



COUNCIL STAFF REPORT

CITY COUNCIL *of* SALT LAKE CITY

TO: City Council Members

FROM: Nick Tarbet, Policy Analyst

DATE: August 27, 2024

RE: Text Amendment: Sports, Entertainment,
Cultural, and Convention District
Text Amendments
PLNPCM2024-00441

PROJECT TIMELINE:

Briefing 1: July 2, 2024

Briefing 2: August 13, 2024

Set Date: July 2, 2024

Public Hearing: August 13, 2024

Potential Action: August 27

New Information

August 13 Work Session Summary

During the August 13 work session briefing the Council conducted a series of straw polls that provided direction for changes to the final draft of the ordinance. These changes have been incorporated into the final draft ordinance. Staff proposes a check in during the August 27 work session to make sure all the Council's concerns are addressed. Then, during the formal meeting, the council may consider taking action on the proposed ordinance.

August 13 Straw Polls Results

- Design review and maximum height
 - **YES, for 600' max height. Projects above 200' must be approved through design review by the planning commission. Council is open to changing to staff review during the development agreement process.**
- Allow exceeding the established maximum front yard setback for the D-4 district for the purpose of adding a plaza.
 - **YES**

- Setbacks from adjacent properties/uses (example is JCC)
 - Planning staff recommend addressing in development agreement
 - **YES**
- Sign Regulation Standards
 - Support planning staff's proposals: sign overlay – orient signs towards public streets, have certain requirements for how long images can be displayed before the image changes (dwell time) and how fast the image can change (twirl time) as well as brightness regulations for signs that face residential uses. Limit display hours via development agreement
 - Allow signage reciprocity within the overlay blocks
 - Signs may include advertising any business, facility, sponsor, or event that is located within the boundaries of the sports arena and convention center sign regulations overlay.
 - **YES**

August 13 Public Hearing Summary

Numerous people spoke during the public hearing, expressing both support for and opposition to the proposed zoning changes. The comments included the following themes:

- Sign overlay will conflict with some of the cultural parts of the district such as Abravanel Hall.
- Design review of any projects must go through the standard process that includes the Planning Commission
- Projects should not have special treatment, need planning commission review
- The proposal is moving too quickly
- Future projects need to be deliberate and need public input
- Public input can help produce a better product
- Addressing impacts to 100 south must be a priority, meetings with the community going forward are essential
- Setbacks and good design should be a priority
- Affordable housing should be part of the development
- The Council should save Abravanel Hall
- More density though higher developments are needed to help with the future growth of the city
- Encourage the Council to vote no on the sales tax and zoning proposal

The following information was provided for the August 13 briefing and public hearing. It is provided again for background purposes.

NEW INFORMATION

At the July 2 briefing, the Council asked planning staff to come back with recommendations to include the following items in the final draft of the ordinance:

1. Standards to mitigate the impact of additional height on adjacent properties. This could include setback and step back requirements.
2. Sign regulations standards such as dimmable, dwell, twirl, etc. This may also include considering a process that would require the City to review and approve a comprehensive plan for the signs on the project blocks.
3. Allow signage reciprocity within the overlay blocks.

The Council also provided guidance on the following issues:

1. Supported Planning recommendation for maximum height and at what height design review will be required to build higher.
2. Concerned about allowing off premise signs via this petition since it is beyond the scope of the petition. However, the Council expressed an openness to consider it separately.

Below is list of proposed changes staff is seeking feedback on from the Council. Staff proposes, as the Council considers these in the work session briefing, a series of straw polls be conducted to provide direction for which changes the Council supports including in the final ordinance.

Attachment A Guidance for City Council is the Planning Division's response to the Council's questions listed above. They also included an updated ordinance which incorporates requested changes. A summary of their responses is provided below. Please see the attachment for a full analysis. *Attachment A also includes Planning's responses to SEG's requested changes outlined below.*

Changes included in the Draft Ordinance

1. Capping the maximum allowed building height at 600 feet. The provision requiring design review for buildings over 75 feet in height is still in this version of the ordinance
 - *The council may consider SEG's request to modify the design review height to 250 feet. For reference, the D1 zoning district requires all buildings over 200 feet to go through the design review process.*
2. Clarifies what constitutes on premise advertising within the sign overlay so that future signs can advertise other events and commercial activities that occur within the Overlay's boundaries.
3. Adds regulations to the sign overlay so that signs oriented towards public streets have certain requirements for how long images can be displayed before the image changes (dwell time) and how fast the image can change (twirl time), as well as brightness regulations for signs that face residential uses.
 - *Please note that this overlay allows some signs to show video. Those signs would not have to comply with dwell and twirl times.*

Items for further Council Discussion

1. The Council also asked for recommendations addressing the impact of tall buildings next to historic cultural buildings. In considering this potential impact, this issue appears to be site specific. As such, and knowing that there will be a development agreement that applies to a portion of the blocks that currently house the Salt Palace Convention Center, the Planning Division recommends that this be addressed in a development agreement because not enough information about the site plan is known to determine what impacts from tall buildings may be.

