



COUNCIL STAFF REPORT

CITY COUNCIL *of* SALT LAKE CITY

TO: City Council Members

FROM: Nick Tarbet, Policy Analyst

DATE: July 28, 2015

**RE: Amendments to R-MU-35 & R-MU-45
zoning districts for compatibility,
efficiency and flexibility
PLNPCM2014-00127**

PROJECT TIMELINE:

Briefing: July 28, 2015
Set Date: July 28, 2015
Public Hearing: August 18, 2015
Potential Action: August 25, 2015

Council Sponsor: *Council Initiated Petition*

[View the Administration's proposal](#)

ISSUE AT-A-GLANCE

The Council will be briefed on a proposal that would amend the regulations for two Residential Mixed Use Zoning Districts (R-MU-35 and R-MU-45). The proposed amendments are a result of a Council initiated request to reanalyze the R-MU-35 and R-MU-45 zoning districts. In order to encourage better development in the R-MU zones, the Council approved a motion in August 2012, asking the Administration to remove the maximum height of 125 feet allowed through the conditional use process and include more up-to-date, flexible development regulations.

The proposed changes to the R-MU35 and R-MU-45 zones include the following:

- remove density requirements and reduce minimum lot sizes for all residential uses;
- adjust required setbacks in order to bring buildings closer to the street;
- amend maximum height standards;
- add design requirements; and
- allow projecting signs in both zoning districts.

The Planning Commission unanimously forwarded a positive recommendation.

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These amendments are particularly relevant at this time because some of the properties included in the West Side Master Plan rezoning are proposed to be rezoned R-MU-35.

KEY ISSUES

The following items are outlined in the Planning Commission staff report as the key amendments being proposed. A short summary of the amendments is provided below. Click on the links to be directed to the Planning Commission staff report for full details.

1. Density ([Page 2, Planning Commission Staff Report](#))

- The proposed amendments would remove density requirements. The density of a structure would be based on meeting all zoning standards such as height, setbacks, lot coverage, off street parking, etc.

2. Setbacks ([Pages 2-3, Planning Commission Staff Report](#))

- Reduced and maximum setbacks have been added where they do not currently exist in order to bring buildings closer to the street. The front yard setbacks for all types of structures are proposed to now be the same to create continuity along the streetscape.

3. Compatibility of Building Height ([Page 3, Planning Commission Staff Report](#))

- Maximum building height **will not** change for the R-MU-35
 - The maximum is 35 feet but the height can be increased to 45 feet through the conditional building and site design review process.
- Proposed changes to maximum building height for the R-MU-45 district to limit height increase to 55 feet.
 - Currently, the maximum is 75 feet through the conditional building and site design process
- If the property in question abuts a single or two-family zoning district, no height increase would be permitted through any planning process beyond the 35 foot or 45 foot maximum.

4. Design Standards ([Page 3, Planning Commission Staff Report](#))

- Amendments include design standards intended to promote pedestrian oriented development. The proposed design standards include:
 - Minimum requirements for glass on first-floor, street facing facades
 - Building entrances every 75 feet of street facing facades
 - Maximum requirements for length of blank walls
 - All building equipment and service areas shall be located on the roof or rear yard
 - 50% of street facing facades have active residential or commercial uses
 - Durable ground floor building materials.

5. Signage ([Pages 3-4, Planning Commission Staff Report](#))

- Amendments would allow projecting/blade signs
 - Intent is to create walkable, pedestrian friendly development

ADDITIONAL INFORMATION

In response to the Council's Legislative Action from 2012, Planning staff initiated two petitions to address this request. The first petition (PLNPCM2014-00127) pertains to the R-MU-35 and R-MU-45 zones and is summarized above. It has been reviewed by the Planning commission and received a positive recommendation.

The second petition (PLNPCM2014-00128) reviewed the possibility of eliminating additional height that is currently allowed in the RMU zoning district. This petition has not yet been reviewed by the Planning Commission. Planning Staff is asking for a briefing only on this petition.

PLNPCM2014-00128: Elimination of extra height in the R-MU zoning district

This petition provides a summary of the history of the R-MU zoning districts and possible options for the Council to consider that could allow more density in the R-MU zones.

The Administration's transmittal provides four options for the Council to consider that could allow more density in smaller scale buildings, while minimizing the impact of taller buildings. However, Planning Staff also recommends that the Council wait until the text changes to the R-MU-35 & R-MU-45 petition is considered before deciding if further action is needed.

If the Council feels that the proposed changes to the R-MU-35 & R-MU-45 zones are not sufficient, the Council could consider asking Planning to further pursue the following options outlined on page 6 of petition PLNPCM2014-00128: Elimination of extra height in R-MU zoning district.

1. Add a map to the zoning ordinance that shows the locations where extra height is appropriate. This would codify height rather than make it discretionary. This would require a modification to the text of the ordinance to change the existing language and add the East Downtown Height Map to the zoning ordinance. This could become problematic in the future if it is ever decided that the R-MU zoning district is appropriate in other areas of the City outside of the East Downtown neighborhood.
2. Modify the density requirements of the R-MU-35 and 45 zoning districts to allow shorter buildings, but high densities. For example: If the density of R-MU-45 is modified, it may be more appropriate for Ballpark than the existing, taller, R-MU. The Planning Commission will be discussing these changes and making a recommendation to the City Council in October or November of this year.
3. Exclusive RMF residential zoning districts (RMF-30, 35, 45 and 75) could have their densities modified to be more appropriately used, rather than R-MU mixed-use zoning. This would allow exclusively residential zoning districts to be used instead of mixed-use zoning districts in those areas where a residential property merely needs density, i.e. Jefferson School or Towne Park apartments. This is likely to require extensive research and outreach to identify correct density requirements that would not impact existing areas. Given the magnitude of this change, it may not be immediately feasible with existing Planning Division resources.
4. Making no change to the existing code, because the way it is presently written does not accommodate extra height outside of the identified East Downtown area.

Does the Council feel that the proposed changes address the intent of the Council's August 2012 legislative action?

Amendments to R-MU Maximum Height

Currently, the maximum height for the R-MU zone is up to 125 feet though the conditional building and site design review process, provided that the building is located within the 125 ft height map for the east downtown master plan ([21A.24.170.F: Residential Mixed Use District](#)):

21A.24.170.F. Maximum Building Height: The maximum building height shall not exceed seventy five feet (75'), except that nonresidential buildings and uses shall be limited by subsections F1 and F2 of this section. Buildings taller than seventy five feet (75'), up to a maximum of one hundred twenty five feet (125'), may be authorized through the conditional building and site design review process and provided, that the proposed height is located within the one hundred twenty five foot (125') height zone of the height map of the east downtown master plan.

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

Does the Council want to request that Planning further pursue the request to remove the maximum height of 125 ft in the R-MU zoning district?

CC: David Everitt, Nichol Bourdeaux, Karen Hale, Art Raymond, Holly Hilton, Jill Love, Mary De La Mare-Schafer, Nora Shepard, Cheri Coffey, Nick Norris, Michaela Oktay, John Anderson, Orion Goff, Les Koch, Margaret Plane, Paul Nielson, City Council Liaisons, Mayors Liaisons

File Location: Community and Economic Development Dept., Planning Division, R-MU35 and R-MU45 Text Amendments.

SALT LAKE CITY CORPORATION
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
OFFICE OF THE DIRECTOR



SCANNED TO: *Mayan*
SCANNED BY: *Rachel*
DATE: *4-17-15*

CITY COUNCIL TRANSMITTAL

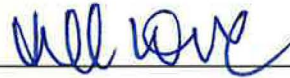

David Everitt, Chief of Staff

Date Received: *4/17/2015*
Date sent to Council: *4/20/2015*

TO: Salt Lake City Council
Luke Garrott, Chair

DATE: March 10, 2015

FROM: Jill Remington Love, CED Director



SUBJECT: Petition PLNPCM2014-000127 R-MU-35 & R-MU-45 Zoning Text Amendments

STAFF CONTACT: John Anderson, Principal Planner (801) 535-7214
john.anderson@slcgov.com

DOCUMENT TYPE: Ordinance

COMMISSION MOTION & FINDINGS: Regarding petition PLNPCM2014-00127, the Planning Commission unanimously forwarded a positive recommendation to the City Council based upon the analysis in the staff report, their discussion and testimony given during the public hearing at their meeting held on January 28, 2015.

RECOMMENDATION: That the City Council follow the recommendation of the Planning Commission and approve petition, PLNPCM2014-000127, proposed text amendments to the R-MU-35 and R-MU-45 Residential Mixed Use Districts that would remove qualifying provisions for residential density, adjust required setbacks and lot standards, add design requirements and amend 21A.46 Signs allow projecting signs in both zoning districts.

BACKGROUND/DISCUSSION: In August 2012, the Salt Lake City Council made a motion to direct the administration to analyze the R-MU-35 and R-MU-45 zoning districts. The Council requested that the two zoning districts be amended to "include more up-to-date, flexible zoning development regulations." Further, it was understood that these zones would be employed in areas "where density is needed for new development or redevelopment but building height is an issue."

The analysis of the two zoning districts was intended to follow the adoption process of the Westside Master Plan because it was envisioned that these two districts, with some modifications, would help implement the concept of nodes, which is a key component of the plan. As the Westside Master Plan process was extended, so was the analysis of these two zoning districts.

The analysis of the R-MU-35 and R-MU-45 zoning districts identified several key issues that were limiting the ability of the zoning district to produce desired development patterns. These issues include:

- Density requirements
- Setback and buffering issues when next to single family zoning districts
- Lack of design standards

The proposed changes focused on these three issues and will help to create neighborhoods that are walkable, with a mixture of uses that are also attractive and provide the necessary buffering between new developments and existing low density residential uses.

The sections proposed to be amended in the zoning ordinance as part of this proposal are 21A.24.164 “R-MU-35 Residential/Mixed Use District” and 21A.24.168 “R-MU-45 Residential/Mixed Use District”. There is also one change proposed in 21A.46.090.A Sign Regulations For Mixed Use and Commercial Uses to allow projecting signs which are commonly referred to as blade signs. Generally, the same changes are being proposed for both zoning districts unless otherwise specified below.

Density

Currently, R-MU-35 and R-MU-45 use a minimum lot size and lot area per unit to calculate density. The proposal would reduce the minimum lot sizes for all residential uses and eliminate the minimum lot area per unit for multi-family residential developments, as well as modify the minimum lot width requirement. Below is a summary of the changes to the minimum lot sizes and widths:

- Single family detached: reduced from 5,000 square feet to 2,500 square feet. Minimum lot width reduced from 50 feet to 25 feet.
- Single family attached: reduced from 3,000 square feet per unit to 2,500 square feet per unit. No change to minimum lot width.
- Two family/twin homes: reduced from 4,000 square feet per unit to 2,500 square feet. Minimum lot width reduced from 50 feet to 25 feet (per unit for twin home).
- Multifamily developments: Currently, 3 units require a minimum of 9,000 square feet and the next 9 units require 2,000 square feet per unit. 12 units require a minimum of 26,000 square feet plus 2,000 square feet for each additional unit above 12. These standards would change to a minimum lot area of 5,000 square feet, no additional land area required per unit. Minimum lot width reduced from 80 feet to 50 feet.

The density of a structure would be based on meeting all zoning standards such as height, setbacks, lot coverage, off street parking, etc.

These proposed changes to the R-MU-35 and R-MU-45 zoning districts will create a district that allows for additional density but still minimizes any potential negative impacts to surrounding neighborhoods with the requirement of oversized landscaped buffers, controlling the permitted height adjacent to low density residential uses, the addition of design standards and controlling the location of parking areas.

Setbacks

The changes for setbacks in the R-MU-35 and R-MU-45 zoning districts have in some cases been reduced and maximums have been added where they do not currently exist. This has been done to bring buildings closer to the street. The proposed front yard setbacks for all types of permitted structures would be the same. This will create a similar development pattern along the streetscape and further improve the pedestrian experience. This change reflects the development pattern that the zoning districts are intended to create.

Other changes are proposed to further separate uses that may be less compatible such as multi-family housing adjacent to single-family housing. For multi-family residential development, mixed use and nonresidential development, no interior side yard setbacks are required unless that yard abuts a single or two-family zoning district. In that case, a minimum ten foot setback is required for that yard. Increased setbacks are required as a structure increases in height. These additional setbacks will force structures to step back after 25 feet in the R-MU-35 district and after 30 feet in the R-MU-45 district.

Compatibility

The maximum building height for the R-MU-35 district has not changed. In the R-MU-35 district, the maximum remains at 35 feet but the height can be increased to 45 feet through the Conditional Building and Site Design review process.

Currently, in the R-MU-45 district, the maximum height is 45 feet but the height can be increased to 75 feet through the Conditional Building and Site Design review process. Because of concerns about incompatible height, it has been proposed to only allow the height to be increased to 55 feet. This change was made because the City has other mixed use zoning districts that allow heights up to 75 feet, but lacks districts that allow a maximum of 4-5 story buildings. If a building as tall as 75 feet is appropriate, the property should be zoned in a manner that allows that greater height.

The proposed changes do not change any of the review processes for new development in the zoning district, but do restrict when these processes can be used. The Conditional Building and Site Design review process applies to projects seeking additional height, the conditional use process applies to specific land uses identified as a conditional use and the planned development process is an option for new development. The proposal does limit when additional height can be approved by not allowing it through any city process when adjacent to a single family or two-family zoning. Currently, the R-MU-35 and R-MU-45 districts allow additional height through the Conditional Building and Site Design Review process in all instances. This is the only process related change and it is more restrictive than what is currently allowed.

Design Standards

Design standards are not currently included in the R-MU-35 and R-MU-45 zoning districts. The goal of the proposed design standards is to ensure that new development in these zones fits the

purpose of the zoning district. The proposed design standards are intended to promote mixed use, pedestrian oriented development. The design standards include the following:

- A minimum requirement for first-floor glass on street-facing facades;
- Required building entrances for every seventy five feet of each street-facing facade;
- A maximum allowable length for blank walls on the first floor and a list of architectural features that appropriately meet this standard;
- Permitted exterior building materials;
- A requirement that all building and service areas be located within the building, on the roof or in the back yard; and
- The promotion of active uses on the ground floors of buildings by requiring that 50% of street facing facades have active residential or commercial uses and not allowing parking to occupy those areas.

Signage

Because the goal of these zoning districts is to create a pedestrian friendly development pattern, it has been proposed to amend the current sign regulations to allow for projecting signs. Projecting signs are commonly referred to as blade signs. These signs are designed to draw attention specifically from pedestrians and not vehicles on the adjacent street. The proposal utilizes the same standards for projecting signs as is currently permitted in the Sugar House Business District.

PUBLIC PROCESS: This application was reviewed at the monthly Planning Open House on August 21, 2014. There were no comments submitted by the public during the open house.

On December 10, 2014 the Planning Commission conducted a public hearing. One individual spoke during the public hearing. Concerns about potential negative effects when properties are developed adjacent to lower density residential uses were expressed. The commission passed a motion to table the item to a future meeting, to continue the public hearing and requested that staff respond to concerns about potential negative impacts to low density residential uses.

At the Planning Commission meeting held on January 28, 2015, staff presented changes to the proposed zoning text amendments in response to comments expressed by the public and the commission at the prior meeting. Increased setbacks for properties adjacent to low density residential districts and additional design requirements were added to the proposed amendments. During the subsequent public hearing, one individual spoke and expressed concerns about ensuring protection for single family dwellings. The commission discussed the proposal and found that the proposed amendments were positive in nature and would create a planning tool that could solve existing problems in certain areas of the city. The commission unanimously forwarded a positive recommendation to the City Council regarding the proposed amendments to the R-MU-35 and R-MU-45 zoning districts.

RELEVANT ORDINANCES

Amendments to the Zoning Ordinance and Maps are authorized under Section 21A.50 of the Salt Lake City Zoning Ordinance, as detailed in Section 21A.50.050: "A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard." It does, however, list five standards, which should be analyzed (Section 21A.50.050 A-E). The five standards are discussed in detail in Attachment C, page 28 of the Planning Commission Staff Report dated January 28, 2015 (ATTACHMENT 5C).

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1. CHRONOLOGY

PROJECT CHRONOLOGY

Petition: PLNPCM2014-00127 R-MU-35 & R-MU-45 Zoning Text Amendments

March 20, 2014	Petition PLNPCM2014-00127 assigned to Nick Britton, Senior Planner, for staff analysis and processing.
August 21, 2014	Petition was presented at the Planning Division Open House.
October 1, 2014	Petition was reassigned to John Anderson, Principal Planner, for staff analysis and processing.
December 1, 2014	Planning Commission hearing notice was published in the paper.
December 10, 2014	Planning Commission reviewed the petition and conducted a public hearing. The commission gave comments, continued the public hearing and tabled the item to a future meeting.
January 28, 2015	Staff presented changes based on comments from the public and commission. The commission then voted unanimously to send a positive recommendation to the City Council.
March 10, 2015	Transmittal was sent to the CED Director for review.

2. ORDINANCE

SALT LAKE CITY ORDINANCE
No. ____ of 2015
(An ordinance amending Sections 21A.24.164, 21A.24.168 and 21A.46.090
of the *Salt Lake City Code* pertaining to R-MU-35 and R-MU-45
Residential/Mixed Use zoning districts)

An ordinance amending Sections 21A.24.164, 21A.24.168 and 21A.46.090 of the *Salt Lake City Code* pursuant to Petition No. PLNPCM2014-00127 to modify regulations pertaining to the R-MU-35 and R-MU-45 Residential/Mixed Use zoning districts.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on January 28, 2015 to consider a petition submitted by the Salt Lake City Council (Petition No. PLNPCM2014-00127) to amend Sections 21A.24.164 (Zoning: Residential Districts: R-MU-35 Residential/Mixed Use District), 21A.24.168 (Zoning: Residential Districts: R-MU-45 Residential/Mixed Use District), and 21A.46.090 (Zoning: Signs: Sign Regulations for Mixed Use and Commercial Districts) of the *Salt Lake City Code* to modify regulations concerning R-MU-35 and R-MU-45 Residential/Mixed Use zoning districts; and

WHEREAS, at its January 28, 2015 hearing, the planning commission voted in favor of transmitting a positive recommendation to the Salt Lake City Council on said petition; and

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

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

SECTION 1. Amending the text of *Salt Lake City Code* Section 21A.24.164. That Section 21A.24.164 of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU-35 Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:

21A.24.164: R-MU-35 RESIDENTIAL/MIXED USE DISTRICT

- A. Purpose Statement: The purpose of the R-MU-35 ~~R~~Residential/~~M~~Mixed ~~U~~Use ~~D~~District is to provide areas within the city for mixed use development that promote residential urban neighborhoods containing residential, retail, service commercial and small scale office uses. ~~This district is appropriate in areas where the applicable master plan policies recommend mixed use with a residential density less than thirty (30) dwelling units per acre.~~ The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is pedestrian oriented. This zone is intended to provide a buffer for lower density residential uses and nearby collector, arterial streets and higher intensity land uses.
- B. Uses: Uses in the R-MU-35 ~~R~~Residential/~~M~~Mixed ~~U~~Use ~~D~~District, as specified in ~~s~~Section 21A.33.020, “Table ~~O~~Of Permitted ~~A~~and Conditional Uses ~~F~~for Residential Districts”, of this chapter are permitted subject to the general provisions set forth in ~~s~~Section 21A.24.010 of this chapter and this section.
- C. Minimum Lot Area ~~A~~and Lot Width: The minimum lot areas and lot widths required in this district are as follows:

Land Use	Minimum Lot Area	Minimum Lot Width
Multi-family dwellings (3 to 11)	9,000 square feet ⁺ 5,000 square feet for new lots. No minimum for existing lots	80 feet 50 feet
Multi family dwellings (12 or more)	26,000 square feet ⁺	80 feet
Municipal service uses, including city utility uses and police and fire stations	No minimum	No minimum
Natural open space and conservation areas, public and private	No minimum	No minimum
Nonresidential uses	No minimum	No minimum
Places of worship less than 4 acres in size	12,000 square feet	140 feet
Public pedestrian pathways, trails and greenways	No minimum	No minimum
Public/private utility transmission wires, lines, pipes and poles	No minimum	No minimum
Single-family attached dwellings (3 or more)	3,000 2,500 square feet per unit ¹	Interior: 22 feet Corner: 32 feet
Single-family detached dwellings	5,000 square feet 2,500 square feet	50 feet 25 feet
Twin home dwellings	4,000 square feet per unit 2,500 square feet per unit	25 feet

Two-family dwellings	8,000 square feet <u>2,500 square feet</u>	50 feet <u>25 feet</u>
Utility substations and buildings	5,000 square feet	50 feet
Other permitted or conditional uses as listed in sSection 21A.24.190 of this chapter	5,000 square feet	50 feet

Qualifying provisions:

1. ~~9,000 square feet for 3 units, plus 2,000 square feet for each additional dwelling unit up to and including 11 dwelling units. 26,000 square feet for 12 units, plus 1,000 square feet for each additional dwelling unit up to 1 acre. For developments greater than 1 acre, 1,500 square feet for each dwelling unit is required.~~

~~A modification to the density regulations in this subsection may be granted as a conditional use, subject to conformance with the standards and procedures of chapter 21A.54, "Conditional Uses", of this title and supported by the applicable master plan. Such conditional uses shall also be subject to design review.~~

1. There is no minimum lot area required provided:
 - a. Parking for units shall be rear loaded and accessed from a common drive shared by all units in a particular development;
 - b. Driveway access shall connect to the public street in a maximum of 2 locations; and
 - c. No garages shall face the primary street and front yard parking shall be strictly prohibited.

D. Minimum Yard Requirements:

1. Single-Family Detached Dwellings:
 - a. Front yard: ~~Fifteen feet (15')~~ Minimum five feet (5'). Maximum ten feet (10').
 - b. Corner side yard: ~~Ten feet (10')~~ Minimum five feet (5'). Maximum ten feet (10').
 - c. Interior side yard:
 - (1) Corner lots: Four feet (4').
 - (2) Interior lots: Four feet (4') ~~on one side and ten feet (10') on the other.~~
 - d. Rear yard: Twenty five percent (25%) of the lot depth, but need not be more than twenty feet (20').
2. Single-Family Attached, Two-Family ~~A~~and Twin Home Dwellings:
 - a. Front yard: Minimum five feet (5'). ~~Maximum fifteen feet (15')~~ ten feet (10').
 - b. Corner side yard: Minimum five feet (5'). ~~Maximum fifteen feet (15')~~ ten feet (10').

- c. Interior side yard:
 - (1) Single-family attached: ~~No yard is required, however if one is provided it shall not be less than four feet (4').~~ Four feet (4') is required for any interior side yard that is not a common wall between properties.
 - (2) Two-family:
 - (A) Interior lot: Four feet (4'). ~~on one side and ten feet (10') on the other.~~
 - (B) Corner lot: Four feet (4').
 - (3) Twin home: No yard is required along ~~one side~~ the common lot line. A ~~ten foot (10')~~ four foot (4') yard is required on the other.
 - d. Rear yard: Twenty five percent (25%) of lot depth or twenty five feet (25'), whichever is less.
3. ~~Multi-Family Dwellings And Any Other Residential Uses:~~
- a. ~~Front yard: No setback is required. Maximum fifteen feet (15').~~
 - b. ~~Corner side yard: No setback is required. Maximum fifteen feet (15').~~
 - c. ~~Interior side yard: No setback is required.~~
 - d. ~~Rear yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').~~
4. 3. Nonresidential, Multi-Family Residential and Mixed Use Developments:
- a. ~~Front yard: No setback is required.~~ Minimum five feet (5'). Maximum fifteen feet (15').
 - b. ~~Corner side yard: No setback is required.~~ Minimum five feet (5'). Maximum fifteen feet (15').
 - c. Interior side yard: No setback is required unless an interior side yard abuts a single or two-family residential district. When a setback is required, a minimum ten foot (10') setback must be provided, and the minimum side yard setback shall be increased one foot (1') for every one foot (1') increase in height above twenty five feet (25'). Buildings may be stepped so taller portions of a building are farther away from the side property line. The horizontal measurement of the step shall be equal to the vertical measurement of the taller portion of the building.
 - d. Rear yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').
5. 4. Legal Lots: Lots legally existing on the effective date hereof, April 12, 1995, shall be considered legal conforming lots.
6. ~~Landscaping: For multiple-unit residential uses, nonresidential and mixed uses, no yards or landscaped setbacks are required; however any setback provided, up to fifteen feet (15'), shall be landscaped. If parking is located in the front or corner side yard of the building, then a fifteen foot (15') landscaped setback is required.~~

7 5. Required Yards For Legally Existing Buildings: For buildings legally existing on the effective date hereof, required yards shall be no greater than the established setback line.

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

1. Maximum height for nonresidential buildings: Twenty feet (20').
2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: One floor. Nonresidential uses are only permitted on the ground floor of any structure.
3. Nonresidential uses in Landmark Sites are exempt from the maximum height for nonresidential uses and the maximum floor area coverage limitations.
4. For any property abutting a single-family or two-family residential district, the maximum height is limited to thirty-five feet (35') and may not be increased through any process.

F. Minimum Open Space: For residential uses and mixed uses containing residential uses, not less than twenty percent (20%) of the lot area shall be maintained as open space. This open space may take the form of landscaped yards or plazas, balconies and courtyards, subject to site plan review approval.

~~G. Landscape Yards: All front and corner side yards provided, up to fifteen feet (15') in depth, shall be maintained as a landscape yard in conformance with chapter 21A.48, "Landscaping And Buffers", of this title.~~

~~H. G. Landscape Buffers: Where a lot in the R-MU-35 district abuts a lot in a single-family or two-family residential district, landscape buffers shall be provided as required in eChapter 21A.48, "Landscaping Aand Buffers", of this title.~~

H. Design Standards: These standards apply when constructing a new building, an addition of one thousand (1,000) square feet or more that extends a street facing building façade, additions that increase the height of an existing building or when specifically indicated below.

1. Minimum Ground Floor Glass: The ground floor elevation facing a street of all new buildings or buildings shall not have less than sixty percent (60%) glass surfaces between three (3) and eight feet (8') above grade. All ground floor glass shall be nonreflective and allow visibility into the building for a depth of at least five feet (5'). The planning director may approve a modification to ground floor glass requirements if the planning director finds:

- (a) The requirement would negatively affect the historic character of an existing building, or
 - (b) The requirement would negatively affect the structural stability of an existing building.
 - (c) The ground level of the building is occupied by residential uses, in which case the sixty percent (60%) glass requirement may be reduced to forty percent (40%)
- 2. Ground Floor Uses: On the ground floor, a permitted or conditional use other than parking shall occupy at least seventy-five percent (75%) of the width of any street-facing building façade. All portions of such ground floor spaces shall extend a minimum of twenty five feet (25') into the building. Parking may be located behind these spaces.
- 3. Ground Floor Building Materials: Other than windows and doors, eighty percent (80%) of the remaining ground floor wall area shall be clad in durable materials. Durable materials include brick, masonry, textured or patterned concrete and/or cut stone. Other materials may be used as accent or trim provided they cover twenty percent (20%) or less of the ground floor adjacent to a street. Other materials may be approved at the discretion of the planning director if it is found that the proposed material is of a durable material and is appropriate for the ground floor of a structure.
- 4. Entrances: Provide at least one operable building entrance for every street facing façade. Additional operable building entrances shall be required for each seventy five feet (75') of street-facing building façade.
- 5. Maximum Length of Blank Walls: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the ground floor level along any street facing façade shall be fifteen feet (15'). Changes in plane, color, texture, materials, scale of materials, patterns, art, or other architectural detailing are acceptable methods to create variety and scale. This shall include architectural features such as bay windows, recessed entrances or windows, balconies, cornices, columns, or other similar architectural features. The architectural feature may be either recessed or project a minimum of twelve inches (12").
- 6. Building Equipment and Service Areas: All building equipment and service areas shall be located on the roof of the building or in the rear yard. These elements shall be sited to minimize their visibility and impact, or screened and enclosed as to appear to be an integral part of the architectural design of the building.
- 7. Parking Structures: Parking structures not attached to the principal building shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line or be located behind the primary structure.

8. Modifications to Design Standards: Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of Chapter 21A.59 of this title, and the review and approval of the planning commission.

