



COUNCIL STAFF REPORT

CITY COUNCIL *of* SALT LAKE CITY

TO: City Council Members

FROM: Nick Tarbet, Policy Analyst

DATE: November 19, 2024

RE: Jordan River Fairpark District Rezone & Text
Amendment and Development Agreement
Petition No PLNPCM2024-00982

PROJECT TIMELINE:

Briefing 1: Nov 12, 2024
Briefing 2: Nov 19, 2024
Set Date: Nov 12, 2024
Public Hearing: Nov 19, 2024
Potential Action: TBD

WORK SESSION SUMMARY

During the work session the Council discussed the proposed zoning amendment with Planning staff and the applicant.

The Council discussed including the following items in the development agreement that would accompany the zoning amendments:

- Housing minimums include workforce housing and family sized housing.
 - Make amenities available to all residents in the project area
- Workforce development / internships
- Guaranteeing public access to the Jordan River / access in and out of the river
- Confirm what parts of the riparian corridor applicable to the project area
- Free expression & inclusivity in public plaza areas
- Property swap for city owned parcel on east side of the river and the easement on the westside
- Focus on local contractors participating in the development and construction of the project area

The Council directed staff to work with the applicant on the development agreement. Those discussions are still ongoing. Staff anticipates holding a follow-up briefing on the development agreement at the December 3 work session briefing.

For the follow-up briefing on November 19, staff is seeking direction from the Council on the following zoning related items.

Open Space Requirements

- Recommendation: A minimum percentage of the project must be designated as open space and accessible to the public.
- Update: The applicant added that 10% of the district must be “active or passive open space,” but the DA states no open space is required. The applicant has indicated they intend to provide up to 18%, but details are not yet provided. Unclear if this will be accessible to the public.
 - ***Does the Council wish to designate a minimum amount of open space in the JRF zoning district and that it be publicly accessible?***

Design Standards

- Recommendation: Design standards apply to all buildings facing public streets and the Jordan River. These should include specifications for lighting, entry features, parking garages, and limits on building façade lengths.
- Update: There has been discussion with the applicant from the start about applying these standards. The stadium can be exempt from these design standards, but they should be applicable to all public streets. Assuming that private streets will be dedicated at a future time, the standards should apply to those public streets after they are dedicated.
 - ***Does the Council wish to require design standards for only the publicly facing streets and the Jordan River, or also include them for all the streets in the project area.***
 - ***With the understanding that the stadium will front the Jordan River, does Council support requiring design standards for buildings that front the river?***
 - ***Does the Council support exempting stadium uses from the design standards?***

Building Height

- The most current JRF draft revised staff’s addition to clarify the FAA regulations to any building over 60’ in height.
- Staff is concerned with a potential conflict between the FAA regulations and the JRF code and would like the prior draft language added back in. The language includes the following:
No building over ’60’ is permitted unless the FAA issues a “determination of no hazard to air navigation” for said building.
 - ***Does the Council support the addition of this language to the JRF ordinance?***

Setback Requirement

- Recommendation: A maximum setback of 15 feet is required from all streets and publicly accessible open spaces.
- Update: This condition has not been addressed. Again, this max setback wouldn’t need to apply to the stadium. It is intended for the everyday structure to make sure buildings address the street and site development follows best urban design practices and would reduce the likelihood of street facing surface parking lots
 - ***Does the Council wish to establish a maximum setback from all streets and publicly accessible open spaces?***
 - ***If yes, does the Council support exempting stadium uses from this requirement?***

Building Height and Walkways

- Midblock Walkways: The PC added a condition that any midblock walkways associated with additional building height shall be a minimum of 15 feet wide.
- Update: The applicant updated the code to include this as an option for additional building height. In Downtown zones, the walkway width must increase to at least 20 feet for additional height so 15 feet is the bare minimum and doesn't necessarily reflect the context of the site.
- Open Space Option: As an alternative to wider walkways, the proposed code allows for building heights above 200 feet, but no specific square footage has been provided. For Downtown, a 500 SF minimum is required, but due to the context of the site, a larger space would be appropriate. Downtown development is all infill so 500 SF is reasonable.
 - ***Does the Council wish to establish a minimum midblock walkway width for buildings that go over 200' in height?***
 - ***If, so, does the Council support 15' or 20' in width?***
 - ***Does the Council support establishing a minimum open space requirement as an option for the applicant to designate in order to go over 200' in height.***
 - ***If so, does the Council support 500 sf or would the Council like to ask for additional recommendations from Planning staff?***

Land Uses

- Light manufacturing, vehicle rental and warehouses don't meet the stated intent of the district and open up the land to development patterns that do not support mixed-use walkable communities. The applicant has requested a "flex space", which is not defined in code at this time.
- Staff is coordinating with the applicant on a potential definition that would work for them and the City. At the time this memo was submitted, that language was not finalized. Staff will have the draft ready in time for the briefing on November 19.
 - ***Does the Council support including the proposed "flex-space" definition and use in the zoning ordinance?***

The public hearing is set for Tuesday, November 19 at 7:00pm.