Attachment B – SEG Requested Changes, outlines the changes Smith Entertainment Group (SEG) would like the City to consider including in the final ordinance. *Planning Staff have reviewed these requests. Please see Attachment A for their response to SEG's recommended changes.*

1. Front and corner setbacks are not required for plazas and other similar places
 - *The current proposal does not consider this issue.*
 - *The existing code allows modifications to setbacks through the design review process. Existing plazas and buildings that exceed the maximum setback requirements are allowed*

to be modified under the existing code. However, new buildings, parks, and open areas like plazas would be subject to the applicable zoning codes.

2. Maximum building height of 600 feet
 - *The current draft proposes a permitted height of 75 feet, and up to 600' with design review.*
3. Design Review required starting at 250 feet.
 - *The current draft is that anything above 75 feet requires design review.*

SEG proposes the following language be added to require buildings taller than 75 feet to include at least one of the following standards currently outlined in code:

3. Buildings taller than two hundred fifty feet are subject to the following regulations. The building includes must include at least one of the following options:

(1) ~~Midblock~~ A midblock walkway is provided on the property. ~~The or applicable block on which the property is located and the midblock walkway connects to an existing or planned street, midblock walkway, or publicly accessible public space and exceeds all the required dimensions of Section 21A.30.010.G by at least five feet;~~

(2) The building is utilizing affordable housing incentives identified in chapter 21A.52 of this title;

(3) The building exceeds the minimum requirement for ground floor uses identified in Chapter 21A.37 (Design Standards) of this title, specifically:

(A) For Subsection 21A.37.050.A.1 (Design Standards Defined, Ground Floor Use Only), the requirement must be increased to one hundred percent (100%). This option requires that the entire ground floor use of a building consists of retail good establishments, retail service establishments or restaurants, public service portions of businesses, department stores, art galleries, motion picture theaters, performing art facilities or similar uses that encourages walk-in traffic through an active use. Vehicle entry and exit ways, necessary for access to parking and loading and unloading areas required by this title are exempt from this requirement provided these areas do not exceed 20% of the length of a building façade that faces a public street or public space; or

(B) For Subsection 21A.37.050.A.2 (Design Standards Defined, Ground Floor Use and Visual Interest), the ground floor use requirement must be increased to seventy five percent (75%) and the visual interest requirement must be increased to twenty five percent (25%).

(4) The applicant provides a restrictive covenant on a historic building, a building that is fifty (50) years or older, or a building that is a nationally recognized property, located outside of the H Historic Preservation Overlay District for the purpose of preserving the structure for a minimum of fifty (50) years.

(5) The proposal includes a privately owned, publicly accessible open space on the property or on another property within the geographic boundaries of the Downtown Plan. To qualify for this provision, a restrictive covenant in the favor of the city shall be recorded against the open space portion of the property. The space shall be a minimum of five hundred (500) square feet and include enough trees to provide a shade canopy that covers at least sixty percent (60%) of the open space area.

4. Allow expedited review and designate city staff as reviewing/approval authority

- *The current proposal follows the City design review process, which includes Planning Commission review/approval*
- 5. Allow deviations to sign standards through a development agreement reviewed by the Planning Commission and approved by the City Council.
 - *Current proposal does not consider this issue*

The following information was provided for the July 2 briefing. It is provided again for background purposes.

ISSUE AT-A-GLANCE

The Council will receive a briefing on a proposed ordinance that would amend the D4 Secondary Central Business District (D4) zoning district to support the creation of a Sports, Entertainment, Culture, and Convention district. This proposal was initiated by Mayor Erin Mendenhall in response to SB 272 Capitol City Revitalization Act, which established the process and timeline for creating a revitalization district centered around the Delta Center and Convention Center Blocks of Downtown Salt Lake City.

The proposed text amendments would make the following changes to the D4 zoning district:

1. Modify the maximum height allowed through design review from 125 feet to 600 feet.
 - The height provisions that apply to a portion of block 67 would also be removed because they would no longer be necessary if the maximum height is removed.
2. Modify the required front and corner yard setback requirements to clarify that buildings with plazas and other similar public spaces are allowed to exceed the maximum setback.
 - Change the table of allowed uses for the D4 zoning district would change as follows:
 - Stadiums change from conditional use to a permitted use.
 - Commercial parking would be changed from conditional use to a permitted use. (A current requirement prohibiting the demolition of a building for principal use parking on the property would remain.)
3. Expand the existing sign overlay that applies to the Delta Center block to the blocks that contain the Salt Palace. This allows more flexibility for signs related to the entertainment venues within the overlay and allows modifications to signs through the design review process for buildings that are subject to design review.

This briefing will be held in conjunction with the Council's discussion about the proposed participation agreement which is on the agenda for potential adoption during the July 2 formal meeting.

Planning Commission Recommendation

The Planning Division recommended the Planning Commission adopt the proposed amendments.

