet (25'). The maximum building height shall not exceed seventy five feet (75') except buildings with nonflat roofs (e.g., pitched, shed, mansard, gabled or hipped roofs) may be allowed, up to a maximum of ninety feet (90') (subject to subsection I of this section). The additional building height may incorporate habitable space.

1. ~~Conditional Use Approval~~ Conditional Building and Site Design Review: -A modification to the minimum building height or to the maximum building height (up to 120 feet) provisions of this section may be granted ~~as a conditional use through the conditional building and site design review process~~, subject to conformance with the standards and procedures of chapter 21A.5459 of this title, and subject to compliance to the applicable master plan. ~~Such conditional uses shall also be subject to design review.~~
2. Height Exceptions: Spires, tower, or decorative noninhabitable elements shall have a maximum height of ninety feet (90') and with ~~conditional use~~ conditional building and site design review approval may exceed the maximum height,

subject to conformance with the standards and procedures of chapter 21A.5459 of this title. ~~Such conditional uses shall also be subject to design review.~~

- F. Minimum Lot Area ~~A~~ and Lot Width: None required.
- G. Minimum Yard Requirements: No minimum setback requirements. There is not a maximum front yard or corner side yard setback except that a minimum of twenty five percent (25%) of the length of the facade of a principal building shall be set back no farther than five feet (5') from the street right of way line. Surface parking lots shall have a fifteen foot (15') landscape setback from the front property line.
- H. Signs: Signs shall be allowed in the gateway districts in accordance with provisions of chapter 21A.46 of this title.
- I. Affordable Housing: Notwithstanding the maximum height requirements identified above, any buildings that have at least ten (10) or more residential units with at least twenty percent (20%) of the units as affordable shall be allowed a maximum building height of ninety feet (90'). The affordable units shall be integrated throughout the project in an architectural manner.

SECTION 25. Amending text of Salt Lake City Code section 21A.32.020.D. That section 21A.32.020.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: RP Research Park District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: Building height shall be limited to forty five feet (45'). Building heights in excess of forty five feet (45') but less than seventy five feet (75') may be approved ~~as a conditional use~~ through the conditional building and site design review process; provided, that the additional height is supported by the master plan and compatible with the adjacent neighborhood.

SECTION 26. Amending text of Salt Lake City Code section 21A.32.056.D. That section 21A.32.056.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: AG-20 Agricultural District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: Building height shall be limited to forty five feet (45'). Building heights in excess of forty five feet (45') but not more than sixty five feet (65') may be approved ~~as a conditional use~~ through the conditional building and site design review process; provided that the additional height is compatible with adjacent properties and does not conflict with the airport flight path protection overlay zone.

SECTION 27. Amending text of Salt Lake City Code section 21A.32.075.D. That section 21A.32.075.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: PL-2 Public Lands District), shall be, and hereby is, amended to read as follows:

D. Maximum Building Height:

1. Local government facilities, government offices, arenas, stadiums, and exhibition halls: Seventy five feet (75') provided, that where adjacent to a zoning district allowing greater height, the height standard of the adjacent district shall apply. A modification to the maximum building height provisions of this section may be granted only as a conditional use through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.5459 of this title, and subject to compliance with the applicable master plan.
2. Other uses: Thirty five feet (35').

SECTION 28. Amending text of Salt Lake City Code section 21A.32.080.D. That section 21A.32.080.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: I Institutional District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: Building height shall be limited to thirty five feet (35'). Building heights in excess of thirty five feet (35') but not more than seventy five feet (75') may be approved as a conditional use through the conditional building and site design review process; provided, that for each foot of height over thirty five feet (35'), each required yard shall be increased one foot (1').

SECTION 29. Amending text of Salt Lake City Code section 21A.32.090.D. That section 21A.32.090.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: UI Urban Institutional District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: Building height shall be limited to seventy five feet (75'). Building heights in excess of seventy five feet (75') but not more than one hundred twenty feet (120') may be approved as a conditional use through the conditional building and site design review process; provided, that the additional height is supported by the master plan and compatible with the adjacent neighborhood.

SECTION 30. Amending text of Salt Lake City Code section 21A.32.130.E.6. That section 21A.32.130.E.6 of the *Salt Lake City Code* (Zoning: Special Purpose Districts: MU



Mixed Use District: Minimum Yard Area Requirements), shall be, and hereby is, amended to read as follows:

6. Maximum Setback: A maximum setback is required for at least seventy five percent (75%) of the building facade. The maximum setback is twenty feet (20'). Exceptions to this requirement may be authorized ~~as conditional~~ through the conditional building and site design review, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:
  - a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
  - b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission.

SECTION 31. Amending text of Salt Lake City Code section 21A.32.130.F. That section 21A.32.130.F of the *Salt Lake City Code* (Zoning: Special Purpose Districts: MU Mixed Use District: Maximum Building Height), shall be, and hereby is, amended to read as follows:

- F. Maximum Building Height: The maximum building height shall not exceed forty five feet (45'), except that nonresidential buildings and mixed use buildings shall be limited by subsections F1 and F2 of this section. Buildings taller than forty five feet (45'), up to a maximum of sixty feet (60'), may be authorized ~~as conditional uses~~ through the conditional building and site design review process, subject to the requirements of chapter 21A.5459 of this title, provided that the additional height is for residential uses only.

1. Maximum Height ~~F~~for Nonresidential Buildings: Nonresidential buildings shall not exceed thirty feet (30') or two (2) stories, whichever is less.
2. Maximum Height ~~O~~f Mixed Use Buildings ~~O~~f Residential ~~A~~nd Nonresidential Uses: Mixed use buildings shall not exceed forty five feet (45'). Nonresidential uses in a mixed use building are limited to the first two (2) stories.

SECTION 32. Amending text of Salt Lake City Code section 21A.34.090.C.2. That section 21A.34.090.C.2 of the *Salt Lake City Code* (Zoning: Overlay Districts: SSSC South State Street Corridor Overlay District: Minimum Yard Requirement Exemption: Maximum Setback), shall be, and hereby is, amended to read as follows:

2. Maximum Setback: A maximum setback is required for at least thirty five percent (35%) of the building facade. The maximum setback is twenty five feet (25'). Exceptions to this requirement may be authorized through theas conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:

- a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
- b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission

SECTION 33. Amending text of Salt Lake City Code section 21A.34.090.E. That section 21A.34.090.E of the *Salt Lake City Code* (Zoning: Overlay Districts: SSSC South State Street Corridor Overlay District: Entrance and Visual Access), shall be, and hereby is, amended to read as follows:

E. Entrance ~~A~~and Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through theas conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:

- a. The requirement would negatively impact the historic character of the building,
- b. The requirement would negatively impact the structural stability of the building, or
- c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Appeal of administrative decision is to the planning commission.

2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection F1 of this section.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

SECTION 34. Amending text of Salt Lake City Code section 21A.58.070.E. That section 21A.58.070.E of the *Salt Lake City Code* (Zoning: Site Plan Review: Standards for Site Plan Review), shall be, and hereby is, amended to read as follows:

- E. General Plan Conformity: The planning division shall review site plans for all applications for conditional uses (including planned developments) and conditional building and side design reviews with reference to adopted plans and the conformity of the site plans with the objectives and policies of the adopted plans.

SECTION 35. Amending text of Salt Lake City Code section 21A.62.040. That section 21A.62.040 of the *Salt Lake City Code* (Zoning: Definitions: Definitions of Terms), shall be, and hereby is, amended to insert the definition of “CONDITIONAL BUILDING AND SITE DESIGN REVIEW” in alphabetical order into that section. The codifier is instructed to only add

said definition and leave the remainder of section 21A.62.040 undisturbed. The definition of “CONDITIONAL BUILDING AND SITE DESIGN REVIEW” shall read as follows:

CONDITIONAL BUILDING AND SITE DESIGN REVIEW: A design that is allowed only after review and approval by the planning commission which includes a comprehensive evaluation of a development and its impact on neighboring properties and the community as a whole, from the standpoint of site and landscape design, height, setbacks, front façade glass, architecture, materials, colors, lighting and signs in accordance with a set of adopted criteria and standards.

SECTION 36. Amending text of Salt Lake City Code section 21A.60.020. That section 21A.60.020 of the *Salt Lake City Code* (Zoning: List of Terms: List of Defined Terms), shall be, and hereby is, amended to insert the term “Conditional building and site design review” in alphabetical order into that section. The codifier is instructed to only add said term and leave the remainder of section 21A.60.020 undisturbed.

SECTION 37. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

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CITY RECORDER  
(SEAL)

Bill No. \_\_\_\_\_ of 2013.  
Published: \_\_\_\_\_.

HB\_ATTYY-#22222-v9-Ordinance\_amending\_conditional\_bldg\_site\_design\_review.DOC

LEGISLATIVE VERSION

**CONDITIONAL BUILDING AND SITE DESIGN REVIEW****PROPOSED CHANGES****Planning Commission Authority:**

The authority of the Planning Commission through the design review process shall be limited to modification of the specific element referenced within each zoning district. In the TSA zoning district, the planning commission or administrative hearing officer, shall have the authority to determine if a proposal generally compiles with the transit station area development guidelines and may make modifications to the building and site design proposal to insure compliance.

**Definition:**

**Conditional Building and Site Design Review:** A design that is allowed only after review and approval by the planning commission which includes a comprehensive evaluation of a development and its impact on neighboring properties and the community as a whole, from the standpoint of site and landscape design, height, setbacks, front façade glass, architecture, materials, colors, lighting and signs in accordance with a set of adopted criteria and standards.

**Design Standards:**

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

A. Development shall be primarily oriented to the street, not an interior courtyard or parking lot.

~~1. Primary building orientation shall be toward the street rather than the parking area. The principal entrance shall be designed to be readily apparent.~~

~~2. At least sixty percent (60%) of the street frontage of a lot shall have any new building located within ten feet (10') of the front setback. Parking is permitted in this area.~~

~~3. Any buildings open to the public and located within thirty feet (30') of a public street shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be a distinctive and prominent element of the building's architectural design, and shall be open to the public during all business hours.~~

~~4. Each building shall incorporate lighting and changes in mass, surface, or finish to give emphasis to its entrances.~~

B. Primary access shall be oriented to the pedestrian and mass transit.

~~1. Each building shall include an arcade, roof, alcove, portico, awnings, or similar architectural features that protect pedestrians from the rain and sun.~~

- C. Building facades shall include detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction.
- ~~1. At least forty percent (40%) of any first floor wall area that faces and is within thirty feet (30') of a primary street, plaza, or other public open space shall contain display areas, windows, or doorways. Windows shall allow views into a working area or lobby, a pedestrian entrance, or display area. First floor walls facing a side street shall contain at least twenty five percent (25%) of the wall space in window, display area, or doors. Monolithic walls located within thirty feet (30') of a public street are prohibited.~~
  - ~~2. Recessed or projecting balconies, verandas, or other usable space above the ground level on existing and new buildings is encouraged on a street facing elevation. Balconies may project over a public right of way, subject to an encroachment agreement issued by the city.~~
- D. Architectural detailing shall be included on the ground floor to emphasize the pedestrian level of the building.
- E. Parking lots shall be appropriately screened and landscaped to minimize their impact on adjacent neighborhoods. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods.
- ~~1. Parking areas shall be located behind or at one side of a building. Parking may not be located between a building and a public street.~~
  - ~~2. Parking areas shall be shaded by large broadleaf canopied trees placed at a rate of one tree for each six (6) parking spaces. Parking shall be adequately screened and buffered from adjacent uses.~~
  - ~~3. Parking lots with fifteen (15) spaces or more shall be divided by landscaped areas including a walkway at least ten feet (10') in width or by buildings.~~
- F. ~~Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods.~~
- F.G. Parking and on site circulation shall be provided; with an emphasis on making safe pedestrian connections to the street or other pedestrian facilities.
- ~~1. Connections shall be made when feasible to any streets adjacent to the subject property and to any pedestrian facilities that connect with the property.~~
  - ~~2. A pedestrian access diagram that shows pedestrian paths on the site that connect with a public sidewalk shall be submitted.~~
- HG. Dumpsters and loading docks shall be appropriately screened or located within the structure.
- ~~1. Trash storage areas, mechanical equipment, and similar areas are not permitted to be visible from the street nor permitted between the building and the street.~~



~~2. Appropriate sound attenuation shall occur on mechanical units at the exterior of buildings to mitigate noise that may adversely impact adjacent residential uses.~~

~~H.~~ Signage shall emphasize the pedestrian/mass transit orientation.

~~J.~~ Lighting shall meet the lighting levels and design requirements set forth in [chapter 4](#) of the Salt Lake City lighting master plan dated May 2006.

~~K.~~ Streetscape improvements shall be provided as follows:

1. One street tree chosen from the street tree list consistent with the city's urban forestry guidelines and with the approval of the city's urban forester shall be placed for each thirty feet (30') of property frontage on a street. Existing street trees removed as the result of a development project shall be replaced by the developer with trees approved by the city's urban forester.
2. Landscaping material shall be selected that will assure eighty percent (80%) ground coverage occurs within three (3) years.
3. Hardscape (paving material) shall be utilized to designate public spaces. Permitted materials include unit masonry, scored and colored concrete, grasscrete, or combinations of the above.
4. Outdoor storage areas shall be screened from view from adjacent public rights of way. Loading facilities shall be screened and buffered when adjacent to residentially zoned land and any public street.
5. Landscaping design shall include a variety of deciduous and/or evergreen trees, and shrubs and flowering plant species well adapted to the local climate.

~~L. Street trees shall be provided as follows:~~

- ~~1. Any development fronting on a public or private street shall include street trees planted consistent with the city's urban forestry guidelines and with the approval of the city's urban forester.~~
- ~~2. 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.~~

~~M.~~ The following additional standards shall apply to any large scale developments with a gross floor area exceeding sixty thousand (60,000) square feet:

1. The orientation and scale of the development shall conform to the following requirements:
  - a. Large building masses shall be divided into heights and sizes that relate to human scale by incorporating changes in building mass or direction, sheltering roofs, a distinct pattern of divisions on surfaces, windows, trees, and small scale lighting.
  - b. No new buildings or contiguous groups of buildings shall exceed a combined contiguous building length of three hundred feet (300').

2. Public spaces shall be provided as follows:

- a. One square foot of plaza, park, or public space shall be required for every ten (10) square feet of gross building floor area.
- b. Plazas or public spaces shall incorporate at least three (3) of the five (5) following elements:
  - (1) Sitting space of at least one sitting space for each two hundred fifty (250) square feet shall be included in the plaza. Seating shall be a minimum of sixteen inches (16") in height and thirty inches (30") in width. Ledge benches shall have a minimum depth of thirty inches (30");
  - (2) A mixture of areas that provide shade;
  - (3) Trees in proportion to the space at a minimum of one tree per eight hundred (800) square feet, at least two inch (2") caliper when planted;
  - (4) Water features or public art; and/or
  - (5) Outdoor eating areas or food vendors.

**NL.** Any new development shall comply with the intent of the purpose statement of the zoning district and specific design regulations found within the zoning district in which the project is located as well as adopted master plan policies, the city's adopted "urban design element" and design guidelines governing the specific area of the proposed development. Where there is a conflict between the standards found in this section and other adopted plans and regulations, the more restrictive regulations shall control.

**DESIGN STANDARDS FOR HEIGHT:**

- A. The roofline contains architectural features that make it distinctive on the skyline; flat roofs are discouraged unless also being used for other purposes such as rooftop gardens, common space for building occupants or the public, heliport, etc.
- B. There is architectural detailing at the cornice level.
- C. Lighting highlights the architectural detailing of the entire building but shall not exceed the maximum lighting standards as further described elsewhere in this title.

## ATTACHMENT B

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**SALT LAKE CITY PLANNING COMMISSION MEETING  
In Room 326 of the City & County Building  
451 South State Street, Salt Lake City, Utah  
Wednesday, January 25, 2012**

Present for the Planning Commission meeting were Chair Angela Dean, Commissioners, Emily Drown, , Bernardo Flores-Sahagun, Clark Ruttinger, Marie Taylor, Matthew Wirthlin, Michael Fife, and Mary Woodhead. Commissioner Kathleen Hill was excused. Vice Chair Michael Gallegos arrived late for the meeting.

A field trip was held prior to the meeting Planning Commissioners present were: Clark Ruttinger and Mary Woodhead. Staff members in attendance were Nick Norris and Lex Traugher

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at 5:30 p.m. Audio recordings of the Planning Commission meetings are retained in the Planning Office for an indefinite period of time. Planning staff members present at the meeting were: Wilf Sommerkorn, Planning Director; Nick Norris, Planning Manager; Joel Paterson, Planning Manager; Doug Dansie, Senior Planner; Lex Traugher, Senior Planner, Paul Nielson, Land Use Attorney and Angela Hasenberg, Senior Secretary.

### **Public Hearing:**

**PLNPCM2011-00783 Conditional Building and Site Design Review** – A request by Salt Lake City Mayor Ralph Becker to update Chapter 21A.59 Conditional Building and Site Design Review, including the review standards and process, eliminate conflicts, clarify design criteria and streamline the Conditional Building and Design Review process. The proposed text amendment may affect related sections of title 21A. The changes are applicable citywide. (Staff contact: Doug Dansie at (801) 535-6182 or [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com)).

Chairperson Dean recognized Doug Dansie and staff representative.

Mr. Dansie stated that this was a request that involved no policy changes. Mr. Dansie gave a brief history stating that Salt Lake City adopted Zoning in 1927 that separated uses. Slowly the City had evolved and had grown more into form based codes. The first attempt to put design into the building code was in 1995 during the re-write of the Zoning Ordinance. Some of the first design items were focused Downtown with a maximum and a minimum setback one item being that 40% glass was required at ground level.

Mr. Dansie continued saying that in light of these requirements, the only avenue for exceptions was through the Conditional Use process. The problem was that windows, and height, etc., were design issues and not actual uses.

In 1998 The Gateway Zone was established and there were many more design features built into the Zone, materials, and fenestration of the building.

In 2005 The City of Salt Lake adopted the Walkable Communities Ordinance which put design criteria in much of the commercial zone and many of the mixed use zones. At this point, the City created the Conditional Building and Site Design Review process to acknowledge that 40% glass was not a use, but a design feature.

Mr. Dansie noted that the purpose of this new change was to return to the original intent, which was to meet the design criteria, if you cannot meet the requirement, the idea was to show how you met the intent.

Mr. Dansie surmised that within the review standards in the Conditional Building and Site Design Review process were sometimes more strict than the standard in the base zoning . Part of the amendment was to modify those standards so that they were more logical and provided guidance in determining whether the intent of the standard was met.

5:38:50 PM

### **Public Hearing:**

Chairperson Dean opened the public hearing, seeing no one chose to speak, she closed the public hearing.

5:39:08 PM

### **Questions from the Commissioners:**

Chairperson Dean asked in regard to height and parking, she felt that the changes were taking away a lot of guidance for the Planning Commission to evaluate these things in a subjective way.

Mr. Dansie responded that the height criteria were brand new, and he did not recall a time when additional height was not approved.

Commissioner Flores asked for clarification on how the applicant would be discouraged from increasing height.

Mr. Dansie answered that the discouragement would be from the difference of a flat roof, versus something with added visual value, such as the Wells Fargo building.

Mr. Dansie clarified that the difference would be that in downtown, if the applicant was underneath the 375 foot height restriction, then they would be allowed a flat roof. If the request was to go higher, and they wanted a flat roof, the application could be denied based on the standards.

Planning Manager Nick Norris added that this was intended as a process chapter that was intended to give guidance for alternatives to the guidelines when allowed.

Commissioner Flores was concerned that the guidelines seem to be too subjective.

Planning Manager Norris responded that it was indeed a balancing act, that the points put in the ordinance would have to be clear enough to give direction to a property owner or applicant. The standards should also be flexible enough to accommodate other situations.

Mr. Dansie remarked that this was a difficult section to work on; due to the height restrictions language and that the point was if you are going to go tall, be interesting.

Planning Manager Norris added that in that same section 065, the reference in the opening paragraph should have been 060 and asked Mr. Danise to change that in the text for transmittal.

Mr. Dansie added that he had written this document so that the Commissioners could see what had been changed. He said that it was possible that after the attorneys had received it, there could be additional technical changes as well, but no changes to the content. The final version may not be exactly what was being seen at this meeting.

5:48:21 PM

**Motion:**

**Commissioner Wirthlin made a motion in regard to PLNPCM2011-00783 Conditional Building and Site design Review, based on the findings listed in the staff review, based on the findings listed in the staff report the discussion this evening, and finding that the proposal generally meets the applicable standards, I move that the Planning Commission forward a positive recommendation to the City Council to approve the Zoning Text Amendments.**

**Commissioner Fife seconded the motion.**

**Vote: Commissioners Woodhead, Drown, Taylor, Fife, Ruttinger, Flores, and Wirthlin all voted "aye". The motion passed unanimously.**

# ATTACHMENT C

## PLANNING COMMISSION STAFF REPORT

PLNPCM2010-00783  
Conditional Building and Site Design Review  
January 25, 2012



Planning and Zoning Division  
Department of Community and  
Economic Development

**Applicant:**

Mayor Ralph Becker

**Staff:**

Doug Dansie, 535-6182  
Doug.Dansie@slcgov.com

**Tax ID:**

Citywide

**Current Zone:**

Citywide

**Master Plan Designation:**

NA

**Council District:**

Citywide

**Community Council:**

Citywide

**Lot Size:**

Citywide

**Current Use:**

NA

**Applicable Land Use Regulations:**

21A.50.050: Standards for general  
amendments  
21A.06.030 Planning Commission  
21A.59 Conditional Building and  
Site design

**Notification (hearing)**

- Notice: January 12, 2012,
- Web: January 12, 2012

**Attachments:**

- A. Department Comments
- B. Proposed ordinance

### ***Request***

This is a request to update the Conditional Building and Site Design review process in order to remove design features from the conditional use process (land use), create a distinct and separate design review process (design features) and to eliminate conflicts and to clarify design criteria.

### ***Staff Recommendation***

Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the proposal generally meets the applicable standards and therefore, recommends the Planning Commission forward a positive recommendation to the City Council to approve the requested zoning text amendments associated with petitions PLNPCM2010-00783..

## **Background**

When the zoning code was rewritten in 1995, certain zoning districts had design criteria added to them in the City's first attempt to create some form based zoning. During the early 2000's, additional criteria were added to most commercial and mixed-use zoning districts in order to make them more pedestrian friendly. As part of that process, there was an "out" written for those projects that met the intent of the ordinance, but not the literal interpretation of the ordinance. At that time the only discretionary process the City used was the conditional use process; even though design features are not a land use. Since that time state law has evolved regarding conditional uses; requiring approval of conditional uses if impacts are mitigated.

This specific proposal eliminates the need for design issues to be considered with the conditional use process (land use) and creates a separate approval process for design standards (design process).

Also, at some point, an effort was made to clarify the philosophical criteria used to approve design modifications that did not meet the strict standard. Unfortunately there was some miscommunication and the final product made the "out" even stricter than the standard. This issue needs resolution. The proposal provides clarification to the design standards and their philosophical basis, providing a process to allow builders to create a product that meets the intent of the code, if not the exact standards.

## **Project Description**

The intent of the proposal is to create a design process for those developments that do not meet the strict design standards, but do meet the intent of the design standards.

The proposal is to separate all design criteria from the land use category, provide clear standards, an approval process for those projects that meet the intent, but not the distinct standards and to correct existing errors in the code. For example: The existing CN zoning district requires 40% glass at the ground level. An exemption from the standard is presently required to be processed through the existing Conditional Building and Site Design review and the Conditional Use review and the exemptions from the Conditional Building and Site design review are presently written so that it would require meeting a requirement more restrictive than the 40% glass requirement, instead of meeting the intent. This existing process is neither efficient nor effective.

## **Comments**

### **Public Comments**

- An Open House introducing these petitions and potential regulations was held on September 18 2011.
- There was an initial briefing with the Planning Commission at the June 22, 2011 meeting.

### **City Department Comments**

Department comments are attached. There were generally no significant issues raised.



## ***Project Review***

### ***Analysis and Findings***

#### **Options**

Most of these design criteria are already in the zoning ordinance. If the ordinance is not changed they would still remain, but would also remain subject to the conditional use criteria, which is directed more towards land use than design and does not facilitate meaningful review. There are also conflicts in the ordinance that will remain unresolved if the ordinance is not changed: specifically the language that requires the exemption be more stringent than the original standard, instead of more being lenient to provide design flexibility if the design intent is met. Failure to change the ordinance would keep a system intact that is not working.

#### **Findings**

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. However, In making its decision concerning a proposed text amendment, the city council should consider the following factors:

**A. 1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;**

**Analysis:** The Urban Design Element calls for the creation of basic design criteria which to organize the city. This is not strict design review of any particular style or theme, but a general approach to having basic guidelines that produce a walkable and pedestrian friendly city. The design standards were placed within the ordinance to insure that most development is oriented to a human scale. A review process in the event that the strict standards may not be met has been included to insure compliance with basic design goals of creating a pedestrian friendly city while allowing design freedom.

**Finding:** The proposed zoning text amendments are supported by general policy of the City

**2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;**

**Analysis:** The proposed zoning amendments separate design issues from land use issues. Design is not a use. Formerly, design concepts were also approved under the conditional use process due to the lack of a separate design process. Recent changes in State law require the approval of any conditional use with modification to mitigate impacts. The fundamental criteria for use and design are not the same. This petition separates and clarifies the design process and eliminates conflicts.

**Finding:** The proposed zoning text amendments are designed to be consistent with City master plan goals while also remaining consistent with State law.

**3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and**

**Analysis:** The proposed changes are supportive of Historic Landmark overlays and do not otherwise inhibit or conflict with any other overlay.

**Finding:** The proposed zoning map amendment is consistent with overlay districts.

**4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.**

**Analysis:** The creation of a design process, independent of a land use process, is part of the emerging concept of form based zoning where fundamental design of a community is as (or more) important separation of land uses. The criteria for design are inherently different than the criteria for land use. This change separates and clarifies the process.

**Finding:** The proposed zoning text amendment is supported by general policy of increasing the use of form based zoning.

## ***Summary***

Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the requested zoning text amendments associated with petitions PLNPCM2010-00783.

SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2013

(An ordinance amending certain sections of Title 21A of the  
*Salt Lake City Code* concerning conditional building and site design review)

An ordinance amending certain sections of Title 21A of the *Salt Lake City Code* pursuant to Petition No. PLNPCM2010-00783 to modify conditional building and site design review regulations.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on January 25, 2012 to consider a request made by Salt Lake City Mayor Ralph Becker (petition no. PLNPCM2010-00783) to amend various sections of Title 21A (Zoning) of the *Salt Lake City Code* to modify the conditional building and site design review regulations; and

WHEREAS, at its January 25, 2012 hearing, the planning commission voted to transmit a positive recommendation to the Salt Lake City Council on said application; and

WHEREAS, after a public hearing on this matter the city council has determined that adopting this ordinance is in the city's best interests,

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending text of Salt Lake City Code section 21A.06.030.B.5. That section 21A.06.030.B.5 of the *Salt Lake City Code* (Zoning: Decision Making Bodies and Officials: Planning Commission: Jurisdiction and Authority), shall be, and hereby is, amended to read as follows:

5. Review, hear and decide applications for conditional uses, including planned developments, pursuant to the procedures and standards set forth in chapters 21A.54, "Conditional Uses", ~~and~~ 21A.55, "Planned Developments", and 21A.59 "Conditional Building and Site Design Review", of this title;

SECTION 2. Amending text of Salt Lake City Code chapter 21A.59. That chapter 21A.59 of the *Salt Lake City Code* (Zoning: Conditional Building and Site Design Review), shall be, and hereby is, amended to read as follows:

**Chapter 21A.59**  
**CONDITIONAL BUILDING AND SITE DESIGN REVIEW**

**21A.59.010: PURPOSE STATEMENT:**

**21A.59.020: AUTHORITY:**

**21A.59.030: SCOPE OF APPLICATION:**

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

**21A.59.050: APPLICATION REQUIREMENTS:**

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

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

**21A.59.010: PURPOSE STATEMENT:**

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

**21A.59.020: AUTHORITY:**

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

- A. The planning commission shall approve design criteria upon consideration of comments received from city departments and determining whether modification of specific design regulations meets the intent of the individual zoning district.
- B. The planning commission may modify individual design requirements for specific projects if they find that the intent of the basic design criteria of the zoning district has been met.

#### **21A.59.030: SCOPE OF APPLICATION:**

Design review approval shall be required for all permitted uses, conditional uses and accessory uses when specifically authorized and referenced by individual zoning districts.

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

The authority of the planning commission through the design review process shall be limited to modification of the specific element referenced within each zoning district. In the TSA zoning district, the planning commission or administrative hearing officer, shall have the authority to determine if a proposal generally compiles with the transit station area development guidelines and may make modifications to the Building and Site Design proposal to insure compliance.

#### **21A.59.050: APPLICATION REQUIREMENTS:**

Each application for design review shall include the same information as required for site plan review as identified in section 21A.58.060 of this title.

#### **21A.59.060: STANDARDS FOR DESIGN REVIEW:**

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

- A. Development shall be primarily oriented to the street, not an interior courtyard or parking lot.
  - ~~1. Primary building orientation shall be toward the street rather than the parking area. The principal entrance shall be designed to be readily apparent.~~
  - ~~2. At least sixty percent (60%) of the street frontage of a lot shall have any new building located within ten feet (10') of the front setback. Parking is permitted in this area.~~
  - ~~3. Any buildings open to the public and located within thirty feet (30') of a public street shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be a distinctive and prominent element of the building's architectural design, and shall be open to the public during all business hours.~~
  - ~~4. Each building shall incorporate lighting and changes in mass, surface, or finish to give emphasis to its entrances.~~
- B. Primary access shall be oriented to the pedestrian and mass transit.

- ~~1. Each building shall include an arcade, roof, alcove, portico, awnings, or similar architectural features that protect pedestrians from the rain and sun.~~

C. Building facades shall include detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction.

- ~~1. At least forty percent (40%) of any first floor wall area that faces and is within thirty feet (30') of a primary street, plaza, or other public open space shall contain display areas, windows, or doorways. Windows shall allow views into a working area or lobby, a pedestrian entrance, or display area. First floor walls facing a side street shall contain at least twenty five percent (25%) of the wall space in window, display area, or doors. Monolithic walls located within thirty feet (30') of a public street are prohibited.~~

- ~~2. Recessed or projecting balconies, verandas, or other usable space above the ground level on existing and new buildings is encouraged on a street facing elevation. Balconies may project over a public right of way, subject to an encroachment agreement issued by the city.~~

D. Architectural detailing shall be included on the ground floor to emphasize the pedestrian level of the building.

E. Parking lots shall be appropriately screened and landscaped to minimize their impact on adjacent neighborhoods. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods.

- ~~1. Parking areas shall be located behind or at one side of a building. Parking may not be located between a building and a public street.~~
- ~~2. Parking areas shall be shaded by large broadleaf canopied trees placed at a rate of one tree for each six (6) parking spaces. Parking shall be adequately screened and buffered from adjacent uses.~~
- ~~3. Parking lots with fifteen (15) spaces or more shall be divided by landscaped areas including a walkway at least ten feet (10') in width or by buildings.~~

~~F. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods.~~

~~GF.~~ Parking and on site circulation shall be provided with an emphasis on making safe pedestrian connections to the street or other pedestrian facilities.

- ~~1. Connections shall be made when feasible to any streets adjacent to the subject property and to any pedestrian facilities that connect with the property.~~

- ~~2. A pedestrian access diagram that shows pedestrian paths on the site that connect with a public sidewalk shall be submitted.~~

~~HG.~~ Dumpsters and loading docks shall be appropriately screened or located within the structure.

- ~~1. Trash storage areas, mechanical equipment, and similar areas are not permitted to be visible from the street nor permitted between the building and the street.~~
- ~~2. Appropriate sound attenuation shall occur on mechanical units at the exterior of buildings to mitigate noise that may adversely impact adjacent residential uses.~~

~~HI.~~ Signage shall emphasize the pedestrian/mass transit orientation.

~~IJ.~~ Lighting shall meet the lighting levels and design requirements set forth in chapter 4 of the Salt Lake City lighting master plan dated May 2006.

~~KJ.~~ Streetscape improvements shall be provided as follows:

1. One street tree chosen from the street tree list consistent with the city's urban forestry guidelines and with the approval of the city's urban forester shall be placed for each thirty feet (30') of property frontage on a street. Existing street trees removed as the result of a development project shall be replaced by the developer with trees approved by the city's urban forester.
2. Landscaping material shall be selected that will assure eighty percent (80%) ground coverage occurs within three (3) years.
3. Hardscape (paving material) shall be utilized to designate public spaces. Permitted materials include unit masonry, scored and colored concrete, grasscrete, or combinations of the above.
4. Outdoor storage areas shall be screened from view from adjacent public rights of way. Loading facilities shall be screened and buffered when adjacent to residentially zoned land and any public street.
5. Landscaping design shall include a variety of deciduous and/or evergreen trees, and shrubs and flowering plant species well adapted to the local climate.

~~L.~~ Street trees shall be provided as follows:

- ~~1. Any development fronting on a public or private street shall include street trees planted consistent with the city's urban forestry guidelines and with the approval of the city's urban forester.~~



~~2. 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.~~

**MK.** The following additional standards shall apply to any large scale developments with a gross floor area exceeding sixty thousand (60,000) square feet:

1. The orientation and scale of the development shall conform to the following requirements:
  - a. Large building masses shall be divided into heights and sizes that relate to human scale by incorporating changes in building mass or direction, sheltering roofs, a distinct pattern of divisions on surfaces, windows, trees, and small scale lighting.
  - b. No new buildings or contiguous groups of buildings shall exceed a combined contiguous building length of three hundred feet (300').
2. Public spaces shall be provided as follows:
  - a. One square foot of plaza, park, or public space shall be required for every ten (10) square feet of gross building floor area.
  - b. Plazas or public spaces shall incorporate at least three (3) of the five (5) following elements:
    - (1) Sitting space of at least one sitting space for each two hundred fifty (250) square feet shall be included in the plaza. Seating shall be a minimum of sixteen inches (16") in height and thirty inches (30") in width. Ledge benches shall have a minimum depth of thirty inches (30");
    - (2) A mixture of areas that provide shade;
    - (3) Trees in proportion to the space at a minimum of one tree per eight hundred (800) square feet, at least two inch (2") caliper when planted;
    - (4) Water features or public art; and/or
    - (5) Outdoor eating areas ~~or locations for food vendors.~~

**NL.** Any new development shall comply with the intent of the purpose statement of the zoning district and specific design regulations found within the zoning district in which the project is located as well as adopted master plan policies, the city's adopted "urban design element" and design guidelines governing the specific area of the proposed development. Where there is a conflict between the standards found in this

section and other adopted plans and regulations, the more restrictive regulations shall control.

#### **21A.59.065: STANDARDS FOR DESIGN REVIEW FOR HEIGHT:**

In addition to standards provided in 21A.59.060, the following standards shall be applied to all applications for conditional building and design review regarding height:

- A. The roofline contains architectural features that make it distinctive on the skyline; flat roofs are discouraged unless also being used for other purposes such as rooftop gardens, common space for building occupants or the public, heliport, etc.
- B. There is architectural detailing at the cornice level, when appropriate to the architectural style of the building.
- C. Lighting highlights the architectural detailing of the entire building but shall not exceed the maximum lighting standards as further described elsewhere in this title.

#### **21A.59.070: PROCEDURES FOR DESIGN REVIEW:**

~~A. Preapplication Conference: Before filing an application for design review, the applicant is encouraged to confer with the development review team (DRT) regarding the general proposal. Such action does not require formal application fees, or filing of a site plan, or landscape plan and is not to be construed as an application for formal approval. No representation made by the planning director, the DRT or other city departments during such conference shall be binding upon the city with respect to an application subsequently submitted.~~

~~B.~~ A. Fees: Every design review application shall be accompanied by a fee as established in the fee schedule, chapter 21A.64 of this title.

~~C.~~ B. Submission Of Final Plans; Review Aand Approval:

1. Planning Commission Review: After the plans and related materials and fees have been submitted pursuant to section 21A.59.050 of this chapter, and the application has been determined by the planning director to be complete pursuant to section 21A.10.010 of this title, the application shall be reviewed and processed through the planning commission in coordination with the appropriate city departments. If the plan is approved, the planning director shall certify approval and state the conditions of such approval, if any. If the design is disapproved, the planning director shall indicate reasons for such in writing to the applicant.
2. Appeal ~~Of~~ Planning Commission Decision: Any person adversely affected by a final decision of the planning commission may appeal to the appeals hearing officer in accordance with the provisions of chapter 21A.16 of this title.

3. Certification ~~B~~by Planning Commission: The decisions of the planning commission approving the application shall be noted on all copies of applicable plans to be retained in the record, including any changes or conditions required as part of the design review approval. One such copy shall be returned to the applicant, and others retained as required for records or further action by the planning commission or other affected agencies of the city.
4. Building Permits: Building permits shall be issued in accordance with approved plans. A copy of the approved plan shall be retained in the records of the office of the division of building services and licensing and all building and occupancy permits shall conform to the provisions of the approved design review.
5. Amendments ~~O~~r Modifications ~~T~~o Approved Design Review: Amendments or modifications to approved design review must be submitted to the planning director. Such modifications shall be submitted in accordance with the procedures and requirements of this chapter and shall be distributed to the appropriate departments for review. The planning director may waive this requirement if the planning director determines that such modification of the original design review has no significant impact upon the original proposal and still remains in conformance with design concepts approved by the planning commission.
6. Time Limit ~~O~~n Approval: Approval of design review shall be void unless a building permit has been issued or complete building plans have been submitted to the division of building services and licensing within ~~one year~~ two years from the date of approval. The planning director may grant an extension of a design review approval for up to one additional year when the applicant is able to demonstrate no change in circumstance that would result in an unmitigated impact. Extension requests must be submitted to the planning director in writing prior to the expiration of the design review approval.

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

When a development is proposed which requires Building and Site Design Review along with a conditional use approval, the planning commission shall review the applications together. The proposed applications shall be reviewed and approved, reviewed with conditions, approved with modifications, or denied.

SECTION 3. Amending text of Salt Lake City Code section 21A.24.164.E. That section 21A.24.164.E of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU-35 Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:

- E. Maximum Building Height: The maximum building height shall not exceed thirty five feet (35'), except that nonresidential buildings and uses shall be limited by subsections E1 and E2 of this section. Buildings taller than thirty five feet (35'), up to a maximum of forty five feet (45'), may be authorized ~~as through the conditional building and site design review process conditional uses, subject to the requirements of chapter 21A.54, "Conditional Uses", of this title;~~ and provided, that the proposed ~~height conditional use~~ is supported by the applicable master plan.

1. Maximum height for nonresidential buildings: Twenty feet (20').
2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: One floor.

SECTION 4. Amending text of Salt Lake City Code section 21A.24.168.E. That section 21A.24.168.E of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU-45 Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:

- 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 and E2 of this section. Buildings taller than forty five feet (45'), up to a maximum of seventy five feet (75'), may be authorized ~~as through the building conditional building and site design review process conditional uses, subject to the requirements of chapter 21A.54, "Conditional Uses", of this title;~~ and provided, that the proposed ~~height conditional use~~ is supported by the applicable master plan.

1. Maximum height for nonresidential buildings: Twenty feet (20').
2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: One floor.

SECTION 5. Amending text of Salt Lake City Code section 21A.24.170.F. That section 21A.24.170.F of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:

- F. Maximum Building Height: The maximum building height shall not exceed seventy five feet (75'), except that nonresidential buildings and uses shall be limited by subsections F1 and F2 of this section. Buildings taller than seventy five feet (75'), up to a maximum of one hundred twenty five feet (125'), may be authorized ~~as through the building conditional building and site design process conditional uses, subject to the requirements of chapter 21A.54, "Conditional Uses", of this title;~~ and provided, that the proposed ~~height conditional use~~ is located within the one hundred twenty five foot (125') height zone of the height map of the east downtown master plan.

1. Maximum height for nonresidential buildings: Forty five feet (45').
2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: Three (3) floors.

SECTION 6. Amending text of Salt Lake City Code section 21A.24.170.J. That section 21A.24.170.J of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:

J. Entrance ~~A~~and Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized ~~as conditional~~ through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may approve a modification to this requirement, if the planning director finds:
  - a. The requirement would negatively impact the historic character of the building,
  - b. The requirement would negatively impact the structural stability of the building, or
  - c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Appeal of administrative decision is to the planning commission.

2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection J1 of this section.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

SECTION 7. Amending text of Salt Lake City Code section 21A.24.180.I. That section 21A.24.180.I of the *Salt Lake City Code* (Zoning: Residential Districts: RO Residential/Office District), shall be, and hereby is, amended to read as follows:

- I. ~~Offices in Existing Buildings On Lots Less Than Twenty Thousand Square Feet:~~ Offices occupying existing buildings are permitted on a five thousand (5,000) square foot minimum lot. Additions to existing buildings that are greater than fifty percent (50%) of the existing building footprint or that exceed the height of the existing building shall be subject to conditional building and site design review ~~conditional use approval~~.

SECTION 8. Amending text of Salt Lake City Code section 21A.24.190 (qualifying provision 6). That section 21A.24.190 of the *Salt Lake City Code* (Zoning: Residential Districts: Table of Permitted and Conditional Uses for Residential Districts), shall be, and hereby is, amended to amend the text of qualifying provision 6, which qualifying provision follows the table therein, and which shall read as follows:

6. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review ~~the conditional use process~~.

