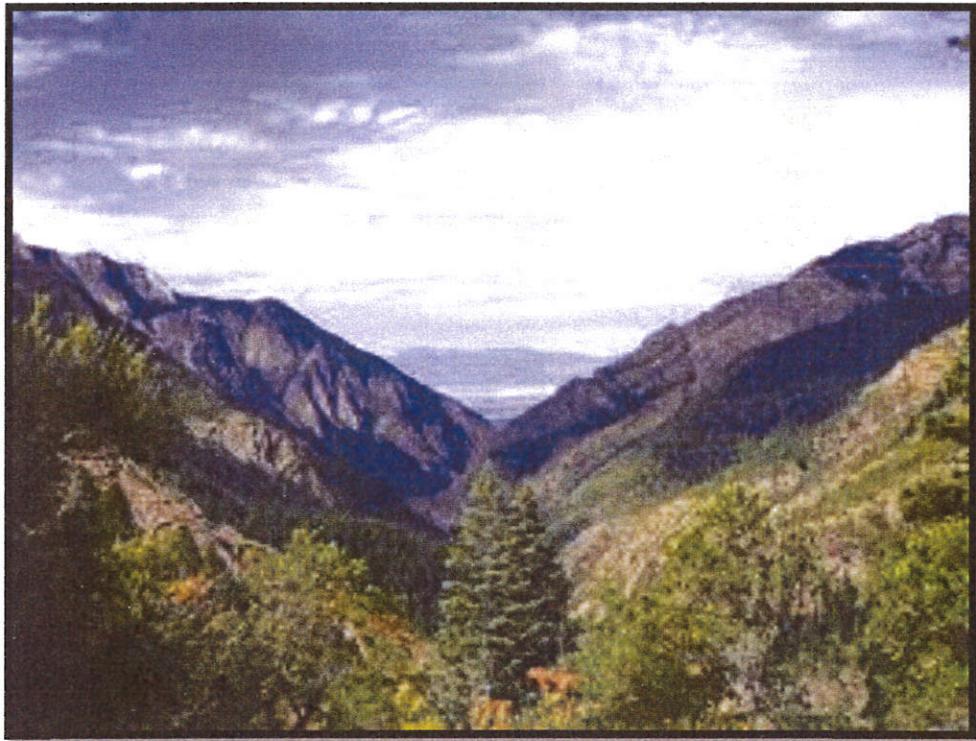


Cottonwood Heights

Fort Union Corridor

Brigham Young University – Master of Public Administration Students



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Executive Summary

Purpose

The following report is the culmination of a semester long collaborative project between the city of Cottonwood Heights and a team of BYU Master of Public Administration students. The city is one of the newest cities in Utah, having only incorporated in 2005. This has resulted in the city inheriting some growth issues due to the lack of previous city planning, especially regarding traffic congestion along the Fort Union corridor. Cottonwood Heights continues to grow making effective city growth management a priority.

City administration, aware of these concerns, contacted Dr. Larry Walters of Brigham Young University about creating a student-led project that would: first, identify issues; research, address and suggest some possible solutions to Cottonwood Height's growth issues; and initiate community-wide discussion on the issues. Since September, members of the BYU team have been actively collaborating with city administration in fulfilling the purposes of the project.

Citizen Participation

City management, understanding that future city growth is vitally important to city residents, invited a group of citizens from Cottonwood Heights to participate in the project. Citizen participation has mostly been accomplished through a city-sponsored focus group, led by the BYU team. Approximately 20 citizens attended the discussion, which resulted in a great deal of actionable citizen input with regards to city growth management issues.

The data collected from the meeting has been recorded and incorporated into the findings of the BYU project. Although much of the data received by citizens has proven useful, some findings of the discussion group fell outside the purposes of the project and, therefore, were recorded but not necessarily addressed at length in the report. For more information on the citizen focus group please refer to Appendix A.

The Issues

At the beginning of the project, Cottonwood Heights administration met with the BYU team and shared some of the issues about city growth that city management was aware of. Additionally, the citizen discussion groups added to the pooled knowledge about the issues and any other concerns about the city.

The following issues were determined to be the most pressing concerns for the city:

- Transportation along certain areas of Fort Union
- Quality of life in Cottonwood Heights with regards to future development
- Zoning issues and future commercial development
- Moving forward

Residents also voiced a number of additional concerns during the group discussion which include:

- Recreational development of the mouth of the canyon
- Creating transition areas between residential and commercial property in the city
- Keeping big box stores from encroaching on limited retail areas

What's in the report?

Understanding the complex nature of the issue, the BYU team chose to focus the principal aspects of the report on the aforementioned areas of concern, submitting options for consideration to the city policy makers. Included in the report are sections that address:

- Transportation
- Quality of life
- Zoning

Additional concerns of the residents are primarily addressed in the quality of life and zoning sections of the report.

Moving Forward and Financing

Included in this report are sections that highlight possible financing options for consideration by city policy makers. Any improvements or changes considered by the city will require additional sources of funding that do not currently reside in city coffers. Discussed in this section are possible alternatives to funding improvement projects such as:

- Franchise Fees
- Special Assessment Areas
- Tax Increment Financing
- General Obligation Bonds

Additionally, dedicated in the report is a section on moving forward and some possible options for the city to consider when deciding on its next steps. Any improvements will occur over a significant period of time and considering the timeline for such projects can prove crucial in their success or failure.

Purpose of Report

The desired outcome of the report is to inform elected officials, city administration and residents of the issues facing the city in the coming years as pertaining to the growth and management of future development within the city. The BYU team was specifically asked to highlight the issues involving the Fort Union corridor and its future sustainable growth and improvement. The future of Cottonwood Heights involves managing Fort Union and its development. Hopefully, with the help of this report, policy makers will be able to prepare a comprehensive approach to not only address the growth issues of the city, but also to plan effective, sustainable and reasonable growth. Understanding that this report does not solve issues but only defines them, it is assumed that it will at least facilitate future discussion about the issues facing Cottonwood Heights.

Introduction

Purpose

This report is the result of a semester long project involving the city of Cottonwood Heights and a team of Brigham Young University (BYU) Master of Public Administration (MPA) students. Due to the city's relatively recent incorporation, it is currently facing, and will continue to face, growth issues, especially along the Fort Union corridor. The City has begun the process of determining what solutions are available by initiating a public engagement strategy led by BYU MPA students. Our team of BYU MPA students was asked to assist in this process by facilitating focus group discussions. These focus groups were designed to assist the city in its efforts to move forward with the input of the citizens on the issues the city is facing.

Issues

Cottonwood Heights is facing increased traffic as well as increased concern regarding land development issues along the Fort Union corridor. The traffic issue involves how Fort Union Boulevard is failing at peak hours of use during the day. The development issue concerns the ability of Fort Union Boulevard and the Fort Union corridor to support substantial future growth. The city administration recognizes that the Corridor, as currently structured, will not be able to support future growth and development.

Focus Group

The Cottonwood Heights city administration approached a team of MPA students to help facilitate the beginning steps of public engagement. On October 17, 2013, about 28 people were invited by the city to participate in two focus groups that were designed to gather public opinion on important issues concerning the city. About 20 of the 28 people invited attended the focus groups. Those invited are people of influence within the community, people who are invested in the future of Cottonwood Heights. Each group discussion was facilitated by a small group of MPA students using question prompts in the areas of transportation, quality of life and development (see Appendix A). These groups both identified a number of the same issues.

Topics of importance included:

- Achieving a safe and involved community
- Creating an aesthetically pleasing community
- Constructing a city hall to foster City identity
- Preserving the family friendliness of Cottonwood Heights
- Providing an environment for businesses to operate freely within set bounds
- Fostering a walkable community
- Development at the mouth of the canyon
- Keeping a small town feel
- Addressing traffic needs

It is apparent that the primary concern of those within the focus groups is issues that deal with the development of Cottonwood Heights. Focus group participants are very interested in having a voice in what that direction will be, and in being able to create a community environment that is friendly and that fosters community engagement.

The topics and issues discussed were organized by our MPA team into the major topic areas of the question prompts. These areas, shown with some illustrative quotes, again include:

- **Quality of life:** “We need a go-to place for residents that is walkable, and park-like where there is eating, restaurants, small city hall, etc.”
- **Transportation:** “We need to mitigate traffic concerns particularly on Highland and Fort Union Blvd.”
- **Development:** “We need to preserve the small-town feel” and “I would love a great plan for a gateway to the canyon with amenities that focus on the canyon.”

Harnessing the interest of the citizens moving forward will help to create a community environment that is friendly and that fosters community engagement.

Purpose

This paper outlines the concerns of those that participated in the focus groups in regards to the Fort Union corridor and the mouth of the canyon. Additionally, this paper includes alternatives and options proposed by the BYU MPA team. The following issues will be addressed:

Focus Group Concerns

- Quality of Life
- Transportation
- Development

MPA Team Suggestions

- Public Land Acquisition
- Financing
- Next Steps

Each of these areas will be discussed in terms of what the focus groups expressed, what the BYU team researched, and what viable options are available.

Quality of Life

Focus Group Concerns & Ideas

Focus group participants mentioned several characteristics of Cottonwood Heights that they feel add value to their lives. Participants enjoy the open space that allows for recreational opportunities within the city. Many participants appreciate available options for cyclists and pedestrians. Participants also value the “small town feel” of Cottonwood Heights, the schools and the safety of the community.

Concerns

Focus group participants also are concerned with maintaining their current quality of life as the city changes and grows. Participants would like to see open space maintained and expanded, if possible, even if it means annexing additional land into the city. They would also like to see the commercial areas of Cottonwood Heights have a greener feel to them. Furthermore, participants mentioned zoning and covenants, conditions, and restrictions (CC&Rs) as a way to encourage open space preservation.

Ideas

Participants suggested “complete streets” as a way to allow equal transportation access for cars, buses, cyclists and pedestrians on city streets. They also would like to see additional sidewalks and pedestrian trails. Participants suggested finding ways to better connect neighborhoods that are divided by major thoroughfares, including pedestrian stoplights and overpasses. Participants suggested open dining on Fort Union Boulevard as a way to encourage more foot traffic in commercial areas where people could gather.

