



**Project #18-045
Town Center Density/Height Bonuses
Code Amendment**

REPORT SUMMARY...

<i>Project Name:</i>	TC Density & Height Bonus Program
<i>Proponent/Owner:</i>	Community Development Department
<i>Project Address:</i>	Town Center Zones
<i>Request:</i>	Code Amendment
<i>Type of Action:</i>	Legislative
<i>Date of Hearing:</i>	December 13, 2018
<i>Submitted By:</i>	Mike DeSimone, Director

RECOMMENDATION

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council to amend Land Development Code Chapter 17.34 to include a Residential Density & Height Bonus Program in the Town Center zones.

REQUEST

This proposal is to amend Chapter 17.34 to include a density and height bonus program for the Town Center zones (TC-1 & TC-2). The purpose is to incentivize a higher level of residential development in the Town Center through the provision of additional density and/or building height. A higher level of residential development will be evident through the use of specific building materials, outstanding building design, specific housing types, structured parking, and innovative site and building design, and in order to make this higher standard of development attainable, additional residential units and/or building height will be permitted.

Application

Residential density and building height bonuses being considered in Chapter 17.34 apply only in the TC-1 and TC-2 zones. A project could be awarded both types of bonuses based on whether they meet the criteria for both. However, there are specific caps on both density and height bonuses (See Table 17.37.040.A).

Methodology

Both residential density and building height bonuses could be awarded for the use of brick or stone on building facades as it reflects the historical character of the downtown, the use of row housing along the street frontages as it provides a softer transition between lower density and higher density residential areas, the use of structured parking as it discourages the inefficient development of a site with a large surface parking lot, or the application of LEED principles to both building design and building placement which can lead to higher quality projects from both an aesthetic as well as a long term functionality perspective.

The concept of awarding either a density bonus or a height bonus for the use of brick or stone or row housing is a result of the comments the City heard during the Town Center processes about encouraging and rewarding good design that was compatible with the character of Logan's historic neighborhoods. We also think it is critically important in the downtown to move away from large, suburban style parking lots and instead encourage integrating structured parking into overall project design. The application of LEED will encourage projects, both at a building scale and an overall development scale, to develop in a smarter, more integrated way.

LEED principles look at the nature of the proposed site (urban, brownfield, redevelopment versus greenfield), the projects relationship with the immediate neighborhood, water and energy efficiencies, material types, construction practices, indoor environmental qualities. All of these beneficial elements or features potentially add significant costs to a project that may otherwise make a project none attainable. The belief is that by permitting additional units over and above the base density, projects will be able to afford these features which in turn benefit the broader community.

The proposed amendment to Chapter 17.34 of the Land Development Code read as follows:

Chapter 17.34: Residential Density and Height Bonuses

§17.37.010. Purpose and Intent

The purpose of this Chapter is to promote exceptional site and building design in conjunction with the efficient and flexible use of land in the Town Center zones by encouraging the incorporation of residential density and height bonuses into exceptional projects. The intent of this Chapter is to encourage and incentivize higher quality building design utilizing traditional building materials such as brick or stone that complements the character of the existing neighborhoods.

§17.37.020. Applicability

Residential density and height bonuses apply in the Town Center zones.

§17.37.030. General Requirements, Limitations and Eligibility

- A. All residential density and height bonus considerations require approval through the Track 2 Design Review process.
- B. Projects seeking a density or height bonus are still subject to the Neighborhood Residential height and setback transition standards.
- C. The application of a density or height bonus to a project does not eliminate nor vary any other standard applicable to a project, e.g., parking, landscaping, open space, setbacks, etc.
- D. An applicant shall provide all necessary graphics, calculations, buildings plans, site plans, vicinity maps, and other materials required to adequately demonstrate compliance with the density and height bonus standards.
- E. A covenant (development agreement, deed restriction, contract, etc.) shall be submitted in writing and approved by the City to ensure that any systems or features developed and installed to obtain a bonus will be functionally and aesthetically maintained in perpetuity, that the timing of the construction and/or installation of said features is sufficient to guarantee their construction and/or installation at the front end of a project and ultimate completion prior to the issuance of a Certificate of Final Occupancy by the City, and such covenant shall require that any systems or features be replaced or renewed if failure or partial failure occurs for the system or feature considered for a bonus.
- G. Maximum base densities and heights along with the maximum cumulative bonus densities and heights (regardless of method) are listed in Table 17.37.040.A.
- H. Applicants choosing to utilize the LEED Silver Certification program standards bonus option are required to employ an architect trained and/or certified in the LEED program standards for the design, coordination, and project implementation.

§17.37.040. Specific Standards for Density & Height Bonuses

- A. Residential Density Bonus.

