



**Planning Commission Staff Report
Ordinance Amendment
Hearing Date: June 26, 2019**

ITEM 4* The Provo City Community Development Department requests Code Amendments to Section 14.34.287 regarding the design standards for buildings in the Campus Mixed Use Zone. City-wide application. Josh Yost (801) 852-6408 PLOTA20190025

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| <p>Applicant: Provo Community Development Staff Coordinator: Josh Yost</p> <p>*Council Action Required: Yes</p> <p><u>ALTERNATIVE ACTIONS</u></p> <p>1. <u>Recommend Approval</u> of the proposed ordinance amendment. <i>This would be <u>a change from the Staff recommendation; the Planning Commission should state new findings.</u></i></p> <p>2. <u>Recommend Denial</u> of the proposed ordinance amendment. <i>This would be <u>a change from the Staff recommendation; the Planning Commission should state new findings.</u></i></p> | <p>Relevant History: Community Development has identified deficiencies in the Campus Mixed Use Zone and other multi-family zones pertaining to design regulation. The zone currently only requires one door on each street frontage, has no habitable first floor requirement or any regulation of windows and visual permeability at the first floor. Staff is studying amendments to the zone to provide sufficient regulation of these design elements.</p> <p>Neighborhood Issues: None noted.</p> <p>Staff Recommendation: Continue to allow additional time for the development community to review the proposed amendments.</p> |
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OVERVIEW

Community Development has identified deficiencies in the Campus Mixed Use Zone pertaining to design regulation. The zone currently only requires one door on each street frontage, has no habitable first floor requirement or any regulation of windows and visual permeability at the first floor. Staff is studying amendments to the zone to provide sufficient regulation of these design elements. The amendments under consideration include the following.

- A minimum habitable first floor depth as measured from the street facing façade. In the downtown this is 30’.
- A minimum number of pedestrian building entrances. For residential in the downtown an exterior entrance is required for each street facing unit.
- A minimum requirement for first floor windows and openings.
- Any commercial included in the site, whether required or voluntary, to be sited along a street frontage.

- Site design regulations to ensure parking is located interior to a building or site and that vehicle access is consolidated.

STAFF ANALYSIS

1. Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of ordinance text amendments:

Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public, and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan:

- (a) *Public purpose for the amendment in question.*

The public purpose for the amendment is to ensure that development within the city's multi-family zones adds value to the city and the public realm through proper integration into the fabric of the city in terms of both spatial arrangement and building design. New development in these zones should not create isolated pockets of housing whether introverted groupings of townhomes, or apartment complexes. Housing should integrate with the city beyond the ephemeral boundaries of a project.

- (b) *Confirmation that the public purpose is best served by the amendment in question.*

Staff has worked to develop the proposed amendments to accomplish the stated purpose effectively and efficiently by working with the framework of the existing Residential Design Standards. The amendments preserve the positive elements of the existing standards while reinforcing them to ensure the outcomes stated above.

- (c) *Compatibility of the proposed amendment with General Plan policies, goals, and objectives.*

Applicable Goals include the following

3.4.1.2 Maintain and encourage good quality, sustainable housing and infill developments.

3.4.1.7 Offer a range of housing types within neighborhoods that meets the changing needs of an aging population and facilitate long-term residency.

3.4.5 Provo City will encourage the development of various types of housing inventory to increase the health of existing neighborhoods while providing sufficient accommodations for people who want to work and live in Provo

3.4.5.2 Provo City will encourage infill developments and redevelopment of multifamily and denser housing inventory options in areas surrounding retail trade area to help increase demographic figures and provide a larger consumer base to current and future retailers.

3.4.5.7 Require moderate and high-density housing developments to be attractive, functional, desirable, and connected.

The General Plan offers many policies, goals, and objectives focused on creating diverse, high quality housing stock that will attract owners and other long term residents. The proposed amendments are compatible with and will hasten the attainment of these aims. Owners and other long term residents will be more likely to invest and reside for the long term if they live in places that are well integrated with their surroundings and provide high quality site and building design.

- (d) *Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.*

Not applicable.

- (e) *Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.*

Staff has found no potential for the proposed amendments to hinder or obstruct attainment of the articulated policies.