SECTION 9. Amending text of Salt Lake City Code section 21A.26.010.J. That section 21A.26.010.J of the *Salt Lake City Code* (Zoning: Commercial Districts: General Provisions), shall be, and hereby is, amended to read as follows:

- J. ~~Modifications To Maximum Height:~~ Additions to the maximum height due to the natural topography of the site may be approved pursuant to the following procedures and standards:

~~1. Modifications Of Ten Percent Or Less Of Maximum Height:~~

- a. ~~The board of adjustment may approve, as a special exception, additional height not exceeding ten percent (10%) of the maximum height pursuant to the standards and procedures of chapter 21A.52 of this title. Specific conditions for approval are found in subsection 21A.52.100G of this title.~~

1. Modifications of Ten Percent or Less of Maximum Height:

- a. The planning commission may approve, as a special exception, additional height not exceeding ten percent (10%) of the maximum height pursuant to the standards and procedures of chapter 21A.52 of this title. Specific conditions for approval are found in chapter 21A.52 of this title.

2. Modifications ~~Of~~ More ~~Than~~ Ten Percent ~~Of~~ Maximum Height:

- a. ~~Conditional Use~~ Conditional Building and Site Design Review: As a conditional use- Through conditional building and site design review for properties on a sloping lot in commercial zoning districts, pursuant to chapter 21A.54 ~~59~~ of this title, the planning commission, or in the case of an administrative approval the planning director or designee may allow additional building height of more than ten percent (10%) of the maximum height, but not more than one additional story, if the first floor of the building exceeds twenty thousand (20,000) square feet. The additional story shall not be exposed on more than fifty percent (50%) of the total building elevations.

SECTION 10. Amending text of Salt Lake City Code section 21A.26.020.F. That section 21A.26.020.F of the *Salt Lake City Code* (Zoning: Commercial Districts: CN Neighborhood Commercial District), shall be, and hereby is, amended to read as follows:

F. Minimum Yard Requirements:

1. Front ~~Or~~ Corner Side Yard: A fifteen foot (15') minimum front or corner side yard shall be required. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission.
2. Interior Side Yard: None required.
3. Rear Yard: Ten feet (10').
4. Buffer Yards: Any lot abutting a lot in a residential district shall conform to the buffer yard requirements of chapter 21A.48 of this title.



5. Accessory Buildings And Structures In Yards: Accessory buildings and structures may be located in a required yard subject to table 21A.36.020B of this title.
6. Maximum Setback: A maximum setback is required for at least sixty five percent (65%) of the building facade. The maximum setback is twenty five feet (25'). Exceptions to this requirement may be authorized ~~as through the~~ conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:
- a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
  - b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission.

7. Parking Setback: Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a thirty foot (30') landscape setback from the front property line or be located behind the primary structure. Parking structures shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line or be located behind the primary structure. There are no minimum or maximum setback restrictions on underground parking. The planning director may modify or waive this requirement if the planning director finds the following:
- a. The parking is compatible with the architecture/design of the original structure or the surrounding architecture.
  - b. The parking is not part of a series of incremental additions intended to subvert the intent of the ordinance.
  - c. The horizontal landscaping is replaced with vertical screening in the form of berms, plant materials, architectural features, fencing and/or other forms of screening.
  - d. The landscaped setback is consistent with the surrounding neighborhood character.

- e. The overall project is consistent with section 21A.59.060 of this title.

Appeal of administrative decision is to the planning commission.

SECTION 11. Amending text of *Salt Lake City Code* section 21A.26.020.I. That section 21A.26.020.I of the *Salt Lake City Code* (Zoning: Commercial Districts: CN Neighborhood Commercial District), shall be, and hereby is, amended to read as follows:

I. Entrance ~~A~~and Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through the ~~as~~ conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:
  - a. The requirement would negatively impact the historic character of the building, or
  - b. The requirement would negatively impact the structural stability of the building.

Appeal of administrative decision is to the planning commission.

2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection I1 of this section.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

SECTION 12. Amending text of Salt Lake City Code section 21A.26.030. That section 21A.26.030 of the *Salt Lake City Code* (Zoning: Commercial Districts: CB Community Business District), shall be, and hereby is, amended to read as follows:

21A.26.030: CB COMMUNITY BUSINESS DISTRICT:

- A. Purpose Statement: The CB community business district is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.
- B. Uses: Uses in the CB community business district as specified in section 21A.26.080, "Table of Permitted and Conditional Uses for Commercial Districts", of this chapter are permitted subject to the general provisions set forth in section 21A.26.010 of this chapter and this section.
- C. Planned Development Review: Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections, may be approved by the planning commission pursuant to the provisions of chapter 21A.55 of this title.
- D. Lot Size Requirements: No minimum lot area or lot width is required, however any lot exceeding four (4) acres in size shall be allowed only as a conditional use through the conditional building and site design review process.
- E. Maximum Building Size: Any building having a fifteen thousand (15,000) gross square foot floor area of the first floor or a total floor area of twenty thousand (20,000) gross square feet or more, shall be allowed only as a conditional use through the conditional building and side design review process. An unfinished basement used only for storage or parking shall be allowed in addition to the total square footage.
- F. Minimum Yard Requirements:
  - 1. Front or Corner Side Yard: No minimum yard is required. If a front yard is provided, it shall comply with all provisions of this title applicable to front or corner side yards, including landscaping, fencing, and obstructions.
  - 2. Interior Side Yard: None required.
  - 3. Rear Yard: Ten feet (10').

4. Buffer Yards: Any lot abutting a lot in a residential district shall conform to the buffer yard requirements of chapter 21A.48 of this title.
5. Accessory Buildings ~~And Structures~~ In Yards: Accessory buildings and structures may be located in a required yard subject to table 21A.36.020B of this title.
6. Maximum Setback: A maximum setback is required for at least seventy five percent (75%) of the building facade. The maximum setback is fifteen feet (15'). Exceptions to this requirement may be authorized ~~as~~ through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:
  - a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
  - b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission.

7. Parking Setback: Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a twenty foot (20') landscape setback from the front property line or be located behind the primary structure. Parking structures shall maintain a thirty five foot (35') minimum setback from a front or corner side yard property line or be located behind the primary structure. There are no minimum or maximum setback restrictions on underground parking. The planning director may modify or waive this requirement if the planning director finds the following:
  - a. The parking is compatible with the architecture/design of the original structure or the surrounding architecture.
  - b. The parking is not part of a series of incremental additions intended to subvert the intent of the ordinance.
  - c. The horizontal landscaping is replaced with vertical screening in the form of berms, plant materials, architectural features, fencing and/or other forms of screening.

- d. The landscaped setback is consistent with the surrounding neighborhood character.
- e. The overall project is consistent with section 21A.59.060 of this title.

Appeal of administrative decision is to the planning commission.

G. Landscape Yard Requirements: If a front or corner side yard is provided, such yard shall be maintained as a landscape yard. The landscape yard can take the form of a patio or plaza, subject to site plan review approval.

H. Maximum Height: Thirty feet (30').

I. Entrance ~~A~~and Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized [asthrough the](#) conditional building and site design review [process](#), subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:
  - a. The requirement would negatively impact the historic character of the building,
  - b. The requirement would negatively impact the structural stability of the building, or
  - c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Appeal of administrative decision is to the planning commission.

2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection I1 of this section.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.
- J. Parking Lot/Structure Lighting: If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for the parking lot/structure security lighting are limited to sixteen feet (16') in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

SECTION 13. Amending text of Salt Lake City Code section 21A.26.050.F. That section 21A.26.050.F of the *Salt Lake City Code* (Zoning: Commercial Districts: CC Corridor Commercial District), shall be, and hereby is, amended to read as follows:

- F. Maximum Height: No building shall exceed thirty feet (30'). Buildings higher than thirty feet (30') may be allowed in accordance with the provisions of subsections F1 and F2 of this section.
  1. Procedure For Modification: A modification to the height regulations in this subsection F may be granted ~~as a conditional use~~ through the conditional building and site design process in conformance with the provisions of chapter 21A.54 59 of this title. In evaluating an application submitted pursuant to this section, the planning commission shall find that the increased height will result in improved site layout and amenities.
  2. Landscaping: If an additional floor is approved, increased landscaping shall be provided over and above that which is normally required for landscape yards, landscape buffer yards, and parking lot perimeter and interior landscaping. The amount of increased landscaping shall be equal to ten percent (10%) of the area of the additional floor.
  3. Maximum Additional Height: Additional height shall be limited to fifteen feet (15').

SECTION 14. Amending text of Salt Lake City Code section 21A.26.070.F. That section 21A.26.070.F of the *Salt Lake City Code* (Zoning: Commercial Districts: CG General Commercial District), shall be, and hereby is, amended to read as follows:

F. Maximum Height: No building shall exceed sixty feet (60'). Buildings higher than sixty feet (60') may be allowed in accordance with the provisions of subsections F1 and F2 of this section.

1. Procedure ~~F~~for Modification: A modification to the height regulations in this subsection F may be granted ~~as a conditional use in through the conditional building and site design review process in~~ as a conditional use in through the conditional building and site design review process in conformance with the provisions of chapter 21A.5459 of this title. In evaluating an application submitted pursuant to this section, the planning commission or in the case of an administrative approval the planning director or designee, shall find that the increased height will result in improved site layout and amenities.
2. Landscaping: If additional floors are approved, increased landscaping shall be provided over and above that which is normally required for landscape yards, landscape buffer yards, and parking lot perimeter and interior landscaping. The amount of increased landscaping shall be equal to ten percent (10%) of the area of the additional floors.
3. Maximum Additional Height: Additional height shall be limited to thirty feet (30').

SECTION 15. Amending text of Salt Lake City Code section 21A.26.077. That section 21A.26.077 of the *Salt Lake City Code* (Zoning: Commercial Districts: TC-75 Transit Corridor District), shall be, and hereby is, amended to read as follows:

21A.26.077: TC-75 TRANSIT CORRIDOR DISTRICT:

- A. Purpose Statement: The purpose of the TC-75 transit corridor district is to create transit oriented neighborhoods near stations along major transit corridors with a high residential density that promotes commercial and economic growth, increases transit ridership and improves the vitality of the community. The primary focus is to increase residential density through development that takes advantage of the proximity to transit and creates a sustainable, transit oriented neighborhood. The standards for the district are intended to create a pedestrian friendly environment and to emphasize that pedestrian and mass transit access is the primary focus of development.
- B. Uses: Uses in the TC-75 transit corridor district as specified in section 21A.26.080, ~~"Table of Permitted and Conditional Uses for Commercial Districts"~~, of this chapter, are permitted subject to the general provisions set forth in section 21A.26.010 of this chapter and this section.
- C. Planned Development Review: Planned developments, which meet the intent of this section, but not the specific design criteria outlined in the following subsections may



be approved by the planning commission pursuant to the provisions of chapter 21A.55 of this title.

D. Minimum Lot Size:

1. Minimum lot area: Ten thousand (10,000) square feet.
2. Minimum lot width: Fifty feet (50').

E. Minimum Yard Requirements:

1. Front ~~A~~and Corner Side Yards: Fifteen feet (15'). Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. Exceptions to the minimum setback are limited to the two (2) lower levels of the building only; the main tower of the building must maintain the minimum setback. Exceptions are limited to structural elements that enhance the pedestrian experience of the space such as, but not limited to, patio covers, building entry canopies, etc.
2. Interior Side Yards: None required.
3. Rear Yards: None required.
4. Buffer Yards: All lots abutting property in a residential district shall conform to the buffer yard requirement of chapter 21A.48 of this title.
5. Accessory Buildings ~~A~~and Structures ~~I~~n Yards: Accessory buildings and structures may be located in a required yard subject to table 21A.36.020B of this title.
6. Maximum Building Setback: Twenty five feet (25'). Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The majority of the ground level facade of a building shall be placed parallel, and not at an angle, to the street. Where an arcade facing the street is provided, the maximum setback for the building shall be measured to the supporting beams for the arcade or the facade of the upper floors, not the facade of the arcade level. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:

- a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
- b. The addition is not part of a series of incremental additions intended to subvert the intent of this section.

Any appeal of an administrative decision made pursuant to subsection E6 of this section may be made to the planning commission.

- F. Landscape Yard Requirements: A landscape yard of fifteen feet (15') shall be required on all front and corner side yards, conforming to the requirements of section 21A.48.090 and subsection 21A.48.100\_C of this title, except as authorized ~~as a conditional use~~ through the conditional building and site design review, subject to conformance with the standards and procedures of chapter 21A.54 59 of this title.
- G. Maximum Nonresidential Building Height: The maximum building height in the TC-75 zoning district shall not exceed thirty feet (30') for those buildings used exclusively for nonresidential purposes.
  1. Additional building square footage may be allowed up to a maximum building height of seventy five feet (75') (or to a building height of 125 feet through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title and conformity with applicable master plan policy) provided that for each additional floor of nonresidential use above thirty feet (30'), the equivalent amount of square footage, inclusive of the first thirty feet (30'), is required to be built as residential square footage.
  2. The residential component may be transferred off site to another property in the TC-75 zoning district along the 400 South Street frontage generally located between 200 East and 925 East. For such off site residential configuration, the amount of residential development required is equal to the square footage of the total amount of square footage obtained for the nonresidential floors rising in the total project.
  3. For those developments where the required residential component is transferred off site, prior to the issuance of a building permit for the nonresidential structure, the applicant must identify specifically where the residential structure will be located in the area zoned TC-75 along to 400 South Street corridor generally located between 200 East and 900 East and enter into a development agreement with the city to ensure the construction of the residential structure in a timely manner. In such cases where the residential use is built off site, one of the following shall apply:

- a. Construction of the off site residential use must be progressing beyond the footings and foundation stage, prior to the nonresidential portion of the development obtaining a certificate of occupancy, or
  - b. A financial assurance that construction of the off site residential use will commence within two (2) years of receiving a certificate of occupancy for the nonresidential component of the development. The financial assurance shall be in an amount equal to fifty percent (50%) of the construction valuation for the residential component of the development as determined by the building official. The city shall call the financial assurance and deposit the proceeds in the city's housing trust fund if construction has not commenced within two (2) years of the issuance of the certificate of occupancy for the nonresidential component of the development.
4. Maximum building height may be obtained to one hundred twenty five feet (125') for any building subject to at least ninety percent (90%) of all parking for said building being provided as structured parking.
- H. Maximum Residential Building Height: No residential building, or mixed use building shall exceed seventy five feet (75') in height. Building heights in excess of seventy five feet (75'), but not more than one hundred twenty five feet (125') may be approved through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title and conformity with applicable master plan policy.
1. Maximum building height may be obtained to one hundred twenty five feet (125') where at least ninety percent (90%) of all parking for said building is provided as structured parking.
  2. The ground floor shall include either nonresidential uses or public service portions of residential buildings.
- I. Restrictions On Parking Lots And Structures: The following regulations shall apply to surface or aboveground parking facilities.
1. Block Corner Areas: Within block corner areas, surface parking lots and structures shall be located behind principal buildings, or at least sixty feet (60') from front and corner side lot lines.
  2. Mid Block Areas: Within the mid block areas, parking structures shall be located behind principal buildings, or above the first level, or at least thirty feet (30') from front and corner side lot lines. A modification to this requirement may be granted as a conditional use through the conditional building and site design review, subject to conformance with the standards and procedures of chapter 21A.54 59 of this title. Parking structures located above the first level and less than thirty feet (30') from a front or corner side yard shall meet the following:

- a. Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line.
- b. Levels of parking above the first level facing the front or corner side lot line shall have floors and/or facades that are horizontal, not sloped.

Mid block surface parking lots shall have a twenty five foot (25') landscaped setback.

3. Accessory ~~A~~and Commercial Parking Structures: Accessory parking structures, built prior to the principal use, and commercial parking structures, shall be permitted ~~as conditional uses through the conditional building and site design review~~ with the approval of the planning commission pursuant to the provisions of chapter 21A.54 ~~59~~ of this title.
4. Belowground Parking Facilities: No special design and setback restrictions shall apply to belowground parking facilities.
5. Landscape Requirements: Surface parking lots shall meet interior landscape requirements as outlined in chapter 21A.48 of this title.
6. Waiver: The planning director may modify or waive this requirement if the planning director finds the following:
  - a. The parking is compatible with the architecture/design of the original structure or the surrounding architecture.
  - b. The parking is not part of a series of incremental additions intended to subvert the intent of this section.
  - c. The horizontal landscaping is replaced with vertical screening in the form of berms, plant materials, architectural features, fencing and/or other forms of screening.
  - d. The landscaped setback is consistent with the surrounding neighborhood character.
  - e. The overall project is consistent with section 21A.59.060 of this title.

Any appeal of an administrative decision made pursuant to this subsection I6 may be made to the planning commission.

7. Conditional Building ~~A~~and Site Design Review: A modification to the restrictions on parking lots and structures provisions of this section may be authorized as conditional building and site design review, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission.

J. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings, or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. There must be visual clearance behind the glass for a minimum of two feet (2'). All first floor glass shall be nonreflective. The reflectivity in glass shall be limited to eighteen percent (18%) as defined by ASTA standards. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through the as conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:

1. The requirement would negatively impact the historic character of the building, or
2. The requirement would negatively impact the structural stability of the building.
3. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Any appeal of an administrative decision made pursuant to this subsection may be made to the planning commission.

K. Doors And Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement as outlined in subsection J of this section.

L. Maximum Length Of Blank Walls: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

M. Density: There is no maximum residential density.

SECTION 16. Amending text of Salt Lake City Code section 21A.30.020. That section 21A.30.020 of the *Salt Lake City Code* (Zoning: Downtown Districts: D-1 Central Business District), shall be, and hereby is, amended to read as follows:

21A.30.020: D-1 CENTRAL BUSINESS DISTRICT:

A. Purpose Statement: The purpose of the D-1 central business district is to provide for commercial and economic development within Salt Lake City's most urban and intense areas. A broad range of uses, including very high density housing, are

intended to foster a twenty four (24) hour activity environment consistent with the area's function as the business, office, retail, entertainment, cultural and tourist center of the region. Development is intended to be very intense with high lot coverage and large buildings that are placed close together while being oriented towards the pedestrian with a strong emphasis on a safe and attractive streetscape and preserving the urban nature of the downtown area. This district is appropriate in areas where supported by applicable master plans. The standards are intended to achieve established objectives for urban design, pedestrian amenities and land use control.

- B. Uses: Uses in the D-1 central business district as specified in section 21A.30.050, "Table Of Permitted And Conditional Uses For Downtown Districts", of this chapter, are permitted subject to the general provisions set forth in section 21A.30.010 of this chapter. In addition, all conditional uses in the D-1 district shall be subject to design review approval by the planning commission.
- C. Organization Of District Regulations: In addition to regulations that apply to the D-1 central business district as a whole, three (3) sets of regulations are contained in this district that apply to specific geographical areas:
1. Special Controls Over Block Corners: These regulations apply only to properties within a specified distance from street intersections, as established in subsection E of this section.
  2. Special Controls Over Mid Block Areas: These regulations apply only to the intervening property between block corner properties, as established in subsection F of this section.
  3. Special Controls Over The Main Street Retail Core: These regulations apply only to the Main Street retail core area, as established in subsection G of this section. The regulations governing block corners and mid block areas also apply to the Main Street retail core.
- D. D-1 District General Regulations: The regulations established in this section apply to the D-1 district as a whole.
1. Minimum Lot Size: No minimum lot area or lot width is required, except in block corner areas as specified in subsection E5 of this section.
  2. Yard Requirements:
    - a. Front And Corner Side Yards: No minimum yards are required, however, no yard shall exceed five feet (5') except as authorized ~~as a conditional use through the conditional building and site design review process.~~ Such ~~conditional uses conditional building and site design reviews~~ shall be subject to the requirements of chapter 21A.54 59 of this title, ~~as well as design review by the planning commission.~~ Where an entire block frontage is under

one ownership, the setback for that block frontage shall not exceed twenty five feet (25'). Exceptions to this requirement may be authorized ~~as conditional uses through the conditional building and site design review,~~ subject to the requirements of chapter 21A.54 59 of this title, ~~and the review and approval of the planning commission.~~

- b. Interior Side ~~A~~and Rear Yards: None required.
3. Restrictions ~~On~~ Parking Lots ~~A~~and Structures: An excessive influence of at or above ground parking lots and structures can negatively impact the urban design objectives of the D-1 district. To control such impacts, the following regulations shall apply to at or above ground parking facilities:
- a. Within block corner areas and on Main Street, parking lots and structures shall be located behind principal buildings, or at least seventy five feet (75') from front and corner side lot lines.
  - b. Within the mid block areas, parking lots and structures shall conform to the following:
    - (1) Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line. The facades of such first floor shall be compatible and consistent with the associated retail or office portion of the building and other retail uses in the area.
    - (2) Levels of parking above the first level facing the front or corner side lot line shall have floors/facades that are horizontal, not sloped.
  - c. Accessory parking structures built prior to the principal use, and commercial parking structures, shall be permitted as conditional uses with the approval of the planning commission pursuant to the provisions of chapter 21A.54 of this title.
  - d. No special restrictions shall apply to belowground parking facilities.
  - e. Parking lots, proposed as a principal use to facilitate a building demolition, shall be permitted as a conditional use with the approval of the planning commission pursuant to the provisions of chapter 21A.54 of this title, where it is found that the parking lot is:
    - (1) Associated with a proposed principal land use; or
    - (2) Shown to be necessary for an existing adjacent land use(s). Demand shall be demonstrated through affidavits or executed lease agreements for off site parking. Said lot shall be located within five hundred feet (500') of the



principal use(s) that it is proposed to serve, and shall not exceed more than fifty percent (50%) of the required parking stall count for said use(s); or

- (3) Not associated with a principal land use or a specific increase in parking demand. The applicant shall document to the planning commission's satisfaction that there is a need for more commercial parking in a given area and, if so, it must participate in the overall downtown token program.

- 4. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the D-1 central business district shall be at least forty percent (40%) glass surfaces, except that in the Main Street retail core where this requirement shall be sixty percent (60%). All first floor glass in the Main Street retail core shall be nonreflective type glass. Exceptions to this requirement may be authorized ~~as conditional uses through the conditional building and site design review process~~, subject to the requirements of chapter 21A.54 59 of this title. ~~The zoning administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in chapter 21A.14 of this title, if the zoning administrator finds: The planning director may approve a modification to this requirement, if the planning director finds:~~

- a. The requirement would negatively impact the historic character of the building, or
- b. The requirement would negatively impact the structural stability of the building.
- c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).

Appeal of administrative decision is to the planning commission.

- 5. Interior Plazas, Atriums ~~A~~and Galleries: Interior plazas, atriums and galleries shall be permitted throughout the D-1 central business district.
- 6. Location ~~O~~f Service Areas: All loading docks, refuse disposal areas and other service activities shall be located on block interiors away from view of any public street. Exceptions to this requirement may be approved through the site plan review process when a permit applicant demonstrates that it is not feasible to accommodate these activities on the block interior. If such activities are permitted adjacent to a public street, a visual screening design approved by the zoning administrator shall be required.

7. Landscape Requirements: All buildings constructed after April 12, 1995, shall conform to the special landscape requirements applicable to the D-1 central business district as contained in chapter 21A.48 of this title.
8. Mid Block Walkways: As part of the city's plan for the downtown area, it is intended that mid block walkways be provided to facilitate pedestrian movement within the area. To delineate the public need for such walkways, the city has formulated an official plan for their location and implementation, which is on file at the planning division office. All buildings constructed after the effective date hereof within the D-1 central business district shall conform to this officially adopted plan for mid block walkways.
9. Landscape Requirements For Demolition Sites: Vacant lots, resulting from demolition activities where no replacement use is proposed, shall conform to chapter 21A.48 of this title, special landscape requirements applicable to the D-1 central business district.

E. Special Controls Over Block Corners:

1. Intent: Special controls shall apply to land at block corners to encourage greater commercial vitality in the downtown by focusing a higher level of development intensity at street intersections. Control over the intensity of development on blocks is needed due to the large size of blocks and streets and the resulting effects on pedestrian/vehicular circulation and business activity.
2. Block Corner: "Block corner" means the ninety degree (90°) intersection of private property adjacent to the intersection of two (2) public street rights of way both of which are at least one hundred thirty two feet (132') wide.
3. Corner Building: "Corner building" means a building, the structure of which rises above the ground within one hundred feet (100') of a block corner on the street face and one hundred feet (100') in depth.
4. Application: For corner buildings, the provisions of this subsection shall extend to one hundred sixty five feet (165') from the block corner on the street face and one hundred sixty five feet (165') in depth.
5. Lot Size And Shape: The size and shape of the lot shall conform to the following. Lots existing prior to April 12, 1995, which do not meet these requirements shall be exempt.
  - a. Minimum lot area: Ten thousand (10,000) square feet.
  - b. Minimum lot width: One hundred feet (100').

6. Height Regulations: No corner building shall be less than one hundred feet (100') nor more than three hundred seventy five feet (375') in height. The minimum one hundred foot (100') high portion of the building shall be located not further than five feet (5') from the lot line along front and corner lot lines. Buildings higher than three hundred seventy five feet (375') may be allowed in accordance with the provisions of subsections E6a and E6b of this section.

a. Conditions ~~F~~for Taller Corner Buildings: Corner buildings may exceed the three hundred seventy five foot (375') height limit provided they conform to the following requirements:

- (1) To minimize excessive building mass at higher elevations and preserve scenic views, some or all of the building mass over the three hundred seventy five foot (375') height level shall be subject to additional setback, as determined appropriate through the ~~conditional use approval process~~ conditional building and site design process.
- (2) Not less than one percent (1%) of the building construction budget shall be used for enhanced amenities, including art visible to the public, enhanced design elements of the exterior of the building or exterior spaces available to the public for cultural or recreational activities. The property owner shall not be required to exceed one hundred thousand dollars (\$100,000.00) in required amenities.
- (3) The operation of uses within the building, including accessory parking facilities, shall comply with the adopted traffic demand management guidelines administered by the city traffic engineer.

b. Additional Standards ~~F~~for Certain Height Modifications:

- (1) The first one hundred feet (100') of height shall not be set back from the street front more than five feet (5') except that setbacks above the first fifty feet (50') may be approved ~~as a conditional use~~ through the conditional building and site design process.
- (2) Modifying the height will achieve the preservation of a landmark site or contributing structure in an H historic preservation overlay district.
- (3) Modifying the height will allow interim service commercial uses to support the downtown community.

c. ~~Conditional Use~~ Conditional Building and Site Design Approval: A modification to the height regulations in subsection E6a of this section may be granted ~~as a conditional use~~ through the conditional building and site design process, subject to conformance with the standards and procedures of chapter

21A.~~54~~59 of this title. ~~Such conditional uses shall also be subject to design review.~~

F. Special Controls ~~O~~over Mid Block Areas:

1. Intent: Special controls shall apply to land located at the middle of blocks. Such controls are needed to establish coordinated levels of development intensity and to promote better pedestrian and vehicular circulation.
2. Area ~~O~~of Applicability: The controls established under this subsection shall apply to:
  - a. Buildings constructed after April 12, 1995; and
  - b. All intervening land between block corner properties, as established in subsection E2 of this section.
3. Height Regulations: No building shall be more than one hundred feet (100') in height; provided, that taller buildings may be authorized ~~as a conditional use~~ through the conditional building and site design review, subject to the requirements of chapter 21A.~~54~~59 of this title, ~~and design review.~~

G. Special Controls ~~O~~over ~~T~~he Main Street Retail Core:

1. Intent: Special controls shall apply to land located within the Main Street retail core area to preserve and enhance the viability of retail uses within the downtown area. The regulations of this subsection shall be in addition to the requirements of subsections E and F of this section.
2. Area ~~O~~of Applicability: The controls established in this subsection shall apply to property developed or redeveloped after April 12, 1995, when located along any block face on the following streets:
  - a. Main Street between South Temple Street and 400 South Street;
  - b. 100 South Street between West Temple Street and State Street;
  - c. 200 South Street between West Temple Street and State Street; and
  - d. 300 South Street between West Temple Street and State Street.
3. First Floor Retail Required: The first floor space of all buildings within this area shall be required to provide uses consisting of retail goods establishments, retail service establishments or restaurants, public service portions of businesses, department stores, art galleries, motion picture theaters or performing arts facilities.

4. Restrictions ~~O~~n Driveways: Driveways shall not be permitted along Main Street, but shall be permitted along other streets within the Main Street retail core area, provided they are located at least eighty feet (80') from the intersection of two (2) street right of way lines.

SECTION 17. Amending text of Salt Lake City Code section 21A.30.030.D. That section 21A.30.030.D of the *Salt Lake City Code* (Zoning: Downtown Districts: D-2 Downtown Support District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: No building shall exceed sixty five feet (65'). Buildings taller than sixty five feet (65') but less than one hundred twenty feet (120') may be authorized ~~as conditional uses~~ through the conditional building and site design process, subject to the requirements of chapter 21A.5459 of this title.

SECTION 18. Amending text of Salt Lake City Code section 21A.30.040. That section 21A.30.040 of the *Salt Lake City Code* (Zoning: Downtown Districts: D-3 Downtown Warehouse/Residential District), shall be, and hereby is, amended to read as follows:

**21A.30.040: D-3 DOWNTOWN WAREHOUSE/RESIDENTIAL DISTRICT:**

- A. Purpose Statement: The purpose of the D-3 downtown warehouse/residential district is to provide for the reuse of existing warehouse buildings for multi-family and mixed use while also allowing for continued retail, office and warehouse use within the district. The reuse of existing buildings and the construction of new buildings are to be done as multi-family residential or mixed use developments containing retail or office uses on the lower floors and residential on the upper floors. This district is appropriate in areas where supported by applicable master plans. The standards are intended to create a unique and sustainable downtown neighborhood with a strong emphasis on urban design, adaptive reuse of existing buildings, alternative forms of transportation and pedestrian orientation.
- B. Uses: Uses in the D-3 downtown warehouse/residential district as specified in section 21A.30.050, "Table ~~O~~f Permitted ~~A~~nd Conditional Uses ~~F~~or Downtown Districts", of this chapter, are permitted subject to the provisions of this chapter and other applicable provisions of this title.
- C. Controls ~~O~~ver Mixed Use: The concept of mixed use is central to the nature of the D-3 downtown warehouse/residential district. To ensure that mixed use developments provide for on site compatibility as well as neighborhood compatibility, the change of land use type or an increase in floor area by twenty five percent (25%) of existing principal buildings and the construction of buildings for new uses after April 12,

1995, shall conform to the following provisions. Construction related to the rehabilitation including remodeling or modification of existing uses, or the change of use to a similar use, shall not be subject to these provisions.

1. Buildings containing commercial/office uses located above the second story shall incorporate multi-family dwellings, boarding house, bed and breakfast, or hotel uses in the amount of at least fifty percent (50%) of the total floor area of the building;
2. Commercial/office uses shall be permitted as the sole use in two-story buildings only; and
3. Commercial/office uses in buildings of three (3) stories or more without multi-family dwellings shall be allowed only as a conditional use and then only when the applicant has demonstrated that the proposed location is not suitable for multi-family residential use.

D. Lot Size Requirements: No minimum lot area or lot width shall be required.

E. Maximum Building Height: No building shall exceed seventy five feet (75'). Buildings taller than seventy five feet (75') but less than ninety feet (90') may be authorized ~~as conditional uses~~ through the conditional building and site design review process, provided the additional height is supported by the applicable master plan, the overall square footage of the buildings is greater than fifty percent (50%) residential use, and subject to the requirements of chapter 21A.54 59 of this title.

F. Minimum Yard Requirements: None required, except for surface parking lots which are required to be set back from the front and corner side yard property lines fifteen feet (15').

G. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the D-3 downtown warehouse/residential district, shall be at least forty percent (40%) glass surfaces. Exceptions to this requirement may be authorized ~~as conditional uses~~ through the conditional building and site design review process, subject to the requirements of chapter 21A.5459 of this title. ~~The zoning administrator may approve a modification to this requirement, as a routine and uncontested special exception pursuant to the procedures found in chapter 21A.14 of this title if the zoning administrator finds: The planning director may approve a modification to this requirement, if the planning director finds:~~

1. The requirement would negatively impact the historic character of the building, or
2. The requirement would negatively impact the structural stability of the building.

3. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).

Appeal of administrative decision is to the planning commission.

- H. Mid Block Walkways: As a part of the city's plan for the downtown area, it is intended that mid block walkways be provided to facilitate pedestrian movement within the area. To delineate the public need for such walkways, the city has formulated an official plan for their location and implementation, which is on file at the planning division office. All buildings constructed within the D-3 downtown district shall conform to this plan for mid block walkways.
- I. Special Provisions:
1. All new buildings constructed in the D-3 downtown district shall have a minimum of seventy percent (70%) of the exterior material of brick, masonry, textured or patterned concrete and/or cut stone. The seventy percent (70%) includes the windows of the building.
    - a. Except for minor building designs (e.g., soffit, fascia) the following materials are only allowed under the conditional use process: EIFS, vinyl, tilt-up concrete panels, corrugated metal and aluminum siding and other materials.
    - b. Two-dimensional curtain wall veneer of glass, spandrel glass or metal as a primary building material is prohibited.
    - c. The fenestration of all new construction shall be three-dimensional (e.g., recessed windows, protruding cornices, etc.).
  2. Notwithstanding the residential parking requirements, any building that has ten (10) or more residential units with at least twenty percent (20%) of the units as either affordable, senior housing, or assisted living units shall be allowed to have a minimum of one-half ( $\frac{1}{2}$ ) of a parking space provided for each dwelling unit.
  3. A modification to the special provisions of this section may be granted ~~as a conditional use~~ through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.54 59 of this title. ~~Such conditional uses shall also be subject to design review.~~
- J. Minimum Open Space: All lots containing dwelling units shall provide common open space in the amount of twenty percent (20%) of the lot area. This common open space may take the form of ground level plazas, interior atriums, landscape areas, roof gardens and decks on top of buildings or other such forms of open space available for the common use by residents of the property.



SECTION 19. Amending text of Salt Lake City Code section 21A.30.045. That section 21A.30.040 of the *Salt Lake City Code* (Zoning: Downtown Districts: D-4 Downtown Secondary Central Business District), shall be, and hereby is, amended to read as follows:

**21A.30.045: D-4 DOWNTOWN SECONDARY CENTRAL BUSINESS DISTRICT:**

- A. Purpose Statement: The purpose of the D-4 secondary central business district is to foster an environment consistent with the area's function as a housing, entertainment, cultural, convention, business, and retail section of the city that supports the central business district. Development is intended to support the regional venues in the district, such as the Salt Palace Convention Center, and to be less intense than in the central business district. This district is appropriate in areas where supported by applicable master plans. The standards are intended to achieve established objectives for urban and historic design, pedestrian amenities, and land use control, particularly in relation to retail commercial uses.
- B. Uses: Uses in the D-4 secondary central business district as specified in section 21A.30.050, "Table ~~O~~of Permitted A and Conditional Uses ~~F~~for Downtown Districts", of this chapter, are permitted subject to the general provisions set forth in section 21A.30.010 of this chapter. In addition, all conditional uses in the D-4 district shall be subject to design ~~review~~ evaluation and approval by the planning commission.
- C. D-4 District General Regulations:
1. Minimum Lot Size: No minimum lot area or lot width is required.
  2. Yard Requirements:
    - a. Front ~~A~~and Corner Side Yards: No minimum yards are required, however, no yard shall exceed five feet (5') except as authorized ~~as a conditional use through the conditional building and site design review process~~. Such ~~conditional uses~~ designs shall be subject to the requirements of chapter 21A.~~54~~ 59 of this title, ~~as well as design review by the planning commission~~. Where an entire block frontage is under one ownership, the setback for that block frontage shall not exceed twenty five feet (25'). Exceptions to this requirement may be authorized ~~as conditional uses, through the conditional building and site design review process~~ subject to the requirements of chapter 21A.~~54~~ 59 of this title ~~and the review and approval of the planning commission~~.
    - b. Interior Side ~~A~~and Rear Yards: None required.

3. ~~Restrictions On~~ Parking Lots ~~And~~ Structures: An excessive influence of at or above ground parking lots and structures can negatively impact the urban design objectives of the D-4 district. To control such impacts, the following regulations shall apply to at or above ground parking facilities:
- a. Within block corner areas, structures shall be located behind principal buildings, or at least seventy five feet (75') from front and corner side lot lines.
  - b. Within the mid block areas, parking structures shall be located behind principal buildings, or at least thirty feet (30') from front and corner side lot lines. A modification to this requirement may be granted as a conditional use, subject to conformance with the standards and procedures of chapter 21A.54 of this title. Parking structures shall meet the following:
    - (1) Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line. The facades of such first floor shall be compatible and consistent with the associated retail or office portion of the building and other retail uses in the area.
    - (2) Levels of parking above the first level facing the front or corner side lot line shall have floors/facades that are horizontal, not sloped.
    - (3) Mid block surface parking lots shall have a fifteen foot (15') landscaped setback.
  - c. Accessory parking structures built prior to the principal use, and commercial parking structures, shall be permitted as conditional uses with the approval of the planning commission pursuant to the provisions of chapter 21A.54 of this title.
  - d. No special restrictions shall apply to belowground parking facilities.
  - e. At grade (surface) parking facilities shall be set back behind the principal building and shall be set back at least seventy five feet (75') from front and corner side lot lines and landscaped in a way that minimizes visual impacts.
4. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the D-4 secondary central business district, shall be at least forty percent (40%) glass surfaces. All first floor glass shall be nonreflective type glass. Exceptions to this requirement may be authorized ~~as conditional uses~~ through the conditional building and site design process, subject to the requirements of chapter 21A.54.59 of this title. ~~The zoning administrator may approve a modification to this requirement, as a routine and uncontested~~

~~special exception pursuant to the procedures found in chapter 21A.14 of this title if the zoning administrator finds: The planning director may approve a modification to this requirement, if the planning director finds:~~

- a. The requirement would negatively impact the historic character of the building; or
- b. The requirement would negatively impact the structural stability of the building.
- c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).

Appeal of administrative decision is to the planning commission.

- 5. Interior Plazas, Atriums ~~And~~ Galleries: Interior plazas, atriums and galleries shall be permitted throughout the D-4 secondary central business district.
- 6. Location ~~Of~~ Service Areas: All loading docks, refuse disposal areas and other service activities shall be located on block interiors away from view of any public street. Exceptions to this requirement may be approved through the site plan review process when a permit applicant demonstrates that it is not feasible to accommodate these activities on the block interior. If such activities are permitted adjacent to a public street, a visual screening design approved by the zoning administrator shall be required.
- 7. Landscape Requirements: All buildings constructed after April 12, 1995, shall conform to the special landscape requirements applicable to the D-4 secondary central business district as contained in chapter 21A.48 of this title.
- 8. Maximum Building Height: No building shall exceed seventy five feet (75'). Buildings taller than seventy five feet (75') but less than one hundred twenty feet (120') may be authorized ~~as conditional uses~~ through conditional building and site design review, subject to the requirements of chapter 21A.5459 of this title.
- 9. Mid Block Walkways: As a part of the city's plan for the downtown area, it is intended that mid block walkways be provided to facilitate pedestrian movement within the area. To delineate the public need for such walkways, the city has formulated an official plan for their location and implementation, which is on file at the planning division office. All buildings constructed after the effective date hereof within the D-4 downtown district shall conform to this plan for mid block walkways.

10. Mid Block Streets: Developments constructing mid block streets, either privately owned with a public easement or publicly dedicated, that are desired by an applicable master plan:

- a. May use a portion or all of the overhead and underground right of way of the new mid block street as part of their developable area irrespective of lot lines, subject to design review and approval of the planning commission.
- b. May increase the height of the building on the remaining abutting parcel, subject to the conditional building and site design review process in conformance with the standards and procedures of chapter 21A.54~~59~~ of this title. ~~Such conditional uses shall also be subject to design review approval by the planning commission.~~

11. Exception To Parking Requirements: Notwithstanding the residential parking requirements, any building that has ten (10) or more residential units with at least twenty percent (20%) of the units as either affordable, senior housing, or assisted living units shall be allowed to have a minimum of one-half ( $\frac{1}{2}$ ) of a parking space provided for each dwelling unit.

SECTION 20. Amending text of Salt Lake City Code section 21A.31.010.D. That section 21A.31.010.D of the *Salt Lake City Code* (Zoning: Gateway Districts: General Provisions), shall be, and hereby is, amended to read as follows:

- D. Conditional Uses: The uses specified as conditional uses in section 21A.31.050, "Table Of Permitted And Conditional Uses In The Gateway District", of this chapter, shall be permitted in the gateway district provided they are approved pursuant to the standards and procedures for conditional uses set forth in chapter 21A.54 of this title, and comply with all other applicable requirements of this title, including the urban design evaluation and/or the conditional building and site design review design review process established in this chapter and 21A.59.

SECTION 21. Amending text of Salt Lake City Code section 21A.31.010.E. That section 21A.31.010.E of the *Salt Lake City Code* (Zoning: Gateway Districts: General Provisions), shall be, and hereby is, amended to read as follows:

- E. Site Plan Review; Design Review: In certain districts, permitted uses and conditional uses have the potential for adverse impacts if located and oriented on lots without careful planning. Such impacts may interfere with the use and enjoyment of adjacent property and uses. Site plan review is a process designed to address such adverse impacts and minimize them where possible. ~~Design review is a process that addresses elements of urban design. The design may also be evaluated to address elements of~~

urban design.

Site plan review, pursuant to chapter 21A.58 of this title, for all of the gateway districts, is required to protect the local economy, maintain safe traffic conditions, maintain the environment, and assure harmonious land-use relationships between commercial uses and more sensitive land uses in affected areas.

Design ~~review~~ evaluation is necessary to implement the policies of the urban design plan as adopted by the city council. Design review shall apply ~~only~~ to conditional uses in the gateway district. In the gateway district, the conditional building and site design review process is used to evaluate and resolve urban design.