SECTION 2. Amending the text of Salt Lake City Code Section 21A.24.168. That Section 21A.24.168 of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU-45 Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:

21A.24.168: R-MU-45 RESIDENTIAL/MIXED USE DISTRICT:

- A. Purpose Statement: The purpose of the R-MU-45 ~~Residential/Mixed Use~~ District is to provide areas within the city for mixed use development that promotes residential urban neighborhoods containing residential, retail, service commercial and small scale office uses. ~~This district is appropriate in areas where the applicable master plan policies recommend mixed use with a residential density less than forty four (44) dwelling units per acre.~~ The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is pedestrian oriented.
- B. Uses: Uses in the R-MU-45 ~~Residential/Mixed Use~~ District, as specified in ~~s~~Section 21A.33.020, "Table Of Permitted And Conditional Uses For Residential Districts", of this chapter, are permitted subject to the general provisions set forth in ~~s~~Section 21A.24.010 of this chapter and this section.
- C. Minimum Lot Area ~~And Lot Width~~: The minimum lot areas and lot widths required in this district are as follows:

Land Use	Minimum Lot Area	Minimum Lot Width
Multi-family dwellings (3 to 14)	9,000 square feet[†] <u>5,000 square feet for new lots.</u> <u>No minimum for existing lots</u>	50 feet
Multi-family dwellings (15 or more)	20,000 square feet [†]	80 feet
Municipal service uses, including city utility uses and police and fire stations	No minimum	No minimum
Natural open space and conservation areas, public and private	No minimum	No minimum
Nonresidential uses	No minimum	No minimum

Places of worship less than 4 acres in size	5,000 square feet	50 feet
Public pedestrian pathways, trails and greenways	No minimum	No minimum
Public/private utility transmission wires, lines, pipes and poles	No minimum	No minimum
Single-family attached dwellings (3 or more)	3,000 <u>2,500</u> square feet per unit ¹	Interior: 22 feet Corner: 32 feet
Single-family detached dwellings	4,000 square feet <u>2,500 square feet</u>	50 feet <u>25 feet</u>
Twin home dwellings	3,000 square feet per unit <u>2,500 square feet per unit</u>	20 feet <u>25 feet</u>
Two-family dwellings	6,000 square feet <u>2,500 square feet</u>	40 feet <u>25 feet</u>
Utility substations and buildings	5,000 square feet	50 feet
Other permitted or conditional uses as listed in s Section 21A.24.190 of this chapter	5,000 square feet	50 feet

Qualifying provisions:

~~1,9,000 square feet for 3 units, plus 1,000 square feet for each additional dwelling unit up to and including 14 dwelling units. 21,000 square feet for 15 units, plus 800 square feet for each additional dwelling unit up to 1 acre. For developments greater than 1 acre, 1,000 square feet for each dwelling unit is required.~~

~~A modification to the density regulations in this subsection may be granted as a conditional use, subject to conformance with the standards and procedures of chapter 21A.54, "Conditional Uses", of this title and supported by the applicable master plan. Such conditional uses shall also be subject to design review.~~

1. There is no minimum lot area required provided:

- a. ~~Parking for units shall be rear loaded and accessed from a common drive shared by all units in a particular development;~~
- b. ~~Driveway access shall connect to the public street in a maximum of 2 locations; and~~
- c. ~~No garages shall face the primary street and front yard parking shall be strictly prohibited.~~

D. Minimum Yard Requirements:

1. Single-Family Detached Dwellings:

- a. Front yard: ~~Fifteen feet (15')~~ Minimum five feet (5'). Maximum ten feet (10').

- b. Corner side yard: ~~Ten feet (10').~~ Minimum five feet (5'). Maximum ten feet (10').
 - c. Interior side yard:
 - (1) Corner lots: Four feet (4').
 - (2) Interior lots: Four feet (4') ~~on one side and ten feet (10') on the other.~~
 - d. Rear yard: Twenty five percent (25%) of the lot depth, but need not be more than twenty feet (20').
2. Single-Family Attached, Two-Family ~~A~~ and Twin Home Dwellings:
- a. Front yard: Minimum five feet (5'). ~~Maximum fifteen feet (15') ten feet (10').~~
 - b. Corner side yard: Minimum five feet (5'). ~~Maximum fifteen feet (15') ten feet (10').~~
 - c. Interior side yard:
 - (1) Single-family attached: ~~No yard is required, however if one is provided it shall not be less than four feet (4').~~ Four feet (4') is required for any interior side yard that is not a common wall between properties.
 - (2) Two-family:
 - (A) Interior lot: Four feet (4'). ~~on one side and ten feet (10') on the other.~~
 - (B) Corner lot: Four feet (4').
 - (3) Twin home: No yard is required along ~~one side~~ the common lot line. A ~~ten foot (10') four foot (4')~~ yard is required on the other.
 - d. Rear yard: Twenty five percent (25%) of lot depth or twenty five feet (25'), whichever is less.
3. ~~Multi-Family Dwellings And Any Other Residential Uses:~~
- a. ~~Front yard: No setback is required. Maximum fifteen feet (15').~~
 - b. ~~Corner side yard: No setback is required. Maximum fifteen feet (15').~~
 - c. ~~Interior side yard: No setback is required.~~
 - d. ~~Rear yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').~~
4. 3. Nonresidential, Multi-Family Residential and Mixed Use Developments:
- a. Front yard: ~~No setback is required.~~ Minimum five feet (5'). Maximum fifteen feet (15').
 - b. Corner side yard: ~~No setback is required.~~ Minimum five feet (5'). Maximum fifteen feet (15').
 - c. Interior side yard: No setback is required unless an interior side yard abuts a single or two-family residential district. When a setback is required, a minimum ten foot (10') setback must be provided, and the minimum side yard

setback shall be increased one foot (1') for every one foot (1') increase in height above thirty feet (30'). Buildings may be stepped so taller portions of a building are farther away from the side property line. The horizontal measurement of the step shall be equal to the vertical measurement of the taller portion of the building.

- d. Rear yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').

~~5.~~ 4. Legal Lots: Lots legally existing on the effective date hereof, April 12, 1995, shall be considered legal conforming lots.

~~6. Landscaping: For multiple-unit residential uses, nonresidential and mixed uses, no yards or landscaped setbacks are required; however any setback provided, up to fifteen feet (15'), shall be landscaped. If parking is located in the front or corner side yard of the building, then a fifteen foot (15') landscaped setback is required.~~

~~7~~ 5. Required Yards For Legally Existing Buildings: For buildings legally existing on the effective date hereof, required yards shall be no greater than the established setback line.

E. Maximum Building Height: The maximum building height shall not exceed forty five feet (45'), except that nonresidential buildings and uses shall be limited by subsections E1 and E2 of this section. Buildings taller than forty five feet (45'), up to a maximum of ~~seventy fifty five feet (75') (55')~~ (55'), may be authorized through the conditional building and site design review process and provided, that the proposed height is supported by the applicable master plan.

1. Maximum height for nonresidential buildings: Twenty feet (20').
2. ~~Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: One floor. Nonresidential uses are only permitted on the ground floor of any structure.~~
3. Nonresidential uses in landmark sites are exempt from the maximum height for nonresidential uses and the maximum floor area coverage limitations.
4. For any property abutting a single-family or two-family residential district, the maximum height is limited to forty-five feet (45') and may not be increased through any process.

F. Minimum Open Space: For residential uses and mixed uses containing residential uses, not less than twenty percent (20%) of the lot area shall be maintained as open space. This open space may take the form of landscaped yards or plazas, ~~balconies~~ and courtyards, subject to site plan review approval.

G. Landscape Yards: ~~All front and corner side yards provided, up to fifteen feet (15') in depth, shall be maintained as a landscape yard in conformance with chapter 21A.48, "Landscaping And Buffers", of this title.~~

H.G. Landscape Buffers: Where a lot in the R-MU-45 district abuts a lot in a single-family or two-family residential district, landscape buffers shall be provided as required in eChapter 21A.48, "Landscaping and Buffers", of this title.

H. Design Standards: These standards apply when constructing a new building, an addition of one thousand (1,000) square feet or more that extends a street facing building façade, additions that increase the height of an existing building or when specifically indicated below.

1. Minimum Ground Floor Glass: The ground floor elevation facing a street of all new buildings shall not have less than sixty percent (60%) glass surfaces between three (3) and eight feet (8') above grade. All ground floor glass shall be nonreflective and allow visibility into the building for a depth of at least five feet (5'). The planning director may approve a modification to ground floor glass requirements if the planning director finds:
 - (a) The requirement would negatively affect the historic character of an existing building;
 - (b) The requirement would negatively affect the structural stability of an existing building; or
 - (c) The ground level of the building is occupied by residential uses, in which case the sixty percent (60%) glass requirement may be reduced to forty percent (40%).
2. Ground Floor Uses: On the ground floor, a permitted or conditional use other than parking shall occupy at least seventy-five percent (75%) of the width of any street-facing building façade. All portions of such ground floor spaces shall extend a minimum of twenty five feet (25') into the building. Parking may be located behind these spaces.
3. Ground Floor Building Materials: Other than windows and doors, eighty percent (80%) of the remaining ground floor wall area shall be clad in durable materials. Durable materials include brick, masonry, textured or patterned concrete and/or cut stone. Other materials may be used as accent or trim provided they cover twenty percent (20%) or less of the ground floor adjacent to a street. Other materials may be approved at the discretion of the planning director if it is found that the proposed material is of a durable material and is appropriate for the ground floor of a structure.
4. Entrances: Provide at least one operable building entrance for every street facing façade. Additional operable building entrances shall be required for each seventy five feet (75') of street-facing building façade.
5. Maximum Length of Blank Walls: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the ground floor level along any street facing façade shall be fifteen feet (15'). Changes in plane, color, texture, materials, scale of materials, patterns, art, or other architectural

detailing are acceptable methods to create variety and scale. This shall include architectural features such as bay windows, recessed entrances or windows, balconies, cornices, columns, or other similar architectural features. The architectural feature may be either recessed or project a minimum of twelve inches (12”).

6. Building Equipment and Service Areas: All building equipment and service areas shall be located on the roof of the building or in the rear yard. These elements shall be sited to minimize their visibility and impact, or screened and enclosed as to appear to be an integral part of the architectural design of the building.
7. Stepback Requirement: Floors rising above thirty feet (30’) in height shall be stepped back ten (10’) horizontal feet from the building foundation at grade, in those areas abutting a single or two-family residential district and/or public street.
8. Parking Structures: Parking structures not attached to the principal building shall maintain a forty five foot (45’) minimum setback from a front or corner side yard property line or be located behind the primary structure.
9. Modifications to Design Standards: Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of Chapter 21A.59 of this title, and the review and approval of the planning commission.

SECTION 3. Amending the text of Salt Lake City Code Section 21A.46.090.A.3. That Section 21A.46.090.A.3 of the *Salt Lake City Code* (Zoning: Signs: Sign Regulations for Mixed Use and Commercial Districts), shall be, and hereby is, amended to read as follows:

3. Sign Type, Size And Height Standards For The R-MU-35, R-MU-45, R-MU And MU Districts:

STANDARDS FOR THE R-MU-35, R-MU-45, R-MU AND MU DISTRICTS

Types Of Signs Permitted	Maximum Area Per Sign Face	Maximum Height Of Freestanding Signs¹	Minimum Setback²	Number Of Signs Permitted Per Sign Type	Limit On Combined Number Of Signs⁴
Awning sign/ canopy sign	1 square foot per linear foot of storefront; building total not to exceed 40 square feet (sign	See note 1	May extend 6 feet from face of building 2 feet from back of curb ⁶	1 per first floor door/window	None

	area only)				
Canopy, drive-through	40% of canopy face if signage is on 2 faces. 20% of canopy face if signs are on 4 faces	See note 1	n/a	1 per canopy face	None
Construction sign	32 square feet	8 feet	5 feet	1 per street frontage	None
Flat sign (general building orientation) ⁸	1 square foot per linear foot of building frontage ⁵	See note 1	n/a	1 sign per building frontage	None
Flat sign (storefront orientation) ^{7,8}	1 square foot per linear foot of store frontage ⁵	See note 1	n/a	1 per business or storefront	None
Garage/yard sale sign	6 square feet	4 feet	5 feet	1 per street frontage	None
Monument and pole signs:					
Monument sign ³	100 square feet	12 feet	5 feet	1 per street frontage	1 sign per street frontage
Pole sign (1 acre minimum)	75 square feet	25 feet	15 feet and a 6 foot maximum projection	1 per street frontage	
Nameplate	2 square feet	See note 1	n/a	1 per building entry	None
New development sign	80 square feet	10 feet	5 feet	1 per street frontage	None
Political sign	16 square feet	6 feet	5 feet	No limit	None
Private directional sign	8 square feet	4 feet	5 feet	No limit	None
<u>Projecting business storefront sign</u>	<u>6 square feet per sign side, total of 12 square feet.</u>	<u>See note 1.</u>	<u>May extend 4 feet from face of the building and 2 feet from back of curb. A minimum height of 10 feet above the sidewalk shall be maintained. See note 9.</u>	<u>1 per leasable space. All signs shall be located within the tenant's leasable space</u>	<u>None</u>

Public safety sign	8 square feet	6 feet	5 feet	No limit	None
Real estate sign	16 square feet	6 feet	5 feet	1 per street frontage	None
Window sign	25% of window area of each use	See note 1	n/a	No limit	None

Notes:

1. For height limits on building signs, see subsection 21A.46.070J of this chapter.
2. Not applicable to temporary signs mounted as flat signs.
3. Monument signs shall have a 5 foot setback, unless integrated into the fence structure. Height requirements for fence apply.
4. The total number of signs permitted from the sign types combined.
5. A single-tenant building may combine the square footage total of both the storefront orientation and the general building orientation flat signs to construct 1 larger sign.
6. Public property lease and insurance required for projection over property line.
7. Storefront flat signs limited to locations on the lower 2 floors.
8. Backlit awnings excluded.
9. Public property lease and insurance required for projection over property line.

SECTION 4. 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 _____, 2015.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2015.

Published: _____.

HB_ATTYY-#43635-v1-Ordinance_amending_RMU35_RMU45.DOCX

LEGISLATIVE VERSION

SALT LAKE CITY ORDINANCE
No. ____ of 2015
(An ordinance amending Sections 21A.24.164, 21A.24.168 and 21A.46.090
of the *Salt Lake City Code* pertaining to R-MU-35 and R-MU-45
Residential/Mixed Use zoning districts)

An ordinance amending Sections 21A.24.164, 21A.24.168 and 21A.46.090 of the *Salt Lake City Code* pursuant to Petition No. PLNPCM2014-00127 to modify regulations pertaining to the R-MU-35 and R-MU-45 Residential/Mixed Use zoning districts.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on January 28, 2015 to consider a petition submitted by the Salt Lake City Council (Petition No. PLNPCM2014-00127) to amend Sections 21A.24.164 (Zoning: Residential Districts: R-MU-35 Residential/Mixed Use District), 21A.24.168 (Zoning: Residential Districts: R-MU-45 Residential/Mixed Use District), and 21A.46.090 (Zoning: Signs: Sign Regulations for Mixed Use and Commercial Districts) of the *Salt Lake City Code* to modify regulations concerning R-MU-35 and R-MU-45 Residential/Mixed Use zoning districts; and

WHEREAS, at its January 28, 2015 hearing, the planning commission voted in favor of transmitting a positive recommendation to the Salt Lake City Council on said petition; and

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

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

SECTION 1. Amending the text of *Salt Lake City Code* Section 21A.24.164. That Section 21A.24.164 of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU-35 Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:

21A.24.164: R-MU-35 RESIDENTIAL/MIXED USE DISTRICT

- A. Purpose Statement: The purpose of the R-MU-35 Residential/Mixed Use District is to provide areas within the city for mixed use development that promote residential urban neighborhoods containing residential, retail, service commercial and small scale office uses. The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is pedestrian oriented. This zone is intended to provide a buffer for lower density residential uses and nearby collector, arterial streets and higher intensity land uses.
- B. Uses: Uses in the R-MU-35 Residential/Mixed Use District, as specified in Section 21A.33.020, “Table of Permitted and Conditional Uses for Residential Districts”, of this chapter are permitted subject to the general provisions set forth in Section 21A.24.010 of this chapter and this section.
- C. Minimum Lot Area and Lot Width: The minimum lot areas and lot widths required in this district are as follows:

Land Use	Minimum Lot Area	Minimum Lot Width
Multi-family dwellings	5,000 square feet for new lots. No minimum for existing lots	50 feet
Municipal service uses, including city utility uses and police and fire stations	No minimum	No minimum
Natural open space and conservation areas, public and private	No minimum	No minimum
Nonresidential uses	No minimum	No minimum
Places of worship less than 4 acres in size	12,000 square feet	140 feet
Public pedestrian pathways, trails and greenways	No minimum	No minimum
Public/private utility transmission wires, lines, pipes and poles	No minimum	No minimum
Single-family attached dwellings (3 or more)	2,500 square feet per unit ¹	Interior: 22 feet Corner: 32 feet
Single-family detached dwellings	2,500 square feet	25 feet
Twin home dwellings	2,500 square feet per unit	25 feet
Two-family dwellings	2,500 square feet	25 feet
Utility substations and buildings	5,000 square feet	50 feet
Other permitted or conditional uses as listed in Section 21A.24.190 of this chapter	5,000 square feet	50 feet

Qualifying provisions:

1. There is no minimum lot area required provided:
 - a. Parking for units shall be rear loaded and accessed from a common drive shared by all units in a particular development;
 - b. Driveway access shall connect to the public street in a maximum of 2 locations; and
 - c. No garages shall face the primary street and front yard parking shall be strictly prohibited.

D. Minimum Yard Requirements:

1. Single-Family Detached Dwellings:

- a. Front yard: Minimum five feet (5'). Maximum ten feet (10').
- b. Corner side yard: Minimum five feet (5'). Maximum ten feet (10').
- c. Interior side yard:
 - (1) Corner lots: Four feet (4').
 - (2) Interior lots: Four feet (4').
- d. Rear yard: Twenty five percent (25%) of the lot depth, but need not be more than twenty feet (20').

2. Single-Family Attached, Two-Family and Twin Home Dwellings:

- a. Front yard: Minimum five feet (5'). Maximum ten feet (10').
- b. Corner side yard: Minimum five feet (5'). Maximum ten feet (10').
- c. Interior side yard:
 - (1) Single-family attached: Four feet (4') is required for any interior side yard that is not a common wall between properties.
 - (2) Two-family:
 - (A) Interior lot: Four feet (4').
 - (B) Corner lot: Four feet (4').
 - (3) Twin home: No yard is required along the common lot line. A four foot (4') yard is required on the other.
- d. Rear yard: Twenty five percent (25%) of lot depth or twenty five feet (25'), whichever is less.

3. Nonresidential, Multi-Family Residential and Mixed Use Developments:

- a. Front yard: Minimum five feet (5'). Maximum fifteen feet (15').

- b. Corner side yard: Minimum five feet (5'). Maximum fifteen feet (15').
 - c. Interior side yard: No setback is required unless an interior side yard abuts a single or two-family residential district. When a setback is required, a minimum ten foot (10') setback must be provided, and the minimum side yard setback shall be increased one foot (1') for every one foot (1') increase in height above twenty five feet (25'). Buildings may be stepped so taller portions of a building are farther away from the side property line. The horizontal measurement of the step shall be equal to the vertical measurement of the taller portion of the building.
 - d. Rear yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').
- 4. Legal Lots: Lots legally existing on the effective date hereof, April 12, 1995, shall be considered legal conforming lots.
- 5. Required Yards for Legally Existing Buildings: For buildings legally existing on the effective date hereof, required yards shall be no greater than the established setback line.
- E. Maximum Building Height: The maximum building height shall not exceed thirty five feet (35'), except that nonresidential buildings and uses shall be limited by subsections E1 and E2 of this section. Buildings taller than thirty five feet (35'), up to a maximum of forty five feet (45'), may be authorized through the conditional building and site design review process; and provided, that the proposed height is supported by the applicable master plan.
 - 1. Maximum height for nonresidential buildings: Twenty feet (20').
 - 2. Nonresidential uses are only permitted on the ground floor of any structure.
 - 3. Nonresidential uses in Landmark Sites are exempt from the maximum height for nonresidential uses and the maximum floor area coverage limitations.
 - 4. For any property abutting a single-family or two-family residential district, the maximum height is limited to thirty-five feet (35') and may not be increased through any process.
- F. Minimum Open Space: For residential uses and mixed uses containing residential uses, not less than twenty percent (20%) of the lot area shall be maintained as open space. This open space may take the form of landscaped yards or plazas and courtyards, subject to site plan review approval.
- G. Landscape Buffers: Where a lot in the R-MU-35 district abuts a lot in a single-family or two-family residential district, landscape buffers shall be provided as required in Chapter 21A.48, "Landscaping and Buffers", of this title.
- H. Design Standards: These standards apply when constructing a new building, an addition of one thousand (1,000) square feet or more that extends a street facing

building façade, additions that increase the height of an existing building or when specifically indicated below.

1. **Minimum Ground Floor Glass:** The ground floor elevation facing a street of all new buildings or buildings shall not have less than sixty percent (60%) glass surfaces between three (3) and eight feet (8') above grade. All ground floor glass shall be nonreflective and allow visibility into the building for a depth of at least five feet (5'). The planning director may approve a modification to ground floor glass requirements if the planning director finds:
 - (a) The requirement would negatively affect the historic character of an existing building, or
 - (b) The requirement would negatively affect the structural stability of an existing building.
 - (c) The ground level of the building is occupied by residential uses, in which case the sixty percent (60%) glass requirement may be reduced to forty percent (40%)
2. **Ground Floor Uses:** On the ground floor, a permitted or conditional use other than parking shall occupy at least seventy-five percent (75%) of the width of any street-facing building façade. All portions of such ground floor spaces shall extend a minimum of twenty five feet (25') into the building. Parking may be located behind these spaces.
3. **Ground Floor Building Materials:** Other than windows and doors, eighty percent (80%) of the remaining ground floor wall area shall be clad in durable materials. Durable materials include brick, masonry, textured or patterned concrete and/or cut stone. Other materials may be used as accent or trim provided they cover twenty percent (20%) or less of the ground floor adjacent to a street. Other materials may be approved at the discretion of the planning director if it is found that the proposed material is of a durable material and is appropriate for the ground floor of a structure.
4. **Entrances:** Provide at least one operable building entrance for every street facing façade. Additional operable building entrances shall be required for each seventy five feet (75') of street-facing building facade.
5. **Maximum Length of Blank Walls:** The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the ground floor level along any street facing façade shall be fifteen feet (15'). Changes in plane, color, texture, materials, scale of materials, patterns, art, or other architectural detailing are acceptable methods to create variety and scale. This shall include architectural features such as bay windows, recessed entrances or windows, balconies, cornices, columns, or other similar architectural features. The architectural feature may be either recessed or project a minimum of twelve inches (12").

6. **Building Equipment and Service Areas:** All building equipment and service areas shall be located on the roof of the building or in the rear yard. These elements shall be sited to minimize their visibility and impact, or screened and enclosed as to appear to be an integral part of the architectural design of the building.
7. **Parking Structures:** Parking structures not attached to the principal building shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line or be located behind the primary structure.
8. **Modifications to Design Standards:** Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of Chapter 21A.59 of this title, and the review and approval of the planning commission.

SECTION 2. Amending the text of Salt Lake City Code Section 21A.24.168. That Section 21A.24.168 of the *Salt Lake City Code* (Zoning: Residential Districts: R-MU-45 Residential/Mixed Use District), shall be, and hereby is, amended to read as follows:

21A.24.168: R-MU-45 RESIDENTIAL/MIXED USE DISTRICT:

- A. **Purpose Statement:** The purpose of the R-MU-45 Residential/Mixed Use District is to provide areas within the city for mixed use development that promotes residential urban neighborhoods containing residential, retail, service commercial and small scale office uses. The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is pedestrian oriented.
- B. **Uses:** Uses in the R-MU-45 Residential/Mixed Use District, as specified in Section 21A.33.020, "Table Of Permitted And Conditional Uses For Residential Districts", of this chapter, are permitted subject to the general provisions set forth in Section 21A.24.010 of this chapter and this section.
- C. **Minimum Lot Area and Lot Width:** The minimum lot areas and lot widths required in this district are as follows:

Land Use	Minimum Lot Area	Minimum Lot Width
Multi-family dwellings (3 to 14)	5,000 square feet for new lots. No minimum for existing lots	50 feet
Municipal service uses, including city utility uses and police and fire stations	No minimum	No minimum

Natural open space and conservation areas, public and private	No minimum	No minimum
Nonresidential uses	No minimum	No minimum
Places of worship less than 4 acres in size	5,000 square feet	50 feet
Public pedestrian pathways, trails and greenways	No minimum	No minimum
Public/private utility transmission wires, lines, pipes and poles	No minimum	No minimum
Single-family attached dwellings (3 or more)	2,500 square feet per unit ¹	Interior: 22 feet Corner: 32 feet
Single-family detached dwellings	2,500 square feet	25 feet
Twin home dwellings	2,500 square feet per unit	25 feet
Two-family dwellings	2,500 square feet	25 feet
Utility substations and buildings	5,000 square feet	50 feet
Other permitted or conditional uses as listed in Section 21A.24.190 of this chapter	5,000 square feet	50 feet

Qualifying provisions:

1. There is no minimum lot area required provided:
 - a. Parking for units shall be rear loaded and accessed from a common drive shared by all units in a particular development;
 - b. Driveway access shall connect to the public street in a maximum of 2 locations; and
 - c. No garages shall face the primary street and front yard parking shall be strictly prohibited.

D. Minimum Yard Requirements:

1. Single-Family Detached Dwellings:
 - a. Front yard: Minimum five feet (5'). Maximum ten feet (10').
 - b. Corner side yard: Minimum five feet (5'). Maximum ten feet (10').
 - c. Interior side yard:
 - (1) Corner lots: Four feet (4').
 - (2) Interior lots: Four feet (4').
 - d. Rear yard: Twenty five percent (25%) of the lot depth, but need not be more than twenty feet (20').
2. Single-Family Attached, Two-Family and Twin Home Dwellings:

- a. Front yard: Minimum five feet (5'). Maximum ten feet (10').
 - b. Corner side yard: Minimum five feet (5'). Maximum ten feet (10').
 - c. Interior side yard:
 - (1) Single-family attached: Four feet (4') is required for any interior side yard that is not a common wall between properties.
 - (2) Two-family:
 - (A) Interior lot: Four feet (4').
 - (B) Corner lot: Four feet (4').
 - (3) Twin home: No yard is required along the common lot line. A four foot (4') yard is required on the other.
 - d. Rear yard: Twenty five percent (25%) of lot depth or twenty five feet (25'), whichever is less.
3. Nonresidential, Multi-Family Residential and Mixed Use Developments:
- a. Front yard: Minimum five feet (5'). Maximum fifteen feet (15').
 - b. Corner side yard: Minimum five feet (5'). Maximum fifteen feet (15').
 - c. Interior side yard: No setback is required unless an interior side yard abuts a single or two-family residential district. When a setback is required, a minimum ten foot (10') setback must be provided, and the minimum side yard setback shall be increased one foot (1') for every one foot (1') increase in height above thirty feet (30'). Buildings may be stepped so taller portions of a building are farther away from the side property line. The horizontal measurement of the step shall be equal to the vertical measurement of the taller portion of the building.
 - d. Rear yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').
4. Legal Lots: Lots legally existing on the effective date hereof, April 12, 1995, shall be considered legal conforming lots.
5. Required Yards for Legally Existing Buildings: For buildings legally existing on the effective date hereof, required yards shall be no greater than the established setback line.
- E. Maximum Building Height: The maximum building height shall not exceed forty five feet (45'), except that nonresidential buildings and uses shall be limited by subsections E1 and E2 of this section. Buildings taller than forty five feet (45'), up to a maximum of fifty five feet (55'), may be authorized through the conditional building and site design review process and provided, that the proposed height is supported by the applicable master plan.

1. Maximum height for nonresidential buildings: Twenty feet (20').
 2. Nonresidential uses are only permitted on the ground floor of any structure.
 3. Nonresidential uses in landmark sites are exempt from the maximum height for nonresidential uses and the maximum floor area coverage limitations.
 4. For any property abutting a single-family or two-family residential district, the maximum height is limited to forty-five feet (45') and may not be increased through any process.
- F. Minimum Open Space: For residential uses and mixed uses containing residential uses, not less than twenty percent (20%) of the lot area shall be maintained as open space. This open space may take the form of landscaped yards or plazas and courtyards, subject to site plan review approval.
- G. Landscape Buffers: Where a lot in the R-MU-45 district abuts a lot in a single-family or two-family residential district, landscape buffers shall be provided as required in Chapter 21A.48, "Landscaping and Buffers", of this title.
- H. Design Standards: These standards apply when constructing a new building, an addition of one thousand (1,000) square feet or more that extends a street facing building façade, additions that increase the height of an existing building or when specifically indicated below.
1. Minimum Ground Floor Glass: The ground floor elevation facing a street of all new buildings shall not have less than sixty percent (60%) glass surfaces between three (3) and eight feet (8') above grade. All ground floor glass shall be nonreflective and allow visibility into the building for a depth of at least five feet (5'). The planning director may approve a modification to ground floor glass requirements if the planning director finds:
 - (a) The requirement would negatively affect the historic character of an existing building;
 - (b) The requirement would negatively affect the structural stability of an existing building; or
 - (c) The ground level of the building is occupied by residential uses, in which case the sixty percent (60%) glass requirement may be reduced to forty percent (40%).
 2. Ground Floor Uses: On the ground floor, a permitted or conditional use other than parking shall occupy at least seventy-five percent (75%) of the width of any street-facing building façade. All portions of such ground floor spaces shall extend a minimum of twenty five feet (25') into the building. Parking may be located behind these spaces.
 3. Ground Floor Building Materials: Other than windows and doors, eighty percent (80%) of the remaining ground floor wall area shall be clad in durable materials. Durable materials include brick, masonry, textured or patterned concrete and/or

- cut stone. Other materials may be used as accent or trim provided they cover twenty percent (20%) or less of the ground floor adjacent to a street. Other materials may be approved at the discretion of the planning director if it is found that the proposed material is of a durable material and is appropriate for the ground floor of a structure.
4. Entrances: Provide at least one operable building entrance for every street facing façade. Additional operable building entrances shall be required for each seventy five feet (75') of street-facing building facade.
 5. Maximum Length of Blank Walls: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the ground floor level along any street facing façade shall be fifteen feet (15'). Changes in plane, color, texture, materials, scale of materials, patterns, art, or other architectural detailing are acceptable methods to create variety and scale. This shall include architectural features such as bay windows, recessed entrances or windows, balconies, cornices, columns, or other similar architectural features. The architectural feature may be either recessed or project a minimum of twelve inches (12").
 6. Building Equipment and Service Areas: All building equipment and service areas shall be located on the roof of the building or in the rear yard. These elements shall be sited to minimize their visibility and impact, or screened and enclosed as to appear to be an integral part of the architectural design of the building.
 7. Stepback Requirement: Floors rising above thirty feet (30') in height shall be stepped back ten (10') horizontal feet from the building foundation at grade, in those areas abutting a single or two-family residential district and/or public street.
 8. Parking Structures: Parking structures not attached to the principal building shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line or be located behind the primary structure.
 9. Modifications to Design Standards: Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of Chapter 21A.59 of this title, and the review and approval of the planning commission.

