



**Planning Commission Staff Report
Ordinance Amendment
Hearing Date: August 28, 2019**

***ITEM 5 The Provo City Community Development Department requests amendments to Section 14.34.295 Downtown Development Design Standards to clarify architectural requirements in the Downtown Zones. Central Business District, Joaquin, Maeser, Franklin, and Timp Neighborhoods. Robert Mills, 801-852-6407 16-0005OA**

Applicant: Provo Community Development
Staff Coordinator: Robert Mills

*Council Action Required: Yes

ALTERNATIVE ACTIONS

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is September 11, at 6:00 p.m.*
2. **Recommend Denial** of the proposed ordinance amendment. *This would be a change from the Staff recommendation; the Planning Commission should state new findings.*

Relevant History: Staff has been working on amendments to the Downtown Development Design Standards for more than two years. Many iterations of these amendments have been presented to local developers, the Design Review Committee and the Planning Commission in study session. These meetings have led to extensive edits and additions leading to the final version presented here. Staff proposes replacing the entirety of 14.34.295 with the revised standards.

Neighborhood Issues: None noted.

Summary of Key Issues: The current design standards, while having served well since their inception, contain some elements that are unclear or have led to multiple conflicting interpretations. Some numerical standards have also been shown through experience to be too high or too low. Lastly, staff has found regulatory areas that needed to be addressed more thoroughly or added in whole to the standards.

Staff Recommendation: Staff recommends the Planning Commission recommend approval to the City Council of the amendments to Section 14.34.295, Downtown Development Design Standards.

OVERVIEW

As Community Development has processed applications for new development in the zones to which the design standards apply, staff has identified multiple ways in which the Downtown Development Design Standards (the standards), could be improved to better facilitate quality development. The current design standards, while having served well since their inception, contain some elements that are unclear or have led to multiple conflicting interpretations. Also, some numerical standards have also been shown through experience to be too high or too low. Lastly, staff has found regulatory areas that needed to be addressed more thoroughly, added in whole to the standards. The proposed amendment completely replaces the entirety of Section 13.34.295.

The revisions add significant clarity and new regulation in the areas of Ground Floor Treatment, Massing, Architectural Detail, Parking, Access and Site Design, and broader area wide design elements including open space and pedestrian linkages. Also added are special standards for the Startup District and Center Street areas.

Specifically, the revised standards address the following elements where lack of clarity has led to difficulty in interpretation and enforcement.

- Building entrances- The standards lacked clarity in the requirements for entrances for buildings smaller than the minimum required door spacing. Secondly, the characteristics of a building entrance were not defined. The revisions address these concerns with a new Pedestrian Building Entrances section which thoroughly addresses both spacing and required characteristics of entrances.
- Upper story fenestration- The revisions clarify requirements for groupings of windows and increase the permitted percentage of glass from 50% to 70%.
- Balconies- The revisions establish regulations for the capture of storm water runoff from balconies.
- Materials- Prohibited materials are clearly defined and quality, long lived, sustainable materials are encouraged
- Sound attenuation- The sound attenuation standard for buildings within 100 feet of railroad rights-of-way is clarified with a measurable sound level requirements and verification by a licensed acoustical engineer.
- Structured parking- The revised standards make clear that the architectural standards apply to above grade parking structures.

The new standards also create an exemption mechanism for public or civic buildings whose form and siting generally differ from the type of development anticipated by these standards.

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 is to clarify what is expected of development in the Downtown, Gateway and TOD areas so that the City can be sure that the standards can be applied as intended and developers can clearly understand what is required. A second purpose is to increase the physical quality, economic viability, pedestrian orientation and visual distinctiveness of these areas.

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

Staff has studied design standards and architectural guidelines from many cities and synthesized the findings with the existing standards while trying to avoid expanding the scope and length of the standards unnecessarily. Staff has also consulted with the Planning Commission and Design Review Board. The resulting standards address Community Development's concerns with the existing standards and provide a solid regulatory framework for future development.