Although focus group participants were not desirous to see a high-density downtown, many focus group members expressed interest in seeing Cottonwood Heights have a city center. This area could focus on a park, pond or shopping area and include features such as restaurants, coffee shops, gazebos and art galleries. Many residents would like to see this area used for community programming, whether it be concerts, farmers markets, craft fairs or outdoor movie screenings. All in all, citizens want a space that is “walkable,” “park-like” and “quaint.”

Finally, participants viewed having a city hall as a way to create a natural city center that would help foster growth. Additionally, many citizens felt that having a city hall would increase Cottonwood Heights’ sense of identity. Suggested locations for the city hall included an area near 2300 East (currently occupied by a storage unit facility) and an adaptive re-use of Butler Elementary.

Suggested Alternatives

Based on the suggestions of participants, we researched three main quality of life issues of concern to both citizens and city administrators: (1) walkability, (2) open space and (3) the development of a city center. We here present suggested alternatives to address focus group concerns on these subjects.

Walkability

The “walkability” of a community is measured by how well it encourages walking in comparison to other forms of transportation. If streets have sidewalks, for example, safe walking conditions will increase walkability and encourage foot traffic. Additionally, “having retail stores close to where people live and providing connected streets increases the likelihood that a person will incorporate walking into daily routines” (Marshall, Brauer & Frank, 2009, p. 1753).

The benefits of having a more walkable space in a city are both environmental and economic. Increases in pedestrian traffic lead to decreases in noise, pollution and safety hazards that busy streets create. When citizens walk more, they experience a decreased risk of cardiovascular disease and obesity (ibid). Increased pedestrian traffic also increases property values for businesses, because pedestrians are more likely to become walk-in customers who would not have stopped to shop if using vehicular forms of transportation.

Successful walkable spaces in Cottonwood Heights would include mixed-use areas consisting of businesses, restaurants, entertainment and government buildings, all close enough to encourage walking. Wide walkways, public spaces for gathering and playing, and traffic conditions could promote feelings of safety and encourage pedestrians to walk, rather than to drive, to their destinations. These areas should also be easily accessible by foot from surrounding neighborhoods and should contain adequate parking nearby so residents can drive to the area and then walk.



Figure 1 - Downtown Logan, Utah

Several Utah communities have walkable spaces that can be looked to as examples. The Main Streets of St. George, Springville and Logan all have attributes that encourage walkability. In both St. George and Springville, the city created a park with green space, benches and water play areas around new city buildings. These walkable spaces have attracted residents and visitors alike and have increased attraction to the shops and businesses on Main Street, revitalizing these downtown areas.

Main Street in Logan is inviting to pedestrians because businesses line the sidewalks and parking is located in the rear. Unlike businesses with large parking lots setting

them off from the street, these businesses are more easily accessible to pedestrians because of their proximity to the sidewalk. A few events are held each year that attract pedestrians, including an annual sidewalk sale, trick-or-treating and a yearly art festival. These events encourage and promote walking in the area. A large grassy area in front of the Logan Tabernacle adds beauty and provides additional space for people to gather.

These examples illustrate areas that are both economically successful and highly walkable. We encourage Cottonwood Heights to consider increasing walkability by constructing and maintaining wide sidewalks, encouraging street-facing development along Fort Union Boulevard and providing community events that invite pedestrians to experience the city outside the confines of their vehicles.

Open Space

We recommend that Cottonwood Heights consider investing in two different types of open space. First, the city can invest in more traditional parks, which are designated for recreational, educational and cultural opportunities. These spaces “offer places to exercise, participate in competitive sports, socialize with others, and space for people to get away from development and experience the solace of the natural environment” (King County, 2010, p. 1).

Second, the city should consider the construction of smaller, urban open spaces near Fort Union Boulevard to serve as urban oases and provide aesthetic value and character to the city. Washington State identifies such areas as “Lands with Aesthetic Values Defining Community Identity” (Washington State, 2005), and ensures that these areas are not neglected at the expense of larger parks. Urban open spaces are designed to “provide a pleasant interlude in the urban environment” (Ibid., p. 18) and are often “sources of great civic pride, rendering commercial centers more attractive and even attracting new residents and businesses to the community” (Ibid., p. 19). They can include features such as statues, trees, benches, fountains or memorials and need not be extensive in nature.

Cottonwood Heights can also seek mixed-use development that is centrally located. These mixed-use areas contain both open space and retail, and provide a place for community gathering. Zoning requirements can be used to encourage development that includes green space. These private developments can often fill the need for urban open space and create spaces for residents to gather.



Figure 2 - Mixed-use development with open space

City Center

Focus group participants felt that Cottonwood Heights currently has no city center. Forming a city center would provide a public gathering space where people can bring their families, interact with friends and participate in events and activities. This area could increase community involvement and give Cottonwood Heights a greater sense of identity.

An example of successful development in a similar type of community with similar accessibility is Station Park, located at the intersection of I-15, Highway 89, Legacy Parkway and the FrontRunner station in Farmington, Utah. Station Park was created as a place for the community to gather and to interact. Station Park also caters to citizens and visitors by providing an upscale retail experience.



Figure 3 - Example of a public gathering space

The development features upscale retail, a gym, various dining options, a park and play area for children, an outdoor skating rink during the winter and an animated show fountain. The park also hosts several community events including a summer concert series, family fun days, holiday tree lighting ceremony, summer camp for kids, live music and wine tastings. Such events cater to the community's residents year-round and create a sense of community. This project has attracted not only Farmington residents, but also other residents of Davis County who did not have a community hub that provided diverse dining, entertainment and retail options.

Integration of Alternatives

Focus group participants identified the area near the intersection of Fort Union Boulevard and 2300 East as being central to the community. However, this area currently lacks the features that improve quality of life. Cottonwood Heights can take steps to redevelop this area and create walkable open spaces that attract residents.

As indicated by the map below, the area is currently the site of several under-utilized properties. Focus group participants specifically identified the storage units and the shopping center on the southeast corner of Highland and 2300 East as needing redevelopment. Additionally, the vacant lot, the construction company and the residential properties could be redeveloped to improve the area aesthetically and economically.

At this time, it is unclear whether the elementary school and power station are candidates for redevelopment; however, they were identified as under-utilized properties because of the economic potential along the Fort Union Corridor. The locations of these potential developments are shown below.

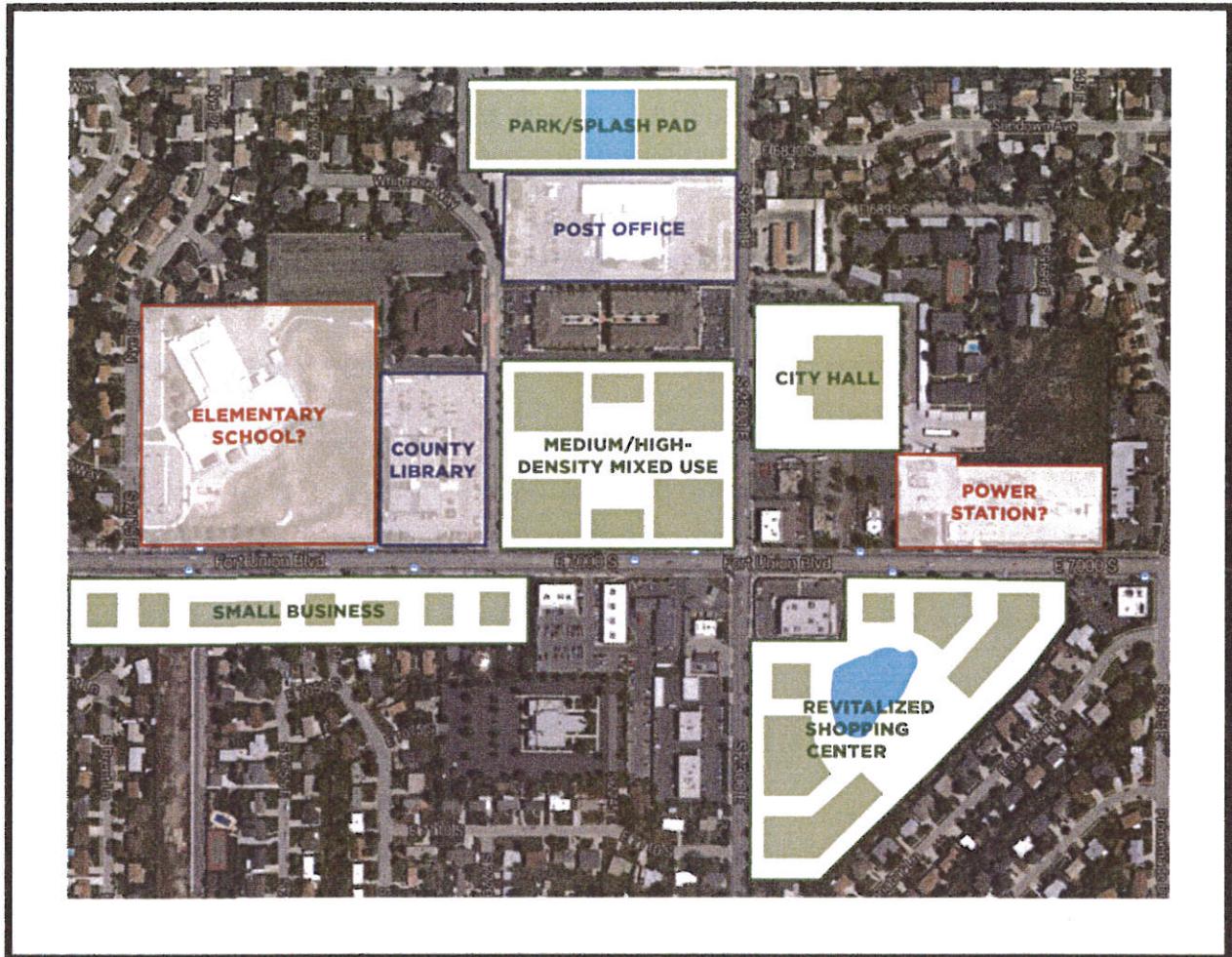


Figure 5 - Potential Redevelopment in Cottonwood Heights

Additional development could be made on the south side of Fort Union Boulevard. More small businesses could be sought to replace the residential properties that currently line the corridor and to encourage economic growth and diversity. The shopping center could also be restructured with street-facing buildings and with parking relocated to the back to encourage pedestrian traffic. The revitalization of the shopping center would require vendors and owners to invest in redevelopment to encourage business improvements and expansion.