SECTION 3. Amending the text of Salt Lake City Code Section 21A.46.090.A.3. That Section 21A.46.090.A.3 of the *Salt Lake City Code* (Zoning: Signs: Sign Regulations for Mixed Use and Commercial Districts), shall be, and hereby is, amended to read as follows:

3. Sign Type, Size And Height Standards For The R-MU-35, R-MU-45, R-MU And MU Districts:

STANDARDS FOR THE R-MU-35, R-MU-45, R-MU AND MU DISTRICTS

Types Of Signs Permitted	Maximum Area Per Sign Face	Maximum Height Of Freestanding Signs ¹	Minimum Setback ²	Number Of Signs Permitted Per Sign Type	Limit On Combined Number Of Signs ⁴
Awning sign/ canopy sign	1 square foot per linear foot of storefront; building total not to exceed 40 square feet (sign area only)	See note 1	May extend 6 feet from face of building 2 feet from back of curb ⁶	1 per first floor door/window	None
Canopy, drive-through	40% of canopy face if signage is on 2 faces. 20% of canopy face if signs are on 4 faces	See note 1	n/a	1 per canopy face	None
Construction sign	32 square feet	8 feet	5 feet	1 per street frontage	None
Flat sign (general building orientation) ⁸	1 square foot per linear foot of building frontage ⁵	See note 1	n/a	1 sign per building frontage	None
Flat sign (storefront orientation) ^{7,8}	1 square foot per linear foot of store frontage ⁵	See note 1	n/a	1 per business or storefront	None
Garage/yard sale sign	6 square feet	4 feet	5 feet	1 per street frontage	None
Monument and pole signs:					
Monument sign ³	100 square feet	12 feet	5 feet	1 per street frontage	1 sign per street frontage
Pole sign (1 acre minimum)	75 square feet	25 feet	15 feet and a 6 foot maximum projection	1 per street frontage	
Nameplate	2 square feet	See note 1	n/a	1 per building entry	None
New development	80 square feet	10 feet	5 feet	1 per street frontage	None

sign					
Political sign	16 square feet	6 feet	5 feet	No limit	None
Private directional sign	8 square feet	4 feet	5 feet	No limit	None
Projecting business storefront sign	6 square feet per sign side, total of 12 square feet.	See note 1.	May extend 4 feet from face of the building and 2 feet from back of curb. A minimum height of 10 feet above the sidewalk shall be maintained. See note 9.	1 per leasable space. All signs shall be located within the tenant's leasable space	None
Public safety sign	8 square feet	6 feet	5 feet	No limit	None
Real estate sign	16 square feet	6 feet	5 feet	1 per street frontage	None
Window sign	25% of window area of each use	See note 1	n/a	No limit	None

Notes:

1. For height limits on building signs, see subsection 21A.46.070J of this chapter.
2. Not applicable to temporary signs mounted as flat signs.
3. Monument signs shall have a 5 foot setback, unless integrated into the fence structure. Height requirements for fence apply.
4. The total number of signs permitted from the sign types combined.
5. A single-tenant building may combine the square footage total of both the storefront orientation and the general building orientation flat signs to construct 1 larger sign.
6. Public property lease and insurance required for projection over property line.
7. Storefront flat signs limited to locations on the lower 2 floors.
8. Backlit awnings excluded.
9. Public property lease and insurance required for projection over property line.

SECTION 4. 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 _____,
2015.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2015.
Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office

Date: _____

By: _____
Paul C. Nielson, *Senior City Attorney*

HB_ATTYY-#43635-v2-Ordinance_amending_RMU35_RMU45.DOCX

3. CITY COUNCIL PUBLIC HEARING NOTICE

NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering Petition **PLNPCM2014-00127 R-MU-35 and R-MU-45 Amendments** - A request by the Salt Lake City Council for modifications to the RMU-35 and R-MU-45 Residential/Mixed Use zoning districts. The amendment will affect sections 21A.24 and 21A.46 of the Salt Lake City Zoning Ordinance. Other related sections of Title 21A may also be amended as part of this proposal. The proposal will add additional design standards, modify density requirements, height requirements, allowed signs and other changes.

As part of their study, the City Council is holding an advertised public hearing to receive comments regarding the petition. During this hearing, anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

DATE:

TIME: 7:00 p.m.

PLACE: Room 315
City & County Building
451 South State Street
Salt Lake City, Utah

If you have any questions relating to this proposal or would like to review the file, please call John Anderson at 801-535-7214 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at john.anderson@slcgov.com.

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact the Planning Division at (801) 535-7757; TDD (801) 535-6021.

4. PLANNING COMMISSION

**4.A. POSTMARK OF PLANNING COMMISSION
NOTICE**

PROOF OF PUBLICATION

CUSTOMER'S COPY

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
PLANNING DIVISION, 451 SOUTH STATE STREET, ROOM 406 SALT LAKE CITY UT 84111	9001394298	12/1/2014

ACCOUNT NAME			
PLANNING DIVISION,			
TELEPHONE		ADORDER# / INVOICE NUMBER	
8015357759		0000997080 /	
SCHEDULE			
Start 11/29/2014		End 11/29/2014	
CUST. REF. NO.			
Plan Comm PH 12/10			
CAPTION			
Notice of Public Hearing On December 10, 2014 at 5:30 p.m. in room 3			
SIZE			
51	Lines	2.00	CO
TIMES		R	
2			
MISC. CHARGES		AD C	
		TOTAL	
		132.50	

Notice of Public Hearing
On December 10, 2014 at 5:30 p.m. in room 326 of the City and County Building, 451 South State Street, Salt Lake City, UT, the Salt Lake City Planning Commission will hold a public hearing to consider making recommendations to the City Council regarding the following petitions:

1. **Ground Mounted Utility Boxes Text Amendment** - A request by Mayor Ralph Abner for zoning text amendment related to regulating and processing requests for ground mounted utility boxes. The amendment would streamline the current utility box approach for administrative approval, allow small scale utility boxes on the public way and encourages utility boxes to be located within the property. The text amendment could affect all areas within the city. Related provisions of the City Code may also be amended as part of this petition. (Staff contact: Ev. J. Case) Case number PLNCPM-2014-00372

2. **Park Strip Landscaping** - A request by the City Council to amend the water wise landscaping code. The purpose of the amendment is to simplify the ordinance, increase the height of plants and objects in the parkstrip, clarify the allowed plants regarding water being provided to trees in the parkstrip. Other related provisions to Title 21A may be modified as part of this proposal. The proposed application is by (Staff contact: Doug Dunsie at (801) 535-6182 or ddunsie@slcgov.com). Case number: PLNCM2014-01094.

RMU-35 and RMU-45 Zoning District Changes - A request to the City Council for modifications to the RMU-35 and RMU-45 Residential/Mixed Use zoning districts. The amendments will allow for more density, modify existing building setbacks, lower the building height in certain existing building setbacks, and allow for a more flexible design review process through the conditional building and design review process. The amendments also add design standards and clarify existing provisions of 21A.24.2. The amendments will be modified as part of a design proposal. (Staff contact: [redacted] Anderson at (801) 535-7214 or [redacted] Anderson at [redacted]@slco.com). Case number: PLNPCM2014-001127.

City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at 801-535-7757, or request service 711.

UPAXIP

UPAXI.

AFFIDAVIT OF PUBLICATION

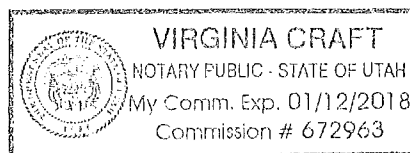
AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF Notice of Public Hearing On December 10, 2014 at 5:30 p.m. in room 326 of the City and County Building, 451 South State Street, Salt Lake City, UT the Salt Lake Tribune and Deseret News, Daily Newspapers Printed in the English Language with General Circulation in Utah, and Published in Salt Lake City, Salt Lake County in the State of Utah. Notice is also posted on UtahLegals.com on the same day as the first newspaper publication date and remains on UtahLegals.com indefinitely. Complies with Utah Digital Signature Act Utah Code 46-2-101; 46-3-104.

PUBLISHED ON Start 11/29/2014 End 11/29/2014

SIGNATURE 

DATE 12/1/2014

THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"
PLEASE PAY FROM BILLING STATEMENT



Virginia Giff

NOTARY SIGNATURE

4.B. DECEMBER 10, 2014 PLANNING COMMISSION STAFF REPORT



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission
From: John Anderson, 801-535-7214 or john.anderson@slcgov.com
Date: December 1, 2014
Re: PLNPCM2014-00127

Zoning Text Amendment

PROPERTY ADDRESS: N/A

PARCEL ID: N/A

MASTER PLAN: N/A

ZONING DISTRICT: R-MU-35 and R-MU-45 Residential/Mixed Use Districts

REQUEST: The City Council formally requested that the Salt Lake City Planning Division analyze the R-MU-35 and R-MU-45 Residential/Mixed Use zoning districts and evaluate their efficiency and flexibility.

RECOMMENDATION: Based on the analysis and findings of this report, it is the opinion of staff that the proposed text amendments meet the intent of the City Council's direction, standards for a zoning ordinance amendment and staff recommends that the Planning Commission forward a favorable recommendation of petition PLNPCM2014-00127 to the City Council. Below is a proposed motion consistent with this recommendation:

Based on the information in the staff report and the discussion heard, I move that the Planning Commission forward a positive recommendation to the City Council regarding petition PLNPCM2014-00127, text changes to the RMU-35 and RMU-45 zoning districts.

ATTACHMENTS:

- A. Proposed Ordinance
- B. Open House Models
- C. Analysis of Standards
- D. Public Process and Comments
- E. Department Comments
- F. Motions

PROJECT DESCRIPTION:

In August 2012, the Salt Lake City Council made a motion to direct the administration to analyze the R-MU-35 and R-MU-45 zoning districts. The Council requested that the two zoning districts be amended to "include more up-to-date, flexible zoning development regulations." Further, it was understood that these zones would be employed in areas "where density is needed for new development or redevelopment but building height is an issue."

Only a few parcels within the city are zoned R-MU-35 and none are zoned R-MU-45. Part of the reason for this is because the density limitations currently in the zone have been considered barriers for redeveloping parcels

for the types of development the city desires. Because so few of the city's parcels are zoned either of these two zones, amending the language for each of the districts will create a negligible, if any, number of noncomplying lots. Making the proposed changes does increase the viability of the zoning districts to be used in various parts of the City, primarily at business nodes where current zoning is ineffective at implementing master plans.

KEY ISSUES:

The sections being changed in the zoning ordinance as part of the amendment are 21A.24.164 "R-MU-35 Residential/Mixed Use District" and 21A.24.168 "R-MU-45 Residential/Mixed Use District". There is also one change proposed in 21A.46.090.A Sign Regulations For Mixed Use and Commercial Uses. The same basic changes are being made to both zoning districts and they are detailed below in five groups: **density, setbacks, compatibility, design standards and signage.**

Issue 1: Density

Currently, R-MU-35 and R-MU-45 have the same qualifying provisions as the multi-family zoning districts: three units require 9,000 square feet and each additional unit until the twelfth requires 2,000 more square feet. 12-unit developments require 26,000 square feet and each additional unit requires 1,000 square feet. The proposed amendments would remove these qualifying provisions and multi-family development on existing lots would have no minimum area requirement while new lots would require 5,000 square feet in lot size. The density of a structure would now be based on meeting all zoning standards such as height, setbacks, lot coverage, off street parking, etc. This allows a more market based approach to zoning without changing the approval processes in the zoning district.

Other residential uses would also have decreased minimum area requirements. Three or more single-family attached dwellings would have no area minimum while single-family detached, two-family and twin homes would require only 2,500 square feet each. In all cases except for single-family attached and multi-family units, the minimum lot width would be reduced to 25 feet. Single-family attached would require 22 feet except corner lots which would require 32 feet. The required lot width for multi-family development would be decreased from 80 feet to 50 feet. The minimum lot area for single-family attached dwellings could less if the development meets specific qualifying provisions. These provisions force buildings to provide all parking including garages to the rear of the structures. This creates a safer environment for pedestrians as there will not be drive approaches for each dwelling unit.

Further, these proposed changes will help to implement the city's approved Housing Plan. The plan calls for an increase in the housing supply throughout the city. Most of this will be achieved through infill development. The plan calls for development that is mixed use and mixed income with designs that are contextually compatible with the surrounding structures and overall fabric of the neighborhood. Specifically the plan also calls for adding flexibility to the process and allowing for higher densities. The caveat being that added density should minimize any potential negative impacts to existing neighborhoods.

These proposed changes to the R-MU-35 and R-MU-45 zoning districts will create a district that can achieve those goals and work to implement the Housing Plan by allowing for additional density but minimizing any potential negative impacts to surrounding neighborhoods with the requirement of oversized landscaped buffers, controlling the permitted height adjacent to low density residential uses, the addition of design standards and controlling the location of parking areas.

Issue 2: Setbacks

The changes for setbacks in the R-MU-35 and R-MU-45 zoning districts have in some cases been reduced and maximums have been added where they do not currently exist. This has been done to bring buildings closer to the street. The front yard setbacks for all types of structures are proposed to now be the same. This will create a similar development pattern

along the streetscape and further improve the pedestrian experience. Other changes are proposed to further separate uses that may be less compatible such as multi-family housing adjacent to single-family housing.

For single-family detached units, the front and corner side yard setbacks have been revised to a minimum of five feet and a maximum of ten feet. This change reflects the development pattern that the zoning districts are intended to create.

For single family attached, two-family and twin home developments the required front and side yard setbacks have been changed to reflect other uses in the zoning district. It has also been clarified that in single-family attached, two-family and twin home dwellings that there is no side yard setback for shared or common walls but a four foot side yard is required in any other interior side yard.

For multi-family residential development, mixed use and nonresidential development, no interior side yard setbacks are required unless that yard abuts a single or two-family zoning district. In that case, a minimum ten foot setback is required for that yard. A minimum and maximum front yard setback has also been included.

Issue 3: Compatibility

The maximum building height for both zones has not changed for the R-MU-35 but has changed for the R-MU-45 district. In the R-MU-35 district, the maximum is 35 feet but the height can be increased to 45 feet through the conditional building and site design review process.

Currently, in the R-MU-45 zoning district, the maximum height is 45 feet but the height can be increased to 75 feet through the conditional building and site design review process. Because of concerns about incompatible height, it has been proposed to only allow the height to be increased to 55 feet through the conditional building and site design. This change was made because the City has other mixed use zoning districts that allow heights up to 75 feet, but lacks districts that allow a maximum of 4-5 story buildings. If a building up to 75' is appropriate, the property should be zoned to allow that height instead of trying to make a jump in building height of up to 3 stories when in close proximity to lower scale development.

An additional requirement has been added to help reduce the impact that building height has on low density neighborhoods. If the property in question abuts a single- or two-family zoning district, no height increase would be permitted beyond the 35 foot or 45 foot maximum, depending on the zone, through any city process. In other words, no additional height could be granted by the Conditional Building and Site Design process, the Planned Development process or as a special exception.

Issue 4: Design Standards

Design standards are not currently included in the R-MU-35 and R-MU-45 zoning districts. The goal of the proposed design standards is to ensure that new development in these zones fits the purpose of the zoning district. The proposed design standards are intended to promote pedestrian oriented development. The design standards include the following:

- A minimum requirement for first-floor glass on street-facing facades;
- Required building entrances for every seventy five feet of street-facing facade;
- A maximum allowable length for blank walls on the first floor;
- A requirement that all building and service areas be located within the building, on the roof or in the back yard; and
- Promote active uses on the ground floors of buildings by requiring that 50% of street facing facades have active residential or commercial uses.

Issue 5: Signage

Because the goal of these zoning districts is to create a walkable, pedestrian friendly development, it has been proposed to amend the current sign regulations to allow for projecting signs. Projecting signs are commonly referred to as blade signs. These signs are designed to draw attention specifically from pedestrians and not vehicles on the adjacent street. The proposal utilizes the same standards for blade signs as what appears in the Sugar House Business District.

DISCUSSION:

The City Council has recommended that staff analyze a request to amend the R-MU-35 and 45 zoning districts to ensure that the existing zoning standards are not barriers for utilizing these districts as tools to create pedestrian friendly, mixed use neighborhoods which are described in master plan documents as desirable amenities for the city. These zoning districts were also created to be utilized as buffers between low density residential neighborhoods and more intense uses. Staff has found that the existing qualifying provisions for density are a barrier and should be removed. Further, staff has found that additional design and buffering requirements were also needed. These requirements will help to create neighborhoods that are walkable with a mixture of uses but that are also attractive and provide the necessary buffering between new development and low density residential uses.

The proposed changes do not change any of the review processes for new developments in the zoning district, but does restrict when the processes can be used. The Conditional Building and Site Design review process applies to projects seeking additional height, the conditional use process applies to specific land uses identified as a conditional use and the planned development process is an option for new developments. The proposal does limit when additional height can be approved by not allowing it when next to a single family or two family zoning district. Currently, the RMU-35 and RMU-45 allow addition height through the Conditional Building and Site Design Review process in all instances. This is the only process related change and it is more restrictive than what is currently allowed.

NEXT STEPS:

The Planning Commission's recommendation for these proposed zoning text amendments will be forwarded on to the City Council for their action. The City Council is the decision-making body for zoning text amendments.

ATTACHMENT A: PROPOSED ORDINANCE

21A.24.164: R-MU-35 RESIDENTIAL/MIXED USE DISTRICT

A. Purpose Statement: The purpose of the R-MU-35 residential/mixed use district is to provide areas within the city for mixed use development that promote residential urban neighborhoods containing residential, retail, service commercial and small scale office uses. ~~This district is appropriate in areas where the applicable master plan policies recommend mixed use with a residential density less than thirty (30) dwelling units per acre.~~ The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is pedestrian oriented. This zone is intended to provide a buffer for lower density residential uses and nearby collector, arterial streets and higher intensity land uses.

B. Uses: Uses in the R-MU-35 residential/mixed use district, as specified in section ~~21A.24.190~~ 21A.33.020, "Table Of Permitted And Conditional Uses For Residential Districts", of this chapter are permitted subject to the general provisions set forth in section 21A.24.010 of this chapter and this section.

C. Minimum Lot Area And Lot Width: The minimum lot areas and lot widths required in this district are as follows:

Land Use	Minimum Lot Area	Minimum Lot Width
Multi-family dwellings (3 to 11)	9,000 square feet¹ <u>5,000 square feet for new lots.</u> <u>No minimum for existing lots</u>	80 feet <u>50 feet</u>
Multi family dwellings (12 or more)	26,000 square feet¹	80 feet
Municipal service uses, including city utility uses and police and fire stations	No minimum	No minimum
Natural open space and conservation areas, public and private	No minimum	No minimum
Nonresidential uses	No minimum	No minimum
Places of worship less than 4 acres in size	12,000 square feet	140 feet
Public pedestrian pathways, trails and greenways	No minimum	No minimum
Public/private utility transmission wires, lines, pipes and poles	No minimum	No minimum
Single-family attached dwellings (3 or more)	3,000 <u>2,500</u> square	Interior: 22

	feet per unit ¹	feet Corner: 32 feet
Single-family detached dwellings	5,000 square feet <u>2,500 square feet</u>	50 feet <u>25 feet</u>
Twin home dwellings	4,000 square feet per unit <u>2,500 square feet per unit</u>	25 feet
Two-family dwellings	8,000 square feet <u>2,500 square feet</u>	50 feet <u>25 feet</u>
Utility substations and buildings	5,000 square feet	50 feet
Other permitted or conditional uses as listed in section 21A.24.190 of this chapter	5,000 square feet	50 feet

Qualifying provisions:

~~1. 9,000 square feet for 3 units, plus 2,000 square feet for each additional dwelling unit up to and including 11 dwelling units. 26,000 square feet for 12 units, plus 1,000 square feet for each additional dwelling unit up to 1 acre. For developments greater than 1 acre, 1,500 square feet for each dwelling unit is required.~~

~~A modification to the density regulations in this subsection may be granted as a conditional use, subject to conformance with the standards and procedures of chapter 21A.54, "Conditional Uses", of this title and supported by the applicable master plan. Such conditional uses shall also be subject to design review.~~

1. There is no minimum lot area required provided:

- a. Parking for units shall be rear loaded and accessed from a common drive shared by all units in a particular development;
- b. Driveway access shall connect to the public street in a maximum of 2 locations; and
- c. No garages shall face the primary street and front yard parking shall be strictly prohibited.

D. Minimum Yard Requirements:

1. Single-Family Detached Dwellings:

- a. Front yard: ~~Fifteen feet (15')~~ Minimum five feet (5'). Maximum ten feet (10').
- b. Corner side yard: ~~Ten feet (10')~~ Minimum five feet (5'). Maximum ten feet (10').
- c. Interior side yard:
 - (1) Corner lots: Four feet (4').
 - (2) Interior lots: Four feet (4') ~~on one side and ten feet (10') on the other.~~
- d. Rear yard: Twenty five percent (25%) of the lot depth, but need not be more than twenty feet (20').

2. Single-Family Attached, Two-Family And Twin Home Dwellings:

- a. Front yard: Minimum five feet (5'). Maximum ~~fifteen feet (15')~~ ten feet (10').
- b. Corner side yard: Minimum five feet (5'). Maximum ~~fifteen feet (15')~~ ten feet (10').

c. Interior side yard:

(1) Single-family attached: ~~No yard is required, however if one is provided it shall not be less than four feet (4').~~ Four feet (4') is required for any interior side yard that is not a common wall between properties.

(2) Two-family:

(A) Interior lot: Four feet (4') ~~on one side and ten feet (10') on the other.~~

(B) Corner lot: Four feet (4').

(3) Twin home: No yard is required along ~~one side~~ the common lot line. A ~~ten foot (10')~~ four foot (4') yard is required on the other.

- d. Rear yard: Twenty five percent (25%) of lot depth or twenty five feet (25'), whichever is less.

3. Multi-Family Dwellings And Any Other Residential Uses:

- a. Front yard: ~~No setback is required.~~ Maximum fifteen feet (15').
- b. Corner side yard: ~~No setback is required.~~ Maximum fifteen feet (15').
- c. Interior side yard: ~~No setback is required.~~
- d. Rear yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').

4. 3. Nonresidential, Multi-Family Residential and Mixed Use Developments:

- a. Front yard: ~~No setback is required.~~ Minimum five feet (5'). Maximum fifteen feet (15').
- b. Corner side yard: No setback is required. Maximum fifteen feet (15').
- c. Interior side yard: ~~No setback is required.~~ If interior side yard abuts a single- or two-family residential district, a minimum ten foot (10') setback must be provided, otherwise no setback is required.
- d. Rear yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').

~~5.~~ 4. Legal Lots: Lots legally existing on the effective date hereof, April 12, 1995, shall be considered legal conforming lots.

~~6. Landscaping: For multiple-unit residential uses, nonresidential and mixed uses, no yards or landscaped setbacks are required; however any setback provided, up to fifteen feet (15'), shall be landscaped. If parking is located in the front or corner side yard of the building, then a fifteen foot (15') landscaped setback is required.~~

~~7.~~ 5. Required Yards For Legally Existing Buildings: For buildings legally existing on the effective date hereof, required yards shall be no greater than the established setback line.

E. Parking Setback: Surface parking lots within an interior side yard or rear yard shall be located behind the front line of the building. Parking structures shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line or be located behind the primary

structure. There are no minimum or maximum setback restrictions on underground parking. Parking shall be allowed within the primary structure but shall comply with the provisions governing design standards listed in section I.

E-F. Maximum Building Height: The maximum building height shall not exceed thirty five feet (35'), except that nonresidential buildings and uses shall be limited by subsections ~~E4~~ F1 and ~~E2~~ F2 of this section. Buildings taller than thirty five feet (35'), up to a maximum of forty five feet (45'), may be authorized through the conditional building and site design review process; and provided, that the proposed height is supported by the applicable master plan.

1. Maximum height for nonresidential buildings: Twenty feet (20').

2. ~~Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: One floor.~~ Nonresidential uses are only permitted on the ground floor of any structure.

3. Nonresidential uses in Landmark Sites are exempt from the maximum height for nonresidential uses and the maximum floor area coverage limitations.

4. For any property abutting a single-family or two-family residential district, the maximum height is limited to thirty-five feet (35') and may not be increased through any process.

F-G. Minimum Open Space: For residential uses and mixed uses containing residential uses, not less than twenty percent (20%) of the lot area shall be maintained as open space. This open space may take the form of landscaped yards or plazas, balconies and courtyards, subject to site plan review approval.

G. ~~Landscape Yards: All front and corner side yards provided, up to fifteen feet (15') in depth, shall be maintained as a landscape yard in conformance with chapter 21A.48, "Landscaping And Buffers", of this title.~~

H. Landscape Buffers: Where a lot in the R-MU-35 district abuts a lot in a single-family or two-family residential district, landscape buffers shall be provided as required in chapter 21A.48, "Landscaping And Buffers", of this title.

I. Design Standards:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces between three (3) and eight feet (8') above grade. All first floor glass shall be nonreflective and allow visibility into the building for a depth of at least five feet (5').

2. Facades: Provide at least one operable building entrance for every seventy five feet (75') of street-facing building facade.

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

4. Building Equipment and Service Areas: All building equipment and service areas shall be located on the roof of the building or in the rear yard. These elements shall be sited to minimize their visibility and impact, or screened and enclosed as to appear to be an integral part of the architectural design of the building.

5. Active Ground Floor Uses: On the ground floor, commercial or residential uses shall occupy at least seventy-five percent (75%) of the width of any street-facing building façade. All portions of such ground floor spaces shall extend a minimum of 25 feet (25') into the building. Regardless of the above required area for active ground floor uses, all buildings are entitled to a vehicular access opening from a street at a maximum width of twenty-five (25'). There is no maximum width for a vehicular access opening if the building meets the requirement for ground floor active uses.

21A.24.168: R-MU-45 RESIDENTIAL/MIXED USE DISTRICT:

A. Purpose Statement: The purpose of the R-MU-45 residential/mixed use district is to provide areas within the city for mixed use development that promotes residential urban neighborhoods containing residential, retail, service commercial and small scale office uses. ~~This district is appropriate in areas where the applicable master plan policies recommend mixed use with a residential density less than forty four (44) dwelling units per acre.~~ The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is pedestrian oriented.

B. Uses: Uses in the R-MU-45 residential/mixed use district, as specified in section ~~21A.24.190~~ 21A.33.020, "Table Of Permitted And Conditional Uses For Residential Districts", of this chapter, are permitted subject to the general provisions set forth in section 21A.24.010 of this chapter and this section.

