

Memorandum

To: Councilmembers and Media
From: Mayor David L. Sakrison
Date: 03/03/2009
Re: Special Meeting

The City of Moab will hold a Special Workshop Joint Meeting on Thursday, March 5, 2009 at 6:00 PM with the Moab City Planning Commission. The purpose of this meeting will be:

- 1-1 Discussion Regarding Proposed Ordinance #2009-02 - an ordinance amending title 17.00 by establishing infill development regulations for residential zones and providing a saving clause; providing a severability clause; and providing an effective date

The meeting will be held at the City Offices, City Council Chambers, 217 East Center Street, Moab, Utah.

David L. Sakrison
Mayor

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Recorder's Office at 217 East Center Street, Moab, Utah 84532; or phone (435) 259-5121 at least three (3) working days prior to the meeting.

DRAFT

**CITY OF MOAB
ORDINANCE # 2009-02**

An ordinance amending Title 17.00 by establishing infill development regulations for the R-3 and R-4 multi-family residential neighborhoods; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the Planning and Zoning Commission (“Commission”) and the City Council (“Council”) of the City of Moab find that specific residential neighborhoods may be areas of cultural and architectural importance and significance to the citizens of the city; and

WHEREAS, the intent of this ordinance is to reduce the impacts of infill, redevelopment, renovations, and additions in specific residential zones; and

WHEREAS, the Commission and Council, in accordance with the ordinances of the City of Moab and Utah state law have given the required notices and have held the required public hearings regarding this amendment to the Land Use Code; and

WHEREAS, the Council finds that it is in the public interest to amend the code in an effort to protect the established development of neighborhoods;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF Moab:

SECTION 1. Purpose. That this ordinance will provide minimal management tools to protect and enhance architectural and cultural attributes of existing development in the RA-1, R-1, R-2, R-3 and R-4 Residential neighborhoods during infill development or redevelopment.

SECTION 2. Saving clause. That the zoning ordinances of the City of Moab, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 3. Severability clause. It is declared to be the intention of city council that the sections, paragraphs, sentences, clauses and phrases of this code are severable, and if any phrase, clause, sentence, paragraph or section of this code shall be declared unconstitutional or invalid for any reason, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this code, since the same would have been enacted by the city council without the incorporation in this code of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

SECTION 4. Effective date. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the ordinances of the City of Moab and it is accordingly so ordained.

AND, FURTHER, THAT, the Land Use Code of the City of Moab, as amended, is hereby further amended with the adoption of the following new language:

DRAFT!

Chapter 17.52

Infill Development Regulations

Sections:

- 17.52.010 Objectives and applicability.
- 17.52.020 Site Development and Architectural Standards
- 17.52.030 Roof types
- 17.52.040 Measurement of height

17.52.010 Purpose. This section is intended to insure that proposed construction of infill residential uses promotes the established historic or traditional development pattern of a face block, including setbacks, building height, and other dimensional and architectural elements.

The following tools and regulations shall be applied to infill, redevelopment, renovations, and additions on a single lot with one- and two-family dwellings that are intended to be located in the RA-1, R-1, R-2, residential zones as well as the R-3, and R-4 multi-family zoning districts.

17.52.020 Site Development and Architectural Standards. All principal structures proposed for infill development shall be subject to the following location and design standards.

Site Development Standards for One and Two-family Structures	
(Note: standards apply only at time of renovations, remodeling or new construction)	
Lot area for one-family dwelling	7200 square feet
Lot area for two-family dwelling	9200 square feet
Lot width for one-family dwelling	75 linear feet
Lot width for two-family dwelling	80 linear feet
Lot coverage for one-family dwelling	Maximum 45%
Lot coverage for two-family dwelling	Maximum 50%
Height	Infill structures will be allowed to project not more than 20% above the average of the surrounding homes within the applicable block face but shall not exceed 35 feet maximum height
Front yard setback	Min: average of the block face Max: greater setback of two immediately adjacent dwellings
Side yard setbacks for all dwellings	8 feet
Side yard setbacks from side street for corner lots	R-3: 20 feet from side street R-4: 15 feet from side street
Rear yard setback for all dwellings	15 feet
Minimum floor area of main structures	700 square feet for ground floor area

DRAFT!

