

**TAYLORSVILLE CITY COUNCIL
AGENDA ITEM SUMMARY**

MEETING DATE: June 1, 2016

AGENDA ITEM: Public Hearing. Ordinance #16-08 concerning a Zoning Text Amendment to Section 13.23.030 of the Land Development Code – Building Height

PRESENTER: Mark McGrath, AICP

SUMMARY: The City of Taylorsville has received an application to construct two (2) professional office buildings within the Professional Office (PO) zoning district (File #19C14). The proposed buildings vary in height from 43' 4" to 55' 4" above finished grade and are within 250 feet of an R-1 zoning district. The maximum height currently allowed for structures within 250 feet of an R-1 or R-2 zoning district in the PO zoning district is 35 feet.

The proposed text amendment would allow building height within the PO district to exceed the maximum in the building height matrix if the required building setbacks (front, side, and rear) are increased by a ratio of 1 foot of additional height for every 3 additional feet of setback (see Figure 1). The height may be increased up to a maximum of 60 feet.

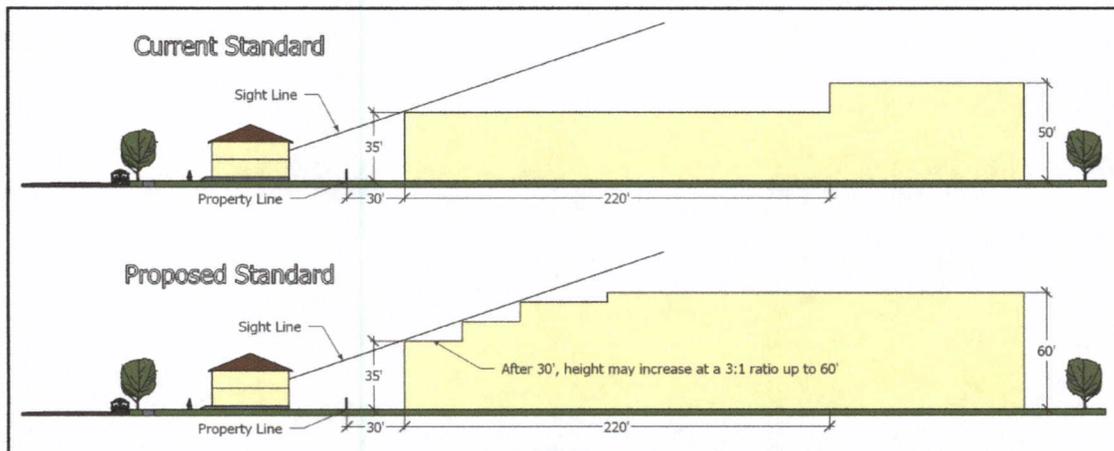


Figure 1: Current vs. Proposed Height Standards in PO Zoning District

The following three (3) design criteria shall be included in the project design to qualify for additional height:

- A. Open Space. The increase in building height creates the opportunity to provide additional open space, landscaping, and gathering/plaza space which would otherwise not be available if additional height is not granted.
- B. Aesthetics. The proposed building design and architecture are distinctive, unique, and compatible with the immediate surroundings (both manmade and natural).
- C. Impact on Residential Areas. The proposed building height provides for a reduced impact on adjacent residential districts, e.g., varied building setback, unique roof line, residential appearance, increased buffer areas, etc.

The Professional Office (PO) General Plan designation is intended to support commercial classifications focusing primarily on professional office uses such as legal, financial, insurance, real estate, marketing, medical and other healthcare-related fields. The increased flexibility with regards to building height within the Professional Office zoning district is not contrary to any of the General Plan goals or standards.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission made a unanimous recommendation for approval of the proposed amendments on May 10, 2016.

STAFF RECOMMENDATION: City staff recommends approval of the zoning text amendment as provided in exhibit "A".

TAYLORSVILLE, UTAH
ORDINANCE NO. 16-08

AN ORDINANCE OF THE CITY OF TAYLORSVILLE TO AMEND SECTION 13.23.030 OF THE
TAYLORSVILLE LAND DEVELOPMENT CODE.