SECTION 22. Amending text of Salt Lake City Code section 21A.31.010.H. That section 21A.31.010.H of the *Salt Lake City Code* (Zoning: Gateway Districts: General Provisions), shall be, and hereby is, amended to read as follows:

H. ~~Restrictions On~~ Parking Lots ~~And~~ Structures: The following regulations shall apply to surface or aboveground parking facilities:

1. Block Corner Areas: Within block corner areas, surface parking lots and structures shall be located behind principal buildings, or at least seventy five feet (75') from front and corner side lot lines.
2. Mid Block Areas: Within the mid block areas, parking structures shall be located behind principal buildings, or at least thirty feet (30') from front and corner side lot lines. A modification to this requirement may be granted as a conditional use, subject to conformance with the standards and procedures of chapter 21A.54 of this title. Parking structures shall meet the following:
  - a. Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line. The facades of such first floors shall be compatible and consistent with the associated retail or office portion of the building and other retail uses in the area.
  - b. Levels of parking above the first level facing the front or corner side lot line shall have floors and/or facades that are horizontal, not sloped.
  - c. Mid block surface parking lots shall have a fifteen foot (15') landscaped setback.
3. Accessory ~~And~~ Commercial Parking Structures: Accessory parking structures built prior to the principal use, and commercial parking structures, shall be

permitted as conditional uses with the approval of the planning commission pursuant to the provisions of chapter 21A.54 of this title.

4. Belowground Parking Facilities: No special design and setback restrictions shall apply to belowground parking facilities.
5. Height Requirements: The minimum height for a parking structure shall be forty five feet (45'). The maximum height shall not exceed seventy five feet (75').
6. Site Plan Review: Parking structures shall be required to go through the site plan review process.
7. Landscape Requirements: Surface parking lots shall have a landscaped setback of at least twenty feet (20') and meet interior landscaped requirements as outlined in chapter 21A.48 of this title.
8. ~~Conditional Use~~ Conditional Building and Site Design Approval: A modification to the restrictions on parking lots and structures provisions of this section may be granted as a conditional use through the conditional building and site design process, subject to conformance with the standards and procedures of chapter 21A.54.59 of this title. Such conditional uses shall also be subject to urban design review. evaluation.

SECTION 23. Amending text of Salt Lake City Code section 21A.31.010.P. That section 21A.31.010.P of the *Salt Lake City Code* (Zoning: Gateway Districts: General Provisions), shall be, and hereby is, amended to read as follows:

- P. Urban Design: The urban design standards are intended to foster the creation of a rich urban environment that accommodates growth and is compatible with existing buildings and uses in the area. All general development and site plans shall be designed to complement the surrounding existing contiguous (historic) development. The following design standards will provide human scale through change, contrast, intricacy, color and materials where the lower levels of buildings face public streets and sidewalks. They will also spatially define the street space in order to concentrate pedestrian activity, create a clear urban character and promote visibility of commercial activities at the ground level. The standards will also encourage diversity through the use of building forms and materials, while respecting the patterns, styles and methods of construction traditionally used in the gateway area.

The following urban design standards will be reviewed as part of the site plan review process, with assistance from planning division staff as necessary:

1. Architectural Character ~~A~~and Materials:

- a. A differentiated base (on a building over 45 feet high) will provide human scale through change, contrast, and intricacy in facade form, color and/or material where the lower levels of the building face the sidewalk(s) and street(s). Scaling elements such as insets and projections serve to break up flat or monotonous facades, and respond to older nearby buildings. Therefore, all buildings in the gateway districts are subject to the following standards:

- (1) All buildings over forty five feet (45') in height shall be designed with a base that is differentiated from the remainder of the building. The base shall be between one and three (3) stories in height, be visible from pedestrian view, and appropriately scaled to the surrounding contiguous historic buildings. The base shall include fenestration that distinguishes the lower from upper floors. Insets and/or projections are encouraged.
- (2) All new buildings in the gateway district shall have a minimum of seventy percent (70%) of the exterior material (excluding windows) be brick, masonry, textured or patterned concrete and/or cut stone. With the exception of minor building elements (e.g., soffit, fascia) the following materials are allowed only under the conditional use through the conditional building site and design review process: EIFS, tilt-up concrete panels, corrugated metal, vinyl and aluminum siding, and other materials.
- (3) All buildings which have been altered over seventy five percent (75%) on the exterior facade shall comply with the exterior material requirement for new construction. Buildings older than fifty (50) years are exempt from this requirement if alterations are consistent with the existing architecture.
- (4) Two-dimensional curtain wall veneer of glass, spandrel glass or metal as a primary building material is prohibited. The fenestration of all new construction shall be three-dimensional (e.g., recessed windows, protruding cornice, etc.).

- b. The climate in Salt Lake City is such that in the summer months shade is preferred, and in the winter months protection from snow is preferred. By providing the pedestrian with a sidewalk that is enjoyable to use year round, a pedestrian oriented neighborhood is encouraged. Therefore, new construction in the gateway area is subject to the following standards:

- (1) Arcades are permitted in the gateway district, but where an arcade extends over the public way, a revocable permit is required. Where an arcade is on private property facing the street, the maximum setback for the building shall be measured to the supporting beams for the arcade or the facade of the upper floors, not the facade of the arcade level.



- (2) Awnings and/or marquees, with or without signage, are required over entry doors which are set back from the property line and may be allowed, under revocable permit, when an entry is at a property line.
- (3) Awnings, with or without signage, are permitted over ground level windows. Where awnings extend out over the public way, a revocable permit is required.

## 2. Windows ~~A~~and Building Fenestration:

- a. Buildings whose exteriors are smooth, and do not provide any three-dimensional details or fenestration are not appropriate in the gateway district. Recessed windows will eliminate flat, sterile elevations. Highly reflective materials are distracting, and focus attention away from the positive qualities of the gateway district. Therefore, all buildings in the gateway districts are subject to the following standards:
  - (1) Buildings with completely smooth exterior surfaces shall not be permitted, all new construction shall have three-dimensional details on the exterior that includes cornices, windowsills, headers and similar features.
  - (2) All windows shall be recessed from the exterior wall a minimum of three inches (3"). Bay windows, projecting windows, and balcony doors are exempt from this requirement.
  - (3) The reflectivity of the glass used in the windows shall be limited to eighteen percent (18%) as defined by the ASTA standard.

## 3. Entrance ~~A~~and Visual Access:

- a. The intent in the gateway district is to encourage pedestrian activity between the public street/sidewalk and buildings. Sidewalks shall provide continuous, uninterrupted interest to the pedestrian by providing visual interest and/or amenities. The gateway environment will benefit with increased pedestrian activity; this activity will only occur if opportunities are provided that make walking to a destination a preferred and an enjoyable pursuit. The use of blank building facade walls is discouraged. Therefore, all buildings in the gateway area are subject to the following standards:
  - (1) Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the gateway district shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be

~~authorized as conditional uses through the conditional building and site and design review process~~, subject to the requirements of chapter 21A.54 59 of this title, and the review and approval of the planning commission. ~~The zoning administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in chapter 21A.14 of this title, if the zoning administrator finds: The planning director may approve a modification to this requirement if the planning director finds:~~

(A) The requirement would negatively impact the historic character of the building, or

(B) The requirement would negatively impact the structural stability of the building.

(C) The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).

Appeal of Administrative Decision is to the Planning Commission.

#### 4. Building Lines ~~And~~ Front Area Requirements:

- a. A continuity of building frontage adjacent and parallel to the street encourages a more active involvement between building uses and pedestrians. Leftover or ambiguous open space that has no apparent use or sense of place will not contribute positively to an active street life. Therefore, all buildings in the gateway district are subject to the following standard:

- (1) The majority of the ground level facade of a building shall be placed parallel, and not at an angle, to the street.

#### 5. Public Amenities ~~And~~ Public Art:

- a. Amenities and works of art enhance quality of life as well as visual interest. Public amenities and public art encourage pedestrian activity and contribute to the pedestrian experience. A cohesive, unified lighting and amenity policy will help give the gateway district its own distinctive identity. Therefore, public amenities and public art are subject to the following standards:

- (1) Sidewalks and street lamps installed in the public right of way shall be of the type specified in the sidewalk/street lighting policy document.

- (2) Public art (which may include artists' work integrated into the design of the building and landscaping, sculpture, painting, murals, glass, mixed media or work by artisans), that is accessible or directly viewable to the

general public shall be included in all projects requiring conditional building and site design review ~~conditional use~~ approval for a site or design standard. The plan to incorporate public art shall be reviewed by the Salt Lake art design board.

6. ~~Conditional Use~~Conditional Building and Site Design Review Approval: A modification to the urban design provisions of this section may be granted ~~as a conditional use through the conditional building and site design review process,~~ subject to conformance with the standards and procedures of chapter 21A.5459 of this title. ~~Such conditional uses shall also be subject to design review.~~

SECTION 24. Amending text of Salt Lake City Code section 21A.31.020. That section 21A.31.020 of the *Salt Lake City Code* (Zoning: Gateway Districts: G-MU Gateway-Mixed Use District), shall be, and hereby is, amended to read as follows:

**21A.31.020: G-MU GATEWAY-MIXED USE DISTRICT:**

- A. Purpose Statement: The G-MU gateway-mixed use district is intended to implement the objectives of the adopted gateway development master plan and encourage the mixture of residential, commercial and assembly uses within an urban neighborhood atmosphere. The 200 South corridor is intended to encourage commercial development on an urban scale and the 500 West corridor is intended to be a primary residential corridor from North Temple to 400 South. Development in this district is intended to create an urban neighborhood that provides employment and economic development opportunities that are oriented towards the pedestrian with a strong emphasis on a safe and attractive streetscape. The standards are intended to achieve established objectives for urban and historic design, pedestrian amenities and land use regulation.
- B. Uses: Uses in the G-MU gateway-mixed use district as specified in section 21A.31.050, "Table Of Permitted And Conditional Uses In The Gateway District", of this chapter are permitted subject to the general provisions set forth in section 21A.31.010 of this chapter and this section.
- C. Planned Development Review: All new construction of principal buildings, uses, or additions that increase the floor area and/or parking requirement by twenty five percent (25%) in the G-MU gateway-mixed use district may be approved only as a planned development in conformance with the provisions of chapter 21A.55 of this title.
- D. Special Provisions:
1. Commercial Uses, 200 South: All buildings fronting 200 South shall have commercial uses that may include retail goods/services establishments, offices,

restaurants, art galleries, motion picture theaters or performing arts facilities shall be provided on the first floor adjacent to the front or corner side lot line. The facades of such first floor shall be compatible and consistent with the associated retail or office portion of the building and other retail uses in the area.

2. Residential Units, 500 West: Buildings fronting on 500 West shall be required to have residential units occupying a minimum of fifty percent (50%) of the structure's gross square footage.
3. Mid Block Street Development: Developments constructing mid block streets, either privately owned with a public easement or publicly dedicated, that are desired by an applicable master plan:
  - a. May use a portion or all of the overhead and underground right of way of the new mid block street as part of their developable area irrespective of lot lines, subject to design ~~review~~ evaluation and approval of the planning commission.
  - b. May increase the height of the building on the remaining abutting parcel, subject to conformance with the standards and procedures of Conditional Building and Site Design chapter 21A.54 59 of this title. ~~Such conditional uses shall also be subject to design review approval by the planning commission.~~
- 4.- ~~Conditional Use Approval~~ Conditional Building and Site Design Reviews: A modification to the special provisions of this section may be granted ~~as a conditional use through the building and site design review process~~, subject to conformance with the standards and procedures of chapter 21A.5459 of this title. ~~Such conditional uses shall also be subject to design review.~~

E. Building Height: The minimum building height shall be forty five feet (45') and the 200 South street corridor shall have a minimum height of twenty five feet (25'). The maximum building height shall not exceed seventy five feet (75') except buildings with nonflat roofs (e.g., pitched, shed, mansard, gabled or hipped roofs) may be allowed, up to a maximum of ninety feet (90') (subject to subsection I of this section). The additional building height may incorporate habitable space.

1. ~~Conditional Use Approval~~ Conditional Building and Site Design Review: -A modification to the minimum building height or to the maximum building height (up to 120 feet) provisions of this section may be granted ~~as a conditional use through the conditional building and site design review process~~, subject to conformance with the standards and procedures of chapter 21A.5459 of this title, and subject to compliance to the applicable master plan. ~~Such conditional uses shall also be subject to design review.~~
2. Height Exceptions: Spires, tower, or decorative noninhabitable elements shall have a maximum height of ninety feet (90') and with ~~conditional use~~ conditional building and site design review approval may exceed the maximum height,

subject to conformance with the standards and procedures of chapter 21A.5459 of this title. ~~Such conditional uses shall also be subject to design review.~~

- F. Minimum Lot Area ~~A~~ and Lot Width: None required.
- G. Minimum Yard Requirements: No minimum setback requirements. There is not a maximum front yard or corner side yard setback except that a minimum of twenty five percent (25%) of the length of the facade of a principal building shall be set back no farther than five feet (5') from the street right of way line. Surface parking lots shall have a fifteen foot (15') landscape setback from the front property line.
- H. Signs: Signs shall be allowed in the gateway districts in accordance with provisions of chapter 21A.46 of this title.
- I. Affordable Housing: Notwithstanding the maximum height requirements identified above, any buildings that have at least ten (10) or more residential units with at least twenty percent (20%) of the units as affordable shall be allowed a maximum building height of ninety feet (90'). The affordable units shall be integrated throughout the project in an architectural manner.

SECTION 25. Amending text of Salt Lake City Code section 21A.32.020.D. That section 21A.32.020.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: RP Research Park District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: Building height shall be limited to forty five feet (45'). Building heights in excess of forty five feet (45') but less than seventy five feet (75') may be approved ~~as a conditional use~~ through the conditional building and site design review process; provided, that the additional height is supported by the master plan and compatible with the adjacent neighborhood.

SECTION 26. Amending text of Salt Lake City Code section 21A.32.056.D. That section 21A.32.056.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: AG-20 Agricultural District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: Building height shall be limited to forty five feet (45'). Building heights in excess of forty five feet (45') but not more than sixty five feet (65') may be approved ~~as a conditional use~~ through the conditional building and site design review process; provided that the additional height is compatible with adjacent properties and does not conflict with the airport flight path protection overlay zone.

SECTION 27. Amending text of Salt Lake City Code section 21A.32.075.D. That section 21A.32.075.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: PL-2 Public Lands District), shall be, and hereby is, amended to read as follows:

D. Maximum Building Height:

1. Local government facilities, government offices, arenas, stadiums, and exhibition halls: Seventy five feet (75') provided, that where adjacent to a zoning district allowing greater height, the height standard of the adjacent district shall apply. A modification to the maximum building height provisions of this section may be granted only as a conditional use through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.5459 of this title, and subject to compliance with the applicable master plan.
2. Other uses: Thirty five feet (35').

SECTION 28. Amending text of Salt Lake City Code section 21A.32.080.D. That section 21A.32.080.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: I Institutional District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: Building height shall be limited to thirty five feet (35'). Building heights in excess of thirty five feet (35') but not more than seventy five feet (75') may be approved as a conditional use through the conditional building and site design review process; provided, that for each foot of height over thirty five feet (35'), each required yard shall be increased one foot (1').

SECTION 29. Amending text of Salt Lake City Code section 21A.32.090.D. That section 21A.32.090.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: UI Urban Institutional District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: Building height shall be limited to seventy five feet (75'). Building heights in excess of seventy five feet (75') but not more than one hundred twenty feet (120') may be approved as a conditional use through the conditional building and site design review process; provided, that the additional height is supported by the master plan and compatible with the adjacent neighborhood.

SECTION 30. Amending text of Salt Lake City Code section 21A.32.130.E.6. That section 21A.32.130.E.6 of the *Salt Lake City Code* (Zoning: Special Purpose Districts: MU

Mixed Use District: Minimum Yard Area Requirements), shall be, and hereby is, amended to read as follows:

6. Maximum Setback: A maximum setback is required for at least seventy five percent (75%) of the building facade. The maximum setback is twenty feet (20'). Exceptions to this requirement may be authorized ~~as conditional~~ through the conditional building and site design review, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:
  - a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
  - b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission.

SECTION 31. Amending text of Salt Lake City Code section 21A.32.130.F. That section 21A.32.130.F of the *Salt Lake City Code* (Zoning: Special Purpose Districts: MU Mixed Use District: Maximum Building Height), shall be, and hereby is, amended to read as follows:

- F. Maximum Building Height: The maximum building height shall not exceed forty five feet (45'), except that nonresidential buildings and mixed use buildings shall be limited by subsections F1 and F2 of this section. Buildings taller than forty five feet (45'), up to a maximum of sixty feet (60'), may be authorized ~~as conditional uses~~ through the conditional building and site design review process, subject to the requirements of chapter 21A.5459 of this title, provided that the additional height is for residential uses only.

1. Maximum Height ~~F~~for Nonresidential Buildings: Nonresidential buildings shall not exceed thirty feet (30') or two (2) stories, whichever is less.
2. Maximum Height ~~O~~f Mixed Use Buildings ~~O~~f Residential ~~A~~nd Nonresidential Uses: Mixed use buildings shall not exceed forty five feet (45'). Nonresidential uses in a mixed use building are limited to the first two (2) stories.



SECTION 32. Amending text of Salt Lake City Code section 21A.34.090.C.2. That section 21A.34.090.C.2 of the *Salt Lake City Code* (Zoning: Overlay Districts: SSSC South State Street Corridor Overlay District: Minimum Yard Requirement Exemption: Maximum Setback), shall be, and hereby is, amended to read as follows:

2. Maximum Setback: A maximum setback is required for at least thirty five percent (35%) of the building facade. The maximum setback is twenty five feet (25'). Exceptions to this requirement may be authorized through theas conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:

- a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
- b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission

SECTION 33. Amending text of Salt Lake City Code section 21A.34.090.E. That section 21A.34.090.E of the *Salt Lake City Code* (Zoning: Overlay Districts: SSSC South State Street Corridor Overlay District: Entrance and Visual Access), shall be, and hereby is, amended to read as follows:

E. Entrance ~~A~~and Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through theas conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:

- a. The requirement would negatively impact the historic character of the building,
- b. The requirement would negatively impact the structural stability of the building, or
- c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Appeal of administrative decision is to the planning commission.

2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection F1 of this section.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

SECTION 34. Amending text of Salt Lake City Code section 21A.58.070.E. That section 21A.58.070.E of the *Salt Lake City Code* (Zoning: Site Plan Review: Standards for Site Plan Review), shall be, and hereby is, amended to read as follows:

- E. General Plan Conformity: The planning division shall review site plans for all applications for conditional uses (including planned developments) and conditional building and side design reviews with reference to adopted plans and the conformity of the site plans with the objectives and policies of the adopted plans.

SECTION 35. Amending text of Salt Lake City Code section 21A.62.040. That section 21A.62.040 of the *Salt Lake City Code* (Zoning: Definitions: Definitions of Terms), shall be, and hereby is, amended to insert the definition of “CONDITIONAL BUILDING AND SITE DESIGN REVIEW” in alphabetical order into that section. The codifier is instructed to only add

said definition and leave the remainder of section 21A.62.040 undisturbed. The definition of “CONDITIONAL BUILDING AND SITE DESIGN REVIEW” shall read as follows:

CONDITIONAL BUILDING AND SITE DESIGN REVIEW: A design that is allowed only after review and approval by the planning commission which includes a comprehensive evaluation of a development and its impact on neighboring properties and the community as a whole, from the standpoint of site and landscape design, height, setbacks, front façade glass, architecture, materials, colors, lighting and signs in accordance with a set of adopted criteria and standards.

SECTION 36. Amending text of Salt Lake City Code section 21A.60.020. That section 21A.60.020 of the *Salt Lake City Code* (Zoning: List of Terms: List of Defined Terms), shall be, and hereby is, amended to insert the term “Conditional building and site design review” in alphabetical order into that section. The codifier is instructed to only add said term and leave the remainder of section 21A.60.020 undisturbed.

SECTION 37. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

---

CITY RECORDER  
(SEAL)

Bill No. \_\_\_\_\_ of 2013.  
Published: \_\_\_\_\_.

HB\_ATTYY-#22222-v9-Ordinance\_amending\_conditional\_bldg\_site\_design\_review.DOC

LEGISLATIVE VERSION

FRANK B. GRAY  
DIRECTOR

MARY DE LA MARE-SCHAEFER  
DEPUTY DIRECTOR

ROBERT FARRINGTON, JR.  
DEPUTY DIRECTOR

# SALT LAKE CITY CORPORATION

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT  
OFFICE OF THE DIRECTOR

SCANNED TO: *Maya*  
SCANNED BY: *Rachel*  
DATE: *3-27-12* MAYOR RALPH BECKER

## CITY COUNCIL TRANSMITTAL

  
David Everitt, Chief of Staff

Date Received: \_\_\_\_\_



Date Sent to City Council: 04/06/2012

TO: Salt Lake City Council  
Soren Simonsen, Chair

DATE: March 20, 2012

FROM: Frank Gray, Director  
Community & Economic Development Department

RE: PLNPCM2010-00783: requested by Mayor Ralph Becker to amend the Salt Lake City Zoning Ordinance to update regulations for the Building and Site Design Review process.

STAFF CONTACTS: Doug Dansie, Senior Planner  
801- 535-6182 or [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com)

RECOMMENDATION: That the City Council hold a briefing and schedule a Public Hearing

DOCUMENT TYPE: Ordinance

BUDGET IMPACT: None

### DISCUSSION:

**Issue Origin:** Mayor Ralph Becker has initiated a request to amend the Salt Lake City Zoning Ordinance to update regulations for the Building and Site Design Review process. The petition requests the removal of conflicts in the zoning ordinance standards relating to pedestrian oriented development and the Conditional Building and Site Design Review process.

**Analysis:** This is a request to update the Conditional Building and Site Design Review process in order to remove design features from the Conditional Use process, modify the existing design review process, eliminate conflicts and to clarify design criteria used in the design review process.

451 SOUTH STATE STREET, ROOM 404

P.O. BOX 145486, SALT LAKE CITY, UTAH 84114-5486

RE: Petition PLNPCM2010-00717, PLNPCM2010-00783-CBSDR

Page 1 of 2

TELEPHONE: 801-535-6230 FAX: 801-535-6005

[WWW.SLCGOV.COM/CEDE](http://WWW.SLCGOV.COM/CEDE)



For much of Salt Lake City's history, the Conditional Use process was the only discretionary approval process available for design review. Changes in State law have altered the approval process as to how cities may approve conditional uses. Furthermore, as Salt Lake City has developed more form based criteria, as opposed to land use based criteria, there needed to be a process and criteria for design features separate from land use, because the concerns are inherently different. A Conditional Building and Site Design Review process was created to provide a discretionary process to provide an alternative for strict design criteria. The review standards were originally written so the Planning Commission could determine if the intent of the design standards were being met, but not the strict interpretation. The existing criteria were previously inadvertently amended; creating a situation where the criteria for the discretionary outlet are more stringent than the strict design criteria. This petition will resolve this conflict.

***Master Plan Considerations:*** The following master plans have been reviewed:

- **Urban Design Element:** This plan calls for the development of a design sensibility in Salt Lake City that insures high quality development and attention to detail, particularly at the pedestrian level.

## **PUBLIC PROCESS**

- An Open House introducing these petitions and potential regulations was held on September 18 2011.
- There was an initial briefing with the Planning Commission at the June 22, 2011 meeting.
- At the public hearing on January 25, 2012; a motion was made to that the Planning Commission forward a positive recommendation to the City Council to approve the Zoning Text Amendments.

The Planning Commission vote was seven in favor; zero opposed; zero abstention.

## **RELEVANT ORDINANCES:**

Amendments to the Zoning Ordinance and Maps are authorized under Section 21A.50 of the Salt Lake City Zoning Ordinance, as detailed in Section 21A.50.050: "A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard." It does, however, list five standards, which should be analyzed prior to rezoning property (Section 21A.50.050 A-E). The five standards are discussed in detail in the Original Planning Commission Staff Report submitted as part of the previous ordinance adoption.

## **TABLE OF CONTENTS**

- 1. PROJECT CHRONOLOGY**
- 2. PROPOSED ORDINANCE**
- 3. NOTICE OF CITY COUNCIL HEARING**
- 4. MAILING LABELS**
- 5. PLANNING COMMISSION**
  - A) ORIGINAL NOTICE AND POSTMARK**  
January 13, 2012 newspaper
  - B) STAFF REPORT**
  - C) AGENDA AND MINUTES**
- 6. ORIGINAL PETITION**



## **1. PROJECT CHRONOLOGY**

## **PROJECT CHRONOLOGY**

November 16, 2010	Mayor Becker initiated a petition to clarify the Conditional Building and Site Design Review process.
June 22, 2011	The Planning Commission received a briefing
September 18, 2011	An Open House introducing these petitions and potential regulations was held.
January 13, 2012	Mailed public hearing notice for the January 25, 2012 Planning Commission meeting.
January 13, 2012	Published public hearing notice for the January 25, 2012 Planning Commission meeting in the Salt Lake Tribune.
January 25, 2012	The Planning Commission voted to forward a positive recommendation to the City Council for the text change to the Conditional Building and Site Design Review process.
February 8, 2012	Planning Commission ratified meeting minutes for January 25, 2012.
March 20, 2012	Ordinance received from Salt Lake City Attorney

## **2. PROPOSED ORDINANCE**

SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2012

(An ordinance amending certain sections of Title 21A of the  
*Salt Lake City Code* concerning conditional building and site design review)

An ordinance amending certain sections of Title 21A of the *Salt Lake City Code* pursuant to Petition No. PLNPCM2010-00783 to modify conditional building and site design review regulations.

WHEREAS, the Salt Lake City Planning Commission ("planning commission") held a public hearing on January 25, 2012 to consider a request made by Salt Lake City Mayor Ralph Becker (petition no. PLNPCM2010-00783) to amend various sections of Title 21A (Zoning) of the *Salt Lake City Code* to modify the conditional building and site design review regulations; and

WHEREAS, at its January 25, 2012 hearing, the planning commission voted to transmit a positive recommendation to the Salt Lake City Council ("city council") on said application; and

WHEREAS, after a public hearing on this matter the city council has determined that adopting this ordinance is in the city's best interests,

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending text of *Salt Lake City Code* section 21A.06.030.B.5. That section 21A.06.030.B.5 of the *Salt Lake City Code* (Zoning: Decision Making Bodies and Officials: Planning Commission: Jurisdiction and Authority), shall be, and hereby is, amended to read as follows:

5. Review, hear and decide applications for conditional uses, including planned developments, pursuant to the procedures and standards set forth in chapter 21A.54, "Conditional Uses", of this title and Conditional Building and Site Design Review, pursuant to the procedures and standards set forth in Chapter 21A.59, Conditional Building and Site Design Review;

SECTION 2. Amending text of Salt Lake City Code chapter 21A.59. That chapter 21A.59 of the *Salt Lake City Code* (Zoning: Conditional Building and Site Design Review), shall be, and hereby is, amended to read as follows:

**Chapter 21A.59**  
**CONDITIONAL BUILDING AND SITE DESIGN REVIEW**

**21A.59.010: PURPOSE STATEMENT:**

**21A.59.020: AUTHORITY:**

**21A.59.030: SCOPE OF APPLICATION:**

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

**21A.59.050: APPLICATION REQUIREMENTS:**

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

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

**21A.59.010: PURPOSE STATEMENT:**

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

**21A.59.020: AUTHORITY:**

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

- A. The planning commission shall approve design criteria upon consideration of comments received from city departments and determining whether modification of specific design regulations meets the intent of the individual zoning district.
- B. The planning commission may modify individual design requirements for specific projects if they find that the intent of the basic design criteria of the zoning district has been met.

#### **21A.59.030: SCOPE OF APPLICATION:**

Design review approval shall be required for all permitted uses, conditional uses and accessory uses when specifically authorized and referenced by individual zoning districts.

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

The authority of the planning commission through the design review process shall be limited to modification of the specific element referenced within each zoning district. In the TSA zoning district, the planning commission or administrative hearing officer, shall have the authority to determine if a proposal generally compiles with the transit station area development guidelines and may make modifications to the Building and Site Design proposal to insure compliance.

#### **21A.59.050: APPLICATION REQUIREMENTS:**

Each application for design review shall include the same information as required for site plan review as identified in section 21A.58.060 of this title.

#### **21A.59.060: STANDARDS FOR DESIGN REVIEW:**

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

- A. Development shall be primarily oriented to the street, not an interior courtyard or parking lot.
  - 1. ~~Primary building orientation shall be toward the street rather than the parking area. The principal entrance shall be designed to be readily apparent.~~
  - 2. ~~At least sixty percent (60%) of the street frontage of a lot shall have any new building located within ten feet (10') of the front setback. Parking is permitted in this area.~~
  - 3. ~~Any buildings open to the public and located within thirty feet (30') of a public street shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be a distinctive and prominent element of the building's architectural design, and shall be open to the public during all business hours.~~
  - 4. ~~Each building shall incorporate lighting and changes in mass, surface, or finish to give emphasis to its entrances.~~
- B. Primary access shall be oriented to the pedestrian and mass transit.

- ~~1. Each building shall include an arcade, roof, alcove, portico, awnings, or similar architectural features that protect pedestrians from the rain and sun.~~

C. Building facades shall include detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction.

- ~~1. At least forty percent (40%) of any first floor wall area that faces and is within thirty feet (30') of a primary street, plaza, or other public open space shall contain display areas, windows, or doorways. Windows shall allow views into a working area or lobby, a pedestrian entrance, or display area. First floor walls facing a side street shall contain at least twenty five percent (25%) of the wall space in window, display area, or doors. Monolithic walls located within thirty feet (30') of a public street are prohibited.~~

- ~~2. Recessed or projecting balconies, verandas, or other usable space above the ground level on existing and new buildings is encouraged on a street facing elevation. Balconies may project over a public right of way, subject to an encroachment agreement issued by the city.~~

D. Architectural detailing shall be included on the ground floor to emphasize the pedestrian level of the building.

E. Parking lots shall be appropriately screened and landscaped to minimize their impact on adjacent neighborhoods. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods.

- ~~1. Parking areas shall be located behind or at one side of a building. Parking may not be located between a building and a public street.~~
- ~~2. Parking areas shall be shaded by large broadleaf canopied trees placed at a rate of one tree for each six (6) parking spaces. Parking shall be adequately screened and buffered from adjacent uses.~~
- ~~3. Parking lots with fifteen (15) spaces or more shall be divided by landscaped areas including a walkway at least ten feet (10') in width or by buildings.~~

F. ~~Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods.~~

GF. Parking and on site circulation shall be provided with an emphasis on making safe pedestrian connections to the street or other pedestrian facilities.

- ~~1. Connections shall be made when feasible to any streets adjacent to the subject property and to any pedestrian facilities that connect with the property.~~



- ~~2. A pedestrian access diagram that shows pedestrian paths on the site that connect with a public sidewalk shall be submitted.~~

~~HG.~~ Dumpsters and loading docks shall be appropriately screened or located within the structure.

- ~~1. Trash storage areas, mechanical equipment, and similar areas are not permitted to be visible from the street nor permitted between the building and the street.~~
- ~~2. Appropriate sound attenuation shall occur on mechanical units at the exterior of buildings to mitigate noise that may adversely impact adjacent residential uses.~~

~~IH.~~ Signage shall emphasize the pedestrian/mass transit orientation.

~~II.~~ Lighting shall meet the lighting levels and design requirements set forth in chapter 4 of the Salt Lake City lighting master plan dated May 2006.

~~KJ.~~ Streetscape improvements shall be provided as follows:

- ~~1. One street tree chosen from the street tree list consistent with the city's urban forestry guidelines and with the approval of the city's urban forester shall be placed for each thirty feet (30') of property frontage on a street. Existing street trees removed as the result of a development project shall be replaced by the developer with trees approved by the city's urban forester.~~
- ~~2. Landscaping material shall be selected that will assure eighty percent (80%) ground coverage occurs within three (3) years.~~
- ~~3. Hardscape (paving material) shall be utilized to designate public spaces. Permitted materials include unit masonry, scored and colored concrete, grasscrete, or combinations of the above.~~
- ~~4. Outdoor storage areas shall be screened from view from adjacent public rights of way. Loading facilities shall be screened and buffered when adjacent to residentially zoned land and any public street.~~
- ~~5. Landscaping design shall include a variety of deciduous and/or evergreen trees, and shrubs and flowering plant species well adapted to the local climate.~~

~~L.~~ Street trees shall be provided as follows:

- ~~1. Any development fronting on a public or private street shall include street trees planted consistent with the city's urban forestry guidelines and with the approval of the city's urban forester.~~

- ~~2. 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.~~

MK. The following additional standards shall apply to any large scale developments with a gross floor area exceeding sixty thousand (60,000) square feet:

1. The orientation and scale of the development shall conform to the following requirements:
  - a. Large building masses shall be divided into heights and sizes that relate to human scale by incorporating changes in building mass or direction, sheltering roofs, a distinct pattern of divisions on surfaces, windows, trees, and small scale lighting.
  - b. No new buildings or contiguous groups of buildings shall exceed a combined contiguous building length of three hundred feet (300').
2. Public spaces shall be provided as follows:
  - a. One square foot of plaza, park, or public space shall be required for every ten (10) square feet of gross building floor area.
  - b. Plazas or public spaces shall incorporate at least three (3) of the five (5) following elements:
    - (1) Sitting space of at least one sitting space for each two hundred fifty (250) square feet shall be included in the plaza. Seating shall be a minimum of sixteen inches (16") in height and thirty inches (30") in width. Ledge benches shall have a minimum depth of thirty inches (30");
    - (2) A mixture of areas that provide shade;
    - (3) Trees in proportion to the space at a minimum of one tree per eight hundred (800) square feet, at least two inch (2") caliper when planted;
    - (4) Water features or public art; and/or
    - (5) Outdoor eating areas, ~~or locations for food vendors.~~

NL. Any new development shall comply with the intent of the purpose statement of the zoning district and specific design regulations found within the zoning district in which the project is located as well as adopted master plan policies, the city's adopted "urban design element" and design guidelines governing the specific area of the proposed development. Where there is a conflict between the standards found in this

section and other adopted plans and regulations, the more restrictive regulations shall control.

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

In addition to standards provided in 21A.59.060, the following standards shall be applied to all applications for conditional building and design review regarding height:

- A. The roofline contains architectural features that make it distinctive on the skyline; flat roofs are discouraged unless also being used for other purposes such as rooftop gardens, common space for building occupants or the public, heliport, etc.
- B. There is architectural detailing at the cornice level.
- C. Lighting highlights the architectural detailing of the entire building but shall not exceed the maximum lighting standards as further described elsewhere in this title.

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

~~A. Preapplication Conference: Before filing an application for design review, the applicant is encouraged to confer with the development review team (DRT) regarding the general proposal. Such action does not require formal application fees, or filing of a site plan, or landscape plan and is not to be construed as an application for formal approval. No representation made by the planning director, the DRT or other city departments during such conference shall be binding upon the city with respect to an application subsequently submitted.~~

~~BA.~~ Fees: Every design review application shall be accompanied by a fee as established in the fee schedule, chapter 21A.64 of this title.

~~CB.~~ Submission Of Final Plans; Review And Approval:

1. Planning Commission Review: After the plans and related materials and fees have been submitted pursuant to section 21A.59.050 of this chapter, and the application has been determined by the planning director to be complete pursuant to section 21A.10.010 of this title, the application shall be reviewed and processed through the planning commission in coordination with the appropriate city departments. If the plan is approved, the planning director shall certify approval and state the conditions of such approval, if any. If the design is disapproved, the planning director shall indicate reasons for such in writing to the applicant.
2. Appeal Of Planning Commission Decision: Any appeal of the planning commission decision shall be made to the land use appeals board, pursuant to title 2, chapter 2.88 of this code within ten (10) calendar days of the date on which a record of decision is issued.

3. ~~Certification B~~by Planning Commission: The decisions of the planning commission approving the application shall be noted on all copies of applicable plans to be retained in the record, including any changes or conditions required as part of the design review approval. One such copy shall be returned to the applicant, and others retained as required for records or further action by the planning commission or other affected agencies of the city.
4. Building Permits: Building permits shall be issued in accordance with approved plans. A copy of the approved plan shall be retained in the records of the office of the division of building services and licensing and all building and occupancy permits shall conform to the provisions of the approved design review.
5. ~~Amendments O~~r Modifications ~~T~~o Approved Design Review: Amendments or modifications to approved design review must be submitted to the planning director. Such modifications shall be submitted in accordance with the procedures and requirements of this chapter and shall be distributed to the appropriate departments for review. The planning director may waive this requirement if the planning director determines that such modification of the original design review has no significant impact upon the original proposal and still remains in conformance with design concepts approved by the planning commission.
6. Time Limit ~~O~~n Approval: Approval of design review shall be void unless a building permit has been issued or complete building plans have been submitted to the division of building services and licensing within ~~one year~~ two years from the date of approval. The planning director may grant an extension of a design review approval for up to one additional year when the applicant is able to demonstrate no change in circumstance that would result in an unmitigated impact. Extension requests must be submitted to the planning director in writing prior to the expiration of the design review approval.

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

When a development is proposed which requires Building and Site Design Review along with a conditional use approval, the planning commission shall review the applications together. The proposed applications shall be reviewed and approved, reviewed with conditions, approved with modifications, or denied.

SECTION 3. Amending text of Salt Lake City Code section 21A.24.164.E. That section 21A.24.164.E of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU-35 Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:

E. Maximum Building Height: The maximum building height shall not exceed thirty five feet (35'), except that nonresidential buildings and uses shall be limited by subsections E1 and E2 of this section. Buildings taller than thirty five feet (35'), up to a maximum of forty five feet (45'), may be authorized ~~as through the conditional building and site design review process conditional uses~~, subject to the requirements of chapter 21A.54, "Conditional Uses", of this title; and provided, that the proposed ~~height conditional use~~ is supported by the applicable master plan.

1. Maximum height for nonresidential buildings: Twenty feet (20').
2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: One floor.

SECTION 4. Amending text of Salt Lake City Code section 21A.24.168.E. That section 21A.24.168.E of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU-45

Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:

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 and E2 of this section. Buildings taller than forty five feet (45'), up to a maximum of seventy five feet (75'), may be authorized ~~as through the building conditional building and site design review process conditional uses~~, subject to the requirements of chapter 21A.54, "Conditional Uses", of this title; and provided, that the proposed ~~height conditional use~~ is supported by the applicable master plan.

1. Maximum height for nonresidential buildings: Twenty feet (20').
2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: One floor.

SECTION 5. Amending text of Salt Lake City Code section 21A.24.170.F. That section 21A.24.170.F of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU

Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:

F. Maximum Building Height: The maximum building height shall not exceed seventy five feet (75'), except that nonresidential buildings and uses shall be limited by subsections F1 and F2 of this section. Buildings taller than seventy five feet (75'), up to a maximum of one hundred twenty five feet (125'), may be authorized ~~as through the building conditional building and site design review process conditional uses~~, subject to the requirements of chapter 21A.54, "Conditional Uses", of this title; and provided, that the proposed ~~height conditional use~~ is located within the one hundred twenty five foot (125') height zone of the height map of the east downtown master plan.

1. Maximum height for nonresidential buildings: Forty five feet (45').
2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: Three (3) floors.

SECTION 6. Amending text of Salt Lake City Code section 21A.24.170.J. That section 21A.24.170.J of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:

J. Entrance ~~A~~ and Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized as conditional through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may approve a modification to this requirement, if the planning director finds:
  - a. The requirement would negatively impact the historic character of the building,
  - b. The requirement would negatively impact the structural stability of the building, or
  - c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Appeal of administrative decision is to the planning commission.

2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection J1 of this section.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

SECTION 7. Amending text of Salt Lake City Code section 21A.24.180.I. That section 21A.24.180.I of the *Salt Lake City Code* (Zoning: Residential Districts: RO Residential/Office District), shall be, and hereby is, amended to read as follows:

- I. ~~Offices in Existing Buildings On Lots Less Than Twenty Thousand Square Feet:~~ Offices occupying existing buildings are permitted on a five thousand (5,000) square foot minimum lot. Additions to existing buildings that are greater than fifty percent (50%) of the existing building footprint or that exceed the height of the existing building shall be subject to conditional building and site design review ~~conditional use approval~~.

SECTION 8. Amending text of Salt Lake City Code section 21A.24.190 (qualifying provision 6). That section 21A.24.190 of the *Salt Lake City Code* (Zoning: Residential Districts: Table of Permitted and Conditional Uses for Residential Districts), shall be, and hereby is, amended to amend the text of qualifying provision 6, which qualifying provision follows the table therein, and which shall read as follows:

6. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review ~~the conditional use process~~.

SECTION 9. Amending text of Salt Lake City Code section 21A.26.010.J. That section 21A.26.010.J of the *Salt Lake City Code* (Zoning: Commercial Districts: General Provisions), shall be, and hereby is, amended to read as follows:

- J. ~~Modifications To Maximum Height:~~ Additions to the maximum height due to the natural topography of the site may be approved pursuant to the following procedures and standards:

~~1. Modifications Of Ten Percent Or Less Of Maximum Height:~~



- a. ~~The board of adjustment may approve, as a special exception, additional height not exceeding ten percent (10%) of the maximum height pursuant to the standards and procedures of chapter 21A.52 of this title. Specific conditions for approval are found in subsection 21A.52.100G of this title.~~

1. Modifications of Ten Percent or Less of Maximum Height:

- a. The planning commission may approve, as a special exception, additional height not exceeding ten percent (10%) of the maximum height pursuant to the standards and procedures of chapter 21A.52 of this title. Specific conditions for approval are found in chapter 21A.52 of this title.

2. Modifications Of More Than Ten Percent Of Maximum Height:

- a. ~~Conditional Use~~ Conditional Building and Site Design Review: As a conditional use. Through conditional building and site design review for properties on a sloping lot in commercial zoning districts, pursuant to chapter 21A.54 59 of this title, the planning commission, ~~or in the case of an administrative approval the planning director or designee~~ may allow additional building height of more than ten percent (10%) of the maximum height, but not more than one additional story, if the first floor of the building exceeds twenty thousand (20,000) square feet. The additional story shall not be exposed on more than fifty percent (50%) of the total building elevations.