The following information was provided for the November 12 work session

ISSUE AT-A-GLANCE

The Council will receive a briefing about a proposal that would amend the City's zoning ordinance by creating a new zoning district known as the JRF District at approximately 1500 West North Temple and bounded by the Jordan River, Redwood Road, North Temple, and Interstate 15. The proposal would rezone approximately 93 acres across 32 parcels into a single zone to support the area's redevelopment.

- Zoning Map & Text Amendment: The JRF district would allow buildings up to 400 feet tall, with Design Review required for structures over 200 feet. There would be no minimum lot size, width, or setbacks, and at least 10% of the gross development area would be dedicated to open space. Developments would be exempt from meeting the City's general plans.

- **Development Agreement:** The proposed Development Agreement addresses access to the Jordan River, open space, roads, and infrastructure improvements and establishes review processes for development applications. Under new state law, an agreement must be reached by December 31, 2024, for expedited land use reviews related to a qualified stadium and related uses. If no agreement is made, the JRF District will not be subject to the City's zoning regulations.

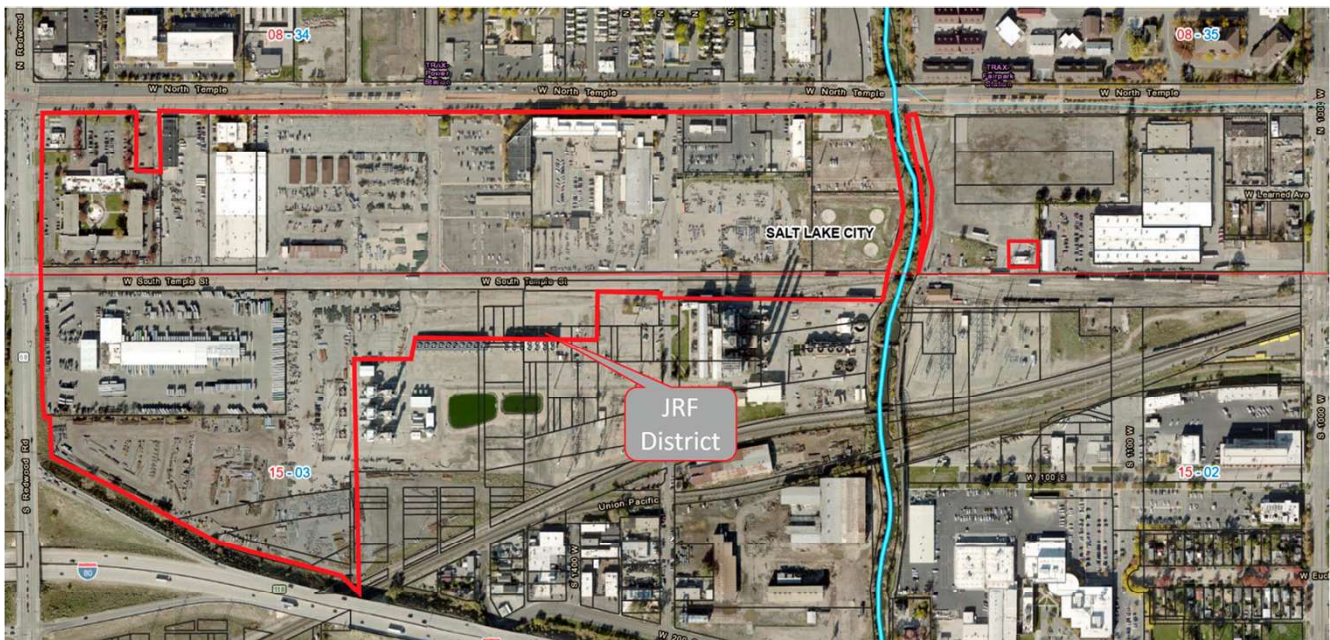
The Planning Commission voted 7 to 1 to forward a recommendation of approval with a list of conditions for the Council to consider. *See those in the policy questions section below.*

Council Staff is proposing the Council review the zoning and draft development agreement concepts during the November 12 briefing and hold a follow-up briefing on November 19, the same day as the public hearing.

In addition to these zoning regulations, the State statute requires the city complete the following by the end of this year:

- Amend the North Temple Redevelopment project area boundaries by removing the properties in the Utah Fairpark Area Investment and Restoration District.
 - That was completed on October 15.
- Finalize a municipal services contract with the UFAIR board.
 - The administration is currently working with the UFAIR board on this contract.