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

This amendment helps to achieve goals of the General Plan in several chapters, including Housing, Urban Design, and Land Use. Most specifically, in chapter 6, it states the City should "promote great urban design and architecture through development standards".

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

There are no relevant timing and sequencing provisions related to this request.

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

The proposed amendment should not hinder or obstruct attainment of the General Plan's articulated policies.

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

There will be no adverse impacts on adjacent land owners with the approval of this amendment as it does not affect the permitted height, setbacks, lot coverage or other geometric standards of the underlying zones.

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

The current zoning for the area in question is correct.

- (g) *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

Staff concludes that the adoption of these amendments will increase the clarity and predictability of downtown design standards for applicants. These amendments will improve the ability of staff to evaluate a proposals compliance with the standards. Lastly, these amendments will ensure quality design as Provo's Downtown continues to change and develop.

STAFF RECOMMENDATION

Staff recommends the Planning Commission recommend approval to the City Council of the amendments to Section 14.34.295, Downtown Development Design Standards.

1 **14.34.295 Downtown Development Design Standards**

2 **1) Applicability**

3 a) In addition to the requirements of 14.34.280 – Design Review and, the following
4 standards shall apply in the DT1, DT2, GW, and ITOD zones including any PF or PRO
5 zones fully enclosed within the area of these zones:

6 b) These standards shall apply to all new construction, additions, and renovations,
7 including alterations to a building’s site.

8 c) Exceptions

9 i) The Design Review Committee and the Planning Commission may approve an
10 alternative design arrangement equal to or better than the requirements set forth in
11 this section.

12 ii) The Design Review Committee and the Planning Commission may approve an
13 exception from any portion of these standards for buildings constructed by a public
14 entity for a public use.

15 iii) Such a request shall be made in writing as part of the proposed projects required
16 application.

17 iv) The Design Review Committee and the Planning Commission shall make specific
18 findings justifying the alternate design arrangement or design exception based on the
19 following criteria.

20 (1) The proposed design remains generally compliant with the spirit and intent of
21 these standards.

22 (2) The proposed design engages and activates the public realm consistent with the
23 intent of these standards.

24 (3) The proposed design contributes positively to the high standards of construction,
25 urban design and vitality desired for Downtown Provo.

26 **2) Building Design**

27 a) Ground Floor Treatment

28 i) Ground Floor Treatment along Primary Streets

29 (1) Design ground floor space on primary streets for retail or other active uses,
30 orienting tenant spaces to the street and maximizing storefronts and entries
31 along the sidewalks to sustain street level interest and promote pedestrian traffic.

32 (2) Wall openings, such as storefronts, windows and doors, shall comprise at least
33 60% of a building's street level façade, measured as a percentage of wall area
34 between the ground plane and the first floor ceiling.

35 (a) Bulkhead walls within storefront bays are counted as wall openings for the
36 purpose of this calculation.

37 (b) Wall openings shall be distributed along the length of the façade to avoid
38 expanses of blank wall. For example, a 100 foot façade with 60 feet of
39 continuous windows and 40 feet of continuous wall is not permitted.

40 (3) Fully opening storefront wall systems are encouraged.

41 ii) Ground Floor Treatment along Secondary Streets

42 (1) Design ground floor space facing secondary streets to accommodate habitable
43 space and to avoid blank walls and visible parking.

44 (2) The ground floor treatment of those uses, except residential units with individual
45 entries, should be similar to that of retail space, except that wall openings, such
46 as storefronts, windows and doors, shall comprise at least 50% of the street level
47 façade, measured as a percentage of frontage length.

48 (3) Residential units with individual entries should include windows on the ground
49 floor that look out onto the street, with wall openings comprising at least 30% of
50 the street level façade, measured as a percentage of frontage length.

51 iii) Ground Floor Treatment along All Streets

52 (1) Clear glass for wall openings, i.e., doors and windows, shall be used along all
53 street-level façades for maximum transparency, especially in conjunction with
54 retail uses. Tinted, mirrored or opaque glazing is not permitted for any required
55 wall opening along street level façades.