SECTION 10. Amending text of Salt Lake City Code section 21A.26.020.F. That section 21A.26.020.F of the *Salt Lake City Code* (Zoning: Commercial Districts: CN Neighborhood Commercial District), shall be, and hereby is, amended to read as follows:

F. Minimum Yard Requirements:

1. ~~Front Or Corner Side Yard:~~ A fifteen foot (15') minimum front or corner side yard shall be required. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission.
2. Interior Side Yard: None required.
3. Rear Yard: Ten feet (10').
4. Buffer Yards: Any lot abutting a lot in a residential district shall conform to the buffer yard requirements of chapter 21A.48 of this title.

5. Accessory Buildings And Structures in Yards: Accessory buildings and structures may be located in a required yard subject to table 21A.36.020B of this title.
6. Maximum Setback: A maximum setback is required for at least sixty five percent (65%) of the building facade. The maximum setback is twenty five feet (25'). Exceptions to this requirement may be authorized as through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:
  - a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
  - b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission.

7. Parking Setback: Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a thirty foot (30') landscape setback from the front property line or be located behind the primary structure. Parking structures shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line or be located behind the primary structure. There are no minimum or maximum setback restrictions on underground parking. The planning director may modify or waive this requirement if the planning director finds the following:
  - a. The parking is compatible with the architecture/design of the original structure or the surrounding architecture.
  - b. The parking is not part of a series of incremental additions intended to subvert the intent of the ordinance.
  - c. The horizontal landscaping is replaced with vertical screening in the form of berms, plant materials, architectural features, fencing and/or other forms of screening.
  - d. The landscaped setback is consistent with the surrounding neighborhood character.

- e. The overall project is consistent with section 21A.59.060 of this title.

Appeal of administrative decision is to the planning commission.

SECTION 11. Amending text of Salt Lake City Code section 21A.26.020.I. That section 21A.26.020.I of the *Salt Lake City Code* (Zoning: Commercial Districts: CN Neighborhood Commercial District), shall be, and hereby is, amended to read as follows:

I. Entrance ~~A~~ and Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through the as conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:
  - a. The requirement would negatively impact the historic character of the building, or
  - b. The requirement would negatively impact the structural stability of the building.

Appeal of administrative decision is to the planning commission.

2. Facades: ~~Provide~~ at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection II of this section.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

SECTION 12. Amending text of Salt Lake City Code section 21A.26.030. That section 21A.26.030 of the *Salt Lake City Code* (Zoning: Commercial Districts: CB Community Business District), shall be, and hereby is, amended to read as follows:

21A.26.030: CB COMMUNITY BUSINESS DISTRICT:

- A. Purpose Statement: The CB community business district is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.
- B. Uses: Uses in the CB community business district as specified in section 21A.26.080, "Table ~~Of~~ Permitted ~~And~~ Conditional Uses ~~For~~ Commercial Districts", of this chapter are permitted subject to the general provisions set forth in section 21A.26.010 of this chapter and this section.
- C. Planned Development Review: Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections, may be approved by the planning commission pursuant to the provisions of chapter 21A.55 of this title.
- D. Lot Size Requirements: No minimum lot area or lot width is required, however any lot exceeding four (4) acres in size shall be allowed only as a conditional use through the conditional building and site design review process.
- E. Maximum Building Size: Any building having a fifteen thousand (15,000) gross square foot floor area of the first floor or a total floor area of twenty thousand (20,000) gross square feet or more, shall be allowed only as a conditional use through the conditional building and side design review process. An unfinished basement used only for storage or parking shall be allowed in addition to the total square footage.
- F. Minimum Yard Requirements:
  - 1. Front ~~Or~~ Corner Side Yard: No minimum yard is required. If a front yard is provided, it shall comply with all provisions of this title applicable to front or corner side yards, including landscaping, fencing, and obstructions.
  - 2. Interior Side Yard: None required.
  - 3. Rear Yard: Ten feet (10').

4. Buffer Yards: Any lot abutting a lot in a residential district shall conform to the buffer yard requirements of chapter 21A.48 of this title.
5. Accessory Buildings and Structures in Yards: Accessory buildings and structures may be located in a required yard subject to table 21A.36.020B of this title.
6. Maximum Setback: A maximum setback is required for at least seventy five percent (75%) of the building facade. The maximum setback is fifteen feet (15'). Exceptions to this requirement may be authorized as through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:
  - a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
  - b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission.

7. Parking Setback: Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a twenty foot (20') landscape setback from the front property line or be located behind the primary structure. Parking structures shall maintain a thirty five foot (35') minimum setback from a front or corner side yard property line or be located behind the primary structure. There are no minimum or maximum setback restrictions on underground parking. The planning director may modify or waive this requirement if the planning director finds the following:
  - a. The parking is compatible with the architecture/design of the original structure or the surrounding architecture.
  - b. The parking is not part of a series of incremental additions intended to subvert the intent of the ordinance.
  - c. The horizontal landscaping is replaced with vertical screening in the form of berms, plant materials, architectural features, fencing and/or other forms of screening.

- d. The landscaped setback is consistent with the surrounding neighborhood character.
- e. The overall project is consistent with section 21A.59.060 of this title.

Appeal of administrative decision is to the planning commission.

G. Landscape Yard Requirements: If a front or corner side yard is provided, such yard shall be maintained as a landscape yard. The landscape yard can take the form of a patio or plaza, subject to site plan review approval.

H. Maximum Height: Thirty feet (30').

I. Entrance Aand Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized asthrough the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:
  - a. The requirement would negatively impact the historic character of the building,
  - b. The requirement would negatively impact the structural stability of the building, or
  - c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Appeal of administrative decision is to the planning commission.

2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection I1 of this section.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.
- J. Parking Lot/Structure Lighting: If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for the parking lot/structure security lighting are limited to sixteen feet (16') in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

SECTION 13. Amending text of Salt Lake City Code section 21A.26.050.F. That section 21A.26.050.F of the *Salt Lake City Code* (Zoning: Commercial Districts: CC Corridor Commercial District), shall be, and hereby is, amended to read as follows:

- F. Maximum Height: No building shall exceed thirty feet (30'). Buildings higher than thirty feet (30') may be allowed in accordance with the provisions of subsections F1 and F2 of this section.
  1. Procedure For Modification: A modification to the height regulations in this subsection F may be granted ~~as a conditional use~~ through the conditional building and site design process in conformance with the provisions of chapter 21A.54 ~~59~~ of this title. In evaluating an application submitted pursuant to this section, the planning commission shall find that the increased height will result in improved site layout and amenities.
  2. Landscaping: If an additional floor is approved, increased landscaping shall be provided over and above that which is normally required for landscape yards, landscape buffer yards, and parking lot perimeter and interior landscaping. The amount of increased landscaping shall be equal to ten percent (10%) of the area of the additional floor.
  3. Maximum Additional Height: Additional height shall be limited to fifteen feet (15').

SECTION 14. Amending text of Salt Lake City Code section 21A.26.070.F. That section 21A.26.070.F of the *Salt Lake City Code* (Zoning: Commercial Districts: CG General Commercial District), shall be, and hereby is, amended to read as follows:



F. Maximum Height: No building shall exceed sixty feet (60'). Buildings higher than sixty feet (60') may be allowed in accordance with the provisions of subsections F1 and F2 of this section.

1. Procedure Ffor Modification: A modification to the height regulations in this subsection F may be granted ~~as a conditional use in~~ through the conditional building and site design review process in conformance with the provisions of chapter 21A.5459 of this title. In evaluating an application submitted pursuant to this section, the planning commission or in the case of an administrative approval the planning director or designee, shall find that the increased height will result in improved site layout and amenities.
2. Landscaping: If additional floors are approved, increased landscaping shall be provided over and above that which is normally required for landscape yards, landscape buffer yards, and parking lot perimeter and interior landscaping. The amount of increased landscaping shall be equal to ten percent (10%) of the area of the additional floors.
3. Maximum Additional Height: Additional height shall be limited to thirty feet (30').

SECTION 15. Amending text of Salt Lake City Code section 21A.26.077. That section 21A.26.077 of the *Salt Lake City Code* (Zoning: Commercial Districts: TC-75 Transit Corridor District), shall be, and hereby is, amended to read as follows:

21A.26.077: TC-75 TRANSIT CORRIDOR DISTRICT:

- A. Purpose Statement: The purpose of the TC-75 transit corridor district is to create transit oriented neighborhoods near stations along major transit corridors with a high residential density that promotes commercial and economic growth, increases transit ridership and improves the vitality of the community. The primary focus is to increase residential density through development that takes advantage of the proximity to transit and creates a sustainable, transit oriented neighborhood. The standards for the district are intended to create a pedestrian friendly environment and to emphasize that pedestrian and mass transit access is the primary focus of development.
- B. Uses: Uses in the TC-75 transit corridor district as specified in section 21A.26.080, "Table G of Permitted A and Conditional Uses Ffor Commercial Districts", of this chapter, are permitted subject to the general provisions set forth in section 21A.26.010 of this chapter and this section.
- C. Planned Development Review: Planned developments, which meet the intent of this section, but not the specific design criteria outlined in the following subsections may

be approved by the planning commission pursuant to the provisions of chapter 21A.55 of this title.

D. Minimum Lot Size:

1. Minimum lot area: Ten thousand (10,000) square feet.
2. Minimum lot width: Fifty feet (50').

E. Minimum Yard Requirements:

1. Front ~~And~~ Corner Side Yards: Fifteen feet (15'). Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. Exceptions to the minimum setback are limited to the two (2) lower levels of the building only; the main tower of the building must maintain the minimum setback. Exceptions are limited to structural elements that enhance the pedestrian experience of the space such as, but not limited to, patio covers, building entry canopies, etc.
2. Interior Side Yards: None required.
3. Rear Yards: None required.
4. Buffer Yards: All lots abutting property in a residential district shall conform to the buffer yard requirement of chapter 21A.48 of this title.
5. Accessory Buildings ~~And~~ Structures in Yards: Accessory buildings and structures may be located in a required yard subject to table 21A.36.020B of this title.
6. Maximum Building Setback: Twenty five feet (25'). Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The majority of the ground level facade of a building shall be placed parallel, and not at an angle, to the street. Where an arcade facing the street is provided, the maximum setback for the building shall be measured to the supporting beams for the arcade or the facade of the upper floors, not the facade of the arcade level. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:

- a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
- b. The addition is not part of a series of incremental additions intended to subvert the intent of this section.

Any appeal of an administrative decision made pursuant to subsection E6 of this section may be made to the planning commission.

- F. Landscape Yard Requirements: A landscape yard of fifteen feet (15') shall be required on all front and corner side yards, conforming to the requirements of section 21A.48.090 and subsection 21A.48.100.C of this title, except as authorized as a ~~conditional use~~ through the conditional building and site design review, subject to conformance with the standards and procedures of chapter 21A.54.59 of this title.
- G. Maximum Nonresidential Building Height: The maximum building height in the TC-75 zoning district shall not exceed thirty feet (30') for those buildings used exclusively for nonresidential purposes.
1. Additional building square footage may be allowed up to a maximum building height of seventy five feet (75') (or to a building height of 125 feet through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title and conformity with applicable master plan policy) provided that for each additional floor of nonresidential use above thirty feet (30'), the equivalent amount of square footage, inclusive of the first thirty feet (30'), is required to be built as residential square footage.
  2. The residential component may be transferred off site to another property in the TC-75 zoning district along the 400 South Street frontage generally located between 200 East and 925 East. For such off site residential configuration, the amount of residential development required is equal to the square footage of the total amount of square footage obtained for the nonresidential floors rising in the total project.
  3. For those developments where the required residential component is transferred off site, prior to the issuance of a building permit for the nonresidential structure, the applicant must identify specifically where the residential structure will be located in the area zoned TC-75 along to 400 South Street corridor generally located between 200 East and 900 East and enter into a development agreement with the city to ensure the construction of the residential structure in a timely manner. In such cases where the residential use is built off site, one of the following shall apply:

- a. Construction of the off site residential use must be progressing beyond the footings and foundation stage, prior to the nonresidential portion of the development obtaining a certificate of occupancy, or
    - b. A financial assurance that construction of the off site residential use will commence within two (2) years of receiving a certificate of occupancy for the nonresidential component of the development. The financial assurance shall be in an amount equal to fifty percent (50%) of the construction valuation for the residential component of the development as determined by the building official. The city shall call the financial assurance and deposit the proceeds in the city's housing trust fund if construction has not commenced within two (2) years of the issuance of the certificate of occupancy for the nonresidential component of the development.
  4. Maximum building height may be obtained to one hundred twenty five feet (125') for any building subject to at least ninety percent (90%) of all parking for said building being provided as structured parking.
- H. Maximum Residential Building Height: No residential building, or mixed use building shall exceed seventy five feet (75') in height. Building heights in excess of seventy five feet (75'), but not more than one hundred twenty five feet (125') may be approved through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title and conformity with applicable master plan policy.
1. Maximum building height may be obtained to one hundred twenty five feet (125') where at least ninety percent (90%) of all parking for said building is provided as structured parking.
  2. The ground floor shall include either nonresidential uses or public service portions of residential buildings.
- I. Restrictions On Parking Lots And Structures: The following regulations shall apply to surface or aboveground parking facilities.
1. Block Corner Areas: Within block corner areas, surface parking lots and structures shall be located behind principal buildings, or at least sixty feet (60') from front and corner side lot lines.
  2. Mid Block Areas: Within the mid block areas, parking structures shall be located behind principal buildings, or above the first level, or at least thirty feet (30') from front and corner side lot lines. A modification to this requirement may be granted as a conditional use through the conditional building and site design review, subject to conformance with the standards and procedures of chapter 21A.54 59 of this title. Parking structures located above the first level and less than thirty feet (30') from a front or corner side yard shall meet the following:

- a. Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line.
- b. Levels of parking above the first level facing the front or corner side lot line shall have floors and/or facades that are horizontal, not sloped.

Mid block surface parking lots shall have a twenty five foot (25') landscaped setback.

3. ~~Accessory And Commercial Parking Structures:~~ Accessory parking structures, built prior to the principal use, and commercial parking structures, shall be permitted ~~as conditional uses through the conditional building and site design review~~ with the approval of the planning commission pursuant to the provisions of chapter 21A.54.59 of this title.
4. Belowground Parking Facilities: No special design and setback restrictions shall apply to belowground parking facilities.
5. Landscape Requirements: Surface parking lots shall meet interior landscape requirements as outlined in chapter 21A.48 of this title.
6. Waiver: The planning director may modify or waive this requirement if the planning director finds the following:
  - a. The parking is compatible with the architecture/design of the original structure or the surrounding architecture.
  - b. The parking is not part of a series of incremental additions intended to subvert the intent of this section.
  - c. The horizontal landscaping is replaced with vertical screening in the form of berms, plant materials, architectural features, fencing and/or other forms of screening.
  - d. The landscaped setback is consistent with the surrounding neighborhood character.
  - e. The overall project is consistent with section 21A.59.060 of this title.

Any appeal of an administrative decision made pursuant to this subsection I6 may be made to the planning commission.

7. Conditional Building ~~And Site Design Review:~~ A modification to the restrictions on parking lots and structures provisions of this section may be authorized as conditional building and site design review, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission.

J. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings, or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. There must be visual clearance behind the glass for a minimum of two feet (2'). All first floor glass shall be nonreflective. The reflectivity in glass shall be limited to eighteen percent (18%) as defined by ASTA standards. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through the as conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:

1. The requirement would negatively impact the historic character of the building, or
2. The requirement would negatively impact the structural stability of the building.
3. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Any appeal of an administrative decision made pursuant to this subsection may be made to the planning commission.

K. Doors And Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement as outlined in subsection J of this section.

L. Maximum Length Of Blank Walls: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

M. Density: There is no maximum residential density.

SECTION 16. Amending text of Salt Lake City Code section 21A.30.020. That section 21A.30.020 of the *Salt Lake City Code* (Zoning: Downtown Districts: D-1 Central Business District), shall be, and hereby is, amended to read as follows:

21A.30.020: D-1 CENTRAL BUSINESS DISTRICT:

A. Purpose Statement: The purpose of the D-1 central business district is to provide for commercial and economic development within Salt Lake City's most urban and intense areas. A broad range of uses, including very high density housing, are

intended to foster a twenty four (24) hour activity environment consistent with the area's function as the business, office, retail, entertainment, cultural and tourist center of the region. Development is intended to be very intense with high lot coverage and large buildings that are placed close together while being oriented towards the pedestrian with a strong emphasis on a safe and attractive streetscape and preserving the urban nature of the downtown area. This district is appropriate in areas where supported by applicable master plans. The standards are intended to achieve established objectives for urban design, pedestrian amenities and land use control.

- B. Uses: Uses in the D-1 central business district as specified in section 21A.30.050, "Table of Permitted and Conditional Uses For Downtown Districts", of this chapter, are permitted subject to the general provisions set forth in section 21A.30.010 of this chapter. In addition, all conditional uses in the D-1 district shall be subject to design review approval by the planning commission.
- C. Organization of District Regulations: In addition to regulations that apply to the D-1 central business district as a whole, three (3) sets of regulations are contained in this district that apply to specific geographical areas:
1. Special Controls Over Block Corners: These regulations apply only to properties within a specified distance from street intersections, as established in subsection E of this section.
  2. Special Controls Over Mid Block Areas: These regulations apply only to the intervening property between block corner properties, as established in subsection F of this section.
  3. Special Controls Over The Main Street Retail Core: These regulations apply only to the Main Street retail core area, as established in subsection G of this section. The regulations governing block corners and mid block areas also apply to the Main Street retail core.
- D. D-1 District General Regulations: The regulations established in this section apply to the D-1 district as a whole.
1. Minimum Lot Size: No minimum lot area or lot width is required, except in block corner areas as specified in subsection E5 of this section.
  2. Yard Requirements:
    - a. Front and Corner Side Yards: No minimum yards are required, however, no yard shall exceed five feet (5') except as authorized as a conditional use through the conditional building and site design review process. Such conditional uses, conditional building and site design reviews shall be subject to the requirements of chapter 21A.54 59 of this title, as well as design review by the planning commission. Where an entire block frontage is under

one ownership, the setback for that block frontage shall not exceed twenty five feet (25'). Exceptions to this requirement may be authorized as ~~conditional uses~~ through the conditional building and site design review, subject to the requirements of chapter 21A.54 59 of this title, ~~and the review and approval of the planning commission.~~

- b. Interior Side ~~A~~nd Rear Yards: None required.
3. Restrictions ~~O~~n Parking Lots ~~A~~nd Structures: An excessive influence of at or above ground parking lots and structures can negatively impact the urban design objectives of the D-1 district. To control such impacts, the following regulations shall apply to at or above ground parking facilities:
- a. Within block corner areas and on Main Street, parking lots and structures shall be located behind principal buildings, or at least seventy five feet (75') from front and corner side lot lines.
  - b. Within the mid block areas, parking lots and structures shall conform to the following:
    - (1) Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line. The facades of such first floor shall be compatible and consistent with the associated retail or office ~~portion~~ of the building and other retail uses in the area.
    - (2) Levels of parking above the first level facing the front or corner side lot line shall have floors/facades that are horizontal, not sloped.
  - c. Accessory parking structures built prior to the principal use, and commercial parking structures, shall be permitted as conditional uses with the approval of the ~~planning commission~~ pursuant to the provisions of chapter 21A.54 of this title.
  - d. No special restrictions shall apply to belowground parking facilities.
  - e. Parking lots, proposed as a principal use to facilitate a building demolition, shall be permitted as a conditional use with the approval of the planning commission pursuant to the provisions of chapter 21A.54 of this title, where it is found that the parking lot is:
    - (1) Associated with a proposed principal land use; or
    - (2) Shown to be necessary for an existing adjacent land use(s). Demand shall be demonstrated through affidavits or executed lease agreements for off site parking. Said lot shall be located within five hundred feet (500') of the



principal use(s) that it is proposed to serve, and shall not exceed more than fifty percent (50%) of the required parking stall count for said use(s); or

- (3) Not associated with a principal land use or a specific increase in parking demand. The applicant shall document to the planning commission's satisfaction that there is a need for more commercial parking in a given area and, if so, it must participate in the overall downtown token program.
4. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the D-1 central business district shall be at least forty percent (40%) glass surfaces, except that in the Main Street retail core where this requirement shall be sixty percent (60%). All first floor glass in the Main Street retail core shall be nonreflective type glass. Exceptions to this requirement may be authorized as conditional uses through the conditional building and site design review process, subject to the requirements of chapter 21A.54 59 of this title. The zoning administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in chapter 21A.14 of this title, if the zoning administrator finds: The planning director may approve a modification to this requirement, if the planning director finds:
  - a. The requirement would negatively impact the historic character of the building, or
  - b. The requirement would negatively impact the structural stability of the building.
  - c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).
- Appeal of administrative decision is to the planning commission.
5. Interior Plazas, Atriums And Galleries: Interior plazas, atriums and galleries shall be permitted throughout the D-1 central business district.
6. Location Of Service Areas: All loading docks, refuse disposal areas and other service activities shall be located on block interiors away from view of any public street. Exceptions to this requirement may be approved through the site plan review process when a permit applicant demonstrates that it is not feasible to accommodate these activities on the block interior. If such activities are permitted adjacent to a public street, a visual screening design approved by the zoning administrator shall be required.

7. Landscape Requirements: All buildings constructed after April 12, 1995, shall conform to the special landscape requirements applicable to the D-1 central business district as contained in chapter 21A.48 of this title.
8. Mid Block Walkways: As part of the city's plan for the downtown area, it is intended that mid block walkways be provided to facilitate pedestrian movement within the area. To delineate the public need for such walkways, the city has formulated an official plan for their location and implementation, which is on file at the planning division office. All buildings constructed after the effective date hereof within the D-1 central business district shall conform to this officially adopted plan for mid block walkways.
9. Landscape Requirements For Demolition Sites: Vacant lots, resulting from demolition activities where no replacement use is proposed, shall conform to chapter 21A.48 of this title, special landscape requirements applicable to the D-1 central business district.

E. Special Controls Over Block Corners:

1. Intent: Special controls shall apply to land at block corners to encourage greater commercial vitality in the downtown by focusing a higher level of development intensity at street intersections. Control over the intensity of development on blocks is needed due to the large size of blocks and streets and the resulting effects on pedestrian/vehicular circulation and business activity.
2. Block Corner: "Block corner" means the ninety degree (90°) intersection of private property adjacent to the intersection of two (2) public street rights of way both of which are at least one hundred thirty two feet (132') wide.
3. Corner Building: "Corner building" means a building, the structure of which rises above the ground within one hundred feet (100') of a block corner on the street face and one hundred feet (100') in depth.
4. Application: For corner buildings, the provisions of this subsection shall extend to one hundred sixty five feet (165') from the block corner on the street face and one hundred sixty five feet (165') in depth.
5. Lot Size And Shape: The size and shape of the lot shall conform to the following. Lots existing prior to April 12, 1995, which do not meet these requirements shall be exempt.
  - a. Minimum lot area: Ten thousand (10,000) square feet.
  - b. Minimum lot width: One hundred feet (100').

6. Height Regulations: No corner building shall be less than one hundred feet (100') nor more than three hundred seventy five feet (375') in height. The minimum one hundred foot (100') high portion of the building shall be located not further than five feet (5') from the lot line along front and corner lot lines. Buildings higher than three hundred seventy five feet (375') may be allowed in accordance with the provisions of subsections E6a and E6b of this section.

a. Conditions ~~F~~for Taller Corner Buildings: Corner buildings may exceed the three hundred seventy five foot (375') height limit provided they conform to the following requirements:

- (1) To minimize excessive building mass at higher elevations and preserve scenic views, some or all of the building mass over the three hundred seventy five foot (375') height level shall be subject to additional setback, as determined appropriate through the ~~conditional use approval process~~ conditional building and site design process.
- (2) Not less than one percent (1%) of the building construction budget shall be used for enhanced amenities, including art visible to the public, enhanced design elements of the exterior of the building or exterior spaces available to the public for cultural or recreational activities. The property owner shall not be required to exceed one hundred thousand dollars (\$100,000.00) in required amenities.
- (3) The operation of uses within the building, including accessory parking facilities, shall comply with the adopted traffic demand management guidelines administered by the city traffic engineer.

b. Additional Standards ~~F~~for Certain Height Modifications:

- (1) The first one hundred feet (100') of height shall not be set back from the ~~street front~~ more than five feet (5') except that setbacks above the first fifty feet (50') may be approved as a ~~conditional use~~ through the conditional building and site design process.
- (2) ~~Modifying the height will achieve the preservation of a landmark site or contributing structure in an H historic preservation overlay district.~~
- (3) Modifying the height will allow interim service commercial uses to support the downtown community.

c. ~~Conditional Use~~ Conditional Building and Site Design Approval: A modification to the height regulations in subsection E6a of this section may be granted as a ~~conditional use~~ through the conditional building and site design process, subject to conformance with the standards and procedures of chapter

21A.5459 of this title. ~~Such conditional uses shall also be subject to design review.~~

F. Special Controls ~~Over~~ Mid Block Areas:

1. Intent: Special controls shall apply to land located at the middle of blocks. Such controls are needed to establish coordinated levels of development intensity and to promote better pedestrian and vehicular circulation.
2. Area ~~Of~~ Applicability: The controls established under this subsection shall apply to:
  - a. Buildings constructed after April 12, 1995; and
  - b. All intervening land between block corner properties, as established in subsection E2 of this section.
3. Height Regulations: No building shall be more than one hundred feet (100') in height; provided, that taller buildings may be authorized ~~as a conditional use through the conditional building and site design review~~, subject to the requirements of chapter 21A.5459 of this title, ~~and design review~~.

G. Special Controls ~~Over~~ ~~The~~ Main Street Retail Core:

1. Intent: Special controls shall apply to land located within the Main Street retail core area to preserve and enhance the viability of retail uses within the downtown area. The regulations of this subsection shall be in addition to the requirements of subsections E and F of this section.
2. Area ~~Of~~ Applicability: The controls established in this subsection shall apply to property developed or redeveloped after April 12, 1995, when located along any block face on the following streets:
  - a. Main Street between South Temple Street and 400 South Street;
  - b. 100 South Street between West Temple Street and State Street;
  - c. 200 South Street between West Temple Street and State Street; and
  - d. 300 South Street between West Temple Street and State Street.
3. First Floor Retail Required: The first floor space of all buildings within this area shall be required to provide uses consisting of retail goods establishments, retail service establishments or restaurants, public service portions of businesses, department stores, art galleries, motion picture theaters or performing arts facilities.

4. Restrictions On Driveways: Driveways shall not be permitted along Main Street, but shall be permitted along other streets within the Main Street retail core area, provided they are located at least eighty feet (80') from the intersection of two (2) street right of way lines.

SECTION 17. Amending text of Salt Lake City Code section 21A.30.030.D. That section 21A.30.030.D of the *Salt Lake City Code* (Zoning: Downtown Districts: D-2 Downtown Support District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: No building shall exceed sixty five feet (65'). Buildings taller than sixty five feet (65') but less than one hundred twenty feet (120') may be authorized as conditional uses through the conditional building and site design process, subject to the requirements of chapter 21A.5459 of this title.

SECTION 18. Amending text of Salt Lake City Code section 21A.30.040. That section 21A.30.040 of the *Salt Lake City Code* (Zoning: Downtown Districts: D-3 Downtown Warehouse/Residential District), shall be, and hereby is, amended to read as follows:

**21A.30.040: D-3 DOWNTOWN WAREHOUSE/RESIDENTIAL DISTRICT:**

- A. Purpose Statement: The purpose of the D-3 downtown warehouse/residential district is to provide for the reuse of existing warehouse buildings for multi-family and mixed use while also allowing for continued retail, office and warehouse use within the district. The reuse of existing buildings and the construction of new buildings are to be done as multi-family residential or mixed use developments containing retail or office uses on the lower floors and residential on the upper floors. This district is appropriate in areas where supported by applicable master plans. The standards are intended to create a unique and sustainable downtown neighborhood with a strong emphasis on urban design, adaptive reuse of existing buildings, alternative forms of transportation and pedestrian orientation.
- B. Uses: Uses in the D-3 downtown warehouse/residential district as specified in section 21A.30.050, "Table Of Permitted And Conditional Uses For Downtown Districts", of this chapter, are permitted subject to the provisions of this chapter and other applicable provisions of this title.
- C. Controls Over Mixed Use: The concept of mixed use is central to the nature of the D-3 downtown warehouse/residential district. To ensure that mixed use developments provide for on site compatibility as well as neighborhood compatibility, the change of land use type or an increase in floor area by twenty five percent (25%) of existing principal buildings and the construction of buildings for new uses after April 12,

1995, shall conform to the following provisions. Construction related to the rehabilitation including remodeling or modification of existing uses, or the change of use to a similar use, shall not be subject to these provisions.

1. Buildings containing commercial/office uses located above the second story shall incorporate multi-family dwellings, boarding house, bed and breakfast, or hotel uses in the amount of at least fifty percent (50%) of the total floor area of the building;
2. Commercial/office uses shall be permitted as the sole use in two-story buildings only; and
3. Commercial/office uses in buildings of three (3) stories or more without multi-family dwellings shall be allowed only as a conditional use and then only when the applicant has demonstrated that the proposed location is not suitable for multi-family residential use.

D. Lot Size Requirements: No minimum lot area or lot width shall be required.

E. Maximum Building Height: No building shall exceed seventy five feet (75'). Buildings taller than seventy five feet (75') but less than ninety feet (90') may be authorized as conditional uses through the conditional building and site design review process, provided the additional height is supported by the applicable master plan, the overall square footage of the buildings is greater than fifty percent (50%) residential use, and subject to the requirements of chapter 21A.54 59 of this title.

F. Minimum Yard Requirements: None required, except for surface parking lots which are required to be set back from the front and corner side yard property lines fifteen feet (15').

G. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the D-3 downtown warehouse/residential district, shall be at least forty percent (40%) glass surfaces. Exceptions to this requirement may be authorized as conditional uses through the conditional building and site design review process, subject to the requirements of chapter 21A.5459 of this title. ~~The zoning administrator may approve a modification to this requirement, as a routine and uncontested special exception pursuant to the procedures found in chapter 21A.14 of this title if the zoning administrator finds:~~ The planning director may approve a modification to this requirement, if the planning director finds:

1. The requirement would negatively impact the historic character of the building, or
2. The requirement would negatively impact the structural stability of the building.

3. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).

Appeal of administrative decision is to the planning commission.

- H. Mid Block Walkways: As a part of the city's plan for the downtown area, it is intended that mid block walkways be provided to facilitate pedestrian movement within the area. To delineate the public need for such walkways, the city has formulated an official plan for their location and implementation, which is on file at the planning division office. All buildings constructed within the D-3 downtown district shall conform to this plan for mid block walkways.
- I. Special Provisions:
1. All new buildings constructed in the D-3 downtown district shall have a minimum of seventy percent (70%) of the exterior material of brick, masonry, textured or patterned concrete and/or cut stone. The seventy percent (70%) includes the windows of the building.
    - a. Except for minor building designs (e.g., soffit, fascia) the following materials are only allowed under the conditional use process: EIFS, vinyl, tilt-up concrete panels, corrugated metal and aluminum siding and other materials.
    - b. Two-dimensional curtain wall veneer of glass, spandrel glass or metal as a primary building material is prohibited.
    - c. The fenestration of all new construction shall be three-dimensional (e.g., recessed windows, protruding cornices, etc.).
  2. Notwithstanding the residential parking requirements, any building that has ten (10) or more residential units with at least twenty percent (20%) of the units as either affordable, senior housing, or assisted living units shall be allowed to have a minimum of one-half ( $\frac{1}{2}$ ) of a parking space provided for each dwelling unit.
  3. A modification to the special provisions of this section may be granted as a conditional use through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.54 59 of this title. ~~Such conditional uses shall also be subject to design review.~~
- J. Minimum Open Space: All lots containing dwelling units shall provide common open space in the amount of twenty percent (20%) of the lot area. This common open space may take the form of ground level plazas, interior atriums, landscape areas, roof gardens and decks on top of buildings or other such forms of open space available for the common use by residents of the property.

SECTION 19. Amending text of Salt Lake City Code section 21A.30.045. That section 21A.30.040 of the *Salt Lake City Code* (Zoning: Downtown Districts: D-4 Downtown Secondary Central Business District), shall be, and hereby is, amended to read as follows:

**21A.30.045: D-4 DOWNTOWN SECONDARY CENTRAL BUSINESS DISTRICT:**

- A. Purpose Statement: The purpose of the D-4 secondary central business district is to foster an environment consistent with the area's function as a housing, entertainment, cultural, convention, business, and retail section of the city that supports the central business district. Development is intended to support the regional venues in the district, such as the Salt Palace Convention Center, and to be less intense than in the central business district. This district is appropriate in areas where supported by applicable master plans. The standards are intended to achieve established objectives for urban and historic design, pedestrian amenities, and land use control, particularly in relation to retail commercial uses.
- B. Uses: Uses in the D-4 secondary central business district as specified in section 21A.30.050, "Table of Permitted and Conditional Uses for Downtown Districts", of this chapter, are permitted subject to the general provisions set forth in section 21A.30.010 of this chapter. In addition, all conditional uses in the D-4 district shall be subject to design review evaluation and approval by the planning commission.
- C. D-4 District General Regulations:
1. Minimum Lot Size: No minimum lot area or lot width is required.
  2. Yard Requirements:
    - a. Front ~~And~~ Corner Side Yards: No minimum yards are required, however, no yard shall exceed five feet (5') except as authorized as a conditional use through the conditional building and site design review process. Such ~~conditional uses- designs~~ shall be subject to the requirements of chapter 21A.54 59 of this title, as well as ~~design review by the planning commission~~. Where an entire block frontage is under one ownership, the setback for that block frontage shall not exceed twenty five feet (25'). Exceptions to this requirement may be authorized as ~~conditional uses, through the conditional building and site design review process~~ subject to the requirements of chapter 21A.54 59 of this title ~~and the review and approval of the planning commission~~.
    - b. Interior Side ~~And~~ Rear Yards: None required.



3. ~~Restrictions On~~ Parking Lots And Structures: An excessive influence of at or above ground parking lots and structures can negatively impact the urban design objectives of the D-4 district. To control such impacts, the following regulations shall apply to at or above ground parking facilities:
- a. Within block corner areas, structures shall be located behind principal buildings, or at least seventy five feet (75') from front and corner side lot lines.
  - b. Within the mid block areas, parking structures shall be located behind principal buildings, or at least thirty feet (30') from front and corner side lot lines. A modification to this requirement may be granted as a conditional use, subject to conformance with the standards and procedures of chapter 21A.54 of this title. Parking structures shall meet the following:
    - (1) Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line. The facades of such first floor shall be compatible and consistent with the associated retail or office portion of the building and other retail uses in the area.
    - (2) Levels of parking above the first level facing the front or corner side lot line shall have floors/facades that are horizontal, not sloped.
    - (3) Mid block surface parking lots shall have a fifteen foot (15') landscaped setback.
  - c. Accessory parking structures built prior to the principal use, and commercial parking structures, shall be permitted as conditional uses with the approval of the planning commission pursuant to the provisions of chapter 21A.54 of this title.
  - d. No special restrictions shall apply to belowground parking facilities.
  - e. At grade (surface) parking facilities shall be set back behind the principal building and shall be set back at least seventy five feet (75') from front and corner side lot lines and landscaped in a way that minimizes visual impacts.
4. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the D-4 secondary central business district, shall be at least forty percent (40%) glass surfaces. All first floor glass shall be nonreflective type glass. Exceptions to this requirement may be authorized as conditional uses through the conditional building and site design process, subject to the requirements of chapter 21A.54.59 of this title. ~~The zoning administrator may approve a modification to this requirement, as a routine and uncontested~~

special exception pursuant to the procedures found in chapter 21A.14 of this title if the zoning administrator finds: The planning director may approve a modification to this requirement, if the planning director finds:

- a. The requirement would negatively impact the historic character of the building; or
- b. The requirement would negatively impact the structural stability of the building.
- c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).

Appeal of administrative decision is to the planning commission.

- 5. Interior Plazas, Atriums And Galleries: Interior plazas, atriums and galleries shall be permitted throughout the D-4 secondary central business district.
- 6. Location Of Service Areas: All loading docks, refuse disposal areas and other service activities shall be located on block interiors away from view of any public street. Exceptions to this requirement may be approved through the site plan review process when a permit applicant demonstrates that it is not feasible to accommodate these activities on the block interior. If such activities are permitted adjacent to a public street, a visual screening design approved by the zoning administrator shall be required.
- 7. Landscape Requirements: All buildings constructed after April 12, 1995, shall conform to the special landscape requirements applicable to the D-4 secondary central business district as contained in chapter 21A.48 of this title.
- 8. Maximum Building Height: No building shall exceed seventy five feet (75'). Buildings taller than seventy five feet (75') but less than one hundred twenty feet (120') may be authorized as conditional uses, subject to the requirements of chapter 21A.54 of this title.
- 9. Mid Block Walkways: As a part of the city's plan for the downtown area, it is intended that mid block walkways be provided to facilitate pedestrian movement within the area. To delineate the public need for such walkways, the city has formulated an official plan for their location and implementation, which is on file at the planning division office. All buildings constructed after the effective date hereof within the D-4 downtown district shall conform to this plan for mid block walkways.

10. Mid Block Streets: Developments constructing mid block streets, either privately owned with a public easement or publicly dedicated, that are desired by an applicable master plan:

- a. May use a portion or all of the overhead and underground right of way of the new mid block street as part of their developable area irrespective of lot lines, subject to design review and approval of the planning commission.
- b. May increase the height of the building on the remaining abutting parcel, subject to the conditional building and site design review process in conformance with the standards and procedures of chapter 21A.5459 of this title. Such conditional uses shall also be subject to design review approval by the planning commission.

11. Exception To Parking Requirements: Notwithstanding the residential parking requirements, any building that has ten (10) or more residential units with at least twenty percent (20%) of the units as either affordable, senior housing, or assisted living units shall be allowed to have a minimum of one-half ( $1/2$ ) of a parking space provided for each dwelling unit.

SECTION 20. Amending text of Salt Lake City Code section 21A.31.010.D. That section 21A.31.010.D of the *Salt Lake City Code* (Zoning: Gateway Districts: General Provisions), shall be, and hereby is, amended to read as follows:

D. Conditional Uses: The uses specified as conditional uses in section 21A.31.050, "Table Of Permitted And Conditional Uses In The Gateway District", of this chapter, shall be permitted in the gateway district provided they are approved pursuant to the standards and procedures for conditional uses set forth in chapter 21A.54 of this title, and comply with all other applicable requirements of this title, including the urban design evaluation and/or the conditional building and site design review design review process established in this chapter and 21A.59.

SECTION 21. Amending text of Salt Lake City Code section 21A.31.010.E. That section 21A.31.010.E of the *Salt Lake City Code* (Zoning: Gateway Districts: General Provisions), shall be, and hereby is, amended to read as follows:

E. Site Plan Review; Design Review: In certain districts, permitted uses and conditional uses have the potential for adverse impacts if located and oriented on lots without careful planning. Such impacts may interfere with the use and enjoyment of adjacent property and uses. Site plan review is a process designed to address such adverse impacts and minimize them where possible. Design review is a process that addresses elements of urban design. The design may also be evaluated to address elements of

urban design.

Site plan review, pursuant to chapter 21A.58 of this title, for all of the gateway districts, is required to protect the local economy, maintain safe traffic conditions, maintain the environment, and assure harmonious land-use relationships between commercial uses and more sensitive land uses in affected areas.

Design review evaluation -is necessary to implement the policies of the urban design plan as adopted by the city council. Design review shall apply ~~only~~ to conditional uses in the gateway district. In the gateway district, the conditional use process is used to evaluate and resolve urban design.

SECTION 22. Amending text of Salt Lake City Code section 21A.31.010.H. That section 21A.31.010.H of the *Salt Lake City Code* (Zoning: Gateway Districts: General Provisions), shall be, and hereby is, amended to read as follows:

H. Restrictions ~~On~~ Parking Lots ~~And~~ Structures: The following regulations shall apply to surface or aboveground parking facilities:

1. Block Corner Areas: Within block corner areas, surface parking lots and structures shall be located behind principal buildings, or at least seventy five feet (75') from front and corner side lot lines.
2. Mid Block Areas: Within the mid block areas, parking structures shall be located behind principal buildings, or at least thirty feet (30') from front and corner side lot lines. A modification to this requirement may be granted as a conditional use, subject to conformance with the standards and procedures of chapter 21A.54 of this title. Parking structures shall meet the following:
  - a. Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line. The facades of such first floors shall be compatible and consistent with the associated retail or office portion of the building and other retail uses in the area.
  - b. Levels of parking above the first level facing the front or corner side lot line shall have floors and/or facades that are horizontal, not sloped.
  - c. Mid block surface parking lots shall have a fifteen foot (15') landscaped setback.
3. Accessory ~~And~~ Commercial Parking Structures: Accessory parking structures built prior to the principal use, and commercial parking structures, shall be

permitted as conditional uses with the approval of the planning commission pursuant to the provisions of chapter 21A.54 of this title.

4. Belowground Parking Facilities: No special design and setback restrictions shall apply to belowground parking facilities.
5. Height Requirements: The minimum height for a parking structure shall be forty five feet (45'). The maximum height shall not exceed seventy five feet (75').
6. Site Plan Review: Parking structures shall be required to go through the site plan review process.
7. Landscape Requirements: Surface parking lots shall have a landscaped setback of at least twenty feet (20') and meet interior landscaped requirements as outlined in chapter 21A.48 of this title.
8. ~~Conditional Use~~ Conditional Building and Site Design Approval: A modification to the restrictions on parking lots and structures provisions of this section may be granted as a conditional use through the conditional building and site design process, subject to conformance with the standards and procedures of chapter 21A.54.59 of this title. Such conditional uses shall also be subject to urban design review. evaluation.