C. Minimum Lot Area And Lot Width: The minimum lot areas and lot widths required in this district are as follows:

Land Use	Minimum Lot Area	Minimum Lot Width
Multi-family dwellings (3 to 14)	9,000 square feet¹ <u>5,000 square feet for new lots.</u> <u>No minimum for existing lots</u>	50 feet
Multi-family dwellings (15 or more)	20,000 square feet¹	80 feet
Municipal service uses, including city utility uses and police and fire stations	No minimum	No minimum
Natural open space and conservation areas, public	No minimum	No minimum

and private		
Nonresidential uses	No minimum	No minimum
Places of worship less than 4 acres in size	5,000 square feet	50 feet
Public pedestrian pathways, trails and greenways	No minimum	No minimum
Public/private utility transmission wires, lines, pipes and poles	No minimum	No minimum
Single-family attached dwellings (3 or more)	3,000 <u>2,500</u> square feet per unit ¹	Interior: 22 feet Corner: 32 feet
Single-family detached dwellings	4,000 square feet <u>2,500 square feet</u>	50 feet <u>25 feet</u>
Twin home dwellings	3,000 square feet per unit <u>2,500 square feet per unit</u>	20 feet <u>25 feet</u>
Two-family dwellings	6,000 square feet <u>2,500 square feet</u>	40 feet <u>25 feet</u>
Utility substations and buildings	5,000 square feet	50 feet
Other permitted or conditional uses as listed in section <u>21A.24.190</u> of this chapter	5,000 square feet	50 feet

Qualifying provisions:

~~1,9,000 square feet for 3 units, plus 1,000 square feet for each additional dwelling unit up to and including 14 dwelling units. 21,000 square feet for 15 units, plus 800 square feet for each additional dwelling unit up to 1 acre. For developments greater than 1 acre, 1,000 square feet for each dwelling unit is required.~~

~~A modification to the density regulations in this subsection may be granted as a conditional use, subject to conformance with the standards and procedures of chapter 21A.54, "Conditional Uses", of this title and supported by the applicable master plan. Such conditional uses shall also be subject to design review.~~

1. There is no minimum lot area required provided:

- a. Parking for units shall be rear loaded and accessed from a common drive shared by all units in a particular development;
- b. Driveway access shall connect to the public street in a maximum of 2 locations; and

c. No garages shall face the primary street and front yard parking shall be strictly prohibited.

D. Minimum Yard Requirements:

1. Single-Family Detached Dwellings:

a. Front yard: ~~Fifteen feet (15')~~ Minimum five feet (5'). Maximum ten feet (10').

b. Corner side yard: ~~Ten feet (10')~~ Minimum five feet (5'). Maximum ten feet (10').

c. Interior side yard:

(1) Corner lots: Four feet (4').

(2) Interior lots: Four feet (4') ~~on one side and ten feet (10') on the other.~~

d. Rear yard: Twenty five percent (25%) of the lot depth, but need not be more than twenty feet (20').

2. Single-Family Attached, Two-Family And Twin Home Dwellings:

a. Front yard: Minimum five feet (5'). Maximum ~~fifteen feet (15')~~ ten feet (10').

b. Corner side yard: Minimum five feet (5'). Maximum ~~fifteen feet (15')~~ ten feet (10').

c. Interior side yard:

(1) Single-family attached: ~~No yard is required, however if one is provided it shall not be less than four feet (4').~~ Four feet (4') is required for any interior side yard that is not a common wall between properties.

(2) Two-family:

(A) Interior lot: Four feet (4') ~~on one side and ten feet (10') on the other.~~

(B) Corner lot: Four feet (4').

(3) Twin home: No yard is required along ~~one side~~ the common lot line. A ~~ten foot (10')~~ four foot (4') yard is required on the other.

d. Rear yard: Twenty five percent (25%) of lot depth or twenty five feet (25'), whichever is less.

~~3. Multi-Family Dwellings And Any Other Residential Uses:~~

~~a. Front yard: No setback is required. Maximum fifteen feet (15').~~

~~b. Corner side yard: No setback is required. Maximum fifteen feet (15').~~

~~c. Interior side yard: No setback is required.~~

~~d. Rear yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').~~

4. 3. Nonresidential, Multi-Family Residential and Mixed Use Developments:

a. Front yard: ~~No setback is required.~~ Minimum five feet (5'). Maximum fifteen feet (15').

b. Corner side yard: No setback is required. Maximum fifteen feet (15').

c. Interior side yard: ~~No setback is required.~~ If interior side yard abuts a single- or two-family residential district, a minimum ten foot (10') setback must be provided, otherwise no setback is required.

d. Rear yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').

~~5.~~ 4. Legal Lots: Lots legally existing on the effective date hereof, April 12, 1995, shall be considered legal conforming lots.

~~6.~~ Landscaping: For multiple-unit residential uses, nonresidential and mixed uses, no yards or landscaped setbacks are required; however any setback provided, up to fifteen feet (15'), shall be landscaped. If parking is located in the front or corner side yard of the building, then a fifteen foot (15') landscaped setback is required.

~~7~~ 5. Required Yards For Legally Existing Buildings: For buildings legally existing on the effective date hereof, required yards shall be no greater than the established setback line.

E. Parking Setback: Surface parking lots within an interior side yard or rear yard shall be located behind the front line of the building. Parking structures shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line or be located behind the primary structure. There are no minimum or maximum setback restrictions on underground parking. Parking shall be allowed within the primary structure but shall comply with the provisions governing design standards listed in section I.

~~E~~ F. Maximum Building Height: The maximum building height shall not exceed forty five feet (45'), except that nonresidential buildings and uses shall be limited by subsections ~~E1~~ F1 and ~~E2-F2~~ of this section. Buildings taller than forty five feet (45'), up to a maximum of ~~seventy~~ fifty five feet (~~75'~~) (55'), may be authorized through the conditional building and site design review process and provided, that the proposed height is supported by the applicable master plan.

1. Maximum height for nonresidential buildings: Twenty feet (20').

~~2. Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: One floor.~~ Nonresidential uses are only permitted on the ground floor of any structure.

3. Nonresidential uses in Landmark Sites are exempt from the maximum height for nonresidential uses and the maximum floor area coverage limitations.

4. For any property abutting a single-family or two-family residential district, the maximum height is limited to forty-five feet (45') and may not be increased through any process.

~~F~~ G. Minimum Open Space: For residential uses and mixed uses containing residential uses, not less than twenty percent (20%) of the lot area shall be maintained as open space. This open space may take the form of landscaped yards or plazas, balconies and courtyards, subject to site plan review approval.

~~G.~~ Landscape Yards: All front and corner side yards provided, up to fifteen feet (15') in depth, shall be maintained as a landscape yard in conformance with chapter 21A.48, "Landscaping And Buffers", of this title.

H. Landscape Buffers: Where a lot in the R-MU-45 district abuts a lot in a single-family or two-family residential district, landscape buffers shall be provided as required in chapter 21A.48, "Landscaping And Buffers", of this title.

I. Design Standards:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces between three (3) and eight feet (8') above grade. All first floor glass shall be nonreflective and allow visibility into the building for a depth of at least five feet (5').
2. Facades: Provide at least one operable building entrance for every seventy five feet (75') of street-facing building facade.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
4. Building Equipment and Service Areas: All building equipment and service areas shall be located on the roof of the building or in the rear yard. These elements shall be sited to minimize their visibility and impact, or screened and enclosed as to appear to be an integral part of the architectural design of the building.
5. Active Ground Floor Uses: On the ground floor, commercial or residential uses shall occupy at least seventy-five percent (75%) of the width of any street-facing building façade. All portions of such ground floor spaces shall extend a minimum of 25 feet (25') into the building. Regardless of the above required area for active ground floor uses, all buildings are entitled to a vehicular access opening from a street at a maximum width of twenty-five (25'). There is no maximum width for a vehicular access opening if the building meets the requirement for ground floor active uses.

21A.46.090.A Sign Regulations For The R-MU-35, R-MU-45, R-MU, MU, SNB, CN And CB Districts:

1. Purpose: Signage in the R-MU-35, R-MU-45, R-MU, MU, SNB, CN and CB districts should be appropriate for small scale commercial uses and business districts. These districts are located in proximity to residential areas or, in the case of the R-MU-35, R-MU-45, R-MU and MU districts, contain a residential/commercial mix of uses. The sign regulations for these districts are intended to permit signage that is appropriate for small scale commercial uses and business districts, with minimum impacts on nearby residential uses.
2. Applicability: Regulations in subsections A3, A4 and A5 of this section, respectively, shall apply to all uses within the R-MU-35, R-MU-45, R-MU, MU, CN and CB districts.
3. Sign Type, Size And Height Standards For The R-MU-35, R-MU-45, R-MU And MU Districts:

STANDARDS FOR THE R-MU-35, R-MU-45, R-MU AND MU DISTRICTS

Types Of Signs Permitted	Maximum Area Per Sign Face	Maximum Height Of Freestanding Signs¹	Minimum Setback²	Number Of Signs Permitted Per Sign Type	Limit On Combined Number Of Signs⁴
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Awning sign/ canopy sign	1 square foot per linear foot of storefront; building total not to exceed 40 square feet (sign area only)	See note 1	May extend 6 feet from face of building 2 feet from back of curb ⁶	1 per first floor door/window	None
Canopy, drive-through	40% of canopy face if signage is on 2 faces. 20% of canopy face if signs are on 4 faces	See note 1	n/a	1 per canopy face	None
Construction sign	32 square feet	8 feet	5 feet	1 per street frontage	None
Flat sign (general building orientation) ⁸	1 square foot per linear foot of building frontage ⁵	See note 1	n/a	1 sign per building frontage	None
Flat sign (storefront orientation) ^{7,8}	1 square foot per linear foot of store frontage ⁵	See note 1	n/a	1 per business or storefront	None
Garage/yard sale sign	6 square feet	4 feet	5 feet	1 per street frontage	None
Monument and pole signs:					
Monument sign ³	100 square feet	12 feet	5 feet	1 per street frontage	1 sign per street frontage
Pole sign (1	75 square	25 feet	15 feet and a	1 per street	

acre minimum)	feet		6 foot maximum projection	frontage	
Nameplate	2 square feet	See note 1	n/a	1 per building entry	None
New development sign	80 square feet	10 feet	5 feet	1 per street frontage	None
Political sign	16 square feet	6 feet	5 feet	No limit	None
Private directional sign	8 square feet	4 feet	5 feet	No limit	None
<u>Projecting business storefront sign</u>	<u>6 square feet per sign side, total of 12 square feet.</u>	<u>See note 1.</u>	<u>May extend 4 feet from face of the building and 2 feet from back of curb. A minimum height of 10 feet above the sidewalk shall be maintained. See note 9.</u>	<u>1 per leasable space. All signs shall be located within the tenant's leasable space</u>	<u>None</u>
Public safety sign	8 square feet	6 feet	5 feet	No limit	None
Real estate sign	16 square feet	6 feet	5 feet	1 per street frontage	None
Window sign	25% of window area of each use	See note 1	n/a	No limit	None

Notes:

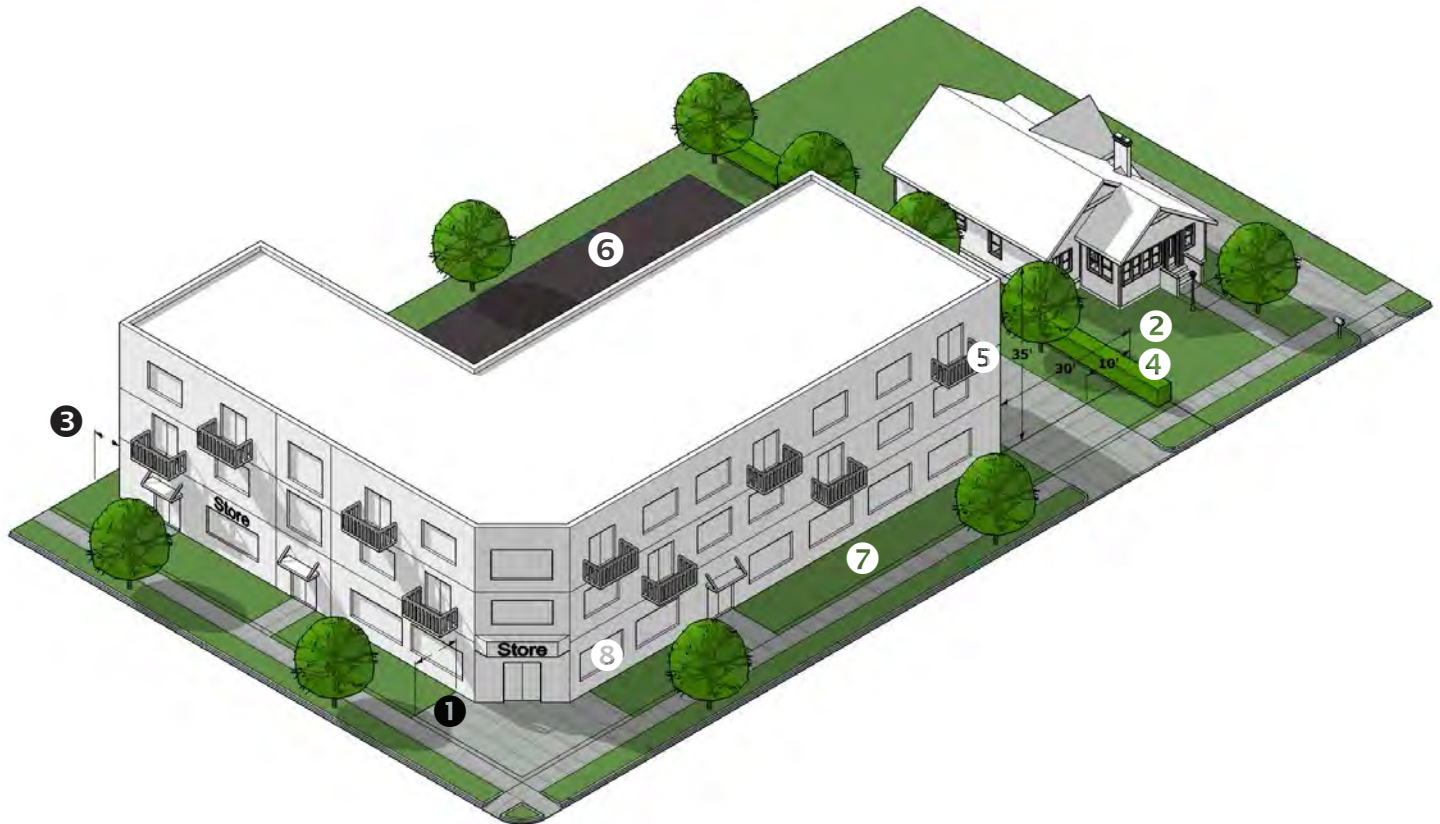
- 1.For height limits on building signs, see subsection [21A.46.070J](#) of this chapter.
- 2.Not applicable to temporary signs mounted as flat signs.
- 3.Monument signs shall have a 5 foot setback, unless integrated into the fence structure. Height requirements for fence apply.
- 4.The total number of signs permitted from the sign types combined.
- 5.A single-tenant building may combine the square footage total of both the storefront orientation and the general building orientation flat signs to construct 1 larger sign.
- 6.Public property lease and insurance required for projection over property line.
- 7.Storefront flat signs limited to locations on the lower 2 floors.
- 8.Backlit awnings excluded.
9. Public property lease and insurance required for projection over property line.

ATTACHMENT B: OPEN HOUSE MODELS

R-MU-35

RESIDENTIAL/ MIXED USE

DEVELOPMENT NEXT TO SINGLE/ TWO-FAMILY ZONES



Zoning Diagram of Mixed Use Building When Next to a Single/Two-Family Zone

R-MU-35 Development Standards (21A.24.164) For Multi-family Residential & Mixed Uses

LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	OPEN SPACE ⑦	MIXED USE LIMITATION ⑧
Min 25'	5,000 sq ft min	Min 5', Max 15'	25% of lot depth, need not exceed 30'	10' next to single- & two family residential zones	10' next to single- & two family residential zones	35' max + 10' with CBSD*	Located behind front line of the building	Min 20% of lot area, includes yards, plazas, balconies, courtyards	Non-residential use limited to 1 floor

*Additional height is not allowed when the development is next to a single or two-family residential zone.

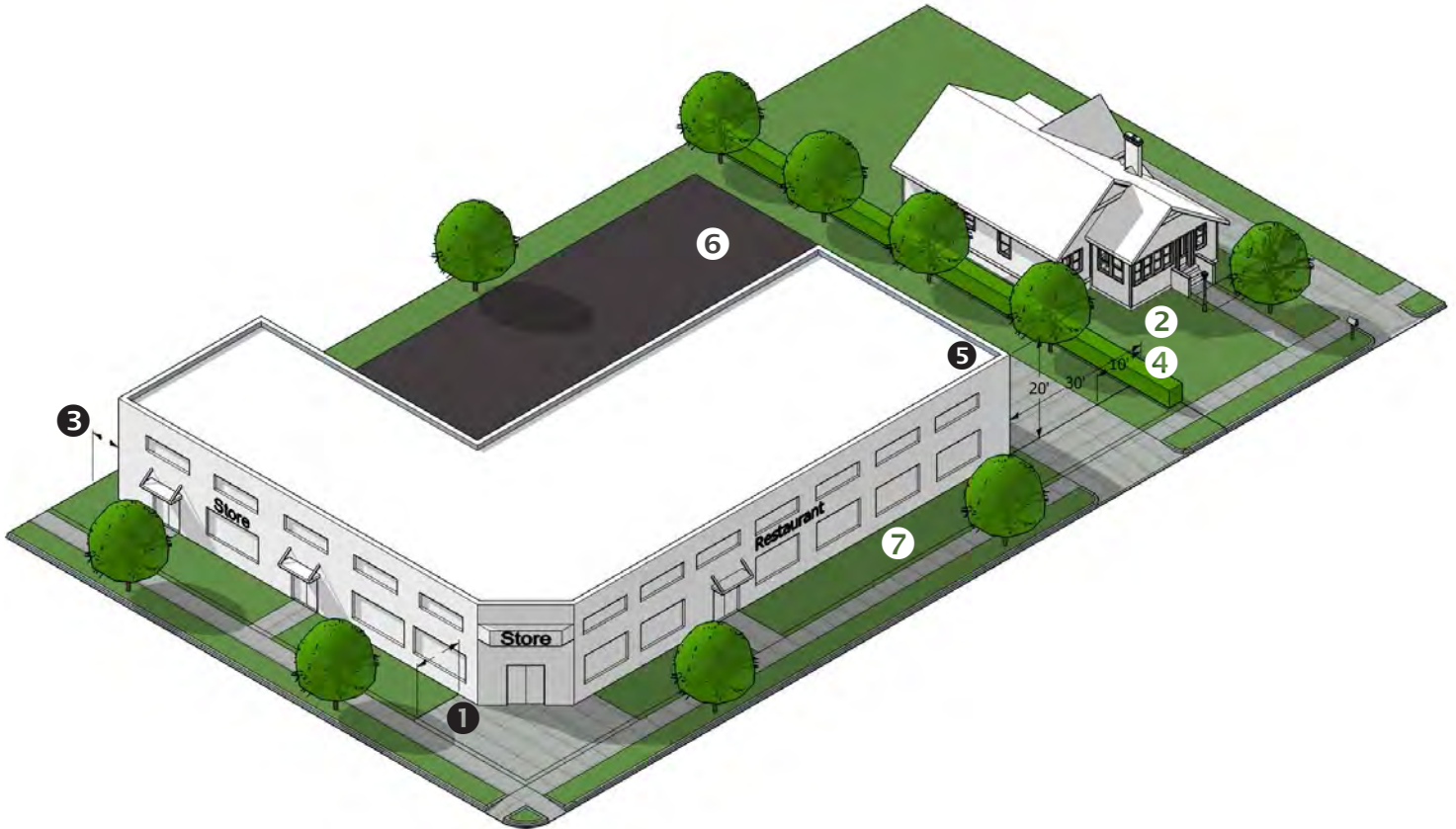
R-MU-35 Building Design Standards

1ST FLOOR VISIBILITY	FRONT ENTRANCE	1ST FLOOR DETAILING	MECHANICAL EQUIPMENT/ SERVICE AREAS	GROUND FLOOR ACTIVE USES
40% glass & non-reflective, allows 5' of visibility into building	1 entry that faces street, for every 75' of facade	No blank walls over 15' long	On roof or in rear yard, sited to minimize visibility or integrated into design	75% of ground floor facade must include residential or commercial uses

R-MU-35

RESIDENTIAL/ MIXED USE

DEVELOPMENT NEXT TO SINGLE/ TWO-FAMILY ZONES



Zoning Diagram of Commercial Building When Next to a Single/Two-Family Zone

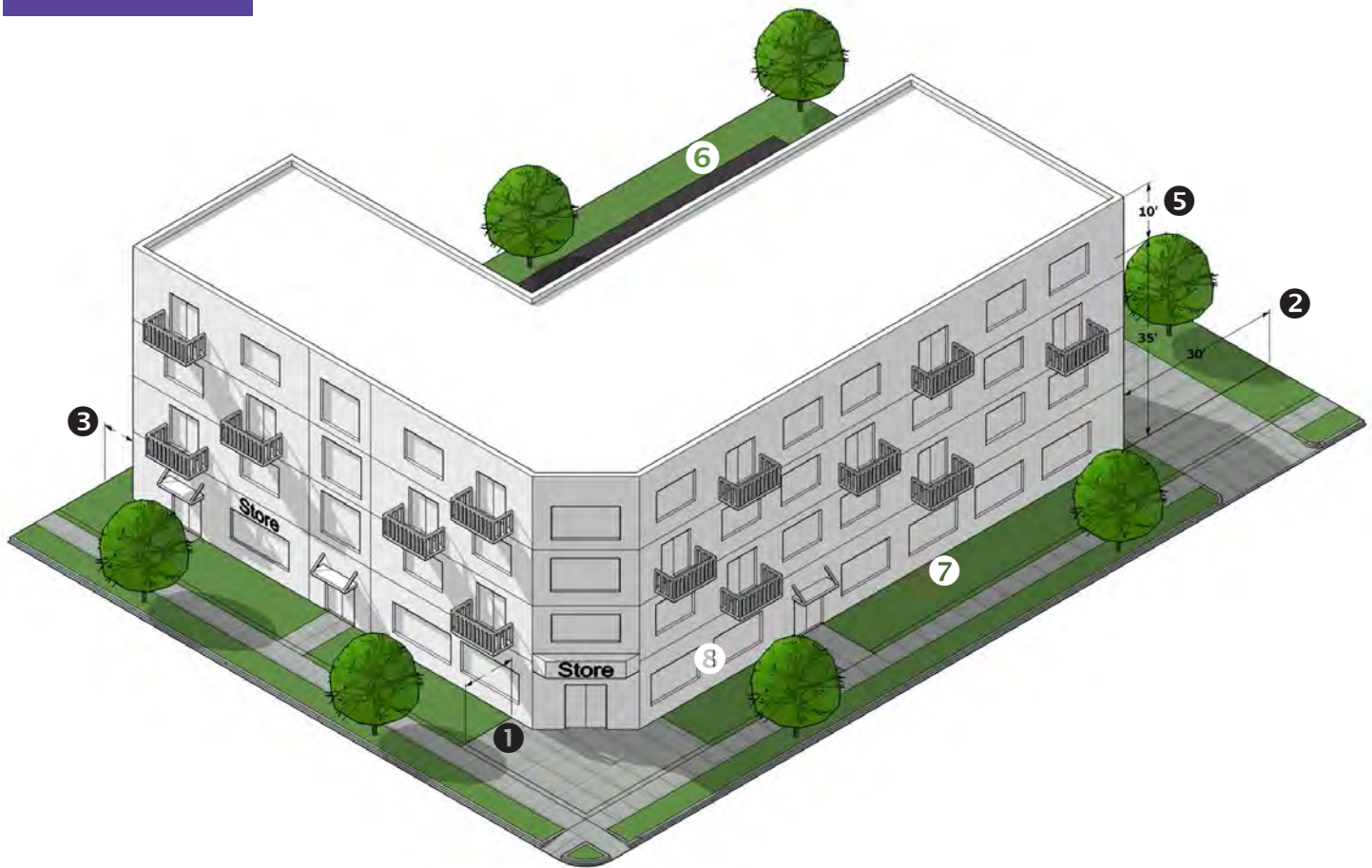
R-MU-35 Development Standards (21A.24.164) For Commercial Uses (No Residential Component)								
LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	OPEN SPACE ⑦
No min	No min or max	0', max. 15'	25% of lot depth, need not exceed 30'	10' next to single- & two family residential zones	10' required next to single- & two-residential zones	20' max	Located behind front line of the building	Min 20% of lot area, includes yards, plazas, balconies, courtyards

R-MU-35 Building Design Standards			
1ST FLOOR VISIBILITY	FRONT ENTRANCE	1ST FLOOR DETAILING	MECHANICAL EQUIPMENT/SERVICE AREAS
40% glass & non-reflective, allows 5' of visibility into building	1 entry that faces street, for every 75' of facade	No blank walls over 15' long	On roof or in rear yard, sited to minize visibility or integrated into design

R-MU-35

RESIDENTIAL/ MIXED USE

DEVELOPMENT NOT NEXT TO SINGLE/ TWO-FAMILY RESIDENTIAL



Zoning Diagram of Mixed Use Building When Not Next to a Single/Two-Family Zone

R-MU-35 Development Standards (21A.24.164) For Multi-family Residential & Mixed Uses

LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	OPEN SPACE ⑦	MIXED USE LIMITATION ⑧
Min 25'	5,000 sq ft min	Min 5', Max 15'	25% of lot depth, need not exceed 30'	10' next to single- & two family residential zones	10' next to single- & two family residential zones	35' max + 10' with CBSD*	Located behind front line of the building	Min 20% of lot area, includes yards, plazas, balconies, courtyards	Non-residential use limited to 1st floor

*Additional height can be permitted through the Conditional Building and Site Design process, which requires the development meet a higher level of building and site standards. This additional height is only allowed when development is not next to property zoned single or two-family residential.

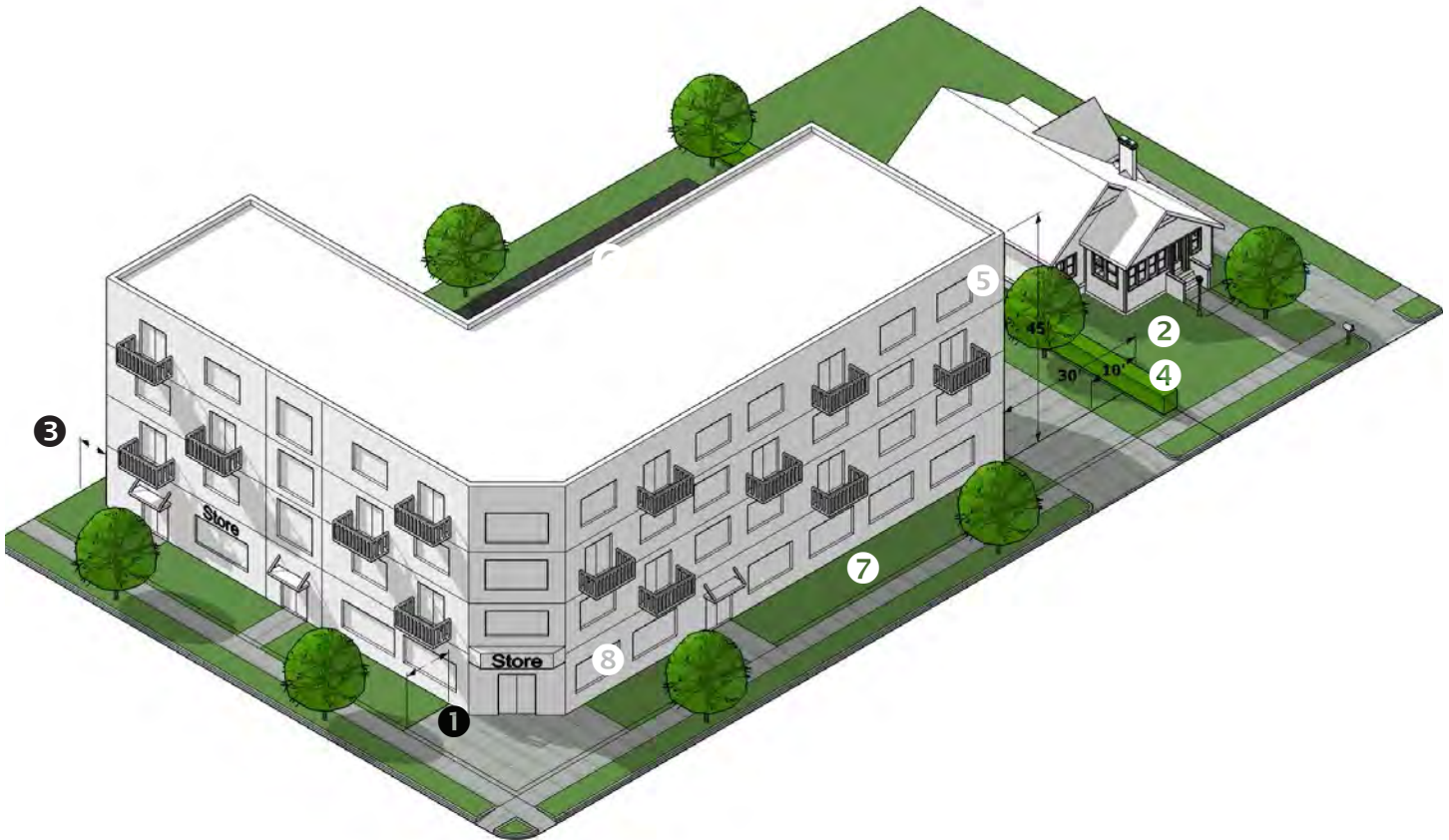
R-MU-35 Building Design Standards

1ST FLOOR VISIBILITY	FRONT ENTRANCE	1ST FLOOR DETAILING	MECHANICAL EQUIPMENT/ SERVICE AREAS	GROUND FLOOR ACTIVE USES
40% glass & non-reflective, allows 5' of visibility into building	1 entry that faces street, for every 75' of facade	No blank walls over 15' long	On roof or in rear yard, sited to minimize visibility or integrated into design	75% of ground floor facade must include residential or commercial uses

R-MU-45

RESIDENTIAL/ MIXED USE

DEVELOPMENT NEXT TO SINGLE/ TWO-FAMILY RESIDENTIAL



Zoning Diagram of Mixed Use Building When Next to a Single/Two-Family Residential Zone

R-MU-45 Development Standards (21A.24.168) For Multi-family Residential & Mixed Uses

LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	OPEN SPACE ⑦	MIXED USE LIMITATION ⑧
Min 25'	5,000 sq ft min	Min 5', Max 15'	25% of lot depth, need not exceed 30'	10' next to single- & two family residential zones	10' next to single- & two family residential zones	45' max + 10' with CBSD*	Located behind front line of the building	Min 20% of lot area, includes yards, plazas, balconies, courtyards	Non-residential use limited to 1 floor

*Additional height is not allowed when the development is next to a single or two-family residential zone.