Accessory uses. The following shall be applied to accessory garages and carports proposed for infill construction with one-and two-family dwellings in the R-3 and R-4 Zones.

Garages/Carports	
Location	In rear 30% of the lot or to the sides of the principal structure.
Compatibility	Color/style/design materials must be compatible with house
Front yard setback	60 feet if no main structure exists
Side yard setback	5 feet
Side yard setbacks from side street for corner lots	R-3: 20 feet from side street R-4:15 feet from side street
Rear yard setback	12 feet, three feet if no openings in walls are present
Height	Not to exceed 16 feet or the height of the house whichever is greater
Lot coverage	Not to exceed 25% of rear yard
Access	Street frontage or the side street for corner lots. If an alley exists rear yard access is allowed as secondary access.

Fences and walls If visible from street, must be made of wood, wrought iron, or stone or brick that matches the house.

- Side yard fences must return to the front corners of the home and align with the plane of the front wall
- Corner lot fences shall be located behind the mid-point of the main structure.
- Front yard fences. Shall not exceed four (4) feet in height.

Driveways and curbing

Drives shall be straight and constructed of brushed concrete or other impervious surface, 10-12 ft. wide (24 feet for corner lots on side streets). Circular drives are prohibited. Location of parking areas shall be provided as required above.

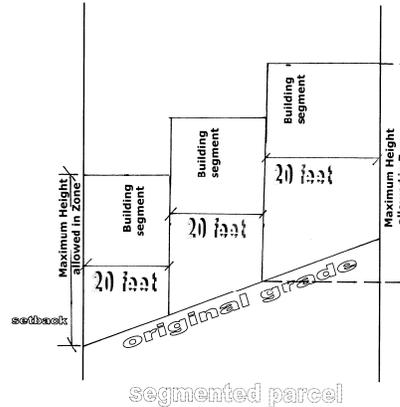
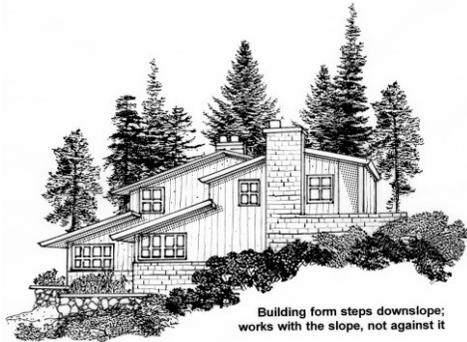
Foundation elevated above finished grade. Foundations for all main structures shall be constructed a minimum of 12 inches (exterior concrete) above grade and provide any front concrete steps leading to building entrances. Rolling or waterfall steps leading from the sidewalk to the house must be retained.

- 1) If “rolling” or “waterfall” steps are removed, they should be replaced to match the original.
- 2) Front porch steps must lead to building entrances.
- 3) Steps must be made of concrete.

Construction on Slopes. If a main structure is proposed for placement on a slope in an existing neighborhood that exceeds 15%, the height of the structure shall be reduced by

DRAFT!

the change in the elevation. Stepping the foundation of the structure is allowed when carried out in lot portion lengths of twenty feet or less but the home must not exceed the maximum allowable height as measured and defined in this chapter. See definition, *Building height*.



Construction in potential hazard areas. Fill may not exceed that required to satisfy requirements for construction in a flood hazard area. However, if a property is located in an area of special flood hazard and must be elevated to meet a base flood elevation or other criteria that would create a lot higher in elevation than surrounding properties, the height of the structure shall be reduced to the average height of adjacent structures in the neighborhood.

Front yards and parkways

No more than 30% of the front yard may be paved or hardscaped. The parkway may not be hardscaped except for curb cuts and sidewalk extensions. Monuments, pylons, satellite dishes & accessory structures are not allowed in parkway and front yard.

