

**South Salt Lake City
Municipal Code**

Title 17 Zoning Code

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Chapter 17.66 Transit Oriented Development Overlay District

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Title 17 ZONING

Chapter 17.66 Transit Oriented Development (TOD) Overlay District

17.66.010 Purpose.

The purpose of the Transit Oriented Development (TOD) Overlay District is to encourage property owners to develop their property using transit oriented design principles through the use of incentives while preserving rights under the existing district designation.

The TOD District is established:

1. to promote new, well-integrated residential, commercial, office, institutional and other employment center development close to TRAX and transit stations, while protecting and enhancing existing development;
2. to ensure that new development takes advantage of compatible, higher density, transit friendly, design opportunities in close proximity to transit systems in order to provide options for economic development and diversity;
3. to encourage pedestrian orientation and human scale in new development and provide public infrastructure that supports transit use and mixed-use development;
4. to manage parking and vehicular access utilizing shared parking and driveway access to avoid pedestrian conflicts; and
5. to encourage, through design, configuration, and mix of buildings and activities, a pedestrian-oriented environment which provides settings for social interaction and active community life.

17.66.020 Applicability.

A property owner may elect follow the provisions of the TOD zone to develop property. In doing so, the property may be entitled to more permitted and conditional use options, increased densities and building height, decreased setbacks and decreased parking requirements. To take advantage of such increased entitlements, additional design-related criteria will be required.

Although the underlying zoning remains in place, the TOD District designation encourages mixed-use development close to TRAX and transit systems while enhancing and complementing existing and adjacent development.

An applicant must follow the provisions of either the underlying district or the TOD District. All applications are subject to design review.

17.66.30 **Definitions.**

The following terms are used throughout this chapter as defined below.

1. *Intensive Office* means offices uses which meet one or more of the following criteria:
 - a. offices with a substantially large ratio of the number of employees per square foot of floor area,
 - b. offices which have extended hours of business, or
 - c. offices which have an unusually high number of visitors.
2. *General Office* means all other office uses that do not fall under the criteria for Intensive Office.
3. *Mixed Use* is a type of land use which provides for a variety of uses while consisting of greater than 50 percent residential land uses, and not less than 10 percent of a secondary use.

17.66.040 **Uses.**

The TOD area should contain a mix of complementary uses. Complementary land uses are those that offer goods and services at different times of day, and provide a consolidated “one-stop” area for people to live, work, shop and participate in entertainment and community activities in close proximity to one another. Complementary land uses are located in a neighborhood that has been designed to accommodate pedestrians, bikes, busses and trains, reduces dependence on the automobile, thereby reducing traffic congestion and the need for additional parking areas. The TOD illustrative plan should be used as a guideline for determining what uses are most appropriate. All permitted and conditional uses in the base district shall be considered conditional uses under the TOD Overlay District, unless specified as permitted below:

1. Permitted Uses: The following uses are permitted within the TOD Overlay District:
 - a. single family, duplex, and multiple family dwellings;
 - b. single family accessory dwellings;
 - c. child care;
 - d. retail and service commercial without drive-up window, and not exceeding 15,000 square feet;
 - e. home occupations;
 - f. parks and trails;
 - g. general office;
 - h. financial institutions without drive-up window;
 - i. health care and dental offices and clinics, not including hospitals;
 - j. art galleries;
 - k. restaurants without drive-up window;

- l. transportation facilities.
 - m. parking structures that do not front directly onto a public right-of-way; and
 - n. mixed use developments that include otherwise permitted uses;
2. Conditional Uses: The following uses are conditional uses within the TOD Overlay District:
- a. package agency;
 - b. animal hospitals;
 - c. entertainment centers;
 - d. hotels and motels;
 - e. master planned developments;
 - f. municipal facilities;
 - g. hospitals
 - h. intensive office;
 - i. private clubs;
 - j. religious institutions;
 - k. any private or public parking lot or structure not otherwise permitted or associated with a permitted use under Permitted Uses;
 - l. radio stations;
 - m. commercial recreational facilities;
 - n. retail and service commercial with drive-up windows or 24 hour use, and not otherwise permitted under Permitted Uses;
 - o. theaters, auditoriums and assembly halls; and
 - p. shopping centers.
3. Prohibited Uses: The following uses are prohibited, even if allowed in the base district, to encourage compact development, to facilitate pedestrian activities, and to minimize land-expansive use:
- a. commercial parking lots;
 - b. storage facilities;
 - c. storage or salvage yards.
4. The Overlay District shall not allow uses that are otherwise prohibited in the base district, unless specifically noted as a permitted or conditional use above.
5. The applicant may specify additional limitations or details regarding the proposed uses in a rezoning application.