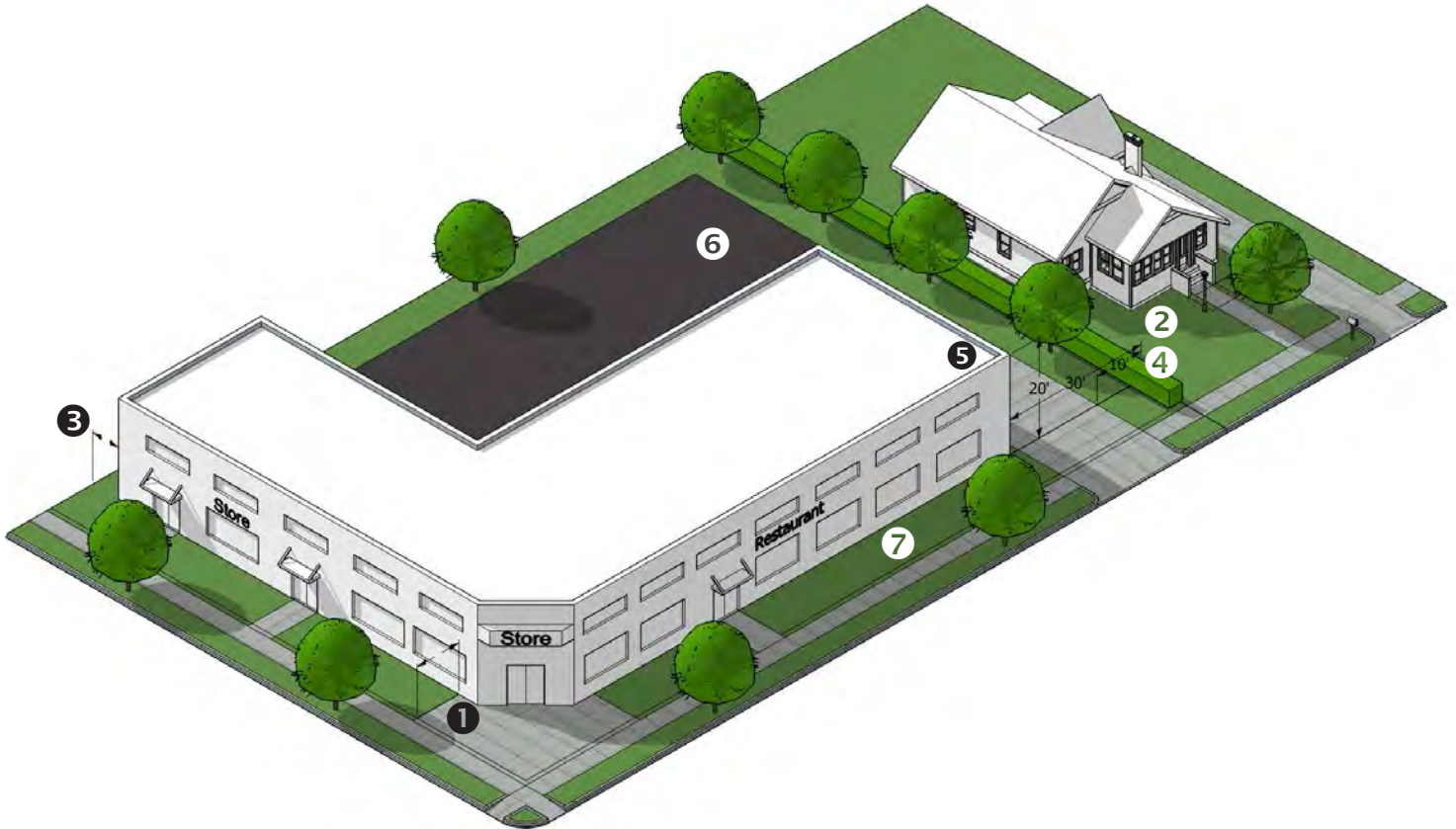
R-MU-45 Building Design Standards

1ST FLOOR VISIBILITY	FRONT ENTRANCE	1ST FLOOR DETAILING	MECHANICAL EQUIPMENT/ SERVICE AREAS	GROUND FLOOR ACTIVE USES
40% glass & non-reflective, allows 5' of visibility into building	1 entry that faces street, for every 75' of facade	No blank walls over 15' long	On roof or in rear yard, sited to minimize visibility or integrated into design	75% of ground floor facade must include residential or commercial uses

R-MU-45

RESIDENTIAL/ MIXED USE

DEVELOPMENT NEXT TO SINGLE/ TWO-FAMILY RESIDENTIAL



Zoning Diagram of Commercial Building When Next to a Single/Two-Family Residential Zone

R-MU-45 Development Standards (21A.24.168) For Commercial Uses (No Residential Component)

LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	OPEN SPACE ⑦
No min	No min or max	Min 5', Max 15'	25% of lot depth, need not exceed 30'	10' next to single- & two family residential zones	10' required next to single- & two-residential zones	20' max	Located behind front line of the building	Min. 20% of lot area, includes yards, plazas, balconies, courtyards

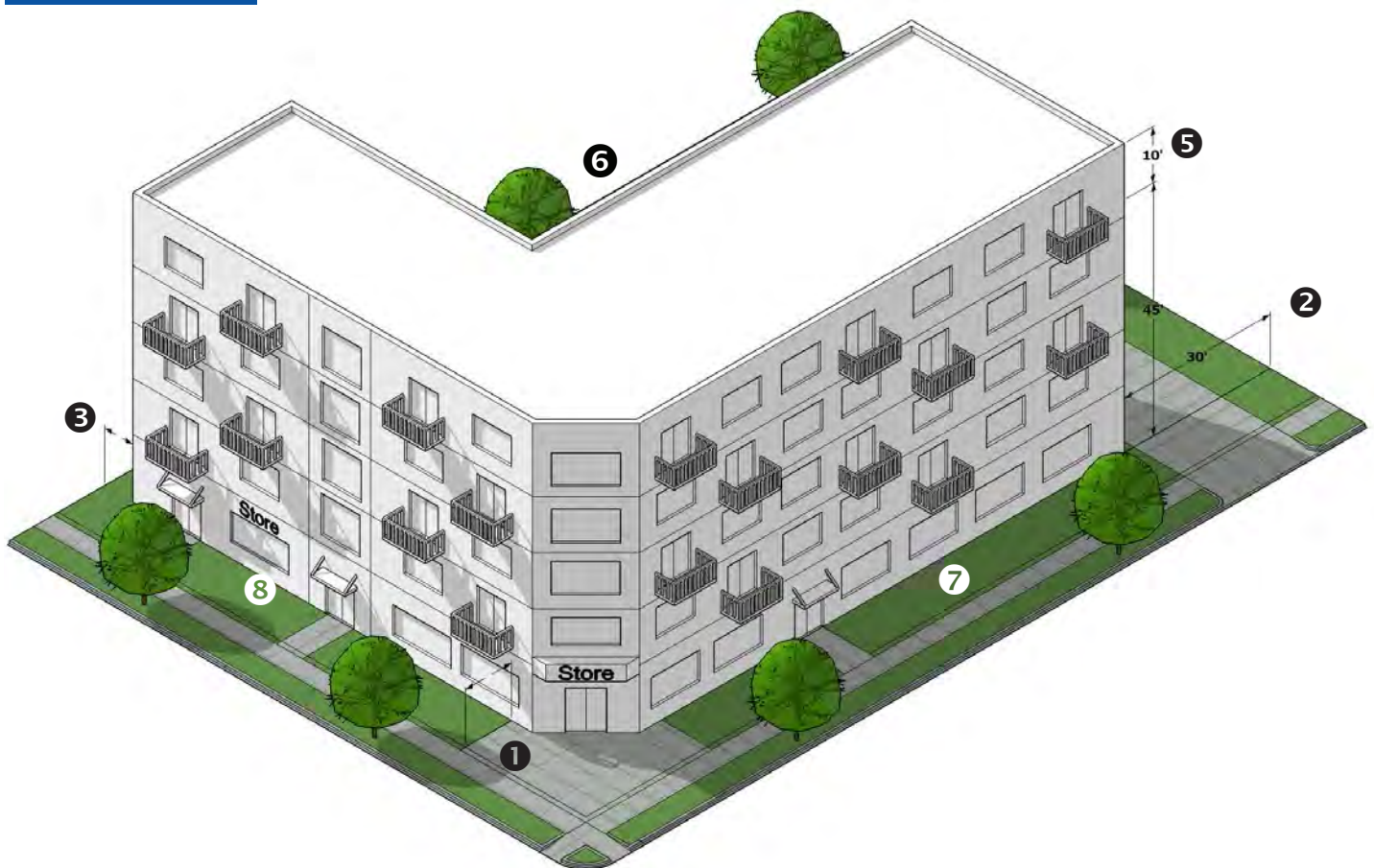
R-MU-45 Building Design Standards

1ST FLOOR VISIBILITY	FRONT ENTRANCE	1ST FLOOR DETAILING	MECHANICAL EQUIPMENT/ SERVICE AREAS	GROUND FLOOR ACTIVE USES
40% glass & non-reflective, allows 5' of visibility into building	1 entry that faces street, for every 75' of facade	No blank walls over 15' long	On roof or in rear yard, sited to minimize visibility or integrated into design	75% of ground floor facade must include residential or commercial uses

R-MU-45

RESIDENTIAL/ MIXED USE

DEVELOPMENT NOT NEXT TO SINGLE/ TWO-FAMILY RESIDENTIAL



Zoning Diagram of Mixed Use Building When Not Next to a Single/Two-Family Zone

R-MU-45 Development Standards (21A.24.168) For Multi-family Residential & Mixed Uses

LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	OPEN SPACE ⑦	MIXED USE LIMITATION ⑧
Min 25'	5,000 sq ft min	Min 5', Max 15'	25% of lot depth, need not exceed 30'	10' next to single- & two family residential zones	10' next to single- & two family residential zones	45' max + 10' with CBSD*	Located behind front line of the building	Min 20% of lot area, includes yards, plazas, balconies, courtyards	Non-residential use limited to 1 floor

*Additional height can be permitted through the Conditional Building and Site Design process, which requires the development meet a higher level of building and site standards. Additional height is not allowed when the development is next to a single or two-family residential zone.

R-MU-45 Building Design Standards

1ST FLOOR VISIBILITY	FRONT ENTRANCE	1ST FLOOR DETAILING	MECHANICAL EQUIPMENT/ SERVICE AREAS	GROUND FLOOR ACTIVE USES
40% glass & non-reflective, allows 5' of visibility into building	1 entry that faces street, for every 75' of facade	No blank walls over 15' long	On roof or in rear yard, sited to minimize visibility or integrated into design	75% of ground floor facade must include residential or commercial uses

ATTACHMENT C: ANALYSIS OF STANDARDS

As per section 21A.50.050, a decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard. In making a decision concerning a proposed text amendment, the City Council should consider the following:

Factor	Finding	Rationale
<p>1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;</p>	<p>The proposed amendment is consistent with the purposes, goals, objectives and policies of the city.</p>	<p>Providing a mix of uses and a pedestrian-friendly development environment help increase the housing stock, the mix of housing types and reduce the potential trip generation for daily needs and employment which in turn helps reduce degradation of air quality. These goals are priorities of both the Mayor and the City Council and are supported by all other applicable master plans.</p> <p>The city's Housing Plan calls for an increase in the housing supply throughout the city. Most of that new housing will be infill development. The plan calls for development that is mixed use and mixed income with designs that are contextually compatible with the surrounding structures and overall fabric of the neighborhood. Specifically the plan also calls for adding flexibility to the process and allowing for higher densities. The caveat being that added density should minimize any potential negative impacts. The proposal will further implement this plan by allowing additional density but minimizes negative impacts on surrounding properties with the requirement of oversized landscaped buffers, controlling the permitted height adjacent to low density residential uses, the addition of design regulations and controlling the location of parking areas.</p> <p>With the proposed changes these zoning districts can be utilized in areas of the city where the master plans desire mixed use development but there are concerns that building heights allowed in other existing mixed use</p>

		zoning districts would be inappropriate. Specifically, the newly adopted Westside Master Plan advocates for additional density in specific nodes but is clear that this density should not negatively impact the existing neighborhoods.
2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;	The proposed amendment furthers the specific purpose statements of the zoning ordinance.	The proposal provides needed flexibility in the R-MU-35 and R-MU-45 zoning districts which will promote mixed use neighborhoods that are appropriately scaled and pedestrian oriented. Because of existing barriers, this zoning district has been unable to be utilized to develop a neighborhood as has been described in the purpose statement. Additionally, both zones have built-in protections to provide appropriate buffering between new development and single-family and two-family zoning districts. This will fulfill the intent
3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards;	At this current time, this standard does not apply.	There are no overlay districts that would be impacted by these proposed zoning ordinances because the R-MU-45 zoning district is not currently applied to any parcels and the R-MU-35 parcels do not have any overlays applied to them. If either of these zones are applied to parcels that have an overlay zoning district applied to them, the regulations of that overlay district will still apply.
4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.	The proposed amendment is in keeping with the best and current professional practices of urban planning and design.	The proposed ordinances are intended to create a mixed use zone without density regulations which provides developers with flexibility in designing new development projects. At the same time it has built-in protections for abutting single-family and two-family zoning districts. It also implements design guidelines and allows projecting signs all of which are intended to make new development more pedestrian-oriented and visually appealing. All of these elements are in keeping with best and current professional practices of urban planning and

		design.
NOTES:		

ATTACHMENT D: PUBLIC PROCESS AND COMMENTS

Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project:

Open House:

Because this zoning text amendment impacts the entire city and not just a specific community council, an open house was held on August 21, 2014. All recognized community based organizations were notified of the open house. No comments were received during the open house.

Zoning text amendments require that both the Planning Commission and the City Council hold a public hearing giving the public further opportunities to voice their opinion. With this specific proposal no specific areas of the city have been identified for a change in zoning. At the time that these zoning districts are proposed to be utilized on a given property there will be an extensive public process allowing interested parties to voice their opinion.

Notice of the public hearing for the proposal included:

Public hearing notice published in the newspaper on November 25, 2014

Public hearing notice posted on November 25, 2014

Public notice posted on City and State websites and Planning Division list serve: November 25, 2014

Public Input:

No further comments were received.

ATTACHMENT E: DEPARTMENT REVIEW COMMENTS

Input was requested from all pertinent city divisions and departments. No comments were received from other city divisions/departments with regard to these proposed amendments.

ATTACHMENT F: MOTIONS

Potential Motions

Consistent with Staff Recommendation:

Based on the findings in the staff report, public input and discussion, I move to transmit a favorable recommendation to the City Council to adopt the proposed text amendments to the R-MU-35 and R-MU-45 Residential Mixed Use Districts and to the sign ordinance which would remove qualifying provisions for residential density, adjust required setbacks and lot width, add design requirements and allow projecting signs.

Not consistent with Staff Recommendations:

Based on the staff report information, public input and discussion and the following finding(s), I move that the Planning Commission transmit a negative recommendation to the City Council relating to amend the R-MU-35 and R-MU-45 Residential Mixed Use Districts and to the sign ordinance which would remove qualifying provisions for residential density, adjust required setbacks and lot width, add design requirements and allow projecting signs.

The Planning Commission shall make findings on the Zoning Text Amendment standards as listed below:

1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;
2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;
3. The extent to which a proposed map amendment will affect adjacent properties;
4. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
5. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.

4.C. JANUARY 28, 2015 PLANNING COMMISSION STAFF REPORT



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission
From: John Anderson, 801-535-7214 or john.anderson@slcgov.com
Date: January 28, 2015
Re: PLNPCM2014-00127

Zoning Text Amendment

PROPERTY ADDRESS: N/A

PARCEL ID: N/A

MASTER PLAN: N/A

ZONING DISTRICT: R-MU-35 and R-MU-45 Residential/Mixed Use Districts

REQUEST: The City Council formally requested that the Salt Lake City Planning Division analyze the R-MU-35 and R-MU-45 Residential/Mixed Use zoning districts and evaluate their efficiency and flexibility.

RECOMMENDATION: Based on the analysis and findings of this report, it is the opinion of staff that the proposed text amendments meet the intent of the City Council's direction, standards for a zoning ordinance amendment and staff recommends that the Planning Commission forward a favorable recommendation of petition PLNPCM2014-00127 to the City Council. Below is a proposed motion consistent with this recommendation:

Based on the information in the staff report and the discussion heard, I move that the Planning Commission forward a positive recommendation to the City Council regarding petition PLNPCM2014-00127, text changes to the R-MU-35 and R-MU-45 zoning districts.

ATTACHMENTS:

- A. Proposed Ordinance
- B. Open House Models
- C. Analysis of Standards
- D. Public Process and Comments
- E. Department Comments
- F. Motions

PROJECT DESCRIPTION:

In August 2012, the Salt Lake City Council made a motion to direct the administration to analyze the R-MU-35 and R-MU-45 zoning districts. The Council requested that the two zoning districts be amended to "include more up-to-date, flexible zoning development regulations." Further, it was understood that these zones would be employed in areas "where density is needed for new development or redevelopment but building height is an issue."

Only a few parcels within the city are zoned R-MU-35 and none are zoned R-MU-45. Part of the reason for this is because the density limitations currently in the zone have been considered barriers for redeveloping parcels

for the types of development the city desires. Because so few of the city's parcels are zoned either of these two zones, amending the language for each of the districts will create a negligible, if any, number of noncomplying lots. Making the proposed changes does increase the viability of the zoning districts to be used in various parts of the City, primarily at business nodes where current zoning is ineffective at implementing master plans.

UPDATE:

Following the December 10, 2014 Planning Commission Meeting, staff made changes to the proposed zoning text amendments in response to comments received. The commission raised concerns about structures potentially being constructed with tall, blank walls shadowing adjacent single family residences. To minimize the impact of taller structures when adjacent to low density residential development, staff has proposed additional language which would increase the side yard setback as the building grows in height. This would force buildings to begin stepping the wall of the structure away from the property line. This would occur after 25 feet in height in the R-MU-35 zoning district and 30 feet in height in the R-MU45 zoning district. The setback would be required to increase 1 foot for every 1 additional foot in height.

Further, in the R-MU-45 zoning district it is proposed that any portions of the building that is a street facing facade should step back at least 10 feet after a building reaches 30 feet in height. This requirement would ensure that taller buildings were not flat, blank walls and would create a positive architectural element along the streetscape.

When discussing the requirement for open space and which type of facilities was appropriate to be considered as open space it was mentioned by the commission that private balconies should not be considered. Staff agreed that they should not be counted and were removed from the allowable facilities considered as open space. As now proposed only public, shared areas would count towards meeting the requirement of 20% open space.

The section discussing parking standards for the zoning district was removed. After further research, it was noted that most of the content of that section was already specified in other areas of the zoning ordinance. The one standard that discussed the location of any parking structures on the property did include information not found elsewhere in the zoning ordinance. It was retained and moved to the design standards section of the proposed ordinance.

The design standards section was revised. The proposed revisions generally did not make significant changes to the intent of the standards previously listed but were modified to provide clarity or to use common language found in other sections of the Zoning Ordinance. The proposed changes are listed in detail below:

- Any proposed standard or requirement that was found to already exist elsewhere in the zoning ordinance was removed from the RMU-35 and/or the RMU-45 zoning district.
- The format of the standards was changed to organize the standards into groups of like items.
- Detail was added allowing for a process to request an exemption to the ground floor glass requirements in situations when the ground floor use is residential or if an existing building could not comply due to structural issues or the changes would damage the character of a historic structure.
- It was clarified that an entrance is required on each street facing elevation of a structure if located on a corner lot.
- Detail was added to the section that discusses the maximum length of blank walls. It now further defines what was meant by the term "architectural detailing".
- Previously, there was no requirement that specified exterior building materials. Staff believes that this is an important design tool and a list of permitted ground floor exterior building materials was added.
- The ground floor uses section was revised to further emphasize that parking is not a permitted use along a street facing façade of a structure.
- The final proposed change to this section was to allow for modifications to design standards through the Conditional Building and Site Design process. This has not been added to allow developers to find a way to avoid requirements listed in the design standards. It was added because staff believes that there may be unique situations that may require a modification of a portion of the required standards.

KEY ISSUES:

The sections being changed in the zoning ordinance as part of the amendment are 21A.24.164 “R-MU-35 Residential/Mixed Use District” and 21A.24.168 “R-MU-45 Residential/Mixed Use District”. There is also one change proposed in 21A.46.090.A Sign Regulations For Mixed Use and Commercial Uses. The same basic changes are being made to both zoning districts and they are detailed below in five groups: **density, setbacks, compatibility, design standards and signage.**

Issue 1: Density

Currently, R-MU-35 and R-MU-45 have the same qualifying provisions as the multi-family zoning districts: three units require 9,000 square feet and each additional unit until the twelfth requires 2,000 more square feet. 12-unit developments require 26,000 square feet and each additional unit requires 1,000 square feet. The proposed amendments would remove these qualifying provisions and multi-family development on existing lots would have no minimum area requirement while new lots would require 5,000 square feet in lot size. The density of a structure would now be based on meeting all zoning standards such as height, setbacks, lot coverage, off street parking, etc. This allows a more market based approach to zoning without changing the approval processes in the zoning district.

Other residential uses would also have decreased minimum area requirements. Three or more single-family attached dwellings would have no area minimum while single-family detached, two-family and twin homes would require only 2,500 square feet each. In all cases except for single-family attached and multi-family units, the minimum lot width would be reduced to 25 feet. Single-family attached would require 22 feet except corner lots which would require 32 feet. The required lot width for multi-family development would be decreased from 80 feet to 50 feet. The minimum lot area for single-family attached dwellings could less if the development meets specific qualifying provisions. These provisions force buildings to provide all parking including garages to the rear of the structures. This creates a safer environment for pedestrians as there will not be drive approaches for each dwelling unit.

Further, these proposed changes will help to implement the city’s approved Housing Plan. The plan calls for an increase in the housing supply throughout the city. Most of this will be achieved through infill development. The plan calls for development that is mixed use and mixed income with designs that are contextually compatible with the surrounding structures and overall fabric of the neighborhood. Specifically the plan also calls for adding flexibility to the process and allowing for higher densities. The caveat being that added density should minimize any potential negative impacts to existing neighborhoods.

These proposed changes to the R-MU-35 and R-MU-45 zoning districts will create a district that can achieve those goals and work to implement the Housing Plan by allowing for additional density but minimizing any potential negative impacts to surrounding neighborhoods with the requirement of oversized landscaped buffers, controlling the permitted height adjacent to low density residential uses, the addition of design standards and controlling the location of parking areas.

Issue 2: Setbacks

The changes for setbacks in the R-MU-35 and R-MU-45 zoning districts have in some cases been reduced and maximums have been added where they do not currently exist. This has been done to bring buildings closer to the street. The front yard setbacks for all types of structures are proposed to now be the same. This will create a similar development pattern along the streetscape and further improve the pedestrian experience. Other changes are proposed to further separate uses that may be less compatible such as multi-family housing adjacent to single-family housing.

For single-family detached units, the front and corner side yard setbacks have been revised to a minimum of five feet and a maximum of ten feet. This change reflects the development pattern that the zoning districts are intended to create.

For single family attached, two-family and twin home developments the required front and side yard setbacks have been changed to reflect other uses in the zoning district. It has also been clarified that in single-family attached, two-family and twin home dwellings that there is no side yard setback for shared or common walls but a four foot side yard is required in any other interior side yard.

For multi-family residential development, mixed use and nonresidential development, no interior side yard setbacks are required unless that yard abuts a single or two-family zoning district. In that case, a minimum ten foot setback is required for that yard. A minimum and maximum front yard setback has also been included.

Issue 3: Compatibility

The maximum building height for both zones has not changed for the R-MU-35 but has changed for the R-MU-45 district. In the R-MU-35 district, the maximum is 35 feet but the height can be increased to 45 feet through the conditional building and site design review process.

Currently, in the R-MU-45 zoning district, the maximum height is 45 feet but the height can be increased to 75 feet through the conditional building and site design review process. Because of concerns about incompatible height, it has been proposed to only allow the height to be increased to 55 feet through the conditional building and site design. This change was made because the City has other mixed use zoning districts that allow heights up to 75 feet, but lacks districts that allow a maximum of 4-5 story buildings. If a building up to 75' is appropriate, the property should be zoned to allow that height instead of trying to make a jump in building height of up to 3 stories when in close proximity to lower scale development.

An additional requirement has been added to help reduce the impact that building height has on low density neighborhoods. If the property in question abuts a single- or two-family zoning district, no height increase would be permitted beyond the 35 foot or 45 foot maximum, depending on the zone, through any city process. In other words, no additional height could be granted by the Conditional Building and Site Design process, the Planned Development process or as a special exception.

Issue 4: Design Standards

Design standards are not currently included in the R-MU-35 and R-MU-45 zoning districts. The goal of the proposed design standards is to ensure that new development in these zones fits the purpose of the zoning district. The proposed design standards are intended to promote pedestrian oriented development. The design standards include the following:

- A minimum requirement for first-floor glass on street-facing facades;
- Required building entrances for every seventy five feet of street-facing facade;
- A maximum allowable length for blank walls on the first floor;
- A requirement that all building and service areas be located within the building, on the roof or in the back yard; and
- Promote active uses on the ground floors of buildings by requiring that 50% of street facing facades have active residential or commercial uses.

Issue 5: Signage

Because the goal of these zoning districts is to create a walkable, pedestrian friendly development, it has been proposed to amend the current sign regulations to allow for projecting signs. Projecting signs are commonly referred to as blade signs. These signs are designed to draw attention specifically from pedestrians and not vehicles on the adjacent

street. The proposal utilizes the same standards for blade signs as what appears in the Sugar House Business District.

DISCUSSION:

The City Council has recommended that staff analyze a request to amend the R-MU-35 and 45 zoning districts to ensure that the existing zoning standards are not barriers for utilizing these districts as tools to create pedestrian friendly, mixed use neighborhoods which are described in master plan documents as desirable amenities for the city. These zoning districts were also created to be utilized as buffers between low density residential neighborhoods and more intense uses. Staff has found that the existing qualifying provisions for density are a barrier and should be removed. Further, staff has found that additional design and buffering requirements were also needed. These requirements will help to create neighborhoods that are walkable with a mixture of uses but that are also attractive and provide the necessary buffering between new development and low density residential uses.

The proposed changes do not change any of the review processes for new developments in the zoning district, but does restrict when the processes can be used. The Conditional Building and Site Design review process applies to projects seeking additional height, the conditional use process applies to specific land uses identified as a conditional use and the planned development process is an option for new developments. The proposal does limit when additional height can be approved by not allowing it when next to a single family or two family zoning district. Currently, the R-MU-35 and R-MU-45 allow addition height through the Conditional Building and Site Design Review process in all instances. This is the only process related change and it is more restrictive than what is currently allowed.

NEXT STEPS:

The Planning Commission's recommendation for these proposed zoning text amendments will be forwarded on to the City Council for their action. The City Council is the decision-making body for zoning text amendments.

ATTACHMENT A: PROPOSED ORDINANCE

21A.24.164: R-MU-35 RESIDENTIAL/MIXED USE DISTRICT

A. Purpose Statement: The purpose of the R-MU-35 residential/mixed use district is to provide areas within the city for mixed use development that promote residential urban neighborhoods containing residential, retail, service commercial and small scale office uses. ~~This district is appropriate in areas where the applicable master plan policies recommend mixed use with a residential density less than thirty (30) dwelling units per acre.~~ The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is pedestrian oriented. This zone is intended to provide a buffer for lower density residential uses and nearby collector, arterial streets and higher intensity land uses.

