
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: November 15, 2005

SUBJECT: Proposed Transit Corridor zoning, rezoning properties along 400 South and amending the Central Community Master Plan (Petition Nos. 400-01-12 and 400-01-48)

AFFECTED COUNCIL DISTRICTS: If the ordinance is adopted the Transit Corridor zoning districts, rezoning and master plan amendment will affect Council District 4

STAFF REPORT BY: Janice Jardine, Land Use Policy Analyst

ADMINISTRATIVE DEPT. AND CONTACT PERSON: Community Development Department, Planning Division
Cheri Coffey, Deputy Planning Director

WORK SESSION SUMMARY AND NEW INFORMATION:

Work Session Summary

On September 6, 2005, the Council received a briefing from the Administration regarding revisions to the proposed Transit Corridor zoning. Key discussion items included:

- A. Provide for expanded opportunities and options for non-residential uses (rather than the 30 ft. building height limit) that would provide maximum flexibility for a broad range mix of uses such as:
 1. Side by side development of non-residential/residential – vertical as well as horizontal.
 2. A split in the percentage of development on a block - non-residential/residential (40/60 split).
 3. A linear measurement for the split between non-residential/residential developments on a block.
 4. Accommodating research/laboratory type facilities.

- B. Building height and the 10 ft. rear yard buffer requirement and ways to maximize buffering of residential neighborhoods and address pedestrian scale/shadowing of abutting properties. For example, requiring building elevation to be “stepped back” as the building height increases in order to mitigate potential negative impacts on surrounding lower-density neighborhoods.

- C. Establish a minimum sidewalk width or options to maximize a pedestrian-friendly corridor. Planning Staff committed to work with the Attorney’s office to discuss the issue of requiring public sidewalk on private property or exacting private property to expand the sidewalk. (Please see Matters at Issue, item B, pg. 4 for more information.)
 - o *Planning staff provided to Council staff the following information regarding a conversation between Planning staff and Lynn Pace in the City Attorney’s office.*
 - *The City can widen the sidewalk to the property line and it can individually approach property owners and buy extra property to widen the sidewalk.*
 - *The City generally cannot exact extra property from individual owners unless there is a relationship to the development and the exaction is proportional. For example: if it can be proved that a large apartment building creates impacts that require increasing the size of the sidewalk, an exaction from that property can be negotiated, however it is for that property only, not adjacent properties (the exaction cannot be to accommodate impacts of the property next door), and the exaction must be proportional; i.e. the City cannot demand the same exaction for a single family home as it does for a 100 unit apartment building because the impacts are not the same.*

- *Requiring extra sidewalk as part of the zoning was problematic for these reasons.*
- *The City may choose to place the policy of widening the sidewalk in the master plan (i.e. Central Community, Transportation Master Plan or Major Street Plan), which sets up the general policy. This establishes the general intent to widen the sidewalk and then the City may reserve right-of-way and/or negotiate for wider sidewalks based on the policy as each property comes up for site plan review.*
- *Planning staff has noted that the proposed TC zoning does require a 15-foot setback for new buildings, which assists in maintaining room for extra sidewalk.*
- *Council staff has noted that the proposed TC zoning allows the Planning Director in consultation with the Transportation Director the option to modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk.*

- D. Evaluate allowing gas stations to accommodate convenient services in the area. (no consensus)
- E. Council subcommittee (Council Members Christensen, Jergensen and Saxton) work with staff to develop options to address issues relating to mix of uses and height. Include consideration of future applications of the proposed zoning to other areas of the City i.e. North Temple.
- F. Schedule future Council discussion prior to scheduling a public hearing – (return sooner rather than later).

New Information

- A. On October 13, 2005, the Council subcommittee met to discuss with Planning staff issues raised by the Council.
1. Items identified by subcommittee members to be included in the proposed zoning included:
 - a. Allow the same building height for stand-alone buildings with non-residential uses.
 - b. Allow an option to provide the required residential component in stand-alone buildings within the block or corridor.
 - c. Require building elevation to be “stepped back” as the building height increases when a building abuts residentially zoned properties.
 - d. Apply the Transit Corridor TC-75 zoning classification to properties along the 400 South corridor except for the north side of 400 South between 800 and 900 East.
 - e. Apply the Transit Corridor TC-50 zoning classification to properties along the north side of 400 South between 800 and 900 East.
 - f. Proposed changes should be made available for public review.
 2. Council staff was assigned to work with the City Attorney’s office to address establishing a minimum sidewalk width or options to maximize a pedestrian-friendly corridor. Planning staff noted that it may be appropriate to address this issue through amendments to adopted master plans or an ordinance applied on a citywide basis.
- B. The Administration has provided the Planning Commission recommended ordinance and 2 alternative new ordinances in response to discussions with the full Council and the Council subcommittee. (Please see attached ordinances for details - **Alternative A = Residential Emphasis, Alternative B = Office Emphasis and the Planning Commission recommended ordinance.**) Key elements are summarized below.
1. **Alternative A – Residential Emphasis and Alternative B – Office Emphasis** both include the following provisions:
 - a. Buildings with non-residential uses may be built to the maximum building height with a requirement to provide a residential component either on-site or transferred to another site within the Transit Corridor zoning along 400 South.
 - TC-50 = maximum of 50 feet or 75 feet through conditional use
 - TC-75 = maximum of 75 feet or 125 feet through conditional use

- b. A maximum building height of 30 feet is specified for non-residential structures in either the TC-50 or TC-75.
- c. If the residential component is proposed for another site, the applicant will be required to:
 - Identify the location for the residential component.
 - Enter into a development agreement with the City to ensure construction of the residential structure in a timely manner.
 - **Either** begin construction of the residential development (progressing beyond the footings and foundation stage) prior to issuance of a Certificate of Occupancy for the non-residential building **or** provide a financial assurance to ensure the residential development will occur.
 - The financial assurance shall be in an amount equal to 50% of the construction valuation for the residential development as determined by the Building Official
 - Funds from the financial assurance will be deposited into the City's Housing Trust Fund in the event that construction of the residential development has not commenced within 2 years of the issuance of the Certificate of Occupancy for the non-residential component of the development.

2. Alternatives A and B differ in the following ways:

- a. **Alternative A – Residential Emphasis** – requires a 2 to 1 ratio of residential to non-residential uses. For every floor of non-residential development above the first 30 feet in either the TC-50 or TC-75 zoning district, 2 floors of residential development would be required to be built on or off site. The first two levels of non-residential development are not counted toward the residential component requirement.

The Administration notes that this option:

- *Most closely reflects the current City policy to increase 24-hour activity along the corridor, emphasize residential development and focus higher intensity commercial development in the Central business district and the Gateway area.*
- *Allows for more office and slightly less residential use than the Planning Commission recommendation.*
- *Reflects the Subcommittee's need to capitalize on the potential for capturing the University's research-related businesses.*
- *The 2-1 formula might be a deterrent to achieving that goal.*

- b. **Alternative B – office emphasis** – requires a 1 to 1 ratio of residential to non-residential uses. For every floor of non-residential development in either the TC-50 or TC-75 zoning district, 1 floor of residential development would be required to be built on or off-site.

The Administration notes that this option:

- *May be easier to administer and easier to attain by the development community.*
- *Is consistent with the Subcommittee's goal of capitalizing on the University's research-related businesses.*
- *Does not emphasize residential over non-residential.*
- *Office uses provide daytime land use, economic activity and shoppers.*
- *Non-residential land uses may be more able to carry the land costs and induce redevelopment due to the high land values along 400 South.*

3. Planning Commission recommendation:

- a. Allows a maximum building height of
 - 50 feet in the TC-50 District
 - 75 feet in the TC-75 District with the option increase height to 125 feet through the conditional use process.
 - 30 feet for non-residential structures or the non-residential portion of a mixed use structure.

- b. The Transit Corridor zoning districts would be applied to properties currently zoned Commercial Corridor along the 400 South corridor:
 - o TC-75 from 200 East to 700 East.
 - o TC-50 from 700 East to approximately 925 East.
- c. Properties zoned Community Shopping between 600 and 700 East are addressed in another petition.

Matters at Issue

- A. The Administration notes that both additional options (Alternative A- Residential Emphasis and B – Office Emphasis) vary somewhat from existing adopted policies in that they would allow more non-residential development away from the core Downtown. The Administration recommends that if either alternative is adopted, some modifications of existing policies would be appropriate to ensure that both policy and practice are consistent. Council Members may wish to request that the Administration provide options to address this issue and provide information for Council consideration in the near future. Council staff has requested more specific information on this comment.
- B. As previously noted, the Council subcommittee meeting, Council staff was assigned to work with the City Attorney’s office to address establishing a minimum sidewalk width or options to maximize a pedestrian-friendly corridor. Planning staff noted that it may be appropriate to address this issue through amendments to adopted master plans or an ordinance applied on a citywide basis. Council Members may wish to consider dealing with this as a separate item in the near future. This would allow the opportunity to explore options used in other cities and address this issue on a citywide basis.

The following information was provided previously for the Council Work Session on September 6, 2005. It is provided again for your reference.

MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR THE ADMINISTRATION:

The Administration’s transmittal includes a memorandum from Louis Zunguze, Community Development Director regarding university-related or research types of uses currently allowed in the Research Park zoning district. Planning staff has evaluated both zoning classifications and determined that certain laboratories and research facilities would be compatible with the proposed Transit Corridor zoning. A new Table of Permitted and Conditional Uses has been prepared that would incorporate dental laboratories and commercial, educational, dental, medical, and scientific research facilities should the Council choose to include these uses in the Transit Corridor districts. (Please see Mr. Zunguze’s memo for details.)

Given the recent Zoning Ordinance changes adopted by the Council redefining department stores and the proposal currently being considered to allow these types of uses in other commercial zoning districts, the Council may wish to discuss with the Administration whether it might be appropriate to include in the Transit Corridor districts certain subcategories of department stores or retail goods establishments.

KEY ELEMENTS:

(Please see pg. 5, Background, for a summary of previous Council discussions and issues relating to the proposed Transit Corridor zoning.)

- A. The Administration’s transmittal notes “The final recommendation from the Planning Commission to the City Council differs from the draft reviewed by consultant Frank Gray (and Marilee Utter) in two ways: 1) the height allowed through the conditional use process in the TC-75 zoning district has been increased from 120 to 125 feet in order to make the TC-75 consistent with the adjacent RMU zoning in terms of height; and

2) the requirement for glass at the ground level has been modified to exclude residential buildings. An updated ordinance is attached reflecting the changes and the inclusion of the conditional building and site design review process as outlined in the ‘Walkable Communities’ ordinance. Adopting this ordinance will provide a foundation for the full utilization of transit related public investment and will provide residential opportunities to stabilize and enhance adjacent neighborhoods.”

- B. The Administration’s transmittal provides a detailed discussion of the rationale for keeping the proposed Transit Corridor zoning classifications basically the same as originally recommended by the Planning Commission. Key points are summarized below.
1. The transit corridor zoning classifications, TC-50 and TC-75, are proposed to be mapped along the 400 South corridor only in areas that are presently zoned Commercial Corridor CC. (Please see the attached map for details.)
 2. The current proposal is for the 400 South corridor only, because other zoning districts where transit presently exists (Downtown and Gateway districts) already allow higher density uses and contain design criteria that encourage pedestrian-friendly development.
 3. The Transit Corridor TC-50 zone is proposed to be adjacent to zoning districts that vary in height from 30 to 75 feet. Height in the TC-50 zone will be a maximum of 50 feet for mixed commercial/business and residential uses and 30 feet for non-residential uses.
 4. The Transit Corridor TC-75 zone is proposed to be adjacent to the Residential Mixed Use R-MU zoning district that has a height limit of 75-feet and an option to increase height to 125-feet through the conditional use process. To maintain consistency, the heights of the TC-75 and RMU zones should be the same.
 5. The neighborhood has expressed concern regarding shadows along the northern side of 400 South and the adjacency of 4-story buildings next to single family homes. The existing Commercial Corridor CC zoning currently allows buildings of 30 to 45 feet. Planning staff is of the view that a 4-story height along 400 South is not detrimental to the adjacent neighborhood; some locations, such as the Office Max site at 900 East and 400 South could conceivably handle significantly higher buildings.
 6. Planning staff considered additional height, as recommended by Mr. Gray (and Ms. Utter), but it was ultimately decided that the proposed original height represented a reasonable compromise between encouraging increased density and acknowledging neighborhood concerns.
 7. The City has consistently expressed a desire to accommodate an increase in population particularly in and around the Downtown area. The logical location for accommodating much of this population is along transportation corridors.
 8. Future accommodation of density is not incompatible with the historic character, particularly along the 400 South corridor, where the proposed zoning will encourage highway commercial uses to be replaced by mixed-uses with a residential component.
 9. The intent of the proposed zoning is to encourage new development on 400 South to emphasize the building’s relationship with the pedestrian and transit modes of transportation. This is accomplished through:
 - a. Buildings being located near the front of the property.
 - b. A minimum percentage of glass (windows and doors) to be used in buildings at the street level.
 - c. Placing parking in side, rear or minimal front yard areas.
- C. Key elements of the proposed Transit Corridor zones are summarized below. (Please refer to the proposed ordinance for details.)
1. The purpose of the Transit Corridor Districts is to provide an environment for efficient and attractive transit and pedestrian oriented commercial, residential and mixed use development along major transit corridors. The design guidelines are intended to create a pedestrian friendly environment and to emphasize that pedestrian and mass-transit access is the primary focus of development.
 2. The proposed changes apply to new construction, remodeling or a change of existing use that would increase the floor area or required parking by less than 50 percent. The minimum lot area required for a

planned development will be eliminated. The proposed changes include criteria used in other zoning districts in order to maintain consistency in interpretation of the Zoning Ordinance. Specific design criteria include:

