

ORDINANCE 2012-04.

AN ORDINANCE AMENDING SECTION 14.34.290 (DESIGN CORRIDORS) OF THE PROVO CITY CODE TO REPLACE DESIGN GUIDELINES FOR THE SOUTH STATE STREET DESIGN CORRIDOR. 11-00070A

WHEREAS, it is proposed that Section 14.34.290 of the Provo City Code be amended to update and modify standards relating to architectural standards and design in the South State Street Design Corridor; and

WHEREAS, on November 9, 2011 the Planning Commission held a duly noticed public hearing to consider the proposal and after such hearing the Planning Commission recommended to the Municipal Council that the zoning ordinance be amended as proposed; and

WHEREAS, on January 17, 2012 the Municipal Council held a duly noticed public meeting and on February 7, 2012 the Municipal Council held a duly noticed public hearing to receive public comments and ascertain the facts regarding this matter, which facts and comments are found in the hearing record; and

WHEREAS, after considering the Planning Commission's recommendation, and facts and comments presented to the Municipal Council, the Council finds (i) the Planning and Zoning Title of Provo City should be amended on the basis recommended by the Planning Commission and (ii) the ordinance amendment, as set forth below, reasonably furthers the health, safety and general welfare of the citizens of Provo City.

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

PART I:

Section 14.34.290 of the Provo City Code is hereby amended as follows:

**14.34.290**

....

(4) South State Street Design Corridor ~~Criteria~~ **and Guidelines**

~~(a) Creation - Purpose. A design corridor is established on South State Street (US Highway 89) from the intersection with 300 South Street, southward to the intersection with Utah Highway 75 and shall include all portions of lots or parcels located within Provo City with frontage on South State Street. The purpose of the South State Street design corridor is to improve the overall quality of the built environment in the corridor; maintain and enhance property values within the corridor; enhance the image of the city along this southeasterly gateway; stimulate private investment and reinvestment in the corridor; and promote overall public health, safety and general welfare.~~

~~(b) Procedure. Project plans for each new performance development, commercial center, freestanding commercial development, office park, multiple family development and subdivision within the South State Street design corridor shall be reviewed and approved by~~

47 the Provo City Design Review Committee and Planning Commission prior to construction.  
48 Such review shall include an existing features (site analysis) plan, a detailed site plan,  
49 landscaping plan, building elevations and floor plans. The existing features (site analysis)  
50 plan shall be used to prepare a preliminary project plan which shall show the tentative  
51 location of buildings, streets, lot lines, parking, and landscaped open space in the proposed  
52 development. At a minimum, such site analysis plan shall include:

53 ~~(i) an air photo of the site or a contour map;~~

54 ~~(i) the location of severely constraining elements such as steep slopes of over  
55 thirty percent (30%), wetlands, watercourses, intermittent streams and one hundred  
56 (100) year flood plains, and all rights-of-way and easements; and~~

57 ~~(iii) the location of significant features such as woodlands, stands of trees,  
58 existing vegetation, scenic views, drainage ways, fences or walls, existing structures,  
59 and roads, tracks and trails.~~

60 ~~(c) Development Standards. Project plans shall incorporate and preserve signi? cant  
61 natural features into the site design. Each preliminary project plan, which shall include the  
62 existing features (site analysis) plan, shall be prepared in accordance with the following site  
63 improvement standards:~~

64 ~~(i) Setbacks and Buffering. Landscaped buffer yards shall be developed and  
65 maintained along South State Street in order to minimize highway noise to adjacent  
66 property owners and businesses, and to improve and beautify this entrance to the  
67 community. Properties adjoining South State Street shall be buffered from the  
68 highway by the following landscape and screening features: A minimum twenty (20)  
69 foot wide front yard (measured from the street right-of-way line), bermed to a height  
70 of four (4) feet, landscaped with a minimum of one (1) deciduous tree; two (2) inch  
71 caliper minimum (measured six (6) inches above grade or the top of the root ball),  
72 per thirty (30) feet of street frontage; and a combination of one (1) under story tree,  
73 one (1) inch caliper, or one (1) evergreen conifer, expected to reach a six (6) foot  
74 minimum height at maturity; and five (5) shrubs, five (5) gallon minimum, per three  
75 hundred (300) square feet of landscaped buffer yard.~~