The proposed developments would require great effort and cooperation from city officials, affected community members and business owners. After planning, the redevelopment process would likely last several years. The maps included here are simply designed to show the potential of one area of Cottonwood Heights as a future city center.

Transportation

Focus Group Concerns & Ideas

A recent traffic study of the corridor indicates high levels of traffic. Results of this study show that the highest traffic counts are between 1300 East and Highland Drive, with an average daily traffic of 26,000 vehicles. Furthermore, the report shows that traffic counts decrease significantly east of Highland Drive, with the average daily trips dropping to just over 16,000. This indicates that a large number of vehicles traveling between 1300 East and Highland Drive turn either north or south, left or right, at Highland Drive. Moreover, during peak hours, the intersections at 1300 East and Highland Drive experience heavy traffics counts, 3,700 and 5,700 vehicles per hour, respectively.

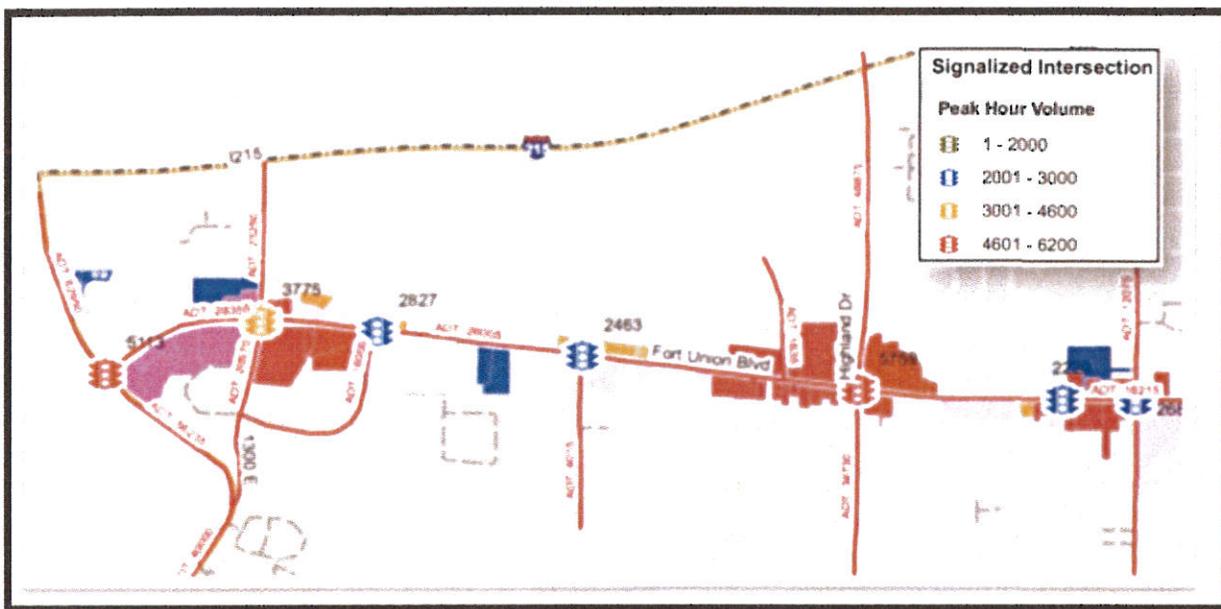


Figure 5 - Traffic counts along Fort Union Blvd. A recent study of the traffic along the corridor indicates high volumes of traffic, particularly between Union Park Avenue and Highland Drive. Furthermore, the study demonstrates that many vehicle counts east of Highland Drive decrease by 38%

When asked about traffic along the corridor, citizens in the focus group commented regarding two overall categories: traffic congestion and safety. While discussing the congestion issues, surprisingly, only a small number of participants suggested that the road be widened. Others suggested better signal synchronization, incorporating flex-lanes, improved turn lanes, restricting traffic and creating a structure (such as underpasses) to allow for an uninterrupted flow of traffic.

Additionally, some participants mentioned the safety concerns with the corridor, noting that the heavy traffic requires students to be bussed across the street for school. Another safety concern regards entering and exiting businesses and residences along the corridor. One specific area of concern was the entrance to the Santa Fe apartments. Below we develop alternatives to address these concerns. These alternatives include those proposed by the focus group, as well as alternatives that we identified in our research.

Suggested Alternatives

Widen the Corridor

One alternative that residents mentioned was to widen the corridor. When widening roads, cities should first identify the areas of greatest congestion; bottlenecks are a common source of congestion. Based on the traffic count, expanding the corridor east of Highland Drive is not warranted because of the decrease in average daily trips east of Highland Drive. Therefore, one alternative would be to add an additional eastbound and westbound lane between 1300 East and Highland Drive. These lanes could even extend through to Union Park Avenue because portions of that stretch of the corridor already have three lanes.

Widening the corridor could help facilitate the high traffic numbers through that stretch of the corridor. An additional benefit of expanding the corridor through this stretch is that it minimizes the total number of properties affected by the expansion. One concern, however, with widening the corridor is that additional drivers may use the corridor because of the additional lanes, thus not resolving the congestion issue. This is known as induced demand. Litman (2013) highlights the issues of traffic generation and induced demand, demonstrating that road improvements have the tendency to generate additional traffic, with the potential of reducing the impact of the improvements.

Right-only Lanes

If an additional lane were added, we have identified two potential purposes of the additional lanes. First, the lane could serve as a right-only lane when it reaches 1300 East or Highland Drive. Because the traffic counts indicate that most vehicles turn at these intersections, a right-only lane could help facilitate this movement and allow for more vehicles to pass through. Right-only lanes are already in use at these intersections, however they only extend for roughly 60 feet, limiting the number of vehicles that can be in queue to turn.

Dual-left Turn Lanes

A second purpose of the additional lane could be a dual-left turn lane. Like the right-only lane, a dual-left turn lane could facilitate the high number of vehicles turning at these intersections. Although dual-left turn lanes increase capacity, the Florida Department of Transportation reports that the efficiency of each lane is reduced, primarily due to the tendency for drivers to stagger the position of their vehicles (Florida Department of Transportation, p. 2-2).

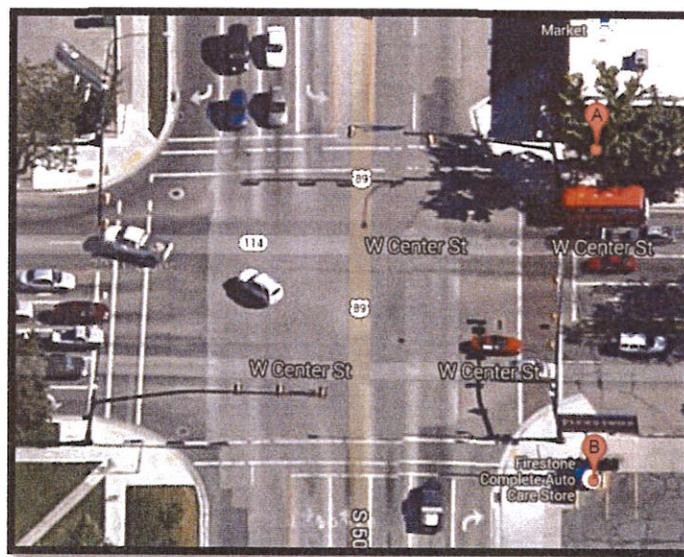


Figure 7. This example from Provo demonstrates that the use of dual-left and right-only lanes can be tailored to meet the needs of the particular intersection. This example has dual-left lanes east and westbound, with right-only lanes on each side.

Widen/Narrow Lanes

Another alternative suggested in the focus groups was widening or narrowing the lanes. Generally, wider lanes allow for faster speeds, whereas more narrow lanes decrease speeds. At least one participant suggested faster speeds along the corridor; widening the lanes could allow for faster speeds and could lighten the congestion. Alternatively, more narrow lanes could provide additional space for bike lanes or other pedestrian-friendly features. Although it may take significant reductions in width to fit an additional vehicle lane, reducing lane widths could also decrease the amount of property that would need to be affected by any expansion.

Signal Timing

Participants also recommended synchronizing the lights along the corridor. Synchronizing the lights is very beneficial because it can result in better traffic flows without the cost of modifying the corridor. KOA Corporation (2011) reported on modifications that Salt Lake City (SLC) recently made to its synchronization. SLC modified the cycle length at some city-maintained intersections from a 120-second cycle to an 81-second cycle. A travel time and delay study was then conducted which found that average travel times, run delays and the number of stops decreased, while average speeds increased, regardless of time of day (KOA Corporation, p. 1).

Safety

Safety along the corridor is a primary concern for focus group participants. Some residents expressed safety concerns regarding particular egresses and ingresses along Fort Union. The current issues will be amplified if additional lanes are added, especially when vehicles attempt to cross three lanes of traffic to access a business or residence. Participants recommended several alternatives, including adding a signal at the entrance to the Santa Fe apartments, physical medians and pedestrian bridges.

Additional Signal

Participants suggested that a signal be added at the Santa Fe apartments. This could help facilitate vehicles entering and exiting the apartments. Placing a light at this location would be even more necessary if additional lanes were added to the corridor because vehicles would have to cross three lanes of traffic. One example would be a High-T intersection, which allows westbound traffic to flow continually while eastbound traffic stops occasionally to allow vehicles to enter and exit the apartment complex. Figure 8 depicts a High-T intersection that was recently incorporated on 5400 South and 3800 West. This particular intersection allows westbound traffic to flow continuously, while eastbound traffic occasionally stops to allow vehicles to enter and exit the shopping center. Something similar could be incorporated along the corridor.

