

Planning Commission Staff Report

February 28, 2019

Item 9

Applicant: Mapleton City

Location: N/A

Prepared by: Sean Conroy,
Community Development

Director

Public Hearing: Y

Zone: R-3

Attachments:

1. Proposed Amendments.

REQUEST

Consideration of an ordinance amending various sections of the Mapleton City Municipal Code to eliminate the R-3 zones.

BACKGROUND AND PROJECT DESCRIPTION

There are currently four zoning districts that are available for areas designated as “High Density” in the general plan. The R-3 zone is the highest density zones and allow for up to 12 units per acre with the use of TDRs.

In 2018 the City Council approved the rezoning of a six-acre parcel to R-3. After the City Council’s decision, a citizen group filed a referendum petition and successfully obtained the necessary signatures to place the Council’s decision on an upcoming ballot.

Based on the public outcry related to the R-3 zone, and based on the fact that there are relatively few properties remaining that could apply for this zones, it is proposed that the R-3 zone be removed from the City’s municipal code.

STAFF RECCOMENDATION

Recommend approval of the proposed text amendment to the City Council.

Attachment “1”

Changes Shown in Strikeout

18.24.010: ZONES ESTABLISHED:

In order to carry out the purposes of this title the City is divided into the following zones:

A-2	Agricultural-Residential Zone, one dwelling unit per two (2) acres
CE-1	Critical Environment Zone
RA-1	Residential Agricultural Zone, one dwelling unit per acre
RA-2	Residential-Minor Agricultural Zone
R-1-B	Residential Zone
R-2	Residential Zone
R-2-B	Residential Zone
~~R-3~~	~~Residential Zone~~

Chapter ~~18.52~~

~~R-3 RESIDENTIAL ZONE~~

~~18.52.010: APPLICABLE REGULATIONS:~~

~~18.52.020: GENERAL OBJECTIVES AND CHARACTERISTICS:~~

~~18.52.030: REGULATIONS GENERALLY:~~

~~18.52.040: PERMITTED USES:~~

~~18.52.041: CONDITIONAL USES:~~

~~18.52.042: DENSITY:~~

~~18.52.050: LOTS, BUILDINGS, YARDS, DESIGN STANDARDS AND OPEN SPACES FOR NEW STRUCTURES:~~

~~18.52.010: APPLICABLE REGULATIONS:~~  

Within the R-3 Zone, the height and number of stories, the size of buildings and other structures, the percentage of a lot that may be occupied, the size of yards, courts and other open spaces, the density of population, the location and use of buildings, structures and land are regulated and restricted as set forth in this chapter. (Ord. 2018-03, 4-18-2018, eff. 5-15-2018)

~~18.52.020: GENERAL OBJECTIVES AND CHARACTERISTICS:~~

~~A. The objective in establishing the R-3 Residential Zone is to provide a location within the City where multi-family dwellings can be located most appropriately. This zone is characterized by a variety of dwelling types having widely varying forms and shapes. Typical also of the R-3 Residential Zone is somewhat smaller lot widths, a greater movement of vehicular traffic, and a somewhat denser residential environment than is characteristic of the one-family or two-family zone with the use of transferable development rights (TDRs) to increase density. However, attractive lawns, shrubs, trees and other landscape plantings about the houses and on the parking strip within the streets are also characteristic of this zone. This zone is available only for areas west of Highway 89 that have a General Plan land use designation of high density residential (HDR). Projects that do not include a multi-family (condominium and/or apartments) component should not be eligible for the R-3 designation.~~

~~B. Representative of the uses in this zone are single family and multi-family dwellings, churches, public schools, parks and playgrounds. (Ord. 2018-03, 4-18-2018, eff. 5-15-2018)~~

~~18.52.030: REGULATIONS GENERALLY:~~

~~In order to accomplish the objectives and purposes of this title and to promote the characteristics of this zone, the following regulations shall apply in the R-3 Residential Zone. (Ord. 2018-03, 4-18-2018, eff. 5-15-2018)~~

~~18.52.040: PERMITTED USES:~~

~~The following uses shall be permitted in the R-3 Residential Zone:~~

~~A temporary office building used as an office in connection with the sale of property within a subdivision under construction, provided that the temporary office is located on the same tract of land as the subdivision. A permit therefor shall be valid for not more than one year, at the expiration of which time the use shall be discontinued; subject to section [18.84.200](#) of this title (construction of temporary buildings).~~

~~Customary residential pets.~~

~~Fences, walls, and hedges; subject to section [18.84.100](#) of this title.~~

~~Gardening.~~

~~Home occupations, subject to the provisions of section [18.84.380](#) of this title.~~

~~Public schools, public libraries, public recreation buildings, and similar public buildings and grounds; places of worship, but not including temporary revival tents or buildings; public utility buildings and structures, providing that no storage yard shall be maintained on the premises. All uses under this heading are subject to section [18.84.320](#), "Site Plan Review Process And Bonding", of this title.~~