76 ~~(ii) Pedestrian Amenities and Streetscape Improvements. Curb, gutter and  
77 sidewalk improvements shall be constructed to City standards at a time and in a  
78 location approved by the City Engineering Department. Combination curb, gutter  
79 and sidewalk shall not be permitted unless the City Engineer determines such  
80 construction would be desirable to provide reasonable alignment with existing  
81 improvements. The sidewalk shall be a minimum of six (6) feet in width.~~

82 ~~(iii) Landscaping of Planting Strip. Property located within a public right of  
83 way between the curb and sidewalk shall be landscaped with turf, trees and shrubs  
84 pursuant to an agreement with the Utah Department of Transportation (UDOT). At  
85 least one (1) deciduous tree, two (2) inch caliper in size, and one (1) shrub (five (5)  
86 gallon minimum size) shall be planted per thirty (30) feet of street frontage, when  
87 allowed by UDOT. Tree selection shall be coordinated with the Provo City Urban  
88 Forester. Plantings shall be located in a manner that will minimize vision clearance  
89 problems at driveway and street intersections as the vegetation matures. The  
90 landscaping required by this Subsection shall be in addition to landscaping required  
91 in other Sections of the Provo City Code.~~

92 ~~(iv) Alternative Materials. In areas where general planting will not prosper,~~

93 such as narrow planting strips three (3) feet or less in width, other materials such as  
94 pavings of wood, brick, stone, gravel or cobbles may be used. Soil sterilization or use  
95 of a weed block shall be required when such materials are used. Carefully selected  
96 plants shall be combined with such materials where possible.

97 ~~(v) Protection of Existing and New Landscaping Features. Existing mature~~  
98 ~~trees and vegetation shall be preserved and incorporated into site landscaping plans~~  
99 ~~unless such preservation is deemed unwise by the Provo City Urban Forester (or a~~  
100 ~~certified botanist or arborist in the absence of a recommendation from the Provo City~~  
101 ~~Urban Forester). Plant materials shall be protected from damage by use of curbs, tree~~  
102 ~~guards or other devices. Plant materials that are damaged shall be replaced as soon~~  
103 ~~as possible, given availability of the plant materials and~~

104 ~~season of the year, but in no case longer than one (1) year after such damage occurs.~~

105 ~~(vi) Irrigation. All areas required by this Subsection to be landscaped shall~~  
106 ~~be irrigated. The irrigation system shall be designed, to the extent possible, to~~  
107 ~~minimize water use.~~

108 ~~(vii) Parking Areas. All parking areas shall be paved. Parking areas shall be~~  
109 ~~landscaped at the rate of at least forty (40) square feet of landscaping per required~~  
110 ~~off-street parking space. Such landscaping may occur in bermed strips along the edge~~  
111 ~~of the parking facility, but landscaped islands located at the mid point of parking~~  
112 ~~rows exceeding (10) spaces and at the end of parking lot rows shall also be required.~~  
113 ~~In addition, deciduous trees (two (2) inch caliper minimum) shall be planted within~~  
114 ~~said parking area landscaping in a manner such that, at maturity of said trees, at least~~  
115 ~~twenty-five percent (25%) of the paved surface area of the parking area will be~~  
116 ~~shaded when the sun is directly over the center of the lot.~~

117 ~~(viii) Snow Stacking Area. All parking areas shall make provisions for a~~  
118 ~~snow stacking area sufficient to accommodate the stacking volume of a two (2) foot~~  
119 ~~snow base over the entire parking area. Such stacking area shall be designed and~~  
120 ~~located to avoid damage to required shrubbery. If a developer prefers to haul snow~~  
121 ~~to an off-site disposal location, the snow stacking area provisions may be waived by~~  
122 ~~the Planning Commission.~~

123 ~~(ix) Lighting. Parking area light fixtures shall be designed in compliance with~~  
124 ~~Chapter 15.21, Provo City Code. Decorative light fixtures or "theme lighting" shall~~  
125 ~~be required as approved by the Design Review Committee.~~

