



7505 South Holden Street
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MIDVALE PLANNING AND ZONING COMMISSION MEETING AGENDA MARCH 9, 2016

GENERAL SESSION
COUNCIL CHAMBERS
7:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

DISCUSSION

1. LAND ECONOMICS AND ECONOMIC DEVELOPMENT PRESENTATION/DISCUSSION;
CHRIS BUTTE, ECONOMIC DEVELOPMENT DIRECTOR

PUBLIC HEARING(S)

2. TXT-16-01; TEXT AMENDMENT TO MODIFY BUILDING HEIGHTS AND SETBACKS IN
THE RM-12, RM-25, STATE STREET COMMERCIAL AND TRANSIT ORIENTED
DEVELOPMENT ZONES; CITY STAFF (APPLICANT)

MINUTES

3. REVIEW AND APPROVE MINUTES OF JANUARY 13, 2016; FEBRUARY 10, 2016 AND
FEBRUARY 24, 2016

ADJOURN

The workshop meeting is open to the public; however, there is no public participation. This meeting includes City Staff briefing Commission Members on the technical aspects of the agenda items. Members of the public will be given an opportunity to address the Commission during public hearing items in the general session. The Commission reserves the right to amend the order of the agenda if deemed appropriate. No item will be heard after 10:30pm without unanimous consent of the Commission. Items not heard will be scheduled on the next agenda. In accordance with the Americans with Disabilities Act, Midvale City will make reasonable accommodations for participation in the meeting. Request assistance by contacting the CED Administrative Assistant at (801) 567-7211, providing at least three working days advance notice of the meeting.

A copy of the foregoing agenda was provided to the news media by email and/or fax; the agenda was posted in the City Hall Lobby, the 2nd Floor City Hall Lobby, on the City's website at www.midvalecity.org and the State Public Notice website at <http://pnm.utah.gov>. Commission Members may participate in the meeting via electronic communication. Commission Members' participation via electronic communication will be broadcast and amplified so all Commission Members and persons present in the Council Chambers will be able to hear or see the communication.

Lesley Burns, City Planner

Dated this 4th Day of March, 2016

Midvale City
Department of Community Development
Planning and Zoning

Planning and Zoning Commission Staff Report

APPLICATION:	Zoning Ordinance Text Amendment – Modify Building Heights and Setback Standards
LOCATION:	RM-12, RM-25, SSC, TOD Zone Districts
APPLICANT:	City Staff
REQUEST:	Text Amendment
MEETING DATE:	March 9, 2016
ZONING DESIGNATION:	SF-1 Zone District
AUTHOR:	Lesley Burns, City Planner
APPLICABLE ORDINANCE(S):	17-2; 17-3-1; 17-7-3; 17-7-4; 17-7-7; 17-7-8
AGENDA #:	2

SUMMARY:

There have been discussions with both the City Council and Planning Commission in the past few months to address recent community concerns regarding building heights and setbacks in areas immediately adjacent to single family residential zones. Of particular concern is the potential for five story buildings to be developed near single family residential neighborhoods. After reviewing the development standards in the RM-12, RM-25, State Street Commercial (SSC) and Transit Oriented Development (TOD) zones, which are directly adjacent to single family residential zones, it was found that each of the zones has different buffering and height requirements for new multi-family and commercial buildings. The attached presentation summarizes the allowable building heights and required setbacks currently in the ordinance.

Looking to balance the need to provide appropriate areas for growth and new development to occur while protecting adjacent, stable residential neighborhoods from the impacts of more intense development, Staff is proposing the following concepts be implemented into the zoning ordinance text in the RM-12, RM-25, SSC and TOD zones regarding building heights and setbacks:

- Utilizing the concept currently included in the TOD zone that larger setbacks from single family residential zones are required as building heights increase, make the setbacks for various buildings heights the same in all four zones.
- Include the 15 foot residential landscape buffer requirement (to include 6 foot masonry wall, large trees and shrubs) currently in the TOD zone, in the other three zones.
- Unless projects have frontage on State Street or 7200 South, limit building heights to 4 stories with a 66 foot setback from single family residential zones.
- Projects with frontage on State Street or 7200 South would still have the ability to go up to 6 and 7 stories if the building is a mixed-use structure and up to 5 stories if the building

building is commercial (graduated setbacks from adjacent single family residential zones still required).