- a. Main entrances of buildings to be oriented to the street.
 - b. A minimum percentage of glass to be used in buildings at the street level on the exterior front or face of a building. (Structures with ground level residential uses are exempt from this requirement.)
 - c. A 15 foot maximum length for any blank wall uninterrupted by windows, doors, art or architectural detail at the first floor level.
 - d. Parking lots or structures to be located behind principal buildings or with a larger landscaped setback than required for buildings. Interior landscaping is required for surface parking lots.
3. The Transit Corridor zones include the design criteria list above and:
- a. A maximum building height of 50 feet in the TC-50 District (50 feet for mixed use or residential and 30 feet for non-residential structures).
 - b. A maximum building height of 75 feet in the TC-75 District with the option increase height to 125 feet through the conditional use process. (A maximum building height for non-residential structures or the non-residential portion of a mixed use structure is limited to 30 feet.)
 - c. No maximum density.
 - d. A minimum 10,000 sq. ft., 50 foot wide lot size.
 - e. A minimum 15 foot landscaped setback for front and corner side yards. A 25 foot maximum building setback. 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.
 - f. No required side or rear yard.
 - g. A 10-foot landscaped buffer is required next to residentially zoned properties.
 - h. A reduction in the number of required off-street parking spaces.
 - i. A new permitted and conditional use chart that provides more residential opportunities and emphasizes mixed-use. Automobile-oriented types of uses such as drive-thru facilities are allowed as a conditional use in the TC-75. Gas stations are not permitted in either zone.
 - j. Sign regulations for the TC-50 and TC-75 are intended to provide for appropriate signage oriented primarily to pedestrian and mass-transit traffic.
4. Modifications to specific requirements or design criteria may be considered by the Planning Director or through the conditional building and site design review, planned development and conditional use processes.
5. New criteria added to the Planned Development section of the Zoning Ordinance includes specific conceptual site design guidelines for planned developments in the following zoning districts: Transit Corridor 50 and 75, Residential Business, Residential Mixed Use, Mixed Use, Commercial Neighborhood, Commercial Business, Sugar House Business District, State Street Overlay, and Commercial Shopping (when the CS district is adjacent to more than 60% residential zoning).

MASTER PLAN AND POLICY CONSIDERATIONS:

- A. The Council has adopted housing and transportation policy statements that support creating a wide variety of housing types citywide and changing the focus of transportation decisions from moving cars to moving people. The Council's policy statements have been included in the City's Community Housing Plan and Transportation Master Plan.
 1. Housing policy statements address a variety of issues including quality design, public and neighborhood participation and interaction, transit-oriented development, encouraging mixed-use developments, housing preservation, rehabilitation and replacement, zoning policies and programs that preserve housing opportunities as well as business opportunities.

2. Transportation policy statements include support of alternative forms of transportation, considering impacts on neighborhoods on at least an equal basis with impacts on transportation systems and giving all neighborhoods equal consideration in transportation decisions.
- B. During the Council's recent discussions relating to growth, annexations and housing policy, Council Members have expressed support for developments that promote livable community concepts such as:
1. Pedestrian and bicycle friendly environments.
 2. Compact, transit and pedestrian oriented developments.
 3. Neighborhood anchor areas or commercial and/or business uses that are necessary to the function of residential neighborhoods or are compatible with residential activity.
 4. Local services that are conveniently available or can be provided and are accessible on foot.
- C. The Council's adopted growth policy states: It is the policy of the Salt Lake City Council that growth in Salt Lake City will be deemed the most desirable if it meets the following criteria:
1. Is aesthetically pleasing;
 2. Contributes to a livable community environment;
 3. Yields no negative net fiscal impact unless an overriding public purpose is served; and
 4. Forestalls negative impacts associated with inactivity.
- D. The City's Strategic Plan and the Futures Commission Report express concepts such as maintaining a prominent sustainable city, ensuring the City is designed to the highest aesthetic standards and is pedestrian friendly, convenient, and inviting, but not at the expense of minimizing environmental stewardship or neighborhood vitality.
1. The Plans emphasize placing a high priority on maintaining and developing new affordable residential housing in attractive, friendly, safe environments and creating attractive conditions for business expansion including retention and attraction of large and small businesses.
 2. The Plans also support street designs that are pedestrian friendly and developing a multi-modal citywide transportation system.
- E. The City's 1990 Urban Design Element includes statements that emphasize preserving the City's image, neighborhood character and maintaining livability while being sensitive to social and economic realities. Applicable policy concepts include:
1. Allow individual districts to develop in response to their unique characteristics within the overall urban design scheme for the city.
 2. Ensure that land uses make a positive contribution to neighborhood improvement and stability.
 3. Ensure that building restoration and new construction enhance district character.
 4. Require private development efforts to be compatible with urban design policies of the city regardless of whether city financial assistance is provided.
 5. Treat building height, scale and character as significant features of a district's image.
 6. Ensure that features of building design such as color, detail, materials and scale are responsive to district character, neighboring buildings, and the pedestrian.
- F. Additional master plans that relate to the proposed transit corridor zoning on 400 South include the Central Community (1974) and East Downtown Master Plans. The Plans emphasize:
1. The need to revitalize and stabilize the residential neighborhoods.
 2. Preservation and enhancement of the unique character and viability of the East Downtown neighborhood.
 3. Greater recognition of mixed-use areas and their relative permanence.
 4. The need for compatibility review, design guidelines and architectural controls to preserve the scale and character of the neighborhoods with an emphasis on the interface between commercial/business uses and residential development.
 5. Encourage pedestrian-scale and transit-oriented forms of development.

6. The present design and character of 400 South should be improved with medium-scale commercial buildings to serve the adjoining neighborhoods of East Downtown and Central City.
7. The commercial strip (400 South) should be replaced with more diverse and pedestrian-oriented activities with a mixture of retail, entertainment and restaurants.
8. Development in this area should be focused at a pedestrian scale and at the street level with required setbacks and plaza areas designed on a human scale.
9. Blank building walls should be prohibited and scenic vista areas should be protected including a view of the mountains and key landmark structures.

BACKGROUND:

(Information provided for the Council's discussion in 2002 provided again for your reference. Please see the attached Planning staff memorandum dated Sept. 3, 2004 for Planning's response to some of these issues.)

- A. The Council held a public hearing on December 3, 2002 and voted to close the hearing and table action on the Transit Corridor zoning issue for further study, input and refinement.
 1. Issues discussed at the Work Session briefing prior to the public hearing included:
 - a. Options identified during the Council's previous briefings and discussion with the Council's consultants.
 - b. Moving forward with the Administration's proposed transit zoning on an interim basis while additional review and analysis takes place.
 - c. Allowing additional time for community input.
 - d. Establishing a Council subcommittee to work through the various options and provide recommendations back to the full Council.
 2. Issues identified at the public hearing included:
 - a. The cumulative impacts on the Central City Community by previous commercial and office developments, surface parking lots, condominium and apartment developments that preclude attracting families with children and single-family development.
 - b. Potential impacts on the Bryant National Historic District, the Central City Historic District (between 500 and 700 East and just south of S. Temple to 900 South) and other existing historic structures in the surrounding area or located next to the properties to be rezoned (north of 400 South).
 - c. The need to focus on the long-term future of the area, 20 to 30 years.
 - d. Support for the recommendations from the East Central, Central City and Sugar House Community Councils. (Please see pg. 4, Item C. in this staff report for a list of the recommendations.)
 - e. Removing properties on the south side of 400 South east of 900 East from the proposed rezoning due to potential impacts from the proposed increase in height. (This was a new item. Removing properties from the north side of 400 South was previously requested by the East Central Community Council.)
- B. In May of 2003, at the request of the Planning Director, the Council referred this item back to the Planning Division for additional review. It was noted that the Planning Commission had requested an additional reevaluation given the Council consultant's comments.
- C. Issues discussed at the Planning Commission hearing and Historic Landmark Commission meetings included:
 1. Permitted and conditional uses, parking, building scale and design, pedestrian and traffic safety, exterior lighting and landscaping.
 2. Neighborhood impacts and compatibility relating to noise, lighting, traffic, density, building scale, design and height.
- D. Discussion items and recommendations from the Council's consultants Frank Gray and Merilee Utter.
 1. 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.

2. Create station area master plans (for each of the three stations along the 400 South corridor).
 - a. Focus on each individual transit station and future development that complements the unique character of each area.
 - b. Establish distinct boundaries and specific design criteria to protect surrounding established neighborhoods.
 - c. Create conceptual development drawings with a cost estimate or *pro forma*.
 - d. Allow areas in between the station plan area to fill in over time.
3. 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.
4. 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.
5. Allow a height bonus incentive up to 100 feet near the transit station platforms or on street corners.
6. Adjust historic district boundaries to remove the properties along 400 South.
7. Provide incentives and City or Redevelopment Agency assistance to assemble properties for future development.

E. Previous recommendations from the East Central, Central City and Sugar House Community Councils.

1. Adjust the height requirement in both TC-50 and TC-75 by requiring any building height over 30 feet to be processed as a conditional use (to ensure design review).
2. Address height issues relating to solar access and air circulation (also identified by the Historic Landmark Commission) in the TC- 50 and TC-75 zones on the north side of 400 South.
3. Maintain existing parking requirements and do not allow a reduction in parking.
4. Adjust permitted and conditional uses
 - a. include auto-related uses as conditional uses such as gas stations to ensure consideration of potential impacts on surrounding neighborhoods
 - b. remove specific uses such as:
 - drive-through businesses
 - bus terminals
 - ambulance facilities
 - park and ride lots
5. Establish density limitations.
6. Establish a minimum lot area requirement for planned developments.
7. Establish design criteria for the rear and sides of buildings to address Crime Prevention Through Environmental Design (CPTED) criteria and architectural features and compatibility.
8. Require a public process element as part of the Zoning Administrator approval procedure for building expansion requests.
9. Add design criteria for underground garage entrances/exits to assure maximum motorists/pedestrians visibility.
10. Remove some of the area to be rezoned – north side of 400 South east of 700 East.
11. Create compatibility or design review.

CHRONOLOGY:

The Council discussed the proposed transit corridor zoning at several meetings throughout the later part of 2002 including review from consultants Frank Gray and Marilee Utter. Key dates are listed below.

- | | |
|--------------------|--|
| • August 4, 1998 | Legislative intent initiated by the City Council |
| • January 18, 2001 | 400 South rezoning petition initiated by the Planning Commission |
| • July 18, 2001 | East Central Community Council meeting |

- August 1, 2001 Central City Community Council meeting
- September 6, 2001 Mayor's Community Council Chair meeting
- November 7, 2001 Historic Landmark Commission meeting
- December 13, 2001 Planning Commission hearing
- January 30, 2002 Historic Landmark Commission meeting
- July 16, 2002 City Council Work Session Briefing
- September 5, 2002 City Council Work Session Briefing
- October 3, 2002 City Council Work Session Briefing
Consultants Frank Gray and Merrilee Utter
- November 5, 2002 City Council Public Hearing and Work Session Briefing
- May 8, 2003 Referred back to the Planning Division for additional review at the
request of the Planning Director
- September 9, 2004 Planning Commission discussion
- September 23, 2004 Planning Open House (requested by the Planning Commission)
- October 13, 2004 Planning Commission hearing
- January 2005 'Walkable Communities' ordinance adopted by City Council
- February 9 & March 9, 2005 Planning Commission consideration of a new transit ordinance
incorporating concepts adopted with the 'Walkable
Communities' ordinance
- April 13, 2005 Planning Commission recommendation to forward a new Transit
Corridor ordinance to the City Council
- September 6, 2005 City Council Work Session Briefing
- October 13, 2005 City Council Subcommittee meeting with Planning staff

cc: Sam Guevara, Rocky Fluhart, DJ Baxter, Ed Rutan, Lynn Pace, Louis Zunguze, Brent Wilde, Orion Goff, Tim Harpst, Doug Wheelwright, Cheri Coffey, Larry Butcher, Kevin LoPicollo, Doug Dansie, Russell Weeks, Jennifer Bruno, Jan Aramaki, Marge Harvey, Sylvia Jones, Lehua Weaver, Barry Esham, Annette Daley, Gwen Springmeyer

File Location: Community Development Dept., Planning Division, Transit Corridor Zoning Ordinance text change and Rezoning properties along 400 South from approximately 200 East to 950 East, City Council Legislative Intent and Planning Commission initiated petition

Communication to the City Council



To: Rocky Fluhart, Chief Administrative Officer *RM* Department of Community Development
Office of the Director

From: Louis Zunguze, Community Development Director *LZ*

Date: November 7, 2005 *by: Bullock*

CC: Brent Wilde, Community Development Deputy Director

Re: Alternative Options for the Transit Corridor Zoning Petition 400-01-12 and
400-01-48

Background

Attached are two alternative sets of ordinances which outline land use options for the Transit Corridor Zoning Districts. These options are provided at the request of the City Council Subcommittee (Councilmembers Christensen, Jergensen, and Saxton), which was created following the City Council briefing on Petition 400-01-12.

