

## ***Payson City Planning Commission Staff Report, October 11, 2017***

### ***Request for Recommendation of Approval for Use of the RMO-1 Overlay Zone to Accommodate a Planned Residential Community in the R-1-75, Residential Zone***

#### ***Approval Process:***

<b>Development Review Committee:</b>	Technical and Administrative Review
<b>Planning Commission:</b>	Recommendation to City Council
<b>City Council:</b>	Approval or Denial (Legislative Action)

#### **Background**

The applicant, Jerry Robinson, is requesting a recommendation of approval from the Planning Commission and approval from the City Council for use of the RMO-1, Two-Family Residential Overlay Zone to accommodate a Planned Residential Community in the R-1-75, Residential Zone. The proposed development is arranged on Utah County Parcels 08:160:0001, 08:160:0006, 08:160:0014, and a portion of 08:160:0011 located south of 500 North between 400 East and 500 East. The development includes the demolition of a dilapidated dwelling and the construction of four (4) single family dwellings and five (5) twin home structures for a total of fourteen (14) dwelling units on approximately 1.85 acres.

The RMO-1 Overlay Zone was established to provide areas for two-family structures (duplex and twin homes) designed to be compatible with surrounding uses. The City Council recently amended the RMO-1 Overlay Zone to accommodate Planned Residential Communities, which can provide neighborhoods with a mixture of single family and two-family structures on larger infill lots. The applicant is proposing to use the newly adopted ordinance to create a Planned Residential Community on the subject property.

The applicant is only requesting approval of the overlay zone at this time. Acknowledging approval of the overlay zone is a legislative action of the City Council, in which the Council is not obligated to approve, the applicant would like to obtain approval of the overlay zone before the subdivision process is completed. If the overlay zone is approved, the applicant will need to apply for subdivision approval and satisfy the applicable provisions of the development ordinances of Payson City.

Prior to forwarding a recommendation to the City Council, the Planning Commission is required to hold a public hearing in order to obtain input from the community. The City Council will consider the recommendation of the Planning Commission and hold a subsequent public hearing prior to reaching a final determination of whether the use of the RMO-1 Overlay Zone is appropriate in this location. Property owners within five hundred (500) feet of the proposed project have been notified, the notice has been posted in appropriate locations, and the public hearing was advertised in the newspaper for a minimum of fourteen (14) days.

#### **Analysis**

As mentioned above, the applicant is only requesting approval of the RMO-1 Overlay Zone at this time. The overlay zone allows the City Council to examine the specific needs of each request to encourage proper use of the property. If approval is granted, the applicant will be required to submit additional information and obtain additional approvals to develop the property as proposed. It should be noted that approval of the overlay zone does not modify or waive any requirements of the land use ordinances. The number, layout, or configuration of the lots/units may need to be modified to satisfy the requirements of the land use ordinances.

At this time, the Planning Commission will need to determine if use of the overlay zone is appropriate in this location and if the proposed density, project layout and design, and housing product is appropriate in this neighborhood.

### *Density*

The applicant is entitled to use the property consistent with the requirements of the underlying zone, R-1-75, that would allow a single family dwelling on a seventy-five hundred (7,500) square foot lot with at least seventy-five (75) feet of frontage. The Planned Residential Community within the RMO-1 Overlay permits single family homes with this same density and two family dwellings or duplexes at a density of one (1) two-unit structure per 9,000 sq ft. This density is average throughout the development to allow for enhanced utilization of green space and amenities.

The Planning Commission and City Council will need to determine if the proposed number of units and the mix of housing product is appropriate in this neighborhood. The applicant is proposing four (4) single family dwellings and five (5) twin home structures for a total of fourteen (14) dwelling units on approximately 1.85 acres.

### *Project Layout and Design*

The applicant is proposing to create a small scale community in an existing residential neighborhood. The community will consist of clustered housing units (twin homes and single family) designed with an increased level of interaction among neighbors, shared outdoor space connected by a series of walkways, and a connection to the public trail system along the Peteetneet Creek channel. Planned Residential Community architectural requirements ensure that homes will engage with public streets through street-facing orientation and strong architectural elements, such as porches, porticos, windows, and rooflines. Homes are required to engage with open areas, to avoid “walling off” green space. Perimeter homes are all single family homes in order to increase aesthetic compatibility with the existing neighborhood and setbacks are required to match those of adjacent properties. Access to the units will be obtained from existing public streets and proposed private streets. The applicant must obtain approval from the City Council for use of an alternate street cross-section.

If approval is granted, the applicant will need to prepare project drawings (preliminary plan, construction drawings, final plat) for review by staff, the Planning Commission and City Council. The drawings must be consistent with the adopted ordinances and all improvements completed consistent with the specifications of Payson City. Each lot must have access to municipal services and the applicant is responsible to provide utility services to each lot and unit, including, drinking water, pressurized irrigation, wastewater, and power service.

### *Housing Product*

The City Council has imposed specific design criteria for structures included in a Planned Residential Community. The Planning Commission and City Council will need to determine if the proposed housing product is consistent with the adopted design guidelines. Building materials, dwelling size and height, general architecture and other design details should be a condition of approval and included in a development agreement recorded in the office of the Utah County Recorder.

The Planning Commission and City Council may require additional information in order to make a well-informed decision or impose additional conditions to ensure the new structures will satisfy the purpose and objectives of the RMO-1 Overlay Zone.

### **Recommendation**

The applicant is seeking approval for use of the RMO-1, Two-Family Residential Overlay Zone to accommodate a Planned Residential Community in the R-1-75, Residential Zone. The Planning Commission will need to determine if the applicant has adequately addressed the provisions of Section 19.6.8 of the Zoning Ordinance and the construction of four (4) single family dwellings and five (5) twin home structures is suitable in this location.

Approval of the RMO-1 Overlay Zone is similar to a zone change request. The Planning Commission is under no obligation to recommend approval and the City Council is under no obligation to approve the use of the overlay zone. The applicant is entitled to use the property consistent with the requirements of the underlying zone, R-1-75, that would allow a single family dwelling on a seventy-five hundred (7,500) square foot lot with at least seventy-five (75) feet of frontage. Following a public hearing to receive public comment, the Planning Commission may:

1. Remand the request of the applicant back to staff for further review. The Planning Commission should select this option if it is determined that the applicant has not provided enough information for the Planning Commission to formulate and forward a well-informed recommendation to the City Council.
2. Recommend approval of the request for use of the overlay zone contingent upon the satisfaction of conditions. Staff would suggest that if the Planning Commission recommends approval for use of the overlay zone contingent upon the satisfaction of Section 19.6.8 and appropriate conditions, the applicant will be required to develop the property consistent with the regulations of the development ordinances of Payson City.
3. Recommend denial of the use of the overlay zone. The Planning Commission should select this option if it is determined that the proposed development is not the preferred infill option for the subject property.

Each recommendation of the Planning Commission should include findings that indicate reasonable conclusions for their recommendation.