Staff is also proposing a modification to the current definitions for “mixed-use” in the ordinance to avoid confusion.

STAFF RECOMMENDATION:

To accomplish these proposed changes Staff would recommend the following text amendments be incorporated into the zoning ordinance. Staff recommends that the Planning Commission considers the proposed amendments, including any public comment received. The Planning Commission can approve the amendments as proposed, make specific changes to the language proposed, or recommend no changes be made to the current ordinance.

Recommended text amendments: (See Attachment A)

RECOMMENDED MOTIONS:

“I move that we forward a recommendation to the City Council to:

Option 1: *amend the ordinance language as presented in Attachment A, with appropriate formatting to occur as part of the City Council’s final ordinance.”*

Option 2: *amend the ordinance language as presented in Attachment A, but with the following changes:*

1. . . .
2. . . .

with appropriate formatting to occur as part of the City Council’s final ordinance.”

Option 3: *make no changes to the ordinance with regard to building heights and setbacks in the RM-12, RM-25, SSC and TOD zones.”*

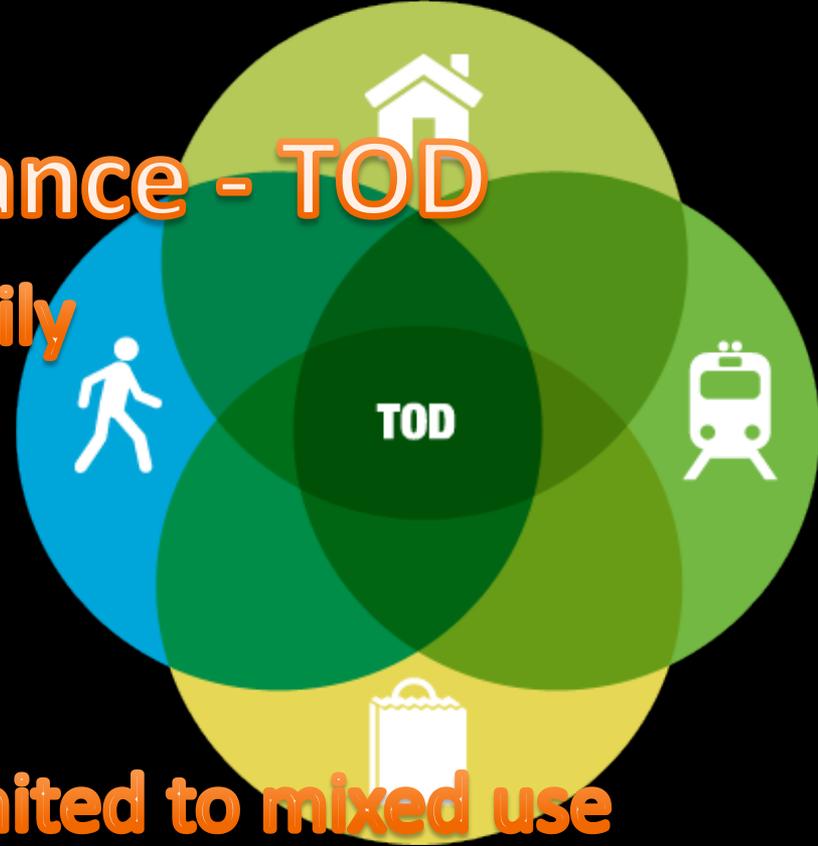
ATTACHMENTS:

- Summary of current ordinance
- Map of TOD and SSC areas with proposed building height/setback information
- Attachment A – proposed text amendments