Retaining walls.

Maximum 30 inches in height from the sidewalk or 4 inches above yard, whichever is less; and match the materials and color of house.

Parkway trees.

New construction or additions over 100 sq. ft. must have two or more large canopy trees in or near the street right-of-way. Exceptions allowed for existing shade trees.

Roofing materials No (standing seam) metal, corrugated plastic, tar and gravel, or rolled roofing.

AND THAT, Council hereby amends the definitions in Chapter 17.02, *Definitions*, with the addition of the following terms:

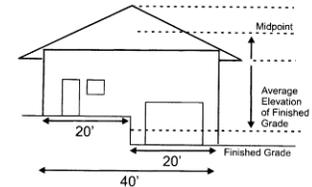
Adjacent-A) properties located immediately to either side of another home; or B) properties located within the neighborhood as defined in this title.

Block face. One side of a street between two consecutive features intersecting that street. The features can be other streets or boundaries of standard geographic areas.

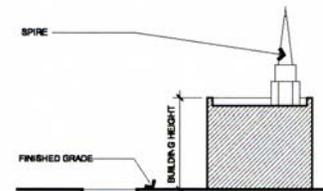
DRAFT!

Building envelope. A) Includes all components of a building that enclose “conditioned space”, heated or cooled areas within a structure. Building envelope components separate conditioned spaces from the outside air. Walls and doors between an unheated garage and a living area are part of the building envelope; walls separating an unheated garage from the outside are not. B) The boundary separating the inside of a structure from the outside and through which heat is transferred.

Building Height. The vertical distance measured from the average elevation of the finished grade around the perimeter of the building or building segment to the highest point of a flat roof, or to the mean height between the eaves and ridge of a pitched roof. When constructing on a slope, buildings may be “stepped” to accommodate the slope of the terrain; provided that each “step” shall be at least twenty (20) feet in horizontal dimension. The height of each stepped building segment shall be measured as required above.



Specifically excluded from this definition and from the regulation of maximum building height are structural elements not intended for habitation and not exceeding 15 feet above the maximum building height including projections such as chimneys, spires, elevator shaft housings, penthouses for mechanical and elevator equipment, chimneys, wireless communication facility antenna arrays, flag poles, parapet walls designed solely to screen mechanical and elevator equipment, and devices or structures for the capture of solar energy, towers for wind energy conversion systems and windmills, and other structures not used for human occupancy are not subject to the building height limitations of this ordinance, unless such projection shades an existing solar energy system on an adjoining property to such an extent as to affect the efficiency of that system



Context. The block face in which an affected property is located.

Existing Grade. The existing elevation of land prior to any cuts and fills or other disturbances, which may, at the discretion of the Building Inspector, be determined by a topographic surveyor soil sampling.

Infill. The “filling in” of vacant land in existing developed areas. Short platting a lot and building a house on a vacant lot are examples of infill development. This definition does not apply to newly platted subdivisions of three or more lots?? on previously undeveloped properties that are outside the 400 foot neighborhood of the subject property.

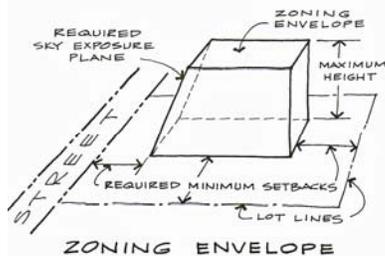
Neighborhood. The residential area within 400 feet surrounding a subject property.

DRAFT!

Original ground surface. The elevation of the ground in its natural state before any manmade alterations, including but not limited to, grading, excavation, or filling, excluding improvements required by zoning or subdivision ordinances. When the original ground elevation is not readily apparent because of previous manmade alterations, the elevation of the original grade shall be determined by the City Engineering Department using the best information available.

Redevelopment. (aka “demo-rebuild” or “teardown development”) - refers to the practice of tearing down an existing structure and replacing it with another structure.