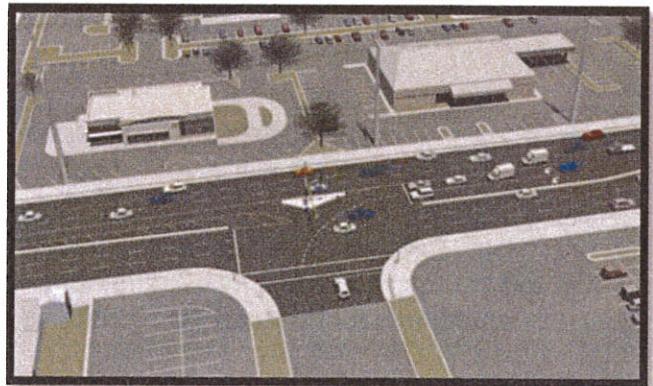


Figure 6 - High-T Intersection

Medians

Medians are modifications that can enhance the productivity and safety of a road. To resolve some safety concerns, physical medians can be placed to prohibit vehicles from crossing multiple lanes of traffic, or making other movements such as U-turns.

Pedestrian Bridges

Another modification that participants suggested was pedestrian bridges. By providing bridges for foot traffic, crosswalks can be removed and traffic speeds can increase on the thoroughfare, thus allowing more vehicles to get through faster. Furthermore, pedestrian bridges can resolve some vehicle-pedestrian safety concerns. Pedestrian bridges are used in some municipalities; however, they are typically used across significantly larger thoroughfares. We were unable to find a practical example of pedestrian bridges in areas similar to the corridor.

Alternative Transportation

Finding alternative means of transportation is important for the future development of the city and the well being of its citizens. Mounting traffic congestion along the Fort Union corridor and oftentimes serious air quality problems necessitate the development of alternative options to driving personal vehicles. What follows is an overview of several methods available to accomplish this purpose.

Light Rail

Utilization of light rail (TRAX) seems to be a common proposal to transportation problems; however, this option is plagued with many potential problems. Not least among these is the expense. Laying track up and down Fort Union would be a resource-intensive undertaking, complicated by the fact that doing so would create additional traffic problems throughout the duration of the project.

Another significant roadblock concerns potential ridership. TRAX was mentioned several times during the focus groups, but there was little interest among the participants in utilizing it themselves. We have little reason to believe that the rest of the city's population is significantly different from the focus group participants in this respect. Assuming this is the case, uptake would be too low to justify the high level of investment required as a part of this option. For these reasons, light rail is unlikely to be part of the solution to the transportation problems of Cottonwood Heights.

Bussing

Bussing is another potential alternative. Increasing bus service above current UTA levels would likely be the most affordable option for boosting mass transit within the city. This is largely because the infrastructure (e.g. roads) already exists. Additionally, the city could likely engage UTA to provide increased levels of bus service (in both frequency and expansion of routes) rather than having to provide the service itself.

That being said, the bussing option is not without complications. Foremost among these is the need to secure sufficient ridership to justify any city investment. Public bussing suffers from a perception problem, and is often expensive, slow and inconvenient. These are issues that would need to be addressed (through increased levels of service, for example) in order for this to be a viable option.

Streetcar

A streetcar system is another potential option for providing mass transit to the citizens of Cottonwood Heights. Although installing the necessary infrastructure would be expensive and the city would likely have to shoulder the burden of running the system, the higher quality perception of this option may increase ridership and the option's viability. If this option (or any option for alternative transportation) is pursued, the assumption of sufficient ridership should be considered prior to any major action so as to avoid the possibility of making a large investment into public transit with insufficient returns (Jaffe, 2013).

Additional Considerations

Any creation of public transit will need to give particular attention to transportation routing. Even if public transit is fast and affordable, people will not use it unless it gets them where they want to go. The creation of a "public transit corridor," an area with cultural venues, heavy mixed-use and retail development and extensive public transit service, along Fort Union Boulevard may be the best incentive for citizens to utilize mass transit. Such a system could also connect with any future development near the current gravel pit. Additionally, integrating the system with the UTA system may help increase ridership among commuters and others wanting to travel outside the city.

Additional measures to encourage citizens to use the transit system may also be very important for the long-term viability of the system. To this end, the city may wish to utilize a variety of methods, such as marketing (appeals to help improve air quality), as well as taking measures to reduce the direct cost to use public transportation.

Biking

Finally, creating additional resources for citizens to utilize biking as a means of transportation may also help to reduce traffic congestion and to mitigate air quality problems. The city can create bike-friendly corridors along major transportation routes such as Fort Union. This can be accomplished through the creation of bike lanes, lowered speed limits for vehicles in areas with bike lanes and physical barriers between vehicles and bicyclists. This type of infrastructure not only creates a space for bicyclists on public roadways, but also helps to foster a sense of safety among those who choose to utilize this method of transportation.

Development

Focus Group Concerns & Ideas

In general, the focus groups felt city involvement with future development is imperative to preserve and to guide the aesthetics and character desired by residents. Numerous participants expressed a desire to encourage small businesses and boutiques and to discourage big box stores.

Focus group attendees supported some of their ideas by identifying Cottonwood Heights as “the city between the canyons.” We heard suggestions for aesthetics including “a modern lodge feel.” People expressed a desire to extend the feel of the canyons into the city design. Some suggestions included developing with natural materials from Utah, preserving green space (defined as trees, shrubs, and other greenery native to Utah throughout the city) and highlighting the view.

Many people live in Cottonwood Heights so they can enjoy the view of both the mountains and the valley. The focus groups specifically discussed preserving their views and the city’s role in preserving this view despite future development. Although development at the mouth of the canyon is inevitable, the focus group participants expressed desire for the city to guide and regulate how this will occur.

The concern with allowing private companies to develop in Cottonwood Heights lies in the zoning and coding. If restrictions on design and function are not provided or enforced, the city could take on a different feel than that desired by those in the focus group. The focus group acknowledged the importance of private investors and developers in the community, but would like the city to be involved with those endeavors.

The focus group was not in a position to address how to zone or code for these issues so we researched various alternatives for zoning and coding. One alternative, form-based coding meets the needs of the focus group and could be used in the corridor section of Fort Union as well as in other parts of the city.

Suggested Alternatives

Form-based Coding

Zoning is one of the most effective planning tools for cities to preserve and to develop the character of communities. Zoning practices vary widely in rules and administration. Some zoning practices are established with set laws while others require intricate administration with arbitrary guidelines. The redevelopment of Cottonwood Heights along Fort Union Boulevard will require zoning practices that are simple to implement and that will support an attractive, walkable, mixed-use community east of Highland Drive.

Of all the zoning strategies, form-based code is the most useful for Cottonwood Heights. Form-based codes (FBCs) determine the physical form of land use rather than the separation of uses. This flexibility allows cities to better establish vibrant mixed-use environments that support walkable, transit-friendly communities. Form-based codes govern factors such as setbacks, building size, landscaping, height restrictions and lot coverage to develop or maintain a specific character of an area. Illustrations and diagrams are necessary with form-based codes to facilitate interpretation. Form-based codes can be implemented as mandatory or parallel to existing codes. Form-based coding is relatively new in practice but is being used across the country to promote livable urban areas.

The details of form-based codes are best explained with examples. Form-based code and its effects can be summarized into three main categories: building, street and architecture. These categories are presented with examples of implementation from around the country.

Street

Form-based codes have been used in all sizes of cities throughout the U.S. Although no researched city matches the criteria of Cottonwood Heights, we did find some award winning designs with similar challenges. The results are listed below for the various street designs and codes. More information is found within the form-based coding plan for the particular city.

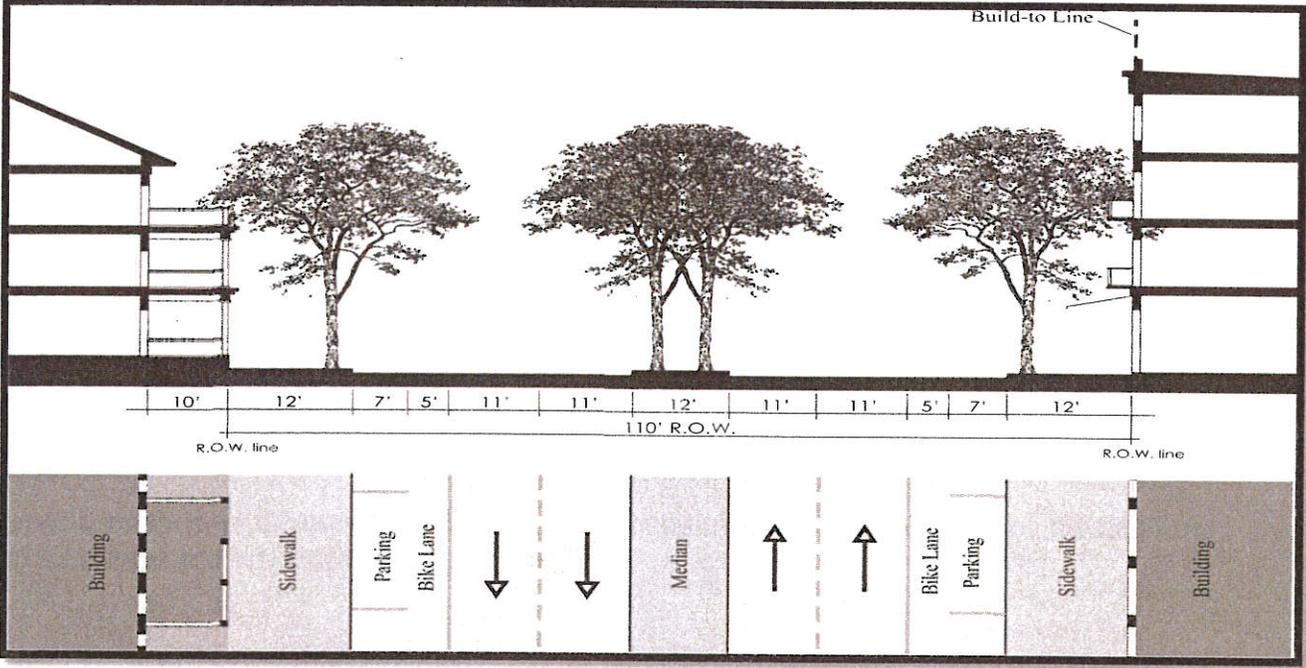


Figure 7 - Form-based coding for streets

Four Lane Avenue – Hercules, California

The Four-Lane Avenue is designed for locations where the movement of larger volumes of traffic is desired. Wide sidewalks, on-street parking, and doors and windows facing the street make this high-traffic street, pedestrian-friendly as well (Amidon & Bridges, 2007).