PUBLIC NOTICE: No Yes

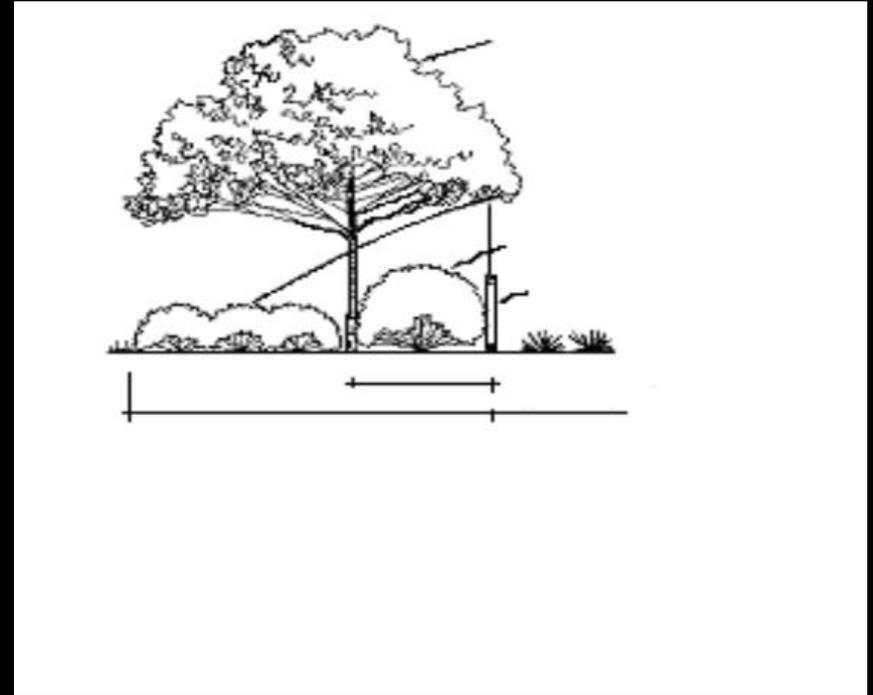
Current Ordinance - TOD

- **Setbacks from Single Family**
 - 3 stories – 37 feet
 - 4 stories – 66 feet
 - 5 stories – 83 feet
 - 6 stories – 100 feet (limited to mixed use with State Street & 7200 South Frontages)
 - 7 stories – 116 feet (limited to mixed use with State Street & 7200 South Frontages)



TOD Buffer

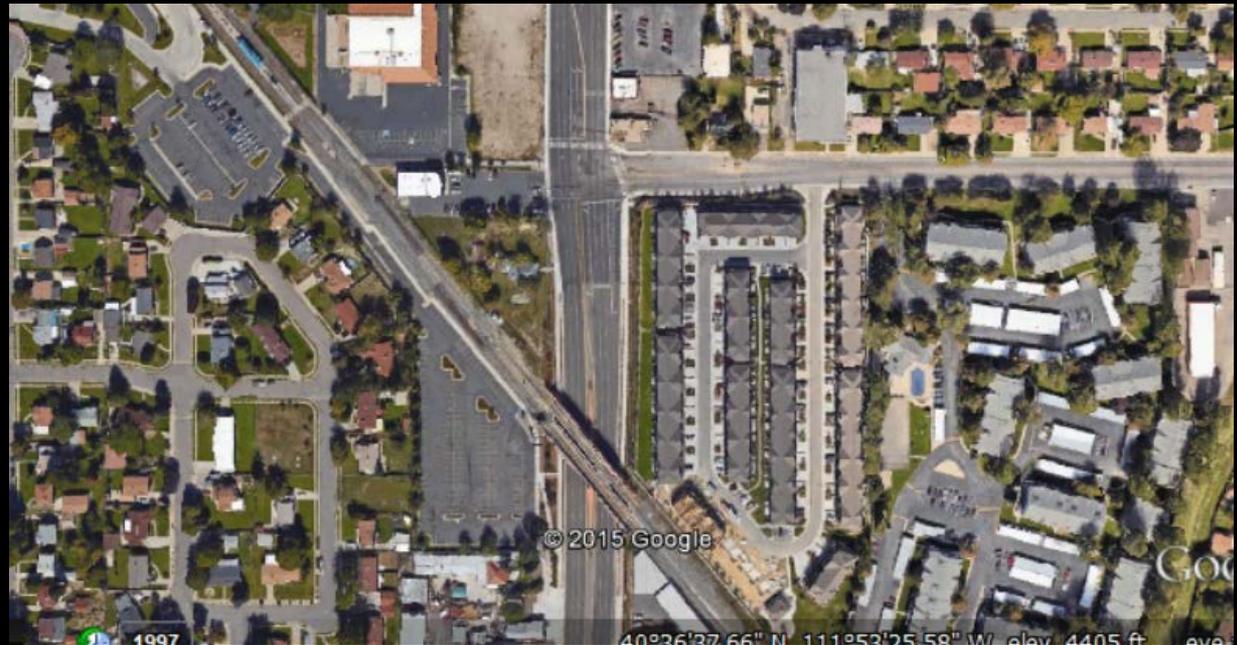
- **Residential Buffer.** New development shall provide a minimum fifteen-foot landscaped buffer consisting of large trees, shrubs, and a six-foot screening wall as approved by the planning commission. The screening wall shall be constructed of wood, metal, brick, masonry or other permanent materials along all property boundaries adjacent to single family residential zones.