Please note that these land use options are being provided for the Council's consideration, in conjunction with the previously submitted Planning Commission recommendation on the same petition (400-01-12). For ease of reference, the Planning Commission recommendation is also included in this communication.

Project History

The Planning Staff met with the Council Subcommittee and Council Staff on October 13, 2005. The Planning Staff's understanding of the recommendations of the subcommittee include:

1. Map the TC-75 zoning district in all of the subject area along the corridor except for the properties on the north side of 400 South between 800 and 900 East.
2. Allow a structure that has all non-residential uses to the height limit in the respective zones (i.e. 50' in the TC-50 and 75' in the TC-75 zone).
3. Ensure that the residential component is still required but allow it to be constructed off-site yet still in the TC corridor along 400 South.

Components Contained in the Options

Both options contain following components:

- Nonresidential uses can extend to the maximum height of the zone but they must include a residential component. The residential component can be either on site or

transferred to another site along the 400 South TC corridor (in either the TC-50 or TC-75 zoning district).

- In order to ensure the residential component is built, the developer would be required to identify the area for the residential component, enter into a development agreement, and either begin construction on the residential development prior to the issuance of a Certificate of Occupancy for the non-residential development or provide a security bond in the amount described in the ordinance to ensure the development will occur.
- Residential or mixed use structures, where nonresidential uses are limited to the first two lower floors of the structure, can obtain a conditional use for additional height (75 feet in the TC-50 zone and 125' in the TC 75 zone). In most scenarios, the residential component for an all non-residential structures could be addressed in a mixed use building.
- A provision has been added to the TC-50 zoning district requiring stepping the building where it abuts low-density single family or two-family dwellings that are in low-density zoning districts as part of the conditional use process for extra height.

Option A was written with the underlying premise that the Subcommittee wants to keep a significant amount of residential potential afforded in the original Planning Commission recommended ordinance but allow for it to be developed in a separate building within the TC corridor. In Alternative A, the residential requirement includes a 2-for-1 ratio of residential for non-residential in order to align with the Planning Commission recommendation.

Under this alternative, the first two levels of non-residential development are not counted toward the residential component requirement; however, for every floor of non-residential development above the first 30 feet in either the TC-50 or TC-75 zoning district, two (2) floors of residential development would be required to be built on or off site. This requirement is based on the idea that the original ordinance would have required anything over 30 feet to be residential. A 50-foot high building would generally equate to a four (4) story building with two (2) floors of residential above the two (2) floors of non-residential. A 75-foot high building would generally equate to a six (6) story building with four (4) floors of residential above the two (2) floors of non-residential.

This option most closely reflects the current City policy to increase 24 hour activity along the corridor, emphasize residential development, and focus higher intensity commercial development in the Central Business District and the Gateway Area. This option allows for more office and slightly less residential use than the Planning Commission recommendation, and reflects the Subcommittee's need to capitalize on the potential for capturing the University's research-related businesses. However, the 2-1 formula might be a deterrent to achieving that goal.

Option B was written with the underlying premise that the Subcommittee wants to ensure a residential component but not necessarily in the same ratio as the Planning Commission recommendation requires. In this alternative, the ordinance

is structured to require one (1) level of residential use for every level of non-residential use (including the first two floors) but allow them in different buildings. As an example, if a building were built at six (6) levels of non-residential uses, a second building would be required with six (6) levels of residential uses.

This option may be easier to administer, and easier to attain by the development community. Like Option A, it is also consistent with the subcommittee's goal of capitalizing on the University's research capacity, but it does not emphasize residential over non-residential. Office uses provide daytime land use, economic activity, and shoppers. Because 400 South has high land values, non-residential land uses may be more able to carry the land costs and induce redevelopment of 400 South properties.

The proposed changes for the Alternative Ordinances are attached and relate to 21A.26.073 G and H (on page 3 and 4 of the draft ordinance) and 21A.26.077 G and H (on pages 7 and 8 of the draft ordinance). The Alternative Ordinances also include some previous changes requested by the City Council and do not necessarily relate to the issue of allowing higher non-residential buildings.

Planning Commission Recommendations

On October 13, 2004, with respect to Petition 400-01-12 and 400-01-48, the Planning Commission passed a motion to transmit a favorable recommendation following the Staff recommendation. The recommendation was as follows:

- Two new transit oriented zoning districts: TC-50 and TC-75.
- The TC-50 zoning district has a height limit of 50 feet and the TC-75 zoning district has a height limit of 75 feet with additional increase of height allowed up to 125 feet, through the Conditional Use process.
- The TC-75 zoning district is proposed to be mapped between 200 and 600 East and the TC-50 zoning district is to be mapped between 700 and approximately 925 East.
- Everything over 30 feet in height is to be exclusively residential, including any additional height granted through the Conditional Use process.
- The districts are proposed to be mapped along the 400 South corridor only in areas that are presently zoned CC Commercial Corridor (which is why there is a gap between 600 and 700 East). These properties are zoned Community Shopping and are addressed in another petition.

This recommendation was previously transmitted to the City Council.

There is one other change that Staff recommends relating to exceptions to the minimum front yard set back in the Planning Commission recommendation. The change redirects the process from the conditional use process to the site design review process, which is generally more appropriate for design issues.

Conclusion

In summary, the Planning Commission recommendation includes a mix of uses at a scale that will emphasize residential development in an area that is planned for around the clock, transit- and pedestrian-oriented activity and is consistent with various adopted Master Plan policies. These policies include encouraging higher intensive non-residential uses in the Central Business District while promoting residential development in the East Downtown and East Central Neighborhoods and higher density residential development along transit corridor lines.

Option A emphasizes residential development and requires a similar amount of residential land use to the Planning Commission recommendation. However, it differs from the Planning Commission recommendation in that the different uses do not have to be in the same building. Option B emphasizes more non-residential development than the Planning Commission recommendation and also allows the different uses to be in separate buildings. Given that both policies vary somewhat from existing adopted policies in that they would allow more non-residential development away from the core Downtown, if either one of them is adopted some modifications of existing policies would be appropriate to ensure that both policy and practice are consistent.

Originals
Alternative A
11/7/05

SALT LAKE CITY ORDINANCE

No. _____ of 2005

Alternative A

(residential emphasis)

(Amending the Salt Lake City Zoning Code to create transit oriented zoning districts, rezoning property along the east-west light rail corridor, and making other related changes)

AN ORDINANCE AMENDING THE SALT LAKE CITY ZONING CODE TO CREATE TRANSIT ORIENTED ZONING DISTRICTS, CHANGING THE ZONING ALONG THE EAST-WEST LIGHT RAIL CORRIDOR, AND MAKING OTHER RELATED CHANGES, PURSUANT TO PETITION NOS. 400-01-48 and 400-01-12.

WHEREAS, the East-West Light Rail corridor from the downtown business district to the University of Utah Campus has recently been established; and

WHEREAS, in order to maximize the potential of that light rail system, the City is anxious to encourage new development which would focus on mass transit and pedestrian traffic, rather than automobile traffic; and

WHEREAS, after hearings before the Planning Commission and the Salt Lake City Council, the City Council has determined that the following ordinance is in the best interest of the City;

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

SECTION 1. Section 21A.26.073 TC-50 entitled "Transit Corridor District,"

shall be and hereby is enacted to read as follows:

21A.26.073 TC-50 Transit Corridor District:

- A. Purpose Statement: The purpose of the TC-50 Transit Corridor District is to provide an environment for efficient and attractive transit and pedestrian oriented commercial, residential and mixed-use development along major transit corridors.

The design guidelines 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-50 Transit Corridor District as specified in the Table of Permitted and Conditional Uses for Commercial Districts found at Section 21A.26.080 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 Section 21A.54.150 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 Part V, 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 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 Part IV, 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 as conditional building and site design review, subject to the requirements of Part V, 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 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.

Any appeal of an Administrative Decision made pursuant to subsection E.6 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 and 21A.26.073.E.1 of this Title.
- G. Maximum Non-residential Building Height: The maximum building height in the TC-50 zoning district shall not exceed thirty feet (30') for those buildings used exclusively for non-residential purposes.
 1. Additional building square footage may be allowed up to a maximum building height of fifty feet (50') providing that for each additional floor of non-residential use above thirty feet (30'), twice the amount of square footage of non-residential use, exclusive 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-50 or TC-75 zoning districts 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 twice the total amount of square footage obtained for the non-residential floors rising in excess of thirty feet (30') 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 non-residential structure, the applicant must identify specifically where the residential structure will be located in the area zoned TC-50 or TC-75 along the 400 South Street corridor generally located between 200 East and 925 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 non-residential 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 non-residential 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 non-residential component of the development.

- H. Maximum Residential Building Height: No residential building, or mixed-use building shall exceed fifty feet (50') in height (non-residential portions of mixed-use buildings and public service portions of residential buildings, are limited to the first thirty feet (30') of the building). Building heights in excess of fifty feet (50') feet, but not more than seventy-five feet (75') may be approved as a conditional use, subject to no more than thirty feet (30') of the building being devoted to non-residential use, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title and conformity with applicable Master Plan policy as well as the following criteria:
- a. In the TC-50 zoning district, floors rising above thirty feet (30') in height shall be stepped back fifteen horizontal feet (15') from the building foundation at grade, along property lines abutting low-density, single-family or two family residential developments that are located in a zoning district with a lower maximum height limit.
- I. Restrictions On Parking Lots And Structures: The following regulations shall apply to surface parking lots or above ground 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, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title. Parking structures located above the first level and closer than 30 feet to the 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 with the approval of the Planning Commission pursuant to the provisions of Part V, Chapter 21A.54 of this Title.
 4. Below ground Parking Facilities: No special design and setback restrictions shall apply to below ground parking facilities.

5. Landscape Requirements: Surface parking lots shall meet interior landscaped requirements as outlined in Chapter 21A.48 of this Title.
 6. 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 Chapter 21A.59.060.

Any appeal of an Administrative Decision made pursuant to subsection I.6 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 Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission, unless otherwise specified.
- 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 non-reflective. The reflectivity in glass shall be limited to eighteen percent (18%) as defined by ASTA Standards. Display windows that are three-dimensional (3-D) 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 building and site design review, subject to the requirements of Part V, 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.
- Any appeal of an Administrative Decision made pursuant to subsection J 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 any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in Section 21A.26.073.J

- 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 2. Section 21A.26.077 TC-75 of the Salt Lake City Code entitled “Transit Corridor District,” shall be and hereby is enacted 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 provide an environment for efficient and attractive transit and pedestrian oriented commercial, residential and mixed-use development along major transit corridors. The design guidelines 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 the Table of Permitted and Conditional Uses for Commercial Districts found at Section 21A.26.080 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 Section 21A.54.150 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 Part V, 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 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 Part IV, 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 as conditional building and site design review, subject to the requirements of Part V, 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 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.

Any appeal of an Administrative Decision made pursuant to subsection E.6 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 and 21A.26.077.E.1 of this Title
- G. Maximum Non-residential Building Height: The maximum building height in the TC-75 zoning district shall not exceed 30 feet for those buildings used exclusively for non-residential purposes.
 1. Additional building square footage may be allowed up to a maximum building height of seventy-five feet (75') provided that for each additional floor of non-residential use above thirty feet (30'), twice the amount of square footage of non-residential use, exclusive 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-50 or TC-75 zoning districts 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 twice the square footage of the total amount of square footage obtained for the non-residential floors rising in excess of thirty feet (30') 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 non-

residential structure, the applicant must identify specifically where the residential structure will be located in the area zoned TC-50 or TC-75 along to 400 South Street corridor generally located between 200 East and 925 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 non-residential 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 non-residential 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 non-residential component of the development.

- H. Maximum Residential Building Height: No residential building, or mixed-use building shall exceed seventy-five feet (75') in height (non-residential portions of mixed use buildings and public service portions of residential buildings are limited to the first thirty feet (30') of the building). Building heights in excess of seventy-five (75) feet, but not more than one hundred twenty-five feet (125 feet) may be approved as a conditional use, subject to no more than thirty feet (30') of the building being devoted to non-residential use, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title and conformity with applicable Master Plan policy.
- I. Restrictions On Parking Lots And Structures: The following regulations shall apply to surface or above ground 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, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title. Parking structures located above the first level and less than 30 feet 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 with the approval of the Planning Commission pursuant to the provisions of Part V, Chapter 21A.54 of this Title.
 4. Below ground Parking Facilities: No special design and setback restrictions shall apply to below ground parking facilities.
 5. Landscape Requirements: Surface parking lots shall meet interior landscaped requirements as outlined in Chapter 21A.48 of this Title.
 6. 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 Chapter 21A.59.060.Any appeal of an Administrative Decision made pursuant to subsection I.6 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 Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission, unless otherwise specified.
- 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 façade, 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 non-reflective. The reflectivity in glass shall be limited to eighteen percent (18%) as defined by ASTA Standards. Display windows that are three-dimensional (3-D) 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 building and site design review, subject to the requirements of Part V, 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.