56 (2) Articulation and detailing of the ground floor street wall with pedestrian
57 entrances, storefronts, quality materials and decorative details, shall be used to
58 promote pedestrian-scaled architecture along the street.

59 (a) The design of street level building features such as bulkheads, plinths,
60 wainscots and cornices, shall derive their proportions from the ground floor or
61 base levels of the building.

62 (i) Monumental scale features can be considered when part of a multi-story
63 building base such as a two story base with engaged columns where the
64 column pedestals are scaled proportionally to the two story column.

65 (3) Breaks in the street wall should be limited to those necessary to accommodate
66 pedestrian pass-throughs, public plazas, entry forecourts, permitted vehicular
67 access driveways, and hotel drop-offs.

- 68 (4) Storefront design shall encourage variety by permitting tenants to select
69 individualized awnings and storefront designs.
- 70 (5) Ground floors shall include features that enhance the character of the street wall
71 and/or help define the pedestrian environment along the sidewalk, such as
72 canopies, awnings, overhangs, and lighting.
- 73 (6) Awnings and canopies shall be fabricated of woven fabric, glass, metal or other
74 permanent material compatible with the building architecture. Internally
75 illuminated, closed-bottom, or vinyl awnings are not permitted.
- 76 (7) Electrical service, mechanical, or other equipment, enclosed stairs, storage
77 spaces, blank walls, and other elements that are not pedestrian-oriented shall not
78 be located along the ground floor street wall unless required by applicable code
79 and no workable alternative location exists.

80 iv) Pedestrian Building Entrances

- 81 (1) Pedestrian building entrances shall
 - 82 (a) meet the spatial requirements set forth in Table 14.34.295-1
83 Pedestrian Building Entrance (PBE) Requirements;
 - 84 (b) contain a door providing direct pedestrian access into a building;
 - 85 (c) directly access an interior and enclosed commercial tenant space,
86 public lobby, or residential unit;
 - 87 (d) be directly accessible from and directly adjacent to the sidewalk; and
 - 88 (e) prevent doors from swinging into the public right-of-way or beyond the
89 front façade line of the building when opened.
- 90 (2) Fire exit doors, doors to fire riser rooms or other mechanical spaces, and
91 doors to exterior courtyards shall not qualify as pedestrian building
92 entrances.

Table 14.34.295-1 Pedestrian Building Entrance (PBE) Requirements				
Frontage Type	Commercial		Residential	
	Center Street (500 W - 100 E)	Other Street	Primary Street	Secondary Street
PBE's Required for Each Street-facing Façade	1 per 25 feet (1 min.)	1 per 35 feet (1 min.)	1 per street- fronting ground floor unit	1 per street- fronting ground floor unit
Maximum Spacing	38 feet	50 feet	38 feet	75 feet

93 b) Architectural Detail

94 i) Horizontal Articulation

95 (1) Articulate the horizontal plane of a building to provide visual interest and enrich
96 the pedestrian experience, while contributing to the quality and definition of the
97 street wall.

98 (2) Avoid extensive blank walls that detract from the experience and appearance of
99 an active streetscape.

100 (3) Horizontal variation should be of an appropriate scale and reflect changes in the
101 building uses or structure. Consider both small scale and large scale articulation.

102 (4) Vary details and materials horizontally to provide scale and three-dimensional
103 qualities to the building.

104 (5) Provide well-marked entrances to cue access and use. Enhance all public
105 entrances to a building or use through compatible architectural or graphic
106 treatment. Main building entrances should read differently from retail storefronts,
107 restaurants, and commercial entrances.

108 ii) Vertical Articulation

109 (1) Differentiate the ground floor façade, and feature high quality materials that add
110 human scale, texture and variety at the pedestrian level.