Corridor – Santa Ana, California

The city of Santa Ana planned for a 437-acre community including a coding plan for a corridor area. The various codes include building types and maximum heights, parking, off-street parking standards, building setbacks and frontage requirements (Moule & Polyzoides Architects and Urbanists, 2010). The charts below demonstrate the intent and character of the corridor coding.

The Form-based Codes Institute chose Santa Ana for the Driehaus Award, saying,

“The City of Santa Ana’s code thoughtfully focuses on the subtleties of building placement, massing, and building and frontage types for an existing 457-acre community. The code illustrates many best practice examples for the “missing middle” of the transect, providing a set of tools for the community to use as it evolves. The visual presentation of the code, especially the architectural standards and building types, and its organization makes it easily understood by all users.”

Building

Regulations on buildings in form-based code develop the character of communities. These regulations include the configuration, features and functions of buildings that characterize the public space.

BART Station Shop Front – Pleasant Hill, California

At the BART Station in Pleasant Hill, California, form-based code has been established for the building shop fronts (Newberg). The code regulates four distinct aspects of the buildings: height, siting, elements and uses.

Height code establishes the maximum stories or height a building may have in any given area, with a minimum of two stories. The code dictates the requirements for walls along un-built lots. It also set limits on floor elevation relative to sidewalk and clear heights on each floor.

The code establishes the uses of the floors of each buildings with retail or office on the first floor and residential and office space on the upper floors.

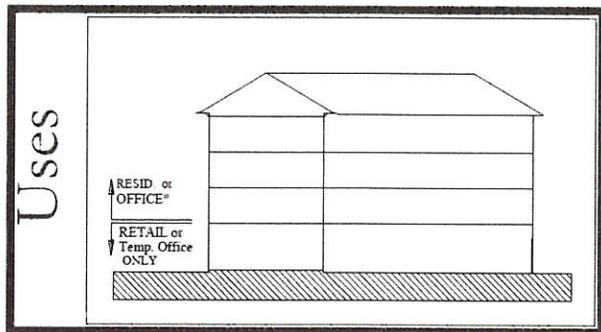
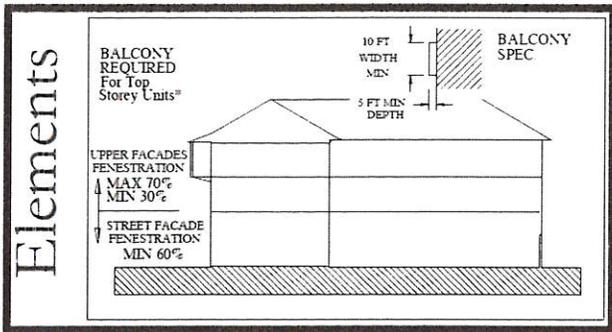
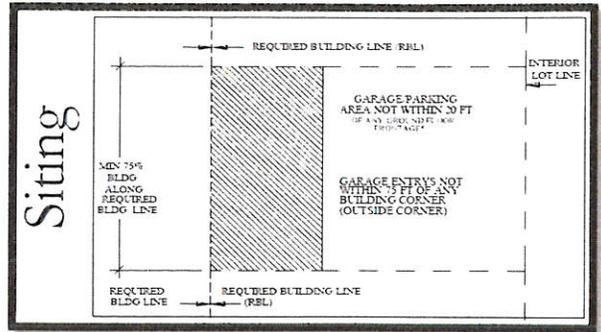
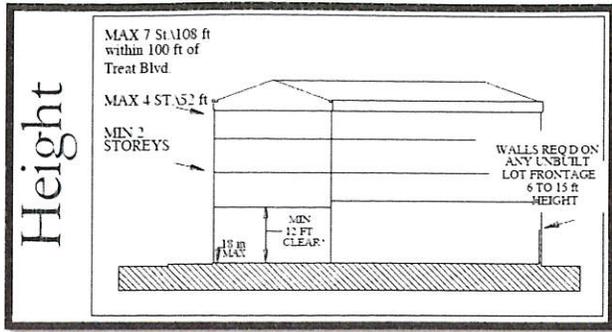


Figure 8 - BART Station form-based code

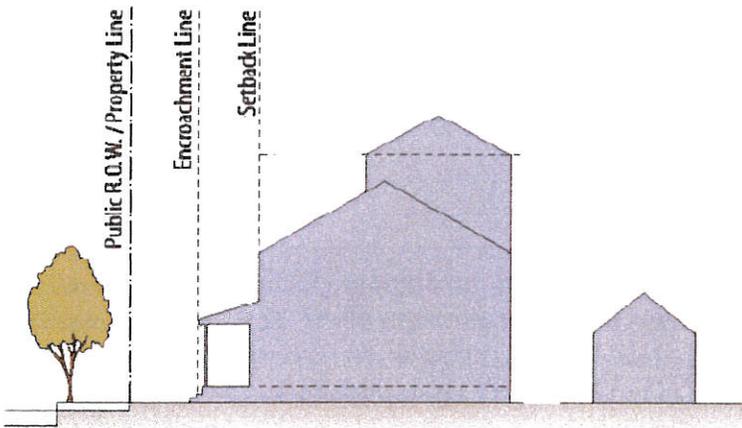


Figure 11 - City of Ventura form-based coding

Zoning and Development – Ventura, California

The City of Ventura has two main corridors that intersect in the area. This commercial area was growing and the city needed to update its 30 year-old zoning codes. This new code provides more detail for building placement on lots, frontage, mass and scale of buildings, and general design (Downtown Directory).

The general urban zone housing design is demonstrated in the diagram to the left.

Architecture

The next major component of a form-based code is architecture standards. The purpose of architecture standards is to create a uniform look from structure to structure and thereby enhance the look of a given area. The major architectural components addressed in a form-based code are as follows:

- Building walls
- Roofing
- Street walls
- Windows and doors
- Awnings/Storefronts
- Signage
- Lighting

The form-based code will typically address the range of materials that can be used, general guidelines and standards for each component. These generally apply only to those portions of architecture that are visible from the street. Below is a list of the architectural form-based code for Columbia Pike (Department of community planning, housing and development, 2012):

- Building walls should reflect traditional regional architecture
- Brick is acceptable
- Roof ridge must be parallel to street and overhang at least 24 inches over building
- Windows can be made of steel and must be clear with black or gray shades
- Signage cannot be too large or distracting

Implementation

Form-based coding typically includes an implementation plan along with complete lists of guidelines and standards. Three organizations have been created to assist in creating and implementing form-based codes, which include: National Charrette Institute, Congress for the New Urbanism and Center for Applied Transect Studies. Any of these organizations can help in applying form-based coding if Cottonwood Heights chooses to adopt form-based coding.

Another organization, called the Form-Based Codes Institute can also help with sample RFPs to assist municipalities in seeking a high quality design. To view an example of implementing a form-based code, please see Appendix B.

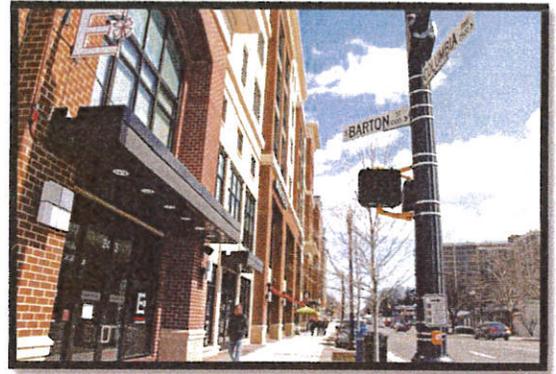


Figure 12 - Example of form-based coding

Public Land Acquisition

Eminent Domain

Eminent Domain is defined as, “a right of a government to take private property for public use by virtue of the superior dominion of the sovereign power over all lands within its jurisdiction” (Merriam-Webster, 2013). This authority has resided with the U.S. Federal Government since the creation of the Constitution as an inherent right of sovereignty. However, the Fifth Amendment sought to temper this authority by including the phrase, “*nor shall private property be taken for public use, without just compensation*” (Cornell, 2013). This means that government cannot seize control of land unless it offers just compensation for the land. In modern times this has come to mean the fair market value of the seized property or property rights. Additionally, the Constitution requires that the seizure of land only take place for the furtherance of public good or public use.

The U.S. Supreme Court has typically allowed states to define “public use” and has delegated the authority of eminent domain to the states. The states have then delegated the authority to local governments that exercise the authority far more often than state governments or the Federal Government. Increasingly, this use of authority is seen as negative by private property owners and challenged more and more in court, oftentimes to the detriment of the government.

The Issue

The eminent domain authority was granted to governments for the purpose of establishing public infrastructure and other public necessities. Mark Brnovich, a senior fellow at the Goldwater Institute, a public policy advocacy and research organization, wrote about the current practice of eminent domain.

“Although there are legitimate reasons for invoking eminent domain, the current practice of condemning private property in the name of redevelopment is rarely about building public infrastructure and regularly about turning areas that produce little tax revenue into high revenue generators. Taking a property owner's brake shop or barber shop because it is too small, too old, too ugly, or another party has a ‘better’ use for the land violates fundamental constitutional principles, creates uncertainty about property rights, and can deter individuals from opening or expanding their businesses” (Brnovich, 2011).