- (f) *Adverse impacts on adjacent land owners.*

The proposed amendments reinforce the existing elements of the standards that require compatibility with surrounding development, especially in the LDR and MDR zones.

- (g) *Verification of correctness in the original zoning or General Plan for the area in question.*

Not applicable.

- (h) *In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.*

Not applicable.

CONCLUSIONS

These types of regulations have ensured a base level of appropriate urban design in the development of new buildings in the downtown area and staff believes they will result in new projects in the CMU and other multi-family zones that properly interact with the public realm and that will increase the vibrancy of this key area.

STAFF RECOMMENDATION

Staff recommends the Planning Commission continue consideration of the proposed amendments to allow additional time for the development community to review the proposed amendments.

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2 | 3. ~~Yard~~Site Design Standards.

3 a. Front Yards.

- 4 i. There shall be a logical hard surface pedestrian connection between
5 the street and the front entry.
6 ii. The front yard shall be predominantly landscaped with a combination of turf
7 and plants. Hard surfaces for driveways and parking shall be minimized and shall
8 not exceed ordinance requirements.

9 | iii. Utility boxes shall not be located in the front or street side yards or park strips
10 unless the applicant demonstrates that there is no other practical location for
11 utility boxes on the site.

12 | iv. Mediate between public and private space on residential frontages. This
13 requirement may be met with the following strategies.

- 14 | 1. Use foundation plantings to provide separation between residential
15 units and the sidewalk.
16 | 2. Design porches, stoops and railings to provide intermediate semi-
17 private spaces.
18 | 3. Employ elevation changes to delineate the progression from public
19 space through semi-private space into interior private space.

20 b. Fences.

- 21 i. Fences shall complement the architectural character of the project.
22 ii. Chain link fences shall be prohibited in front yards.
23 iii. Fencing shall conform to Section 14.34.500, Provo City Code.

24 c. Building Location.

25 | i. New structures shall be sited consistently with the existing front setbacks of
26 adjoining properties to maintain neighborhood compatibility, with the
27 exception of projects that are zoned High Density Residential (HDR), Campus
28 High Density Residential (CHDR), or Campus Mixed Use (CMU), where
29 the zone permits lesser setbacks than the existing housing stock.

30 | ii. Frontage

- 31 | 1. A building's front elevation is the elevation whereon the primary or
32 common entrance is located.
33 | 2. Buildings shall front on a street, open space, or pedestrian way.
34 | 3. Buildings shall not front an interior property boundary or parking lot.
35 | ~~4.~~ In any development consisting of (5) or more townhomes each
36 townhome shall front a street, open space or pedestrian way.

37 | iii. The majority of new buildings in multifamily developments shall be sited along
38 the block face rather than the interior of the block.

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1. Interior lot development should comprise no more than twenty-five percent (25%) of a project's area.
- d. Buildings, including parking structures, shall be designed and located in a manner that allows planting and growth of mature trees in the front and side yards.
4. Building Facades.
 - a. Ground Floor Treatment
 - i. Commercial Ground Floors in the Campus Mixed Use Zone
 1. Design ground floor commercial space for retail or other active uses, orienting tenant spaces to the street and maximizing storefronts and entries along the sidewalks to sustain street level interest and promote pedestrian traffic
 2. Wall openings, such as storefronts, windows and doors, shall comprise at least 60% of a building's street level façade measured as a percentage of façade area between the ground plan and the finished floor elevation of the second floor.
 3. Open-wall storefronts are encouraged.
 - ii. Ground floors in all applicable zones.
 1. Excepting townhomes, a minimum habitable first floor depth of 30' as measured from the street facing façade is required.
 2. Residential units with individual entries shall include windows on the ground floor that look out onto the street, with wall openings comprising at least 30% of the street level façade, measured as a percentage of façade area between the ground plan and the finished floor elevation of the second floor..
 3. Clear glass for wall openings, i.e., doors and windows, shall be used along all street-level façades for maximum transparency. Tinted, mirrored or opaque glazing is not permitted for any required wall opening along street level façades
 4. Articulation and detailing of the ground floor with pedestrian entrances, quality materials and decorative details, shall be used to promote pedestrian-scaled architecture along the street.
 5. Electrical service, mechanical, or other equipment, enclosed stairs, storage spaces, blank walls, and other elements that are not pedestrian-oriented shall not be located along the ground floor street wall unless required by applicable code and no workable alternative location exists.
 - b. Pedestrian Building Entrances
 - i. Pedestrian building entrances shall
 1. meet the spatial requirements set forth in Table 14.34.295-1 Pedestrian Building Entrance (PBE) Requirements;
 2. contain a door providing direct pedestrian access into a building;