Vicinity Map
From Exhibit A of the
Planning Commission Staff Report



Planning Commission Proposed Conditions for Consideration

The Council may wish to review the following list of potential conditions forwarded by the Planning Commission and provide policy direction to staff for which items to include in the final documents, whether the zoning amendments or the development agreement. Planning staff will be in attendance and can provide a response to questions the Council may raise during the briefing.

1. The applicant shall continue to work with Public Utilities on the applicability of the Riparian Corridor Overlay. Unless otherwise approved by Public Utilities, the overlay shall remain applicable.
2. Public Utilities Master Plans and Transportation Master Plans remain applicable to the JRF District.
3. The applicant shall follow mitigation measures as dictated in the Airspace Impact Study.
4. A minimum percentage of the entire project must be dedicated as open space and accessible to the public.
5. The Commission recommends that a minimum of 10% of the total housing development be available for rent or sale at a maximum of 80% AMI.
6. Design Standards shall apply to all buildings facing public streets and the Jordan River. The standards shall be updated to include lighting, entry features, parking garage specifications, and limits on building façade lengths.
7. Midblock walkways associated with additional building height shall be a minimum of 15' wide.
8. A maximum setback of 15 feet shall be provided from all streets and publicly accessible open spaces.
9. The approved site plan created for the JRF District shall be incorporated into the North Temple Boulevard Plan.
10. Concerns raised by the Planning Commission during the October 9, 2024, briefing shall be addressed prior to the City Council adopting the Term Sheet associated with the Development Agreement. This includes:
 - a. Automatically applying the proposed zoning district to lands that the applicant may purchase in the future instead of going through the normal zoning amendment process and the legality of such a provision.
 - b. Vacating an existing city easement as part of the agreement without a guarantee that the easement would be replaced in kind.
 - c. Exempting the property from all provisions of the Riparian Corridor Overlay instead of defining specific provisions of the Riparian Corridor Overlay that could be modified in the agreement.
 - d. Exempting the proposal from all utility improvement plans that apply to the property, which are necessary to locate, increase capacity, and fund needed future upgrades.
 - e. The lack of specific public benefits that would be included in the future development, including affordable housing or contribution to affordable housing funds that could be used in the area, no guarantee of publicly accessible open space.

Development Agreement

The Term Sheet, which is included in the transmittal letter (pages 21-24) is the basis for the development agreement discussions. The key points are outlined below

In addition to the conditions proposed by the Planning Commission, Council staff has summarized a list of items that Council Members have asked if they could be discussed as part of the development agreement.

The Council may wish to discuss these items with the applicant during the work session briefing.

- Include workforce and family sized housing in the project area
- A minimum amount of open space in the project area
 - A minimum amount should be green space
- Public access to the river and river frontage
- Easement in/out of river in plaza area
- Free expression in public areas

Proposed Term Sheet

Development of Property	LHM may develop the Property consistent with the MDA and the JRF District, and LHM shall have the full power and exclusive control over the Property. Nothing in the MDA obligates LHM to develop the Property or develop the Property in a particular order or phase. LHM may develop the Property for all uses allowed in the JRF District.
Jordan River Access	The City is the grantee of that certain Public Recreation Easement Agreement, recorded July 17, 2015, as Entry No. 12094108 with the Salt Lake City Recorder that provides public a trail and access for recreational uses. This easement will be terminated in the MDA and the parties will enter into a memorandum of understanding for replacement access in connection with the MDA.
Design Requirements	The City shall not impose or enforce any design requirements on buildings, improvements, and structures located within the Property except as described in the JRF District.
Open Space	Developer intends to build an open space network as depicted in the conceptual Master Plan, which may be revised or relocated through subdivision plats. Except as set forth in the JRF District, the City shall not require Developer to dedicate open space as a condition of development application approval.
Roads	LHM shall install roadways consistent with a roadway master plan and cross-sections of roadways depicted in the roadway master plan to be attached to the MDA. Current conceptual roadway plans are attached hereto as Exhibit B. The City shall not require LHM to oversize any roadways without providing mutually acceptable reimbursement agreement(s) for any system improvements to the roadways as defined by the impact fees act. The Project may include private roads that will be specified on subdivision plats.