~~Single family—conventional construction and modular homes, twin homes, duplexes, townhomes, senior housing and multi-family (apartments or condominiums). Also residential accessory structures appurtenant thereto.~~

~~Temporary building or yard storage of construction materials and equipment incidental and necessary to construction of a housing development, utilities or other community facilities, provided such temporary building or yard is located on the same tract of land on which the houses, utilities, or other community facilities are constructed. A permit therefor shall be issued only to the contractor or builder and shall be valid for not more than one year, at the expiration of which time the same building or storage yard shall be removed from the premises and the use discontinued; subject to section [18.84.200](#) of this title (construction of temporary buildings). (Ord. 2018-03, 4-18-2018, eff. 5-15-2018)~~

~~18.52.041: CONDITIONAL USES:~~

~~Clubs, lodges and nonprofit recreational buildings, except those the chief activity of which is customarily carried on as a business.~~

~~Daycare facilities.~~

~~Mobile home parks after approval of the Planning Commission and City Council.~~

~~Places of worship.~~

~~Residential healthcare facilities (nursing homes, including skilled nursing and intermediate healthcare facilities), subject to compliance with the standards for such uses as set forth in section [18.84.370](#) of this title and the approval of the site plan in accordance with the provisions of section [18.84.320](#), "Site Plan Review Process And Bonding", of this title. (Ord. 2018-03, 4-18-2018, eff. 5-15-2018)~~

~~18.52.042: DENSITY:~~

~~A. Base Density: The maximum allowed density for projects not utilizing TDRs is six (6) units per acre exclusive of right-of-way dedications.~~

~~B. TDR Density Bonus: A density bonus of up to twelve (12) units per acre may be achieved with the use of TDRs. The number of TDRs required shall be determined by the following:~~

- ~~1. Determine the base density as described in subsection A of this section;~~
- ~~2. Determine the difference between the proposed density and the base density; and~~
- ~~3. Divide the difference between the proposed density and the base density by six (6) (density bonus). The result of this calculation equals the number of TDRs required. When the calculation results in a fraction of a whole number, the TDR requirement shall be rounded up to the next whole number.~~

~~By way of example, if a property is two (2) acres in size after subtracting the rights-of-way, its base density would be twelve (12) units (lot area x 6 units per acre). If the applicant was proposing a total of twenty four (24) units, two (2) TDR certificates would be required. This is determined by calculating the difference between the proposed density and the base density (24 - 12 = 12) and then dividing the result by six (12 / 6 = 2). (Ord. 2018-03, 4-18-2018, eff. 5-15-2018)~~

~~18.52.050: LOTS, BUILDINGS, YARDS, DESIGN STANDARDS AND OPEN SPACES FOR NEW STRUCTURES:~~

A. ~~Lot Size And Width: The minimum lot size and width requirements in the R-3 Zone are described in table A of this subsection.~~

~~TABLE A~~

~~Lot Type~~	~~Minimum Lot Size~~	~~Minimum Width~~
~~Single family detached~~	~~5,000 square feet~~	~~50 feet~~
~~Duplex (1 lot, 2 units)~~	~~6,000 square feet~~	~~60 feet~~
~~Twin home (2 attached units)~~	~~4,000 square feet per unit~~	~~40 feet per unit~~
~~Townhome (3 or more attached units)~~	~~2,000 square feet per unit~~	~~22 feet per unit~~
~~Multi-family~~	~~20,000 square feet~~	~~100 feet~~

B. ~~Setbacks: The minimum setbacks in the R-3 Zone for primary structures are described in table B of this subsection:~~

~~TABLE B~~

~~Lot Type~~	~~Front~~	~~Interior Side~~	~~Corner Side~~	~~Rear~~	~~Garage Facing The Street~~
~~Single family detached, duplex, twin home~~	~~20 feet~~	~~8 feet~~	~~20 feet~~	~~20 feet~~	~~20 feet~~
~~Rear loaded townhome~~	~~15 feet~~	~~8 feet~~	~~20 feet~~	~~10 feet~~	~~n/a~~
~~Front loaded townhome~~	~~20 feet~~	~~8 feet~~	~~20 feet~~	~~20 feet~~	~~20 feet~~
~~Multi-family~~	~~30 feet~~	~~15 feet~~	~~30 feet~~	~~30 feet~~	~~n/a~~

~~Note: Setbacks are measured from the property line to the foundation of the building except for the "garage facing the street" setback which is measured from the back of sidewalk.~~

~~C. Projections Into Yards: The following structures may be erected on or projected into any required yard:~~