17.66.050 Special Provisions.

1. Access Management: All new development and an expansion by more than 25 percent of an existing building mass or site size shall comply with the following access management standards:
 - a. All curb cuts for pedestrian access shall orient toward each street frontage.

- b. All newly installed driveways for commercial uses shall be jointly shared or adequately spaced, as determined under design review.
 - c. All newly installed driveways for commercial uses shall align with any existing commercial access across the street where direct access is not prohibited by a raised median or other traffic device.
 - d. New development or conversion of an existing residential use to a commercial use shall not allow parking that would result in users backing onto public rights of way.
 - e. Existing, non-conforming driveways within the zone shall be retired upon construction of a new building.
 - f. Shared driveways between and among parcels are encouraged and allowed if the parties execute and record an easement in a form approved by the City Attorney to ensure access in perpetuity for both parcels.
2. **Building Design Standards:** The following are general guidelines for building design within the TOD Overlay. Additional area specific standards in the *Millcreek Station Area Plan and Design Guidelines* and the *Central Pointe Station Area Plan and Design Guidelines* provide additional requirements that are incorporated herein. In the event of any conflicting standard, the site specific standards shall prevail.
- a. **Design Intent:** Design standards are necessary to achieve the desired goals for TOD areas. These areas require more attention to design than development in many other parts of the City. In the TOD Overlay District there will be an emphasis on architectural detail and human-scale design. The focus will be on promoting street-level activity by designing multi-modal streets, designing to achieve pedestrian scale, avoiding blank walls and monolithic massing, and providing pedestrian amenities throughout the area such as lighting, seating areas, bike racks, etc. Pedestrian and bicycle routes in these areas should include an extensive sidewalk system on both sides of the street where possible. There should be numerous connections to the transit station. Public and private parks and plazas should be well-integrated into the area.

All new development must present an attractive, coordinated, streetscape; incorporate architectural and site-design elements appropriate to a pedestrian scale, incorporate interior pedestrian access between structures to minimize pedestrian travel through parking areas and provide for the safety and convenience of pedestrians by constructing pedestrian crossings with contrasting colored and/or raised walks.

Commercial buildings shall be designed with ground floor architectural separation to enhance street activity and “walkability.” All proposed building designs must

incorporate an expansive use of windows, balconies, canopies, terraces, or other design features, which are oriented to the street and other pedestrian accesses, to maximize the pedestrian interface.

- b. **Facade Variation:** Facade variation under the TOD Overlay should generally follow the following guidelines. However, other variations may be considered as part of the design review process. Each facade facing a public right of way or a pedestrian pathway shall shift horizontally at least two feet for every 30 linear feet, and vertically at least four feet for every 30 linear feet. No facade facing a public right of way or a pedestrian path shall be blank for more than 20 feet.
 - c. **Fenestration:** Building fenestration should follow site-specific design guidelines, and should encourage and enhance the pedestrian environment. Building material should be consistent with architectural styling. Ground level facades that front toward public ways should have a minimum of 40 percent fenestration, with not more than 10 percent obscure glazing or translucent panels.
 - d. **Building Orientation:** Entrances of all structures should front onto public streets. Additional entrances that may front onto a pedestrian way and pedestrian-oriented plaza may be allowed. Structures on corner lots may provide an entrance on each street frontage. Access from parking areas may be via lighted, mid-block passageways to the street. Secondary entries may be placed at the rear of street-facing buildings.
 - e. **Roof Design:** Use ENERGY STAR roof-compliant, high-reflectance AND high emissivity roofing for a minimum of 75 percent of roof surface, install a vegetated roof for at least 50 percent of the roof area.
3. Site Design Standards: The following are general guidelines for site design within the TOD Overlay. Additional area specific standards in the *Millcreek Station Area Plan and Design Guidelines* and the *Central Pointe Station Area Plan and Design Guidelines* provide additional requirements that are incorporated herein. In the event of any conflicting standard, the site specific standards shall prevail.
- a. **Parking Location:** Orient parking towards sides and rear of buildings, where possible. Use shared parking with other adjacent uses. New parking lots shall include provisions for cross easement, reciprocal access drives with existing or future adjacent parking lots as described under Access Management.
 - b. **Minimum Parking Requirements:** The minimum number of parking spaces shall be determined by the use as indicated elsewhere in this zoning code.
 - c. **Maximum Parking Allowed:** Notwithstanding any other provision of this code, the maximum number of parking stalls shall not exceed 3 per 1000 square feet for any use except as permitted by Planning Commission.