Culinary and Sewer Improvements	LHM shall install the requisite service and water distribution lines and similar improvements within the Property necessary for the City to provide culinary water and sewer service to a particular phase of development. The City shall not require LHM to install offsite improvements or install infrastructure that provides capacity outside of the Property without providing mutually acceptable reimbursement agreement(s) for any system improvements, as defined by the impact fees act.
Stormwater Improvements	The City shall account for impervious surface already in existence on private lands as particularly detailed in the Hydrology and Hydraulics Memo, dated July 29, 2024, prepared by CRS Engineers. LHM shall install stormwater improvements consistent with a stormwater improvement plan. The City shall not require LHM to install any stormwater improvements to store or transmit any offsite stormwater without providing mutually acceptable reimbursement agreement(s) for any system improvements, as defined by the impact fees act.
Improvement Connections	The City shall allow LHM to connect the roadways, culinary, sewer, and stormwater improvements to the City's existing infrastructure in the areas identified on the applicable utility plans, which will be attached to the MDA.
Installation of Improvements	LHM may utilize public infrastructure districts, or similar districts, to construct the roads, water, sewer, and stormwater improvements contemplated by the MDA. LHM shall construct all improvements in compliance with the City's laws in effect on the MDA's effective date.
Development Applications	Pursuant to Utah Code § 11-70-206(3)(b)(ii)(A), the City shall provide an expedited process for the review and approval of development applications. All development applications for subdivisions or site plan approval shall be approved by the City's staff. The City shall process all subdivision applications (even non-residential applications) consistent with the timing requirements described in Utah Code §§ 10-9a-604.1 and 10-9a-604.2. The City shall expedite the approval of all site plan application and take action thereon within 10 business days of receiving a complete application, and within 5 business days of

	<p>receiving revisions thereto after an initial determination is made at no additional fee. LHM may request that the City outsource the review of any development application. LHM will pay the actual hourly review cost incurred by the City for such outsourced services.</p>
Conditional Uses	<p>The City shall promptly process conditional use permits in accordance with State law and the City's laws in effect on the MDA's effective date. No conditional use permit application shall be subject to more than one public hearing without the express written consent of LHM.</p>
Disputes	<p>If a dispute arises with respect to any development applications, LHM and the City shall meet and confer on the issue within 15 days a denial. LHM and the City can also mutually agree to mediate the issue.</p>
Annexations	<p>If LHM, or its affiliated entities, acquires property that is located within or annexed into the UFAIR District, the LHM may annex said acquired property into the MDA and have the JRF District applied to such annexed land.</p>
Assignment and Transfer	<p>LHM may assign, transfer, or convey the entire Property or portions thereof to a subsequent owner and may transfer any of the rights and obligations under the MDA in connection with such transfer. If such transfer occurs and LHM intends to convey its rights under the MDA with such transfer, then LHM shall execute and deliver a transfer acknowledgment to the City. LHM may reserve any right to receive reimbursement under the MDA, or separate reimbursement agreement(s) from the City regardless of whether LHM transfers its remaining rights under the MDA.</p>

Additional Information

The transmittal letter outlines the following key points of the proposed zoning ordinance.
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- Minimum Lot Area, Width, Yard Standards
 - No minimum lot areas, lot widths, or setbacks required in the JRF District.
- Open Space
 - The proposed code language states an open space plan will be created and will include at least 10% of the gross development area.
- Building Height
 - Maximum height is 400 feet. Anything over 200 feet is required to go through the Design Review process.
 - Buildings in the D-1 and D4 zoning districts must also go through the Design Review process for heights above 200 feet.
- FAA Regulations & Airspace Impact Study
 - No building over 200 feet is permitted unless the developer consults with the FAA regarding compliance with 14 CFR Part 77.9
 - Buildings over 60 feet in height must be designed to avoid electrical interference, lighting and glare, impairing pilot visibility, and landing or maneuvering conflicts.
- Land Uses
 - Planning staff is still working with the applicant to update the land use table to remove uses that are not compatible with the proposed zoning's goals and vision. The applicant has not submitted an update since the Planning Commission hearing on October 23, 2024.
- Design Standards
 - The proposed JRF District includes two sets of Design Standards:
 - Internal buildings and street frontages.
 - Structures along Redwood Road and North Temple.
 - The applicant is seeking substantial design flexibility due to the site's unique characteristics.
 - Currently, the only requirements for buildings along privately owned streets are limited to screening mechanical equipment and providing street trees, which are already mandated by code and do not speak to site or street facing building design in any way.
 - Buildings with frontage along Redwood Road and North Temple call for additional design standards, such as ground floor activation, durable materials, and minimum glass percentages.
 - Both Planning staff and the Planning Commission recommend adding more design standards that address street facing building façade length, lighting, entry features, and parking garage specifications.
- Signage
 - The same standards as the D-1 Central Business District and D-4 Secondary Central Business District would apply to the district.
 - Includes an increased allowance within 1000 linear feet of the arena to allow the same sign types as the new Sports Arena and Convention Center Sign Overlay.
 - Include additional private directional and wayfinding signs to communicate the district's unique identity.
- Includes one "public assembly facility sign" as allowed by U.C.A. 72-7-504.5 and signage not visible or directed to public rights of way will not be regulated.