B. Uses: Uses in the R-MU-35 residential/mixed use district, as specified in section 21A.33.020, "Table Of Permitted And Conditional Uses For Residential Districts", of this chapter are permitted subject to the general provisions set forth in section 21A.24.010 of this chapter and this section.

C. Minimum Lot Area And Lot Width: The minimum lot areas and lot widths required in this district are as follows:

Land Use	Minimum Lot Area	Minimum Lot Width
Multi-family dwellings (3 to 11)	9,000 square feet⁴ <u>5,000 square feet for new lots.</u> <u>No minimum for existing lots</u>	80 feet <u>50 feet</u>
Multi-family dwellings (12 or more)	26,000 square feet⁴	80 feet
Municipal service uses, including city utility uses and police and fire stations	No minimum	No minimum
Natural open space and conservation areas, public and private	No minimum	No minimum
Nonresidential uses	No minimum	No minimum
Places of worship less than 4 acres in size	12,000 square feet	140 feet
Public pedestrian pathways, trails and greenways	No minimum	No minimum
Public/private utility transmission wires, lines, pipes and poles	No minimum	No minimum
Single-family attached dwellings (3 or more)	3,000 <u>2,500</u> square	Interior: 22

	feet per unit ¹	feet Corner: 32 feet
Single-family detached dwellings	5,000 square feet <u>2,500 square feet</u>	50 feet <u>25 feet</u>
Twin home dwellings	4,000 square feet per unit— <u>2,500 square feet per unit</u>	25 feet
Two-family dwellings	8,000 square feet <u>2,500 square feet</u>	50 feet <u>25 feet</u>
Utility substations and buildings	5,000 square feet	50 feet
Other permitted or conditional uses as listed in section 21A.24.190 of this chapter	5,000 square feet	50 feet

Qualifying provisions:

~~1. 9,000 square feet for 3 units, plus 2,000 square feet for each additional dwelling unit up to and including 11 dwelling units. 26,000 square feet for 12 units, plus 1,000 square feet for each additional dwelling unit up to 1 acre. For developments greater than 1 acre, 1,500 square feet for each dwelling unit is required.~~

~~A modification to the density regulations in this subsection may be granted as a conditional use, subject to conformance with the standards and procedures of chapter 21A.54, "Conditional Uses", of this title and supported by the applicable master plan. Such conditional uses shall also be subject to design review.~~

1. There is no minimum lot area required provided:

- a. Parking for units shall be rear loaded and accessed from a common drive shared by all units in a particular development;
- b. Driveway access shall connect to the public street in a maximum of 2 locations; and
- c. No garages shall face the primary street and front yard parking shall be strictly prohibited.

D. Minimum Yard Requirements:

1. Single-Family Detached Dwellings:

- a. Front yard: ~~Fifteen feet (15')~~ Minimum five feet (5'). Maximum ten feet (10').
- b. Corner side yard: ~~Ten feet (10')~~ Minimum five feet (5'). Maximum ten feet (10').
- c. Interior side yard:
 - (1) Corner lots: Four feet (4').
 - (2) Interior lots: Four feet (4') ~~on one side and ten feet (10') on the other.~~
- d. Rear yard: Twenty five percent (25%) of the lot depth, but need not be more than twenty feet (20').

2. Single-Family Attached, Two-Family And Twin Home Dwellings:

- a. Front yard: Minimum five feet (5'). Maximum ~~fifteen feet (15')~~ ten feet (10').
- b. Corner side yard: Minimum five feet (5'). Maximum ~~fifteen feet (15')~~ ten feet (10').

c. Interior side yard:

(1) Single-family attached: ~~No yard is required, however if one is provided it shall not be less than four feet (4').~~ Four feet (4') is required for any interior side yard that is not a common wall between properties.

(2) Two-family:

(A) Interior lot: Four feet (4'). ~~on one side and ten feet (10') on the other.~~

(B) Corner lot: Four feet (4').

(3) Twin home: No yard is required along ~~one side~~ the common lot line. A ~~ten foot (10')~~ four foot (4') yard is required on the other.

- d. Rear yard: Twenty five percent (25%) of lot depth or twenty five feet (25'), whichever is less.

3. Multi-Family Dwellings And Any Other Residential Uses:

- a. Front yard: ~~No setback is required.~~ Maximum fifteen feet (15').
- b. Corner side yard: ~~No setback is required.~~ Maximum fifteen feet (15').
- c. Interior side yard: ~~No setback is required.~~
- d. Rear yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').

4. 3. Nonresidential, Multi-Family Residential and Mixed Use Developments:

- a. Front yard: ~~No setback is required.~~ Minimum five feet (5'). Maximum fifteen feet (15').
- b. Corner side yard: ~~No setback is required.~~ Minimum five feet (5'). Maximum fifteen feet (15').
- c. Interior side yard: No setback is required unless an interior side yard abuts a single or two-family residential district. When a setback is required, a minimum ten foot (10') setback must be provided, and the minimum side yard setback shall be increased one foot (1') for every one foot (1') increase in height above twenty five feet (25'). Buildings may be stepped so taller portions of a building are farther away from the side property line. The horizontal measurement of the step shall be equal to the vertical measurement of the taller portion of the building.
- d. Rear yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').

~~5.~~ 4. Legal Lots: Lots legally existing on the effective date hereof, April 12, 1995, shall be considered legal conforming lots.

~~6. Landscaping: For multiple-unit residential uses, nonresidential and mixed uses, no yards or landscaped setbacks are required; however any setback provided, up to fifteen feet (15'), shall be landscaped. If parking is located in the front or corner side yard of the building, then a fifteen foot (15') landscaped setback is required.~~

~~7~~ 5. Required Yards For Legally Existing Buildings: For buildings legally existing on the effective date hereof, required yards shall be no greater than the established setback line.

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

1. Maximum height for nonresidential buildings: Twenty feet (20').

2. ~~Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: One floor.~~ Nonresidential uses are only permitted on the ground floor of any structure.

3. Nonresidential uses in Landmark Sites are exempt from the maximum height for nonresidential uses and the maximum floor area coverage limitations.

4. For any property abutting a single-family or two-family residential district, the maximum height is limited to thirty-five feet (35') and may not be increased through any process.

F. Minimum Open Space: For residential uses and mixed uses containing residential uses, not less than twenty percent (20%) of the lot area shall be maintained as open space. This open space may take the form of landscaped yards or plazas, ~~balconies~~ and courtyards, subject to site plan review approval.

~~G. Landscape Yards: All front and corner side yards provided, up to fifteen feet (15') in depth, shall be maintained as a landscape yard in conformance with chapter 21A.48, "Landscaping And Buffers", of this title.~~

~~H.~~ G. Landscape Buffers: Where a lot in the R-MU-35 district abuts a lot in a single-family or two-family residential district, landscape buffers shall be provided as required in chapter 21A.48, "Landscaping And Buffers", of this title.

H. Design Standards: These standards apply when constructing a new building, an addition of one thousand (1,000) square feet or more that extends a street facing building façade, additions that increase the height of an existing building or when specifically indicated below.

1. Minimum Ground Floor Glass: The ground floor elevation facing a street of all new buildings or buildings shall not have less than sixty percent (60%) glass surfaces between three (3) and eight feet (8') above grade. All ground floor glass shall be nonreflective and allow visibility into the building for a depth of at least five feet (5'). The planning director may approve a modification to ground floor glass requirements if the planning director finds:

(a) The requirement would negatively affect the historic character of an existing building, or

(b) The requirement would negatively affect the structural stability of an existing building.

(c) The ground level of the building is occupied by residential uses, in which case the sixty percent (60%) glass requirement may be reduced to forty percent (40%)

2. Ground Floor Uses: On the ground floor, a permitted or conditional use other than parking shall occupy at least seventy-five percent (75%) of the width of any street-facing building façade. All portions of such ground floor spaces shall extend a minimum of twenty five feet (25') into the building. Parking may be located behind these spaces.

3. Ground Floor Building Materials: Other than windows and doors, eighty percent (80%) of the remaining ground floor wall area shall be clad in durable materials. Durable materials include brick, masonry, textured or patterned concrete and/or cut stone. Other materials may be used as accent or trim provided they cover twenty percent (20%) or less of the ground floor adjacent to a street. Other materials may be approved at the discretion of the Planning Director if it is found that the proposed material is of a durable material and is appropriate for the ground floor of a structure.

4. Entrances: Provide at least one operable building entrance for every street facing façade. Additional operable building entrances shall be required for each seventy five feet (75') of street-facing building façade.

5. Maximum Length of Blank Walls: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the ground floor level along any street facing façade shall be fifteen feet (15'). Changes in plane, color, texture, materials, scale of materials, patterns, art, or other architectural detailing are acceptable methods to create variety and scale. This shall include architectural features such as bay windows, recessed entrances or windows, balconies, cornices, columns, or other similar architectural features. The architectural feature may be either recessed or project a minimum of twelve inches (12").

6. Building Equipment and Service Areas: All building equipment and service areas shall be located on the roof of the building or in the rear yard. These elements shall be sited to minimize their visibility and impact, or screened and enclosed as to appear to be an integral part of the architectural design of the building.

7. Parking Structures: Parking structures not attached to the principal building shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line or be located behind the primary structure.

8. Modifications to Design Standards: Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission.

21A.24.168: R-MU-45 RESIDENTIAL/MIXED USE DISTRICT:

A. Purpose Statement: The purpose of the R-MU-45 residential/mixed use district is to provide areas within the city for mixed use development that promotes residential urban neighborhoods containing residential, retail, service commercial and small scale office uses. ~~This district is appropriate in areas where the applicable master plan policies recommend mixed use with a~~

~~residential density less than forty four (44) dwelling units per acre.~~ The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is pedestrian oriented.

B. Uses: Uses in the R-MU-45 residential/mixed use district, as specified in section 21A.33.020, "Table Of Permitted And Conditional Uses For Residential Districts", of this chapter, are permitted subject to the general provisions set forth in section 21A.24.010 of this chapter and this section.

C. Minimum Lot Area And Lot Width: The minimum lot areas and lot widths required in this district are as follows:

Land Use	Minimum Lot Area	Minimum Lot Width
Multi-family dwellings (3 to 14)	9,000 square feet⁴ <u>5,000 square feet for new lots.</u> <u>No minimum for existing lots</u>	50 feet
Multi-family dwellings (15 or more)	20,000 square feet⁴	80 feet
Municipal service uses, including city utility uses and police and fire stations	No minimum	No minimum
Natural open space and conservation areas, public and private	No minimum	No minimum
Nonresidential uses	No minimum	No minimum
Places of worship less than 4 acres in size	5,000 square feet	50 feet
Public pedestrian pathways, trails and greenways	No minimum	No minimum
Public/private utility transmission wires, lines, pipes and poles	No minimum	No minimum
Single-family attached dwellings (3 or more)	3,000 <u>2,500</u> square feet per unit ⁴	Interior: 22 feet Corner: 32 feet
Single-family detached dwellings	4,000 square feet <u>2,500 square feet</u>	50 feet <u>25 feet</u>
Twin home dwellings	3,000 square feet per	20 feet

	unit <u>2,500 square feet per unit</u>	<u>25 feet</u>
Two-family dwellings	6,000 square feet <u>2,500 square feet</u>	40 feet <u>25 feet</u>
Utility substations and buildings	5,000 square feet	50 feet
Other permitted or conditional uses as listed in section <u>21A.24.190</u> of this chapter	5,000 square feet	50 feet

Qualifying provisions:

~~1. 9,000 square feet for 3 units, plus 1,000 square feet for each additional dwelling unit up to and including 14 dwelling units. 21,000 square feet for 15 units, plus 800 square feet for each additional dwelling unit up to 1 acre. For developments greater than 1 acre, 1,000 square feet for each dwelling unit is required.~~

~~A modification to the density regulations in this subsection may be granted as a conditional use, subject to conformance with the standards and procedures of chapter 21A.54, "Conditional Uses", of this title and supported by the applicable master plan. Such conditional uses shall also be subject to design review.~~

1. There is no minimum lot area required provided:

- a. Parking for units shall be rear loaded and accessed from a common drive shared by all units in a particular development;
- b. Driveway access shall connect to the public street in a maximum of 2 locations; and
- c. No garages shall face the primary street and front yard parking shall be strictly prohibited.

D. Minimum Yard Requirements:

1. Single-Family Detached Dwellings:

- a. Front yard: ~~Fifteen feet (15')~~ Minimum five feet (5'). Maximum ten feet (10').
- b. Corner side yard: ~~Ten feet (10')~~ Minimum five feet (5'). Maximum ten feet (10').
- c. Interior side yard:
 - (1) Corner lots: Four feet (4').
 - (2) Interior lots: Four feet (4') ~~on one side and ten feet (10') on the other.~~
- d. Rear yard: Twenty five percent (25%) of the lot depth, but need not be more than twenty feet (20').

2. Single-Family Attached, Two-Family And Twin Home Dwellings:

- a. Front yard: Minimum five feet (5'). Maximum ~~fifteen feet (15')~~ ten feet (10').
- b. Corner side yard: Minimum five feet (5'). Maximum ~~fifteen feet (15')~~ ten feet (10').
- c. Interior side yard:

(1) Single-family attached: ~~No yard is required, however if one is provided it shall not be less than four feet (4').~~ Four feet (4') is required for any interior side yard that is not a common wall between properties.

(2) Two-family:

(A) Interior lot: ~~Four feet (4'). on one side and ten feet (10') on the other.~~

(B) Corner lot: Four feet (4').

(3) Twin home: No yard is required along ~~one side~~ the common lot line. A ~~ten foot (10')~~ four foot (4') yard is required on the other.

d. Rear yard: Twenty five percent (25%) of lot depth or twenty five feet (25'), whichever is less.

3. Multi-Family Dwellings And Any Other Residential Uses:

a. Front yard: ~~No setback is required. Maximum fifteen feet (15').~~

b. Corner side yard: ~~No setback is required. Maximum fifteen feet (15').~~

c. Interior side yard: ~~No setback is required.~~

d. Rear yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').

4. 3. Nonresidential, Multi-Family Residential and Mixed Use Developments:

a. Front yard: ~~No setback is required. Minimum five feet (5').~~ Maximum fifteen feet (15').

b. Corner side yard: ~~No setback is required. Minimum five feet (5').~~ Maximum fifteen feet (15').

c. Interior side yard: No setback is required unless an interior side yard abuts a single or two-family residential district. When a setback is required, a minimum ten foot (10') setback must be provided, and the minimum side yard setback shall be increased one foot (1') for every one foot (1') increase in height above thirty feet (30'). Buildings may be stepped so taller portions of a building are farther away from the side property line. The horizontal measurement of the step shall be equal to the vertical measurement of the taller portion of the building.

d. Rear yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').

~~5. 4. Legal Lots:~~ Lots legally existing on the effective date hereof, April 12, 1995, shall be considered legal conforming lots.

~~6. Landscaping: For multiple-unit residential uses, nonresidential and mixed uses, no yards or landscaped setbacks are required; however any setback provided, up to fifteen feet (15'), shall be landscaped. If parking is located in the front or corner side yard of the building, then a fifteen foot (15') landscaped setback is required.~~

~~7. 5. Required Yards For Legally Existing Buildings:~~ For buildings legally existing on the effective date hereof, required yards shall be no greater than the established setback line.

E. Maximum Building Height: The maximum building height shall not exceed forty five feet (45'), except that nonresidential buildings and uses shall be limited by subsections E1 and E2 of this section. Buildings taller than forty five feet (45'), up to a maximum of ~~seventy~~ fifty five feet (75')

(55'), may be authorized through the conditional building and site design review process and provided, that the proposed height is supported by the applicable master plan.

1. Maximum height for nonresidential buildings: Twenty feet (20').
2. ~~Maximum floor area coverage of nonresidential uses in mixed use buildings of residential and nonresidential uses: One floor.~~ Nonresidential uses are only permitted on the ground floor of any structure.
3. Nonresidential uses in Landmark Sites are exempt from the maximum height for nonresidential uses and the maximum floor area coverage limitations.
4. For any property abutting a single-family or two-family residential district, the maximum height is limited to forty-five feet (45') and may not be increased through any process.

F. Minimum Open Space: For residential uses and mixed uses containing residential uses, not less than twenty percent (20%) of the lot area shall be maintained as open space. This open space may take the form of landscaped yards or plazas, ~~balconies~~ and courtyards, subject to site plan review approval.

~~G. Landscape Yards: All front and corner side yards provided, up to fifteen feet (15') in depth, shall be maintained as a landscape yard in conformance with chapter 21A.48, "Landscaping And Buffers", of this title.~~

~~H. G. Landscape Buffers:~~ Where a lot in the R-MU-45 district abuts a lot in a single-family or two-family residential district, landscape buffers shall be provided as required in chapter 21A.48, "Landscaping And Buffers", of this title.

H. Design Standards: These standards apply when constructing a new building, an addition of one thousand (1,000) square feet or more that extends a street facing building façade, additions that increase the height of an existing building or when specifically indicated below.

1. Minimum Ground Floor Glass: The ground floor elevation facing a street of all new buildings shall not have less than sixty percent (60%) glass surfaces between three (3) and eight feet (8') above grade. All ground floor glass shall be nonreflective and allow visibility into the building for a depth of at least five feet (5'). The planning director may approve a modification to ground floor glass requirements if the planning director finds:
 - (a) The requirement would negatively affect the historic character of an existing building, or
 - (b) The requirement would negatively affect the structural stability of an existing building.
 - (c) The ground level of the building is occupied by residential uses, in which case the sixty percent (60%) glass requirement may be reduced to forty percent (40%)
2. Ground Floor Uses: On the ground floor, a permitted or conditional use other than parking shall occupy at least seventy-five percent (75%) of the width of any street-facing building façade. All portions of such ground floor spaces shall extend a minimum of twenty five feet (25') into the building. Parking may be located behind these spaces.

3. Ground Floor Building Materials: Other than windows and doors, eighty percent (80%) of the remaining ground floor wall area shall be clad in durable materials. Durable materials include brick, masonry, textured or patterned concrete and/or cut stone. Other materials may be used as accent or trim provided they cover twenty percent (20%) or less of the ground floor adjacent to a street. Other materials may be approved at the discretion of the Planning Director if it is found that the proposed material is of a durable material and is appropriate for the ground floor of a structure.
4. Entrances: Provide at least one operable building entrance for every street facing façade. Additional operable building entrances shall be required for each seventy five feet (75') of street-facing building facade.
5. Maximum Length of Blank Walls: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the ground floor level along any street facing façade shall be fifteen feet (15'). Changes in plane, color, texture, materials, scale of materials, patterns, art, or other architectural detailing are acceptable methods to create variety and scale. This shall include architectural features such as bay windows, recessed entrances or windows, balconies, cornices, columns, or other similar architectural features. The architectural feature may be either recessed or project a minimum of twelve inches (12").
6. Building Equipment and Service Areas: All building equipment and service areas shall be located on the roof of the building or in the rear yard. These elements shall be sited to minimize their visibility and impact, or screened and enclosed as to appear to be an integral part of the architectural design of the building.
6. Stepback Requirement: Floors rising above thirty feet (30') in height shall be stepped back ten (10') horizontal feet from the building foundation at grade, in those areas abutting a single or two-family residential district and/or public street.
7. Parking Structures: Parking structures not attached to the principal building shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line or be located behind the primary structure.
8. Modifications to Design Standards: Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission.

21A.46.090.A Sign Regulations For The R-MU-35, R-MU-45, R-MU, MU, SNB, CN And CB Districts:

1. Purpose: Signage in the R-MU-35, R-MU-45, R-MU, MU, SNB, CN and CB districts should be appropriate for small scale commercial uses and business districts. These districts are located in proximity to residential areas or, in the case of the R-MU-35, R-MU-45, R-MU and MU districts, contain a residential/commercial mix of uses. The sign regulations for these districts are intended to permit signage that is appropriate for small scale commercial uses and business districts, with minimum impacts on nearby residential uses.
2. Applicability: Regulations in subsections A3, A4 and A5 of this section, respectively, shall apply to all uses within the R-MU-35, R-MU-45, R-MU, MU, CN and CB districts.

3. Sign Type, Size And Height Standards For The R-MU-35, R-MU-45, R-MU And MU Districts:

STANDARDS FOR THE R-MU-35, R-MU-45, R-MU AND MU DISTRICTS

Types Of Signs Permitted	Maximum Area Per Sign Face	Maximum Height Of Freestanding Signs¹	Minimum Setback²	Number Of Signs Permitted Per Sign Type	Limit On Combined Number Of Signs⁴
Awning sign/ canopy sign	1 square foot per linear foot of storefront; building total not to exceed 40 square feet (sign area only)	See note 1	May extend 6 feet from face of building 2 feet from back of curb ⁶	1 per first floor door/window	None
Canopy, drive-through	40% of canopy face if signage is on 2 faces. 20% of canopy face if signs are on 4 faces	See note 1	n/a	1 per canopy face	None
Construction sign	32 square feet	8 feet	5 feet	1 per street frontage	None
Flat sign (general building orientation) ⁸	1 square foot per linear foot of building frontage ⁵	See note 1	n/a	1 sign per building frontage	None
Flat sign (storefront orientation) ^{7,8}	1 square foot per linear foot of store frontage ⁵	See note 1	n/a	1 per business or storefront	None

Garage/yard sale sign	6 square feet	4 feet	5 feet	1 per street frontage	None
Monument and pole signs:					
Monument sign ³	100 square feet	12 feet	5 feet	1 per street frontage	1 sign per street frontage
Pole sign (1 acre minimum)	75 square feet	25 feet	15 feet and a 6 foot maximum projection	1 per street frontage	
Nameplate	2 square feet	See note 1	n/a	1 per building entry	None
New development sign	80 square feet	10 feet	5 feet	1 per street frontage	None
Political sign	16 square feet	6 feet	5 feet	No limit	None
Private directional sign	8 square feet	4 feet	5 feet	No limit	None
<u>Projecting business storefront sign</u>	<u>6 square feet per sign side, total of 12 square feet.</u>	<u>See note 1.</u>	<u>May extend 4 feet from face of the building and 2 feet from back of curb. A minimum height of 10 feet above the sidewalk shall be maintained. See note 9.</u>	<u>1 per leasable space. All signs shall be located within the tenant's leasable space</u>	<u>None</u>
Public safety sign	8 square feet	6 feet	5 feet	No limit	None
Real estate	16 square	6 feet	5 feet	1 per street	None

sign	feet			frontage	
Window sign	25% of window area of each use	See note 1	n/a	No limit	None

Notes:

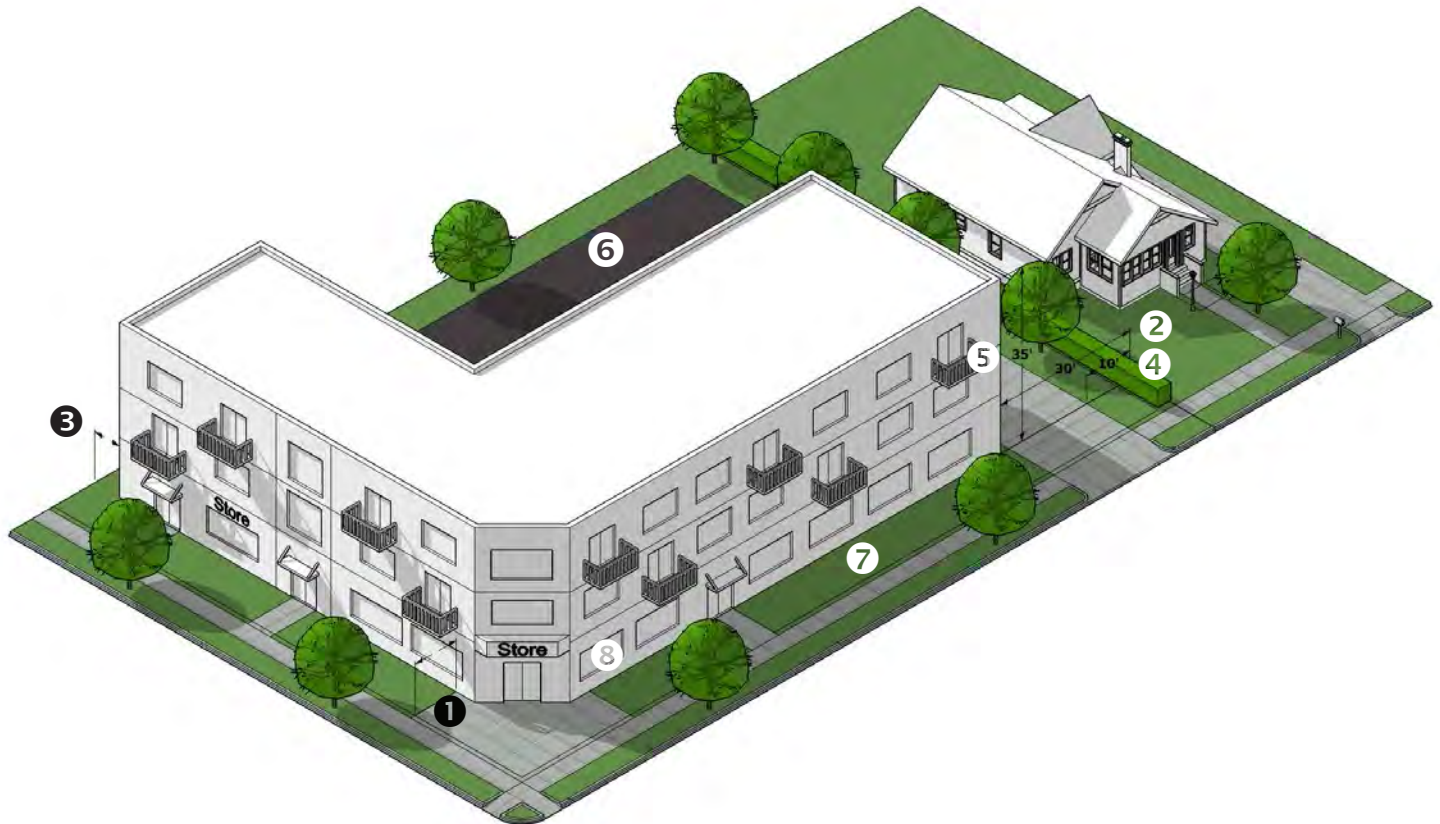
- 1.For height limits on building signs, see subsection [21A.46.070J](#) of this chapter.
- 2.Not applicable to temporary signs mounted as flat signs.
- 3.Monument signs shall have a 5 foot setback, unless integrated into the fence structure. Height requirements for fence apply.
- 4.The total number of signs permitted from the sign types combined.
- 5.A single-tenant building may combine the square footage total of both the storefront orientation and the general building orientation flat signs to construct 1 larger sign.
- 6.Public property lease and insurance required for projection over property line.
- 7.Storefront flat signs limited to locations on the lower 2 floors.
- 8.Backlit awnings excluded.
9. Public property lease and insurance required for projection over property line.

ATTACHMENT B: OPEN HOUSE MODELS

R-MU-35

RESIDENTIAL/ MIXED USE

DEVELOPMENT NEXT TO SINGLE/ TWO-FAMILY ZONES



Zoning Diagram of Mixed Use Building When Next to a Single/Two-Family Zone

R-MU-35 Development Standards (21A.24.164) For Multi-family Residential & Mixed Uses

LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	OPEN SPACE ⑦	MIXED USE LIMITATION ⑧
Min 25'	5,000 sq ft min	Min 5', Max 15'	25% of lot depth, need not exceed 30'	10' next to single- & two family residential zones	10' next to single- & two family residential zones	35' max + 10' with CBSD*	Located behind front line of the building	Min 20% of lot area, includes yards, plazas, balconies, courtyards	Non-residential use limited to 1 floor

*Additional height is not allowed when the development is next to a single or two-family residential zone.