- 80 3. directly access an interior and enclosed commercial tenant
 81 space, public lobby, or residential unit;
 82 4. be directly accessible from and directly adjacent to the
 83 sidewalk; and
 84 5. prevent doors from swinging into the public right-of-way or
 85 beyond the front façade line of the building when opened.
 86 ii. Fire exit doors, doors to fire riser rooms or other mechanical spaces, and doors
 87 to exterior courtyards shall not qualify as pedestrian building entrances.
 88 a. ~~All structures shall have at least one (1) primary unit entry that faces the street.~~
 89 ~~Multifamily residential uses on corner lots shall have at least one (1) primary entry along~~
 90 ~~each street frontage.~~
 91 b. ~~Additional entrances may be located on side or rear facades.~~
 92 i.iii. The primary entrance of a multifamily structure shall be clearly defined
 93 by use of a raised porch or other similar entry feature.
 94 1. The front porch or entry feature shall be oriented to the street.
 95 2. The minimum size of the front porch or entry feature shall be functional
 96 rather than merely decorative.
 97 3. The porch floor height shall not exceed thirty (30) inches above the
 98 elevation of the top of the street curb.
 99 c. Doors, windows and balconies of new housing should be located to respect the privacy
 100 of neighboring properties.

Table 14.34.287-1 Pedestrian Building Entrance (PBE) Requirements

| <u>Frontage Type</u> | <u>Commercial</u> | <u>Residential</u> |
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| <u>PBE's Required for Each Street-facing Façade</u> | <u>1 per 25 feet (1 min.)</u> | <u>1 per street-fronting ground floor unit</u> |
| <u>Maximum Spacing</u> | <u>38 feet</u> | <u>38 feet</u> |

- 101 5. Driveways and Parking.
 102 a. New developments shall provide the minimum amount of driveway access and width
 103 required by code as a means of preserving front yard space.
 104 i. Driveway placement ~~should~~ shall be toward the side property line to avoid
 105 dividing a building by a single, central driveway to subterranean parking.
 106 ii. Driveways shall be consolidated where adjacent parcels or developments can be
 107 served by a single driveway. Cross access easements shall guarantee rights of
 108 access across the shared driveway for both parcels.
 109 iii. Alley access for properties ~~should~~ shall be encouraged to reduce the impact of
 110 parking and traffic circulation on the front of the property.
 111 iv. Parking and interior access ~~should~~ shall be designed to minimize the number of
 112 curb cuts.