The City Council of Taylorsville ordains as follows:

WHEREAS, on May 10, 2016 the Taylorsville Planning Commission properly noticed and held a public hearing and voted 6-0 to forward a positive recommendation to amend the City of Taylorsville Land Development Code; and

WHEREAS, on April 26, 2016 a notice of public hearing regarding the proposed amendment was posted on the state public notice website; and

WHEREAS, on April 26, 2016 a notice of public hearing regarding the proposed zoning text amendment was posted in 3 different places within the City of Taylorsville boundaries; and

WHEREAS, the Taylorsville City Council met in a regular session on June 1, 2016 to consider, among other things, the proposed City of Taylorsville Zoning Text amendment; and

WHEREAS, after careful consideration and review, the City Council has determined that it is in the best interest of the health, safety, and welfare of the citizens of Taylorsville to amend the City of Taylorsville Zoning Text.

NOW, THEREFORE, BE IT ORDAINED by the Taylorsville City Council that the amendments made in the attached exhibit "A" are hereby adopted and are designated by interlineating the words to be deleted and underlining the words to be added.

This Ordinance, assigned Ordinance No. 16-08, shall take effect as soon as it shall be published or posted as required by law, deposited, and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED this _____ day of _____, 2016.

TAYLORSVILLE CITY COUNCIL

By: _____
Ernest Burgess, Chair

VOTING:

Daniel Armstrong	Yea ___ Nay ___
Dama Barbour	Yea ___ Nay ___
Ernest Burgess	Yea ___ Nay ___
Bradley W. Christopherson	Yea ___ Nay ___
Kristie S. Overson	Yea ___ Nay ___

PRESENTED to Mayor of Taylorsville for his approval this _____ day of _____, 2016.

APPROVED this _____ day of _____, 2016.

By: _____
Lawrence Johnson, Mayor

ATTEST:

Cheryl Peacock Cottle, Recorder

DEPOSITED in the Recorder's office this _____ day of _____, 2016.

POSTED this _____ day of _____, 2016.

EXHIBIT "A"

13.23.030: GENERAL COMMERCIAL AND INDUSTRIAL DEVELOPMENT STANDARDS:

Development shall occur according to the following general standards and requirements as well as the development requirements listed in the individual districts. In all cases, the more restrictive development standards shall govern.

- A. Site Plan Review Required: Site plan review with city staff is required of all new, modified, and expanded development projects. Additionally, the site plan may be required to be reviewed by the planning commission as may be specified within a zoning district or if the necessity is determined by the director.
- B. Architectural Design Standards: All retail commercial, office, industrial, institutional, and transit corridor developments shall follow all applicable standards listed in the architectural design standards adopted by the city.
- C. CPTED (Crime Prevention Through Environmental Design) Principles: The developer is required to consider the basic principles of CPTED when designing the site plan, landscape plan, and architectural design for a project. Use of the CPTED principles is strongly encouraged in the interest of the future security of the project from both the owner's as well as the customer's standpoint. The concept of CPTED is based upon the theory that the proper design and effective use of the built environment can lead to the reduction in the incidence and fear of crime and be an improvement in the quality of life.

The following principles should be taken into account in the design of all buildings and developments:

- 1. Natural Surveillance: Physical design that keeps potential intruders under the perception of continual watch, using "eyes on the street", e.g., view to streets, driveways, and parking lots, and visual permeability in architecture, lighting, and landscaping.
- 2. Natural Access Control: Physical design that guides the mobility of people and decreases crime opportunity and increases perception of risk to potential offenders.
- 3. Territorial Reinforcement: Physical design that encourages users of property to develop ownership over it, developing space with an easily discernable purpose, using symbolic barriers such as low lying fences/walls, landscaping and signage, eliminating ambiguous spaces, encouraging easy maintenance, and discouraging crime.
- 4. Management And Maintenance: Responsibility for managing and maintaining the property. Show that someone cares about seeing that the property is in a presentable appearance and is secure for the customers that use the facility.
- 5. CPTED Landscaping Standards: These should be used including planting shrubs with a maximum height of two feet (2') to three feet (3') and trees with proper ground clearance of seven feet (7') above walkways and sidewalks, and fourteen feet (14') above vehicular travel and parking lanes. This shall be accomplished through proper pruning practices, not by clear cutting, topping trees, or other "pruning for exposure" techniques.

6. Public Safety: In order to encourage public safety through natural surveillance, natural access control, and territorial reinforcement, solid windowless walls are not permitted adjacent to streets, pedestrian areas, and open space amenities.
 - a. Symbolic barriers such as low lying fences/walls, landscaping, and signage shall be used to discourage crime and to promote safety.
 - b. Ground floor parking garages shall not be permitted immediately adjacent to streets unless permitted by the planning commission.
 - c. Developments shall have street side building elevations with extensive windows, balconies, decks, or landscape terraces being encouraged.