Any appeal of an Administrative Decision made pursuant to subsection J 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 Section 21A.26.077.J.
- 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 3. Sections 21A.44.040.C.7 and 8 of the Salt Lake City Code shall be and hereby are enacted to read as follows:

21A.44.040.C.7 TC-50 District:

All parking requirements listed in Table 21A.44.060F are reduced by twenty five percent (25%) within the TC-50 Zoning District.

21A.44.040.C.8 TC-75 District:

- a. For non-residential uses in the TC-75 district, no off-street parking shall be required for the first five thousand (5,000) square feet of floor area. For all non-residential uses with more than five thousand (5,000) square feet, the parking requirement shall be one space per one thousand (1,000) square feet of gross floor area, including the initial five thousand (5,000) square feet.
- b. All residential parking requirements listed in Table 21A.44.060F are reduced by fifty percent (50%) within the TC-75 Zoning District.

SECTION 4. Section 21A.48.080.C.12 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

21A.48.080.C.12 TC-50 and TC-75 Districts:

Lots in the TC-50 and TC-75 Districts which abut a lot in a residential district, shall provide a ten (10) foot landscaped buffer.

SECTION 5. Section 21A.54.150.E.4 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

21A.54.150.E.4 Planned developments within the TC-50, TC-75, RB, RMU, MU, CN, CB, and CSHBD zoning districts and the South State Street Overlay. Also planned developments within the CS zoning district, when the district is adjacent to more than 60% residential zoning (within 300 feet, either on the same block or across the street).

Planned developments within these zoning districts may be approved subject to consideration of the following general conceptual guidelines (a positive finding for each is not required):

- a. The development shall be primarily oriented to the street, not an interior courtyard or parking lot,
- b. The primary access shall be oriented to the pedestrian and mass transit,
- c. The façade shall maintain detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction,
- d. Architectural detailing shall emphasize the pedestrian level of the building,
- e. Parking lots shall be appropriately screened and landscaped to minimize their impact on the neighborhood,
- f. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods,
- g. Dumpsters and loading docks shall be appropriately screened or located within the structure, and
- h. Signage shall emphasize the pedestrian/mass transit orientation.

SECTION 6. The table located at Section 21A.54.150.E.2 of the Salt Lake City Code shall be and hereby is amended to read as set forth on Exhibit "A" attached hereto.

SECTION 7. Section 21A.46.095 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

21A.46.095 Sign Regulations for Transit Corridor Districts:

The following regulations shall apply to signs permitted in transit corridor districts. Any sign not expressly permitted by these district regulations is prohibited.

- a. Sign regulations for the TC-50 and TC-75 transit corridor districts:
 1. Purpose: Sign regulations for the TC-50 and TC-75 districts are intended to provide for appropriate signage oriented primarily to pedestrian and mass transit traffic.
 2. Applicability: Regulations on Table 21A.46.095.A.3 of this section shall apply to all lots within the TC-50 and TC-75 districts.

SECTION 8. The table located at Section 21A.46.095.A.3 of the Salt Lake City Code shall be and hereby is enacted as set forth on Exhibit "B" attached hereto.

SECTION 9. The table located at Section 21A.26.080 of the Salt Lake City Code entitled "Table of Permitted and Conditional Uses for Commercial Districts," shall be and hereby is amended to read as set forth on Exhibit "C" attached hereto.

SECTION 10. The table located at Section 21A.26.090 of the Salt Lake City Code entitled "Summary Table of Yard and Bulk requirements - Commercial Districts," shall be and hereby is amended to read as set forth on Exhibit "D" attached hereto.

SECTION 11. Section 21A.62.040 of the Salt Lake City Code shall be and hereby is amended to include the following definitions in alphabetical order:

"Block corner" means the ninety degree (90°) intersection of private property adjacent to the intersection of two public street rights of way both of which are at least 132 feet wide. When applied to corner buildings, the provisions of this ordinance shall extend to 165 feet from the block corner on the street face and 165 feet in depth.

"Corner building" means a building, the structure of which rises above the ground within 100 feet of a block corner on the street face and 100 feet in depth.

"Mid-block area" means an area of development not deemed to be a block corner.

SECTION 12. The properties located along the East-West light rail corridor along 400 South, which are more particularly described on Exhibit "E" attached hereto, shall be and hereby are rezoned from commercial corridor (CC) to transit oriented district (TC-50).

SECTION 13. The properties located along the East-West light rail corridor on 400 South, which are more particularly identified on Exhibit "E" attached hereto, shall be

and hereby are rezoned from commercial corridor (CC) to transit oriented district (TC-75).

SECTION 14. Amending of zoning map. The Salt Lake City zoning map, as adopted by the Salt Lake City Code, relating to the fixing of boundaries and zoning districts, shall be and hereby is amended consistent with the rezoning identified above.

SECTION 15. Amendment of Master Plan. To the extent necessary, the Central City Master Plan shall be and hereby is amended consistent with the rezoning identified above.

SECTION 16. 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 _____, 2005.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

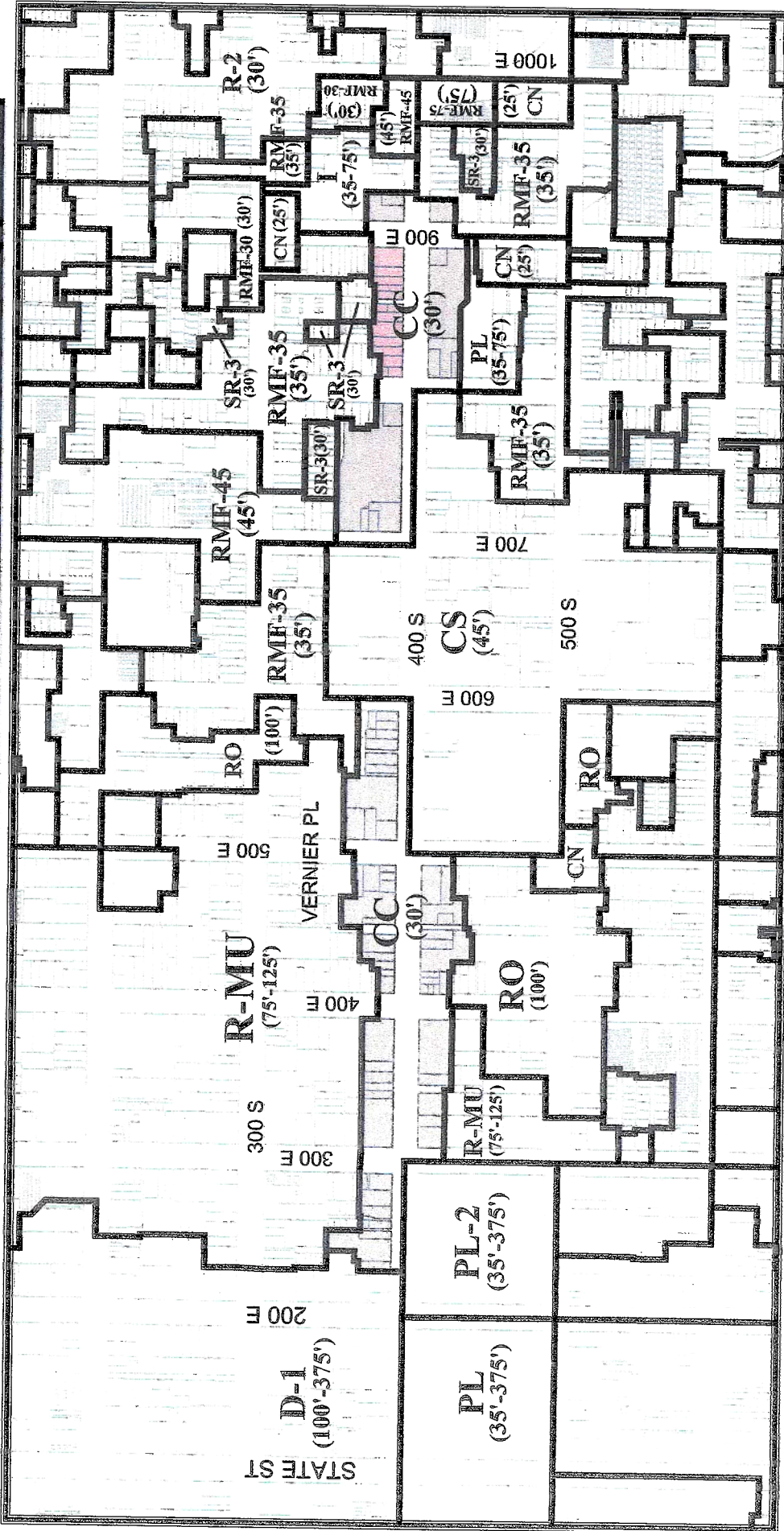
(SEAL)

Bill No. _____ of 2005.

Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorneys Office
Date November 7, 2005
By Melanie Bey

Corridor Commercial



Note: Numbers in parenthesis represent current height limits

MAP LEGEND

- TC-75 is proposed to replace CC
- TC-50 is proposed to replace CC

SALT LAKE CITY ORDINANCE

No. _____ of 2005

Alternative A

(residential emphasis)

(Amending the Salt Lake City Zoning Code to create transit oriented zoning districts, rezoning property along the east-west light rail corridor, and making other related changes)

AN ORDINANCE AMENDING THE SALT LAKE CITY ZONING CODE TO CREATE TRANSIT ORIENTED ZONING DISTRICTS, CHANGING THE ZONING ALONG THE EAST-WEST LIGHT RAIL CORRIDOR, AND MAKING OTHER RELATED CHANGES, PURSUANT TO PETITION NOS. 400-01-48 and 400-01-12.

WHEREAS, the East-West Light Rail corridor from the downtown business district to the University of Utah Campus has recently been established; and

WHEREAS, in order to maximize the potential of that light rail system, the City is anxious to encourage new development which would focus on mass transit and pedestrian traffic, rather than automobile traffic; and

WHEREAS, after hearings before the Planning Commission and the Salt Lake City Council, the City Council has determined that the following ordinance is in the best interest of the City;

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

SECTION 1. Section 21A.26.073 TC-50 entitled "Transit Corridor District," shall be and hereby is enacted to read as follows:

21A.26.073 TC-50 Transit Corridor District:

A. Purpose Statement: The purpose of the TC-50 Transit Corridor District is to provide an environment for efficient and attractive transit and pedestrian oriented commercial, residential and mixed-use development along major

transit corridors. The design guidelines 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-50 Transit Corridor District as specified in the Table of Permitted and Conditional Uses for Commercial Districts found at Section 21A.26.080 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 Section 21A.54.150 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 as conditional building and site design review, subject to the requirements of Part V, 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 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 Part IV, 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: 25 feet. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, 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 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.

Any appeal of an Administrative Decision made pursuant to subsection E.6 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.

G. Maximum Non-residential Building Height: The maximum building height in the TC-50 zoning district shall not exceed 30 feet for those buildings used exclusively for non-residential purposes.

- 1. Additional building square footage may be obtained up to a maximum building height of fifty feet (50') providing that for each additional floor of non-residential use above 30 feet twice the amount of square footage of non-residential use is required to be built as residential square footage.**
- 2. The residential component may be transferred off-site to another property in the TC-50 or TC-75 zoning districts 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 twice the total amount of square footage obtained for the non-residential floors rising in excess of thirty feet (30').**
- 3. For those developments where the required residential component is transferred off-site, prior to the issuance of a building permit for the non-residential structure, the applicant must identify specifically where the residential structure will be located in the area zoned TC-50 or TC-75 along to 400 South Street corridor generally located between 200 East and 925 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 non-residential 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 non-residential 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 non-residential component of the development.

H. Maximum Residential Building Height: No residential building, or mixed use building where the non-residential use is limited to the bottom 30 feet of the building, shall exceed fifty feet (50'). Building heights in excess of fifty feet (50) feet, but not more than seventy-five feet (75 feet) may be approved as a conditional use, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title and conformity with applicable Master Plan policy as well as the following criteria:

a. In the TC-50 zoning district, floors rising above thirty feet (30') in height shall be stepped back fifteen horizontal feet (15') from the building foundation at grade, along property lines abutting low-density, single-family or two family residential developments that are located in a zoning district with a lower maximum height limit.

I. Restrictions On Parking Lots And Structures: The following regulations shall apply to surface parking lots or above ground 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, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title.**

Parking structures located above the first level and closer than 30 feet to the 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 with the approval of the**

Planning Commission pursuant to the provisions of Part V, Chapter 21A.54 of this Title.

4. **Below ground Parking Facilities: No special design and setback restrictions shall apply to below ground parking facilities.**
5. **Landscape Requirements: Surface parking lots shall meet interior landscaped requirements as outlined in Chapter 21A.48 of this Title.**
6. 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 Chapter 21A.59.060.