126 ~~(x) Building Appearance. The standards of Chapter 14.34.280 shall apply to~~  
127 ~~new construction or redevelopment (additions, remodeling and building repairs)~~  
128 ~~within the South State Street design corridor.~~

129 ~~(d) Timing of Design Corridor Improvements. When a new performance~~  
130 ~~development, commercial center, freestanding commercial development, office park,~~  
131 ~~multiple family~~  
132 ~~development or subdivision is constructed within the South State Street design corridor, the~~  
133 ~~property owner thereof shall install site improvements in accordance with the development~~  
134 ~~standards required by this subsection prior to occupancy of any building.~~

135 ~~(e) Traffic Impact Analyses. Traffic impact analyses shall be required for~~  
136 ~~development projects corridor projects that fall within the thresholds established by Chapter~~  
137 ~~15.03, Provo City Code.~~

138 ~~(f) Access Controls. Control of vehicular access onto South State Street is within the~~

jurisdiction of the Utah Department of Transportation, with recommendations from the City Engineer. The following guidelines shall be used by the City Engineer to formulate access recommendations for specific projects:

~~(i) New residential development projects should not be directly accessible from South State Street. Principal access should be from a side street, or from a common access drive, appropriately spaced from other driveways and street intersections, located within a performance development; and~~

~~(ii) Development projects on adjoining lots or parcels should share common driveway approaches wherever possible as determined by the City Engineer~~

(a) Purpose and Intent. The Provo City General Plan promotes architectural and design excellence. Many properties fronting south State Street are vacant or under developed. There is substantial development potential and an opportunity to substantially improve the image of this major gateway into Provo City. Design guidelines are essential to assure that new development and property improvements enhance the character and make a positive visual and physical contribution to the State Street corridor and surrounding neighborhoods. Design guidelines will accomplish the following:

- Promote attractive development
  - Enhance the image of this gateway into the City and the City in general
  - Enhance property values
  - Attract customers to businesses
  - Facilitate a more walkable and healthier atmosphere that integrates the needs of the pedestrian with those of drivers
  - Streamline the development approval process.
- Well-designed buildings will also enhance the general quality of life and create a “sense of place” along this southern gateway into Provo City that will benefit property owners and residents in the surrounding neighborhoods and the entire City.

(b) Boundaries. State Street Design Guidelines encompass all properties fronting State Street between the 900 East intersection and 1860 South.

(c) Applicability. The South State Street Design Guidelines will serve as a supplement to the Zoning Ordinance. New construction, additions and exterior alterations to all principle buildings and accessory buildings that are located within 100 feet of South State Street and any public street that intersects with South State Street for 100' from South State Street shall be subject to these Design Guidelines.

(d) Approval Authority. The Provo City Design Review Committee (DRC) shall have the authority to approve the design of property development and improvements in the South State Street corridor. The DRC may waive individual guidelines for specific projects if it finds that the waiver achieves a better design solution than strict application of the guidelines. The DRC, however, must adopt a finding of overall consistency with the guidelines before approving an application for design review.

(e) Building Location

(i) Buildings shall be located a minimum of 10 feet but no more than 20 feet from the front or street side yard property lines. All areas between the front or street side yard property lines and any principle building shall be landscaped.

(ii) Paving in the front or street side yards shall be limited to driveways that lead directly to interior side yard or rear yard parking. All front and street side yard areas that are not used as a driveway shall be landscaped at the same depth as the

185 front or street side yard located between the principle building(s) and the public  
186 street.

187 (iii) All structures shall have at least one primary entry that faces State Street.

188 (iv) Entryways shall be highlighted (focal point) with design elements and  
189 variations that give orientation, transition, and aesthetically pleasing character to the  
190 building. Each principal building on site should have clearly defined, highly visible  
191 customer entrances. In all cases, entryways should provide protection from the  
192 weather by projecting away from the main facade and by utilizing one or more of the  
193 following design elements listed below:

194 (A) Awnings

195 (B) Canopies, arcades, or porticos

196 (C) Alcoves

197 (D) Overhangs/Eaves

198 (E) Recesses/projections

199 (F) Raised corniced parapets over the door

200 (G) Peaked roof forms

201 (H) Arches

202 (I) Pillar posts or pilasters

203 (f) Roofs

204 (i) Variations in rooflines shall be used to add interest to, and reduce the  
205 massive scale of, large buildings. Roof features should compliment the character of  
206 adjoining neighborhoods, where applicable.