Current Ordinance – RM12, RM25 & State Street for Multi-Family Projects

Setbacks from Single Family

- **RM12: up to 3 stories - 8 foot side and 20 foot rear**
- **RM25 & State Street:**
 - **Up to 3 stories – 10 foot side and 20 foot rear**
 - **4 stories – 50 feet**



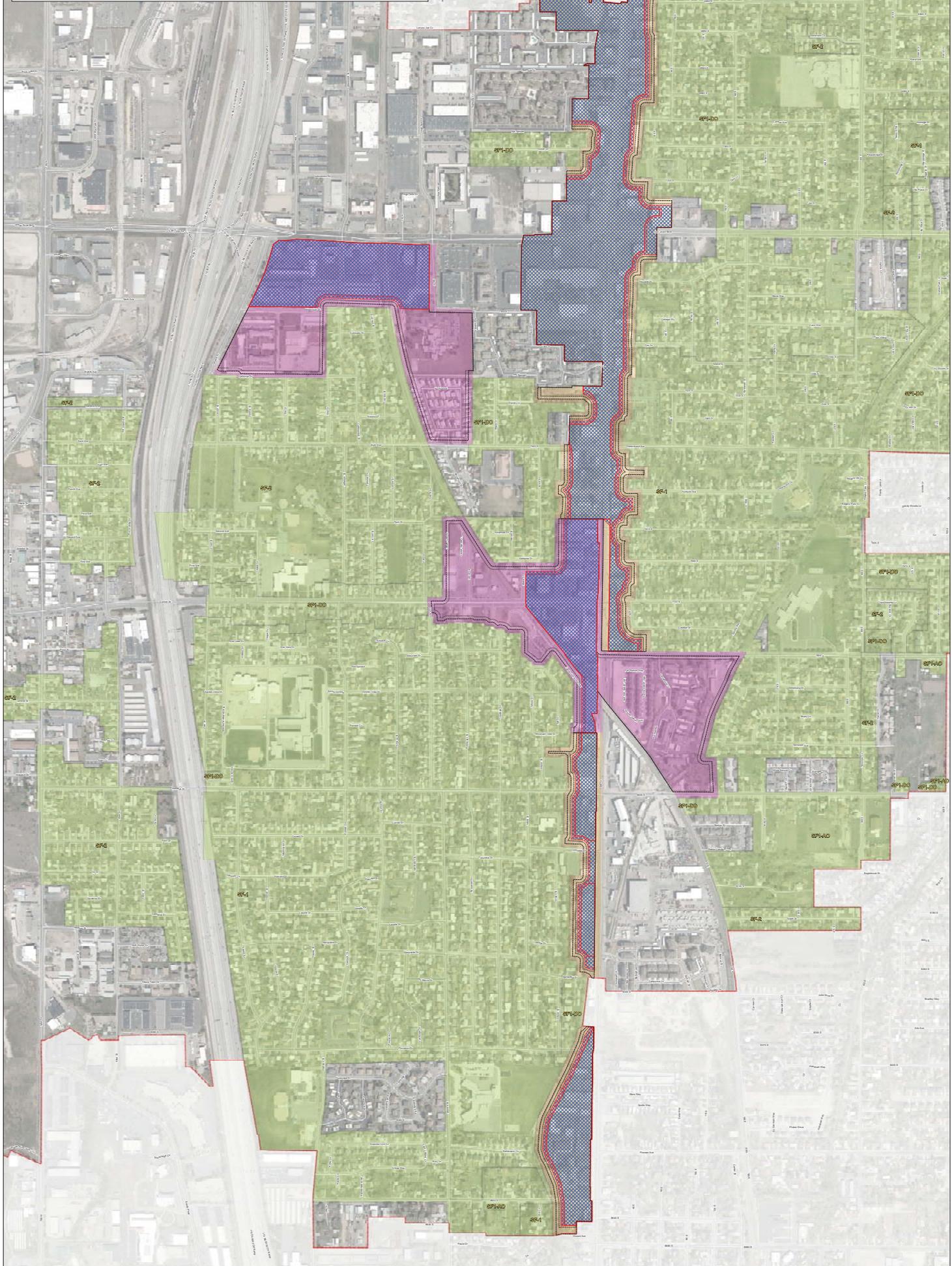
Current Ordinance – State Street for Mixed Use & Commercial