SECTION 23. Amending text of Salt Lake City Code section 21A.31.010.P. That section 21A.31.010.P of the *Salt Lake City Code* (Zoning: Gateway Districts: General Provisions), shall be, and hereby is, amended to read as follows:

- P. Urban Design: The urban design standards are intended to foster the creation of a rich urban environment that accommodates growth and is compatible with existing buildings and uses in the area. All general development and site plans shall be designed to complement the surrounding existing contiguous (historic) development. The following design standards will provide human scale through change, contrast, intricacy, color and materials where the lower levels of buildings face public streets and sidewalks. They will also spatially define the street space in order to concentrate pedestrian activity, create a clear urban character and promote visibility of commercial activities at the ground level. The standards will also encourage diversity through the use of building forms and materials, while respecting the patterns, styles and methods of construction traditionally used in the gateway area.

The following urban design standards will be reviewed as part of the site plan review process, with assistance from planning division staff as necessary:

1. Architectural Character ~~And~~ Materials:

- a. A differentiated base (on a building over 45 feet high) will provide human scale through change, contrast, and intricacy in facade form, color and/or material where the lower levels of the building face the sidewalk(s) and street(s). Scaling elements such as insets and projections serve to break up flat or monotonous facades, and respond to older nearby buildings. Therefore, all buildings in the gateway districts are subject to the following standards:

- (1) All buildings over forty five feet (45') in height shall be designed with a base that is differentiated from the remainder of the building. The base shall be between one and three (3) stories in height, be visible from pedestrian view, and appropriately scaled to the surrounding contiguous historic buildings. The base shall include fenestration that distinguishes the lower from upper floors. Insets and/or projections are encouraged.
- (2) All new buildings in the gateway district shall have a minimum of seventy percent (70%) of the exterior material (excluding windows) be brick, masonry, textured or patterned concrete and/or cut stone. With the exception of minor building elements (e.g., soffit, fascia) the following materials are allowed only under the conditional use through the conditional building site and design review process: EIFS, tilt-up concrete panels, corrugated metal, vinyl and aluminum siding, and other materials.
- (3) All buildings which have been altered over seventy five percent (75%) on the exterior facade shall comply with the exterior material requirement for new construction. Buildings older than fifty (50) years are exempt from this requirement if alterations are consistent with the existing architecture.
- (4) Two-dimensional curtain wall veneer of glass, spandrel glass or metal as a primary building material is prohibited. The fenestration of all new construction shall be three-dimensional (e.g., recessed windows, protruding cornice, etc.).

- b. The climate in Salt Lake City is such that in the summer months shade is preferred, and in the winter months protection from snow is preferred. By providing the pedestrian with a sidewalk that is enjoyable to use year round, a pedestrian oriented neighborhood is encouraged. Therefore, new construction in the gateway area is subject to the following standards:

- (1) Arcades are permitted in the gateway district, but where an arcade extends over the public way, a revocable permit is required. Where an arcade is on private property facing the street, the maximum setback for the building shall be measured to the supporting beams for the arcade or the facade of the upper floors, not the facade of the arcade level.

- (2) Awnings and/or marquees, with or without signage, are required over entry doors which are set back from the property line and may be allowed, under revocable permit, when an entry is at a property line.
- (3) Awnings, with or without signage, are permitted over ground level windows. Where awnings extend out over the public way, a revocable permit is required.

## 2. Windows ~~A~~and Building Fenestration:

- a. Buildings whose exteriors are smooth, and do not provide any three-dimensional details or fenestration are not appropriate in the gateway district. Recessed windows will eliminate flat, sterile elevations. Highly reflective materials are distracting, and focus attention away from the positive qualities of the gateway district. Therefore, all buildings in the gateway districts are subject to the following standards:
  - (1) Buildings with completely smooth exterior surfaces shall not be permitted, all new construction shall have three-dimensional details on the exterior that includes cornices, windowsills, headers and similar features.
  - (2) All windows shall be recessed from the exterior wall a minimum of three inches (3"). Bay windows, projecting windows, and balcony doors are exempt from this requirement.
  - (3) The reflectivity of the glass used in the windows shall be limited to eighteen percent (18%) as defined by the ASTA standard.

## 3. Entrance ~~A~~and Visual Access:

- a. The intent in the gateway district is to encourage pedestrian activity between the public street/sidewalk and buildings. Sidewalks shall provide continuous, uninterrupted interest to the pedestrian by providing visual interest and/or amenities. The gateway environment will benefit with increased pedestrian activity; this activity will only occur if opportunities are provided that make walking to a destination a preferred and an enjoyable pursuit. The use of blank building facade walls is discouraged. Therefore, all buildings in the gateway area are subject to the following standards:
  - (1) Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the gateway district shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be

authorized as conditional uses through the conditional building and site and design review process, subject to the requirements of chapter 21A.54 59 of this title, and the review and approval of the planning commission. The zoning administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in chapter 21A.14 of this title, if the zoning administrator finds: The planning director may approve a modification to this requirement if the planning director finds:

(A) The requirement would negatively impact the historic character of the building, or

(B) The requirement would negatively impact the structural stability of the building.

(C) The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).

Appeal of Administrative Decision is to the Planning Commission.

#### 4. Building Lines Aand Front Area Requirements:

- a. A continuity of building frontage adjacent and parallel to the street encourages a more active involvement between building uses and pedestrians. Leftover or ambiguous open space that has no apparent use or sense of place will not contribute positively to an active street life. Therefore, all buildings in the gateway district are subject to the following standard:

- (1) The majority of the ground level facade of a building shall be placed parallel, and not at an angle, to the street.

#### 5. Public Amenities Aand Public Art:

- a. Amenities and works of art enhance quality of life as well as visual interest. Public amenities and public art encourage pedestrian activity and contribute to the pedestrian experience. A cohesive, unified lighting and amenity policy will help give the gateway district its own distinctive identity. Therefore, public amenities and public art are subject to the following standards:

- (1) Sidewalks and street lamps installed in the public right of way shall be of the type specified in the sidewalk/street lighting policy document.
- (2) Public art (which may include artists' work integrated into the design of the building and landscaping, sculpture, painting, murals, glass, mixed media or work by artisans), that is accessible or directly viewable to the



general public shall be included in all projects requiring conditional building and site design review ~~conditional use~~ approval for a site or design standard. The plan to incorporate public art shall be reviewed by the Salt Lake art design board.

6. ~~Conditional Use~~ Conditional Building and Site Design Review Approval: A modification to the urban design provisions of this section may be granted ~~as a conditional use through the conditional building and site design review process~~, subject to conformance with the standards and procedures of chapter 21A.5459 of this title. ~~Such conditional uses shall also be subject to design review.~~

SECTION 24. Amending text of Salt Lake City Code section 21A.31.020. That section 21A.31.020 of the *Salt Lake City Code* (Zoning: Gateway Districts: G-MU Gateway-Mixed Use District), shall be, and hereby is, amended to read as follows:

**21A.31.020: G-MU GATEWAY-MIXED USE DISTRICT:**

- A. Purpose Statement: The G-MU gateway-mixed use district is intended to implement the objectives of the adopted gateway development master plan and encourage the mixture of residential, commercial and assembly uses within an urban neighborhood atmosphere. The 200 South corridor is intended to encourage commercial development on an urban scale and the 500 West corridor is intended to be a primary residential corridor from North Temple to 400 South. Development in this district is intended to create an urban neighborhood that provides employment and economic development opportunities that are oriented towards the pedestrian with a strong emphasis on a safe and attractive streetscape. The standards are intended to achieve established objectives for urban and historic design, pedestrian amenities and land use regulation.
- B. Uses: Uses in the G-MU gateway-mixed use district as specified in section 21A.31.050, "Table Of Permitted And Conditional Uses In The Gateway District", of this chapter are permitted subject to the general provisions set forth in section 21A.31.010 of this chapter and this section.
- C. Planned Development Review: All new construction of principal buildings, uses, or additions that increase the floor area and/or parking requirement by twenty five percent (25%) in the G-MU gateway-mixed use district may be approved only as a planned development in conformance with the provisions of chapter 21A.55 of this title.
- D. Special Provisions:
1. Commercial Uses, 200 South: All buildings fronting 200 South shall have commercial uses that may include retail goods/services establishments, offices,

restaurants, art galleries, motion picture theaters or performing arts facilities shall be provided on the first floor adjacent to the front or corner side lot line. The facades of such first floor shall be compatible and consistent with the associated retail or office portion of the building and other retail uses in the area.

2. Residential Units, 500 West: Buildings fronting on 500 West shall be required to have residential units occupying a minimum of fifty percent (50%) of the structure's gross square footage.
3. Mid Block Street Development: Developments constructing mid block streets, either privately owned with a public easement or publicly dedicated, that are desired by an applicable master plan:
  - a. May use a portion or all of the overhead and underground right of way of the new mid block street as part of their developable area irrespective of lot lines, subject to design review evaluation and approval of the planning commission.
  - b. May increase the height of the building on the remaining abutting parcel, subject to conformance with the standards and procedures of Conditional Building and Site Design chapter 21A.54 59 of this title. Such conditional uses shall also be subject to design review approval by the planning commission.
- 4.- ~~Conditional Use Approval~~ Conditional Building and Site Design Reviews: A modification to the special provisions of this section may be granted as a ~~conditional use through the building and site design review process~~, subject to conformance with the standards and procedures of chapter 21A.5459 of this title. Such conditional uses shall also be subject to design review.
- E. Building Height: The minimum building height shall be forty five feet (45') and the 200 South street corridor shall have a minimum height of twenty five feet (25'). The maximum building height shall not exceed seventy five feet (75') except buildings with nonflat roofs (e.g., pitched, shed, mansard, gabled or hipped roofs) may be allowed, up to a maximum of ninety feet (90') (subject to subsection I of this section). The additional building height may incorporate habitable space.
  1. ~~Conditional Use Approval~~ Conditional Building and Site Design Review: -A modification to the minimum building height or to the maximum building height (up to 120 feet) provisions of this section may be granted as a ~~conditional use through the conditional building and site design review process~~, subject to conformance with the standards and procedures of chapter 21A.5459 of this title, and subject to compliance to the applicable master plan. Such conditional uses shall also be subject to design review.
  2. Height Exceptions: Spires, tower, or decorative noninhabitable elements shall have a maximum height of ninety feet (90') and with ~~conditional use conditional building and site design review~~ approval may exceed the maximum height,

subject to conformance with the standards and procedures of chapter 21A.54~~59~~ of this title. ~~Such conditional uses shall also be subject to design review.~~

- F. Minimum Lot Area ~~And~~ Lot Width: None required.
- G. Minimum Yard Requirements: No minimum setback requirements. There is not a maximum front yard or corner side yard setback except that a minimum of twenty five percent (25%) of the length of the facade of a principal building shall be set back no farther than five feet (5') from the street right of way line. Surface parking lots shall have a fifteen foot (15') landscape setback from the front property line.
- H. Signs: Signs shall be allowed in the gateway districts in accordance with provisions of chapter 21A.46 of this title.
- I. Affordable Housing: Notwithstanding the maximum height requirements identified above, any buildings that have at least ten (10) or more residential units with at least twenty percent (20%) of the units as affordable shall be allowed a maximum building height of ninety feet (90'). The affordable units shall be integrated throughout the project in an architectural manner.

SECTION 25. Amending text of Salt Lake City Code section 21A.32.020.D. That section 21A.32.020.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: RP Research Park District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: Building height shall be limited to forty five feet (45'). Building heights in excess of forty five feet (45') but less than seventy five feet (75') may be approved as a conditional use through the conditional building and site design review process; provided, that the additional height is supported by the master plan and compatible with the adjacent neighborhood.

SECTION 26. Amending text of Salt Lake City Code section 21A.32.056.D. That section 21A.32.056.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: AG-20 Agricultural District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: Building height shall be limited to forty five feet (45'). Building heights in excess of forty five feet (45') but not more than sixty five feet (65') may be approved as a conditional use through the conditional building and site design review process; provided that the additional height is compatible with adjacent properties and does not conflict with the airport flight path protection overlay zone.

SECTION 27. Amending text of Salt Lake City Code section 21A.32.075.D. That section 21A.32.075.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: PL-2 Public Lands District), shall be, and hereby is, amended to read as follows:

D. Maximum Building Height:

1. Local government facilities, government offices, arenas, stadiums, and exhibition halls: Seventy five feet (75') provided, that where adjacent to a zoning district allowing greater height, the height standard of the adjacent district shall apply. A modification to the maximum building height provisions of this section may be granted only as a conditional use through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.5459 of this title, and subject to compliance with the applicable master plan.
2. Other uses: Thirty five feet (35').

SECTION 28. Amending text of Salt Lake City Code section 21A.32.080.D. That section 21A.32.080.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: I Institutional District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: Building height shall be limited to thirty five feet (35'). Building heights in excess of thirty five feet (35') but not more than seventy five feet (75') may be approved as a conditional use through the conditional building and site design review process; provided, that for each foot of height over thirty five feet (35'), each required yard shall be increased one foot (1').

SECTION 29. Amending text of Salt Lake City Code section 21A.32.090.D. That section 21A.32.090.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: UI Urban Institutional District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: Building height shall be limited to seventy five feet (75'). Building heights in excess of seventy five feet (75') but not more than one hundred twenty feet (120') may be approved as a conditional use through the conditional building and site design review process; provided, that the additional height is supported by the master plan and compatible with the adjacent neighborhood.

SECTION 30. Amending text of Salt Lake City Code section 21A.32.130.E.6. That section 21A.32.130.E.6 of the *Salt Lake City Code* (Zoning: Special Purpose Districts: MU

Mixed Use District: Minimum Yard Area Requirements), shall be, and hereby is, amended to read as follows:

6. Maximum Setback: A maximum setback is required for at least seventy five percent (75%) of the building facade. The maximum setback is twenty feet (20'). Exceptions to this requirement may be authorized ~~as conditional~~ through the conditional building and site design review, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:
  - a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
  - b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission.

SECTION 31. Amending text of Salt Lake City Code section 21A.32.130.F. That section 21A.32.130.F of the *Salt Lake City Code* (Zoning: Special Purpose Districts: MU Mixed Use District: Maximum Building Height), shall be, and hereby is, amended to read as follows:

- F. Maximum Building Height: The maximum building height shall not exceed forty five feet (45'), ~~except that nonresidential buildings and mixed use buildings shall be limited by subsections F1 and F2 of this section. Buildings taller than forty five feet (45'), up to a maximum of sixty feet (60'), may be authorized as conditional uses through the conditional building and site design review process, subject to the requirements of chapter 21A.5459 of this title, provided that the additional height is for residential uses only.~~
  1. Maximum Height ~~F~~for Nonresidential Buildings: Nonresidential buildings shall not exceed thirty feet (30') or two (2) stories, whichever is less.
  2. Maximum Height ~~O~~of Mixed Use Buildings ~~O~~of Residential ~~A~~and Nonresidential Uses: Mixed use buildings shall not exceed forty five feet (45'). Nonresidential uses in a mixed use building are limited to the first two (2) stories.

SECTION 32. Amending text of Salt Lake City Code section 21A.34.090.C.2. That section 21A.34.090.C.2 of the *Salt Lake City Code* (Zoning: Overlay Districts: SSSC South State Street Corridor Overlay District: Minimum Yard Requirement Exemption: Maximum Setback), shall be, and hereby is, amended to read as follows:

2. Maximum Setback: A maximum setback is required for at least thirty five percent (35%) of the building facade. The maximum setback is twenty five feet (25'). Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:

- a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
- b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission

SECTION 33. Amending text of Salt Lake City Code section 21A.34.090.E. That section 21A.34.090.E of the *Salt Lake City Code* (Zoning: Overlay Districts: SSSC South State Street Corridor Overlay District: Entrance and Visual Access), shall be, and hereby is, amended to read as follows:

E. Entrance And Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:

- a. The requirement would negatively impact the historic character of the building,
- b. The requirement would negatively impact the structural stability of the building, or
- c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Appeal of administrative decision is to the planning commission.

- 2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection F1 of this section.
- 3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
- 4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

SECTION 34. Amending text of Salt Lake City Code section 21A.58.070.E. That section 21A.58.070.E of the *Salt Lake City Code* (Zoning: Site Plan Review: Standards for Site Plan Review), shall be, and hereby is, amended to read as follows:

- E. General Plan Conformity: The planning division shall review site plans for all applications for conditional uses (including planned developments) and conditional building and site design reviews with reference to adopted plans and the conformity of the site plans with the objectives and policies of the adopted plans.

SECTION 35. Amending text of Salt Lake City Code section 21A.62.040. That section 21A.62.040 of the *Salt Lake City Code* (Zoning: Definitions: Definitions of Terms), shall be, and hereby is, amended to insert the definition of "CONDITIONAL BUILDING AND SITE DESIGN REVIEW" in alphabetical order into that section. The codifier is instructed to only add

said definition and leave the remainder of section 21A.62.040 undisturbed. The definition of

“CONDITIONAL BUILDING AND SITE DESIGN REVIEW” shall read as follows:

CONDITIONAL BUILDING AND SITE DESIGN REVIEW: A design that is allowed only after review and approval by the planning commission which includes a comprehensive evaluation of a development and its impact on neighboring properties and the community as a whole, from the standpoint of site and landscape design, height, setbacks, front façade glass, architecture, materials, colors, lighting and signs in accordance with a set of adopted criteria and standards.

SECTION 36. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER  
(SEAL)



Bill No. \_\_\_\_\_ of 2012.  
Published: \_\_\_\_\_.

HB\_ATTYY-#22222-v1-Ordinance\_amending\_conditional\_bldg\_site\_design\_review.DOC

LEGISLATIVE VERSION

SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2012

(An ordinance amending certain sections of Title 21A of the  
*Salt Lake City Code* concerning conditional building and site design review)

An ordinance amending certain sections of Title 21A of the *Salt Lake City Code* pursuant to Petition No. PLNPCM2010-00783 to modify conditional building and site design review regulations.

WHEREAS, the Salt Lake City Planning Commission ("planning commission") held a public hearing on January 25, 2012 to consider a request made by Salt Lake City Mayor Ralph Becker (petition no. PLNPCM2010-00783) to amend various sections of Title 21A (Zoning) of the *Salt Lake City Code* to modify the conditional building and site design review regulations; and

WHEREAS, at its January 25, 2012 hearing, the planning commission voted to transmit a positive recommendation to the Salt Lake City Council ("city council") on said application; and

WHEREAS, after a public hearing on this matter the city council has determined that adopting this ordinance is in the city's best interests,

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending text of *Salt Lake City Code* section 21A.06.030.B.5. That section 21A.06.030.B.5 of the *Salt Lake City Code* (Zoning: Decision Making Bodies and Officials: Planning Commission: Jurisdiction and Authority), shall be, and hereby is, amended to read as follows:

5. Review, hear and decide applications for conditional uses, including planned developments, pursuant to the procedures and standards set forth in chapter 21A.54, "Conditional Uses", of this title and Conditional Building and Site Design Review, pursuant to the procedures and standards set forth in Chapter 21A.59, Conditional Building and Site Design Review;

SECTION 2. Amending text of Salt Lake City Code chapter 21A.59. That chapter 21A.59 of the *Salt Lake City Code* (Zoning: Conditional Building and Site Design Review), shall be, and hereby is, amended to read as follows:

**Chapter 21A.59**  
**CONDITIONAL BUILDING AND SITE DESIGN REVIEW**

**21A.59.010: PURPOSE STATEMENT:**

**21A.59.020: AUTHORITY:**

**21A.59.030: SCOPE OF APPLICATION:**

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

**21A.59.050: APPLICATION REQUIREMENTS:**

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

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

**21A.59.010: PURPOSE STATEMENT:**

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

**21A.59.020: AUTHORITY:**

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

- A. The planning commission shall approve design criteria upon consideration of comments received from city departments and determining whether modification of specific design regulations meets the intent of the individual zoning district.
- B. The planning commission may modify individual design requirements for specific projects if they find that the intent of the basic design criteria of the zoning district has been met.

**21A.59.030: SCOPE OF APPLICATION:**

Design review approval shall be required for all permitted uses, conditional uses and accessory uses when specifically authorized and referenced by individual zoning districts.

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

The authority of the planning commission through the design review process shall be limited to modification of the specific element referenced within each zoning district. In the TSA zoning district, the planning commission or administrative hearing officer, shall have the authority to determine if a proposal generally compiles with the transit station area development guidelines and may make modifications to the Building and Site Design proposal to insure compliance.

**21A.59.050: APPLICATION REQUIREMENTS:**

Each application for design review shall include the same information as required for site plan review as identified in section 21A.58.060 of this title.

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

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

- A. Development shall be primarily oriented to the street, not an interior courtyard or parking lot.
- B. Primary access shall be oriented to the pedestrian and mass transit.
- C. Building facades shall include detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction.
- D. Architectural detailing shall be included on the ground floor to emphasize the pedestrian level of the building.
- E. Parking lots shall be appropriately screened and landscaped to minimize their impact on adjacent neighborhoods. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods.
- F. Parking and on site circulation shall be provided with an emphasis on making safe pedestrian connections to the street or other pedestrian facilities.
- G. Dumpsters and loading docks shall be appropriately screened or located within the structure.
- H. Signage shall emphasize the pedestrian/mass transit orientation.

- I. Lighting shall meet the lighting levels and design requirements set forth in chapter 4 of the Salt Lake City lighting master plan dated May 2006.
- J. Streetscape improvements shall be provided as follows:
  1. One street tree chosen from the street tree list consistent with the city's urban forestry guidelines and with the approval of the city's urban forester shall be placed for each thirty feet (30') of property frontage on a street. Existing street trees removed as the result of a development project shall be replaced by the developer with trees approved by the city's urban forester.
  2. Landscaping material shall be selected that will assure eighty percent (80%) ground coverage occurs within three (3) years.
  3. Hardscape (paving material) shall be utilized to designate public spaces. Permitted materials include unit masonry, scored and colored concrete, grasscrete, or combinations of the above.
  4. Outdoor storage areas shall be screened from view from adjacent public rights of way. Loading facilities shall be screened and buffered when adjacent to residentially zoned land and any public street.
  5. Landscaping design shall include a variety of deciduous and/or evergreen trees, and shrubs and flowering plant species well adapted to the local climate.
- K. The following additional standards shall apply to any large scale developments with a gross floor area exceeding sixty thousand (60,000) square feet:
  1. The orientation and scale of the development shall conform to the following requirements:
    - a. Large building masses shall be divided into heights and sizes that relate to human scale by incorporating changes in building mass or direction, sheltering roofs, a distinct pattern of divisions on surfaces, windows, trees, and small scale lighting.
    - b. No new buildings or contiguous groups of buildings shall exceed a combined contiguous building length of three hundred feet (300').
  2. Public spaces shall be provided as follows:
    - a. One square foot of plaza, park, or public space shall be required for every ten (10) square feet of gross building floor area.
    - b. Plazas or public spaces shall incorporate at least three (3) of the five (5) following elements:

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

L. Any new development shall comply with the intent of the purpose statement of the zoning district and specific design regulations found within the zoning district in which the project is located as well as adopted master plan policies, the city's adopted "urban design element" and design guidelines governing the specific area of the proposed development. Where there is a conflict between the standards found in this section and other adopted plans and regulations, the more restrictive regulations shall control.

#### **21A.59.065: STANDARDS FOR DESIGN REVIEW FOR HEIGHT:**

In addition to standards provided in 21A.59.060, the following standards shall be applied to all applications for conditional building and design review regarding height:

- A. The roofline contains architectural features that make it distinctive on the skyline; flat roofs are discouraged unless also being used for other purposes such as rooftop gardens, common space for building occupants or the public, heliport, etc.
- B. There is architectural detailing at the cornice level.
- C. Lighting highlights the architectural detailing of the entire building but shall not exceed the maximum lighting standards as further described elsewhere in this title.

#### **21A.59.070: PROCEDURES FOR DESIGN REVIEW:**

- A. Fees: Every design review application shall be accompanied by a fee as established in the fee schedule, chapter 21A.64 of this title.
- B. Submission of Final Plans; Review and Approval:
  1. Planning Commission Review: After the plans and related materials and fees have been submitted pursuant to section 21A.59.050 of this chapter, and the application has been determined by the planning director to be complete pursuant to section

21A.10.010 of this title, the application shall be reviewed and processed through the planning commission in coordination with the appropriate city departments. If the plan is approved, the planning director shall certify approval and state the conditions of such approval, if any. If the design is disapproved, the planning director shall indicate reasons for such in writing to the applicant.

2. **Appeal of Planning Commission Decision:** Any appeal of the planning commission decision shall be made to the land use appeals board, pursuant to title 2, chapter 2.88 of this code within ten (10) calendar days of the date on which a record of decision is issued.
3. **Certification by Planning Commission:** The decisions of the planning commission approving the application shall be noted on all copies of applicable plans to be retained in the record, including any changes or conditions required as part of the design review approval. One such copy shall be returned to the applicant, and others retained as required for records or further action by the planning commission or other affected agencies of the city.
4. **Building Permits:** Building permits shall be issued in accordance with approved plans. A copy of the approved plan shall be retained in the records of the office of the division of building services and licensing and all building and occupancy permits shall conform to the provisions of the approved design review.
5. **Amendments or Modifications to Approved Design Review:** Amendments or modifications to approved design review must be submitted to the planning director. Such modifications shall be submitted in accordance with the procedures and requirements of this chapter and shall be distributed to the appropriate departments for review. The planning director may waive this requirement if the planning director determines that such modification of the original design review has no significant impact upon the original proposal and still remains in conformance with design concepts approved by the planning commission.
6. **Time Limit on Approval:** Approval of design review shall be void unless a building permit has been issued or complete building plans have been submitted to the division of building services and licensing within two years from the date of approval. The planning director may grant an extension of a design review approval for up to one additional year when the applicant is able to demonstrate no change in circumstance that would result in an unmitigated impact. Extension requests must be submitted to the planning director in writing prior to the expiration of the design review approval.

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

When a development is proposed which requires Building and Site Design Review along with a conditional use approval, the planning commission shall review the applications

together. The proposed applications shall be reviewed and approved, reviewed with conditions, approved with modifications, or denied.

SECTION 3. Amending text of Salt Lake City Code section 21A.24.164.E. That section 21A.24.164.E of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU-35 Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:

- E. Maximum Building Height: The maximum building height shall not exceed thirty five feet (35'), except that nonresidential buildings and uses shall be limited by subsections E1 and E2 of this section. Buildings taller than thirty five feet (35'), up to a maximum of forty five feet (45'), may be authorized through the conditional building and site design review process; and provided, that the proposed height is supported by the applicable master plan.
1. Maximum height for nonresidential buildings: Twenty feet (20').
  2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: One floor.

SECTION 4. Amending text of Salt Lake City Code section 21A.24.168.E. That section 21A.24.168.E of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU-45 Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:

- 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 and E2 of this section. Buildings taller than forty five feet (45'), up to a maximum of seventy five feet (75'), may be authorized through the conditional building and site design review process and provided, that the proposed height is supported by the applicable master plan.
1. Maximum height for nonresidential buildings: Twenty feet (20').
  2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: One floor.

SECTION 5. Amending text of Salt Lake City Code section 21A.24.170.F. That section 21A.24.170.F of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:



F. Maximum Building Height: The maximum building height shall not exceed seventy five feet (75'), except that nonresidential buildings and uses shall be limited by subsections F1 and F2 of this section. Buildings taller than seventy five feet (75'), up to a maximum of one hundred twenty five feet (125'), may be authorized through the conditional building and site design process and provided, that the proposed height is located within the one hundred twenty five foot (125') height zone of the height map of the east downtown master plan.

1. Maximum height for nonresidential buildings: Forty five feet (45').
2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: Three (3) floors.

SECTION 6. Amending text of Salt Lake City Code section 21A.24.170.J. That section 21A.24.170.J of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU

Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:

J. Entrance and Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may approve a modification to this requirement, if the planning director finds:
  - a. The requirement would negatively impact the historic character of the building,
  - b. The requirement would negatively impact the structural stability of the building, or
  - c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Appeal of administrative decision is to the planning commission.

2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection J1 of this section.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

SECTION 7. Amending text of Salt Lake City Code section 21A.24.180.I. That section 21A.24.180.I of the *Salt Lake City Code* (Zoning: Residential Districts: RO Residential/Office District), shall be, and hereby is, amended to read as follows:

- I. Offices in Existing Buildings on Lots Less than Twenty Thousand Square Feet: Offices occupying existing buildings are permitted on a five thousand (5,000) square foot minimum lot. Additions to existing buildings that are greater than fifty percent (50%) of the existing building footprint or that exceed the height of the existing building shall be subject to conditional building and site design review.

SECTION 8. Amending text of Salt Lake City Code section 21A.24.190 (qualifying provision 6). That section 21A.24.190 of the *Salt Lake City Code* (Zoning: Residential Districts: Table of Permitted and Conditional Uses for Residential Districts), shall be, and hereby is, amended to amend the text of qualifying provision 6, which qualifying provision follows the table therein, and which shall read as follows:

6. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.

SECTION 9. Amending text of Salt Lake City Code section 21A.26.010.J. That section 21A.26.010.J of the *Salt Lake City Code* (Zoning: Commercial Districts: General Provisions), shall be, and hereby is, amended to read as follows:

J. Modifications to Maximum Height: Additions to the maximum height due to the natural topography of the site may be approved pursuant to the following procedures and standards:

1. Modifications of Ten Percent or Less of Maximum Height:

- a. The planning commission may approve, as a special exception, additional height not exceeding ten percent (10%) of the maximum height pursuant to the standards and procedures of chapter 21A.52 of this title. Specific conditions for approval are found in chapter 21A.52 of this title.

2. Modifications of More than Ten Percent of Maximum Height:

- a. Conditional Building and Site Design Review: Through conditional building and site design review for properties on a sloping lot in commercial zoning districts, pursuant to chapter 21A.59 of this title, the planning commission, or in the case of an administrative approval the planning director or designee may allow additional building height of more than ten percent (10%) of the maximum height, but not more than one additional story, if the first floor of the building exceeds twenty thousand (20,000) square feet. The additional story shall not be exposed on more than fifty percent (50%) of the total building elevations.

SECTION 10. Amending text of Salt Lake City Code section 21A.26.020.F. That section 21A.26.020.F of the *Salt Lake City Code* (Zoning: Commercial Districts: CN Neighborhood Commercial District), shall be, and hereby is, amended to read as follows:

F. Minimum Yard Requirements:

1. Front or Corner Side Yard: A fifteen foot (15') minimum front or corner side yard shall be required. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission.
2. Interior Side Yard: None required.
3. Rear Yard: Ten feet (10').

4. Buffer Yards: Any lot abutting a lot in a residential district shall conform to the buffer yard requirements of chapter 21A.48 of this title.
5. Accessory Buildings and Structures in Yards: Accessory buildings and structures may be located in a required yard subject to table 21A.36.020B of this title.
6. Maximum Setback: A maximum setback is required for at least sixty five percent (65%) of the building facade. The maximum setback is twenty five feet (25'). Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:
  - a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
  - b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission.

7. Parking Setback: Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a thirty foot (30') landscape setback from the front property line or be located behind the primary structure. Parking structures shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line or be located behind the primary structure. There are no minimum or maximum setback restrictions on underground parking. The planning director may modify or waive this requirement if the planning director finds the following:
  - a. The parking is compatible with the architecture/design of the original structure or the surrounding architecture.
  - b. The parking is not part of a series of incremental additions intended to subvert the intent of the ordinance.
  - c. The horizontal landscaping is replaced with vertical screening in the form of berms, plant materials, architectural features, fencing and/or other forms of screening.

- d. The landscaped setback is consistent with the surrounding neighborhood character.
- e. The overall project is consistent with section 21A.59.060 of this title.

Appeal of administrative decision is to the planning commission.

SECTION 11. Amending text of *Salt Lake City Code* section 21A.26.020.I. That section 21A.26.020.I of the *Salt Lake City Code* (Zoning: Commercial Districts: CN Neighborhood Commercial District), shall be, and hereby is, amended to read as follows:

I. Entrance and Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:
  - a. The requirement would negatively impact the historic character of the building, or
  - b. The requirement would negatively impact the structural stability of the building.

Appeal of administrative decision is to the planning commission.

2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection II of this section.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to

minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

SECTION 12. Amending text of Salt Lake City Code section 21A.26.030. That section 21A.26.030 of the *Salt Lake City Code* (Zoning: Commercial Districts: CB Community Business District), shall be, and hereby is, amended to read as follows:

21A.26.030: CB COMMUNITY BUSINESS DISTRICT:

- A. Purpose Statement: The CB community business district is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.
- B. Uses: Uses in the CB community business district as specified in section 21A.26.080, "Table of Permitted and Conditional Uses for Commercial Districts", of this chapter are permitted subject to the general provisions set forth in section 21A.26.010 of this chapter and this section.
- C. Planned Development Review: Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections, may be approved by the planning commission pursuant to the provisions of chapter 21A.55 of this title.
- D. Lot Size Requirements: No minimum lot area or lot width is required, however any lot exceeding four (4) acres in size shall be allowed only through the conditional building and site design review process.
- E. Maximum Building Size: Any building having a fifteen thousand (15,000) gross square foot floor area of the first floor or a total floor area of twenty thousand (20,000) gross square feet or more, shall be allowed only through the conditional building and side design review process. An unfinished basement used only for storage or parking shall be allowed in addition to the total square footage.
- F. Minimum Yard Requirements:
  - 1. Front or Corner Side Yard: No minimum yard is required. If a front yard is provided, it shall comply with all provisions of this title applicable to front or corner side yards, including landscaping, fencing, and obstructions.
  - 2. Interior Side Yard: None required.
  - 3. Rear Yard: Ten feet (10').

4. Buffer Yards: Any lot abutting a lot in a residential district shall conform to the buffer yard requirements of chapter 21A.48 of this title.
5. Accessory Buildings and Structures in Yards: Accessory buildings and structures may be located in a required yard subject to table 21A.36.020B of this title.
6. Maximum Setback: A maximum setback is required for at least seventy five percent (75%) of the building facade. The maximum setback is fifteen feet (15'). Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:
  - a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
  - b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission.

7. Parking Setback: Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a twenty foot (20') landscape setback from the front property line or be located behind the primary structure. Parking structures shall maintain a thirty five foot (35') minimum setback from a front or corner side yard property line or be located behind the primary structure. There are no minimum or maximum setback restrictions on underground parking. The planning director may modify or waive this requirement if the planning director finds the following:
  - a. The parking is compatible with the architecture/design of the original structure or the surrounding architecture.
  - b. The parking is not part of a series of incremental additions intended to subvert the intent of the ordinance.
  - c. The horizontal landscaping is replaced with vertical screening in the form of berms, plant materials, architectural features, fencing and/or other forms of screening.

- d. The landscaped setback is consistent with the surrounding neighborhood character.
- e. The overall project is consistent with section 21A.59.060 of this title.

Appeal of administrative decision is to the planning commission.

G. Landscape Yard Requirements: If a front or corner side yard is provided, such yard shall be maintained as a landscape yard. The landscape yard can take the form of a patio or plaza, subject to site plan review approval.

H. Maximum Height: Thirty feet (30').

I. Entrance and Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:
  - a. The requirement would negatively impact the historic character of the building,
  - b. The requirement would negatively impact the structural stability of the building, or
  - c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Appeal of administrative decision is to the planning commission.

2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection II of this section.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').



4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.
- J. Parking Lot/Structure Lighting: If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for the parking lot/structure security lighting are limited to sixteen feet (16') in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

SECTION 13. Amending text of Salt Lake City Code section 21A.26.050.F. That section 21A.26.050.F of the *Salt Lake City Code* (Zoning: Commercial Districts: CC Corridor Commercial District), shall be, and hereby is, amended to read as follows:

- F. Maximum Height: No building shall exceed thirty feet (30'). Buildings higher than thirty feet (30') may be allowed in accordance with the provisions of subsections F1 and F2 of this section.
  1. Procedure for Modification: A modification to the height regulations in this subsection F may be granted through the conditional building and site design process in conformance with the provisions of chapter 21A.59 of this title. In evaluating an application submitted pursuant to this section, the planning commission shall find that the increased height will result in improved site layout and amenities.
  2. Landscaping: If an additional floor is approved, increased landscaping shall be provided over and above that which is normally required for landscape yards, landscape buffer yards, and parking lot perimeter and interior landscaping. The amount of increased landscaping shall be equal to ten percent (10%) of the area of the additional floor.
  3. Maximum Additional Height: Additional height shall be limited to fifteen feet (15').

SECTION 14. Amending text of Salt Lake City Code section 21A.26.070.F. That section 21A.26.070.F of the *Salt Lake City Code* (Zoning: Commercial Districts: CG General Commercial District), shall be, and hereby is, amended to read as follows:

F. Maximum Height: No building shall exceed sixty feet (60'). Buildings higher than sixty feet (60') may be allowed in accordance with the provisions of subsections F1 and F2 of this section.

1. Procedure for Modification: A modification to the height regulations in this subsection F may be granted through the conditional building and site design review process in conformance with the provisions of chapter 21A.59 of this title. In evaluating an application submitted pursuant to this section, the planning commission or in the case of an administrative approval the planning director or designee, shall find that the increased height will result in improved site layout and amenities.
2. Landscaping: If additional floors are approved, increased landscaping shall be provided over and above that which is normally required for landscape yards, landscape buffer yards, and parking lot perimeter and interior landscaping. The amount of increased landscaping shall be equal to ten percent (10%) of the area of the additional floors.
3. Maximum Additional Height: Additional height shall be limited to thirty feet (30').

SECTION 15. Amending text of Salt Lake City Code section 21A.26.077. That section 21A.26.077 of the *Salt Lake City Code* (Zoning: Commercial Districts: TC-75 Transit Corridor District), shall be, and hereby is, amended to read as follows:

21A.26.077: TC-75 TRANSIT CORRIDOR DISTRICT:

- A. Purpose Statement: The purpose of the TC-75 transit corridor district is to create transit oriented neighborhoods near stations along major transit corridors with a high residential density that promotes commercial and economic growth, increases transit ridership and improves the vitality of the community. The primary focus is to increase residential density through development that takes advantage of the proximity to transit and creates a sustainable, transit oriented neighborhood. The standards for the district are intended to create a pedestrian friendly environment and to emphasize that pedestrian and mass transit access is the primary focus of development.
- B. Uses: Uses in the TC-75 transit corridor district as specified in section 21A.26.080, "Table of Permitted and Conditional Uses for Commercial Districts", of this chapter, are permitted subject to the general provisions set forth in section 21A.26.010 of this chapter and this section.
- C. Planned Development Review: Planned developments, which meet the intent of this section, but not the specific design criteria outlined in the following subsections may

be approved by the planning commission pursuant to the provisions of chapter 21A.55 of this title.

D. Minimum Lot Size:

1. Minimum lot area: Ten thousand (10,000) square feet.
2. Minimum lot width: Fifty feet (50').

E. Minimum Yard Requirements:

1. Front and Corner Side Yards: Fifteen feet (15'). Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. Exceptions to the minimum setback are limited to the two (2) lower levels of the building only; the main tower of the building must maintain the minimum setback. Exceptions are limited to structural elements that enhance the pedestrian experience of the space such as, but not limited to, patio covers, building entry canopies, etc.
2. Interior Side Yards: None required.
3. Rear Yards: None required.
4. Buffer Yards: All lots abutting property in a residential district shall conform to the buffer yard requirement of chapter 21A.48 of this title.
5. Accessory Buildings and Structures in Yards: Accessory buildings and structures may be located in a required yard subject to table 21A.36.020B of this title.
6. Maximum Building Setback: Twenty five feet (25'). Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The majority of the ground level facade of a building shall be placed parallel, and not at an angle, to the street. Where an arcade facing the street is provided, the maximum setback for the building shall be measured to the supporting beams for the arcade or the facade of the upper floors, not the facade of the arcade level. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:

- a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
- b. The addition is not part of a series of incremental additions intended to subvert the intent of this section.

Any appeal of an administrative decision made pursuant to subsection E6 of this section may be made to the planning commission.