Any appeal of an Administrative Decision made pursuant to subsection I.6 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 Part V, 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 non-reflective. The reflectivity in glass shall be limited to eighteen percent (18%) as defined by ASTA Standards. Display windows that are three-dimensional (3-D) 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 building and site design review, subject to the requirements of Part V, 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.

Any appeal of an Administrative Decision made pursuant to subsection J 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 any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in Section 21A.26.073.J

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 2. Section 21A.26.077 TC-75 of the Salt Lake City Code entitled “Transit Corridor District,” shall be and hereby is enacted 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 provide an environment for efficient and attractive transit and pedestrian oriented commercial, residential and mixed-use development along major transit corridors. The design guidelines 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 the Table of Permitted and Conditional Uses for Commercial Districts found at Section 21A.26.080 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 Section 21A.54.150 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 as conditional building and site design review, subject to the requirements of Part V, 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 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 Part IV, 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: 25 feet. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, 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 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.

Any appeal of an Administrative Decision made pursuant to subsection E.6 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, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title.

G. Maximum Non-residential Building Height: The maximum building height in the TC-75 zoning district shall not exceed 30 feet for those buildings used exclusively for non-residential purposes.

1. Additional building square footage may be allowed up to a maximum building height of seventy-five feet (75') provided that for each additional floor of non-residential use above 30 feet, twice the amount of square footage 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 districts 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 twice the square footage of the total amount of square footage obtained for the non-residential floors rising in excess of thirty feet (30').
3. For those developments where the required residential component is transferred off-site, prior to the issuance of a building permit for the non-residential structure, the applicant must identify specifically where the residential structure will be located in the area zoned TC-50 or 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 non-residential 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 non-residential 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 non-residential component of the development.

H. Maximum Residential Building Height: No residential building, or mixed use building where the non-residential use is limited to the bottom 30 feet of the building, shall exceed seventy five feet (75'). Building heights in excess of seventy-five (75) feet, but not more than one hundred twenty-five feet (125 feet) may be approved as a conditional use, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title and conformity with applicable Master Plan policy.

I. Restrictions On Parking Lots And Structures: The following regulations shall apply to surface or above ground 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, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title. Parking structures located above the first level and less than 30 feet 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 with the approval of the Planning Commission pursuant to the provisions of Part V, Chapter 21A.54 of this Title.**
4. **Below ground Parking Facilities: No special design and setback restrictions shall apply to below ground parking facilities.**
5. **Landscape Requirements: Surface parking lots shall meet interior landscaped requirements as outlined in Chapter 21A.48 of this Title.**
6. 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 Chapter 21A.59.060.

Any appeal of an Administrative Decision made pursuant to subsection I.6 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 Part V, 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 façade, 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 non-reflective. The reflectivity in glass shall be limited to eighteen percent (18%) as defined by ASTA Standards. Display windows that are three-dimensional (3-D) 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 building and site design review, subject to the requirements of Part V, 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.

Any appeal of an Administrative Decision made pursuant to subsection J 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 Section 21A.26.077.J.

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 3. Sections 21A.44.040.C.7 and 8 of the Salt Lake City Code shall be and hereby are enacted to read as follows:

21A.44.040.C.7 TC-50 District

All parking requirements listed in Table 21A.44.060F are reduced by twenty five percent (25%) within the TC-50 Zoning District.

21A.44.040.C.8 TC-75 District

- a. For non-residential uses in the TC-75 district, no off-street parking shall be required for the first five thousand (5,000) square feet of floor area. For all non-residential uses with more than five thousand (5,000) square feet, the parking requirement shall be one space per one thousand (1,000) square feet of gross floor area, including the initial five thousand (5,000) square feet.**
- b. All residential parking requirements listed in Table 21A.44.060F are reduced by fifty percent (50%) within the TC-75 Zoning District.**

SECTION 4. Section 21A.48.080.C.12 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

21A.48.080.C.12 TC-50 and TC-75 Districts.

Lots in the TC-50 and TC-75 Districts which abut a lot in a residential district, shall provide a ten (10) foot landscaped buffer.

SECTION 5. Section 21A.54.150.E.4 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

21A.54.150.E.4 Planned developments within the TC-50, TC-75, RB, RMU, MU, CN, CB, and CSHBD zoning districts and the South State Street Overlay. Also planned developments within the CS zoning district, when the district is adjacent to more than 60% residential zoning (within 300 feet, either on the same block or across the street).

Planned developments within these zoning districts may be approved subject to consideration of the following general conceptual guidelines (a positive finding for each is not required):

- a. The development shall be primarily oriented to the street, not an interior courtyard or parking lot,
- b. The primary access shall be oriented to the pedestrian and mass transit,
- c. The façade shall maintain detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction,
- d. Architectural detailing shall emphasize the pedestrian level of the building,
- e. Parking lots shall be appropriately screened and landscaped to minimize their impact on the neighborhood,
- f. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods,
- g. Dumpsters and loading docks shall be appropriately screened or located within the structure, and
- h. Signage shall emphasize the pedestrian/mass transit orientation.

SECTION 6. The table located at Section 21A.54.150.E.2 of the Salt Lake City Code shall be and hereby is amended to read as set forth on Exhibit “A” attached hereto.

SECTION 7. Section 21A.46.095 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

21A.46.095 Sign Regulations for Transit Corridor Districts:

The following regulations shall apply to signs permitted in transit corridor districts. Any sign not expressly permitted by these district regulations is prohibited.

a. Sign regulations for the TC-50 and TC-75 transit corridor districts:

1. Purpose: Sign regulations for the TC-50 and TC-75 districts are intended to provide for appropriate signage oriented primarily to pedestrian and mass transit traffic.

2. Applicability: Regulations on Table 21A.46.095.A.3 of this section shall apply to all lots within the TC-50 and TC-75 districts.

SECTION 8. The table located at Section 21A.46.095.A.3 of the Salt Lake City Code shall be and hereby is enacted as set forth on Exhibit “B” attached hereto.

SECTION 9. The table located at Section 21A.26.080 of the Salt Lake City Code entitled “Table of Permitted and Conditional Uses for Commercial Districts,” shall be and hereby is amended to read as set forth on Exhibit “C” attached hereto.

SECTION 10. The table located at Section 21A.26.090 of the Salt Lake City Code entitled “Summary Table of Yard and Bulk requirements - Commercial Districts,” shall be and hereby is amended to read as set forth on Exhibit “D” attached hereto.

SECTION 11. Section 21A.62.040 of the Salt Lake City Code shall be and hereby is amended to include the following definitions in alphabetical order:

"Block corner" means the ninety degree (90°) intersection of private property adjacent to the intersection of two public street rights of way both of which are at least 132 feet wide. When applied to corner buildings, the provisions of this ordinance shall extend to 165 feet from the block corner on the street face and 165 feet in depth.

"Corner building" means a building, the structure of which rises above the ground within 100 feet of a block corner on the street face and 100 feet in depth.

"Mid-block area" means an area of development not deemed to be a block corner.

SECTION 12. The properties located along the East-West light rail corridor along 400 South, which are more particularly described on Exhibit "E" attached hereto, shall be and hereby are rezoned from commercial corridor (CC) to transit oriented district (TC-50).

SECTION 13. The properties located along the East-West light rail corridor on 400 South, which are more particularly identified on Exhibit "E" attached hereto, shall be and hereby are rezoned from commercial corridor (CC) to transit oriented district (TC-75).

SECTION 14. Amending of zoning map. The Salt Lake City zoning map, as adopted by the Salt Lake City Code, relating to the fixing of boundaries and zoning districts, shall be and hereby is amended consistent with the rezoning identified above.

SECTION 15. Amendment of Master Plan. To the extent necessary, the Central City Master Plan shall be and hereby is amended consistent with the rezoning identified above.

SECTION 16. 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 _____, 2005.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2005.

Published: _____.

I:\Ordinance 05\Rezoning east-west light rail corridor - Alternative A - 11-07-05 #2 draft.doc

Originals
Alternative B
11/7/05

SALT LAKE CITY ORDINANCE

No. _____ of 2005

Alternative B

(office emphasis)

(Amending the Salt Lake City Zoning Code to create transit oriented zoning districts, rezoning property along the east-west light rail corridor, and making other related changes)

AN ORDINANCE AMENDING THE SALT LAKE CITY ZONING CODE TO CREATE TRANSIT ORIENTED ZONING DISTRICTS, CHANGING THE ZONING ALONG THE EAST-WEST LIGHT RAIL CORRIDOR, AND MAKING OTHER RELATED CHANGES, PURSUANT TO PETITION NOS. 400-01-48 and 400-01-12.

WHEREAS, the East-West Light Rail corridor from the downtown business district to the University of Utah Campus has recently been established; and

WHEREAS, in order to maximize the potential of that light rail system, the City is anxious to encourage new development which would focus on mass transit and pedestrian traffic, rather than automobile traffic; and

WHEREAS, after hearings before the Planning Commission and the Salt Lake City Council, the City Council has determined that the following ordinance is in the best interest of the City;

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

SECTION 1. Section 21A.26.073 TC-50 entitled "Transit Corridor District,"

shall be and hereby is enacted to read as follows:

21A.26.073 TC-50 Transit Corridor District:

- A. Purpose Statement: The purpose of the TC-50 Transit Corridor District is to provide an environment for efficient and attractive transit and pedestrian oriented commercial, residential and mixed-use development along major transit corridors.

The design guidelines 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-50 Transit Corridor District as specified in the Table of Permitted and Conditional Uses for Commercial Districts found at Section 21A.26.080 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 Section 21A.54.150 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 Part V, 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 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 Part IV, 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 as conditional building and site design review, subject to the requirements of Part V, 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 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.

Any appeal of an Administrative Decision made pursuant to subsection E.6 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 and 21A.26.073.E.1 of this Title.
- G. Maximum Non-residential Building Height: The maximum building height in the TC-50 zoning district shall not exceed thirty feet (30') for those buildings used exclusively for non-residential purposes.
 1. Additional building square footage may be allowed up to a maximum building height of fifty feet (50') provided that for each additional floor of non-residential 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-50 or TC-75 zoning districts 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 total amount of square footage obtained for the non-residential floors for 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 non-residential structure, the applicant must identify specifically where the residential structure will be located in the area zoned TC-50 or TC-75 along the 400 South Street corridor generally located between 200 East and 925 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 non-residential 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 non-residential 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 non-residential component of the development.

- H. Maximum Residential Building Height: No residential building, or mixed-use building shall exceed fifty feet (50') in height (non-residential portions of mixed-use buildings and public service portions of residential buildings are limited to the first thirty feet (30') of the building). Building heights in excess of fifty feet (50'), but not more than seventy-five feet (75') may be approved as a conditional use, subject to no more than thirty feet (30') of the building being devoted to non-residential use, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title and conformity with applicable Master Plan policy as well as the following criteria:
- a. In the TC-50 zoning district, floors rising above thirty feet (30') in height shall be stepped back fifteen horizontal feet (15') from the building foundation at grade, along property lines abutting low-density, single-family or two family residential developments that are located in a zoning district with a lower maximum height limit.
- I. Restrictions On Parking Lots And Structures: The following regulations shall apply to surface parking lots or above ground 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, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title. Parking structures located above the first level and closer than 30 feet to the 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 with the approval of the Planning Commission pursuant to the provisions of Part V, Chapter 21A.54 of this Title.
 4. Below ground Parking Facilities: No special design and setback restrictions shall apply to below ground parking facilities.
 5. Landscape Requirements: Surface parking lots shall meet interior landscaped requirements as outlined in Chapter 21A.48 of this Title.

6. 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 Chapter 21A.59.060.

Any appeal of an Administrative Decision made pursuant to subsection I.6 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 Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission, unless otherwise specified.

- 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 non-reflective. The reflectivity in glass shall be limited to eighteen percent (18%) as defined by ASTA Standards. Display windows that are three-dimensional (3-D) 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 building and site design review, subject to the requirements of Part V, 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.

Any appeal of an Administrative Decision made pursuant to subsection J 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 any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in Section 21A.26.073.J

- 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 2. Section 21A.26.077 TC-75 of the Salt Lake City Code entitled “Transit Corridor District,” shall be and hereby is enacted 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 provide an environment for efficient and attractive transit and pedestrian oriented commercial, residential and mixed-use development along major transit corridors. The design guidelines 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 the Table of Permitted and Conditional Uses for Commercial Districts found at Section 21A.26.080 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 Section 21A.54.150 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 Part V, 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 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 Part IV, 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 as conditional building and site design review, subject to the requirements of Part V, 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 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.

Any appeal of an Administrative Decision made pursuant to subsection E.6 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 and 21A.26.077.E.1 of this Title.
- G. Maximum Non-residential Building Height: The maximum building height in the TC-75 zoning district shall not exceed thirty feet (30') for those buildings used exclusively for non-residential purposes.
 1. Additional building square footage may be allowed up to a maximum building height of seventy-five feet (75') provided that for each additional floor of non-residential 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-50 or TC-75 zoning districts 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 non-residential floors 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 non-residential structure, the applicant must identify specifically where the residential structure will be located in the area zoned TC-50 or TC-75 along to 400 South Street corridor generally located between 200 East and 925 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 non-residential 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 non-residential 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 non-residential component of the development.