- 113 | b. Parking shall not be placed in the front yard and should be minimized in the rear
114 | yard side yard, with the exception of one- and two-family dwellings when the driveway
115 | leads to a garage or carport as defined in Chapter 14.37, Provo City Code.
- 116 | i. Parking shall not be allowed between a primary building and a public street.
 - 117 | ii. Surface parking areas in rear yards shall be screened from neighboring
118 | properties with appropriate plant materials and/or fencing.
 - 119 | iii. Entrances to ~~underground~~ structured parking shall be provided from driveways
120 | along the sides of properties, not from a front-facing ~~underground~~ garage entry;
121 | unless the applicant demonstrates that no alternative is feasible.
 - 122 | iii.iv. Parking shall be screened from any adjacent public way, street, open space or
123 | pedestrian way.
- 124 | c. Except for the minimum ground-level frontage required for access to parking and
125 | loading, no parking or loading shall be visible on the ground floor of any building façade
126 | that faces a public right-of-way. It is recognized that providing parking within the
127 | primary building may create a conflict with the desire for pedestrian connectivity
128 | at street level. An alternate design that includes parking on the main level of
129 | the building and on a façade that faces a public street may be approved by the Design
130 | Review Committee, subject to the following standards:
- 131 | i. ~~There shall be a significant, pedestrian entrance to the building at street level to~~
132 | ~~maintain a pedestrian connection to the street;~~
 - 133 | ii. ~~A minimum of thirty percent (30%) of the primary street level building façade~~
134 | ~~must be habitable floor space such as living space, rental office or amenity~~
135 | ~~space;~~
 - 136 | iii. ~~The parking structure shall be treated with materials, windows, building relief~~
137 | ~~and rhythm that mask the appearance of the parking structure. The~~
138 | ~~parking structure shall be appear to be part of the residential or~~
139 | ~~commercial building; and~~
 - 140 | iv. ~~The Design Review Committee should consider aesthetic transitions at façade~~
141 | ~~corners when a side elevation is viewable from a public street.~~
- 142 | 6. Landscape Design.
- 143 | a. Property owners shall comply with Section 15.20.030, Provo City Code, for the
144 | protection of existing vegetation.
 - 145 | b. New landscaping shall be complementary to existing neighborhood vegetation.
 - 146 | i. The species, size and placement of new landscaping shall be considered in the
147 | design review process.
 - 148 | c. Landscaping shall be used to reduce the impact of larger buildings on neighboring
149 | properties.
 - 150 | d. Buildings and driveway lighting should not extend beyond the boundaries of the subject
151 | property, as per Chapter 15.21, Provo City Code.
- 152 | 7. Building Form, Mass and Scale (LDR Zone Only).

- 153 i. Building form, mass and scale should be appropriate for the zone in which
154 the building is located and consistent with the established neighborhood
155 character.
- 156 ii. Architectural elements such as roof form, windows, doors, etc., should be
157 consistent with the form and character of the existing housing in the area.
- 158 iii. A porch or similar element, which defines the front entrance, shall be provided.
- 159 iv. An attached garage shall not be the dominant design feature of the front
160 elevation.
- 161 v. Sloping roofs such as gable or hip design should be used as the primary roof
162 form.
- 163 vi. Historic buildings are subject to Title 16, Provo City Code.
- 164 b. Building additions shall not strongly alter the character of an original building.
- 165 i. Windows, materials and doors should be compatible with those of the
166 original building.
- 167 ii. Roof forms shall be compatible with the existing structure.
- 168 8. Building Form, Mass and Scale (MDR, HDR, CHDR and CMU Zones).
- 169 a. The facade of any multiple-family, or apartment, or mixed use structure shall have
170 sufficient relief and rhythm to give visual interest and appeal.
- 171 i. Be articulated in the horizontal plane to provide visual interest and enrich the
172 pedestrian experience, while contributing to the quality and definition of the
173 street wall.
- 174 ii. Be vertically articulated to differentiate the ground floor façade, and feature
175 high quality materials that add human scale, texture and variety at the
176 pedestrian level.
- 177 iii. Provide an identifiable break between the building's ground floors and upper
178 floors. This break may include a change in material, horizontal dividing element,
179 a change in fenestration pattern or similar means.
- 180 iv. Be vertically articulated at the street wall façade, establishing different
181 treatment for the building's base, middle and top. Use balconies, fenestration,
182 shading devices, or other elements to create an interesting pattern of
183 projections and recesses.
- 184 v. Avoid extensive blank walls that detract from the experience and appearance of
185 an active streetscape.
- 186 vi. Provide well-marked entrances to cue access and use. Enhance all public
187 entrances to a building or use through compatible architectural or graphic
188 treatment.
- 189 ~~i.~~
- 190 ~~b. One (1) continuous roof line shall be avoided. Variation in the roof line, or roof height, is~~
191 ~~encouraged.~~
- 192 b. Exterior stairways, corridors or landings shall not be located on the front or street side
193 elevation of the building

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- c. Structures located in the CHDR and CMU zones that are greater than ~~six~~ (6) stories in height shall step back fifteen (15) feet from the first floor elevation for all stories above the fourth floor on all elevations that front a public street unless the applicant can demonstrate that there is sufficient variation and articulation in the building planes to give visual interest and appeal.
- d. Building additions shall not strongly alter the character of the original building.
 - i. Windows, materials and doors shall be compatible with those of the original building.
 - ii. Roof forms shall be compatible with the existing structure.