- F. Landscape Yard Requirements: A landscape yard of fifteen feet (15') shall be required on all front and corner side yards, conforming to the requirements of section 21A.48.090 and subsection 21A.48.100.C of this title, except as authorized through the conditional building and site design review, subject to conformance with the standards and procedures of chapter 21A.59 of this title.
- G. Maximum Nonresidential Building Height: The maximum building height in the TC-75 zoning district shall not exceed thirty feet (30') for those buildings used exclusively for nonresidential purposes.
  1. Additional building square footage may be allowed up to a maximum building height of seventy five feet (75') (or to a building height of 125 feet through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title and conformity with applicable master plan policy) provided that for each additional floor of nonresidential use above thirty feet (30'), the equivalent amount of square footage, inclusive of the first thirty feet (30'), is required to be built as residential square footage.
  2. The residential component may be transferred off site to another property in the TC-75 zoning district along the 400 South Street frontage generally located between 200 East and 925 East. For such off site residential configuration, the amount of residential development required is equal to the square footage of the total amount of square footage obtained for the nonresidential floors rising in the total project.
  3. For those developments where the required residential component is transferred off site, prior to the issuance of a building permit for the nonresidential structure, the applicant must identify specifically where the residential structure will be located in the area zoned TC-75 along to 400 South Street corridor generally located between 200 East and 900 East and enter into a development agreement with the city to ensure the construction of the residential structure in a timely manner. In such cases where the residential use is built off site, one of the following shall apply:

- a. Construction of the off site residential use must be progressing beyond the footings and foundation stage, prior to the nonresidential portion of the development obtaining a certificate of occupancy, or
    - b. A financial assurance that construction of the off site residential use will commence within two (2) years of receiving a certificate of occupancy for the nonresidential component of the development. The financial assurance shall be in an amount equal to fifty percent (50%) of the construction valuation for the residential component of the development as determined by the building official. The city shall call the financial assurance and deposit the proceeds in the city's housing trust fund if construction has not commenced within two (2) years of the issuance of the certificate of occupancy for the nonresidential component of the development.
  4. Maximum building height may be obtained to one hundred twenty five feet (125') for any building subject to at least ninety percent (90%) of all parking for said building being provided as structured parking.
- H. Maximum Residential Building Height: No residential building, or mixed use building shall exceed seventy five feet (75') in height. Building heights in excess of seventy five feet (75'), but not more than one hundred twenty five feet (125') may be approved through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title and conformity with applicable master plan policy.
1. Maximum building height may be obtained to one hundred twenty five feet (125') where at least ninety percent (90%) of all parking for said building is provided as structured parking.
  2. The ground floor shall include either nonresidential uses or public service portions of residential buildings.
- I. Restrictions on Parking Lots and Structures: The following regulations shall apply to surface or aboveground parking facilities.
1. Block Corner Areas: Within block corner areas, surface parking lots and structures shall be located behind principal buildings, or at least sixty feet (60') from front and corner side lot lines.
  2. Mid Block Areas: Within the mid block areas, parking structures shall be located behind principal buildings, or above the first level, or at least thirty feet (30') from front and corner side lot lines. A modification to this requirement may be granted through the conditional building and site design review, subject to conformance with the standards and procedures of chapter 21A.59 of this title. Parking structures located above the first level and less than thirty feet (30') from a front or corner side yard shall meet the following:

- a. Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line.
- b. Levels of parking above the first level facing the front or corner side lot line shall have floors and/or facades that are horizontal, not sloped.

Mid block surface parking lots shall have a twenty five foot (25') landscaped setback.

3. Accessory and Commercial Parking Structures: Accessory parking structures, built prior to the principal use, and commercial parking structures, shall be permitted through the conditional building and site design review with the approval of the planning commission pursuant to the provisions of chapter 21A.59 of this title.
4. Belowground Parking Facilities: No special design and setback restrictions shall apply to belowground parking facilities.
5. Landscape Requirements: Surface parking lots shall meet interior landscape requirements as outlined in chapter 21A.48 of this title.
6. Waiver: The planning director may modify or waive this requirement if the planning director finds the following:
  - a. The parking is compatible with the architecture/design of the original structure or the surrounding architecture.
  - b. The parking is not part of a series of incremental additions intended to subvert the intent of this section.
  - c. The horizontal landscaping is replaced with vertical screening in the form of berms, plant materials, architectural features, fencing and/or other forms of screening.
  - d. The landscaped setback is consistent with the surrounding neighborhood character.
  - e. The overall project is consistent with section 21A.59.060 of this title.

Any appeal of an administrative decision made pursuant to this subsection I6 may be made to the planning commission.

7. Conditional Building and Site Design Review: A modification to the restrictions on parking lots and structures provisions of this section may be authorized as conditional building and site design review, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission.

J. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings, or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. There must be visual clearance behind the glass for a minimum of two feet (2'). All first floor glass shall be nonreflective. The reflectivity in glass shall be limited to eighteen percent (18%) as defined by ASTA standards. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:

1. The requirement would negatively impact the historic character of the building, or
2. The requirement would negatively impact the structural stability of the building.
3. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Any appeal of an administrative decision made pursuant to this subsection may be made to the planning commission.

K. Doors and Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement as outlined in subsection J of this section.

L. Maximum Length of Blank Walls: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

M. Density: There is no maximum residential density.

SECTION 16. Amending text of Salt Lake City Code section 21A.30.020. That section 21A.30.020 of the *Salt Lake City Code* (Zoning: Downtown Districts: D-1 Central Business District), shall be, and hereby is, amended to read as follows:

21A.30.020: D-1 CENTRAL BUSINESS DISTRICT:

A. Purpose Statement: The purpose of the D-1 central business district is to provide for commercial and economic development within Salt Lake City's most urban and intense areas. A broad range of uses, including very high density housing, are

intended to foster a twenty four (24) hour activity environment consistent with the area's function as the business, office, retail, entertainment, cultural and tourist center of the region. Development is intended to be very intense with high lot coverage and large buildings that are placed close together while being oriented towards the pedestrian with a strong emphasis on a safe and attractive streetscape and preserving the urban nature of the downtown area. This district is appropriate in areas where supported by applicable master plans. The standards are intended to achieve established objectives for urban design, pedestrian amenities and land use control.

- B. Uses: Uses in the D-1 central business district as specified in section 21A.30.050, "Table of Permitted and Conditional Uses for Downtown Districts", of this chapter, are permitted subject to the general provisions set forth in section 21A.30.010 of this chapter. In addition, all conditional uses in the D-1 district shall be subject to design review approval by the planning commission.
- C. Organization of District Regulations: In addition to regulations that apply to the D-1 central business district as a whole, three (3) sets of regulations are contained in this district that apply to specific geographical areas:
  - 1. Special Controls over Block Corners: These regulations apply only to properties within a specified distance from street intersections, as established in subsection E of this section.
  - 2. Special Controls over Mid Block Areas: These regulations apply only to the intervening property between block corner properties, as established in subsection F of this section.
  - 3. Special Controls over the Main Street Retail Core: These regulations apply only to the Main Street retail core area, as established in subsection G of this section. The regulations governing block corners and mid block areas also apply to the Main Street retail core.
- D. D-1 District General Regulations: The regulations established in this section apply to the D-1 district as a whole.
  - 1. Minimum Lot Size: No minimum lot area or lot width is required, except in block corner areas as specified in subsection E5 of this section.
  - 2. Yard Requirements:
    - a. Front and Corner Side Yards: No minimum yards are required, however, no yard shall exceed five feet (5') except as authorized through the conditional building and site design review process. Such conditional building and site design reviews shall be subject to the requirements of chapter 21A.59 of this title. Where an entire block frontage is under one ownership, the setback for that block frontage shall not exceed twenty five feet (25'). Exceptions to this



requirement may be authorized through the conditional building and site design review, subject to the requirements of chapter 21A.59 of this title.

- b. Interior Side and Rear Yards: None required.
3. Restrictions on Parking Lots and Structures: An excessive influence of at or above ground parking lots and structures can negatively impact the urban design objectives of the D-1 district. To control such impacts, the following regulations shall apply to at or above ground parking facilities:
- a. Within block corner areas and on Main Street, parking lots and structures shall be located behind principal buildings, or at least seventy five feet (75') from front and corner side lot lines.
  - b. Within the mid block areas, parking lots and structures shall conform to the following:
    - (1) Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line. The facades of such first floor shall be compatible and consistent with the associated retail or office portion of the building and other retail uses in the area.
    - (2) Levels of parking above the first level facing the front or corner side lot line shall have floors/facades that are horizontal, not sloped.
  - c. Accessory parking structures built prior to the principal use, and commercial parking structures, shall be permitted as conditional uses with the approval of the planning commission pursuant to the provisions of chapter 21A.54 of this title.
  - d. No special restrictions shall apply to belowground parking facilities.
  - e. Parking lots, proposed as a principal use to facilitate a building demolition, shall be permitted as a conditional use with the approval of the planning commission pursuant to the provisions of chapter 21A.54 of this title, where it is found that the parking lot is:
    - (1) Associated with a proposed principal land use; or
    - (2) Shown to be necessary for an existing adjacent land use(s). Demand shall be demonstrated through affidavits or executed lease agreements for off site parking. Said lot shall be located within five hundred feet (500') of the principal use(s) that it is proposed to serve, and shall not exceed more than fifty percent (50%) of the required parking stall count for said use(s); or

- (3) Not associated with a principal land use or a specific increase in parking demand. The applicant shall document to the planning commission's satisfaction that there is a need for more commercial parking in a given area and, if so, it must participate in the overall downtown token program.
4. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the D-1 central business district shall be at least forty percent (40%) glass surfaces, except that in the Main Street retail core where this requirement shall be sixty percent (60%). All first floor glass in the Main Street retail core shall be nonreflective type glass. Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title. The planning director may approve a modification to this requirement, if the planning director finds:
- a. The requirement would negatively impact the historic character of the building, or
  - b. The requirement would negatively impact the structural stability of the building.
  - c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).

Appeal of administrative decision is to the planning commission.

5. Interior Plazas, Atriums and Galleries: Interior plazas, atriums and galleries shall be permitted throughout the D-1 central business district.
6. Location of Service Areas: All loading docks, refuse disposal areas and other service activities shall be located on block interiors away from view of any public street. Exceptions to this requirement may be approved through the site plan review process when a permit applicant demonstrates that it is not feasible to accommodate these activities on the block interior. If such activities are permitted adjacent to a public street, a visual screening design approved by the zoning administrator shall be required.
7. Landscape Requirements: All buildings constructed after April 12, 1995, shall conform to the special landscape requirements applicable to the D-1 central business district as contained in chapter 21A.48 of this title.
8. Mid Block Walkways: As part of the city's plan for the downtown area, it is intended that mid block walkways be provided to facilitate pedestrian movement within the area. To delineate the public need for such walkways, the city has

formulated an official plan for their location and implementation, which is on file at the planning division office. All buildings constructed after the effective date hereof within the D-1 central business district shall conform to this officially adopted plan for mid block walkways.

9. Landscape Requirements for Demolition Sites: Vacant lots, resulting from demolition activities where no replacement use is proposed, shall conform to chapter 21A.48 of this title, special landscape requirements applicable to the D-1 central business district.

E. Special Controls over Block Corners:

1. Intent: Special controls shall apply to land at block corners to encourage greater commercial vitality in the downtown by focusing a higher level of development intensity at street intersections. Control over the intensity of development on blocks is needed due to the large size of blocks and streets and the resulting effects on pedestrian/vehicular circulation and business activity.
2. Block Corner: "Block corner" means the ninety degree (90°) intersection of private property adjacent to the intersection of two (2) public street rights of way both of which are at least one hundred thirty two feet (132') wide.
3. Corner Building: "Corner building" means a building, the structure of which rises above the ground within one hundred feet (100') of a block corner on the street face and one hundred feet (100') in depth.
4. Application: For corner buildings, the provisions of this subsection shall extend to one hundred sixty five feet (165') from the block corner on the street face and one hundred sixty five feet (165') in depth.
5. Lot Size and Shape: The size and shape of the lot shall conform to the following. Lots existing prior to April 12, 1995, which do not meet these requirements shall be exempt.
  - a. Minimum lot area: Ten thousand (10,000) square feet.
  - b. Minimum lot width: One hundred feet (100').
6. Height Regulations: No corner building shall be less than one hundred feet (100') nor more than three hundred seventy five feet (375') in height. The minimum one hundred foot (100') high portion of the building shall be located not further than five feet (5') from the lot line along front and corner lot lines. Buildings higher than three hundred seventy five feet (375') may be allowed in accordance with the provisions of subsections E6a and E6b of this section.

- a. Conditions for Taller Corner Buildings: Corner buildings may exceed the three hundred seventy five foot (375') height limit provided they conform to the following requirements:
  - (1) To minimize excessive building mass at higher elevations and preserve scenic views, some or all of the building mass over the three hundred seventy five foot (375') height level shall be subject to additional setback, as determined appropriate through the conditional building and site design process.
  - (2) Not less than one percent (1%) of the building construction budget shall be used for enhanced amenities, including art visible to the public, enhanced design elements of the exterior of the building or exterior spaces available to the public for cultural or recreational activities. The property owner shall not be required to exceed one hundred thousand dollars (\$100,000.00) in required amenities.
  - (3) The operation of uses within the building, including accessory parking facilities, shall comply with the adopted traffic demand management guidelines administered by the city traffic engineer.
- b. Additional Standards for Certain Height Modifications:
  - (1) The first one hundred feet (100') of height shall not be set back from the street front more than five feet (5') except that setbacks above the first fifty feet (50') may be approved through the conditional building and site design process.
  - (2) Modifying the height will achieve the preservation of a landmark site or contributing structure in an H historic preservation overlay district.
  - (3) Modifying the height will allow interim service commercial uses to support the downtown community.
- c. Conditional Building and Site Design Approval: A modification to the height regulations in subsection E6a of this section may be granted through the conditional building and site design process, subject to conformance with the standards and procedures of chapter 21A.59 of this title.

F. Special Controls over Mid Block Areas:

- 1. Intent: Special controls shall apply to land located at the middle of blocks. Such controls are needed to establish coordinated levels of development intensity and to promote better pedestrian and vehicular circulation.

2. Area of Applicability: The controls established under this subsection shall apply to:
  - a. Buildings constructed after April 12, 1995; and
  - b. All intervening land between block corner properties, as established in subsection E2 of this section.
3. Height Regulations: No building shall be more than one hundred feet (100') in height; provided, that taller buildings may be authorized through the conditional building and site design review, subject to the requirements of chapter 21A.59 of this title.

G. Special Controls over the Main Street Retail Core:

1. Intent: Special controls shall apply to land located within the Main Street retail core area to preserve and enhance the viability of retail uses within the downtown area. The regulations of this subsection shall be in addition to the requirements of subsections E and F of this section.
2. Area of Applicability: The controls established in this subsection shall apply to property developed or redeveloped after April 12, 1995, when located along any block face on the following streets:
  - a. Main Street between South Temple Street and 400 South Street;
  - b. 100 South Street between West Temple Street and State Street;
  - c. 200 South Street between West Temple Street and State Street; and
  - d. 300 South Street between West Temple Street and State Street.
3. First Floor Retail Required: The first floor space of all buildings within this area shall be required to provide uses consisting of retail goods establishments, retail service establishments or restaurants, public service portions of businesses, department stores, art galleries, motion picture theaters or performing arts facilities.
4. Restrictions on Driveways: Driveways shall not be permitted along Main Street, but shall be permitted along other streets within the Main Street retail core area, provided they are located at least eighty feet (80') from the intersection of two (2) street right of way lines.

SECTION 17. Amending text of Salt Lake City Code section 21A.30.030.D. That section 21A.30.030.D of the *Salt Lake City Code* (Zoning: Downtown Districts: D-2 Downtown Support District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: No building shall exceed sixty five feet (65'). Buildings taller than sixty five feet (65') but less than one hundred twenty feet (120') may be authorized through the conditional building and site design process, subject to the requirements of chapter 21A.59 of this title.

SECTION 18. Amending text of Salt Lake City Code section 21A.30.040. That section 21A.30.040 of the *Salt Lake City Code* (Zoning: Downtown Districts: D-3 Downtown Warehouse/Residential District), shall be, and hereby is, amended to read as follows:

**21A.30.040: D-3 DOWNTOWN WAREHOUSE/RESIDENTIAL DISTRICT:**

- A. Purpose Statement: The purpose of the D-3 downtown warehouse/residential district is to provide for the reuse of existing warehouse buildings for multi-family and mixed use while also allowing for continued retail, office and warehouse use within the district. The reuse of existing buildings and the construction of new buildings are to be done as multi-family residential or mixed use developments containing retail or office uses on the lower floors and residential on the upper floors. This district is appropriate in areas where supported by applicable master plans. The standards are intended to create a unique and sustainable downtown neighborhood with a strong emphasis on urban design, adaptive reuse of existing buildings, alternative forms of transportation and pedestrian orientation.
- B. Uses: Uses in the D-3 downtown warehouse/residential district as specified in section 21A.30.050, "Table of Permitted and Conditional Uses for Downtown Districts", of this chapter, are permitted subject to the provisions of this chapter and other applicable provisions of this title.
- C. Controls over Mixed Use: The concept of mixed use is central to the nature of the D-3 downtown warehouse/residential district. To ensure that mixed use developments provide for on site compatibility as well as neighborhood compatibility, the change of land use type or an increase in floor area by twenty five percent (25%) of existing principal buildings and the construction of buildings for new uses after April 12, 1995, shall conform to the following provisions. Construction related to the rehabilitation including remodeling or modification of existing uses, or the change of use to a similar use, shall not be subject to these provisions.

1. Buildings containing commercial/office uses located above the second story shall incorporate multi-family dwellings, boarding house, bed and breakfast, or hotel uses in the amount of at least fifty percent (50%) of the total floor area of the building;
2. Commercial/office uses shall be permitted as the sole use in two-story buildings only; and
3. Commercial/office uses in buildings of three (3) stories or more without multi-family dwellings shall be allowed only as a conditional use and then only when the applicant has demonstrated that the proposed location is not suitable for multi-family residential use.

D. Lot Size Requirements: No minimum lot area or lot width shall be required.

E. Maximum Building Height: No building shall exceed seventy five feet (75'). Buildings taller than seventy five feet (75') but less than ninety feet (90') may be authorized through the conditional building and site design review process, provided the additional height is supported by the applicable master plan, the overall square footage of the buildings is greater than fifty percent (50%) residential use, and subject to the requirements of chapter 21A.59 of this title.

F. Minimum Yard Requirements: None required, except for surface parking lots which are required to be set back from the front and corner side yard property lines fifteen feet (15').

G. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the D-3 downtown warehouse/residential district, shall be at least forty percent (40%) glass surfaces. Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title. The planning director may approve a modification to this requirement, if the planning director finds:

1. The requirement would negatively impact the historic character of the building, or
2. The requirement would negatively impact the structural stability of the building.
3. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).

Appeal of administrative decision is to the planning commission.

H. Mid Block Walkways: As a part of the city's plan for the downtown area, it is intended that mid block walkways be provided to facilitate pedestrian movement

within the area. To delineate the public need for such walkways, the city has formulated an official plan for their location and implementation, which is on file at the planning division office. All buildings constructed within the D-3 downtown district shall conform to this plan for mid block walkways.

I. Special Provisions:

1. All new buildings constructed in the D-3 downtown district shall have a minimum of seventy percent (70%) of the exterior material of brick, masonry, textured or patterned concrete and/or cut stone. The seventy percent (70%) includes the windows of the building.
  - a. Except for minor building designs (e.g., soffit, fascia) the following materials are only allowed under the conditional use process: EIFS, vinyl, tilt-up concrete panels, corrugated metal and aluminum siding and other materials.
  - b. Two-dimensional curtain wall veneer of glass, spandrel glass or metal as a primary building material is prohibited.
  - c. The fenestration of all new construction shall be three-dimensional (e.g., recessed windows, protruding cornices, etc.).
2. Notwithstanding the residential parking requirements, any building that has ten (10) or more residential units with at least twenty percent (20%) of the units as either affordable, senior housing, or assisted living units shall be allowed to have a minimum of one-half ( $\frac{1}{2}$ ) of a parking space provided for each dwelling unit.
3. A modification to the special provisions of this section may be granted through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title.

- J. Minimum Open Space: All lots containing dwelling units shall provide common open space in the amount of twenty percent (20%) of the lot area. This common open space may take the form of ground level plazas, interior atriums, landscape areas, roof gardens and decks on top of buildings or other such forms of open space available for the common use by residents of the property.

SECTION 19. Amending text of Salt Lake City Code section 21A.30.045. That section 21A.30.045 of the *Salt Lake City Code* (Zoning: Downtown Districts: D-4 Downtown Secondary Central Business District), shall be, and hereby is, amended to read as follows:

**21A.30.045: D-4 DOWNTOWN SECONDARY CENTRAL BUSINESS DISTRICT:**



- A. Purpose Statement: The purpose of the D-4 secondary central business district is to foster an environment consistent with the area's function as a housing, entertainment, cultural, convention, business, and retail section of the city that supports the central business district. Development is intended to support the regional venues in the district, such as the Salt Palace Convention Center, and to be less intense than in the central business district. This district is appropriate in areas where supported by applicable master plans. The standards are intended to achieve established objectives for urban and historic design, pedestrian amenities, and land use control, particularly in relation to retail commercial uses.
- B. Uses: Uses in the D-4 secondary central business district as specified in section 21A.30.050, "Table of Permitted and Conditional Uses for Downtown Districts", of this chapter, are permitted subject to the general provisions set forth in section 21A.30.010 of this chapter. In addition, all conditional uses in the D-4 district shall be subject to design evaluation and approval by the planning commission.
- C. D-4 District General Regulations:
1. Minimum Lot Size: No minimum lot area or lot width is required.
  2. Yard Requirements:
    - a. Front and Corner Side Yards: No minimum yards are required, however, no yard shall exceed five feet (5') except as authorized through the conditional building and site design review process. Such designs shall be subject to the requirements of chapter 21A.59 of this title. Where an entire block frontage is under one ownership, the setback for that block frontage shall not exceed twenty five feet (25'). Exceptions to this requirement may be authorized through the conditional building and site design review process subject to the requirements of chapter 21A.59 of this title.
    - b. Interior Side and Rear Yards: None required.
  3. Restrictions on Parking Lots and Structures: An excessive influence of at or above ground parking lots and structures can negatively impact the urban design objectives of the D-4 district. To control such impacts, the following regulations shall apply to at or above ground parking facilities:
    - a. Within block corner areas, structures shall be located behind principal buildings, or at least seventy five feet (75') from front and corner side lot lines.
    - b. Within the mid block areas, parking structures shall be located behind principal buildings, or at least thirty feet (30') from front and corner side lot lines. A modification to this requirement may be granted as a conditional use,

subject to conformance with the standards and procedures of chapter 21A.54 of this title. Parking structures shall meet the following:

- (1) Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line. The facades of such first floor shall be compatible and consistent with the associated retail or office portion of the building and other retail uses in the area.
  - (2) Levels of parking above the first level facing the front or corner side lot line shall have floors/facades that are horizontal, not sloped.
  - (3) Mid block surface parking lots shall have a fifteen foot (15') landscaped setback.
- c. Accessory parking structures built prior to the principal use, and commercial parking structures, shall be permitted as conditional uses with the approval of the planning commission pursuant to the provisions of chapter 21A.54 of this title.
  - d. No special restrictions shall apply to belowground parking facilities.
  - e. At grade (surface) parking facilities shall be set back behind the principal building and shall be set back at least seventy five feet (75') from front and corner side lot lines and landscaped in a way that minimizes visual impacts.
4. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the D-4 secondary central business district, shall be at least forty percent (40%) glass surfaces. All first floor glass shall be nonreflective type glass. Exceptions to this requirement may be authorized through the conditional building and site design process, subject to the requirements of chapter 21A.59 of this title. The planning director may approve a modification to this requirement, if the planning director finds:
- a. The requirement would negatively impact the historic character of the building; or
  - b. The requirement would negatively impact the structural stability of the building.
  - c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).

Appeal of administrative decision is to the planning commission.

5. Interior Plazas, Atriums and Galleries: Interior plazas, atriums and galleries shall be permitted throughout the D-4 secondary central business district.
6. Location of Service Areas: All loading docks, refuse disposal areas and other service activities shall be located on block interiors away from view of any public street. Exceptions to this requirement may be approved through the site plan review process when a permit applicant demonstrates that it is not feasible to accommodate these activities on the block interior. If such activities are permitted adjacent to a public street, a visual screening design approved by the zoning administrator shall be required.
7. Landscape Requirements: All buildings constructed after April 12, 1995, shall conform to the special landscape requirements applicable to the D-4 secondary central business district as contained in chapter 21A.48 of this title.
8. Maximum Building Height: No building shall exceed seventy five feet (75'). Buildings taller than seventy five feet (75') but less than one hundred twenty feet (120') may be authorized as conditional uses, subject to the requirements of chapter 21A.54 of this title.
9. Mid Block Walkways: As a part of the city's plan for the downtown area, it is intended that mid block walkways be provided to facilitate pedestrian movement within the area. To delineate the public need for such walkways, the city has formulated an official plan for their location and implementation, which is on file at the planning division office. All buildings constructed after the effective date hereof within the D-4 downtown district shall conform to this plan for mid block walkways.
10. Mid Block Streets: Developments constructing mid block streets, either privately owned with a public easement or publicly dedicated, that are desired by an applicable master plan:
  - a. May use a portion or all of the overhead and underground right of way of the new mid block street as part of their developable area irrespective of lot lines, subject to design review and approval of the planning commission.
  - b. May increase the height of the building on the remaining abutting parcel, subject to the conditional building and site design review process in conformance with the standards and procedures of chapter 21A.59 of this title.
11. Exception to Parking Requirements: Notwithstanding the residential parking requirements, any building that has ten (10) or more residential units with at least twenty percent (20%) of the units as either affordable, senior housing, or assisted living units shall be allowed to have a minimum of one-half ( $\frac{1}{2}$ ) of a parking space provided for each dwelling unit.

SECTION 20. Amending text of Salt Lake City Code section 21A.31.010.D. That section 21A.31.010.D of the *Salt Lake City Code* (Zoning: Gateway Districts: General Provisions), shall be, and hereby is, amended to read as follows:

- D. Conditional Uses: The uses specified as conditional uses in section 21A.31.050, "Table of Permitted and Conditional Uses in the Gateway District", of this chapter, shall be permitted in the gateway district provided they are approved pursuant to the standards and procedures for conditional uses set forth in chapter 21A.54 of this title, and comply with all other applicable requirements of this title, including the urban design evaluation and/or the conditional building and site design review process established in this chapter and 21A.59.

SECTION 21. Amending text of Salt Lake City Code section 21A.31.010.E. That section 21A.31.010.E of the *Salt Lake City Code* (Zoning: Gateway Districts: General Provisions), shall be, and hereby is, amended to read as follows:

- E. Site Plan Review; Design Review: In certain districts, permitted uses and conditional uses have the potential for adverse impacts if located and oriented on lots without careful planning. Such impacts may interfere with the use and enjoyment of adjacent property and uses. Site plan review is a process designed to address such adverse impacts and minimize them where possible. The design may also be evaluated to address elements of urban design.

Site plan review, pursuant to chapter 21A.58 of this title, for all of the gateway districts, is required to protect the local economy, maintain safe traffic conditions, maintain the environment, and assure harmonious land-use relationships between commercial uses and more sensitive land uses in affected areas.

Design evaluation -is necessary to implement the policies of the urban design plan as adopted by the city council. Design review shall apply to conditional uses in the gateway district. In the gateway district, the conditional use process is used to evaluate and resolve urban design.

SECTION 22. Amending text of Salt Lake City Code section 21A.31.010.H. That section 21A.31.010.H of the *Salt Lake City Code* (Zoning: Gateway Districts: General Provisions), shall be, and hereby is, amended to read as follows:

- H. Restrictions on Parking Lots and Structures: The following regulations shall apply to surface or aboveground parking facilities:

1. Block Corner Areas: Within block corner areas, surface parking lots and structures shall be located behind principal buildings, or at least seventy five feet (75') from front and corner side lot lines.
2. Mid Block Areas: Within the mid block areas, parking structures shall be located behind principal buildings, or at least thirty feet (30') from front and corner side lot lines. A modification to this requirement may be granted as a conditional use, subject to conformance with the standards and procedures of chapter 21A.54 of this title. Parking structures shall meet the following:
  - a. Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line. The facades of such first floors shall be compatible and consistent with the associated retail or office portion of the building and other retail uses in the area.
  - b. Levels of parking above the first level facing the front or corner side lot line shall have floors and/or facades that are horizontal, not sloped.
  - c. Mid block surface parking lots shall have a fifteen foot (15') landscaped setback.
3. Accessory and Commercial Parking Structures: Accessory parking structures built prior to the principal use, and commercial parking structures, shall be permitted as conditional uses with the approval of the planning commission pursuant to the provisions of chapter 21A.54 of this title.
4. Belowground Parking Facilities: No special design and setback restrictions shall apply to belowground parking facilities.
5. Height Requirements: The minimum height for a parking structure shall be forty five feet (45'). The maximum height shall not exceed seventy five feet (75').
6. Site Plan Review: Parking structures shall be required to go through the site plan review process.
7. Landscape Requirements: Surface parking lots shall have a landscaped setback of at least twenty feet (20') and meet interior landscaped requirements as outlined in chapter 21A.48 of this title.
8. Conditional Building and Site Design Approval: A modification to the restrictions on parking lots and structures provisions of this section may be granted through the conditional building and site design process, subject to conformance with the standards and procedures of chapter 21A.59 of this title. Such conditional uses shall also be subject to urban design evaluation.

SECTION 23. Amending text of Salt Lake City Code section 21A.31.010.P. That section 21A.31.010.P of the *Salt Lake City Code* (Zoning: Gateway Districts: General Provisions), shall be, and hereby is, amended to read as follows:

- P. Urban Design: The urban design standards are intended to foster the creation of a rich urban environment that accommodates growth and is compatible with existing buildings and uses in the area. All general development and site plans shall be designed to complement the surrounding existing contiguous (historic) development. The following design standards will provide human scale through change, contrast, intricacy, color and materials where the lower levels of buildings face public streets and sidewalks. They will also spatially define the street space in order to concentrate pedestrian activity, create a clear urban character and promote visibility of commercial activities at the ground level. The standards will also encourage diversity through the use of building forms and materials, while respecting the patterns, styles and methods of construction traditionally used in the gateway area.

The following urban design standards will be reviewed as part of the site plan review process, with assistance from planning division staff as necessary:

1. Architectural Character and Materials:

- a. A differentiated base (on a building over 45 feet high) will provide human scale through change, contrast, and intricacy in facade form, color and/or material where the lower levels of the building face the sidewalk(s) and street(s). Scaling elements such as insets and projections serve to break up flat or monotonous facades, and respond to older nearby buildings. Therefore, all buildings in the gateway districts are subject to the following standards:
  - (1) All buildings over forty five feet (45') in height shall be designed with a base that is differentiated from the remainder of the building. The base shall be between one and three (3) stories in height, be visible from pedestrian view, and appropriately scaled to the surrounding contiguous historic buildings. The base shall include fenestration that distinguishes the lower from upper floors. Insets and/or projections are encouraged.
  - (2) All new buildings in the gateway district shall have a minimum of seventy percent (70%) of the exterior material (excluding windows) be brick, masonry, textured or patterned concrete and/or cut stone. With the exception of minor building elements (e.g., soffit, fascia) the following materials are allowed only through the conditional building site and design review -process: EIFS, tilt-up concrete panels, corrugated metal, vinyl and aluminum siding, and other materials.

- (3) All buildings which have been altered over seventy five percent (75%) on the exterior facade shall comply with the exterior material requirement for new construction. Buildings older than fifty (50) years are exempt from this requirement if alterations are consistent with the existing architecture.
  - (4) Two-dimensional curtain wall veneer of glass, spandrel glass or metal as a primary building material is prohibited. The fenestration of all new construction shall be three-dimensional (e.g., recessed windows, protruding cornice, etc.).
- b. The climate in Salt Lake City is such that in the summer months shade is preferred, and in the winter months protection from snow is preferred. By providing the pedestrian with a sidewalk that is enjoyable to use year round, a pedestrian oriented neighborhood is encouraged. Therefore, new construction in the gateway area is subject to the following standards:
- (1) Arcades are permitted in the gateway district, but where an arcade extends over the public way, a revocable permit is required. Where an arcade is on private property facing the street, the maximum setback for the building shall be measured to the supporting beams for the arcade or the facade of the upper floors, not the facade of the arcade level.
  - (2) Awnings and/or marquees, with or without signage, are required over entry doors which are set back from the property line and may be allowed, under revocable permit, when an entry is at a property line.
  - (3) Awnings, with or without signage, are permitted over ground level windows. Where awnings extend out over the public way, a revocable permit is required.

## 2. Windows and Building Fenestration:

- a. Buildings whose exteriors are smooth, and do not provide any three-dimensional details or fenestration are not appropriate in the gateway district. Recessed windows will eliminate flat, sterile elevations. Highly reflective materials are distracting, and focus attention away from the positive qualities of the gateway district. Therefore, all buildings in the gateway districts are subject to the following standards:
- (1) Buildings with completely smooth exterior surfaces shall not be permitted, all new construction shall have three-dimensional details on the exterior that includes cornices, windowsills, headers and similar features.
  - (2) All windows shall be recessed from the exterior wall a minimum of three inches (3"). Bay windows, projecting windows, and balcony doors are exempt from this requirement.

- (3) The reflectivity of the glass used in the windows shall be limited to eighteen percent (18%) as defined by the ASTA standard.

### 3. Entrance and Visual Access:

- a. The intent in the gateway district is to encourage pedestrian activity between the public street/sidewalk and buildings. Sidewalks shall provide continuous, uninterrupted interest to the pedestrian by providing visual interest and/or amenities. The gateway environment will benefit with increased pedestrian activity; this activity will only occur if opportunities are provided that make walking to a destination a preferred and an enjoyable pursuit. The use of blank building facade walls is discouraged. Therefore, all buildings in the gateway area are subject to the following standards:

- (1) Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the gateway district shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:

(A) The requirement would negatively impact the historic character of the building, or

(B) The requirement would negatively impact the structural stability of the building.

(C) The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).

Appeal of Administrative Decision is to the Planning Commission.

### 4. Building Lines and Front Area Requirements:

- a. A continuity of building frontage adjacent and parallel to the street encourages a more active involvement between building uses and pedestrians. Leftover or ambiguous open space that has no apparent use or sense of place will not contribute positively to an active street life. Therefore, all buildings in the gateway district are subject to the following standard:



- (1) The majority of the ground level facade of a building shall be placed parallel, and not at an angle, to the street.

5. Public Amenities and Public Art:

- a. Amenities and works of art enhance quality of life as well as visual interest. Public amenities and public art encourage pedestrian activity and contribute to the pedestrian experience. A cohesive, unified lighting and amenity policy will help give the gateway district its own distinctive identity. Therefore, public amenities and public art are subject to the following standards:

- (1) Sidewalks and street lamps installed in the public right of way shall be of the type specified in the sidewalk/street lighting policy document.
- (2) Public art (which may include artists' work integrated into the design of the building and landscaping, sculpture, painting, murals, glass, mixed media or work by artisans), that is accessible or directly viewable to the general public shall be included in all projects requiring conditional building and site design review approval for a site or design standard. The plan to incorporate public art shall be reviewed by the Salt Lake art design board.

6. Conditional Building and Site Design Review Approval: A modification to the urban design provisions of this section may be granted through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title.

SECTION 24. Amending text of Salt Lake City Code section 21A.31.020. That section

21A.31.020 of the *Salt Lake City Code* (Zoning: Gateway Districts: G-MU Gateway-Mixed Use

District), shall be, and hereby is, amended to read as follows:

**21A.31.020: G-MU GATEWAY-MIXED USE DISTRICT:**

- A. Purpose Statement: The G-MU gateway-mixed use district is intended to implement the objectives of the adopted gateway development master plan and encourage the mixture of residential, commercial and assembly uses within an urban neighborhood atmosphere. The 200 South corridor is intended to encourage commercial development on an urban scale and the 500 West corridor is intended to be a primary residential corridor from North Temple to 400 South. Development in this district is intended to create an urban neighborhood that provides employment and economic development opportunities that are oriented towards the pedestrian with a strong emphasis on a safe and attractive streetscape. The standards are intended to achieve established objectives for urban and historic design, pedestrian amenities and land use regulation.

- B. Uses: Uses in the G-MU gateway-mixed use district as specified in section 21A.31.050, "Table of Permitted and Conditional Uses in the Gateway District", of this chapter are permitted subject to the general provisions set forth in section 21A.31.010 of this chapter and this section.
- C. Planned Development Review: All new construction of principal buildings, uses, or additions that increase the floor area and/or parking requirement by twenty five percent (25%) in the G-MU gateway-mixed use district may be approved only as a planned development in conformance with the provisions of chapter 21A.55 of this title.
- D. Special Provisions:
1. Commercial Uses, 200 South: All buildings fronting 200 South shall have commercial uses that may include retail goods/services establishments, offices, restaurants, art galleries, motion picture theaters or performing arts facilities shall be provided on the first floor adjacent to the front or corner side lot line. The facades of such first floor shall be compatible and consistent with the associated retail or office portion of the building and other retail uses in the area.
  2. Residential Units, 500 West: Buildings fronting on 500 West shall be required to have residential units occupying a minimum of fifty percent (50%) of the structure's gross square footage.
  3. Mid Block Street Development: Developments constructing mid block streets, either privately owned with a public easement or publicly dedicated, that are desired by an applicable master plan:
    - a. May use a portion or all of the overhead and underground right of way of the new mid block street as part of their developable area irrespective of lot lines, subject to design evaluation and approval of the planning commission.
    - b. May increase the height of the building on the remaining abutting parcel, subject to conformance with the standards and procedures of Conditional Building and Site Design chapter 21A.59 of this title.
  4. Conditional Building and Site Design Reviews: A modification to the special provisions of this section may be granted through the building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title.
- E. Building Height: The minimum building height shall be forty five feet (45') and the 200 South street corridor shall have a minimum height of twenty five feet (25'). The maximum building height shall not exceed seventy five feet (75') except buildings with nonflat roofs (e.g., pitched, shed, mansard, gabled or hipped roofs) may be

allowed, up to a maximum of ninety feet (90') (subject to subsection I of this section). The additional building height may incorporate habitable space.

1. Conditional Building and Site Design Review: A modification to the minimum building height or to the maximum building height (up to 120 feet) provisions of this section may be granted through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title, and subject to compliance to the applicable master plan.
2. Height Exceptions: Spires, tower, or decorative noninhabitable elements shall have a maximum height of ninety feet (90') and with conditional building and site design review approval may exceed the maximum height, subject to conformance with the standards and procedures of chapter 21A.59 of this title.

F. Minimum Lot Area and Lot Width: None required.

G. Minimum Yard Requirements: No minimum setback requirements. There is not a maximum front yard or corner side yard setback except that a minimum of twenty five percent (25%) of the length of the facade of a principal building shall be set back no farther than five feet (5') from the street right of way line. Surface parking lots shall have a fifteen foot (15') landscape setback from the front property line.

H. Signs: Signs shall be allowed in the gateway districts in accordance with provisions of chapter 21A.46 of this title.

I. Affordable Housing: Notwithstanding the maximum height requirements identified above, any buildings that have at least ten (10) or more residential units with at least twenty percent (20%) of the units as affordable shall be allowed a maximum building height of ninety feet (90'). The affordable units shall be integrated throughout the project in an architectural manner.

SECTION 25. Amending text of Salt Lake City Code section 21A.32.020.D. That section 21A.32.020.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: RP Research Park District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: Building height shall be limited to forty five feet (45'). Building heights in excess of forty five feet (45') but less than seventy five feet (75') may be approved through the conditional building and site design review process; provided, that the additional height is supported by the master plan and compatible with the adjacent neighborhood.

SECTION 26. Amending text of Salt Lake City Code section 21A.32.056.D. That section 21A.32.056.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: AG-20 Agricultural District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: Building height shall be limited to forty five feet (45'). Building heights in excess of forty five feet (45') but not more than sixty five feet (65') may be approved through the conditional building and site design review process provided that the additional height is compatible with adjacent properties and does not conflict with the airport flight path protection overlay zone.

SECTION 27. Amending text of Salt Lake City Code section 21A.32.075.D. That section 21A.32.075.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: PL-2 Public Lands District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height:
  - 1. Local government facilities, government offices, arenas, stadiums, and exhibition halls: Seventy five feet (75') provided, that where adjacent to a zoning district allowing greater height, the height standard of the adjacent district shall apply. A modification to the maximum building height provisions of this section may be granted only through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title, and subject to compliance with the applicable master plan.
  - 2. Other uses: Thirty five feet (35').

SECTION 28. Amending text of Salt Lake City Code section 21A.32.080.D. That section 21A.32.080.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: I Institutional District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: Building height shall be limited to thirty five feet (35'). Building heights in excess of thirty five feet (35') but not more than seventy five feet (75') may be through the conditional building and site design review process; provided, that for each foot of height over thirty five feet (35'), each required yard shall be increased one foot (1').

SECTION 29. Amending text of Salt Lake City Code section 21A.32.090.D. That section 21A.32.090.D of the *Salt Lake City Code* (Zoning: Special Purpose Districts: UI Urban Institutional District), shall be, and hereby is, amended to read as follows:

- D. Maximum Building Height: Building height shall be limited to seventy five feet (75'). Building heights in excess of seventy five feet (75') but not more than one hundred twenty feet (120') may be approved through the conditional building and site design review process; provided, that the additional height is supported by the master plan and compatible with the adjacent neighborhood.

SECTION 30. Amending text of Salt Lake City Code section 21A.32.130.E.6. That section 21A.32.130.E.6 of the *Salt Lake City Code* (Zoning: Special Purpose Districts: MU Mixed Use District: Minimum Yard Area Requirements), shall be, and hereby is, amended to read as follows:

6. Maximum Setback: A maximum setback is required for at least seventy five percent (75%) of the building facade. The maximum setback is twenty feet (20'). Exceptions to this requirement may be authorized through the conditional building and site design review, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:
  - a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
  - b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission.

SECTION 31. Amending text of Salt Lake City Code section 21A.32.130.F. That section 21A.32.130.F of the *Salt Lake City Code* (Zoning: Special Purpose Districts: MU Mixed Use District: Maximum Building Height), shall be, and hereby is, amended to read as follows:

F. Maximum Building Height: The maximum building height shall not exceed forty five feet (45'), except that nonresidential buildings and mixed use buildings shall be limited by subsections F1 and F2 of this section. Buildings taller than forty five feet (45'), up to a maximum of sixty feet (60'), may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, provided that the additional height is for residential uses only.

1. Maximum Height for Nonresidential Buildings: Nonresidential buildings shall not exceed thirty feet (30') or two (2) stories, whichever is less.
2. Maximum Height of Mixed Use Buildings of Residential and Nonresidential Uses: Mixed use buildings shall not exceed forty five feet (45'). Nonresidential uses in a mixed use building are limited to the first two (2) stories.