- H. Maximum Residential Building Height: No residential building, or mixed-use building shall exceed seventy-five (75') in height (non-residential portions of mixed use buildings and public service portions of residential buildings are limited to the first thirty feet (30') of the building). Building heights in excess of seventy-five (75) feet, but not more than one hundred twenty-five feet (125 feet) may be approved as a conditional use, subject to no more than thirty feet (30') of the building being devoted to non-residential use, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title and conformity with applicable Master Plan policy.

- I. Restrictions On Parking Lots And Structures: The following regulations shall apply to surface or above ground 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, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title. Parking structures located above the first level and less than 30 feet 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 with the approval of the Planning Commission pursuant to the provisions of Part V, Chapter 21A.54 of this Title.
 - 4. Below ground Parking Facilities: No special design and setback restrictions shall apply to below ground parking facilities.
 - 5. Landscape Requirements: Surface parking lots shall meet interior landscaped requirements as outlined in Chapter 21A.48 of this Title.
 - 6. 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 Chapter 21A.59.060.
- Any appeal of an Administrative Decision made pursuant to subsection I.6 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 Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission, unless otherwise specified.

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 façade, 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 non-reflective. The reflectivity in glass shall be limited to eighteen percent (18%) as defined by ASTA Standards. Display windows that are three-dimensional (3-D) 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 building and site design review, subject to the requirements of Part V, 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.
Any appeal of an Administrative Decision made pursuant to subsection J 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 Section 21A.26.077.J.

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 3. Sections 21A.44.040.C.7 and 8 of the Salt Lake City Code shall be and hereby are enacted to read as follows:

21A.44.040.C.7 TC-50 District:

All parking requirements listed in Table 21A.44.060F are reduced by twenty five percent (25%) within the TC-50 Zoning District.

21A.44.040.C.8 TC-75 District:

- a. For non-residential uses in the TC-75 district, no off-street parking shall be required for the first five thousand (5,000) square feet of floor area. For all non-residential uses with more than five thousand (5,000) square feet, the parking requirement shall be one space per one thousand (1,000) square feet of gross floor area, including the initial five thousand (5,000) square feet.
- b. All residential parking requirements listed in Table 21A.44.060F are reduced by fifty percent (50%) within the TC-75 Zoning District.

SECTION 4. Section 21A.48.080.C.12 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

21A.48.080.C.12 TC-50 and TC-75 Districts:

Lots in the TC-50 and TC-75 Districts which abut a lot in a residential district, shall provide a ten (10) foot landscaped buffer.

SECTION 5. Section 21A.54.150.E.4 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

21A.54.150.E.4 Planned developments within the TC-50, TC-75, RB, RMU, MU, CN, CB, and CSHBD zoning districts and the South State Street Overlay. Also planned developments within the CS zoning district, when the district is adjacent to more than 60% residential zoning (within 300 feet, either on the same block or across the street).

Planned developments within these zoning districts may be approved subject to consideration of the following general conceptual guidelines (a positive finding for each is not required):

- a. The development shall be primarily oriented to the street, not an interior courtyard or parking lot,
- b. The primary access shall be oriented to the pedestrian and mass transit,
- c. The façade shall maintain detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction,
- d. Architectural detailing shall emphasize the pedestrian level of the building,
- e. Parking lots shall be appropriately screened and landscaped to minimize their impact on the neighborhood,
- f. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods,
- g. Dumpsters and loading docks shall be appropriately screened or located within the structure, and
- h. Signage shall emphasize the pedestrian/mass transit orientation.

SECTION 6. The table located at Section 21A.54.150.E.2 of the Salt Lake City Code shall be and hereby is amended to read as set forth on Exhibit “A” attached hereto.

SECTION 7. Section 21A.46.095 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

21A.46.095 Sign Regulations for Transit Corridor Districts:

The following regulations shall apply to signs permitted in transit corridor districts. Any sign not expressly permitted by these district regulations is prohibited.

- a. Sign regulations for the TC-50 and TC-75 transit corridor districts:
 1. Purpose: Sign regulations for the TC-50 and TC-75 districts are intended to provide for appropriate signage oriented primarily to pedestrian and mass transit traffic.

2. Applicability: Regulations on Table 21A.46.095.A.3 of this section shall apply to all lots within the TC-50 and TC-75 districts.

SECTION 8. The table located at Section 21A.46.095.A.3 of the Salt Lake City Code shall be and hereby is enacted as set forth on Exhibit "B" attached hereto.

SECTION 9. The table located at Section 21A.26.080 of the Salt Lake City Code entitled "Table of Permitted and Conditional Uses for Commercial Districts," shall be and hereby is amended to read as set forth on Exhibit "C" attached hereto.

SECTION 10. The table located at Section 21A.26.090 of the Salt Lake City Code entitled "Summary Table of Yard and Bulk requirements - Commercial Districts," shall be and hereby is amended to read as set forth on Exhibit "D" attached hereto.

SECTION 11. Section 21A.62.040 of the Salt Lake City Code shall be and hereby is amended to include the following definitions in alphabetical order:

"Block corner" means the ninety degree (90°) intersection of private property adjacent to the intersection of two public street rights of way both of which are at least 132 feet wide. When applied to corner buildings, the provisions of this ordinance shall extend to 165 feet from the block corner on the street face and 165 feet in depth.

"Corner building" means a building, the structure of which rises above the ground within 100 feet of a block corner on the street face and 100 feet in depth.

"Mid-block area" means an area of development not deemed to be a block corner.

SECTION 12. The properties located along the East-West light rail corridor along 400 South, which are more particularly described on Exhibit "E" attached hereto, shall be and hereby are rezoned from commercial corridor (CC) to transit oriented district (TC-50).

SECTION 13. The properties located along the East-West light rail corridor on 400 South, which are more particularly identified on Exhibit "E" attached hereto, shall be and hereby are rezoned from commercial corridor (CC) to transit oriented district (TC-75).

SECTION 14. Amending of zoning map. The Salt Lake City zoning map, as adopted by the Salt Lake City Code, relating to the fixing of boundaries and zoning districts, shall be and hereby is amended consistent with the rezoning identified above.

SECTION 15. Amendment of Master Plan. To the extent necessary, the Central City Master Plan shall be and hereby is amended consistent with the rezoning identified above.

SECTION 16. 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 _____, 2005.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

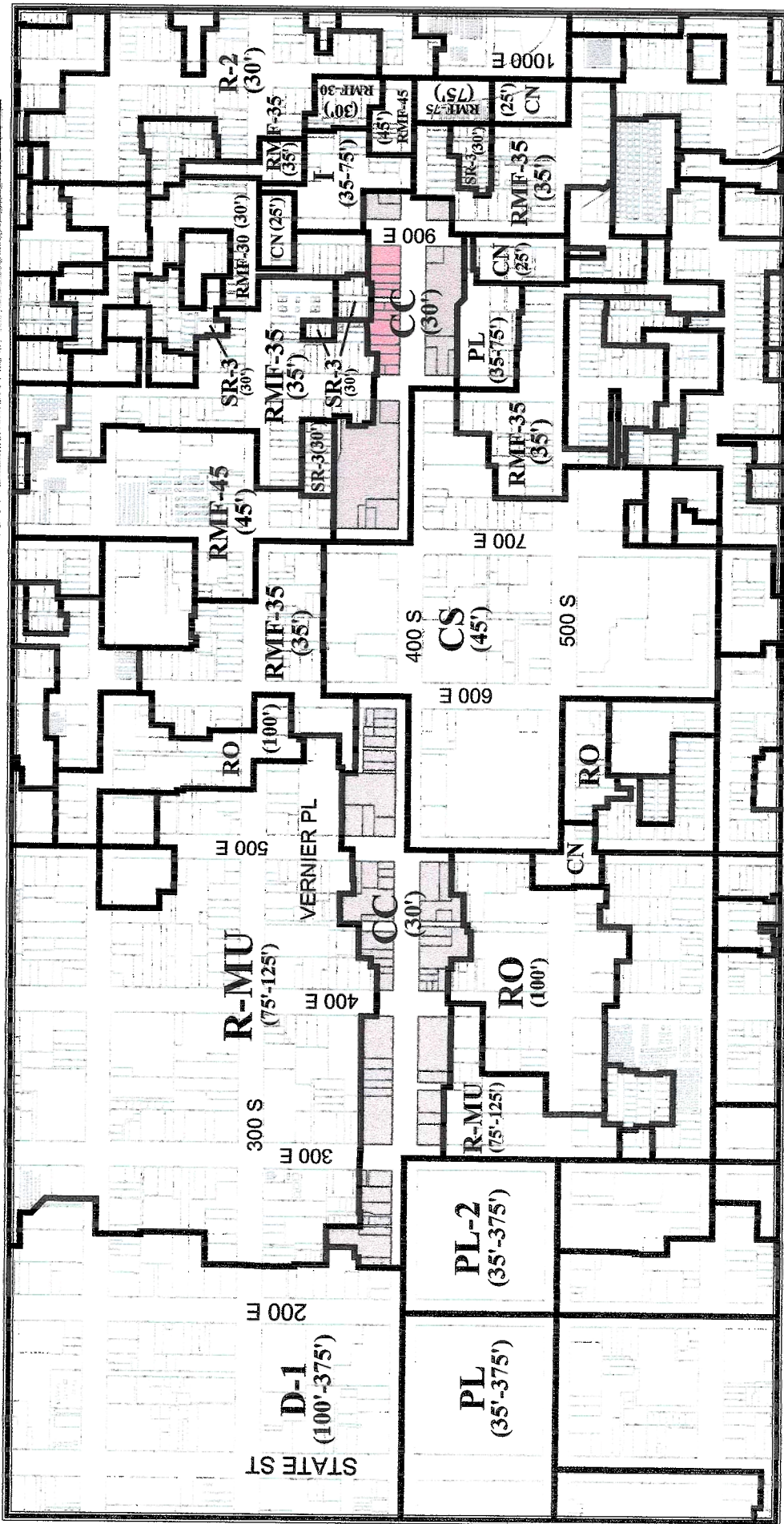
Bill No. _____ of 2005.

Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date November 7, 2005
By Melanie Keif

I:\Ordinance 05\Rezoning east-west light rail corridor - Alternative B - 11-7-05 #2.doc

Corridor Commercial



Note: Numbers in parenthesis represent current height limits

MAP LEGEND

- TC-75 is proposed to replace CC
- TC-50 is proposed to replace CC

SALT LAKE CITY ORDINANCE

No. _____ of 2005⁴

Alternative B
(office emphasis)

(Amending the Salt Lake City Zoning Code to create transit oriented zoning districts, rezoning property along the east-west light rail corridor, and making other related changes)

AN ORDINANCE AMENDING THE SALT LAKE CITY ZONING CODE TO CREATE TRANSIT ORIENTED ZONING DISTRICTS, CHANGING THE ZONING ALONG THE EAST-WEST LIGHT RAIL CORRIDOR, AND MAKING OTHER RELATED CHANGES, PURSUANT TO PETITION NOS. 400-01-48 and 400-01-12.

WHEREAS, the East-West Light Rail corridor from the downtown business district to the University of Utah Campus has recently been established; and

WHEREAS, in order to maximize the potential of that light rail system, the City is anxious to encourage new development which would focus on mass transit and pedestrian traffic, rather than automobile traffic; and

WHEREAS, after hearings before the Planning Commission and the Salt Lake City Council, the City Council has determined that the following ordinance is in the best interest of the City;

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

SECTION 1. Section 21A.26.073 TC-50 entitled "Transit Corridor District," shall be and hereby is enacted to read as follows:

21A.26.073 TC-50 Transit Corridor District:

A. Purpose Statement: The purpose of the TC-50 Transit Corridor District is to provide an environment for efficient and attractive transit and pedestrian oriented commercial, residential and mixed-use development along major

transit corridors. The design guidelines 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-50 Transit Corridor District as specified in the Table of Permitted and Conditional Uses for Commercial Districts found at Section 21A.26.080 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 Section 21A.54.150 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 as through the conditional building and site design review process, subject to the requirements of Part V, 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 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. **except as authorized as a conditional use, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title.**~~

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 Part IV, 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: 25 feet. ~~Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. **except as authorized as a conditional use, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title.**~~ **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 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.

Any appeal of an Administrative Decision made pursuant to subsection E.6 may be made to the Planning Commission.

~~The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 25% if the Zoning Administrator finds the following:~~

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

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.

G. Maximum Non-residential Building Height: ~~No non-residential building, or non-residential portion of a mixed-use building, shall exceed thirty feet (30').~~ The maximum building height in the TC-50 zoning district shall not exceed thirty feet (30') for those buildings used exclusively for non-residential purposes.

- 1. Additional building square footage may be allowed up to a maximum building height of fifty feet (50') provided that for each additional floor of non-residential use above thirty feet (30') ~~twice~~ the equivalent ~~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-50 or TC-75 zoning districts 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 ~~twice~~ the total amount of square footage obtained for the non-residential floors for 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 non-residential structure, the applicant must identify specifically where the residential structure will be located in the area zoned TC-50 or TC-75 along the 400 South Street corridor generally located between 200 East**

and 925 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 non-residential 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 non-residential 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 non-residential component of the development.