1. **Building Design.** The use of brick as a primary building element is important to Logan City as it reflects the historical character of the community and increases the likelihood of compatibility between new development and existing neighborhoods. A residential density bonus of up to 50% shall be given where brick or stone covers at least 75% of the façade on all sides of the building.
 2. **Row Housing.** Multi-family projects shall be given a residential density bonus of up to 40% if all of the street facing development is comprised of row housing (town homes or twin homes) that is at least three (3) stories in height, utilizes brick or stone on at least 50% of all building facades, and utilizes rear entry parking.
 3. **Structured Parking.** A residential density bonus of up to 75% shall be given if the project design includes a parking structure for at least 75% of the required parking stalls. Structured parking excludes garages, carports, or other similar structures.
 4. **LEED Silver.** A residential density bonus of up to 75% shall be given if a project implements the LEED Silver Certification program standards in its site design and project construction. The LEED Silver Certificate through the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design programs and certifications is not required to obtain the density bonus.
- B. Residential Building Height Bonus.**
1. **Building Design.** A height bonus of up to ten (10) feet shall be given where brick or stone covers at least 75% of the façade on all sides of a building.
 2. **Structured Parking.** A height bonus of up to ten (10) feet shall be given where the project design includes structured parking for at least 75% of the required parking stalls.
 3. **LEED Silver.** A height bonus of up to ten (10) feet shall be given if a project is designed and constructed according to LEED Silver Certification standards.

Table 17.37.040.A: Maximum Residential Densities (Dwelling Units Per Acre) and Maximum Building Height

Zone	Standard Max. Density	Max. Density with Bonus	Standard Max. Height	Max. Height with Bonus
Town Center (TC-1)	70	100	55'-80'	55'-90'
Town Center (TC-2)	30	60	45'	55'

§17.37.050. Failure to Comply

Failure to comply with any bonus requirements, covenants and/or conditions of approval shall result in a restriction of the use of bonuses granted, until compliance is achieved.

GENERAL PLAN

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The proposed amendments to the Land Development Code to include a density and height bonus provision for high quality development in the Town Center zones, are consistent with the General Plan as it attempts to further densify the downtown area where the physical and economic infrastructure is available to support increased densification.

STAFF RECOMMENDATION AND SUMMARY

The proposed changes to the Land Development Code to include residential density and height bonus provisions will encourage higher quality development in the Town Center zones which is consistent with the principles of both the Logan General Plan as well as the Downtown Specific

Plan. Staff would recommend that the Planning Commission forward a recommendation of approval to the Council for their consideration.

PUBLIC COMMENTS

As of the time the staff report was prepared, no public comments had been received.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 12/1/18, posted on the City's website and the Utah Public Meeting website on 1/14/18, and noticed in a quarter page ad on 1/14/18.

AGENCY AND CITY DEPARTMENT COMMENTS

As of the time the staff report was prepared, no comments have been received.

RECOMMENDED FINDINGS FOR APPROVAL

The Planning Commission bases its decisions on the following findings:

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendments are done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are consistent with the Logan City General Plan.
4. The proposed Code Amendments are consistent with the Downtown Logan Specific Plan.
5. The proposed Code Amendments including density and height bonus provisions will encourage higher quality development in the Town Center zones.
6. The application of a density or height bonus to a project does not eliminate nor vary any other standard applicable to a project.
7. The Geographic area of downtown as established in the Town Center zones generally extends from 3rd South to 5th North, and from 1st West to 2nd East.
8. The use of density and height bonuses in the TC-1 and TC-2 zones will not negatively impact Logan's Center Street Historic District boundaries as projects occurring within the district boundaries, regardless of zoning, are required to comply with the historic guidelines.
9. No public comment has been received regarding the proposed amendments.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.

Chapter 17.34: Residential Density and Height Bonuses

§17.37.010. Purpose and Intent

The purpose of this Chapter is to promote exceptional site and building design in conjunction with the efficient and flexible use of land in the Town Center zones by encouraging the incorporation of residential density and height bonuses into exceptional projects. The intent of this Chapter is to encourage and incentivize higher quality building design utilizing traditional building materials such as brick or stone that complements the character of the existing neighborhoods.

§17.37.020. Applicability

Residential density and height bonuses apply in the Town Center zones.

§17.37.030. General Requirements, Limitations and Eligibility

- A. All residential density and height bonus considerations require approval through the Track 2 Design Review process.
- B. Projects seeking a density or height bonus are still subject to the Neighborhood Residential height and setback transition standards.
- C. The application of a density or height bonus to a project does not eliminate nor vary any other standard applicable to a project, e.g., parking, landscaping, open space, setbacks, etc.
- D. An applicant shall provide all necessary graphics, calculations, buildings plans, site plans, vicinity maps, and other materials required to adequately demonstrate compliance with the density and height bonus standards.
- E. A covenant (development agreement, deed restriction, contract, etc.) shall be submitted in writing and approved by the City to ensure that any systems or features developed and installed to obtain a bonus will be functionally and aesthetically maintained in perpetuity, that the timing of the construction and/or installation of said features is sufficient to guarantee their construction and/or installation at the front end of a project and ultimate completion prior to the issuance of a Certificate of Final Occupancy by the City, and such covenant shall require that any systems or features be replaced or renewed if failure or partial failure occurs for the system or feature considered for a bonus.
- G. Maximum base densities and heights along with the maximum cumulative bonus densities and heights (regardless of method) are listed in Table 17.37.040.A.
- H. Applicants choosing to utilize the LEED Silver Certification program standards bonus option are required to employ an architect trained and/or certified in the LEED program standards for the design and project implementation.