- **Mixed Use:**
 - 5 stories – 30 feet
 - 7 stories – 50 feet
- **Commercial**
 - 3 stories – 30 feet
 - 5 stories – 50 feet

Zones

TOD	TOD 3-STORIES* (37 ft. buffer)	TOD 5-STORIES** (83 ft. buffer)	SSC 3-STORIES (37 ft. buffer)	SSC 5-STORIES** (83 ft. buffer)
SSC	TOD 4-STORIES* (66 ft. buffer)	TOD 6-STORIES** (100 ft. buffer)	SSC 4-STORIES (66 ft. buffer)	SSC 6-STORIES** (100 ft. buffer)
SF-1 Single Family (SF-1)	TOD 7-STORIES* (116 ft. buffer)		SSC 7-STORIES** (116 ft. buffer)	
SF-2 Single Family (SF-2)				
SP1-DO Duplex Overlay (SP1-DO)				
SP1-AD Agricultural Overlay (SP1-AD)				

0 100 200 400 600 800 1,000 Feet

ATTACHMENT A

Additions

Deletions

Definitions – Chapter 17-2

Eliminate current definitions for Mixed-use, i.e. “Commercial mixed-use”, “Horizontal mixed-use” and “Vertical mixed use”, and replace with a new definition for “Mixed-use”.

~~“Commercial mixed-use” means development which incorporates a mix of uses, including retail commercial, and/or offices and residential.~~

~~“Horizontal mixed-use” means commercial and residential uses which are within close proximity to each other and designed in a “village” manner, but not necessarily within the same building structures.~~

~~“Vertical mixed-use” means commercial and residential uses which are within the same building structure.~~

“Mixed-use” means a structure which incorporates a mix of uses to include retail/service commercial and residential or office and residential. To be considered mixed use, a substantial portion of the structure’s ground floor shall incorporate retail/service commercial and/or office uses.

TOD Zone – Chapter 17-7-8

1. Amend Section 17-7-8.4, medium and high density residential development standards, to allow buildings from one to four stories instead of one to five stories, and eliminate the single family residential zone setback reference for five story structures.
2. Amend Section 17-7-8.5; retail, office and mixed-use development standards; as follows:

B. Setbacks.

4. Single Family Setback. The minimum setback from the property line, when adjacent to a single family residential zone, is fifteen feet, subject to the following exceptions:
 - a. Three-story structures must be set back thirty-seven feet; four-story structures must be set back sixty-six feet; five-story structures must be set back eighty-three feet; six-story structures must be set back one hundred feet; and seven-story structures must be set back one hundred sixteen feet. Structures can have stepped building heights to accommodate setbacks.
 - b. Projections. Sills, cornices, chimneys, flues, eaves, and ornamental features may project into the rear yard up to two and one-half feet.
 - c. Stairs and Balconies. Outside stairways and balconies may project into the rear yard up to three feet.

D. Height.

1. Mixed-Use. The maximum height for a mixed-use structure is seven stories. Buildings of five, six and seven stories are limited to State Street and 7200 South frontages. ~~When a mixed-use structure or portion of a structure is located within sixty-five feet of a single family residential structure outside the project/development boundary, the maximum height of the structure or portion of the structure is three stories.~~

2. Commercial. The maximum height for a commercial structure is five stories. ~~When a commercial structure is located within sixty-five feet of a single family structure outside the project/development boundary, the maximum height of the structure or portion of the structure is three stories.~~ Commercial buildings of five stories are limited to State Street and 7200 South frontages.