H. Maximum Residential Building Height: No residential building, or mixed use building shall exceed fifty feet (50') in height (nonresidential portions of mixed use buildings and public service portions of residential buildings are limited to the first thirty feet (30') of the building). Building heights in excess of fifty feet (50) feet, but not more than seventy-five feet (75') may be approved as a conditional use, subject to no more than thirty feet (30') of the building being devoted to non-residential use, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title and conformity with applicable Master Plan policy as well as the following criteria:

a. In the TC-50 zoning district, floors rising above thirty feet (30') in height shall be stepped back fifteen horizontal feet (15') from the building foundation at grade, along property lines abutting low-density, single-family or two family residential developments that are located in a zoning district with a lower maximum height limit.

No residential building shall exceed fifty feet (50').

I. Restrictions On Parking Lots And Structures: The following regulations shall apply to surface parking lots or above ground 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, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title.**

Parking structures located above the first level and closer than 30 feet to the 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 with the approval of the Planning Commission pursuant to the provisions of Part V, Chapter 21A.54 of this Title.**
4. **Below ground Parking Facilities: No special design and setback restrictions shall apply to below ground parking facilities.**
5. **Landscape Requirements: Surface parking lots shall meet interior landscaped requirements as outlined in Chapter 21A.48 of this Title.**
6. 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 Chapter 21A.59.060.

Any appeal of an Administrative Decision made pursuant to subsection I.6 may be made to the Planning Commission.

6. The Zoning Administrator may waive these requirements for any addition, expansion, or intensification, which increases the parking area by less than 25% if the Zoning Administrator finds the following:

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

7. Conditional building and site design review**Conditional Use Approval: A modification to the restrictions on parking lots and structures provisions of this Section may be granted as a** may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission.**conditional use, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title. Such conditional uses shall also be subject to design review.**

- 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 non-reflective. The reflectivity in glass shall be limited to eighteen percent (18%) as defined by ASTA Standards. Display windows that are three-dimensional (3-D) 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 building and site design review, subject to the requirements of Part V, 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.

Any appeal of an Administrative Decision made pursuant to subsection J may be made to the Planning Commission.

.Exceptions to this requirement may be authorized as conditional uses, subject to the requirements of Part V, Chapter 21A.54 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 Part II, Chapter 21A.14 of this Title, if the Zoning Administrator 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 structure contains residential uses at the ground level.**

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 any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in Section 21A.26.073.J

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 2. Section 21A.26.077 TC-75 of the Salt Lake City Code entitled

“Transit Corridor District,” shall be and hereby is enacted 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 provide an environment for efficient and attractive transit and pedestrian oriented commercial, residential and mixed-use development along major transit corridors. The design guidelines 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 the Table of Permitted and Conditional Uses for Commercial Districts found at Section 21A.26.080 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 Section 21A.54.150 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 ~~asthrough~~ through the conditional building and site design review process, subject to the requirements of Part V, 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 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. ~~except as authorized as a conditional use, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title.~~**
- 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 Part IV, 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: 25 feet. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. ~~except as authorized as a conditional use, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title.~~ **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 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.

Any appeal of an Administrative Decision made pursuant to subsection E.6 may be made to the Planning Commission.

~~**The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area by less than 25% if the Zoning Administrator finds the following:**~~

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

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, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title.

G. Maximum Non-residential Building Height: ~~No non-residential building, or non-residential portion of a mixed-use building, shall exceed thirty feet (30') or two (2) stories, whichever is less.~~ The maximum building height in the TC-

75 zoning district shall not exceed thirty feet (30') for those buildings used exclusively for non-residential purposes.

1. Additional building square footage may be allowed up to a maximum building height of seventy-five feet (75') provided that for each additional floor of non-residential use above thirty feet (30'), ~~twice~~ the ~~equivalent~~ **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-50 or TC-75 zoning districts 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 twice~~ the square footage of the total amount of square footage obtained for the non-residential 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 non-residential structure, the applicant must identify specifically where the residential structure will be located in the area zoned TC-50 or 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 non-residential 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 non-residential 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 non-residential component of the development.

H. Maximum Residential Building Height: No residential building, or mixed use building shall exceed seventy five feet (75') in height (non-residential portions of mixed use buildings and public service portions of residential buildings are limited to the first thirty feet (30') of the building). Building heights in excess of seventy-five (75) feet, but not more than one hundred twenty-five feet (125 feet) may be approved as a conditional use, subject to no more than thirty

feet (30') of the building being devoted to non-residential use, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title and conformity with applicable Master Plan policy.

I. Restrictions On Parking Lots And Structures: The following regulations shall apply to surface or above ground 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, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title. Parking structures located above the first level and less than 30 feet 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 with the approval of the Planning Commission pursuant to the provisions of Part V, Chapter 21A.54 of this Title.**
4. **Below ground Parking Facilities: No special design and setback restrictions shall apply to below ground parking facilities.**
5. **Landscape Requirements: Surface parking lots shall meet interior landscaped requirements as outlined in Chapter 21A.48 of this Title.**
6. 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 Chapter 21A.59.060.

Any appeal of an Administrative Decision made pursuant to subsection I.6 may be made to the Planning Commission.

- ~~6. The Zoning Administrator may waive these requirements for any addition, expansion, or intensification, which increases the parking area by less than 25% if the Zoning Administrator finds the following:~~
- ~~a. The parking addition is compatible with the architecture/design of the original structure.~~
 - ~~b. The parking addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.~~

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 Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission~~7. Conditional Use Approval: A modification to the restrictions on parking lots and structures provisions of this Section may be granted as a conditional use, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title. Such conditional uses shall also be subject to design review.~~

- 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 façade, 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 non-reflective. The reflectivity in glass shall be limited to eighteen percent (18%) as defined by ASTA Standards. Display windows that are three-dimensional (3-D) 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 building and site design review, subject to the requirements of Part V, 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.

Any appeal of an Administrative Decision made pursuant to subsection J may be made to the Planning Commission.

~~Exceptions to this requirement may be authorized as conditional uses, subject to the requirements of Part V, Chapter 21A.54 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 Part II, Chapter 21A.14 of this Title, if the Zoning Administrator 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 structure contains residential uses at the ground level.~~

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 Section 21A.26.077.J.

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 3. Sections 21A.44.040.C.7 and 8 of the Salt Lake City Code shall be and hereby are enacted to read as follows:

21A.44.040.C.7 TC-50 District

All parking requirements listed in Table 21A.44.060F are reduced by twenty five percent (25%) within the TC-50 Zoning District.

21A.44.040.C.8 TC-75 District

a. For non-residential uses in the TC-75 district, no off-street parking shall be required for the first five thousand (5,000) square feet of floor area. For all non-residential uses with more than five thousand (5,000) square feet, the parking requirement shall be one space per one thousand (1,000) square feet of gross floor area, including the initial five thousand (5,000) square feet.

b. All residential parking requirements listed in Table 21A.44.060F are reduced by fifty percent (50%) within the TC-75 Zoning District.

SECTION 4. Section 21A.48.080.C.12 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

21A.48.080.C.12 TC-50 and TC-75 Districts.

Lots in the TC-50 and TC-75 Districts which abut a lot in a residential district, shall provide a ten (10) foot landscaped buffer.

SECTION 5. Section 21A.54.150.E.4 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

21A.54.150.E.4 Planned developments within the TC-50, TC-75, RB, RMU, MU, CN, CB, and CSHBD zoning districts and the South State Street Overlay. Also planned developments within the CS zoning district, when the district is adjacent to more than 60% residential zoning (within 300 feet, either on the same block or across the street).

Planned developments within these zoning districts may be approved subject to consideration of the following general conceptual guidelines (a positive finding for each is not required):

- a. The development shall be primarily oriented to the street, not an interior courtyard or parking lot,
- b. The primary access shall be oriented to the pedestrian and mass transit,
- c. The façade shall maintain detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction,
- d. Architectural detailing shall emphasize the pedestrian level of the building,
- e. Parking lots shall be appropriately screened and landscaped to minimize their impact on the neighborhood,
- f. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods,
- g. Dumpsters and loading docks shall be appropriately screened or located within the structure, and
- h. Signage shall emphasize the pedestrian/mass transit orientation.

~~21A.54.150.E.4 Planned developments within the TC-50 and TC-75.~~

~~Planned developments within these zoning districts may be approved subject to consideration of the following general conceptual guidelines (a positive finding for each is not required):~~

- ~~a. The development shall be primarily oriented to the street, not an interior courtyard or parking lot,~~
- ~~b. The primary access shall be oriented to the pedestrian and mass transit,~~
- ~~c. The facade shall maintain detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction,~~
- ~~d. Architectural detailing shall emphasize the pedestrian level of the building,~~
- ~~e. Parking lots shall be appropriately screened and landscaped to minimize their impact on the neighborhood,~~
- ~~f. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods,~~
- ~~g. Dumpsters and loading docks shall be appropriately screened or located within the structure,~~
- ~~h. Signage shall emphasize the pedestrian/mass transit orientation.~~

SECTION 6. The table located at Section 21A.54.150.E.2 of the Salt Lake City Code shall be and hereby is amended to read as set forth on Exhibit "A" attached hereto.

SECTION 7. Section 21A.46.095 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

21A.46.095 Sign Regulations for Transit Corridor Districts:

The following regulations shall apply to signs permitted in transit corridor districts. Any sign not expressly permitted by these district regulations is prohibited.

- a. Sign regulations for the TC-50 and TC-75 transit corridor districts:**
 - 1. Purpose: Sign regulations for the TC-50 and TC-75 districts are intended to provide for appropriate signage oriented primarily to pedestrian and mass transit traffic.**
 - 2. Applicability: Regulations on Table 21A.46.095.A.3 of this section shall apply to all lots within the TC-50 and TC-75 districts.**

SECTION 8. The table located at Section 21A.46.095.A.3 of the Salt Lake City Code shall be and hereby is enacted as set forth on Exhibit "B" attached hereto.

SECTION 9. The table located at Section 21A.26.080 of the Salt Lake City Code entitled "Table of Permitted and Conditional Uses for Commercial Districts," shall be and hereby is amended to read as set forth on Exhibit "C" attached hereto.

SECTION 10. The table located at Section 21A.26.090 of the Salt Lake City Code entitled "Summary Table of Yard and Bulk requirements - Commercial Districts," shall be and hereby is amended to read as set forth on Exhibit "D" attached hereto.

SECTION 11. Section 21A.62.040 of the Salt Lake City Code shall be and hereby is amended to include the following definitions in alphabetical order:

"Block corner" means the ninety degree (90°) intersection of private property adjacent to the intersection of two public street rights of way both of which are at least 132 feet wide. When applied to corner buildings, the provisions of this ordinance shall extend to 165 feet from the block corner on the street face and 165 feet in depth.

"Corner building" means a building, the structure of which rises above the ground within 100 feet of a block corner on the street face and 100 feet in depth.

"Mid-block area" means an area of development not deemed to be a block corner.

SECTION 12. The properties located along the East-West light rail corridor along 400 South, which are more particularly described on Exhibit "E" attached hereto, shall be and hereby are rezoned from commercial corridor (CC) to transit oriented district (TC-50).

SECTION 13. The properties located along the East-West light rail corridor on 400 South, which are more particularly identified on Exhibit "E" attached hereto, shall be

and hereby are rezoned from commercial corridor (CC) to transit oriented district (TC-75).

SECTION 14. Amending of zoning map. The Salt Lake City zoning map, as adopted by the Salt Lake City Code, relating to the fixing of boundaries and zoning districts, shall be and hereby is amended consistent with the rezoning identified above.

SECTION 15. Amendment of Master Plan. To the extent necessary, the Central City Master Plan shall be and hereby is amended consistent with the rezoning identified above.