Eminent domain has become an increasingly unpopular and politically troublesome solution for redevelopment. It should be seen as a last resort approach to development, only necessary in extreme cases where there is no other viable alternative. Nationwide, governments are increasingly finding attractive alternatives to eminent domain that respect the rights of private property owners.

Suggested Alternatives

Land Pooling

Land pooling is a land assembly process that is used for developing and redeveloping real estate. In land pooling, property owners combine their property into a single geographic area, rather than individual lots. Shares are assigned and then the parcels are pooled together and reconfigured under the city. Some individual parcels of land are oblong or lack proper access; by pooling the land together it becomes more valuable and more easily divided among the stakeholders.

During a land pooling process, private property is temporarily put into common ownership later to be divided by best use. Whereas eminent domain is a top-down, cash-based, administrative process, land pooling is a bottom-up, equity-based, democratic process. Cottonwood Heights would benefit in exploring this option as it may become necessary to reorganize some private property along Fort Union Boulevard because of outmoded property boundaries. By overseeing the land pooling, Cottonwood Heights could potentially relocate effected citizens onto similar parcels of land, instead of merely paying out fair market value for their homes (Freas, 2011).

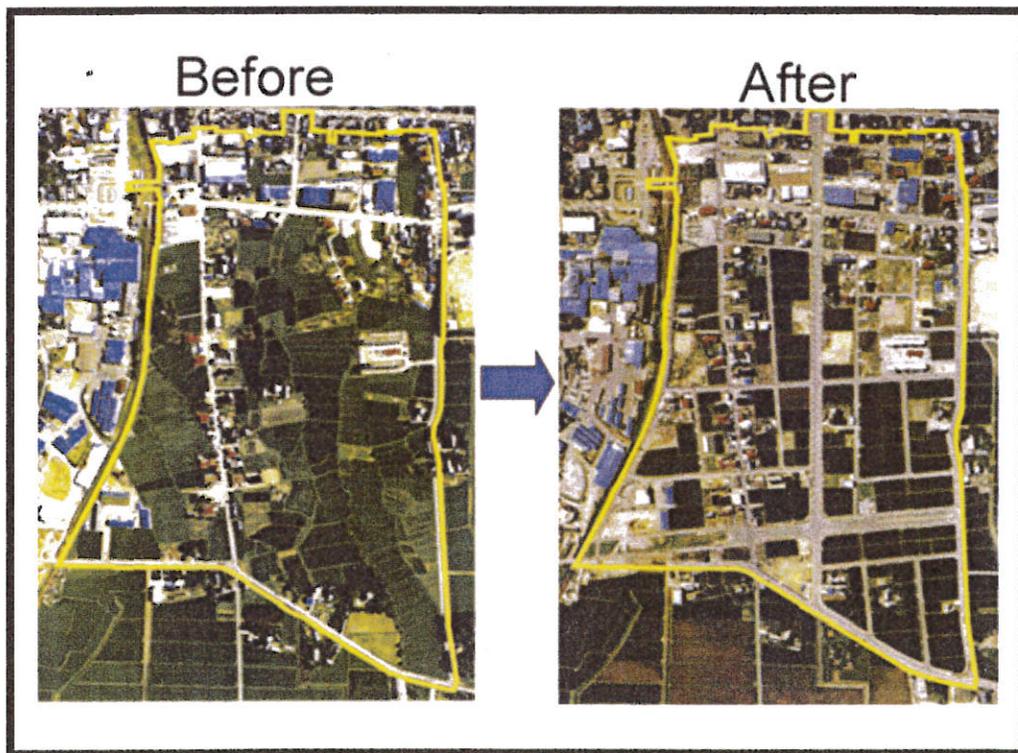


Figure 13 - Example of land pooling

Land Swapping

Land Swapping is a fairly straightforward process where the government trades an equitable amount of land that the government already owns with private property owners (Tobin, 2010). If Cottonwood Heights determines that widening sections of Fort Union Boulevard is necessary, there will be numerous properties in conflict with the road expansion. Relocating residents from along Fort Union to an equally accessible piece of land owned by the city might prove more beneficial to the city and the non-monetary compensation more meaningful to the residents.

Financing

Another critical consideration is financing. Improvements to the Fort Union corridor will almost certainly require public dollars; therefore, Cottonwood Heights must choose an effective and politically palatable financial mechanism. To aid the city, we've identified several financial mechanisms with potential to meet the city's needs. We will describe each financial mechanism with its respective advantage. Specifically, we will discuss the following:

- Franchise Fees
- Special Assessment Areas
- Tax Increment Financing
- General Obligation Bonds

Franchise Fees

A franchise fee is a charge levied on utilities. The idea is to charge for use of the public right-of-way by utility conduits such as gas lines, water pipes, electric cables and telephone wires. The Utah State municipal code (1998, 2009) grants authority to municipalities to collect a 6 percent energy tax and a 3.5 percent telecommunications tax. A 5 percent cable fee is also allowable.

We feel that franchise fees are a viable source of funding to improve the Fort Union corridor. Cottonwood Heights currently assesses franchise fees only on cable television, which is projected to provide \$295,000 in revenues for FY 2014. With a population of 35,000, the average franchise fee is \$8.43 per capita. In contrast, the Utah average is much higher at \$63 per capita (UCMA, 2010).

If Cottonwood Heights were to collect the average franchise fee per capita, additional revenues would equal \$1.9 million per year. This may be more than necessary, but it highlights how little Cottonwood Heights collects in franchise fees relative to most cities. The relative difference could make raising franchise fees more politically palatable especially since the City could implement one or two additional franchise fees and still be well under average. For more information on the use of franchise fees in Utah, see Appendix C.

Special Assessment Areas (SAA)

A special assessment area is a defined area that pays an increased property tax in order to fund improvements within the area. A city will often take out a loan to make the improvements, and then pay off the loan using the tax payments from the special assessment area. A common example of an SAA is when the city builds a sidewalk and gutter and recoups the costs from benefiting properties within the SAA.

An SAA is a viable option whenever the city builds improvements that result in an identifiable increase in property values to surrounding businesses and homes. This assessment is considered fair because the people receiving the benefits, rather than the city as a whole, pay the

improvement cost. Cottonwood Heights can use an SAA to fund improvements on Fort Union Boulevard such as street widening, parking, trees, plazas and parks.

Tax Increment Financing (TIF)

Tax Increment Financing is when private improvements are made to a property, and the resulting increase in property taxes is funneled back to the project. Essentially, the city is subsidizing development with future taxes. A TIF is often used to attract businesses or encourage development within an area. TIF should mostly be used to encourage timely development that might otherwise not occur.

Cottonwood Heights may find TIF useful in trying to encourage development at a specific section of Fort Union Boulevard, especially in the development of a city center. To do this, the city would designate one or two TIF zones in the desired city center area or on the Fort Union corridor. Development would occur in the TIF zone and then the resulting increase in land values outside the TIF zones would encourage additional development until the city center or corridor is fully developed. For detailed information on TIFs, see Appendix C.

General Obligation Bonds (GO Bonds)

General Obligation Bonds are municipal loans where the city pledges all resources to be available in making payment. GO Bonds are an excellent way of funding major city projects because they make large amounts of funding quickly available at very low interest rates. They are typically paid using property taxes. However, GO Bonds require voter approval in Utah, which brings an element of uncertainty in determining whether the city can utilize this financing mechanism.

Cottonwood Heights could use GO Bonds to fund large, one-time projects, typically infrastructure. Some potential projects include widening Fort Union Boulevard or creating a trolley system.

Next Steps

Public Engagement

The success of any planning process is enhanced with community engagement. By engaging citizens, as well as stakeholders from the private, public and cultural sectors, Cottonwood Heights gives them a stake in the success of the community plan. Public engagement also allows community stakeholders to share their vision with city management, which provides justification for any plan the city adopts. Furthermore, the inclusion of community stakeholders in the planning process garners community investment. This investment makes citizens responsible for the changes they would like to see within the community.

Engaging Citizens and Stakeholders

The key to engaging citizens and stakeholders in any planning process is to allow them to be a part of the visioning process for the city. This visioning and planning process is an opportunity for city management to learn what the citizens expect and want from city management; but also an opportunity for city management to educate citizens on cost constraints, land acquisition, timelines and commitments. By including the public and educating the public about constraints the city allows the public to decide:

- What do citizens want Cottonwood Heights to look like?
- What key areas or issues are of the utmost concern to residents?
- What can be done specifically to address those concerns and to shape future growth?
- Does cost dictate the vision?
- What financing tools are citizens willing to implement?

We recommend encouraging the vision citizens and stakeholders have for Cottonwood Heights, but also providing the constraints of cost so that they can prioritize and decide what matters most to the community. This financing component must be present in the visioning and planning processes. If city management fails to include cost constraints, it is irresponsible to plan any changes with the citizenry. Cost will, to an extent, dictate what can or cannot become a reality.

We also recommend that Cottonwood Heights provide multiple platforms for engagement, including kickoff events, series of public forums, online participation in public forums, online surveys, “town hall” meetings and the ratification of a final proposal. These platforms allow citizens to not only express their vision for Cottonwood Heights, but also allow them to be a part of the planning process. On the other hand, these platforms allow city management to get the input of citizens and stakeholders on vision and on how to make the vision they have a reality.

Structure for Engaging Citizens and Stakeholders

Creating a structure for the visioning process sets expectations for the citizenry and city management and, again, allows for community engagement. Below we have identified a structure for moving forward in the visioning process for Cottonwood Heights.

Step 1. Create a steering committee of 15-20 members. The steering committee may be composed of participants from the focus groups, but should include members who have influence with the citizenry. Forming the committee in this way reinforces that this visioning process is a community visioning process led by the citizens of Cottonwood Heights.