~~G. Stories. All building types must be from one to seven stories.~~

SSC Zone – Chapter 17-7-7

1. Amend Section 17-7-7.4 Lot and development standards as follows:

The following development standards apply to all new development in the zone:

A. Setbacks. New development shall comply with the following setbacks:

1. Front. The minimum front yard setback is fifteen feet, which shall consist of a ten-foot wide sidewalk, a five-foot park strip, and tree wells, subject to the following exceptions:
 - a. Corner Lot Rule. Corner lots have two front yards, with a twenty-five foot setback.
 - b. Projections. Skylights, sills, cornices, chimneys, flues and ornamental features may project into the front yard up to two and one-half feet. Eaves and awnings may project into the front yard up to eight feet so long as the eaves or awnings are at least eight feet above ground.
 - c. The structure may be set back an additional fifteen feet to allow for the inclusion of an outdoor dining area or courtyard.
2. Rear. The rear yard setback is twenty feet, subject to the following exceptions:
 - a. Projections. Skylights, sills, cornices, chimneys, flues, eaves, and ornamental features may project into the rear yard up to two and one-half feet.
 - b. Stairs and Balconies. Outside stairways and balconies, may project into the rear yard up to three feet.
 - c. Corner Lot Rule. On corner lots, there is no rear yard.
3. Single Family Setback. The minimum setback from the property line, when adjacent to a single family residential zone, is fifteen feet, subject to the following exceptions:
 - a. Three-story structures must be set back thirty-seven feet; four-story structures must be set back sixty-six feet; five-story structures must be set back eighty-three feet; six-story structures must be set back one hundred feet; and seven-story structures must be set back one hundred sixteen feet. Structures can have stepped building heights to accommodate setbacks.
 - b. Projections. Sills, cornices, chimneys, flues, eaves, and ornamental features may project into the rear yard up to two and one-half feet.
 - c. Stairs and Balconies. Outside stairways and balconies may project into the rear yard up to three feet.

B. Build-To Line. The front yard setback is the build-to line. At least fifty percent of the front facade must be built within three feet of the build-to line on all interior lots and at least thirty percent of the front facade must be built within three feet of the build-to line on all corner lots. Recessed plazas, courtyards and trellises are encouraged.

C. Height.

~~1. Mixed-Use. The maximum height for a mixed-use structure is fifty-five feet for a sloped roof or fifty-two feet for a flat roof, and may extend up to seventy-five feet for a sloped roof or seventy-two feet for a flat roof for portions of the structure more than fifty feet from a single family residential zoning district.~~

~~2. Commercial. The maximum height for a commercial structure is thirty-five feet for a sloped roof or thirty-two feet for a flat roof, and may extend up to fifty-five feet for a sloped roof or fifty-two feet for a flat roof for portions of the structure more than fifty feet from a single family residential zoning district.~~

1. Mixed-Use. The maximum height for a mixed-use structure is seven stories. Buildings of five, six and seven stories are limited to State Street and 7200 South frontages.

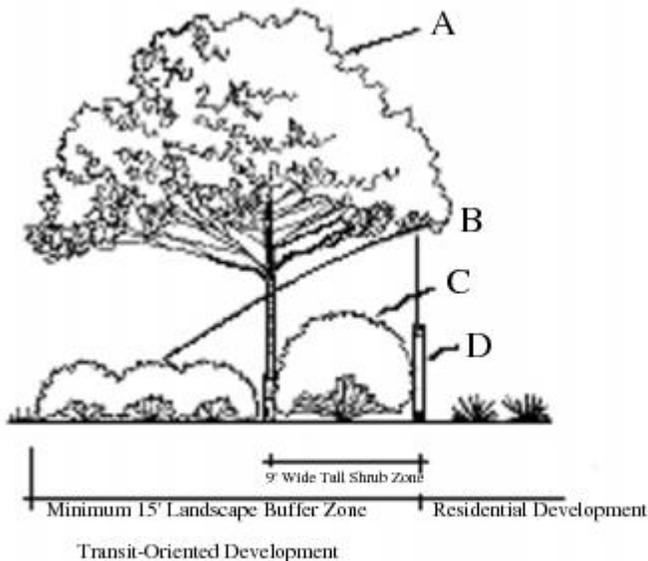
2. Commercial. The maximum height for a commercial structure is five stories.

3. Residential. The maximum height for a residential structure is four stories.

2. Add following language to Section 17-7-7.7, Required landscaping:

Single Family Residential Zone Buffer. New development shall provide a minimum fifteen-foot landscaped buffer consisting of large trees, shrubs, and a six-foot screening wall as approved by the planning commission. The screening wall shall be constructed of wood, metal, brick, masonry or other permanent materials along all property boundaries adjacent to single family residential zones.