SECTION 32. Amending text of Salt Lake City Code section 21A.34.090.C.2. That section 21A.34.090.C.2 of the *Salt Lake City Code* (Zoning: Overlay Districts: SSSC South State Street Corridor Overlay District: Minimum Yard Requirement Exemption: Maximum Setback), shall be, and hereby is, amended to read as follows:

2. Maximum Setback: A maximum setback is required for at least thirty five percent (35%) of the building facade. The maximum setback is twenty five feet (25'). Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:
  - a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
  - b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission

SECTION 33. Amending text of Salt Lake City Code section 21A.34.090.E. That section 21A.34.090.E of the *Salt Lake City Code* (Zoning: Overlay Districts: SSSC South State Street Corridor Overlay District: Entrance and Visual Access), shall be, and hereby is, amended to read as follows:

E. Entrance and Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:
  - a. The requirement would negatively impact the historic character of the building,
  - b. The requirement would negatively impact the structural stability of the building, or
  - c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Appeal of administrative decision is to the planning commission.

2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection F1 of this section.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

SECTION 34. Amending text of Salt Lake City Code section 21A.58.070.E. That section

21A.58.070.E of the *Salt Lake City Code* (Zoning: Site Plan Review: Standards for Site Plan

Review), shall be, and hereby is, amended to read as follows:

- E. General Plan Conformity: The planning division shall review site plans for all applications for conditional uses (including planned developments) and conditional building and site design reviews with reference to adopted plans and the conformity of the site plans with the objectives and policies of the adopted plans.

SECTION 35. Amending text of Salt Lake City Code section 21A.62.040. That section 21A.62.040 of the *Salt Lake City Code* (Zoning: Definitions: Definitions of Terms), shall be, and hereby is, amended to insert the definition of "CONDITIONAL BUILDING AND SITE DESIGN REVIEW" in alphabetical order into that section. The codifier is instructed to only add said definition and leave the remainder of section 21A.62.040 undisturbed. The definition of "CONDITIONAL BUILDING AND SITE DESIGN REVIEW" shall read as follows:

CONDITIONAL BUILDING AND SITE DESIGN REVIEW: A design that is allowed only after review and approval by the planning commission which includes a comprehensive evaluation of a development and its impact on neighboring properties and the community as a whole, from the standpoint of site and landscape design, height, setbacks, front façade glass, architecture, materials, colors, lighting and signs in accordance with a set of adopted criteria and standards.

SECTION 36. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER



Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2012.

Published: \_\_\_\_\_.

**APPROVED AS TO FORM**  
Salt Lake City Attorney's Office

Date: March 19, 2012

By: Paul C. Nielson  
Paul C. Nielson, Senior City Attorney

HB\_ATTYY-#22222-v3-Ordinance\_amending\_conditional\_bldg\_site\_design\_review.DOC

### **3. NOTICE OF CITY COUNCIL HEARING**

## **NOTICE OF PUBLIC HEARING**

The Salt Lake City Council will hold a public hearing regarding Petition PLNPCM2010-00783: Zoning Text Amendment, Conditional building and Site Design Review - A request by Salt Lake City Mayor Becker for a zoning text amendment to update the Conditional Building and Site Design review process in order to remove design features from the conditional use process (land use), create a distinct and separate design review process for design features and to eliminate conflicts and to clarify design criteria. The text amendment would affect all zoning districts.

As part of its study, the City Council is holding an advertised public hearing to receive comments regarding the petition. During this hearing, anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

**Date:**

**Time:** 7:00 p.m.

**Place:** Room 315 (City Council Chambers)\*

Salt Lake City and County Building

451 S. State Street

Salt Lake City, UT

\*Please enter building from east side.

If you have any questions relating to this proposal or would like to review the petition on file, please call Doug Dansie, Senior Planner, at 535-6182 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com).

People with disabilities may make requests for reasonable accommodations no later than 48 hours in advance in order to attend this public hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. The City & County Building is an accessible facility. For questions, requests, or additional information, please contact the ADA Coordinator at (801) 535-7971; TDD 535-6021.

#### **4. MAILING LABELS**

Notices were distributed through the newspaper and ListServe

**5.A PLANNING COMMISSION  
ORIGINAL NOTICE AND POSTMARK**

## Order Confirmation for Ad #0000758030-01

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<b>Client Phone</b>	801-535-6184	<b>Payor Phone</b>	801-535-6184
<b>Account#</b>	9001394298	<b>Payor Account</b>	9001394298
<b>Address</b>	PO BOX 145480 SALT LAKE CITY UT 84114-5455 USA	<b>Payor Address</b>	PO BOX 145480 SALT LAKE CITY UT 84114-5455
<b>Fax</b>		<b>Ordered By</b>	Acct. Exec
<b>Email</b>	angela.hasenberg@slcgov.com	<b>Angela</b>	mfultz

<b>Total Amount</b>	<b>\$66.25</b>			
<b>Payment Amt</b>	<b>\$0.00</b>			
<b>Amount Due</b>	<b>\$66.25</b>	<b>Tear Sheets</b>	<b>Proofs</b>	<b>Affidavits</b>
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<b>Product</b>	<b>Placement</b>	<b>Position</b>
Deseret News::	Legal Liner Notice - 0998	Public Meeting/Hear-ing Notices
<b>Scheduled Date(s):</b>	01/13/2012	
<b>Product</b>	<b>Placement</b>	<b>Position</b>
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### Ad Content Proof Actual Size

SALT LAKE CITY PLANNING  
COMMISSION  
ZONING ORDINANCE TEXT  
AMENDMENT HEARING

On Wednesday, January 25, 2012, at 5:45 P.M., the Salt Lake City Planning Commission will hold a public hearing to take comment and consider Petition PLN/CM/2010-00783, a request by Salt Lake City Mayor Ralph Becker to update the Conditional Building and Sign Design review process in order to remove design features from the conditional use process, eliminate conflicts and to clarify design criteria. Related provisions of the 21A-Zoning will be amended as part of this petition. The changes would apply city-wide if adopted by the City Council. All persons interested and present will be given an opportunity to be heard at this meeting.

The hearing will be held in Room 326 of the Salt Lake City and County Building, 451 South State Street. Accessible parking and entrance are located on the east side of the building. Hearing impaired individuals who wish to attend this meeting should contact our TDD service number, (801) 535-6220, four days in advance so that an interpreter can be provided. For further information regarding this hearing or to obtain a detailed copy of the changes, call Doug Danie at (801) 535-6182 or doug.danie@slcgov.com. 758030 UFAXLP

**5.B PLANNING COMMISSION  
STAFF REPORT**



# PLANNING COMMISSION STAFF REPORT

## PLNPCM2010-00783 Conditional Building and Site Design Review January 25, 2012



Planning and Zoning Division  
Department of Community and  
Economic Development

**Applicant:**

Mayor Ralph Becker

**Staff:**

Doug Dansie, 535-6182  
Doug.Dansie@slcgov.com

**Tax ID:**

Citywide

**Current Zone:**

Citywide

**Master Plan Designation:**

NA

**Council District:**

Citywide

**Community Council:**

Citywide

**Lot Size:**

Citywide

**Current Use:**

NA

**Applicable Land Use Regulations:**

21A.50.050: Standards for general  
amendments  
21A.06.030 Planning Commission  
21A.59 Conditional Building and  
Site design

**Notification (hearing)**

- Notice: January 12, 2012,
- Web: January 12, 2012

**Attachments:**

- A. Department Comments
- B. Proposed ordinance

### ***Request***

This is a request to update the Conditional Building and Site Design review process in order to remove design features from the conditional use process (land use), create a distinct and separate design review process (design features) and to eliminate conflicts and to clarify design criteria.

### ***Staff Recommendation***

Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the proposal generally meets the applicable standards and therefore, recommends the Planning Commission forward a positive recommendation to the City Council to approve the requested zoning text amendments associated with petitions PLNPCM2010-00783..

## **Background**

When the zoning code was rewritten in 1995, certain zoning districts had design criteria added to them in the City's first attempt to create some form based zoning. During the early 2000's, additional criteria were added to most commercial and mixed-use zoning districts in order to make them more pedestrian friendly. As part of that process, there was an "out" written for those projects that met the intent of the ordinance, but not the literal interpretation of the ordinance. At that time the only discretionary process the City used was the conditional use process; even though design features are not a land use. Since that time state law has evolved regarding conditional uses; requiring approval of conditional uses if impacts are mitigated.

This specific proposal eliminates the need for design issues to be considered with the conditional use process (land use) and creates a separate approval process for design standards (design process).

Also, at some point, an effort was made to clarify the philosophical criteria used to approve design modifications that did not meet the strict standard. Unfortunately there was some miscommunication and the final product made the "out" even stricter than the standard. This issue needs resolution. The proposal provides clarification to the design standards and their philosophical basis, providing a process to allow builders to create a product that meets the intent of the code, if not the exact standards.

## **Project Description**

The intent of the proposal is to create a design process for those developments that do not meet the strict design standards, but do meet the intent of the design standards.

The proposal is to separate all design criteria from the land use category, provide clear standards, an approval process for those projects that meet the intent, but not the distinct standards and to correct existing errors in the code. For example: The existing CN zoning district requires 40% glass at the ground level. An exemption from the standard is presently required to be processed through the existing Conditional Building and Site Design review and the Conditional Use review and the exemptions from the Conditional Building and Site design review are presently written so that it would require meeting a requirement more restrictive than the 40% glass requirement, instead of meeting the intent. This existing process is neither efficient nor effective.

## **Comments**

### **Public Comments**

- An Open House introducing these petitions and potential regulations was held on September 18 2011.
- There was an initial briefing with the Planning Commission at the June 22, 2011 meeting.

### **City Department Comments**

Department comments are attached. There were generally no significant issues raised.

## ***Project Review***

### ***Analysis and Findings***

#### **Options**

Most of these design criteria are already in the zoning ordinance. If the ordinance is not changed they would still remain, but would also remain subject to the conditional use criteria, which is directed more towards land use than design and does not facilitate meaningful review. There are also conflicts in the ordinance that will remain unresolved if the ordinance is not changed: specifically the language that requires the exemption be more stringent than the original standard, instead of more being lenient to provide design flexibility if the design intent is met. Failure to change the ordinance would keep a system intact that is not working.

#### **Findings**

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. However, In making its decision concerning a proposed text amendment, the city council should consider the following factors:

**A. 1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;**

**Analysis:** The Urban Design Element calls for the creation of basic design criteria which to organize the city. This is not strict design review of any particular style or theme, but a general approach to having basic guidelines that produce a walkable and pedestrian friendly city. The design standards were placed within the ordinance to insure that most development is oriented to a human scale. A review process in the event that the strict standards may not be met has been included to insure compliance with basic design goals of creating a pedestrian friendly city while allowing design freedom.

**Finding:** The proposed zoning text amendments are supported by general policy of the City

**2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;**

**Analysis:** The proposed zoning amendments separate design issues from land use issues. Design is not a use. Formerly, design concepts were also approved under the conditional use process due to the lack of a separate design process. Recent changes in State law require the approval of any conditional use with modification to mitigate impacts. The fundamental criteria for use and design are not the same. This petition separates and clarifies the design process and eliminates conflicts.

**Finding:** The proposed zoning text amendments are designed to be consistent with City master plan goals while also remaining consistent with State law.

**3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and**

**Analysis:** The proposed changes are supportive of Historic Landmark overlays and do not otherwise inhibit or conflict with any other overlay.

**Finding:** The proposed zoning map amendment is consistent with overlay districts.

**4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.**

**Analysis:** The creation of a design process, independent of a land use process, is part of the emerging concept of form based zoning where fundamental design of a community is as (or more) important separation of land uses. The criteria for design are inherently different than the criteria for land use. This change separates and clarifies the process.

**Finding:** The proposed zoning text amendment is supported by general policy of increasing the use of form based zoning.

## ***Summary***

Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the requested zoning text amendments associated with petitions PLNPCM2010-00783.

**Attachment A**  
Department Comments

**Fire** Ed Itchon  
No Comment

**Engineering** Scott Weiler  
No objections

**Transportation** Barry Walsh

In reviewing the draft submitted, I find no change to required parking or circulation other than reduced issues on parking lot locations - 21A.59.060 E (1,2,&3.) On the last page - 21A.58.070 E THERE IS A TYP-O ...BUILDING AND SIDE DESIGN...

**Attachment B**  
Proposed Ordinance

## 21A.06.030: PLANNING COMMISSION:

- A. Creation: The planning commission is created pursuant to [title 2, chapter 2.20](#) of this code under the enabling authority granted by section 10-9-201, [title 10, chapter 9](#) of the municipal land use development and management act of the Utah Code Annotated or its successor.
- B. Jurisdiction And Authority: The planning commission shall have the following powers and duties in connection with the implementation of this title:
1. Prepare and recommend to the city council for adoption, a comprehensive, general plan and amendments to the general plan for the present and future needs of the city and the growth and development of the land within the city or any part of the city;
  2. Make comprehensive surveys and studies of the existing conditions and trends of growth and of the probable future requirements of the city and its residents as part of the preparation of the general plan;
  3. Initiate amendments to the text of this title and to the zoning map pursuant to the provisions of section [21A.50.020](#) of this title;
  4. Review, evaluate and make recommendations to the city council on proposed amendments to this title pursuant to the procedures and standards set forth in sections [21A.50.030](#) and [21A.50.040](#) of this title;
  5. Review, hear and decide applications for conditional uses, including planned developments, pursuant to the procedures and standards set forth in chapter 21A.54, "Conditional Uses", of this title [and Conditional Building and Site Design review, pursuant to the procedures and standards set forth in Chapter 21A.59, Conditional Building and Site Design Review.](#);
  6. Hear and decide appeals from administrative hearing decisions of the planning director; and
  7. Hear and decide applications for subdivision amendments and approvals pursuant to the municipal land use development and management act, [title 10, chapter 9](#) of the Utah Code Annotated.
- C. Membership: The planning commission shall consist of eleven (11) voting members, appointed by the mayor with the advice and consent of the city council from among qualified electors of the city in a manner providing balanced geographic, professional, neighborhood and community interests representation. The director of the planning division (or the planning director's designated representative) shall serve as an ex officio member without vote. Voting members may serve a maximum of two (2) consecutive full terms of four (4) years each. The mayor shall appoint a new commission member to fill any vacancy that might arise and such appointment shall not be included in the determination of any person's eligibility to serve two (2) consecutive full terms.
- D. Officers: The planning commission shall annually elect a chair and a vice chair who shall serve for a term of one year each. The chair or vice chair may not be elected to serve consecutive terms in the same office. The secretary of the planning commission shall be designated by the planning director.
- E. Meetings: The planning commission shall meet at least once each month.



- F. Record Of Proceedings: The proceedings of each meeting and public hearing shall be recorded on audio equipment. Records of confidential executive sessions shall be kept in compliance with the government records access and management act. The audio recording of each meeting shall be kept for a minimum of sixty (60) days. Upon the written request of any interested person, such audio recording shall be kept for a reasonable period of time beyond the sixty (60) day period, as determined by the planning commission. Copies of the tapes of such proceedings may be provided, if requested, at the expense of the requesting party. The commission shall keep written minutes of its proceedings and records of all of its examinations and official actions.
- G. Quorum And Vote: No business shall be conducted at a meeting of the planning commission without at least a quorum of six (6) voting members. All actions of the planning commission shall be represented by a vote of the membership. A simple majority of the voting members present at the meeting at which a quorum is present shall be required for any action taken. The decision of the planning commission shall become effective upon the posting of the record of decision.
- H. Public Hearings: The planning commission shall schedule and give public notice of all public hearings pursuant to the provisions of chapter 21A.10, "General Application And Public Hearing Procedures", of this title.
- I. Conflicts Of Interest: No member of the planning commission shall participate in or be present at the hearing or disposition of any matter in which that member has any conflict of interest prohibited by [title 2, chapter 2.44](#) of this code. The planning commission may, by majority vote of the members present, allow a member, otherwise required to leave due to a conflict, to be present if required by special or unusual circumstances.
- J. Removal Of A Member: Any member of the planning commission may be removed by the mayor for violation of this title or any policies and procedures adopted by the planning commission following receipt by the mayor of a written complaint filed against the member. If requested by the member, the mayor shall provide the member with a public hearing conducted by a hearing officer appointed by the mayor.
- K. Policies And Procedures: The planning commission shall adopt policies and procedures for the conduct of its meetings, the processing of applications and for any other purposes considered necessary for its proper functioning. (Ord. 69-09 § 1, 2009; Ord. 26-95 § 2(3-3), 1995)

## **21A.10.020: PUBLIC HEARING NOTICE REQUIREMENTS:**

Providing all of the information necessary for notice of all public hearings required under this title shall be the responsibility of the applicant and shall be in the form established by the zoning administrator and subject to the approval of the zoning administrator pursuant to the standards of this section.

- A. Special Exception Permits, Variances And Appeals Of Zoning Administrator Decisions: The board of adjustment shall hold at least one public hearing to review, consider and approve, approve with conditions, or deny an application for a special exception or for a variance, or to consider an appeal from a decision of the zoning administrator. Such hearing shall be held after the following public notification:
1. Mailing: Notice by first class mail shall be provided a minimum of twelve (12) calendar days in advance of the public hearing to all owners and tenants of the land, as shown on the Salt Lake City geographic information system records, included in the application for a special exception, variance, or an appeal of a decision by the

zoning administrator, as well as to all owners of land and tenants, as shown on the Salt Lake City geographic information system records, within eighty five feet (85') or three hundred feet (300') if the proposal involves construction of a new principal building of the periphery of the land subject to the application for a special exception for a variance, or an appeal of a decision by the zoning administrator. Notice shall be given to each individual property owner and tenant if an affected property is held in condominium ownership.

2. Posting: The land subject to an application shall be posted by the city with a sign giving notice of the public hearing at least ten (10) calendar days in advance of the public hearing.

- a. Location: One notice shall be posted for each five hundred feet (500') of frontage, or portion thereof, along a public street. At least one sign shall be posted on each public street. The sign(s) shall be located on the property subject to the request or petition and shall be set back no more than twenty five feet (25') from the front property line and shall be visible from the street. Where the land does not have frontage on a public street, signs shall be erected on the nearest street right of way with an attached notation indicating generally the direction and distance to the land subject to the application.
- b. Removal: If the sign is removed through no fault of the applicant before the hearing, such removal shall not be deemed a failure to comply with the standards, or be grounds to challenge the validity of any decision made on the application.

3. Notification To Recognized And Registered Organizations: The city shall give notification a minimum of twelve (12) calendar days in advance of the public hearing to any organization which is entitled to receive notice pursuant to [title 2, chapter 2.62](#) of this code.

B. Conditional Uses: The planning commission, or administrative hearing officer when applicable, shall hold at least one public hearing to review, consider and approve, approve with conditions or deny an application for a conditional use after the following public notification:

1. Mailing: Notice by first class mail shall be provided a minimum of twelve (12) calendar days in advance of the public hearing, to all owners of the land, as shown on the Salt Lake City geographic information system records, included in the application for a conditional use, as well as to all owners of land and tenants, as shown on the Salt Lake City geographic information system records, within three hundred feet (300') of the periphery of the land subject to the application for a conditional use. Notice shall be given to each individual property owner and tenant if an affected property is held in condominium ownership.

2. Posting: The land subject to an application shall be posted by the city with a sign giving notice of the public hearing at least ten (10) calendar days in advance of the public hearing.

- a. Location: One notice shall be posted for each five hundred feet (500') of frontage, or portion thereof, along a public street. At least one sign shall be posted on each public street. The sign(s) shall be located on the property subject to the request or petition and shall be set back no more than twenty five feet (25') from the front property line and shall be visible from the street. Where the land does not have frontage on a public street, signs shall be erected on the nearest street right of way with an attached notation indicating generally the direction and distance to the land subject to the application.
- b. Removal: If the sign is removed through no fault of the applicant before the hearing, such removal shall not be deemed a failure to comply with the standards, or be grounds to challenge the validity of any decision made on the application.

3. Notification To Recognized And Registered Organizations: The city shall give notification a minimum of twelve (12) calendar days in advance of the public hearing by first class mail to any organization which is entitled to receive notice pursuant to [title 2, chapter 2.62](#) of this code.

C. Conditional Building And Site Design Review: The planning commission, or administrative hearing officer when applicable, shall hold at least one public hearing to review, consider and approve, approve with conditions or deny an application for a conditional building and Site Design Review after the following public notification as is required and detailed in 21A.10:

1. Mailing: Notice by first class mail shall be provided a minimum of twelve (12) calendar days in advance of the public hearing, to all owners of the land, as shown on the Salt Lake City geographic information system records, included in the application for a conditional use, as well as to all owners of land and tenants, as shown on the Salt Lake City geographic information system records, within one hundred feet (100') of the periphery of the land subject to the application for a conditional use. Notice shall be given to each individual property owner and tenant if an affected property is held in condominium ownership.

2. Notification To Recognized And Registered Organizations: The city shall give notification a minimum of twelve (12) calendar days in advance of the public hearing by first class mail to any organization which is entitled to receive notice pursuant to title 2, chapter 2.62 of this code

~~The planning commission shall consider requests for conditional building and site design review at a public hearing if there is an expression of interest after providing notice as follows:~~

~~1. Notification: The city shall provide written notice a minimum of twelve (12) days in advance of the requested action to all owners of the land and tenants subject to the application, as shown on the Salt Lake City geographic information system records, included in the application, as well as to the planning commission and to all owners of land and tenants as shown on the Salt Lake City geographic information system records adjacent to and contiguous with the land subject to the application. At the end of the twelve (12) day notice period, if there are requests for a public hearing, the planning commission will schedule a public hearing and consider the issue; if there are no requests for a public hearing, the planning commission may authorize the planning director to decide the issue administratively.~~

~~2. Notification To Recognized And Registered Organizations: The city shall also provide notification to any organization which is entitled to receive notice pursuant to title 2, chapter 2.62 of this code.~~

~~3. Posting: The land subject to the application shall be posted by the city with a sign giving notice of the pending action at least ten (10) calendar days in advance of the public hearing.~~

~~a. Location: One notice shall be posted for each five hundred feet (500') of frontage, or portion thereof, along a public street. At least one sign shall be posted on each public street. The sign(s) shall be located on the property subject to the request or petition and shall be set back no more than twenty five feet (25') from the front property line and shall be visible from the street. Where the land does not have frontage on a public street, signs shall be erected on the nearest street right of way with an attached notation indicating generally the direction and distance to the land subject to the application.~~

~~b. Removal: If the sign is removed through no fault of the applicant before the hearing, such removal shall not be deemed a failure to comply with the standards, or be grounds to challenge the validity of any decision made on the application.~~

~~4. Public Hearing: If the planning commission holds a public hearing, the city shall provide written notice a minimum of twelve (12) calendar days in advance of the public hearing to all owners of the land and tenants subject to the application, as shown on the Salt Lake City geographic information system records, included in the application, as well as to the planning commission and to all owners of land and tenants as shown on the Salt Lake City geographic information system records adjacent to and contiguous with the land subject to the application. The city shall also provide notification to any organization which is entitled to receive notice pursuant to title 2, chapter 2.62 of this code. The land subject to the application shall be posted by the city with a sign giving notice of the pending action at least ten (10) calendar days in advance of the public hearing.~~

In the event that the city and applicant are aware of advanced interest in the project, the applicant may request to forgo the time frame for determining interest and request a public hearing with the planning commission

# Chapter 21A.59

## CONDITIONAL BUILDING AND SITE DESIGN REVIEW

### 21A.59.010: PURPOSE STATEMENT:

### 21A.59.020: AUTHORITY:

### 21A.59.030: SCOPE OF APPLICATION:

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

### 21A.59.050: APPLICATION REQUIREMENTS:

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

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

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

The intent of building and site design review regulations is to provide for the flexible implementation of the specific design requirements set forth within individual zoning districts. The purpose statement of each zoning district provides the philosophical approach to defining that flexibility. This process is intended to supplement the review and administrative procedures which are carried out under this title or other city ordinances and regulations. The conditional building and site design review process is intended to help ensure that newly developed properties and redeveloped properties are designed to encourage pedestrian access, circulation and orientation while acknowledging the need for transit and automobile access. (Ord. 3-05 § 11, 2005)

### **21A.59.020: AUTHORITY:**

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

- A. The planning commission shall approve design criteria upon consideration of comments received from city departments and determining whether modification of specific design regulations meets the intent of the individual zoning district.
- B. The planning commission may modify individual design requirements for specific projects if they find that the intent of the basic design criteria of the zoning district has been met. (Ord. 3-05 § 11, 2005)

### **21A.59.030: SCOPE OF APPLICATION:**

Design review approval shall be required for all permitted uses, conditional uses and accessory uses when specifically authorized and referenced by individual zoning districts. (Ord. 3-05 § 11, 2005)

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

The authority of the planning commission through the design review process shall be limited to modification of the specific element referenced within each zoning district. (Ord. 3-05 § 11, 2005)

In the TSA zoning district, the planning commission or administrative hearing officer, shall have the authority to determine if a proposal generally compiles with the transit station area development guidelines and may make modifications to the Building and Site Design proposal to insure compliance.

### **21A.59.050: APPLICATION REQUIREMENTS:**

Each application for design review shall include the same information as required for site plan review as identified in section 21A.58.060 of this title. (Ord. 3-05 § 11, 2005)

## **21A.59.060: STANDARDS FOR DESIGN REVIEW:**

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

A. Development shall be primarily oriented to the street, not an interior courtyard or parking lot.

~~1. Primary building orientation shall be toward the street rather than the parking area. The principal entrance shall be designed to be readily apparent.~~

~~2. At least sixty percent (60%) of the street frontage of a lot shall have any new building located within ten feet (10') of the front setback. Parking is permitted in this area.~~

~~3. Any buildings open to the public and located within thirty feet (30') of a public street shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be a distinctive and prominent element of the building's architectural design, and shall be open to the public during all business hours.~~

~~4. Each building shall incorporate lighting and changes in mass, surface, or finish to give emphasis to its entrances.~~

B. Primary access shall be oriented to the pedestrian and mass transit.

~~1. Each building shall include an arcade, roof, alcove, portico, awnings, or similar architectural features that protect pedestrians from the rain and sun.~~

C. Building facades shall include detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction.

~~1. At least forty percent (40%) of any first floor wall area that faces and is within thirty feet (30') of a primary street, plaza, or other public open space shall contain display areas, windows, or doorways. Windows shall allow views into a working area or lobby, a pedestrian entrance, or display area. First floor walls facing a side street shall contain at least twenty five percent (25%) of the wall space in window, display area, or doors. Monolithic walls located within thirty feet (30') of a public street are prohibited.~~

~~2. Recessed or projecting balconies, verandas, or other usable space above the ground level on existing and new buildings is encouraged on a street facing elevation. Balconies may project over a public right of way, subject to an encroachment agreement issued by the city.~~

D. Architectural detailing shall be included on the ground floor to emphasize the pedestrian level of the building.

E. Parking lots shall be appropriately screened and landscaped to minimize their impact on adjacent neighborhoods. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods.

~~1. Parking areas shall be located behind or at one side of a building. Parking may not be located between a building and a public street.~~

~~2. Parking areas shall be shaded by large broadleaf canopied trees placed at a rate of one tree for each six (6) parking spaces. Parking shall be adequately screened and buffered from adjacent uses.~~

~~3. Parking lots with fifteen (15) spaces or more shall be divided by landscaped areas including a walkway at least ten feet (10') in width or by buildings.~~

~~F. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods.~~

~~G.~~ F. Parking and on site circulation shall be provided [with an emphasis on making safe pedestrian connections to the street or other pedestrian facilities.](#)

~~1. Connections shall be made when feasible to any streets adjacent to the subject property and to any pedestrian facilities that connect with the property.~~

~~2. A pedestrian access diagram that shows pedestrian paths on the site that connect with a public sidewalk shall be submitted.~~

~~H.~~ G. Dumpsters and loading docks shall be appropriately screened or located within the structure.

~~1. Trash storage areas, mechanical equipment, and similar areas are not permitted to be visible from the street nor permitted between the building and the street.~~

~~2. Appropriate sound attenuation shall occur on mechanical units at the exterior of buildings to mitigate noise that may adversely impact adjacent residential uses.~~

~~I.~~ H. Signage shall emphasize the pedestrian/mass transit orientation.

~~J.~~ I. Lighting shall meet the lighting levels and design requirements set forth in [chapter 4](#) of the Salt Lake City lighting master plan dated May 2006.

~~K.~~ Streetscape improvements shall be provided as follows:

1. One street tree chosen from the street tree list [consistent with the city's urban forestry guidelines and with the approval of the city's urban forester](#) shall be placed for each thirty feet (30') of property frontage on a street. [Existing street trees removed as the result of a development project shall be replaced by the developer with trees approved by the city's urban forester.](#)

2. Landscaping material shall be selected that will assure eighty percent (80%) ground coverage occurs within three (3) years.



3. Hardscape (paving material) shall be utilized to designate public spaces. Permitted materials include unit masonry, scored and colored concrete, grasscrete, or combinations of the above.
4. Outdoor storage areas shall be screened from view from adjacent public rights of way. Loading facilities shall be screened and buffered when adjacent to residentially zoned land and any public street.
5. Landscaping design shall include a variety of deciduous and/or evergreen trees, and shrubs and flowering plant species well adapted to the local climate.

L. Street trees shall be provided as follows:

- ~~1. Any development fronting on a public or private street shall include street trees planted consistent with the city's urban forestry guidelines and with the approval of the city's urban forester.~~
- ~~2. 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.~~

M.J. The following additional standards shall apply to any large scale developments with a gross floor area exceeding sixty thousand (60,000) square feet:

1. The orientation and scale of the development shall conform to the following requirements:

- a. Large building masses shall be divided into heights and sizes that relate to human scale by incorporating changes in building mass or direction, sheltering roofs, a distinct pattern of divisions on surfaces, windows, trees, and small scale lighting.
- b. No new buildings or contiguous groups of buildings shall exceed a combined contiguous building length of three hundred feet (300').

2. Public spaces shall be provided as follows:

- a. One square foot of plaza, park, or public space shall be required for every ten (10) square feet of gross building floor area.
- b. Plazas or public spaces shall incorporate at least three (3) of the five (5) following elements:
  - (1) Sitting space of at least one sitting space for each two hundred fifty (250) square feet shall be included in the plaza. Seating shall be a minimum of sixteen inches (16") in height and thirty inches (30") in width. Ledge benches shall have a minimum depth of thirty inches (30");
  - (2) A mixture of areas that provide shade;
  - (3) Trees in proportion to the space at a minimum of one tree per eight hundred (800) square feet, at least two inch (2") caliper when planted;
  - (4) Water features or public art; and/or
  - (5) Outdoor eating areas or locations for food vendors.

~~N.K.~~ Any new development shall comply with the intent of the purpose statement of the zoning district and specific design regulations found within the zoning district in which the project is located as well as adopted master plan policies, the city's adopted "urban design element" and design guidelines governing the specific area of the proposed development. Where there is a conflict between the standards found in this section and other adopted plans and regulations, the more restrictive regulations shall control. (Ord. 61-08 § 2 (Exh. B), 2008: Ord. 89-05 § 8, 2005: Ord. 3-05 § 11, 2005)

### **21A.59.065: STANDARDS FOR DESIGN REVIEW FOR HEIGHT:**

In addition to standards provided in 21A.59.065, the following standards shall be applied to all applications for conditional building and design review regarding height

- A. The roofline contains architectural features that make it distinctive on the skyline; flats roofs are discouraged unless also being used for other purposes such as rooftop gardens, common space for building occupants or the public, heliport etc.
- B. There is architectural detailing at the cornice level.
- C. Lighting highlights the architectural detailing of the entire building but shall not exceed the maximum lighting standards as further described elsewhere in this title.

### **21A.59.070: PROCEDURES FOR DESIGN REVIEW:**

~~A. Preapplication Conference: Before filing an application for design review, the applicant is encouraged to confer with the development review team (DRT) regarding the general proposal. Such action does not require formal application fees, or filing of a site plan, or landscape plan and is not to be construed as an application for formal approval. No representation made by the planning director, the DRT or other city departments during such conference shall be binding upon the city with respect to an application subsequently submitted.~~

~~B. A.~~ Fees: Every design review application shall be accompanied by a fee as established in the fee schedule, chapter 21A.64 of this title.

~~C. B.~~ Submission Of Final Plans; Review And Approval:

1. Planning Commission Review: After the plans and related materials and fees have been submitted pursuant to section 21A.59.050 of this chapter, and the application has been determined by the planning director to be complete pursuant to section 21A.10.010 of this title, the application shall be reviewed and processed through the planning commission in coordination with the appropriate city departments. If the plan is approved, the planning director shall certify approval and state the conditions of such approval, if any. If the design is disapproved, the planning director shall indicate reasons for such in writing to the applicant.
2. Appeal Of Planning Commission Decision: Any appeal of the planning commission decision shall be made to the land use appeals board, pursuant to title 2, chapter 2.88 of this code within ten (10) calendar days of the date on which a record of decision is issued.
3. Certification By Planning Commission: The decisions of the planning commission approving the application shall be noted on all copies of applicable plans to be retained in the record, including any changes or conditions required as part of the design review approval. One such copy shall be returned to the applicant, and others



retained as required for records or further action by the planning commission or other affected agencies of the city.

4. Building Permits: Building permits shall be issued in accordance with approved plans. A copy of the approved plan shall be retained in the records of the office of the division of building services and licensing and all building and occupancy permits shall conform to the provisions of the approved design review.

5. Amendments Or Modifications To Approved Design Review: Amendments or modifications to approved design review must be submitted to the planning director. Such modifications shall be submitted in accordance with the procedures and requirements of this chapter and shall be distributed to the appropriate departments for review. The planning director may waive this requirement if the planning director determines that such modification of the original design review has no significant impact upon the original proposal and still remains in conformance with design concepts approved by the planning commission.

6. Time Limit On Approval: Approval of design review shall be void unless a building permit has been issued or complete building plans have been submitted to the division of building services and licensing within ~~one year~~ two years from the date of approval. The planning director may grant an extension of a design review approval for up to one additional year when the applicant is able to demonstrate no change in circumstance that would result in an unmitigated impact. Extension requests must be submitted to the planning director in writing prior to the expiration of the design review approval. (Ord. 11-10 § 9, 2010: Ord. 69-09 § 11, 2009: Ord. 3-05 § 11, 2005)

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

A. When a development is proposed which requires Building and Site Design Review along with a conditional Use approval, the Planning Commission shall review ~~upon~~ the applications together. The proposed applications shall be reviewed and approved, reviewed with conditions, approved with modifications, or denied.

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

E. Maximum Building Height: The maximum building height shall not exceed thirty five feet (35'), except that nonresidential buildings and uses shall be limited by subsections E1 and E2 of this section. Buildings taller than thirty five feet (35'), up to a maximum of forty five feet (45'), may be authorized ~~as through the conditional building and site design review process conditional uses, subject to the requirements of chapter 21A.54, "Conditional Uses", of this title;~~ and provided, that the proposed height conditional use is supported by the applicable master plan.

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

2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: One floor.

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

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 and E2 of this section. Buildings taller than

forty five feet (45'), up to a maximum of seventy five feet (75'), may be authorized ~~as through the building conditional building and site design review process conditional uses, subject to the requirements of chapter 21A.54, "Conditional Uses", of this title;~~ and provided, that the proposed height conditional use is supported by the applicable master plan.

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

2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: One floor.

## **21A.24.170: R-MU RESIDENTIAL/MIXED USE DISTRICT:**

F. Maximum Building Height: The maximum building height shall not exceed seventy five feet (75'), except that nonresidential buildings and uses shall be limited by subsections F1 and F2 of this section. Buildings taller than seventy five feet (75'), up to a maximum of one hundred twenty five feet (125'), may be authorized ~~as through the building conditional building and site design process conditional uses, subject to the requirements of chapter 21A.54, "Conditional Uses", of this title;~~ and provided, that the proposed height conditional use is located within the one hundred twenty five foot (125') height zone of the height map of the east downtown master plan.

1. Maximum height for nonresidential buildings: Forty five feet (45').

2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: Three (3) floors.

J. Entrance And Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized ~~as conditional through the conditional~~ building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may approve a modification to this requirement, if the planning director finds:

a. The requirement would negatively impact the historic character of the building,

b. The requirement would negatively impact the structural stability of the building, or

c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Appeal of administrative decision is to the planning commission.

2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection J1 of this section.

3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These

elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

## **21A.24.180: RO RESIDENTIAL/OFFICE DISTRICT:**

- I. Offices In Existing Buildings On Lots Less Than Twenty Thousand Square Feet: Offices occupying existing buildings are permitted on a five thousand (5,000) square foot minimum lot. Additions to existing buildings that are greater than fifty percent (50%) of the existing building footprint or that exceed the height of the existing building shall be subject to conditional building and site design review conditional use approval. (Ord. 61-09 § 12, 2009: Ord. 19-01 §§ 1 \_ 5, 2001: Ord. 26-95 § 2(12-17), 1995)

## **21A.24.190: TABLE OF PERMITTED AND CONDITIONAL USES FOR RESIDENTIAL DISTRICTS:**

6. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to the conditional use process a conditional building and site design review.

## **21A.26.010: GENERAL PROVISIONS:**

J. Modifications To Maximum Height: Additions to the maximum height due to the natural topography of the site may be approved pursuant to the following procedures and standards:

### 1. Modifications Of Ten Percent Or Less Of Maximum Height:

a. The board of adjustment may approve, as a special exception, additional height not exceeding ten percent (10%) of the maximum height pursuant to the standards and procedures of chapter 21A.52 of this title. Specific conditions for approval are found in subsection 21A.52.100G of this title.

### 1. Modifications Of Ten Percent Or Less Of Maximum Height:

a. The planning commission may approve, as a special exception, additional height not exceeding ten percent (10%) of the maximum height pursuant to the standards and procedures of chapter 21A.52 of this title. Specific conditions for approval are found in chapter 21A.52 of this title.

### 2. Modifications Of More Than Ten Percent Of Maximum Height:

a. ~~Conditional Use~~ Conditional Building and Site Design Review: ~~As a conditional use~~ Through conditional building and site design review for properties on a sloping lot in commercial zoning districts, pursuant to chapter 21A.54 ~~59~~ of this title, the planning commission, or in the case of an administrative approval the Planning Director or designee may allow additional building height of more than ten percent (10%) of the maximum height, but not more than one additional story, if the first floor of the building exceeds twenty thousand (20,000) square feet. The additional story shall not be exposed on more than fifty percent (50%) of the total building elevations.

## **21A.26.020: CN NEIGHBORHOOD COMMERCIAL DISTRICT:**

F. Minimum Yard Requirements:

1. Front Or Corner Side Yard: A fifteen foot (15') minimum front or corner side yard shall be required. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission.

2. Interior Side Yard: None required.

3. Rear Yard: Ten feet (10').

4. Buffer Yards: Any lot abutting a lot in a residential district shall conform to the buffer yard requirements of chapter 21A.48 of this title.

5. Accessory Buildings And Structures In Yards: Accessory buildings and structures may be located in a required yard subject to table 21A.36.020B of this title.

6. Maximum Setback: A maximum setback is required for at least sixty five percent (65%) of the building facade. The maximum setback is twenty five feet (25'). Exceptions to this requirement may be authorized as-through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:

- a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
- b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission.

#### I. Entrance And Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through the as conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:

- a. The requirement would negatively impact the historic character of the building, or
- b. The requirement would negatively impact the structural stability of the building.

Appeal of administrative decision is to the planning commission.

2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection I1 of this section.

3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

### **21A.26.030: CB COMMUNITY BUSINESS DISTRICT:**

D. Lot Size Requirements: No minimum lot area or lot width is required, however any lot exceeding four (4) acres in size shall be allowed only ~~as a conditional use~~ through the conditional building and site design review process.

E. Maximum Building Size: Any building having a fifteen thousand (15,000) gross square foot floor area of the first floor or a total floor area of twenty thousand (20,000) gross square feet or more, shall be allowed only ~~as a conditional use~~ through the conditional building and side design review process. An unfinished basement used only for storage or parking shall be allowed in addition to the total square footage.

F. Minimum Yard Requirements:

1. Front Or Corner Side Yard: No minimum yard is required. If a front yard is provided, it shall comply with all provisions of this title applicable to front or corner side yards, including landscaping, fencing, and obstructions.

2. Interior Side Yard: None required.

3. Rear Yard: Ten feet (10').

4. Buffer Yards: Any lot abutting a lot in a residential district shall conform to the buffer yard requirements of chapter 21A.48 of this title.

5. Accessory Buildings And Structures In Yards: Accessory buildings and structures may be located in a required yard subject to table 21A.36.020B of this title.

6. Maximum Setback: A maximum setback is required for at least seventy five percent (75%) of the building facade. The maximum setback is fifteen feet (15'). Exceptions to this requirement may be authorized ~~as through~~ the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:

a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.

b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission.

I. Entrance And Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized ~~asthrough the~~ conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:

a. The requirement would negatively impact the historic character of the building,

b. The requirement would negatively impact the structural stability of the building, or

c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Appeal of administrative decision is to the planning commission.

2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection I1 of this section.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

## **21A.26.050: CC CORRIDOR COMMERCIAL DISTRICT:**

F. Maximum Height: No building shall exceed thirty feet (30'). Buildings higher than thirty feet (30') may be allowed in accordance with the provisions of subsections F1 and F2 of this section.

1. Procedure For Modification: A modification to the height regulations in this subsection F may be granted ~~as a conditional use~~ through the conditional building and site design process in conformance with the provisions of chapter 21A.54 59 of this title. In evaluating an application submitted pursuant to this section, the planning commission shall find that the increased height will result in improved site layout and amenities.

2. Landscaping: If an additional floor is approved, increased landscaping shall be provided over and above that which is normally required for landscape yards, landscape buffer yards, and parking lot perimeter and interior landscaping. The amount of increased landscaping shall be equal to ten percent (10%) of the area of the additional floor.