SECTION 16. 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

_____, 20054.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

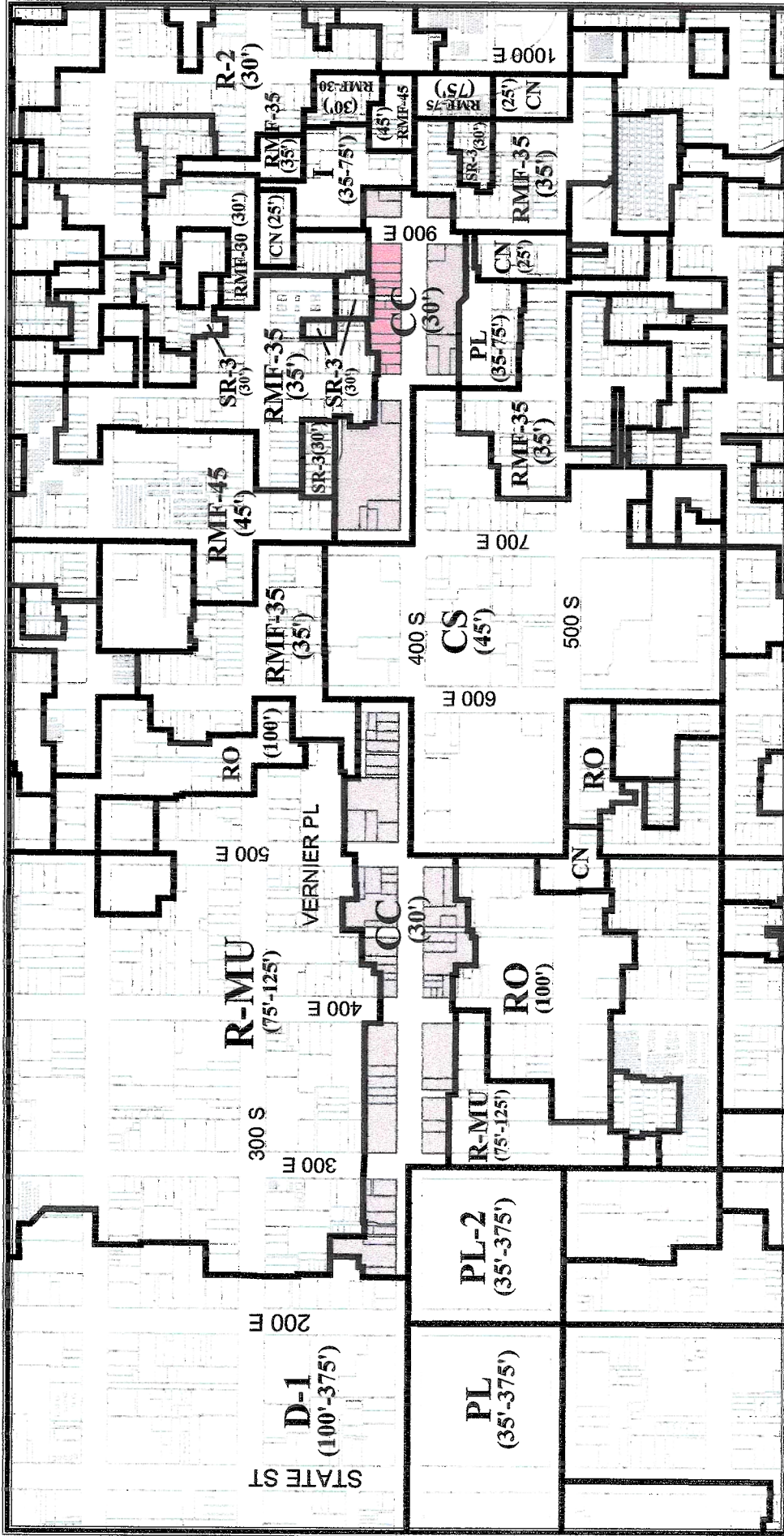
(SEAL)

Bill No. _____ of 20054.

Published: _____.

I:\Ordinance 05\Rezoning east-west light rail corridor - Alternative B - 11-7-05 #2 draft.doc

Corridor Commercial



Note: Numbers in parenthesis represent current height limits

MAP LEGEND

- TC-75 is proposed to replace CC
- TC-50 is proposed to replace CC

The Planning Commission Recommendation with a modification to incorporate the Conditional Building and Site Design Review Process rather than the Conditional Use Process.

Changes are found on page 2 paragraph E1 and page 5 paragraph E1.

SALT LAKE CITY ORDINANCE
No. _____ of 2005
(PC substitute Ordinance November 2005)

(Amending the Salt Lake City Zoning Code to
create transit oriented zoning districts, rezoning property
along the east-west light rail corridor, and making
other related changes)

AN ORDINANCE AMENDING THE SALT LAKE CITY ZONING CODE TO
CREATE TRANSIT ORIENTED ZONING DISTRICTS, CHANGING THE ZONING
ALONG THE EAST-WEST LIGHT RAIL CORRIDOR, AND MAKING OTHER
RELATED CHANGES, PURSUANT TO PETITION NOS. 400-01-48 and 400-01-12.

WHEREAS, the East-West Light Rail corridor from the downtown business
district to the University of Utah Campus has recently been established; and

WHEREAS, in order to maximize the potential of that light rail system, the City
is anxious to encourage new development which would focus on mass transit and
pedestrian traffic, rather than automobile traffic; and

WHEREAS, after hearings before the Planning Commission and the Salt Lake
City Council, the City Council has determined that the following ordinance is in the best
interest of the City;

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

SECTION 1. Section 21A.26.073 TC-50 entitled "Transit Corridor District,"
shall be and hereby is enacted to read as follows:

21A.26.073 TC-50 Transit Corridor District:

- A. Purpose Statement: The purpose of the TC-50 Transit Corridor District is to
provide an environment for efficient and attractive transit and pedestrian oriented
commercial, residential and mixed-use development along major transit corridors.
The design guidelines 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-50 Transit Corridor District as specified in the Table of Permitted and Conditional Uses for Commercial Districts found at Section 21A.26.080 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 Section 21A.54.150 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 as conditional building and site design review, subject to the requirements of Part V, 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 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 Part IV, 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 as conditional building and site design review, subject to the requirements of Part V, 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 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.
- Any appeal of an Administrative Decision made pursuant to subsection E.6 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 and 21A.26.073.E.1 of this Title.
- G. Maximum Non-residential Building Height: No non-residential building, or non-residential portion of a mixed-use building, shall exceed thirty feet (30').
- H. Maximum Residential Building Height: No residential building shall exceed fifty feet (50').
- I. Restrictions On Parking Lots And Structures: The following regulations shall apply to surface parking lots or above ground 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, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title. Parking structures located above the first level and closer than 30 feet to the 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 with the approval of the Planning Commission pursuant to the provisions of Part V, Chapter 21A.54 of this Title.
 - 4. Below ground Parking Facilities: No special design and setback restrictions shall apply to below ground parking facilities.
 - 5. Landscape Requirements: Surface parking lots shall meet interior landscaped requirements as outlined in Chapter 21A.48 of this Title.

6. 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 Chapter 21A.59.060.

Any appeal of an Administrative Decision made pursuant to subsection I.6 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 Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission, unless otherwise specified.

- 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 non-reflective. The reflectivity in glass shall be limited to eighteen percent (18%) as defined by ASTA Standards. Display windows that are three-dimensional (3-D) 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 building and site design review, subject to the requirements of Part V, 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 structure contains residential uses at the ground level.Any appeal of an Administrative Decision made pursuant to subsection J 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 any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in Section 21A.26.073.J.

- 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 2. Section 21A.26.077 TC-75 of the Salt Lake City Code entitled “Transit Corridor District,” shall be and hereby is enacted 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 provide an environment for efficient and attractive transit and pedestrian oriented commercial, residential and mixed-use development along major transit corridors. The design guidelines 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 the Table of Permitted and Conditional Uses for Commercial Districts found at Section 21A.26.080 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 Section 21A.54.150 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 as conditional building and site design review, subject to the requirements of Part V, 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 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 Part IV, 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 as conditional building and site design review, subject to the requirements of Part V, 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 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.

Any appeal of an Administrative Decision made pursuant to subsection E.6 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 and 21A.26.077.E.1 of this Title.
- G. Maximum Non-residential Building Height: No non-residential building, or non-residential portion of a mixed-use building, shall exceed thirty feet (30') or two (2) stories, whichever is less.
- H. Maximum Residential Building Height: No residential building shall exceed seventy five feet (75'). Building heights in excess of seventy-five (75) feet, but not more than one hundred twenty-five feet (125 feet) may be approved as a conditional use, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title and conformity with applicable Master Plan policy.
- I. Restrictions On Parking Lots And Structures: The following regulations shall apply to surface or above ground 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, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title. Parking structures located above the first level and less than 30 feet 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 with the approval of the Planning Commission pursuant to the provisions of Part V, Chapter 21A.54 of this Title.
 4. Below ground Parking Facilities: No special design and setback restrictions shall apply to below ground parking facilities.
 5. Landscape Requirements: Surface parking lots shall meet interior landscaped requirements as outlined in Chapter 21A.48 of this Title.
 6. 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 Chapter 21A.59.060.Any appeal of an Administrative Decision made pursuant to subsection I.6 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 Part V, 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 façade, 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 non-reflective. The reflectivity in glass shall be limited to eighteen percent (18%) as defined by ASTA Standards. Display windows that are three-dimensional (3-D) 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 building and site

design review, subject to the requirements of Part V, 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 structure contains residential uses at the ground level.

Any appeal of an Administrative Decision made pursuant to subsection J 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 Section 21A.26.077.J.

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 3. Sections 21A.44.040.C.7 and 8 of the Salt Lake City Code shall be and hereby are enacted to read as follows:

21A.44.040.C.7 TC-50 District

All parking requirements listed in Table 21A.44.060F are reduced by twenty five percent (25%) within the TC-50 Zoning District.

21A.44.040.C.8 TC-75 District

- a. For non-residential uses in the TC-75 district, no off-street parking shall be required for the first five thousand (5,000) square feet of floor area. For all non-residential uses with more than five thousand (5,000) square feet, the parking requirement shall be one space per one thousand (1,000) square feet of gross floor area, including the initial five thousand (5,000) square feet.
- b. All residential parking requirements listed in Table 21A.44.060F are reduced by fifty percent (50%) within the TC-75 Zoning District.

SECTION 4. Section 21A.48.080.C.12 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

21A.48.080.C.12 TC-50 and TC-75 Districts.

Lots in the TC-50 and TC-75 Districts which abut a lot in a residential district, shall provide a ten (10) foot landscaped buffer.

SECTION 5. Section 21A.54.150.E.4 of the Salt Lake City Code shall be and

hereby is enacted to read as follows:

21A.54.150.E.4 Planned developments within the TC-50, TC-75, RB, RMU, MU, CN, CB, and CSHBD zoning districts and the South State Street Overlay. Also planned developments within the CS zoning district, when the district is adjacent to more than 60% residential zoning (within 300 feet, either on the same block or across the street).

Planned developments within these zoning districts may be approved subject to consideration of the following general conceptual guidelines (a positive finding for each is not required):

- a. The development shall be primarily oriented to the street, not an interior courtyard or parking lot,
- b. The primary access shall be oriented to the pedestrian and mass transit,
- c. The façade shall maintain detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction,
- d. Architectural detailing shall emphasize the pedestrian level of the building,
- e. Parking lots shall be appropriately screened and landscaped to minimize their impact on the neighborhood,
- f. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods,
- g. Dumpsters and loading docks shall be appropriately screened or located within the structure, and
- h. Signage shall emphasize the pedestrian/mass transit orientation.

SECTION 6. The table located at Section 21A.54.150.E.2 of the Salt Lake City Code shall be and hereby is amended to read as set forth on Exhibit “A” attached hereto.

SECTION 7. Section 21A.46.095 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

21A.46.095 Sign Regulations for Transit Corridor Districts:

The following regulations shall apply to signs permitted in transit corridor districts. Any sign not expressly permitted by these district regulations is prohibited.

- a. Sign regulations for the TC-50 and TC-75 transit corridor districts:
 1. Purpose: Sign regulations for the TC-50 and TC-75 districts are intended to provide for appropriate signage oriented primarily to pedestrian and mass transit traffic.

2. Applicability: Regulations on Table 21A.46.095.A.3 of this section shall apply to all lots within the TC-50 and TC-75 districts.

SECTION 8. The table located at Section 21A.46.095.A.3 of the Salt Lake City Code shall be and hereby is enacted as set forth on Exhibit "B" attached hereto.

SECTION 9. The table located at Section 21A.26.080 of the Salt Lake City Code entitled "Table of Permitted and Conditional Uses for Commercial Districts," shall be and hereby is amended to read as set forth on Exhibit "C" attached hereto.

SECTION 10. The table located at Section 21A.26.090 of the Salt Lake City Code entitled "Summary Table of Yard and Bulk requirements - Commercial Districts," shall be and hereby is amended to read as set forth on Exhibit "D" attached hereto.

SECTION 11. Section 21A.62.040 of the Salt Lake City Code shall be and hereby is amended to include the following definitions in alphabetical order:

"Block corner" means the ninety degree (90°) intersection of private property adjacent to the intersection of two public street rights of way both of which are at least 132 feet wide. When applied to corner buildings, the provisions of this ordinance shall extend to 165 feet from the block corner on the street face and 165 feet in depth.

"Corner building" means a building, the structure of which rises above the ground within 100 feet of a block corner on the street face and 100 feet in depth.

"Mid-block area" means an area of development not deemed to be a block corner.

SECTION 12. The properties located along the East-West light rail corridor along 400 South, which are more particularly described on Exhibit "E" attached hereto, shall be and hereby are rezoned from commercial corridor (CC) to transit oriented district (TC-50).

SECTION 13. The properties located along the East-West light rail corridor on 400 South, which are more particularly identified on Exhibit "E" attached hereto, shall be and hereby are rezoned from commercial corridor (CC) to transit oriented district (TC-75).

SECTION 14. Amending of zoning map. The Salt Lake City zoning map, as adopted by the Salt Lake City Code, relating to the fixing of boundaries and zoning districts, shall be and hereby is amended consistent with the rezoning identified above.

SECTION 15. Amendment of Master Plan. To the extent necessary, the Central City Master Plan shall be and hereby is amended consistent with the rezoning identified above.

SECTION 16. 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 _____, 2005.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2005.

Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office

Date

November 4, 2005

By

Melanie Reif