Single Family Residential Zone Buffering Standard



- A – Large (Class 3) trees 30' on center (alternate with 8' tall evergreens)
- B – Low shrub buffer
- C – Tall shrub zone (8' – 10' mature height)
- D – Six-foot-tall screening wall as approved by commission

RM-25 Zone – Chapter 17-7-4

Add a section for new Multifamily Development to include:

1. Setbacks from single family residential zone:

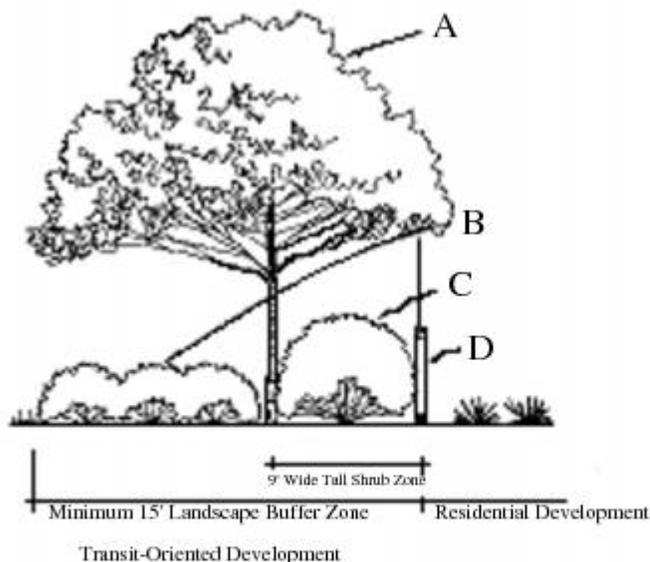
Single Family Setback. The minimum setback from the property line, when adjacent to a single family residential zone, is fifteen feet, subject to the following exceptions:

- a. Three-story structures must be set back thirty-seven feet; four-story structures must be set back sixty-six feet. Structures can have stepped building heights to accommodate setbacks.
- b. Projections. Sills, cornices, chimneys, flues, eaves, and ornamental features may project into the rear yard up to two and one-half feet.
- c. Stairs and Balconies. Outside stairways and balconies may project into the rear yard up to three feet.

2. Landscape buffer:

Single Family Residential Zone Buffer. New development shall provide a minimum fifteen-foot landscaped buffer consisting of large trees, shrubs, and a six-foot screening wall as approved by the planning commission. The screening wall shall be constructed of wood, metal, brick, masonry or other permanent materials along all property boundaries adjacent to single family residential zones.

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- B – Low shrub buffer
- C – Tall shrub zone (8' – 10' mature height)
- D – Six-foot-tall screening wall as approved by commission

RM-12 Zone – Chapter 17-7-3

Add a section for new Multifamily Development to include:

1. Setbacks from single family residential zone:

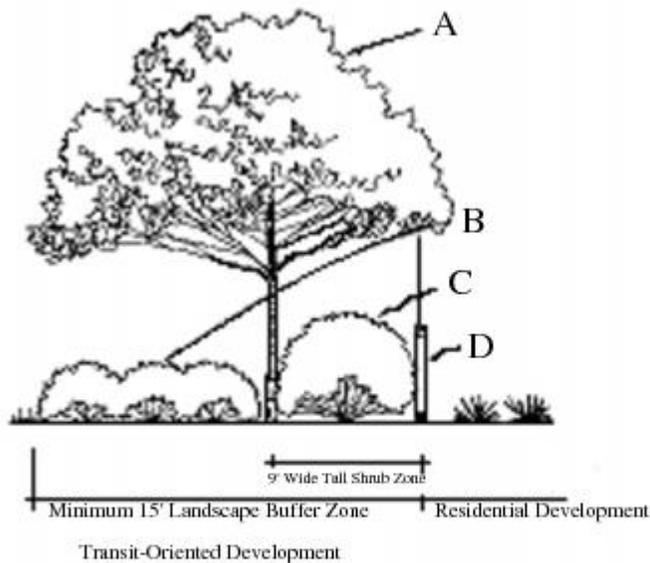
Single Family Setback. The minimum setback from the property line, when adjacent to a single family residential zone, is fifteen feet, subject to the following exceptions:

- a. Three-story structures must be set back thirty-seven feet. Structures can have stepped building heights to accommodate setbacks.
- b. Projections. Sills, cornices, chimneys, flues, eaves, and ornamental features may project into the rear yard up to two and one-half feet.
- c. Stairs and Balconies. Outside stairways and balconies may project into the rear yard up to three feet.

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