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**MEMORANDUM**

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**DATE:** November 1, 2002

**TO:** Council Members

**SUBJECT:** Proposed ordinance pertaining to Petition No. 400-01-48 and 400-01-12 – creating transit-oriented zoning regulations and rezoning a portion of 400 South for transit-oriented land uses

**FROM:** Janice Jardine, Land Use and Policy Analyst

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At the October 3, 2002 Work Session, Council Members discussed the proposed text amendments with consultants Frank Gray and Merilee Utter. They indicated that the Administration's proposed text changes were a good first step and that the Council may wish to consider additional measures to further address transit development. Discussion items and recommendations included:

- a. Transit-oriented development concepts including flexible access to transit stations, increased densities, mixed-use developments with a transit anchor, flexible design criteria, parking alternatives such as requiring less parking and providing a wide range of shared parking options for both daytime and nighttime uses.
- b. Create station area master plans (for each of the three stations along the 400 South corridor)
  - Focus on each individual transit station and future development that complements the unique character of each area.
  - Establish distinct boundaries and specific design criteria to protect surrounding established neighborhoods.
  - Create conceptual development drawings with a cost estimate or *pro forma*.
  - Allow areas in between the station plan area to fill in over time.
- c. Allow flexibility in requiring street-level retail uses, consider allowing residential uses to be located at the street level, encourage a wide range of housing types, and design first floor residential space with the flexibility to be converted to retail space depending on future market demand.
- d. Require building elevation to be "stepped back" as the building height increases in order to mitigate potential negative impacts on surrounding lower-density neighborhoods, particularly along the north side of 400 South east of 700 East. Allow a height bonus incentive up to 100 feet near the transit station platforms or on street corners.
- e. Adjust historic district boundaries to remove the properties along 400 South.
- f. Provide incentives and City or Redevelopment Agency assistance to assemble properties for future development.

**Potential Options for Council Consideration**

- A. Prior to scheduling a public hearing, request that the Administration make revisions to the proposed text as recommended by the Council's consultants such as additional shared parking options, flexible requirements for retail or residential uses at the street level, requiring building height to step back from residential areas, establishing separate design guidelines and a design review process. (See also item E below that relates to suggestions that have come from Administrative staff and Community Councils throughout the Council review process.)
- B. Identify specific areas of concern or interest beyond those raised by the consultant and Administrative / Council staffs and request additional information or analysis from the Administration and / or Council staff.

- C. Request that the Administration revise other City standards, regulations and master plans to address issues that have been raised as part of this process. These could include traffic circulation and pedestrian/traffic conflicts and public way issues such as adequate pedestrian right of way to accommodate access, ease of movement, mobility and ADA accessibility, revising transportation and engineering public way standards and updating the Urban Design element and the Transportation Master Plan.
- D. Advance the Administration's original Transit Corridor zoning proposal to a public hearing.
- E. Advance the Transit Corridor zoning proposal to a public hearing and request that the Administration make specific changes to the text and the areas to be rezoned. Changes could include those previously recommended by:
  - The Administration such as adding definitions, adjusting the permitted and conditional uses, allowing additional height through the conditional use process, removing some of the area to be rezoned.
  - The East Central, Central City and Sugar House Community Councils such as adjusting the height requirement and permitted and conditional uses, establishing density limitations, removing some of the area to be rezoned and creating compatibility or design review.
- F. Determine whether the intent is to move ahead with the design review concept. If so, advance either the Administration's original Transit Corridor zoning proposal or a revised proposal to a public hearing, and consider adoption of the proposal on an interim basis. Further, consider appropriating funds for the Administration to hire a consultant. Some sample scenarios are listed below. The actual approach taken could be determined by the Administration based upon an assessment of their internal resources:
  1. Hire consultant to focus on one or two zones to:
    - a. Walk the City through a public process to establish design criteria.
    - b. Review options for design review process and help to establish community consensus.
    - c. Assist the City in establishing a board or a subcommittee to perform the function of design review, or serve as an appeal body.
    - d. Assist the City in preparing ordinance.
    - e. Leave the City with a clear process on how this will be achieved for other zones as part of the master planning process or through some other mechanism.
  2. Hire a consultant to assist the City in establishing a City-wide design review criteria.
    - a. Review options for design review process and help to establish community consensus.
    - b. Assist the City in establishing a board or a subcommittee to perform the function of design review, or serve as an appeal body.
    - c. Assist the City in preparing ordinances.
    - d. Leave the City with a clear process on how this will be periodically updated or allowed to evolve as part of the master planning process or through some other mechanism.
  3. Hire a consultant to get general advice on the following:
    - a. Design review process approaches
      - Community process to recommend / review criteria
      - Planning Commission and Administrative process to recommend / review criteria
      - Legislative process to adopt criteria
    - b. Administration of program
      - Over-the-counter aspects
      - Planning director decisions
      - Appeals
        - Subcommittee of Planning Commission
        - Design review board with paid members
        - Design review board or Planning Commission subcommittee with paid professional consultants for engineering, architecture, etc.
        - Design review board or Planning Commission subcommittee with support from professionals currently on City staff (engineering, architecture, etc.)
        - Other

- c. Information on design review 'best practices' from other communities, ideas or samples that may be applicable to Salt Lake City.
- d. Design review approach in relation to performance zoning.

G. An additional issue identified by Planning staff since the Council Work Session is billboards on the 400 South corridor. Planning staff notes that on-premise signage was addressed with the proposed text changes but billboards were not. The question has been raised as to whether the billboard regulations should be adjusted to encourage the removal of billboards. Please refer to the last page of the Planning staff response for details (August 2002). Planning staff provided the following recommendations for Council consideration:

- Address the issue as part of the proposed text changes (this will require modification of the proposed text and notification to the billboard industry).
- Leave the issue as it is.
- Refer the issue to the Planning Commission for further study.

H. Any combination of the above.

I. Other options identified by Council Members at the November 5<sup>th</sup> Work Session.

cc: Rocky Fluhart, David Nimkin, Steven Allred, Lynn Pace, Alison Weyher, David Dobbins, Tim Harpst, Roger Evans, Brent Wilde, Harvey Boyd, Enzo Calfa, Cheri Coffey, Doug Dansie, Sylvia Jones, Barry Esham,

File Location: Community and Economic Development Dept., Planning Division, Zoning Ordinance Text Change and Rezoning – transit corridor zoning, 400 South from 200 East to approximately 950 East