- d. **Allowable Parking Reductions:** An applicant for new development or the expansion by more than 25 percent of an existing building or site size in the zone must provide off-street parking with adequate provision for ingress and egress by automobiles and other motorized vehicles. A reduction of required parking of up to 25% is permitted upon meeting the standards outlined in the accompanying table for shared parking with dissimilar adjacent uses and/or provision for increased transit ridership. Mixed-use developments shall use the accompanying table to determine an appropriate number of parking stalls based on the proportions and mix of uses. Additional parking reductions may be permitted by Planning Commission determination.
- e. **Pedestrian Controls:** Pedestrian paths and crossings in parking lots should be provided, and should be articulated with contrasting colored paving materials, used consistently throughout the area.
- f. **Interior Landscaping and Shading of Parking Lots:** Parking areas should include interior landscaped islands and peninsulas that equal a minimum of 15 percent of the area of the parking lot. Landscaping islands should be a minimum of 6 feet across in any direction. Light-colored materials (reflectance of at least 0.3) shall be used for at least 30 percent of the site's non-roof impervious surfaces, especially in areas of concentrated pedestrian activity. Trees shall be planted in interior or perimeter landscaping areas such that they provide shading of at least 30 percent of the parking lot within five years of growth. This shading requirement may be reduced to 10 percent if the entire paving surface is concrete or other light colored paving material. No interior landscaping or shading is required for decks of parking structures. Islands should be landscaped with low-maintenance, non-turf ground covers capable of withstanding extreme climate conditions, including heat and piling of snow.
- g. **Landscaping Buffers:** All parking lots shall have a perimeter landscaping buffer not less than 6 feet, except where prohibited by site constraints and approved by Planning Commission.
- h. **General Landscaping Requirements:** Except for yards or areas dedicated to specific outdoor functions, landscaping should include low-maintenance, non-turf ground covers. Deciduous trees are desirable in areas near parking lots and pedestrian paths, and near the south and west faces of buildings. Consideration should also be given to locating trees and low shrubs to shade and screen mechanical equipment. Effort should be made to landscape with native and/or drought-tolerant species.

Tall shrubs or trees with low canopies, including evergreen species, should not be used in areas where they will limit sight lines at intersections or pedestrian crossings, or where they will create dark corners or hiding places around buildings or parking lots.

- i. **Water-efficient landscaping:** The use of potable water for landscape irrigation shall be limited. Irrigation with potable water shall be reduced 50 – 100 percent over conventional means by use of a high-efficiency irrigation technology, or use of captured rain or recycled site water.
 - j. **Lighting:** Properties within the TOD overlay zone are subject to the following provisions to reduce lighting impact and conserve energy:
 - i. Illuminating Engineering Society of North America (IESNA) footcandle level requirements (as stated in the Recommended Practice Manual: Lighting for Exterior Environments) shall not be exceeded.
 - ii. Interior and exterior lighting shall be designed so that zero direct-beam illumination leaves the building site.
 - k. **Erosion Control:** Erosion control shall follow these standards in order to reduce negative impacts on water and air quality:
 - i. Site sediment and erosion control plan shall be submitted and followed that conforms to best management practices as stated in the EPA’s Storm Water Management for Construction Activities.
 - ii. Loss of soil by storm-water run-off and/or wind erosion shall be prevented during construction.
 - iii. Topsoil shall be protected for reuse.
 - iv. Sedimentation of storm sewer or receiving streams and/or air pollution by dust and particulate matter shall be prevented.
 - v. Soil shall be stabilized using measures such as temporary seeding, permanent seeding, and mulching.
4. **Street Frontage Design Standards:** In addition to the Site Design Standards above, the following are general guidelines for design of street frontages within the TOD Overlay. Additional area specific standards in the *Millcreek Station Area Plan and Design Guidelines* and the *Central Pointe Station Area Plan and Design Guidelines* provide additional requirements that are incorporated herein. In the event of any conflicting standard, the site specific standards shall prevail.
- a. **Affronting Building Facades:** Buildings fronting onto the street should meet the standards outlined in this chapter.
 - b. **Paving Materials:** Pedestrian crossings should be articulated with contrasting colored materials used consistently throughout the district. Walks and paths should be paved in materials that are durable and do not create tripping hazards. All road surfaces should be paved according to site-specific design guidelines or in accordance with adopted standards.