§17.37.040. Specific Standards for Density & Height Bonuses

- A. Residential Density Bonus.
 1. Building Design. The use of brick as a primary building element is important to Logan City as it reflects the historical character of the community and increases the likelihood of compatibility between new development and existing neighborhoods. A residential density bonus of up to 50% shall be given where brick or stone covers at least 75% of the façade on all sides of the building.
 2. Row Housing. Multi-family projects shall be given a residential density bonus of up to 40% if all of the street facing development is comprised of row housing

DRAFT 17.34: Residential Density and Height Bonuses

- (town homes or twin homes) that is at least three (3) stories in height, utilizes brick or stone on at least 50% of all building facades, and utilizes rear entry parking.
3. **Structured Parking.** A residential density bonus of up to 75% shall be given if the project design includes a parking structure for at least 75% of the required parking stalls. Structured parking excludes garages, carports, or other similar structures.
 4. **LEED Silver.** A residential density bonus of up to 75% shall be given if a project implements the LEED Silver Certification program standards in its site design and project construction. The LEED Silver Certificate through the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design programs and certifications is not required to obtain the density bonus.
- B. Residential Building Height Bonus.**
1. **Building Design.** A height bonus of up to ten (10) feet shall be given where brick or stone covers at least 75% of the façade on all sides of a building.
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§17.37.050. Failure to Comply

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APPLICATION FOR PROJECT REVIEW

Planning Commission Board of Adjustment Board of Appeals Other

Date Received 11-9-18	Received By	Receipt Number	Zone	Application Number PC 18-045
Type of Application (Check all that apply): <input type="checkbox"/> Design Review <input type="checkbox"/> Conditional Use <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Zone Change <input type="checkbox"/> Boundary Line Adjustment <input type="checkbox"/> Code Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Variance <input type="checkbox"/> 4950' Design Review <input type="checkbox"/> Other _____				
PROJECT NAME				
CODE AMENDMENT – DENSITY BONUSES TOWN CENTER ZONES				
PROJECT ADDRESS				COUNTY PLAT TAX ID #
DOWNTOWN LOGAN				-- --
AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete)				MAIN PHONE #
LOGAN CITY COMMUNITY DEVELOPMENT DEPARTMENT				(435) 716-9021
MAILING ADDRESS		CITY	STATE	ZIP
290 NORTH 100 WEST		LOGAN	UTAH	84321
EMAIL ADDRESS				
WWW.LOGANUTAH.ORG ; MIKE.DESIMONE@LOGANUTAH.ORG				
PROPERTY OWNER OF RECORD (Must be listed)				MAIN PHONE #
CITYWIDE				
MAILING ADDRESS		CITY	STATE	ZIP
EMAIL ADDRESS				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed)				
AMEND 17.34 OF LAND DEVELOPMENT CODE TO INCLUDE PROVISIONS FOR DENSITY AND HEIGHT BONUSES IN THE TOWN CENTER ZONES.				
				Size of Proposed New Building (square feet)
				Number of Proposed New Units/Lots
<i>I certify that the information contained in this application and all supporting plans are correct and accurate. I also certify that I am authorized to sign all further legal documents and permits on behalf of the property owner.</i>		Signature of Property Owner's Authorized Agent		
<i>I certify that I am the property owner on record of the subject property and that I consent to the submittal of this project. I understand that all further legal documents and permits will be sent to my authorized agent listed above.</i>		Signature of Property Owner		

Council Workshop: Jan. 15
Council hearing: Feb. 5

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- E. A covenant shall be submitted in writing and approved by the City to ensure that any systems or features developed and installed to obtain a bonus will be functionally and aesthetically maintained, in perpetuity, and such covenant shall require that any systems or features be replaced or renewed if failure or partial failure occurs for the system or feature considered for a bonus.
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§17.37.040. Specific Standards for Density & Height Bonuses

- A. Residential Density Bonus.
 1. Building Design. The use of brick as a primary building element is important to Logan City as it reflects the historical character of the community and increases the likelihood of compatibility between new development and existing neighborhoods. A residential density bonus may be permitted for the use of certain building materials or design elements over a specified percentage of a building as follows:
 - a. A density bonus of up to 30% shall be given where brick or stone covers at least 50% of the façade elevations on all sides of a building.
 - b. A density bonus of up to 50% shall be given where brick or stone covers at least 75% of the façade elevations on all sides of a building.

DRAFT 17.34: Residential Density and Height Bonuses

2. **Row Housing.** Multi-family projects shall be given a residential density bonus of up to 40% if all of the street facing development is comprised of row housing (town homes or twin homes) that is at least three (3) stories in height, utilizes brick or stone on at least 50% of all building facades, and utilizes rear entry parking.
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- B. Height Bonus.**
1. **Building Design.** The use of brick as a primary building element is important to Logan City as it reflects the historical character of the community and increases the likelihood of compatibility between new development and existing neighborhoods. A height bonus of up to ten (10) feet shall be given where brick or stone covers at least 75% of the façade on all sides of a building.
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