D. General Building Locations And Setbacks: In addition to the specific building setback requirements listed in each individual district, the following general standards shall apply:

1. No building shall be closer than six feet (6') from any private road, driveway, or parking spaces in order to allow areas adjacent to the building for foundation landscaping and buffering of pedestrian walkways. Exceptions may be made for any portion of the building that contains a drive-up window.
2. The public right of way boundary shall be considered the front property line of a lot. Where a lot is bordered on two (2) or more sides by a public right of way boundary, all such sides shall be considered as front property lines.
3. In all cases, the area between the front property line and the building shall be known as the front yard.
4. Table of minimum building setbacks: (All measurements are in feet and all front setbacks are measured from the top back of curb.)

District	Front Standard Setback	Side, Shared Party Walls Allowed	Side, No Shared Walls	Side, Abut, Residential ¹	Rear Standard	Rear Abut Residential District ¹
Regional commercial district	39	Y ¹	10	30	20	30
Community commercial district	39	Y ¹	10	30	29	30
Neighborhood commercial district	39	Y ¹	10	30	20	30
Boulevard commercial district	39	Y ¹	10	30	10	30 ²
Limited commercial district	39	Y ¹	10	30	10	30
Professional office district	39	Y ¹	10	30	30	30
Industrial district	39	Y ¹	10	30	1	30
Research and development district	24 ³	Y ¹	10	10	20 ³	20 ³
Mixed use district	20	Y ¹	10	15	15	30

Exception: For commercial developments with a dedicated open space (canal, trail, etc.), between the proposed development and an adjacent residential district, the setback can be reduced to a minimum of 10 feet from the commercial development's property line rather than the typical 30 feet.

Notes:

1. Provided all shared party walls meet minimum building code standards.
2. BC district: When the development abuts a residential district, the rear setback shall be a minimum of 30 feet.
3. RD district:
 - a. Front yard: All buildings shall be set back at least 24 feet from all public streets. There shall be no parking between the building and a public street. Said area shall be landscaped or developed into a pedestrian plaza, e.g., fountain, seating, landscape planters, etc.
 - b. Rear yard: Unless nonresidential uses are developed conjointly, buildings shall be set back at least 20 feet from rear property lines.
5. Table of maximum building heights: All building heights are measured in feet and are measured to the peak of the roof (if pitched) or to the top of the roof parapet (if flat). If the building is located upon a slope, then the base measurement point is taken from the average finished grade.

District	Building Height	Maximum Height Within 250' Of An R-1 Or R-2 District
Regional commercial district	See note 1	See note 1
Neighborhood commercial district	40	40
Community commercial district	35	35
Boulevard commercial district	50	40
Limited commercial district	45	35
Professional office district	50 (see note 3)	35 (see note 3)
Industrial district	80	40
Research and development district	80	40
Mixed use district	50	35

Notes:

1. RC district: Buildings may be built to a maximum height of 75 feet. Buildings where appurtenances are constructed for the purpose of mitigating noise and/or light may be built to a maximum of 115 feet. For those developments where any portion of a building is within 100 feet of an R-1 residential district boundary, they may be erected to a maximum height of 40 feet. An additional height bonus of 1 additional foot of height for each additional 2 feet of setback from the required minimum setback may be granted up to a

maximum height of 60 feet for any portion of the building within the 100 foot buffer area. Maximum building height shall be measured from average finished grade to the top of the roof.

2. ID/RD district: Any portion of a building within 250 feet of an R-1 residential district boundary may be erected to a maximum height of 40 feet to the peak of the roof. An additional height bonus of 1 foot per additional 1 foot from the required setback may be granted up to a maximum height of 80 feet for any portion of the building beyond the 250 foot buffer area. (Ord. 12-15, 7-11-2012)
3. Building height may exceed the maximum in the building height matrix if the current required building setbacks (front, side, and rear) are increased by a ratio of 3 additional feet of setback for every 1 foot of additional height. The height may be increased only up to a maximum of 60 feet. The following three (3) design criteria will be included in the project design in order to qualify for additional height:
 - a. Open Space: The increase in building height will create additional open space, landscaping, and gathering/plaza space which would otherwise not be available if additional height is not granted.
 - b. Aesthetics: The proposed building design and architecture are distinctive, unique, and compatible with the immediate surroundings (both manmade and natural).
 - c. Impact on Residential Areas: The proposed building height will provide for a reduced impact on adjacent residential districts, e.g., varied building setback, unique roof lines, residential appearance, increased buffer areas, etc.