- c. **Landscaping:** Center median and parking strips should be landscaped with low-maintenance, non-turf ground covers. Effort should be made to landscape with native and/or drought-tolerant species.
- d. **Lighting:** Lighting fixtures should be designed to direct light toward pedestrian ways. Lighting fixture styles should be scaled appropriately for pedestrians, and should be used consistently throughout the district to provide visual continuity. Posts and standards should be placed to avoid creating hazards for pedestrians or vehicles.

17.66.060 Regulations.

- 1. **Setbacks:** Certain setbacks are indicated as area specific standards in the *Millcreek Station Area Plan and Design Guidelines* and the *Central Pointe Station Area Plan and Design Guidelines*. In the absence of specific referenced standards for any setback condition, the following shall apply:
 - a. **Front:** The front yard setback shall comply with the standards outlined through the design review process, but shall not exceed 20 feet.
 - i. **Corner Lot Rule:** Corner lots have 2 front yards.
 - ii. For setbacks less than 10 feet, an additional setback of up to 5 feet may be allowed for the inclusion of an outdoor dining area, up to 40 percent of the building frontage
 - iii. Off-street parking is not allowed in the front yard setback, except for private residential drives. Parking is not allowed in landscaped setbacks.
 - iv. Setbacks must be landscaped and maintained.
 - v. Setbacks may incorporate tree wells, street furniture and planter boxes.
 - vi. Street-facing courtyards are exempt from setback requirements.
 - b. **Rear:** The minimum rear-yard setback shall comply with the standards outlined through the design review process, but not less than 6 feet. Rear Setbacks are subject to the following provisions:
 - i. **Corner Lot Rule:** corner lots have no rear yard, except irregular shaped corner lots, which shall have setbacks as approved by Planning Commission
 - ii. **Stairs and Balconies:** outside stairways and balconies may be allowed to project into the rear yard under the design review process.
 - iii. **Projections:** skylights, sills, cornices, chimneys, flues, eaves, and ornamental feature may project into the rear yard upon design review approval.
 - iv. Setbacks must be landscaped and maintained.
 - c. **Side:** There is no side-yard setback.
 - d. **Build-To Line:** The front yard setback is the build-to-line.

2. Height: Buildings within the TOD Overlay Zone are subject to the following height limitations, except as approved by Planning Commission:
 - a. **Commercial Buildings**: Commercial buildings shall be two to three stories. Heights measured from the average finished grade shall not be less than 25 feet to the eave or cornice, nor greater than 45 feet to the eave or cornice or more than 55 feet to the ridge of a sloped roof.
 - b. **Residential Buildings**: Residential buildings shall be two to four stories. Heights measured from the average finished grade shall not be less than 20 feet to the eave or cornice, nor greater than 45 feet to the eave or cornice or more than 55 feet to the ridge of a sloped roof.
 - c. **Mixed-Use**: Mixed-Use buildings shall be two to five stories. Heights measured from the average finished grade shall not be less than 25 feet to the eave or cornice, nor greater than 65 feet to the eave or cornice, or more than 75 feet to the ridge of a sloped roof.
 - d. **Height Relative to Adjacent Residential Uses**: Notwithstanding any other provision of this section, no building within 50 feet of an adjacent single-family or duplex dwelling shall be more than three stories or 35 feet higher than such dwelling.
3. Recycling and Resource Reuse: The following standards shall be followed in order to facilitate the reduction of waste generated by development and the occupants of buildings:
 - a. Provide an easily accessible area that serves the entire building or development for the separation, storage, and collection of materials for recycling, including (at a minimum) paper, glass, plastics, and metals.
 - b. 50 percent (by weight) of total construction waste, including demolition of existing buildings, should be salvaged or recycled.

17.66.070 Shared Parking Table.

The following table represents general parking demands for common uses at different times of the day and different days of the week. Provisions for any use not indicated should be determined by the most similar use, or by establishing similar criteria for that specific use as approved by Planning Commission.

Schedule of Shared Parking						
General Use Classification	Weekdays			Weekends		
	Midnight – 7:00 am	7:00 am – 6:00 pm	6:00 pm – Midnight	Midnight – 7:00 am	7:00 am – 6:00 pm	6:00 pm – Midnight
Office/Light Industrial	5%	100%	5%	0%	5%	0%
Retail	0%	100%	80%	0%	100%	60%
Restaurant	50%	70%	100%	70%	45%	100%
Hotel	100%	65%	100%	100%	65%	100%
Residential	100%	50%	80%	100%	75%	75%
Theater/Entertainment	5%	20%	100%	5%	50%	100%
Place of Worship	0%	30%	50%	0%	100%	75%