111 (2) Provide an identifiable break between the building's ground floors and upper
112 floors. This break may include a change in material, horizontal dividing element,
113 a change in fenestration pattern or similar means.

114 (3) Vertically articulate the street wall façade, establishing different treatment for the
115 building's base, middle and top. Use balconies, fenestration, shading devices, or
116 other elements to create an interesting pattern of projections and recesses.

117 (4) The primary visual division of the building shall emphasize a vertical orientation
118 with vertical features overriding horizontal features.

119 (5) In order to respect existing historic datums, the cornice or roof line of historic
120 structures should be reflected with a demarcation on new adjacent structures.

121 (6) Where appropriate, employ shade and shadow created by reveals, surface
122 changes, overhangs and sunshades to provide sun control benefits and visual
123 interest on façades exposed to the sun.

124 iii) Windows and Balconies

125 (1) Windows

126 (a) All windows and doors, with the exception of ground level storefronts, shall be
127 square or vertical in proportion.

- 128 (b) Ganged or mullied windows shall have a structurally independent mullion
129 separating each individual window.
- 130 (c) Curtain wall systems may be utilized with or without exterior mullion covers.
- 131 (d) Minor divisions created by muntins or individual windows in window groups
132 that are horizontal in proportion may be permitted as long as the complete
133 window or window group remains square or vertical in proportion.
- 134 (e) "Punched" doors and windows, or those completely surrounded by wall
135 cladding, shall include a shadow line or reveal which sets the window or door
136 unit back from the face of the wall a distance at least the depth of adjacent
137 cladding.
- 138 (f) Doors and windows that operate as horizontal sliders are prohibited on street
139 facing facades except on balconies where the use of sliding doors may
140 provide for better utilization of floor space. Permissible window operation
141 types include single and double-hung, casement, awning and pivot.
- 142 (g) Glass Above the First Story
- 143 (i) For buildings with frontage on Center Street from 500 West to the Eastern
144 boundary of the zones to which these standards apply, glass above the
145 first story shall not exceed 70 percent of the total building wall area, with
146 each facade being calculated independently.
- 147 (ii) For all other buildings, no maximum glass percentage is established, but
148 the use of other materials may be required to meet other requirements of
149 these standards.
- 150 (h) Horizontal banding of windows across a building façade is not permitted.
- 151 (i) Opaque, painted, dark tinted, and mirrored glass windows are prohibited.

152 (2) Balconies

- 153 (a) Balconies consisting of a minimum area of fifty (50) square feet shall be
154 provided for at least fifty (50) percent of all residential units.
- 155 (b) The design and of balconies and associated railings shall be integrated into
156 the overall building design.
- 157 (c) Drainage from projecting balconies shall be captured and directed into the
158 building's storm water collection system.
- 159 (d) Balconies may be inset into the building or may project into the street right-of-
160 way a maximum of five feet so long as ten (10) feet of vertical clearance is
161 provided between the sidewalk and the balcony and the required ground floor
162 height is maintained.

163 (e) Storage on balconies is limited to items such as tables, chairs, barbecue
164 grills, and similar outdoor furniture. All new projects with residential units shall
165 be required, as a condition of approval, to include language in their rental
166 contracts or CC&Rs that restricts storage on balconies to acceptable items.

167 iv) Materials

168 (1) Buildings shall aim for a “timeless design” and employ sustainable materials and
169 careful detailing that have proven longevity.

170 (2) Feature long-lived and sustainable materials. The material palette should provide
171 variety, reinforce massing and changes in the horizontal or vertical plane.

172 (3) Use especially durable materials on ground floor façades.

173 (4) The following materials are not permitted.

174 (a) Any material not intended or designed as an architectural finish product.

175 (b) Vinyl siding.

176 (c) Fiber reinforced plastic.

177 (d) Artificial or cultured stone such as faux cobble, ashlar or stacked stone.

178 (i) This prohibition does not include GFRC, other architectural cast concrete
179 materials, terra-cotta or similar materials.