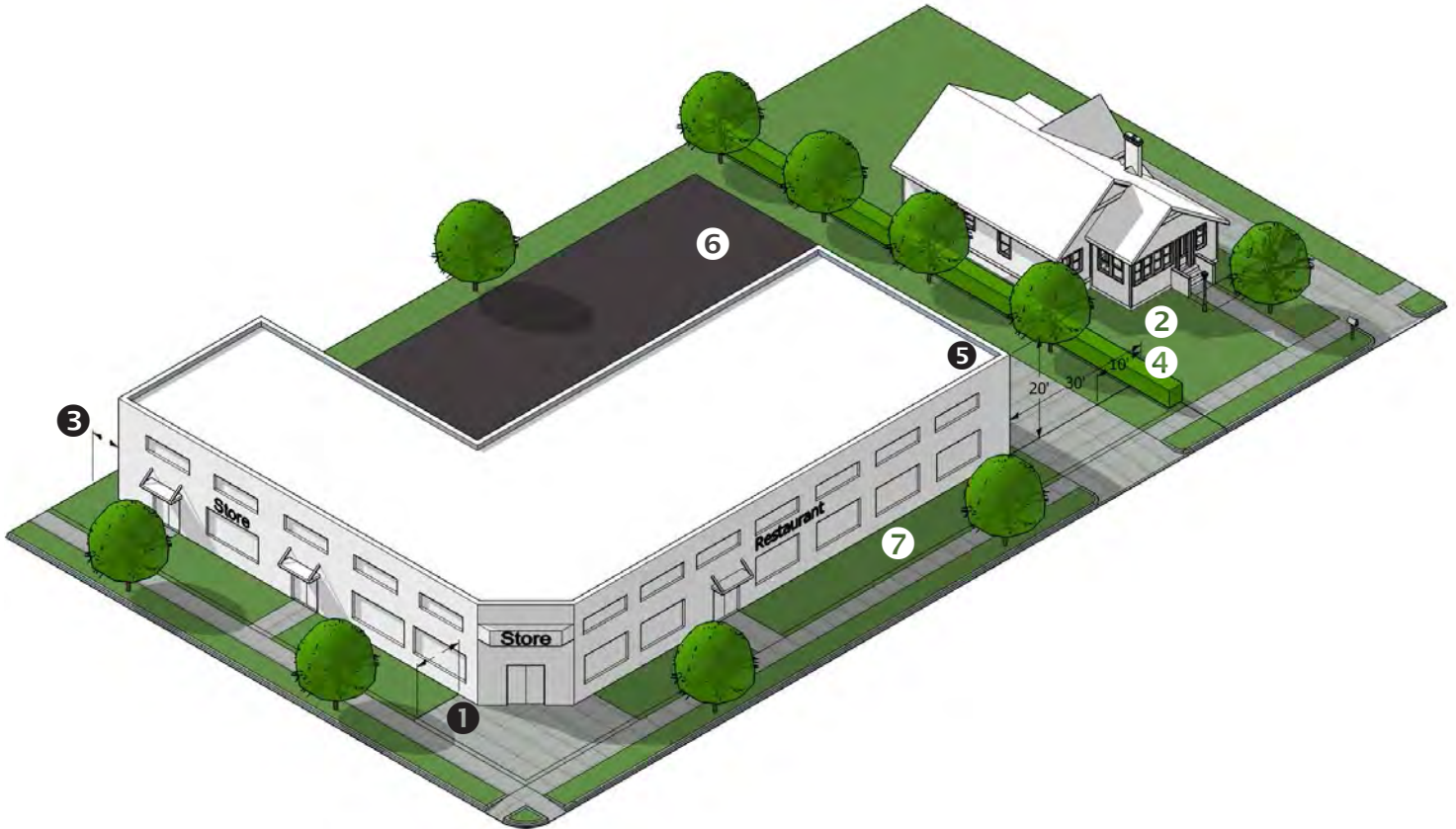
R-MU-35 Building Design Standards

1ST FLOOR VISIBILITY	FRONT ENTRANCE	1ST FLOOR DETAILING	MECHANICAL EQUIPMENT/ SERVICE AREAS	GROUND FLOOR ACTIVE USES
40% glass & non-reflective, allows 5' of visibility into building	1 entry that faces street, for every 75' of facade	No blank walls over 15' long	On roof or in rear yard, sited to minimize visibility or integrated into design	75% of ground floor facade must include residential or commercial uses

R-MU-35

RESIDENTIAL/
MIXED USE

DEVELOPMENT NEXT TO SINGLE/
TWO-FAMILY ZONES



Zoning Diagram of Commercial Building When Next to a Single/Two-Family Zone

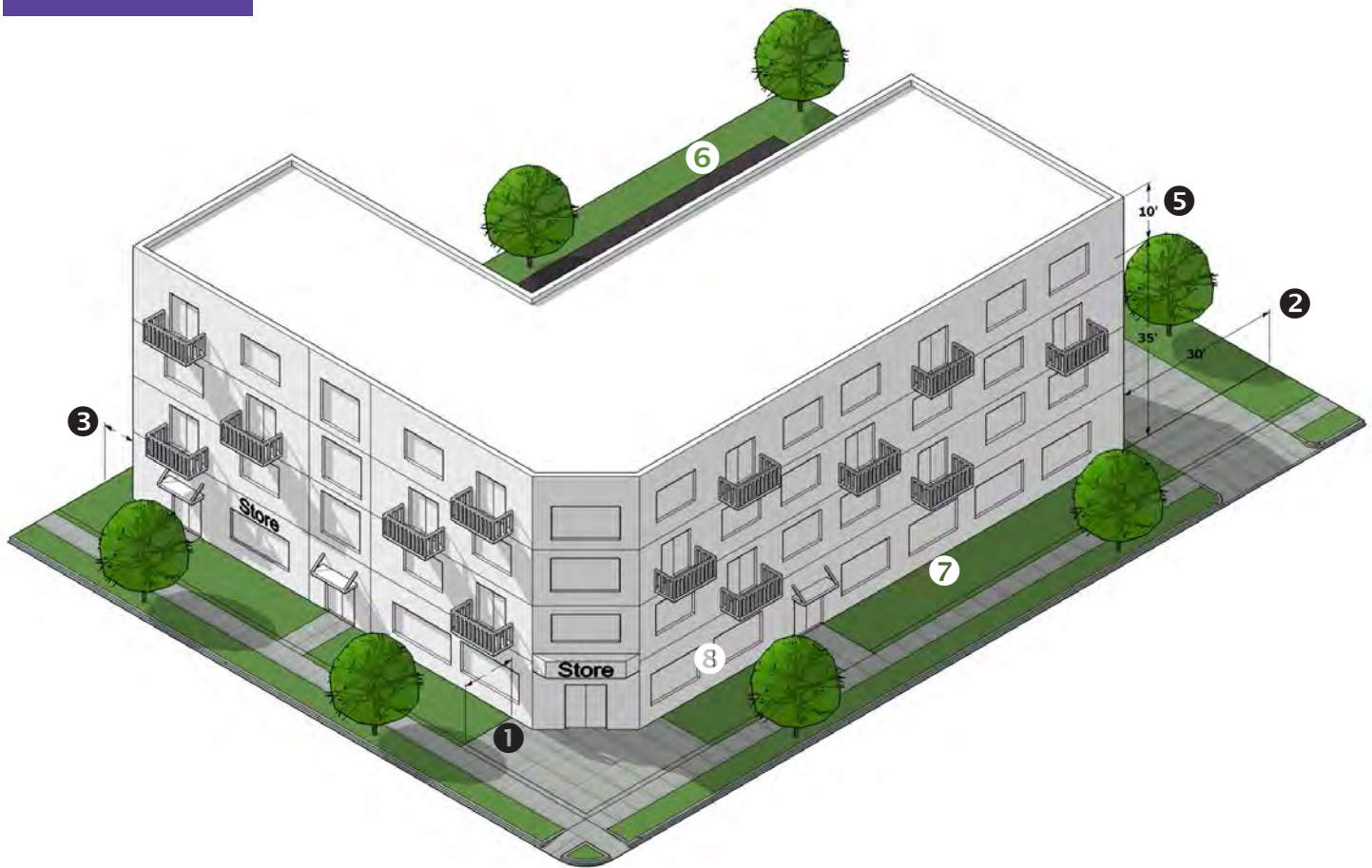
R-MU-35 Development Standards (21A.24.164) For Commercial Uses (No Residential Component)								
LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	OPEN SPACE ⑦
No min	No min or max	0', max. 15'	25% of lot depth, need not exceed 30'	10' next to single- & two family residential zones	10' required next to single- & two-residential zones	20' max	Located behind front line of the building	Min 20% of lot area, includes yards, plazas, balconies, courtyards

R-MU-35 Building Design Standards			
1ST FLOOR VISIBILITY	FRONT ENTRANCE	1ST FLOOR DETAILING	MECHANICAL EQUIPMENT/SERVICE AREAS
40% glass & non-reflective, allows 5' of visibility into building	1 entry that faces street, for every 75' of facade	No blank walls over 15' long	On roof or in rear yard, sited to minize visibility or integrated into design

R-MU-35

RESIDENTIAL/ MIXED USE

DEVELOPMENT NOT NEXT TO SINGLE/ TWO-FAMILY RESIDENTIAL



Zoning Diagram of Mixed Use Building When Not Next to a Single/Two-Family Zone

R-MU-35 Development Standards (21A.24.164) For Multi-family Residential & Mixed Uses

LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	OPEN SPACE ⑦	MIXED USE LIMITATION ⑧
Min 25'	5,000 sq ft min	Min 5', Max 15'	25% of lot depth, need not exceed 30'	10' next to single- & two family residential zones	10' next to single- & two family residential zones	35' max + 10' with CBSD*	Located behind front line of the building	Min 20% of lot area, includes yards, plazas, balconies, courtyards	Non-residential use limited to 1st floor

*Additional height can be permitted through the Conditional Building and Site Design process, which requires the development meet a higher level of building and site standards. This additional height is only allowed when development is not next to property zoned single or two-family residential.

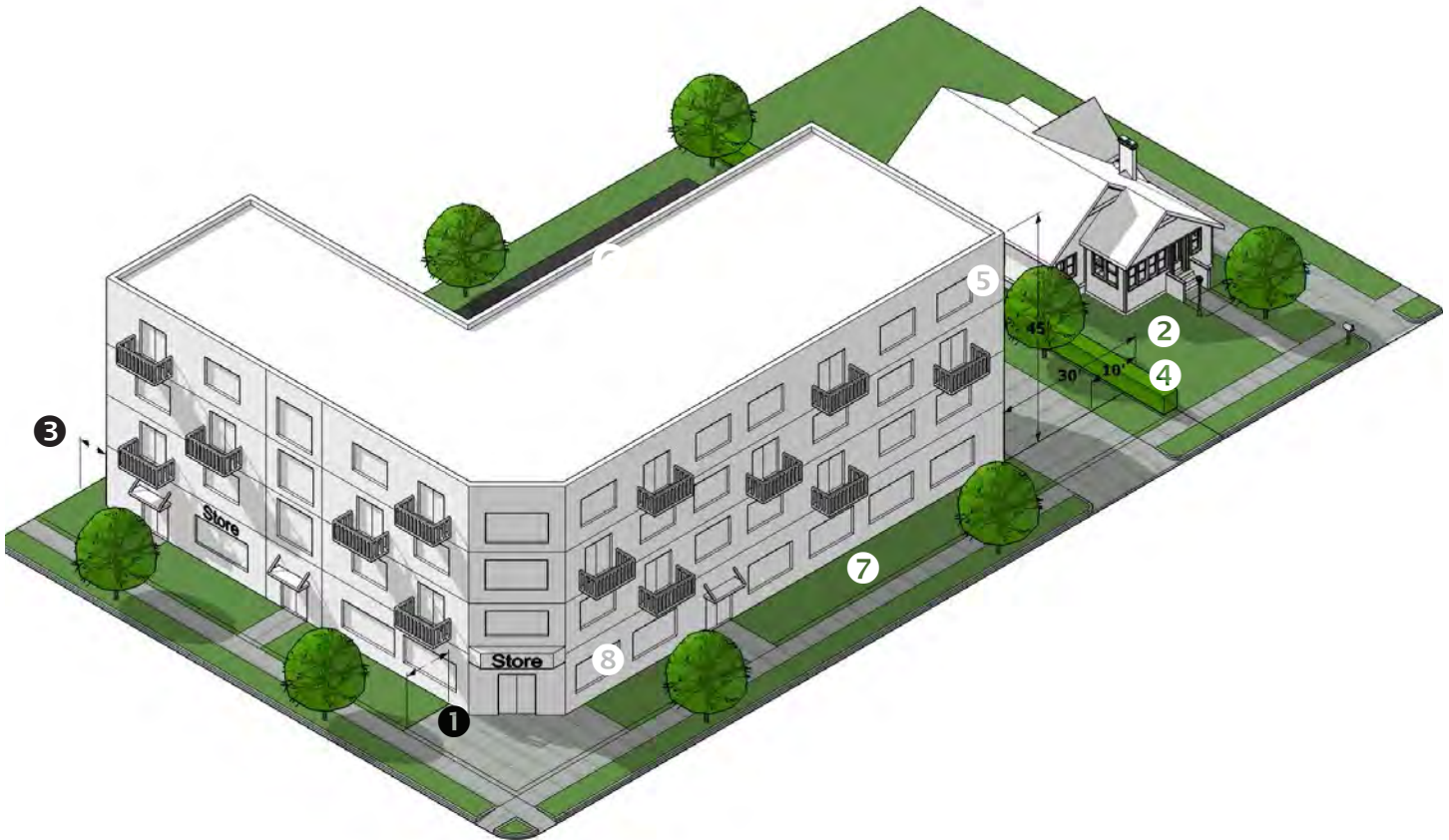
R-MU-35 Building Design Standards

1ST FLOOR VISIBILITY	FRONT ENTRANCE	1ST FLOOR DETAILING	MECHANICAL EQUIPMENT/ SERVICE AREAS	GROUND FLOOR ACTIVE USES
40% glass & non-reflective, allows 5' of visibility into building	1 entry that faces street, for every 75' of facade	No blank walls over 15' long	On roof or in rear yard, sited to minimize visibility or integrated into design	75% of ground floor facade must include residential or commercial uses

R-MU-45

RESIDENTIAL/ MIXED USE

DEVELOPMENT NEXT TO SINGLE/ TWO-FAMILY RESIDENTIAL



Zoning Diagram of Mixed Use Building When Next to a Single/Two-Family Residential Zone

R-MU-45 Development Standards (21A.24.168) For Multi-family Residential & Mixed Uses

LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	OPEN SPACE ⑦	MIXED USE LIMITATION ⑧
Min 25'	5,000 sq ft min	Min 5', Max 15'	25% of lot depth, need not exceed 30'	10' next to single- & two family residential zones	10' next to single- & two family residential zones	45' max + 10' with CBSD*	Located behind front line of the building	Min 20% of lot area, includes yards, plazas, balconies, courtyards	Non-residential use limited to 1 floor

*Additional height is not allowed when the development is next to a single or two-family residential zone.

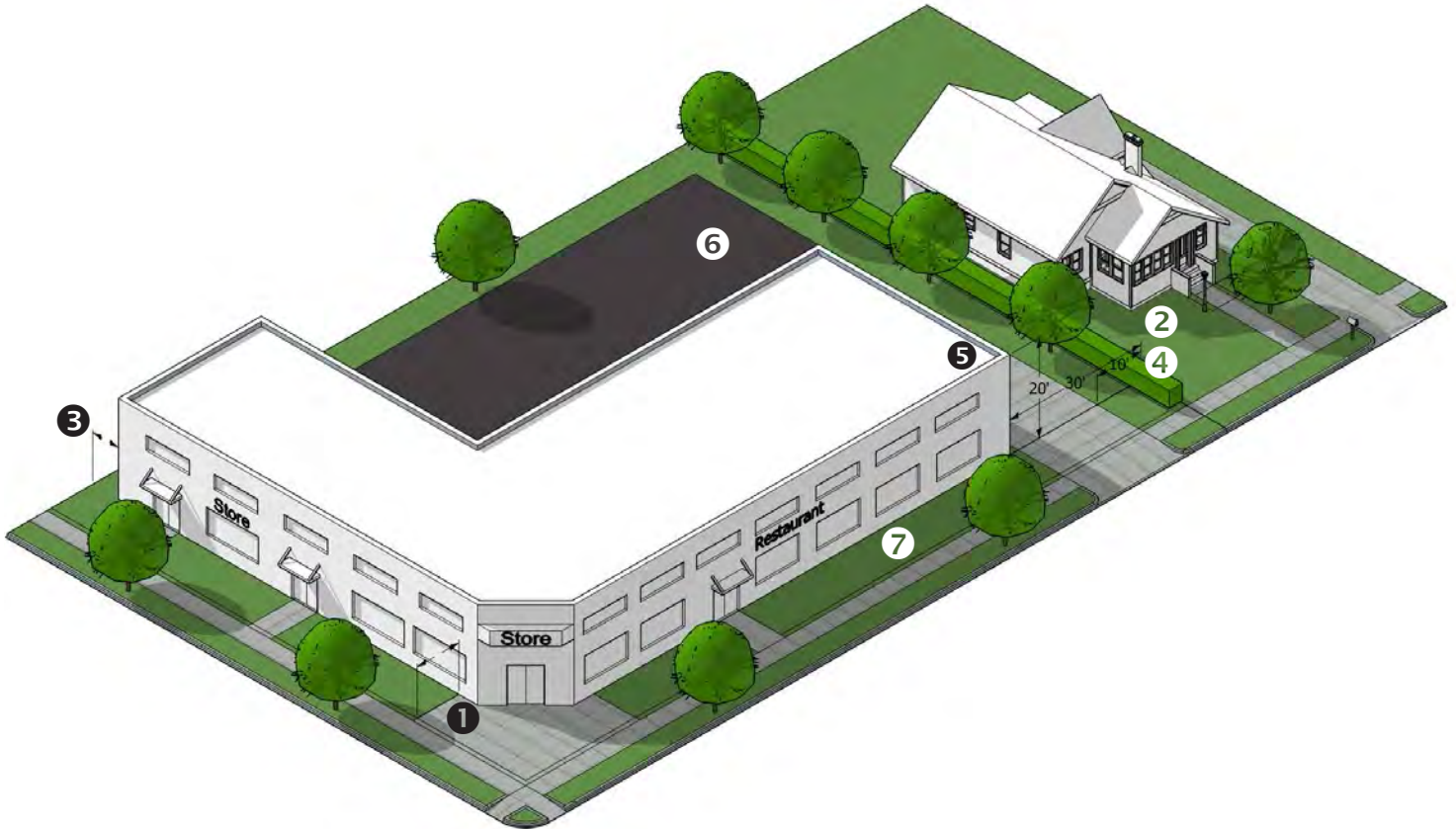
R-MU-45 Building Design Standards

1ST FLOOR VISIBILITY	FRONT ENTRANCE	1ST FLOOR DETAILING	MECHANICAL EQUIPMENT/ SERVICE AREAS	GROUND FLOOR ACTIVE USES
40% glass & non-reflective, allows 5' of visibility into building	1 entry that faces street, for every 75' of facade	No blank walls over 15' long	On roof or in rear yard, sited to minimize visibility or integrated into design	75% of ground floor facade must include residential or commercial uses

R-MU-45

RESIDENTIAL/ MIXED USE

DEVELOPMENT NEXT TO SINGLE/ TWO-FAMILY RESIDENTIAL



Zoning Diagram of Commercial Building When Next to a Single/Two-Family Residential Zone

R-MU-45 Development Standards (21A.24.168) For Commercial Uses (No Residential Component)

LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	OPEN SPACE ⑦
No min	No min or max	Min 5', Max 15'	25% of lot depth, need not exceed 30'	10' next to single- & two family residential zones	10' required next to single- & two-residential zones	20' max	Located behind front line of the building	Min. 20% of lot area, includes yards, plazas, balconies, courtyards

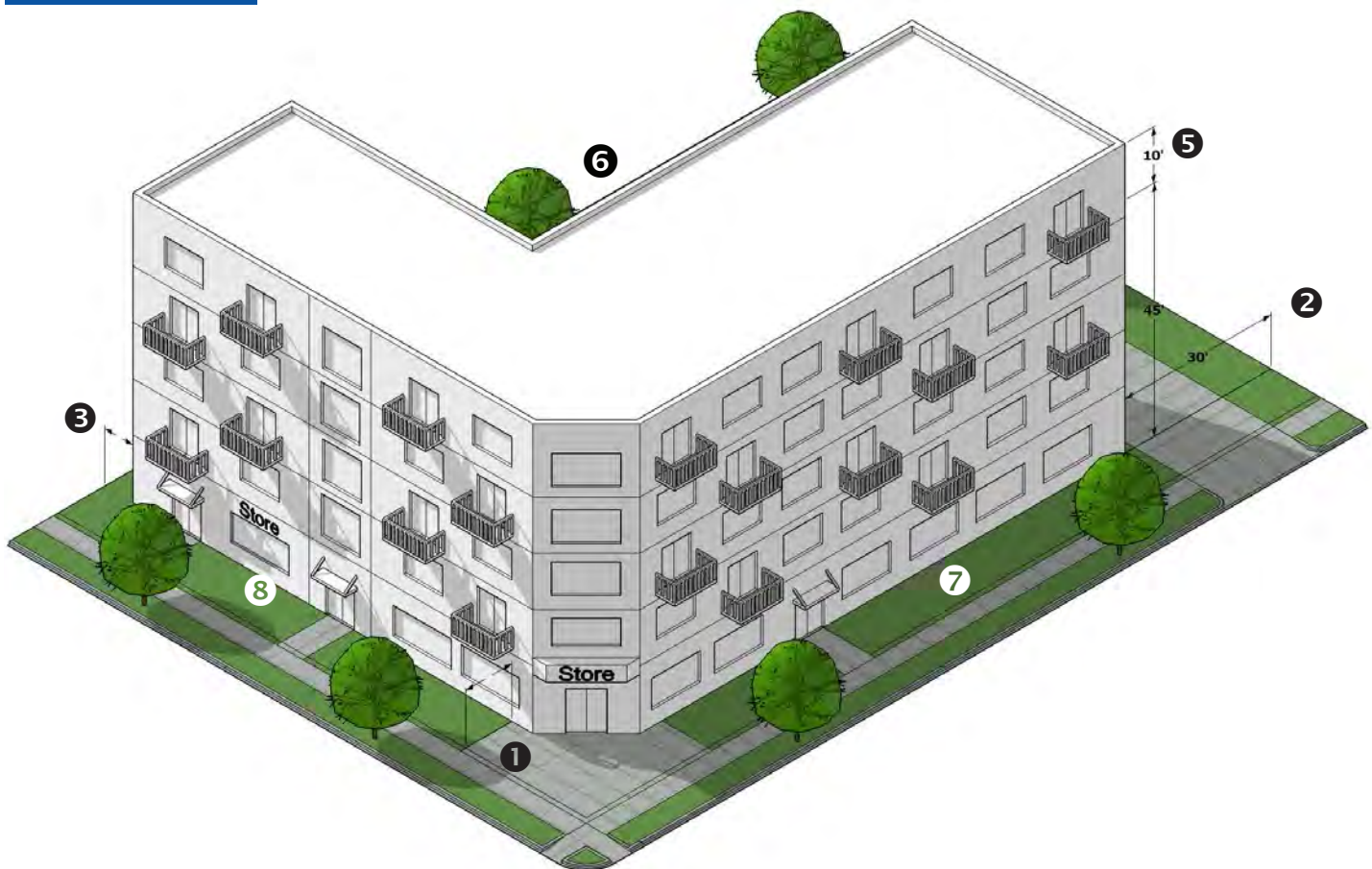
R-MU-45 Building Design Standards

1ST FLOOR VISIBILITY	FRONT ENTRANCE	1ST FLOOR DETAILING	MECHANICAL EQUIPMENT/ SERVICE AREAS	GROUND FLOOR ACTIVE USES
40% glass & non-reflective, allows 5' of visibility into building	1 entry that faces street, for every 75' of facade	No blank walls over 15' long	On roof or in rear yard, sited to minimize visibility or integrated into design	75% of ground floor facade must include residential or commercial uses

R-MU-45

RESIDENTIAL/ MIXED USE

DEVELOPMENT NOT NEXT TO SINGLE/ TWO-FAMILY RESIDENTIAL



Zoning Diagram of Mixed Use Building When Not Next to a Single/Two-Family Zone

R-MU-45 Development Standards (21A.24.168) For Multi-family Residential & Mixed Uses

LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	OPEN SPACE ⑦	MIXED USE LIMITATION ⑧
Min 25'	5,000 sq ft min	Min 5', Max 15'	25% of lot depth, need not exceed 30'	10' next to single- & two family residential zones	10' next to single- & two family residential zones	45' max + 10' with CBSD*	Located behind front line of the building	Min 20% of lot area, includes yards, plazas, balconies, courtyards	Non-residential use limited to 1 floor

*Additional height can be permitted through the Conditional Building and Site Design process, which requires the development meet a higher level of building and site standards. Additional height is not allowed when the development is next to a single or two-family residential zone.

R-MU-45 Building Design Standards

1ST FLOOR VISIBILITY	FRONT ENTRANCE	1ST FLOOR DETAILING	MECHANICAL EQUIPMENT/ SERVICE AREAS	GROUND FLOOR ACTIVE USES
40% glass & non-reflective, allows 5' of visibility into building	1 entry that faces street, for every 75' of facade	No blank walls over 15' long	On roof or in rear yard, sited to minimize visibility or integrated into design	75% of ground floor facade must include residential or commercial uses

ATTACHMENT C: ANALYSIS OF STANDARDS

As per section 21A.50.050, a decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard. In making a decision concerning a proposed text amendment, the City Council should consider the following:

Factor	Finding	Rationale
<p>1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;</p>	<p>The proposed amendment is consistent with the purposes, goals, objectives and policies of the city.</p>	<p>Providing a mix of uses and a pedestrian-friendly development environment help increase the housing stock, the mix of housing types and reduce the potential trip generation for daily needs and employment which in turn helps reduce degradation of air quality. These goals are priorities of both the Mayor and the City Council and are supported by all other applicable master plans.</p> <p>The city's Housing Plan calls for an increase in the housing supply throughout the city. Most of that new housing will be infill development. The plan calls for development that is mixed use and mixed income with designs that are contextually compatible with the surrounding structures and overall fabric of the neighborhood. Specifically the plan also calls for adding flexibility to the process and allowing for higher densities. The caveat being that added density should minimize any potential negative impacts. The proposal will further implement this plan by allowing additional density but minimizes negative impacts on surrounding properties with the requirement of oversized landscaped buffers, controlling the permitted height adjacent to low density residential uses, the addition of design regulations and controlling the location of parking areas.</p> <p>With the proposed changes these zoning districts can be utilized in areas of the city where the master plans desire mixed use development but there are concerns that building heights allowed in other existing mixed use</p>

		zoning districts would be inappropriate. Specifically, the newly adopted Westside Master Plan advocates for additional density in specific nodes but is clear that this density should not negatively impact the existing neighborhoods.
2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;	The proposed amendment furthers the specific purpose statements of the zoning ordinance.	The proposal provides needed flexibility in the R-MU-35 and R-MU-45 zoning districts which will promote mixed use neighborhoods that are appropriately scaled and pedestrian oriented. Because of existing barriers, this zoning district has been unable to be utilized to develop a neighborhood as has been described in the purpose statement. Additionally, both zones have built-in protections to provide appropriate buffering between new development and single-family and two-family zoning districts. This will fulfill the intent
3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards;	At this current time, this standard does not apply.	There are no overlay districts that would be impacted by these proposed zoning ordinances because the R-MU-45 zoning district is not currently applied to any parcels and the R-MU-35 parcels do not have any overlays applied to them. If either of these zones are applied to parcels that have an overlay zoning district applied to them, the regulations of that overlay district will still apply.
4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.	The proposed amendment is in keeping with the best and current professional practices of urban planning and design.	The proposed ordinances are intended to create a mixed use zone without density regulations which provides developers with flexibility in designing new development projects. At the same time it has built-in protections for abutting single-family and two-family zoning districts. It also implements design guidelines and allows projecting signs all of which are intended to make new development more pedestrian-oriented and visually appealing. All of these elements are in keeping with best and current professional practices of urban planning and

		design.
NOTES:		

ATTACHMENT D: PUBLIC PROCESS AND COMMENTS

Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project:

Open House:

Because this zoning text amendment impacts the entire city and not just a specific community council, an open house was held on August 21, 2014. All recognized community based organizations were notified of the open house. No comments were received during the open house.

Zoning text amendments require that both the Planning Commission and the City Council hold a public hearing giving the public further opportunities to voice their opinion. With this specific proposal no specific areas of the city have been identified for a change in zoning. At the time that these zoning districts are proposed to be utilized on a given property there will be an extensive public process allowing interested parties to voice their opinion.

Notice of the public hearing for the proposal included:

Public hearing notice published in the newspaper on November 25, 2014

Public hearing notice posted on November 25, 2014

Public notice posted on City and State websites and Planning Division list serve: November 25, 2014

Public Input:

No further comments were received.

ATTACHMENT E: DEPARTMENT REVIEW COMMENTS

Input was requested from all pertinent city divisions and departments. No comments were received from other city divisions/departments with regard to these proposed amendments.

ATTACHMENT F: MOTIONS

Potential Motions

Consistent with Staff Recommendation:

Based on the findings in the staff report, public input and discussion, I move to transmit a favorable recommendation to the City Council to adopt the proposed text amendments to the R-MU-35 and R-MU-45 Residential Mixed Use Districts and to the sign ordinance which would remove qualifying provisions for residential density, adjust required setbacks and lot width, add design requirements and allow projecting signs.

Not consistent with Staff Recommendations:

Based on the staff report information, public input and discussion and the following finding(s), I move that the Planning Commission transmit a negative recommendation to the City Council relating to amend the R-MU-35 and R-MU-45 Residential Mixed Use Districts and to the sign ordinance which would remove qualifying provisions for residential density, adjust required setbacks and lot width, add design requirements and allow projecting signs.

The Planning Commission shall make findings on the Zoning Text Amendment standards as listed below:

1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;
2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;
3. The extent to which a proposed map amendment will affect adjacent properties;
4. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
5. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.