Educate the steering committee on key issues for the city and allow them input on key issues from the perspective of the citizenry. Have the committee create and adopt a vision statement. For example, the City of Provo adopted the vision statement of “Provo—an inspiring place to live, learn, work and play” (Provo City). Once the committee has drafted a vision statement, have them create a statement of core values. These core values should express how the citizenry feels about Cottonwood Heights and what the best possible version of the city looks like. Lastly, identify focus areas for the city and form subcommittees around these areas. These focus areas identify the key goals of importance to the community such as:

- Safety
- City center development
- Education
- Health and well-being
- Government accountability and transparency
- Civic engagement
- Transportation
- Community programming
- Natural resources and green space
- Economic development
- Sustainability
- Growth management

The focus groups identified many of these vision areas and, we suspect, many of the same vision areas will come out of any public forums and surveys Cottonwood Heights conducts.

Step 2. Invite key citizens for serve as committee chairs for each of the focus areas. Once chairs have been appointed, allow them to recruit committee members and volunteers. Then have the committees draft vision statements specific to their focus areas before drafting vision documents. These vision documents should include locations for a city center, proposals for the types of development and amenities that will encourage health and well-being or civic engagement, or alternate modes of transportation. The vision documents provide proposed solutions for the key issues.

Step 3. Engage the community. Solicit public comment on subcommittee vision documents through open houses, online forums and town hall meetings. After receiving public input, have

subcommittees review comments from the public and adapt vision documents accordingly and appropriately.

To facilitate public engagement, the City of Provo created a website for its visioning process. At this site, citizens could comment on the draft master vision plan for about six weeks. In addition, the steering committee hosted two open houses also designed to gather feedback and comments on the draft master vision plan. One was held in the early morning and afternoon at a local senior center. The other was held in the evening at the Provo City Library. By diversifying the times and locations of the open houses, the committee was able to attract people from different demographic populations and from different stages of life. Citizens who participated were able to comment on all of the key issues identified by the steering committee and city administration. Cottonwood Heights could follow a similar process to engage its citizenry in this process.

Step 4. Present the revised vision documents to the Mayor and City Council for review and recommendation.

Step 5. Upon document approval from the Mayor and City Council, submit the vision document to the Planning Commission for review and recommendation.

Step 6. Present the amended vision document back to City Council for adoption by resolution.

Step 7. Prepare a timeline and processes for public review and approval of action items related to the goals and objectives of the adopted vision. Releasing a timeline for the accomplishment of the vision allows the public to see what has been decided upon and when their vision for their community will begin to become a reality. The release of this timeline also allows city management another opportunity to engage the public in a discussion about the future of the city and to ensure the city is moving in the direction its citizens would like it to.

Step 8. Task the Mayor's office with preparing and executing an implementation strategy for the adopted vision. At this point, the community has invested its time and its energy into a vision for the city and the vision needs follow through. An implementation strategy sets forth, step by step, what city management will do to manage the development and growth of Cottonwood Heights in accordance with the city vision.

Step 9. Implement the plan to achieve the vision.

Retaining Engagement

Key to success in the visioning and planning process is the continued engagement of citizens and stakeholders. We recommend over-communicating how residents and stakeholders can be involved, as well as providing progress updates, through multiple media platforms including the city website, the city newsletter and social media accounts. We also recommend creating a website specifically designed to outline the vision, the plans and the actions of the community-wide planning initiative. City management may also use this website as a community tool to engage, re-engage and retain citizen interest. As long as the community continues to feel that their vision is being implemented, they will continue to be involved with the process.

Conclusion

Cottonwood Heights has the opportunity to solve the traffic congestion along the Fort Union corridor and revitalize it into a vibrant community hub. Citizens of Cottonwood Heights expressed concerns regarding the quality of life and transportation in the area. Based on those concerns, we have provided research on possible alternatives to these concerns and the public engagement process required to help the city form plans for redevelopment. Likewise, we have provided information on development strategies, alternatives for land acquisition, financing and plans to move forward.

The quality of life concerns focused on maintaining a safe and family friendly city for residents to enjoy. Walkability and green space are factors that enhance the city, and creating a city center will help cultivate a city identity, which is also very important to residents. We have identified the intersection of Fort Union Boulevard and 2300 East as a likely location for this development.

The quality of life concerns and the development of the city center are the driving factors for changes in transportation. Although an increase of lane width is should be considered west of Highland Drive to increase traffic capacity, east of this intersection would transition into a walkable city center with other modes of transportation. This mixed-use development would maintain access to cars, while encouraging bikes, public transportation (bus or streetcar) and walking. Other transportation alternatives proposed include lane-structure changes and synchronization of signal timing.

To maintain a controlled and aesthetically pleasing development, form-based codes can be used to regulate street, building and architectural development. Form-based codes allow a city greater control of building design while allowing mixed-use development to occur.

A complete discussion of the proposed developments includes financing the significant costs to the city of Cottonwood Heights. Whether the city chooses franchise fees, special assessment areas, tax increment financing, general obligation bonds or other methods, financing must be discussed throughout the decision process.

Moving forward, the city needs to actively involve the public in the decision making process. The City needs to hold a minimum of three to five town meetings, as well as conduct surveys of residents and businesses, before presenting the final strategy. Public input will shape the City's plan and bring both life and excitement to future developments.

The Fort Union corridor is critical to the future of Cottonwood Heights. With the need to address traffic congestion and safety, the city has the opportunity to develop for the benefit of both residents and businesses. With the restructuring of lanes and the potential development of a walkable city center, the city of Cottonwood Heights will continue to be a flourishing haven for residents and businesses.

Appendix

Appendix A: Focus Group Questions and Responses

The following appendix provides the specific questions that were asked (in order) to the focus groups followed by their responses. Questions were grouped into categories to help facilitate the focus group.

Generic

Question 1: In your view, what defines Cottonwood Heights as a city? When you think of cottonwood heights, what comes to mind? What do you like best about Cottonwood Heights?

Responses:

- The aesthetics of the community are very important to the residents.
- community engagement
- diverse in age
- An involved safe community
- Close proximity to many things
- Service oriented people
- Gateway to the canyons/recreation
- Stable tax base
- Well managed
- Excellent schools (Kim)
- Easy access to freeway/arteries (convenient)
- No Sign Pollution

Question 2: What would you like to see change in the city?

Responses:

- Green space needs to be added in the city, but the question is where?
- Would like to continue adding stable companies in the area.
- Beautification is really important around the mouth of the canyon.
- There should be strict Height enforcement for high rises.
- There should be a balance between residential business and green space.
- Take into account traffic from Highland Dr. and Fort Union.
- Eyesores along Ft. Union need to be taken care of.
- Increase foot and Bike traffic
- Planning and development of gravel pit
- annex the granite area and sandy

Question 3: Are there particular land use and urban design elements that you would like to see changed or improved?

Responses:

- There should be more mixed use along Fort Union BLVD, city should buy properties along the Blvd
- They really don't want the grey electric poles
- There should be spending a ton on school buses to get students safely to school
- There is a need for a city hall, in order to obtain city identity
- There should be a more main street environment
- We need our own water system
- Good balance between needs of homeowners and property owners vs. total expansion
- Community events (movies in the park, etc.) incubates involvement

Question 4: Is Cottonwood Heights developing in the way you would like it to? What do you think the city needs to be sure and include in the future?

Responses:

- Open Space, rec center, parks- work with developers
- Access to the canyons, everything else will one day be gone
- Historical-graveyard along creek road, old mill, nature area along the creek, along each side of the creek
- City hall in the elementary school
- Collaboration with midvale in preserving union fort
- Preserve hill sides and foothills
- Preserve family residential feel
- Preserve small town feel
- Preserve safety in the community and caring about one another
- Preserve tax structure
- Preserve old growth trees
- Keep the views of the mountains
- Keep community events
- Autonomy of the police department
- Accessibility to elected officials
- Eyesore spaces, especially east of city offices on Fort Union, buy and tear down buildings, control access ways

Question 5: Cities often focus their growth on specific visions. Park City and Springdale are examples of destination resort towns. Murray and commercial areas in Sandy are other examples. There are certainly other options as well. What would like to see for Cottonwood Heights?

Responses:

- Community needs to be involved (differentiated from the city)
- No Walmart in the backyard
- Use of proper zoning
- Protect open space
- City should dictate form, but market should dictate when and where
- Markets drive development within community based and created planning
- There should be a balance between the two
- There is no middle ground being created between factions
- We need residents to feel that they are being heard and giving input
- The city should be upfront with people about what it has in the bank
- What is tax money being used for?
- Clear and constant communication/transparency
- City Hall need for identity, office building has served its purpose

Transportation

Question 6: Traffic along parts of Ft. Union is pretty heavy during some hours. What do you see as the major contributing factors to the traffic issue? Do you see traffic as a problem for the city? Does it affect when and where you drive? Are there specific areas you avoid? When? How big a hassle is that for you and your family?

Responses:

- Develop overpasses along fort union
- Restrict traffic depending on time of day, to one lane on outflow, and three lanes going the other way
- Make the sidewalks wider, lanes wider
- Develop a rail line that can make use of property next to free way
- If we can get traffic from rail to businesses this would make sense
- Create better entrances and exits, especially coming out of Sante Fe
- Synchronize traffic lights
- No TRAX, have a bus rapid transit line instead
- Implement "complete streets" bikes, cars and pedestrians
- Provide better public transit
- Create a more walkable community
- Pursue transit oriented development
- More trails for bikes and pedestrians
- Bus fare doubling in ski season, is a problem
- Implement beautification along ft. union blvd
- Re-route traffic
- Transit subsidy for residents
- There needs to be transit from Midvale to here
- Incentives for public transport

Question 7: To address future transportation needs, some people have suggested the following options along Ft. Union. How do you feel about each? Redesign traffic flows to slow speeds but reduce stops; Extend TRAX all the way to 3000 E; Extend TRAX only as far as Highland Dr.; Widen Ft. Union and add a lane in each direction from 1300 E to 3000 E.

Responses:

Question 8: If TRAX were extended, how likely would you be to use it? How likely would the people in our neighborhood be to use it? Alternative intersection designs---how do you like them?