180 (5) Hard coat stucco or exterior insulated finish system (EIFS) is limited to 10% of
181 façade area calculated for each façade independently.

182 (a) Common or party walls directly abutting an adjacent building wall shall not be
183 subject to this limitation.

184 (b) Any interior façade without direct visual exposure to a street shall not be
185 subject to this limitation.

186 (c) The above materials may not be used on the ground floor of any street facing
187 façade.

188 (6) In all portions of new buildings that are located within one hundred (100) feet of a
189 railroad right-of-way, interior noise levels attributable to exterior sources shall not
190 exceed 45 dBA CNEL in any habitable room. Applicants shall provide
191 documentation from a licensed acoustical engineer that demonstrates the
192 achievement of the required 45 dBA CNEL.

193 **3) Parking, Access and Site Design**

194 a) All Parking and Access

195 i) Locate parking, loading and vehicular circulation to minimize its visibility from the
196 public right-of-way.

- 197 ii) All new parking facilities intended for public use shall employ occupancy tracking
198 technology and electronic displays to communicate the availability and location of
199 spaces to patrons.
- 200 iii) Except for the minimum ground-level frontage required for access to parking and
201 loading, no parking or loading shall be visible on the ground floor of any building
202 façade that faces a public right-of-way.
- 203 iv) Curb cuts and parking/loading entries into buildings shall be limited to the minimum
204 number required and the minimum width permitted by city code.
- 205 v) Vehicular access shall be from an alley or at mid-block.
- 206 vi) Vehicular access is not permitted from Center Street
- 207 vii) Parking and loading access shall be shared where feasible.
- 208 viii) Drive-through service aisles are not permitted.
- 209 b) Above Grade Parking Structures
- 210 i) Where parking above the ground floor that is not lined with habitable space is
211 permitted, the parking levels fronting on a public street shall be architecturally
212 integrated with the design of the lower building façade and subject to all
213 requirements of these standards for building façades.
- 214 ii) A maximum of four (4) above ground parking levels that are not lined with habitable
215 space may front a public street, counted at each street facing elevation.
- 216 iii) Parked vehicles shall be obscured from view on parking levels fronting on the public
217 right-of-way. The parked vehicles shall be obscured from any point of view in the
218 area extending from the face of the parking structure to the edge of right-of-way on
219 the opposite side of the street up to an elevation of eight (8) feet.
- 220 iv) Where a vehicular exit from a parking structure is located within five (5) feet of the
221 back of sidewalk, an appropriate combination of visual and audible alarms, as
222 determined by the parking coordinator, shall be installed to warn pedestrians and
223 cyclists of exiting vehicles.
- 224 v) Vehicular access should be located to avoid conflicts with the primary pedestrian
225 routes to and from the garage.
- 226 vi) Provide well-marked, well-lit pedestrian entrances to cue access and use. Enhance
227 pedestrian entrances through architectural or graphic treatment.
- 228 vii) Pedestrian entrances shall be provided with an exterior awning or canopy, or be
229 recessed into the building to provide weather protection.
- 230 viii) Use vertical circulation elements such as stairways and elevators to create focal
231 elements on above grade garage facades and to increase the legibility of pedestrian
232 circulation.

233 ix) Vertical pedestrian circulation such as stairways and elevators shall be located at
234 exterior street fronting faces of above grade garages and be immediately accessible
235 from pedestrian entrances.

236 c) Site Design

237 i) Mechanical and other utility equipment shall not be located on street facing facades,
238 balconies, or in yards located between the public right of way and the building.

239 ii) Rooftop mechanical equipment shall have an opaque screening barrier that is
240 architecturally compatible with the primary structure. Only the minimal amount of
241 screening necessary to fully screen such equipment shall be used.

242 iii) Provide street furniture outside of ground floor retail, such as tables and chairs,
243 signage and lighting as prescribed in the Downtown Streetscape Standards.

244 iv) Mediate between public and private space on residential frontages. This requirement
245 may be met with the following strategies.