Special flood hazard. Areas of concern as defined by FEMA and delineated on the most recent Flood Insurance Rate Map. The land area covered by the floodwaters of the base flood is the Special Flood Hazard Area (SFHA) on NFIP maps. The SFHA is the area where the NFIP's floodplain management regulations must be enforced and the area where mandatory purchase of flood insurance applies. The SFHA includes Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE, and V.



Zoning Envelope. A three dimensional space within which a structure is permitted to be built and is defined by maximum height regulations, minimum yard setbacks, and sky exposure plane regulations when applicable.

17.52.030 Roof types

Cross Gable Cross gable roofs have two or more gable rooflines that intersect. A house with a basic gable roof will have a rectangular shape, but a house with a cross gable roof can have a more complex shape and therefore a more complex layout.



Front Gabled Front-gabled houses have a gable roof and the front door is under the gable. The gable is the area at the front and back of the house beneath the pitched roof that follows the roofline - it is typically triangular. A gable roof is very common and has two sloping planes that meet in a central ridge.



Gambrel Gambrel roofs have a shallow slope over a steep slope. It is typical of the Dutch colonial architectural style and also frequently seen on barns.

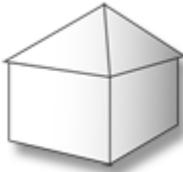


Hipped Hipped roofs slope in four directions. The "hip" is the angle formed where two sloped sides meet. This roof is used with many

DRAFT!

different architectural styles and is said to stand up to hurricane winds better than a gable roof.

Mansard Mansard roofs have four sloping sides, like a hipped roof, and each side has a shallow slope over a steep slope, similar to a gambrel roof. There are almost always dormers in a mansard roof. Mansard is named after the French architect Francois Mansart (1598-1666), who was known to use this style of roof. This roof style was particularly popular in the latter half of the 19th century, and is often seen on Victorian row houses.



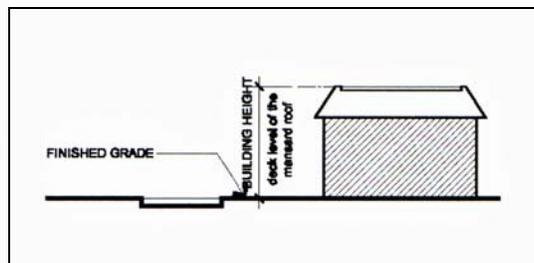
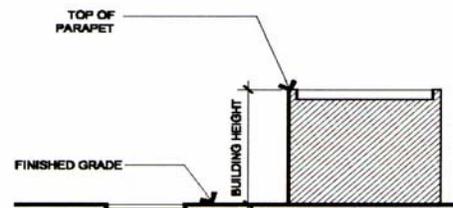
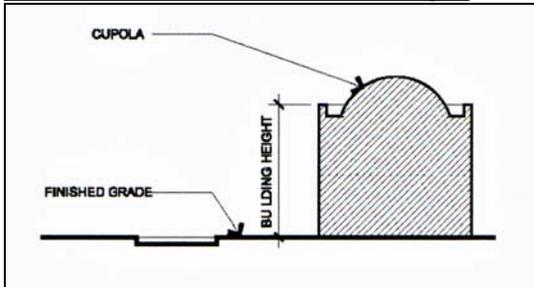
Pavilion Hipped Pavilion-hipped roofs have four sloping planes that meet in a single point. They are sometimes also called pyramid-hipped roofs and are typically used on smaller buildings such as a garage or pool house.

Saltbox Saltbox roofs are typical of colonial architecture in New England. A saltbox house is two stories high in the front and has a low sloping roofline in the back of the house. It is named after its resemblance to saltboxes used in colonial times.



Side Gabled Side gabled is descriptive word for a house with its front door under the side of a gabled roof. Examples can be seen in many residential styles, from a ranch house to a Georgian house. *Realtor Magazine*

17.52.040 Measurement of height



P:\2009\Ordinances\2009-02 infill development regs.doc