- ~~1. Fences and walls in conformance with this Code and approval by the Planning and Zoning Director. Other City codes or ordinances also apply.~~
- ~~2. Landscape elements including trees, shrubs, agricultural crops, and other plants.~~
- ~~3. Necessary appurtenances for utility service.~~
- ~~4. The structures listed below may project into a minimum front or rear yard up to five feet (5'), and into a minimum side yard up to two feet (2'):~~
 - ~~a. Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features.~~
 - ~~b. Fireplace structures and bays, provided that they are not wider than eight feet (8') measured generally parallel to the wall of which they are a part.~~
 - ~~c. Stairways, balconies, door stoops, fire escapes, awnings, and planter boxes or masonry planters not exceeding twenty four inches (24") in height.~~
 - ~~d. Porte-cochere over a driveway in a side yard, providing such structure is not more than one story in height and twenty four feet (24') in length, and is entirely open on at least three (3) sides except for necessary supporting columns and customary architectural features.~~
 - ~~e. Covered porch.~~
- ~~5. Cantilevered elements such as bay windows or other pop outs that are eight feet (8') or less in length may encroach into a minimum side and/or rear yard no more than two feet (2').~~
- ~~6. An uncovered deck may encroach no more than eight feet (8') into a rear yard.~~

~~D. Building Height: All buildings or structures used for dwelling or public assembly, shall not exceed a height of two (2) stories with a maximum of forty feet (40') as defined in section [18.08.010](#) of this title. Multi-family buildings may increase the height limit to three (3) stories and forty five feet (45') if the entire structure is equipped with a fire sprinkler system.~~

~~E. Accessory Buildings: See section [18.26.020](#) of this title.~~

~~F. Parking: Parking shall be provided in accordance with section [18.84.270](#) of this title.~~

~~G. Design Standards: Single family detached, duplexes, twin homes and senior attached shall have the following design standards:~~

- ~~1. No two (2) detached homes of the same exterior architectural design shall be situated next to, or across the street from, another.~~

2. For projects of ten (10) lots or more, the developer/builder shall provide Mapleton City with no less than five (5) different home designs with differing exterior elevations, rooflines, colors and materials. Exceptions shall be granted if the lots or pads are sold to individuals who will build custom homes. If the lots are purchased by one builder or multiple builders who have purchased a "block" of lots or pads, then these design standards shall apply.
3. Duplexes, twin homes and senior attached shall be designed so that the units are architecturally compatible in forms and materials.
4. Garages facing the street for duplexes, twin homes and senior attached shall be recessed a minimum of five feet (5') from the front wall and/or covered entry element of the structure unless the garage doors are perpendicular to the street. Carports shall not be allowed.

H. Townhomes: All town home projects require project plan approval by the City Council in conjunction with subdivision plat approval. All plans shall comply with the following standards:

1. No more than five (5) individual units may be attached without the creation of a new separated building.
2. Each unit must have a well-defined entrance celebrated by a front porch or covered entryway.
3. The massing of the front facade of each unit shall be broken up into smaller components to avoid unrelieved vertical walls.

I. Multi-Family (Condominiums And Apartment Buildings): All multi-family projects require project plan approval by the City Council in conjunction with subdivision plat approval. All plans shall comply with the following standards:

1. Buildings that are located within forty feet (40') of a public street shall have at least twenty five percent (25%) of the wall surface facing the street in window and door areas. The buildings shall also include ground floor pedestrian entrances that are oriented toward the street and/or an open space accessible from a street.
2. The use of brick and/or stone shall appear structural and shall terminate at natural locations (building projections, inside wall corners, etc.). The use of brick and/or stone on only one elevation, the street facade for example, is discouraged. At least twenty five percent (25%) of the exterior elevations shall include brick or stone.
3. The massing of the front facade of each unit shall be broken up into smaller components to avoid unrelieved vertical walls.
4. Parking areas shall not be located between buildings and the street. Parking lots may be located on the side and/or behind the buildings.
5. Interior parking lot landscaping areas shall be dispersed throughout the parking lot. Landscape islands shall be required at the end of the parking rows, and at the midpoint of parking rows which exceed ten (10) parking stalls, or every ten (10) stalls if parking rows exceed twenty (20) stalls. One tree is required in each landscape island. A trash enclosure may take the place of a landscape

~~island provided it is enclosed with materials that are consistent with a masonry wall or other materials consistent with the design of the main building(s).~~

- ~~6. There shall be a landscape buffer of at least eight feet (8') between any parking area and the side and/or rear property lines. If the property abuts residentially zoned property, trees shall be planted along the shared property line at a rate of one tree for every thirty feet (30'). (Ord. 2018-03, 4-18-2018, eff. 5-15-2018)~~

18.76.070: TRANSFERABLE DEVELOPMENT RIGHTS; RECEIVING

SITES:

- A. Transferable development right receiving sites shall be limited to the A-2, RA-1, PRC, PRD, PD, SDP, and R-2-B and ~~R-3~~ Zone designations exclusively unless otherwise authorized by the City Council as part of an annexation agreement.