3. Maximum Additional Height: Additional height shall be limited to fifteen feet (15'). (Ord. 61-09 § 17, 2009: Ord. 3-01 § 1, 2001: Ord. 88-95 § 1 (Exh. A), 1995: Ord. 26-95 § 2(13-4), 1995)

## **21A.26.060: CSHBD SUGAR HOUSE BUSINESS DISTRICT (CSHBD1 AND CSHBD2):**

D. Conditional Building And Site Design Review: All new construction of principal buildings that exceed fifty feet (50') in height in the CSHBD1 district or thirty feet (30') in height in the CSHBD2 district or twenty thousand (20,000) square feet in size in either district shall be subject to conditional building and site design review. The planning commission has the authority to approve projects through the conditional building and site design review process. Conditional building and site design review shall be approved in conformance with the business district design guideline handbook and the provisions of chapter 21A.59 of this title.

E. Minimum Lot Size: No minimum lot area or width is required.

F. Minimum Yard Requirements:



1. Front And Corner Side Yards: No minimum yard is required.

2. Maximum Setback: The maximum setback is fifteen feet (15'). Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk, and/or the modification conforms with the business district design guidelines handbook. Appeal of an administrative decision is to the planning commission.

3. Interior Side Yards: None required.

4. Rear Yards: No minimum yard is required.

5. Buffer Yards: All lots abutting a lot in a residential district shall conform to the buffer yards and landscape requirements of chapter 21A.48 of this title. In addition, for those structures located on properties zoned CSHBD that abut properties in a low density, single-family residential zone, every three feet (3') in building height above thirty feet (30'), shall be required a corresponding one foot (1') setback from the property line at grade. This additional required setback area can be used for landscaping or parking.

H. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the CSHBD Sugar House business district zones, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three- dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through the conditional building and site review process subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement, if the planning director finds:

1. The requirement would negatively impact the historic character of the building; or

2. The requirement would negatively impact the structural stability of the building; or

3. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%). Appeal of administrative decision is to the planning commission.

## **21A.26.070: CG GENERAL COMMERCIAL DISTRICT:**

F. Maximum Height: No building shall exceed sixty feet (60'). Buildings higher than sixty feet (60') may be allowed in accordance with the provisions of subsections F1 and F2 of this section.

1. Procedure For Modification: A modification to the height regulations in this subsection F may be granted ~~as a conditional use in through the conditional building and site design review process in~~ conformance with the provisions of chapter 21A.5459 of this title. In evaluating an application submitted pursuant to this section, the planning commission ~~or in the case of an administrative approval the Planning Director or designee,~~ shall find that the increased height will result in improved site layout and amenities.

2. Landscaping: If additional floors are approved, increased landscaping shall be provided over and above that which is normally required for landscape yards, landscape buffer yards, and parking lot perimeter and interior landscaping. The amount of increased landscaping shall be equal to ten percent (10%) of the area of the additional floors.

3. Maximum Additional Height: Additional height shall be limited to thirty feet (30'). (Ord. 61-09 § 18, 2009: Ord. 3-01 § 2, 2001: Ord. 35-99 § 27, 1999: Ord. 26-95 § 2(13-6), 1995)

## 21A.26.077: TC-75 TRANSIT CORRIDOR DISTRICT:

### E. Minimum Yard Requirements:

1. Front And Corner Side Yards: Fifteen feet (15'). Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. Exceptions to the minimum setback are limited to the two (2) lower levels of the building only; the main tower of the building must maintain the minimum setback. Exceptions are limited to structural elements that enhance the pedestrian experience of the space such as, but not limited to, patio covers, building entry canopies, etc.

2. Interior Side Yards: None required.

3. Rear Yards: None required.

4. Buffer Yards: All lots abutting property in a residential district shall conform to the buffer yard requirement of chapter 21A.48 of this title.

5. Accessory Buildings And Structures In Yards: Accessory buildings and structures may be located in a required yard subject to table [21A.36.020B](#) of this title.

6. Maximum Building Setback: Twenty five feet (25'). Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The majority of the ground level facade of a building shall be placed parallel, and not at an angle, to the street. Where an arcade facing the street is provided, the maximum setback for the building shall be measured to the supporting beams for the arcade or the facade of the upper floors, not the facade of the arcade level. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:

a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.

b. The addition is not part of a series of incremental additions intended to subvert the intent of this section.

Any appeal of an administrative decision made pursuant to subsection E6 of this section may be made to the planning commission.

F. Landscape Yard Requirements: A landscape yard of fifteen feet (15') shall be required on all front and corner side yards, conforming to the requirements of section [21A.48.090](#) and subsection [21A.48.100C](#) of this title, except as authorized ~~as a conditional use~~ [through the conditional building and site design review](#), subject to conformance with the standards and procedures of chapter 21A.~~54~~ [59](#) of this title.

G. Maximum Nonresidential Building Height: The maximum building height in the TC-75 zoning district shall not exceed thirty feet (30') for those buildings used exclusively for nonresidential purposes.

1. Additional building square footage may be allowed up to a maximum building height of seventy five feet (75') (or to a building height of 125 feet through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title and conformity with applicable master plan policy) provided that for each additional floor of nonresidential use above thirty feet (30'), the equivalent amount of square footage, inclusive of the first thirty feet (30'), is required to be built as residential square footage.



2. The residential component may be transferred off site to another property in the TC-75 zoning district along the 400 South Street frontage generally located between 200 East and 925 East. For such off site residential configuration, the amount of residential development required is equal to the square footage of the total amount of square footage obtained for the nonresidential floors rising in the total project.

3. For those developments where the required residential component is transferred off site, prior to the issuance of a building permit for the nonresidential structure, the applicant must identify specifically where the residential structure will be located in the area zoned TC-75 along to 400 South Street corridor generally located between 200 East and 900 East and enter into a development agreement with the city to ensure the construction of the residential structure in a timely manner. In such cases where the residential use is built off site, one of the following shall apply:

a. Construction of the off site residential use must be progressing beyond the footings and foundation stage, prior to the nonresidential portion of the development obtaining a certificate of occupancy, or

b. A financial assurance that construction of the off site residential use will commence within two (2) years of receiving a certificate of occupancy for the nonresidential component of the development. The financial assurance shall be in an amount equal to fifty percent (50%) of the construction valuation for the residential component of the development as determined by the building official. The city shall call the financial assurance and deposit the proceeds in the city's housing trust fund if construction has not commenced within two (2) years of the issuance of the certificate of occupancy for the nonresidential component of the development.

4. Maximum building height may be obtained to one hundred twenty five feet (125') for any building subject to at least ninety percent (90%) of all parking for said building being provided as structured parking.

H. Maximum Residential Building Height: No residential building, or mixed use building shall exceed seventy five feet (75') in height. Building heights in excess of seventy five feet (75'), but not more than one hundred twenty five feet (125') may be approved through the conditional building and site design review process, subject to conformance with the standards and procedures of chapter 21A.59 of this title and conformity with applicable master plan policy.

1. Maximum building height may be obtained to one hundred twenty five feet (125') where at least ninety percent (90%) of all parking for said building is provided as structured parking.

2. The ground floor shall include either nonresidential uses or public service portions of residential buildings.

I. Restrictions On Parking Lots And Structures: The following regulations shall apply to surface or aboveground parking facilities.

1. Block Corner Areas: Within block corner areas, surface parking lots and structures shall be located behind principal buildings, or at least sixty feet (60') from front and corner side lot lines.

2. Mid Block Areas: Within the mid block areas, parking structures shall be located behind principal buildings, or above the first level, or at least thirty feet (30') from front and corner side lot lines. A modification to this requirement may be granted ~~as a conditional use through the conditional building and site design review~~, subject to conformance with the standards and procedures of chapter 21A.54 59 of this title. Parking structures located above the first level and less than thirty feet (30') from a front or corner side yard shall meet the following:

a. Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line.

b. Levels of parking above the first level facing the front or corner side lot line shall have floors and/or facades that are horizontal, not sloped.

Mid block surface parking lots shall have a twenty five foot (25') landscaped setback.

3. Accessory And Commercial Parking Structures: Accessory parking structures, built prior to the principal use, and commercial parking structures, shall be permitted ~~as conditional uses through the conditional building and site design review~~ with the approval of the planning commission pursuant to the provisions of chapter 21A.54 59 of this title.

4. Belowground Parking Facilities: No special design and setback restrictions shall apply to belowground parking facilities.

5. Landscape Requirements: Surface parking lots shall meet interior landscape requirements as outlined in chapter 21A.48 of this title.

6. Waiver: The planning director may modify or waive this requirement if the planning director finds the following:

a. The parking is compatible with the architecture/design of the original structure or the surrounding architecture.

b. The parking is not part of a series of incremental additions intended to subvert the intent of this section.

c. The horizontal landscaping is replaced with vertical screening in the form of berms, plant materials, architectural features, fencing and/or other forms of screening.

d. The landscaped setback is consistent with the surrounding neighborhood character.

e. The overall project is consistent with section 21A.59.060 of this title.

Any appeal of an administrative decision made pursuant to this subsection 16 may be made to the planning commission.

7. Conditional Building And Site Design Review: A modification to the restrictions on parking lots and structures provisions of this section may be authorized as conditional building and site design review, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission.

J. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings, or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. There must be visual clearance behind the glass for a minimum of two feet (2'). All first floor glass shall be nonreflective. The reflectivity in glass shall be limited to eighteen percent (18%) as defined by ASTA standards. Display windows that are three- dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized ~~through the as~~ conditional building and site design review ~~process~~, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:

1. The requirement would negatively impact the historic character of the building, or

2. The requirement would negatively impact the structural stability of the building.

3. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Any appeal of an administrative decision made pursuant to this subsection may be made to the planning commission.

## **21A.26.080: TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS:**

Qualifying provisions:

1. Development in the CS district shall be subject to planned development approval pursuant to the provisions of chapter 21A.55 of this title. Certain developments in the CSHBD zone shall be subject to the conditional building and site design review process pursuant to the provisions of subsection 21A.26.060D of this chapter and chapter 21A.59 of this title.

## **21A.26.090: SUMMARY TABLE OF YARD AND BULK REQUIREMENTS; COMMERCIAL DISTRICTS: (see attached tables)**

### **21A.30 Downtown Districts:**

D. D-1 District General Regulations: The regulations established in this section apply to the D-1 district as a whole.

1. Minimum Lot Size: No minimum lot area or lot width is required, except in block corner areas as specified in subsection E5 of this section.

2. Yard Requirements:

a. Front And Corner Side Yards: No minimum yards are required, however, no yard shall exceed five feet (5') except as authorized ~~as a conditional use through the conditional building and site design review process.~~ Such ~~conditional uses~~ conditional building and site design reviews shall be subject to the requirements of chapter 21A. ~~54 59~~ of this title, ~~as well as design review by the planning commission.~~ Where an entire block frontage is under one ownership, the setback for that block frontage shall not exceed twenty five feet (25'). Exceptions to this requirement may be authorized ~~as conditional uses through the conditional building and site design review,~~ subject to the requirements of chapter 21A. ~~54 59~~ of this title, ~~and the review and approval of the planning commission.~~

b. Interior Side And Rear Yards: None required.

3. Restrictions On Parking Lots And Structures: An excessive influence of at or above ground parking lots and structures can negatively impact the urban design objectives of the D-1 district. To control such impacts, the following regulations shall apply to at or above ground parking facilities:

a. Within block corner areas and on Main Street, parking lots and structures shall be located behind principal buildings, or at least seventy five feet (75') from front and corner side lot lines.

b. Within the mid block areas, parking lots and structures shall conform to the following:

(1) Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line. The facades of such first floor shall be compatible and consistent with the associated retail or office portion of the building and other retail uses in the area.

(2) Levels of parking above the first level facing the front or corner side lot line shall have floors/facades that are horizontal, not sloped.

c. Accessory parking structures built prior to the principal use, and commercial parking structures, shall be permitted as conditional uses with the approval of the planning commission pursuant to the provisions of chapter 21A.54 of this title.

d. No special restrictions shall apply to belowground parking facilities.

e. Parking lots, proposed as a principal use to facilitate a building demolition, shall be permitted as a conditional use with the approval of the planning commission pursuant to the provisions of chapter 21A.54 of this title, where it is found that the parking lot is:

(1) Associated with a proposed principal land use; or

(2) Shown to be necessary for an existing adjacent land use(s). Demand shall be demonstrated through affidavits or executed lease agreements for off site parking. Said lot shall be located within five hundred feet (500') of the principal use(s) that it is proposed to serve, and shall not exceed more than fifty percent (50%) of the required parking stall count for said use(s); or

(3) Not associated with a principal land use or a specific increase in parking demand. The applicant shall document to the planning commission's satisfaction that there is a need for more commercial parking in a given area and, if so, it must participate in the overall downtown token program.

4. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the D-1 central business district shall be at least forty percent (40%) glass surfaces, except that in the Main Street retail core where this requirement shall be sixty percent (60%). All first floor glass in the Main Street retail core shall be nonreflective type glass. Exceptions to this requirement may be authorized ~~as conditional uses through the conditional building and site design review process~~, subject to the requirements of chapter 21A.54 59 of this title. ~~The zoning administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in chapter 21A.14 of this title, if the zoning administrator finds:~~ The Planning Director may approve a modification to this requirement, if the Planning Director find:

a. The requirement would negatively impact the historic character of the building, or

b. The requirement would negatively impact the structural stability of the building.

c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).

Appeal of Administrative Decision is to the Planning Commission.

E. Special Controls Over Block Corners:

1. Intent: Special controls shall apply to land at block corners to encourage greater commercial vitality in the downtown by focusing a higher level of development intensity at street intersections. Control over the intensity of development on blocks is needed due to the large size of blocks and streets and the resulting effects on pedestrian/vehicular circulation and business activity.

2. Block Corner: "Block corner" means the ninety degree (90°) intersection of private property adjacent to the intersection of two (2) public street rights of way both of which are at least one hundred thirty two feet (132') wide.

3. Corner Building: "Corner building" means a building, the structure of which rises above the ground within one hundred feet (100') of a block corner on the street face and one hundred feet (100') in depth.

4. Application: For corner buildings, the provisions of this subsection shall extend to one hundred sixty five feet (165') from the block corner on the street face and one hundred sixty five feet (165') in depth.

5. Lot Size And Shape: The size and shape of the lot shall conform to the following. Lots existing prior to April 12, 1995, which do not meet these requirements shall be exempt.

a. Minimum lot area: Ten thousand (10,000) square feet.

b. Minimum lot width: One hundred feet (100').

6. Height Regulations: No corner building shall be less than one hundred feet (100') nor more than three hundred seventy five feet (375') in height. The minimum one hundred foot (100') high portion of the building shall be located not further than five feet (5') from the lot line along front and corner lot lines. Buildings higher than three hundred seventy five feet (375') may be allowed in accordance with the provisions of subsections E6a and E6b of this section.

a. Conditions For Taller Corner Buildings: Corner buildings may exceed the three hundred seventy five foot (375') height limit provided they conform to the following requirements:

(1) To minimize excessive building mass at higher elevations and preserve scenic views, some or all of the building mass over the three hundred seventy five foot (375') height level shall be subject to additional setback, as determined appropriate through the ~~conditional use approval process~~ conditional building and site design process.

(2) Not less than one percent (1%) of the building construction budget shall be used for enhanced amenities, including art visible to the public, enhanced design elements of the exterior of the building or exterior spaces available to the public for cultural or recreational activities. The property owner shall not be required to exceed one hundred thousand dollars (\$100,000.00) in required amenities.

(3) The operation of uses within the building, including accessory parking facilities, shall comply with the adopted traffic demand management guidelines administered by the city traffic engineer.

b. Additional Standards For Certain Height Modifications:

(1) The first one hundred feet (100') of height shall not be set back from the street front more than five feet (5') except that setbacks above the first fifty feet (50') may be approved ~~as a conditional use through~~ the conditional building and site design process.

(2) Modifying the height will achieve the preservation of a landmark site or contributing structure in an H historic preservation overlay district.

(3) Modifying the height will allow interim service commercial uses to support the downtown community.

c. ~~Conditional Use~~ Conditional Building and Site Design Approval: A modification to the height regulations in subsection E6a of this section may be granted ~~as a conditional use through the conditional building and site design process~~, subject to conformance with the standards and procedures of chapter 21A.5459 of this title. ~~Such conditional uses shall also be subject to design review.~~

F. Special Controls Over Mid Block Areas:

1. Intent: Special controls shall apply to land located at the middle of blocks. Such controls are needed to establish coordinated levels of development intensity and to promote better pedestrian and vehicular circulation.

2. Area Of Applicability: The controls established under this subsection shall apply to:

a. Buildings constructed after April 12, 1995; and



b. All intervening land between block corner properties, as established in subsection E2 of this section.

3. Height Regulations: No building shall be more than one hundred feet (100') in height; provided, that taller buildings may be authorized ~~as a conditional use through the conditional building and site design review~~, subject to the requirements of chapter 21A.5459 of this title, ~~and design review~~.

## **21A.30.030: D-2 DOWNTOWN SUPPORT DISTRICT:**

D. Maximum Building Height: No building shall exceed sixty five feet (65'). Buildings taller than sixty five feet (65') but less than one hundred twenty feet (120') may be authorized ~~as conditional uses through the conditional building and site design process~~, subject to the requirements of chapter 21A.5459 of this title.

## **21A.30.040: D-3 DOWNTOWN WAREHOUSE/RESIDENTIAL DISTRICT:**

E. Maximum Building Height: No building shall exceed seventy five feet (75'). Buildings taller than seventy five feet (75') but less than ninety feet (90') may be authorized ~~as conditional uses through the conditional building and site design review process~~, provided the additional height is supported by the applicable master plan, the overall square footage of the buildings is greater than fifty percent (50%) residential use, and subject to the requirements of chapter 21A.54 59 of this title.

G. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the D-3 downtown warehouse/residential district, shall be at least forty percent (40%) glass surfaces. Exceptions to this requirement may be authorized ~~as conditional uses through the conditional building and site design review process~~, subject to the requirements of chapter 21A.5459 of this title. ~~The zoning administrator may approve a modification to this requirement, as a routine and uncontested special exception pursuant to the procedures found in chapter 21A.14 of this title if the zoning administrator finds: The Planning Director may approve a modification to this requirement, if the Planning Director finds:~~

1. The requirement would negatively impact the historic character of the building, or

2. The requirement would negatively impact the structural stability of the building.

3. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).

Appeal of Administrative Decision is to the Planning Commission.

### **I. Special Provisions:**

1. All new buildings constructed in the D-3 downtown district shall have a minimum of seventy percent (70%) of the exterior material of brick, masonry, textured or patterned concrete and/or cut stone. The seventy percent (70%) includes the windows of the building.

a. Except for minor building designs (e.g., soffit, fascia) the following materials are only allowed under the conditional use process: EIFS, vinyl, tilt-up concrete panels, corrugated metal and aluminum siding and other materials.

b. Two-dimensional curtain wall veneer of glass, spandrel glass or metal as a primary building material is prohibited.

c. The fenestration of all new construction shall be three-dimensional (e.g., recessed windows, protruding cornices, etc.).

2. Notwithstanding the residential parking requirements, any building that has ten (10) or more residential units with at least twenty percent (20%) of the units as either affordable, senior housing, or assisted living units shall be allowed to have a minimum of one-half ( $\frac{1}{2}$ ) of a parking space provided for each dwelling unit.

3. A modification to the special provisions of this section may be granted ~~as a conditional use through the conditional building and site design review process~~, subject to conformance with the standards and procedures of chapter 21A.54 59 of this title. ~~Such conditional uses shall also be subject to design review.~~

## **21A.30.045: D-4 DOWNTOWN SECONDARY CENTRAL BUSINESS DISTRICT:**

B. Uses: Uses in the D-4 secondary central business district as specified in section 21A.30.050, "Table Of Permitted And Conditional Uses For Downtown Districts", of this chapter, are permitted subject to the general provisions set forth in section 21A.30.010 of this chapter. In addition, all conditional uses in the D-4 district shall be subject to design ~~review~~ evaluation and approval by the planning commission.

### **C. D-4 District General Regulations:**

1. Minimum Lot Size: No minimum lot area or lot width is required.

#### **2. Yard Requirements:**

a. Front And Corner Side Yards: No minimum yards are required, however, no yard shall exceed five feet (5') except as authorized ~~as a conditional use through the conditional building and site design review process~~. Such ~~conditional uses- designs~~ shall be subject to the requirements of chapter 21A.54 59 of this title, ~~as well as design review by the planning commission~~. Where an entire block frontage is under one ownership, the setback for that block frontage shall not exceed twenty five feet (25'). Exceptions to this requirement may be authorized ~~as conditional uses, through the conditional building and site design review process~~ subject to the requirements of chapter 21A.54 59 of this title ~~and the review and approval of the planning commission~~.

b. Interior Side And Rear Yards: None required.

4. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the D-4 secondary central business district, shall be at least forty percent (40%) glass surfaces. All first floor glass shall be nonreflective type glass. Exceptions to this requirement may be authorized ~~as conditional uses through the conditional building and site design process~~, subject to the requirements of chapter 21A.54.59 of this title. ~~The zoning administrator may approve a modification to this requirement, as a routine and uncontested special exception pursuant to the procedures found in chapter 21A.14 of this title if the zoning administrator finds: The Planning Director may approve a modification to this requirement, if the Planning Director finds:~~

a. The requirement would negatively impact the historic character of the building; or

b. The requirement would negatively impact the structural stability of the building.

c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).

Appeal of Administrative Decision is to the Planning Commission.

10. Mid Block Streets: Developments constructing mid block streets, either privately owned with a public easement or publicly dedicated, that are desired by an applicable master plan:

a. May use a portion or all of the overhead and underground right of way of the new mid block street as part of their developable area irrespective of lot lines, subject to design review and approval of the planning commission.

b. May increase the height of the building on the remaining abutting parcel, subject to the conditional building and site design review process in conformance with the standards and procedures of chapter 21A.5459 of this title. ~~Such conditional uses shall also be subject to design review approval by the planning commission.~~

## **21A.30.060: SUMMARY TABLE OF YARD AND BULK REQUIREMENTS; DOWNTOWN DISTRICTS: (see attached tables)**

### **Chapter 21A.31 GATEWAY DISTRICTS**

D. Conditional Uses: The uses specified as conditional uses in section 21A.31.050, "Table Of Permitted And Conditional Uses In The Gateway District", of this chapter, shall be permitted in the gateway district provided they are approved pursuant to the standards and procedures for conditional uses set forth in chapter 21A.54 of this title, and comply with all other applicable requirements of this title, including the urban design evaluation and/or the conditional building and site design review design review process established in this chapter and 21A.59.

E. Site Plan Review; Design Review: In certain districts, permitted uses and conditional uses have the potential for adverse impacts if located and oriented on lots without careful planning. Such impacts may interfere with the use and enjoyment of adjacent property and uses. Site plan review is a process designed to address such adverse impacts and minimize them where possible. ~~Design review is a process that addresses elements of urban design. The design may also be evaluated to address elements of urban design.~~

Site plan review, pursuant to chapter 21A.58 of this title, for all of the gateway districts, is required to protect the local economy, maintain safe traffic conditions, maintain the environment, and assure harmonious land-use relationships between commercial uses and more sensitive land uses in affected areas.

Design ~~review~~ evaluation is necessary to implement the policies of the urban design plan as adopted by the city council. Design review shall apply ~~only~~ to conditional uses in the gateway district. In the gateway district, the conditional use process is used to evaluate and resolve urban design.

H. Restrictions On Parking Lots And Structures: The following regulations shall apply to surface or aboveground parking facilities:

8. ~~Conditional Use~~ Conditional Building and Site Design Approval: A modification to the restrictions on parking lots and structures provisions of this section may be granted ~~as a conditional use through the conditional building and site design process~~, subject to conformance with the standards and procedures of chapter 21A.5459 of this title. Such conditional uses shall also be subject to urban design review ~~evaluation~~.

P. Urban Design: The urban design standards are intended to foster the creation of a rich urban environment that accommodates growth and is compatible with existing buildings and uses in the area. All general development and site plans shall be designed to complement the surrounding existing contiguous (historic) development. The following design standards will provide human scale through change, contrast, intricacy, color and materials where the lower levels of buildings face public streets and sidewalks. They will also spatially define the street space in order to concentrate pedestrian activity, create a clear urban character and promote visibility of commercial activities at the ground level. The standards will also encourage diversity through the use of building forms and materials, while respecting the patterns, styles and methods of construction traditionally used in the gateway area.



The following urban design standards will be reviewed as part of the site plan review process, with assistance from planning division staff as necessary:

### 1. Architectural Character And Materials:

a. A differentiated base (on a building over 45 feet high) will provide human scale through change, contrast, and intricacy in facade form, color and/or material where the lower levels of the building face the sidewalk(s) and street(s). Scaling elements such as insets and projections serve to break up flat or monotonous facades, and respond to older nearby buildings. Therefore, all buildings in the gateway districts are subject to the following standards:

(1) All buildings over forty five feet (45') in height shall be designed with a base that is differentiated from the remainder of the building. The base shall be between one and three (3) stories in height, be visible from pedestrian view, and appropriately scaled to the surrounding contiguous historic buildings. The base shall include fenestration that distinguishes the lower from upper floors. Insets and/or projections are encouraged.

(2) All new buildings in the gateway district shall have a minimum of seventy percent (70%) of the exterior material (excluding windows) be brick, masonry, textured or patterned concrete and/or cut stone. With the exception of minor building elements (e.g., soffit, fascia) the following materials are allowed only under the conditional use through the conditional building site and design review process: EIFS, tilt-up concrete panels, corrugated metal, vinyl and aluminum siding, and other materials.

### 3. Entrance And Visual Access:

a. The intent in the gateway district is to encourage pedestrian activity between the public street/sidewalk and buildings. Sidewalks shall provide continuous, uninterrupted interest to the pedestrian by providing visual interest and/or amenities. The gateway environment will benefit with increased pedestrian activity; this activity will only occur if opportunities are provided that make walking to a destination a preferred and an enjoyable pursuit. The use of blank building facade walls is discouraged. Therefore, all buildings in the gateway area are subject to the following standards:

(1) Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the gateway district shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized as conditional uses through the conditional building and site and design review process, subject to the requirements of chapter 21A-54 59 of this title, and the review and approval of the planning commission. The zoning administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in chapter 21A.14 of this title, if the zoning administrator finds: The Planning Director may approve a modification to this requirement, if the Planning Director finds:

(A) The requirement would negatively impact the historic character of the building, or

(B) The requirement would negatively impact the structural stability of the building.

(C) The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty-five percent (25%).

Appeal of Administrative Decision is to the Planning Commission.

### 4. Building Lines And Front Area Requirements:

a. A continuity of building frontage adjacent and parallel to the street encourages a more active involvement between building uses and pedestrians. Leftover or ambiguous open space that has no apparent use or sense of place will not contribute positively to an active street life. Therefore, all buildings in the gateway district are subject to the following standard:

(1) The majority of the ground level facade of a building shall be placed parallel, and not at an angle, to the street.

#### 5. Public Amenities And Public Art:

a. Amenities and works of art enhance quality of life as well as visual interest. Public amenities and public art encourage pedestrian activity and contribute to the pedestrian experience. A cohesive, unified lighting and amenity policy will help give the gateway district its own distinctive identity. Therefore, public amenities and public art are subject to the following standards:

(1) Sidewalks and street lamps installed in the public right of way shall be of the type specified in the sidewalk/street lighting policy document.

(2) Public art (which may include artists' work integrated into the design of the building and landscaping, sculpture, painting, murals, glass, mixed media or work by artisans), that is accessible or directly viewable to the general public shall be included in all projects requiring [conditional building and site design review](#) ~~conditional use~~ approval for a site or design standard. The plan to incorporate public art shall be reviewed by the Salt Lake art design board.

6. ~~Conditional Use~~ [Conditional Building and Site Design Review](#) Approval: A modification to the urban design provisions of this section may be granted ~~as a conditional use through the conditional building and site design review process~~, subject to conformance with the standards and procedures of chapter 21A.5459 of this title. ~~Such conditional uses shall also be subject to design review.~~

### 21A.31.020: G-MU GATEWAY-MIXED USE DISTRICT:

#### D. Special Provisions:

3. Mid Block Street Development: Developments constructing mid block streets, either privately owned with a public easement or publicly dedicated, that are desired by an applicable master plan:

a. May use a portion or all of the overhead and underground right of way of the new mid block street as part of their developable area irrespective of lot lines, subject to design [review evaluation](#) and approval of the planning commission.

b. May increase the height of the building on the remaining abutting parcel, subject to conformance with the standards and procedures of [Conditional Building and Site Design](#) chapter 21A.54 ~~59~~ of this title. ~~Such conditional uses shall also be subject to design review approval by the planning commission.~~

4. ~~Conditional Use Approval~~ [Conditional Building and Site Design Reviews](#): A modification to the special provisions of this section may be granted ~~as a conditional use through the building and site design review process~~, subject to conformance with the standards and procedures of chapter 21A.5459 of this title. ~~Such conditional uses shall also be subject to design review.~~

E. Building Height: The minimum building height shall be forty five feet (45') and the 200 South street corridor shall have a minimum height of twenty five feet (25'). The maximum building height shall not exceed seventy five feet (75') except buildings with nonflat roofs (e.g., pitched, shed, mansard, gabled or hipped roofs) may be allowed, up to a maximum of ninety feet (90') (subject to subsection I of this section). The additional building height may incorporate habitable space.

1. ~~Conditional Use Approval:~~ Conditional Building and Site Design Review: -A modification to the minimum building height or to the maximum building height (up to 120 feet) provisions of this section may be granted ~~as a conditional use through the conditional building and site design review process~~, subject to conformance with the standards and procedures of chapter 21A.5459 of this title, and subject to compliance to the applicable master plan. ~~Such conditional uses shall also be subject to design review.~~

2. Height Exceptions: Spires, tower, or decorative noninhabitable elements shall have a maximum height of ninety feet (90') and with ~~conditional use~~ conditional building and site design review approval may exceed the maximum height, subject to conformance with the standards and procedures of chapter 21A.5459 of this title. ~~Such conditional uses shall also be subject to design review.~~

## Chapter 21A.32 SPECIAL PURPOSE DISTRICTS

### 21A.32.020: RP RESEARCH PARK DISTRICT:

D. Maximum Building Height: Building height shall be limited to forty five feet (45'). Building heights in excess of forty five feet (45') but less than seventy five feet (75') may be approved ~~as a conditional use through the conditional building and site design review process~~; provided, that the additional height is supported by the master plan and compatible with the adjacent neighborhood.

### 21A.32.056: AG-20 AGRICULTURAL DISTRICT:

D. Maximum Building Height: Building height shall be limited to forty five feet (45'). Building heights in excess of forty five feet (45') but not more than sixty five feet (65') may be approved ~~as a conditional use through the conditional building and site design review process~~; provided that the additional height is compatible with adjacent properties and does not conflict with the airport flight path protection overlay zone.

### 21A.32.075: PL-2 PUBLIC LANDS DISTRICT:

D. Maximum Building Height:

1. Local government facilities, government offices, arenas, stadiums, and exhibition halls: Seventy five feet (75') provided, that where adjacent to a zoning district allowing greater height, the height standard of the adjacent district shall apply. A modification to the maximum building height provisions of this section may be granted only ~~as a conditional use through the conditional building and site design review process~~, subject to conformance with the standards and procedures of chapter 21A.5459 of this title, and subject to compliance with the applicable master plan.

2. Other uses: Thirty five feet (35').

### 21A.32.080: I INSTITUTIONAL DISTRICT:

D. Maximum Building Height: Building height shall be limited to thirty five feet (35'). Building heights in excess of thirty five feet (35') but not more than seventy five feet (75') may be ~~approved as a conditional use through the conditional building and site design review process~~; provided, that for each foot of height over thirty five feet (35'), each required yard shall be increased one foot (1').

### 21A.32.090: UI URBAN INSTITUTIONAL DISTRICT:

D. Maximum Building Height: Building height shall be limited to seventy five feet (75'). Building heights in excess of seventy five feet (75') but not more than one hundred twenty feet (120') may be approved ~~as a conditional use~~

through the conditional building and site design review process; provided, that the additional height is supported by the master plan and compatible with the adjacent neighborhood.

## 21A.32.130: MU MIXED USE DISTRICT:

### E. Minimum Yard Area Requirements:

6. Maximum Setback: A maximum setback is required for at least seventy five percent (75%) of the building facade. The maximum setback is twenty feet (20'). Exceptions to this requirement may be authorized ~~as conditional~~ through the conditional building and site design review, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:

a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.

b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission.

F. Maximum Building Height: The maximum building height shall not exceed forty five feet (45'), except that nonresidential buildings and mixed use buildings shall be limited by subsections F1 and F2 of this section. Buildings taller than forty five feet (45'), up to a maximum of sixty feet (60'), may be authorized ~~as conditional~~ uses through the conditional building and site design review process, subject to the requirements of chapter 21A.5459 of this title, provided that the additional height is for residential uses only.

1. Maximum Height For Nonresidential Buildings: Nonresidential buildings shall not exceed thirty feet (30') or two (2) stories, whichever is less.

2. Maximum Height Of Mixed Use Buildings Of Residential And Nonresidential Uses: Mixed use buildings shall not exceed forty five feet (45'). Nonresidential uses in a mixed use building are limited to the first two (2) stories.

## 21A.32.150: SUMMARY TABLE OF YARD AND BULK REQUIREMENTS; SPECIAL PURPOSE DISTRICTS: (see attached tables)

## 21A.34.090: SSSC SOUTH STATE STREET CORRIDOR OVERLAY DISTRICT:

2. Maximum Setback: A maximum setback is required for at least thirty five percent (35%) of the building facade. The maximum setback is twenty five feet (25'). Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:

a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.

b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission

E. Entrance And Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:

- a. The requirement would negatively impact the historic character of the building,
- b. The requirement would negatively impact the structural stability of the building, or
- c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Appeal of administrative decision is to the planning commission.

21A.58.070: STANDARDS FOR SITE PLAN REVIEW:

F. General Plan Conformity: The planning division shall review site plans for all applications for conditional uses (including planned developments) and conditional building and side design reviews with reference to adopted plans and the conformity of the site plans with the objectives and policies of the adopted plans.

21A.62.040: DEFINITIONS OF TERMS:

Conditional Building and Site Design Review: A design that is allowed only after review and approval by the Planning Commission which includes a comprehensive evaluation of a development and its impact on neighboring properties and the community as a whole, from the standpoint of site and landscape design, height, setbacks, front façade glass, architecture, materials, colors, lighting and signs in accordance with a set of adopted criteria and standards.

21A.64.010: FEE SCHEDULE:

Conditional Building and site plan review	\$664.44 plus \$110.74 per acre in excess of 1 acre
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**5.C PLANNING COMMISSION  
AGENDA AND MINUTES**

**SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA**  
**In Room 326 of the City & County Building at 451 South State Street**  
**Wednesday, January 25, 2012 at 5:30pm**

**The field trip is scheduled to leave at 4:00 p.m.**

**Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m. in Room 126.**

**Work Session: 5:30 in Room 326.** The Planning Commission will hold a work session from approximately 5:30-6:00. During the Work Session the Planning Staff will brief the Planning Commission on pending projects, discuss project updates and minor administrative matters. This portion of the meeting is open to the public for observation.

**Approval of Minutes: January 25, 2012**

**Report of the Chair and Vice Chair**

**Report of the Director**

**PUBLIC HEARINGS**

**Legislative Matters:**

**PLNPCM2011-00783 Conditional Building and Site Design Review** – A request by Salt Lake City Mayor Ralph Becker to update the Conditional Building and Site Design review process in order to remove design features from the conditional use process, eliminate conflicts, clarify design criteria and streamline the Design Review process. The changes are applicable citywide. (Staff contact: Doug Dansie at (801) 535-6182 or [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com)).

**Administrative Matters:**

**PLNPCM2011-00697 - A request by Volunteers of America, UT,** to close the alley located adjacent and to the west of their property located at approximately 252 W. Brooklyn Avenue in the CG (General Commercial) Zoning District and in City Council District 5, represented by Jill Remington-Love. (Staff contact: Lex Traughber at (801) 535-6184 or [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com)).

**PLNPCM2011-00698 - A request by Volunteers of America, UT,** to close a dead-end portion of Washington Street located adjacent and to the east of their property located at approximately 252 W. Brooklyn Avenue in the CG (General Commercial) Zoning District and in City Council District 5, represented by Jill Remington-Love. (Staff contact: Lex Traughber at (801) 535-6184 or [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com)).

**Other Business:**

**Planning Commission Retreat**



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**SALT LAKE CITY PLANNING COMMISSION MEETING  
In Room 326 of the City & County Building  
451 South State Street, Salt Lake City, Utah  
Wednesday, January 25, 2012**

Present for the Planning Commission meeting were Chair Angela Dean, Commissioners, Emily Drown, , Bernardo Flores-Sahagun, Clark Ruttinger, Marie Taylor, Matthew Wirthlin, Michael Fife, and Mary Woodhead. Commissioner Kathleen Hill was excused. Vice Chair Michael Gallegos arrived late for the meeting.

A field trip was held prior to the meeting Planning Commissioners present were: Clark Ruttinger and Mary Woodhead. Staff members in attendance were Nick Norris and Lex Traugher

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at 5:30 p.m. Audio recordings of the Planning Commission meetings are retained in the Planning Office for an indefinite period of time. Planning staff members present at the meeting were: Wilf Sommerkorn, Planning Director; Nick Norris, Planning Manager; Joel Paterson, Planning Manager; Doug Dansie, Senior Planner; Lex Traugher, Senior Planner, Paul Nielson, Land Use Attorney and Angela Hasenberg, Senior Secretary.

**Public Hearing:**

**PLNPCM2011-00783 Conditional Building and Site Design Review – A**

request by Salt Lake City Mayor Ralph Becker to update Chapter 21A.59 Conditional Building and Site Design Review, including the review standards and process, eliminate conflicts, clarify design criteria and streamline the Conditional Building and Design Review process. The proposed text amendment may affect related sections of title 21A. The changes are applicable citywide. (Staff contact: Doug Dansie at (801) 535-6182 or [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com)).

Chairperson Dean recognized Doug Dansie and staff representative.

Mr. Dansie stated that this was a request that involved no policy changes. Mr. Dansie gave a brief history stating that Salt Lake City adopted Zoning in 1927 that separated uses. Slowly the City had evolved and had grown more into form based codes. The first attempt to put design into the building code was in 1995 during the re-write of the Zoning Ordinance. Some of the first design items were focused Downtown with a maximum and a minimum setback one item being that 40% glass was required at ground level.

Mr. Dansie continued saying that in light of these requirements, the only avenue for exceptions was through the Conditional Use process. The problem was that windows, and height, etc., were design issues and not actual uses.



In 1998 The Gateway Zone was established and there were many more design features built into the Zone, materials, and fenestration of the building.

In 2005 The City of Salt Lake adopted the Walkable Communities Ordinance which put design criteria in much of the commercial zone and many of the mixed use zones. At this point, the City created the Conditional Building and Site Design Review process to acknowledge that 40% glass was not a use, but a design feature.

Mr. Dansie noted that the purpose of this new change was to return to the original intent, which was to meet the design criteria, if you cannot meet the requirement, the idea was to show how you met the intent.

Mr. Dansie surmised that within the review standards in the Conditional Building and Site Design Review process were sometimes more strict than the standard in the base zoning . Part of the amendment was to modify those standards so that they were more logical and provided guidance in determining whether the intent of the standard was met.

[5:38:50 PM](#)

#### **Public Hearing:**

Chairperson Dean opened the public hearing, seeing no one chose to speak, she closed the public hearing.

[5:39:08 PM](#)

#### **Questions from the Commissioners:**

Chairperson Dean asked in regard to height and parking, she felt that the changes were taking away a lot of guidance for the Planning Commission to evaluate these things in a subjective way.

Mr. Dansie responded that the height criteria were brand new, and he did not recall a time when additional height was not approved.

Commissioner Flores asked for clarification on how the applicant would be discouraged from increasing height.

Mr. Dansie answered that the discouragement would be from the difference of a flat roof, versus something with added visual value, such as the Wells Fargo building.

Mr. Dansie clarified that the difference would be that in downtown, if the applicant was underneath the 375 foot height restriction, then they would be allowed a flat roof. If the request was to go higher, and they wanted a flat roof, the application could be denied based on the standards.

Planning Manager Nick Norris added that this was intended as a process chapter that was intended to give guidance for alternatives to the guidelines when allowed.

Commissioner Flores was concerned that the guidelines seem to be too subjective.

Planning Manager Norris responded that it was indeed a balancing act, that the points put in the ordinance would have to be clear enough to give direction to a property owner or applicant. The standards should also be flexible enough to accommodate other situations.

Mr. Dansie remarked that this was a difficult section to work on; due to the height restrictions language and that the point was if you are going to go tall, be interesting.

Planning Manager Norris added that in that same section 065, the reference in the opening paragraph should have been 060 and asked Mr. Danise to change that in the text for transmittal.

Mr. Dansie added that he had written this document so that the Commissioners could see what had been changed. He said that it was possible that after the attorneys had received it, there could be additional technical changes as well, but no changes to the content. The final version may not be exactly what was being seen at this meeting.

[5:48:21 PM](#)

**Motion:**

**Commissioner Wirthlin made a motion in regard to PLNPCM2011-00783 Conditional Building and Site design Review, based on the findings listed in the staff review, based on the findings listed in the staff report the discussion this evening, and finding that the proposal generally meets the applicable standards, I move that the Planning Commission forward a positive recommendation to the City Council to approve the Zoning Text Amendments.**

**Commissioner Fife seconded the motion.**

**Vote: Commissioners Woodhead, Drown, Taylor, Fife, Ruttinger, Flores, and Wirthlin all voted "aye". The motion passed unanimously.**

## **6. ORIGINAL PETITION**