Responses:

Other modes

Question 9: How would you describe the adequacy of public transportation in Cottonwood Heights? How actively should the city work to improve public transportation along Ft. Union Blvd? Should the current level of service change in the future?

Responses:

Question 10: How bike-friendly are the streets of Cottonwood Heights? Is this important to you? Should the city install bike lanes along Ft. Union Blvd? If so, where does bike access/safety need to be improved?

Responses:

Question 11: How pedestrian friendly is Ft. Union Blvd? (may vary at different points). Is this important to you?

Responses:

City center

Question 12: In your view, where is the center of Cottonwood Heights? What makes this location central for you? Does Cottonwood Heights need a “city center” in the traditional downtown sense?

Responses:

Question 13: How important do you think a city center or downtown is to the identity of a city?

Responses:

Question 14: The city currently leases space for its city offices. Should the city government work toward building a city hall? If so, where should it be located?

Responses:

Question 15: Should the city work toward building a community center? If so, what should it include and where should it be located? How important is the development of a community center to you?

Responses:

Policies

Question 16: Some people think city governments should be very active in guiding future development. Others think market conditions should be allowed to determine what is developed and where. What are your views? Should the city actively seek out more businesses or specific types of business to increase the commercial sector in Cottonwood Heights, or should the city remain more of a bedroom community? Should the city actively seek to change single-family residential properties along Ft. Union to higher density residential and more commercial uses?

Responses:

Question 17: As cities develop, many things change. What is there about Cottonwood Heights that you would like to preserve (characteristics, historic buildings or districts, etc.) as the city grows over time? What do you see as the most effective way to achieve that preservation?

Responses:

Paying for it all

Question 18: Currently the city has no long-term debt other than vehicle leases. Should the city bond for: Ft. Union Blvd road improvements? A new city hall or community center?

Responses:

Question 19: Should the city facilitate commercial improvements and higher density development along Ft. Union Blvd with tax or other financial incentives to developers?

Responses:

Question 20: Currently the city places a small tax on cable TV. Other cities also tax electricity, telephone and other utilities that use public right of ways. Would you support expanding the franchise tax to help pay for needed improvements along Ft. Union Blvd?

Responses:

Question 21: If Cottonwood Heights were to make extensive improvements, what would be the most appropriate method of funding those improvements? Property tax increase? Sales tax increase?

Responses:

Wrap-Up

Question 22: Of all the items discussed, what do you think is most vital issue for the future of Cottonwood Heights?

Responses:

- Development of the gravel pit, traffic on Ft. Union and redevelopment of commercial space, a lot of opportunity for higher density uses
- Preserve a community that has a residential feel, and that is safe, organized and influential in city decisions, no high-density apartments.
- Preserve and take care of open space, one stop shopping.
- Master plan, have a goal that we are working towards.
- Maintain safety
- Quality of life, protect green space, canyons and school quality
- Control development to preserve aesthetics, get rid of sprawl development create access to public transportation. Open space preservation

Question 23: What do you think the best solution would be to the traffic problem on Ft. Union Blvd?

Responses:

Question 24: Of all the items discussed, what future action would be the most problematic for you?

Responses:

Appendix B: Form-based Codes Details

Zoning types in the United States

Zoning codes have evolved over the years as urban planning theory has changed, legal constraints have fluctuated, and political priorities have shifted. The various approaches to zoning can be divided into four broad categories: Euclidean, Performance, Incentive, and form-based.

Named for the type of zoning code adopted in the town of Euclid, Ohio, and approved in a landmark decision of the U.S. Supreme Court, *Village of Euclid, Ohio v. Ambler Realty Co.*^[11] **Euclidean zoning** codes are the most prevalent in the United States. Euclidean zoning is characterized by the segregation of land uses into specified geographic districts and dimensional standards stipulating limitations on development activity within each type of district. Advantages include relative effectiveness, ease of implementation, long-established legal precedent, and familiarity. However, Euclidean zoning has received criticism for its lack of flexibility and institutionalization of now-outdated planning theory.

Also known as "effects-based planning", **performance zoning** uses performance-based or goal-oriented criteria to establish review parameters for proposed development projects. Performance zoning is intended to provide flexibility, rationality, transparency and accountability, avoiding the arbitrariness of the Euclidean approach and better accommodating market principles and private property rights with environmental protection. Difficulties included a requirement for a high level of discretionary activity on the part of the supervising authority. Performance zoning has not been widely adopted in the USA.

First implemented in Chicago and New York City, **incentive zoning** is intended to provide a reward-based system to encourage development that meets established urban development goals.^[12] Typically, the method establishes a base level of limitations and a reward scale to entice developers to incorporate the desired development criteria. Incentive zoning allows a high degree of flexibility, but can be complex to administer.

Form-based codes offer considerably more flexibility in building uses than do Euclidean codes. Form-based zoning regulates not the type of land use, but the form that land use may take. For instance, form-based zoning in a dense area may insist on low setbacks, high density, and pedestrian accessibility.

Helpful Resources: FBCI Website <http://formbasedcodes.org/>

SAMPLE OF HOW TO USE FORM BASED CODE:

To find the development standards that apply to a particular parcel of land, the following steps should be taken:

1. Locate the subject parcel on the Regulating Plan
2. Note the Zone designation for that parcel
3. Also note any special designations for that parcel that may also be present on the Regulating Plan, such as a “2-story height overlay” or a “shop front required” overlay
4. To determine the uses that are allowed in that Zone, refer to the Land Use Tables (Section 24M.203.031).
5. Then refer to the Zone standards for the Zone that applies to the subject parcel. T4.5 standards are located in Section 24M.200.040, and T5.2 standards are located in Section 24M.200.050. These standards provide all the basic setback and height requirements for the parcel. Remember that any special designations on the Regulating Plan supersede the information on the Zone page.
6. The Zone standards specify the setback and height regulations for buildings, parking and associated site improvements, and also identify the Building Types and Frontage Types that are allowed.
7. A range of Building Types – from least urban/intense to most urban/intense – is presented in Section 24M.206.
8. A range of Frontage Types – from least urban to most urban – are presented in Section 24M.204. One of the Types allowed in the applicable Zone must be selected, and integrated with the selected Building Type.
9. Note that Building Types may be combined, as described in Section 24M.210.050 (Mixed Type Development Standards). To promote a diversity of Building Types, and to control the visual scale of new development projects, type mixing is required on parcels over 30,000 s.f. in area.
10. Section 24M.208.030 thru 24M.208.043 describe a range of suggested improvements for Main Street and Thompson Boulevard that would be implemented over time. These are provided for reference only, representing likely conceptual designs for future public improvements, and do not have any regulatory force or effect. It is anticipated that Mobility Plan and Midtown Community Plan efforts will yield final designs for these streets, which will then be incorporated into an amendment to this Code.

Appendix C: Financing Details

Franchise Fees

In 2010, UCMA completed a study on the use of franchise fees by 37 Utah cities. A few tables from the report are provided as supplemental information.

Table I- Percent of Cities that Collect Franchise Fees

Utility	Percent with franchise fee
Cable TV	94%
Electric	94%
Gas	94%
Telephone	82%
Water	28%
Sewer	16%
Solid waste	16%
Other	13%

Table II- Average Franchise Fee Revenue Per Capita

Population	Average Revenue per Capita			
	Cable TV	Telephone	All Other	Total
Under 10,000	\$2.69	\$11.01	\$49.30	\$63.01
10,000-60,000	5.20	13.81	44.54	\$63.05
over 60,000	4.06	11.44	61.83	\$77.33
Total	\$4.29	\$12.67	\$48.63	\$65.35

Tax Increment Financing

Purpose of TIF (Bushek & Wood, 2009a)

TIF is used to enable redevelopment in three types of areas (p 14)

- Blighted

- Conservation Areas
- Economic Development Area

TIF should be used only to encourage development that would not otherwise occur in the desired timeframe (p 16).

TIF Process (Bushek & Wood, 2009a, p 14)

- Determine the base, which is the amount of taxes paid in TIF zone prior to redevelopment
- Redevelopment occurs and land values increase
- Additional taxes above the base (the tax increment) are deposited in a special allocation fund
- The funds are paid out to developers or the municipality for approved redevelopment costs

TIF Financing Mechanisms (Bushek & Wood, 2009b, p 10-12)

There are two main ways to arrange the financing of TIF related costs. These are issuing bonds or using a “pay as you go” plan. The municipality can issue bonds backed by future TIF revenue. The bond proceeds are placed in a fund where approved TIF expenses are reimbursed from. The bonds are repaid using TIF revenue. The municipality can issue just one bond or a series of bonds over time. The municipality can also back the TIF bonds and obtain a lower interest rate by agreeing to use city funds to make-up for shortfalls in TIF revenue. The “pay as you go” plan requires the developer to pay TIF approved expenses up-front. The developer is then reimbursed for the expenses plus interest as TIF funds become available.

Costs Eligible for Reimbursement (Bushek & Wood, 2009a, p 15)

- Public infrastructure
- Private improvements (buildings, parking lots, landscaping, etc.)
- Land purchase costs
- Professional fees associated with preparing TIF
- Costs of issuing debt instruments
- Improvements outside the TIF zone deemed essential for redevelopment in the TIF zone

The TIF Contract (Bushek & Wood, 2009b, p 8-10)

When TIF is implemented, a contract is signed by both the municipality and the developer. The contract stipulates the rights, duties, and obligations for each party. It spells out approved expenses for reimbursement as well as the when and how. The contract is negotiated and becomes a legal document. It is highly recommended to hire an attorney familiar with TIF contracts as the developer will have a highly experienced lawyer, too.

Important Points for TIFs (UN Habitat, 2011)

- The goal for a TIF zone is to “stimulate other investment and growth outside the TIF zone” (p 98)
- The TIF financing period should not exceed the useful life of the investment (p 98)
- A TIF zone sometimes does not create new retail opportunities, but draws retailers from outside the TIF area (p 99)

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