The Planning Commission held a public hearing on June 12, 2024, and forwarded a negative recommendation. They included the following reasons for their negative recommendation:

- Does not comport with the downtown master plan
- Does not comport with existing purpose of the zone
- Do not have enough info about community benefits
- Do not like the timeline of the process

Additionally, the Commission recommended the Council consider the following:

- Abravanel Hall be kept at its present site, and include a modest renovation with sales tax
- Buffer around Japantown (Japanese Church of Christ, adjacent garden and Buddhist Temple) to minimize impact on historic structures.

POLICY QUESTIONS

- As noted below, there are two active petitions that relate to sign overlay districts for the County owned Salt Palace blocks.
 - ***Does the Council wish to provide directions on which sign overlay standards they prefer to move forward with, the County or City initiated petition?***
- In the discussion about increased building height, Planning staff suggested the Planning Commission could consider the following options to help mitigate impact from the increased height. These options could be addressed in a development agreement if the Council is interested in pursuing them.
 - Apply an increased setback from certain buildings, such as the Japanese Church of Christ
 - Require landscaped buffers that match the width of the existing garden on 100 South
- ***The Council may wish to discuss these recommendations or other potential standards with Planning staff to determine if they would like to include changes in the final draft of the ordinance.***
- Planning staff recommended standards for electronic signs be considered that may help mitigate the impact on residential properties. These standards may include dimming and prohibiting animation between the hours of 11:00 PM and 7:00 AM for signs that directly face residential uses. (Page 9, Planning Commission Staff report)
 - ***Does the Council wish to discuss these types of conditions with Planning Staff?***

D4 Zoning Map

page 10 of the Planning Commission Staff report



ADDITIONAL INFORMATION

Sign Overlay Petitions

In March 2023 Salt Lake County initiated a petition that would create a sign overlay as it applies to the Salt Palace Convention Center (PLNPCM2023-00154).

The Planning Commission reviewed the proposed sign overlay for the Salt Palace. However, they recommended excluding the Abravanel Hall and UMOCA properties from the overlay. The City initiated petition currently includes these properties in the proposed overlay district.

This proposal could be considered less permissive than the sign overlay the Delta Center Block currently has. The proposal would include the following standards:

- awning canopy signs limited to 3 square feet per linear foot of building face; 75 square feet maximum.
- Flat Sign (Storefront Orientation) limited to one per building entry
- Flat Sign Display, Electronic Changeable Copy may not be larger than 1400 square feet per sign
- Monument Signs limited to 1 square foot per linear foot of street frontage and no more than 5 per city block
- Parking Entrance Blade Sign (Projecting Parking Entry Sign) limited to 16 square feet per side; 32 square feet total with the noted location limitations
- Special Event Sign may not cover more than 40% of the building.

The Planning Commission forwarded a favorable recommendation with following conditions for Council to consider

- UMOCA and Abravanel Hall be removed from the overlay; and
- The City Council carefully considers limitations and regulations around illumination of signs, projecting signs and displays, LCD displays and projected images.

Key Considerations

Pages 4-8 of the Planning Commission staff report outline four key considerations. Below is a short summary of each issue. Please see the Planning Commission staff report for full analysis.

1. Building Height

- The proposal would modify the maximum height allowed through design review from 125 feet to 600 feet.
- Lots of public feedback was focused on how additional height would impact existing buildings such as the Japanese Church of Christ, Buddhist Temple and County owned properties such as Abravanel Hall and the Museum of Contemporary Art (UMOCA)
- Planning noted zoning regulation can be used to reduce the impact to adjacent properties. This may include limiting building height, increasing setbacks, including spacing of towers when they exceed a certain height, and other similar regulations.

2. Changing Heliports from a Conditional Use to a Permitted Use

- The original request included making heliports a permitted use. Based on input received, this has been dropped from the proposal.

3. Sign Regulations Consideration

- The proposal would expand the arena sign overlay to the Salt Palace blocks and could result in more nighttime light emission that could impact some adjacent and nearby land uses, such as light trespass into residential uses, flashing lights, and other similar impacts created by digital signs.
- The applicant for the district authorized under SB272 (Smith Entertainment Group) has indicated they would like to allow off premise advertising within the district.
 - A change like this would require the city to modify the current prohibition on new billboards within the city.
 - It would be a major policy change for the city. Therefore, the proposal is focused on “on-premise” advertising.
- *As noted above, in March 2023 Salt Lake County initiated a petition that would create a sign overlay as it applies to the Salt Palace Convention Center. Please see the section above for more detailed information.*

4. Benefits of proposed text amendment

- Planning staff outline how the surrounding blocks with the D4 zoning designation may be impacted by the changes to the D4 zone. Ultimately, the proposal could lead to many changes on these blocks that could help facilitate and support a sports, entertainment, culture and convention district.

5. Public Input.

- Many of the public comments expressed concern and support for the preservation of Abravanel Hall, the proposed sales tax increase and using public money for professional sports.