4.D. DECEMBER 10, 2014 PLANNING COMMISSION MEETING MINUTES

RMU-35 and RMU-45 Zoning District Changes - A request by the City Council for modifications to the RMU-35 and RMU-45 Residential/Mixed Use zoning districts. The amendments will allow for more density, modify the existing building setbacks, lower the building height in certain instances that may be approved through the conditional building and site design review process, adding design standards and clarify other sections of 21A.24. Other related provisions of Title 21A may be modified as part of this proposal. (Staff contact: John Anderson at (801)535-7214 or john.anderson@slcgov.com.) Case number PLNPCM2014-00127

Mr. John Anderson, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was requesting advice and feedback on the proposal.

The Commission and Staff discussed the following:

- The setbacks for the proposed zoning.
- The general locations for this zoning.
- How the proposed zoning would affect existing low density developments.
- If the City would consider requiring active ground floor uses around the transit uses.
 - Staff stated that was one of the proposed changes on the list.
- The current number of buildings that are under this zoning and how many more properties could be added to the zone.
 - Only the existing properties would be affected by the ordinance changes.
 - New properties would require a zoning change.
- Why was this process chosen versus creating a new zone.
 - Staff stated it would basically be a new zone with the proposed changes.
- The difference between the zones and why they could not be combined into one zone.
- Whether the allowance of development on smaller parcels was an issue.
- If larger lots would be subdivided into smaller lots for development.
 - Would require rezoning.
- The parking for these developments.

PUBLIC HEARING 8:50:40 PM

Chairperson Ruttinger opened the Public Hearing.

Ms. Cindy Cromer stated putting a height number on the zoning was misleading as additional height would be allowed and requested. She stated people should know what they are getting. Ms. Cromer stated there were areas where the zoning was proposed that would abut low density housing and may not work. She suggested looking at the structures in terms of mass, scale and structure rather than density. Ms. Cromer stated making the new development compatible with the surrounding neighborhood was more important than the neighboring density.

Chairperson Ruttinger closed the Public Hearing.

8:54:50 PM

The Commission and Staff discussed the following:

- Where the zoning was being proposed.
- If there were height limits for the proposed zoning.
 - Staff reviewed the allowable height for each proposed district and if additional height would be allowed.
- If stepping would be required next to residential zones.
 - That could be added.
- The open space requirements for the proposal.

MOTION 9:01:17 PM

Commissioner Guilkey stated regarding PLNPCM2014-00127, RMU-35 and RMU-45 Residential/Mixed Use zoning districts, he moved that the Planning Commission table the petition to a future meeting to allow for additional edits and allow for the Public Comment period to remain open. Commissioner Lyon seconded the motion. The motion passed unanimously.

4.E. JANUARY 28, 2104 PLANNING COMMISSION MEETING MINUTES

[7:02:33 PM](#)

[R-MU-35 and R-MU-45 Zoning District Changes](#) - A request by the City Council for modifications to the R-MU-35 and R-MU-45 Residential/Mixed Use zoning districts. The amendment will affect section 21A.24 of the Salt Lake City Zoning Ordinance. Other related sections of Title 21A may also be amended as part of this proposal. The proposal will add additional design standards, modify density requirements, height requirements and other changes. (Staff contact: John Anderson at (801)535-7214 or john.anderson@slcgov.com). Case number PLNPCM2014-00127

Mr. John Anderson, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending that the Planning Commission forward a favorable recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- The square footage of detached structures.
 - It was 2500 square feet.
- The difference between a twin home and a two family dwelling.

PUBLIC HEARING [7:13:53 PM](#)

Vice Chairperson Lyon opened the Public Hearing.

The following individuals spoke in opposition to the petition: Mr. Gorge Chapman.

The following comments were made:

- Increasing density with the proposal and there were a lot of single family homes in the zoning.
- It was important to protect single family homes.

Vice Chairperson Lyon closed the Public Hearing.

Mr. Norris stated the properties referred to by Mr. Chapman are zoned RMF 30 or 35 not RMU, there are no RMU zoned properties in that part of the city.

The Commission and Staff discussed the following:

- The density suggested would be a good thing and actually make things better.
- The proposal was a tool Planning could use to address problems in the city.
- Any properties requesting the proposed zoning would be required to be reviewed by the Planning Commission.

MOTION [7:18:33 PM](#)

Commissioner Gallegos stated regarding petition PLNPCM2014-00127, Text changes to the R-MU-35 and R-MU-45 Zoning Districts, based on the information in the Staff

Report and the discussion heard, he moved that the Planning Commission forward a positive recommendation to the City Council regarding petition PLNPCM2014-00127, text changes to the R-MU-35 and R-MU-45 zoning districts. Commissioner Hoskins seconded the motion. The motion passed unanimously.

5. ORIGINAL PETITION

August 21, 2012

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, August 21, 2012 at 7:00 p.m. in Room 315, City Council Chambers, City County Building, 451 South State.

The following Council Members were present:

Carlton Christensen	Charlie Luke	Kyle LaMalfa
Jill Remington Love	Luke Garrott	Soren Simonsen

The following Councilmember was absent:

Stan Penfold

Cindy Gust-Jenson, Executive Council Director; Edwin Rutan, City Attorney; David Everitt, Mayor's Chief of Staff; and Beverly Jones, Deputy City Recorder; were present.

Councilmember Simonsen presided at and Councilmember Luke conducted the meeting.

#6. RE: Adopting an ordinance changing the Central Community Master Plan and the zoning map for properties located at approximately 1015-1035 South 200 West and 1068 Jefferson Street in order to develop a mixed-use project on the properties pursuant to Petition Nos. PLNPCM2011-00658 and PLNPCM2011-00659:

- The future land use map would be changed from Low Medium Density Residential to Medium Residential/Mixed Use.
- The properties would be rezoned from Moderate Density Multi-Family Residential (RMF-35) to Residential Mixed Use (R-MU).

Related provisions of Title 21A, Zoning, may also be amended as part of this petition. (Petitioner Capitol Center Properties) [View Attachments](#)

Councilmember Love moved and Councilmember Christensen seconded to adopt [Ordinance 60 of 2012](#) amending the Central Community Master Plan and rezoning properties located at approximately 1015-1035 South 200 West and 1068 Jefferson Street from Moderate Density Multi-Family Residential (RMF-35) to Residential Mixed Use (R-MU) subject to: the Administration and petitioner entering into a development agreement that would: a) limit building heights on the subject properties to 75 feet; b)

require compatibility for pedestrian and bicycle access; c) require building to be oriented in a manner that is compatible with the neighborhood; and d) run with the land.

Councilmember Christensen said this was an opportunity for the neighborhood to evolve. He said even though some single family residential housing would be removed it was a good transition for the neighborhood.

Councilmember Simonsen said he was not in favor of development agreements. He said the Council had requested an analysis on other zones which might accomplish what the Council wanted. **John Anderson**, Principal Planner, said three zones were considered: the TSA zone, the TC-75 zone and the Sugar House Business District zone. He said the zones were similar in scope and there was not an advantage in using these zones.

Councilmember Simonsen said he had an alternate motion.

Councilmember Simonsen moved **that Council adopt an ordinance amending the Central Community Master Plan and rezoning properties located at approximately 1015-1035 South 200 West and 1068 Jefferson Street from Moderate Density Multi-Family Residential (RMF-35) to Residential Mixed Use (R-MU)**. Motion failed due to lack of a second.

Councilmember Luke called for the question on the original motion, which motion carried, all members present voted aye.

Councilmember Love moved and Councilmember Garrott seconded to **further move that the Council formally request that the Administration process an ordinance amendment to remove the maximum height of 125 feet allowed through the conditional use process in the R-MU Zone**, which motion carried, all members present voted aye.

Councilmember Love moved and Councilmember Simonsen seconded to **further move that the Council formally request the Administration reevaluate the Residential/Mixed-Use (RMU-35 and RMU-45) zones and process an ordinance amendment that would include more up-to-date, flexible development regulations. The intent would be to use the zoning classifications in areas where density is needed for new development/redevelopment, but building height is an issue**, which motion carried, all members present voted aye.

(P 12-4)

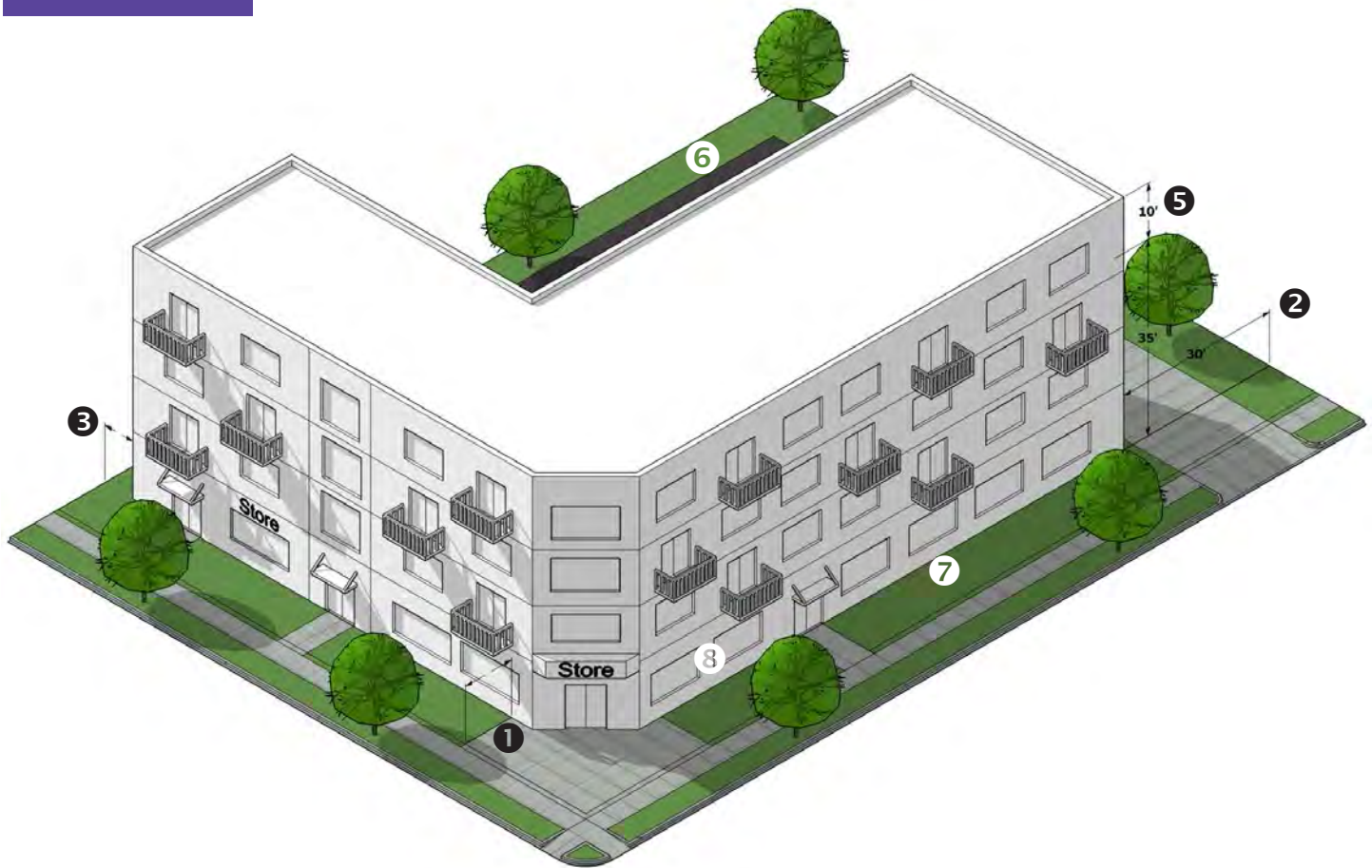
4. PLANNING COMMISSION

ATTACHMENT A: PROPOSED ORDINANCE

R-MU-35

RESIDENTIAL/ MIXED USE

DEVELOPMENT NOT NEXT TO SINGLE/ TWO-FAMILY RESIDENTIAL



Zoning Diagram of Mixed Use Building When Not Next to a Single/Two-Family Zone

R-MU-35 Development Standards (21A.24.164) For Multi-family Residential & Mixed Uses

LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	OPEN SPACE ⑦	MIXED USE LIMITATION ⑧
Min 25'	5,000 sq ft min	Min 5', Max 15'	25% of lot depth, need not exceed 30'	10' next to single- & two family residential zones	10' next to single- & two family residential zones	35' max + 10' with CBSD*	Located behind front line of the building	Min 20% of lot area, includes yards, plazas, balconies, courtyards	Non-residential use limited to 1st floor

*Additional height can be permitted through the Conditional Building and Site Design process, which requires the development meet a higher level of building and site standards. This additional height is only allowed when development is not next to property zoned single or two-family residential.

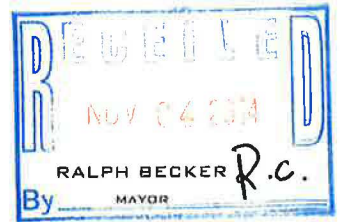
R-MU-35 Building Design Standards

1ST FLOOR VISIBILITY	FRONT ENTRANCE	1ST FLOOR DETAILING	MECHANICAL EQUIPMENT/ SERVICE AREAS	GROUND FLOOR ACTIVE USES
40% glass & non-reflective, allows 5' of visibility into building	1 entry that faces street, for every 75' of facade	No blank walls over 15' long	On roof or in rear yard, sited to minimize visibility or integrated into design	75% of ground floor facade must include residential or commercial uses

ERIC D. SHAW
DIRECTOR

MARY DE LA MARE-SCHAEFER
DEPUTY DIRECTOR

SALT LAKE CITY CORPORATION
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
OFFICE OF THE DIRECTOR



SCANNED TO: *Maya*
FINED BY: *Kramer*
11-4-14

CITY COUNCIL TRANSMITTAL



David Everitt, Chief of Staff

Date Received: 11/04/2014

Date Sent to Council: 12/2/2014

TO: Salt Lake City Council
Charlie Luke, Chair

DATE: October 6, 2014

FROM: Mary DeLaMare-Schaeffer, Acting CED Director



RE: PLNPCM2014-00128: Elimination of extra height in the RMU zoning district

COUNCIL SPONSOR: Exempt

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

DOCUMENT TYPE: Briefing - information only

BACKGROUND/DISCUSSION

This is a response to a legislative intent to review the height limits of the RMU zoning district, specifically for the additional height, up to 125 feet, available through the conditional building and site design review process. In response to a privately generated zoning map amendment application in the vicinity of 200 West and 1000 South, the City Council adopted a legislative intent to eliminate the extra height option in the RMU zoning district. The applicant was not interested in the ability to obtain building heights taller than 75 feet, rather they were interested in the fact that the RMU zoning district does not restrict residential density based on lot size.

HISTORY OF THE RMU ZONING DISTRICT

When Salt Lake City originally developed zoning in 1927, it was fairly rudimentary in nature. Until 1995, the area generally from 200 East to 500 East/South Temple to 400 South had C-3 zoning and allowed the same height and uses as buildings located along Main and State Streets,

which were zoned C-3A (the only significant difference between the two zones being the sign ordinance). This was done, in part, because east downtown was a high-density residentially based support area to downtown, and lacking specialized mixed-use zoning, the commercial zoning allowed small business to be interspersed with mostly residential uses. Prior to World War II, the zoning was adequate. After World War II, the market began to change and exclusive high-rises and conversion of housing to office buildings began to enter the area. This happened despite a master plan designation as a mixed-use area, because there were no residential requirements in the zoning and the economy at the time favored exclusive office development over residential or mixed-use development.

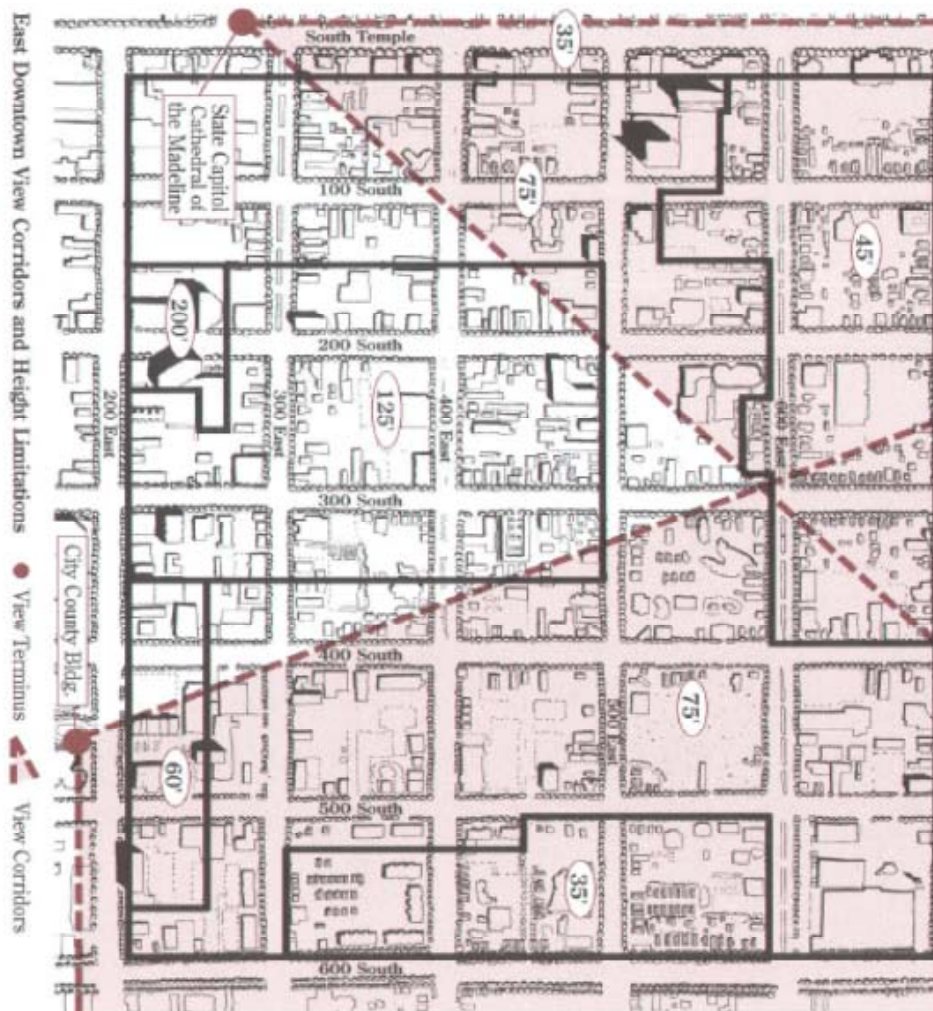
In the 1995 zoning ordinance rewrite, Salt Lake City adopted its first vertical mixed-use zoning district, generally patterned after the zoning in the Seattle Denny Regrade/Belltown area between downtown and Seattle Center/World's Fair site. Most of the former C-3 zoning east of 200 East was rezoned to RMU. The creation of the RMU zoning district was one of the most controversial aspects of the 1995 rewrite, because the land had historically been entitled to a height of one and one half times the width of the street, with opportunities for extra height. This translated generally into a 298 foot height limit. Dropping from 298 to 125 or 75 feet, and 45 feet for exclusively non-residential buildings, was a dramatic change for most land owners.

The Urban Design element allows for the "benching" of Salt Lake City's skyline, encouraging buildings to step down as they are located south, east or west of the main core, rather than having a dramatic drop in height. Because of this, allowance was made for a height in the RMU zoning of 125 feet in the area that did not interfere with view corridors of the Cathedral of the Madeline or the City and County Building. The Mountain Bell (Qwest-Century Link) building, 257 Tower and the former Public Safety Building (Northwest Pipeline), represent taller buildings that already existed in the area along 200 South and are why the additional height was maintained. Some of those buildings were placed in the D-1 zoning district, rather than RMU.

The zoning was written so that the extra height was only available if it met the specific location criteria of the East Downtown Master Plan.

The map on page 3 is taken from the East Downtown Master Plan, indicating that the extra height is only allowed in the area bounded by 200 and 300 South (frontage) from 200 to 500 East. This map was also added to the Central Community Master Plan when it was last updated (2005)

It should be noted that the City has modified this policy by allowing extra height on the Library block, deemed to be 60 feet in the East Downtown Master Plan. Zoning now allows the Library to be 95 feet. Subsequently, and in part because the view of the City and County Building was blocked by the Library, the 400 South corridor was also rezoned to TSA, allowing for heights of 90 to 105 feet, despite an East Downtown Master Plan designation of 75 feet. The 200 East frontage has been zoned D-1 since the 1995 zoning rewrite, which allows 100 to 375+ feet in height, despite the East Downtown Master Plan designation of 60, 125 or 200 feet.

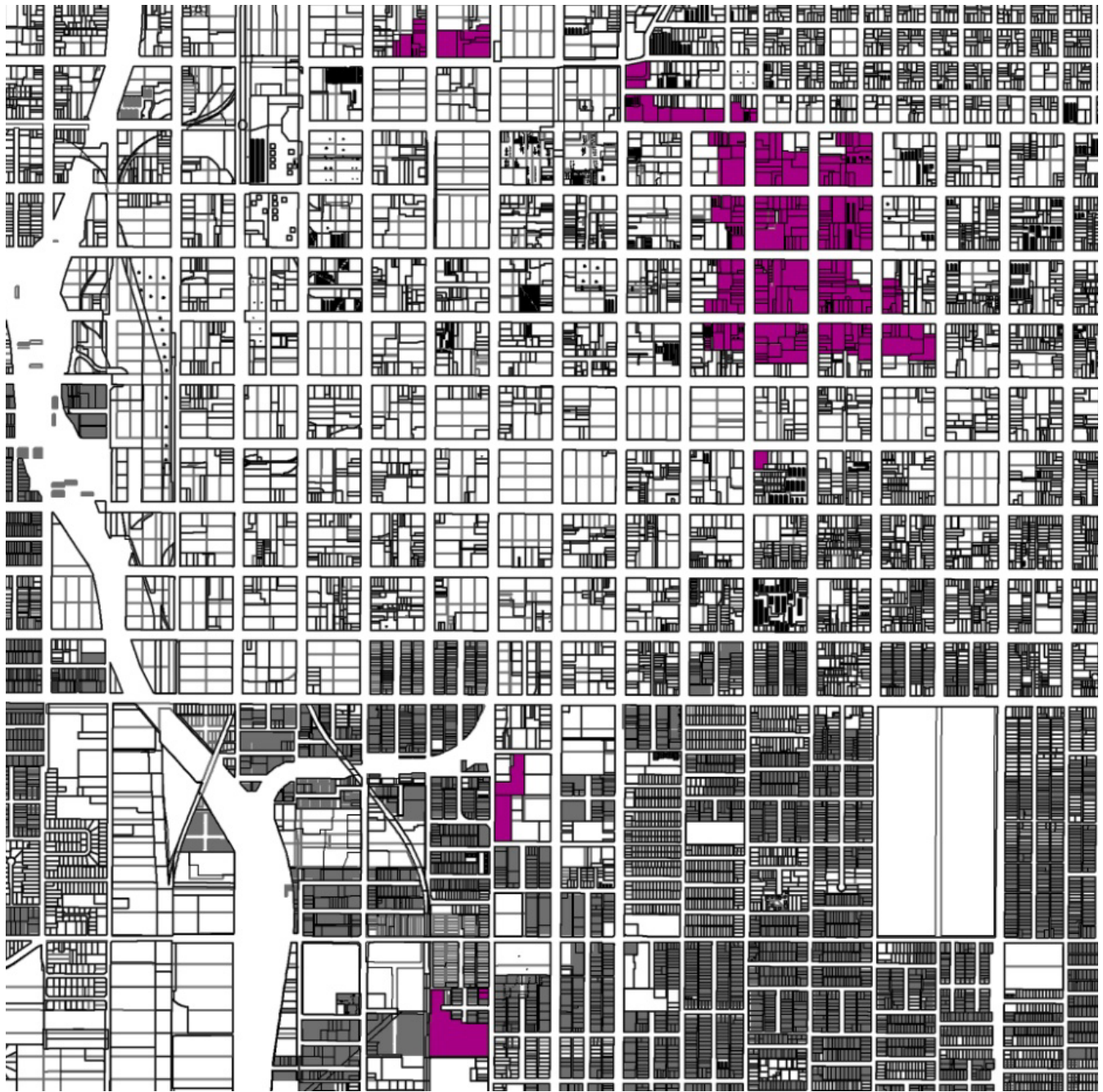


The specific language in the zoning code is as follows (specific requirements in bold):

21A.24.170: R-MU RESIDENTIAL/MIXED USE DISTRICT:

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

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



Map of areas zoned RMU

The RMU zoning was originally intended primarily for the area east of Downtown (including the lower Avenues along the State Street and western South Temple frontages and Capitol Hill along North Temple), however, other subsequent requests have been made to use the RMU zoning; Specifically the Jefferson Apartments on West Temple at approximately 1000 South and the Towne Gate Apartments on West Temple at 1400 South. It is important to note that

both of these sites were formerly zoned for commercial uses and the rezone was essentially down-zoning. RMU was requested largely because of its lack of density limitations for residential units.

The only location where the height of the new construction has exceeded 75 feet, subsequent to the creation of the RMU zoning district, is the Emigration Apartments. The RMU was expanded at that location primarily due to grade issues. Staff is not aware of any other buildings, constructed after the RMU zoning implementation, that exceed the 75 foot height limit.

While the City has RMU-35 and RMU-45 zoning districts that allow for additional height, both of these districts have residential density limitations that have made them unattractive for widespread use. Planning staff is presently working on a petition to modify these two zoning districts to eliminate or reduce density limitations in order to make them more usable and could negate the need to use RMU to get adequate density.

The MU zoning is a separate zone that was developed to address specific issues in the West Capitol area.

DENSITY REQUIREMENTS IN OTHER ZONING DISTRICTS:

All of the areas where RMU (Residential Mixed Use) has been used outside of the area that was originally mapped in 1995 are actually being used as exclusively residential properties. This has occurred, in part, because the RMF-30, 35, 45 and 75 (Residential Multi-Family) zoning districts have densities too low to accommodate most new development. The issue of low density in the RMF zoning districts has been noted since their inception. Many of the older historic apartment buildings in RMF zoning districts are conforming as to height, but not density, in their respective districts. This raises the question as to whether “right-sizing” the densities in the RMF zoning districts would negate the need to use RMU districts in many areas.

ISSUES

Some of the issues to be considered include:

- 1 Is the RMU zoning district being used as originally intended?
- 2 Would adding the physical area where extra height is allowed into the zoning ordinance provide better clarity?
- 3 Are the RMU 35 and 45 more appropriate for some areas of the city? These zoning district are presently being reviewed for modification.
- 4 Are the densities of the city’s exclusive RMF residential zoning districts too restrictive, encouraging the use of RMU in areas where exclusive residential would be more appropriate?

OPTIONS

The intent of the extra height language in the RMU zoning district is to tie height to the master plans. However, by Ordinance (21A.02.040), all of the master plans in the City are advisory in nature and not intended to create development regulations. Technically, the Central Community Master Plan (CCMP) does not support the extra height because there is nothing in the CCMP that identifies the area as a place suitable for extra height, as the ordinance requires.

However the City Council may want to consider some or all of the options listed below to address the concerns of allowing more density in smaller scale buildings without having to utilize a zoning district that allows taller buildings that are out of scale with the surrounding areas or not consistent with the vision for the area identified in an adopted master plan:

1. Add a map to the zoning ordinance that shows the locations where extra height is appropriate. This would codify height rather than make it discretionary. This would require a modification to the text of the ordinance to change the existing language and adding the East Downtown Height Map to the zoning ordinance. This could become problematic in the future if it is ever decided that the RMU zoning district is appropriate in other areas of the City outside of the East Downtown neighborhood.
2. Modify the density requirements of the RMU-35 and 45 zoning districts to allow shorter buildings, but high densities. For example: If the density of RMU-45 is modified, it may be more appropriate for Ballpark than the existing, taller, RMU. The Planning Commission will be discussing these changes and making a recommendation to the City Council in October or November of this year.
3. Exclusive RMF residential zoning districts (RMF-30, 35, 45 and 75) could have their densities modified to be more appropriately used, rather than RMU mixed-use zoning. This would allow exclusively residential zoning districts to be used instead of mixed-use zoning districts in those areas where a residential property merely needs density, i.e. Jefferson School or Towne Park apartments. This is likely to require extensive research and outreach to identify correct density requirements that would not impact existing areas. Given the magnitude of this change, it may not be immediately feasible with existing Planning Division resources.
4. Making no change to the existing code, because the way it is presently written does not accommodate extra height outside of the identified East Downtown area.

RECOMMENDATION

The Planning Division recommends that the City Council take no action at this time, pending the outcome of the text changes to the RMU-35 and RMU-45 zoning districts. As part of a fine tuning of the ordinance, the text and the East Downtown Height Map can be added to the RMU-75 zoning district so that the ordinance clearly identifies where the extra height is authorized.