246 (1) Use foundation plantings to provide separation between residential units and the
247 sidewalk.

248 (2) Design porches, stoops and railings to provide intermediate semi-private spaces.

249 (3) Employ elevation changes to delineate the progression from public space
250 through semi-private space into interior private space.

251 v) Provide access from rear parking to street front business entrances.

252 **4) Open Space and Pedestrian Linkages**

253 a) Pedestrian Linkages - Provide convenient linkages that facilitate movement for
254 pedestrians throughout the downtown, and to and from adjacent neighborhoods.

255 i) Accommodate and construct pedestrian linkages as shown in the Downtown Master
256 Plan.

257 ii) Use visual and physical cues within the design of the building and building entries to
258 express connections to pedestrian linkages and to adjacent neighborhoods.

259 iii) Orient private and public open spaces and plazas to trails and pedestrian linkages.

260 iv) Create visual and physical links across major corridors such as 500 West, Freedom
261 Blvd., University Avenue, 100 North, 300 South and the railroad corridor.

262 **5) Special District Standards**

263 a) Startup District - This District includes all areas South of 300 South, West of University
264 Avenue and North of the Union Pacific Railroad right-of-way that are within the zones to
265 which these standards apply. The Startup District is a vibrant urban neighborhood of
266 mixed commercial and residential uses. The district's history is characterized by
267 warehousing, manufacturing, and service industries. Many of the districts older buildings

268 are being converted for a mix of office, retail, creative and residential use. This guideline
269 can be accomplished by:

270 i) Drawing on the urban warehouse and manufacturing character of the Startup District
271 when altering existing buildings and when designing new structures.

272 ii) Continuing the urban warehouse and manufacturing character of the Startup District
273 through site design including the design of building sites and open spaces.

274 iii) Adding buildings which diversify the architectural language and palette of materials.

275 iv) Celebrating and encouraging the concentration of creative businesses, service
276 establishments and art studios with design features that contribute to the Startup
277 District's ambiance. Consider features that provide connectivity and continuity such
278 as awnings, street banners, special graphics, and streetscape color coordination,
279 which link shops, galleries, entrances, display windows and buildings. Active ground
280 level retail that opens onto and/or uses the sidewalk can contribute to the attraction
281 of the creative businesses.

282 b) Central Center Street Corridor. This District includes the North and South sides of
283 Center Street, from 500 West to 100 East and adjacent cross street block faces. Center
284 Street is the primary historic commercial and civic corridor of Provo City. The corridor is
285 characterized by two to three story commercial buildings and iconic civic and religious
286 structures. The primary commercial building form is the commercial block with a ground
287 floor composed of a commercial storefront framed by masonry piers below primarily
288 masonry upper stories with regularly spaced windows. Civic and religious buildings vary
289 from this form but are primarily characterized by their monumental scale and siting within
290 a public open space separating them from the surrounding streets. This guideline can be
291 accomplished by:

292 i) Employing the historic commercial block form in new development.

293 ii) Respecting historic compositional and massing conventions when introducing
294 contemporary architectural styles.

295 iii) Referencing historic patterns of vertical and horizontal façade division in new
296 buildings.

297 iv) Maintaining the uniform setback of the existing street wall.

298 v) Filling the lot from side lot line to side lot line including using offset footings to eliminate even
299 small gaps between buildings

300 vi) Providing pedestrian entrances on Center Street to upper stories or building lobbies.

301 vii) Designing buildings with a unified tripartite composition (base/middle/top), and
302 distinct cornice lines to acknowledge the historic building context.

303 viii) Using masonry as the primary material, while introducing other materials sparingly.

304 ix) Designing ground floors with attention to human scale by

- 305 (1) Scaling ground floor façade features, such as storefront and entrances, as sub-
306 elements of the ground floor level, while designing the overall ground floor level
307 as a sub-element of the entire building façade.
- 308 (2) Employing materials with textural and tactile interest.
- 309 (3) Designing storefronts with vestibules.