207 (ii) Roof styles are not limited; however, flat roofs shall be concealed by a  
208 parapet.

209 (iii) Mechanical equipment located on the roof shall be concealed from public  
210 view.

211 (g) Building Materials

212 (i) Masonry, stucco, wood, or fiber-cement (or similar product) shall be used  
213 as primary building materials.

214 (A) Vinyl and metal siding shall be limited to use as a secondary  
215 material for trim, soffits, eaves, etc. and shall not be a dominant building  
216 material.

217 (ii) Pitched roofs that are visible from the public street shall consist of wood,  
218 slate, tiles, and high-quality composition shingles and shakes.

219 (A) Corrugated metal shall not be permitted as roofing material.

220 (iii) Alteration of exterior materials on an existing, residential structure shall  
221 not be subject to the above building materials requirements.

222 (h) Driveways and Parking

223 (i) Parking shall not be located in front of any building facade adjacent to a  
224 public street.

225 (ii) Parking lots should be pedestrian designed by keeping parking areas  
226 separated from primary structures using landscaping and sidewalks.

227 (iii) Parking shall not be located between any principle building and the front  
228 or street side yard property lines.

229 (i) Signage

230 (i) Signage is limited to wall signs and freestanding ground level monument

231 style signage as permitted by the underlying zoning and as defined in Section 14.38,  
232 Provo City Code.

233 (ii) Freestanding signs greater than five feet in height (i.e. pole signs) shall  
234 not be permitted.

235 (iii) All freestanding signs must be constructed of materials and have an  
236 architectural style that is complimentary to the principle structure.

237 (j) Landscaping of Planting Strip.

238 (i) Property located within a public right of way between the curb and  
239 sidewalk shall be landscaped with turf, trees and shrubs as follows. At least one (1)  
240 deciduous tree, two (2) inch caliper in size, and one (1) shrub (five (5) gallon  
241 minimum size) shall be planted per thirty (30) feet of street frontage, subject to  
242 approval by UDOT. Tree selection shall be coordinated with the Provo City Urban  
243 Forester. Plantings shall be located in a manner that will minimize vision clearance  
244 problems at driveway and street intersections as the vegetation matures. The  
245 landscaping required by this Subsection shall be in addition to landscaping required  
246 in other Sections of the Provo City Code.

247 (ii) Alternative Materials. In areas where general planting will not prosper,  
248 such as narrow planting strips three (3) feet or less in width, other materials such as  
249 wood, brick, stone, gravel or cobbles may be used. Soil sterilization or use of a weed  
250 block shall be required when such materials are used. Carefully selected plants shall  
251 be combined with such materials where possible.

252 (iii) Protection of Existing and New Landscaping Features. Existing mature  
253 trees and vegetation shall be preserved and incorporated into site landscaping plans  
254 unless such preservation is deemed unwise by the Provo City Urban Forester (or a  
255 certified botanist or arborist in the absence of a recommendation from the Provo City  
256 Urban Forester). Plant materials shall be protected from damage by use of curbs, tree  
257 guards or other devices. Plant materials that are damaged shall be replaced as soon  
258 as possible, given availability of the plant materials and season of the year, but in no  
259 case longer than one (1) year after such damage occurs.

260 (vi) Irrigation. All areas required by this Subsection to be landscaped shall  
261 be irrigated. The irrigation system shall be designed, to the extent possible, to  
262 minimize water use.

263  
264 PART II:

265  
266 A. If a provision of this Ordinance 2012-\_\_ conflicts with a provision of a previously  
267 adopted ordinance concerning the same title, chapter, and/or section number amended herein, the  
268 provision in this Ordinance shall prevail.

269  
270 B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be  
271 severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the  
272 remainder of the ordinance shall not be affected thereby.

273  
274 C. The Municipal Council hereby directs that the official copy of the Provo City Code be  
275 updated to reflect the provisions enacted by this ordinance.  
276

277 D. This ordinance shall take effect immediately after being posted or published as required  
278 by law.  
279  
280 END OF ORDINANCE.