

# Brighton Comprehensive Code Update 2023 February Meeting

## Agenda:

- Residential Parcels Identified
- Building Permits Summary
- Site Plans Recently Approved
- Zoning Map and Zoning Regulations
- Next Steps

## Materials:

- Existing Conditions for Residential Lots Report

Planner: Erin O’Kelley

Code Update Council Meeting



### Town of Brighton

### Existing Conditions: Residential Lot Standards

#### Report Details and Summary

<i>Project:</i>	Town of Brighton Comprehensive Code Update Titles 18 & 19
<i>For Review by:</i>	Town of Brighton Planning Commission
<i>Data Exported On:</i>	February 7, 2023
<i>Meeting Date:</i>	February 15, 2023
<i>Prepared by:</i>	Erin O’Kelley, Long Range Planner
<i>Data Collection Methods:</i>	ArcGIS Spatial Analysis and Various Queries of Parcel Data
<i>Data Used:</i>	Tax Assessor Parcel Data: Parcel Record, Land Records, Residence Records, MSD Building Permit 2022 Data Layer, MSD Municipal Boundary Data, Forest Service Land, Resort Boundaries (AGRC), Water District Boundaries,

#### Summary

In the 2022 General Plan, the Town of Brighton identified the need to update minimum setbacks, building sizes, and other zoning requirements for residential lots (Brighton General Plan, page 15), among other development-related revisions to make to the Town’s land use codes. The Town Planning Commission has initiated the process to start a comprehensive code update for Titles 18 & 19. At their January meeting, the Planning Commission reviewed the scope of work for the project, which will be reviewed by the Town Council on February 14<sup>th</sup>, 2023. The MSD planning staff has put together this report of existing conditions for residential lots to help guide future discussions around code revisions. The report summarizes the conditions under which all existing residential development in the Town has been created, including information on zoning, setbacks, heights, lot coverages, and more. Understanding existing conditions is a necessary step in the planning process before proposing possible solutions and code amendments.

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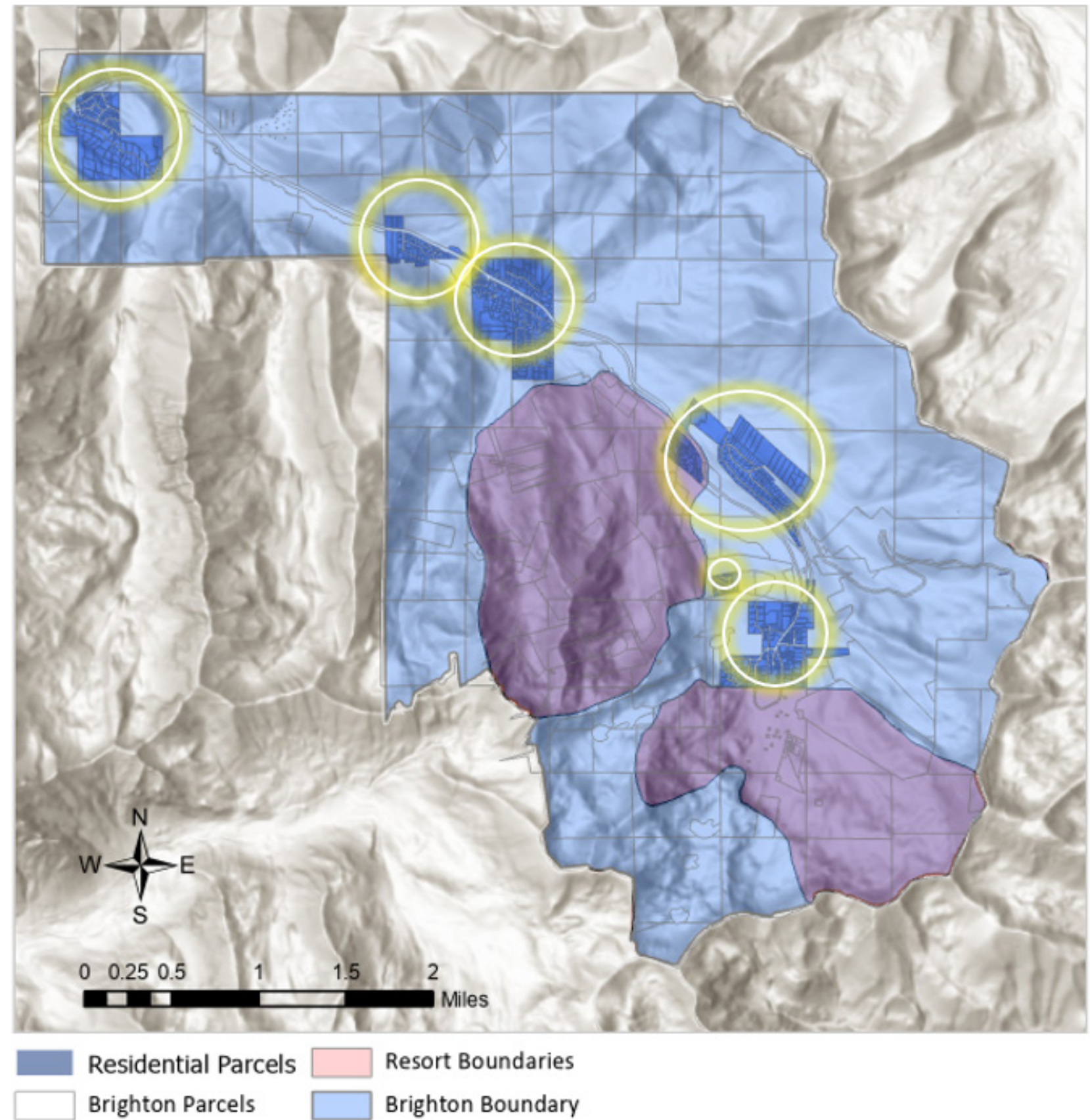
GREATER SALT LAKE  
Municipal Services District

# Residential Properties Identified

- Identified parcels are private properties in residential areas.
- Some properties are already developed as single-family.
- Some properties may be developed as single-family but it is unclear whether they will be or can be.
- These pockets correspond to the character areas identified in the General Plan.

## Approximate 1,328 parcels identified in the selection

This selection does not filter for lot size, water availability, slope restrictions or anything else that may impact potential development of the parcel.



Map 1. Residential Parcels Identified in Brighton

# Past Development

- . 40% of building permits in 2022 were residential.
- . 15% of buildings permits in 2022 were for commercial.
- . Building permits within the Resort boundaries follow federal regulations and work with the Forest Service for Land Use Approval (outside of Brighton zoning regulations). The building permit is processed by the MSD and follows building code regulations. This includes recreational cabins in Evergreen, Mill D etc.

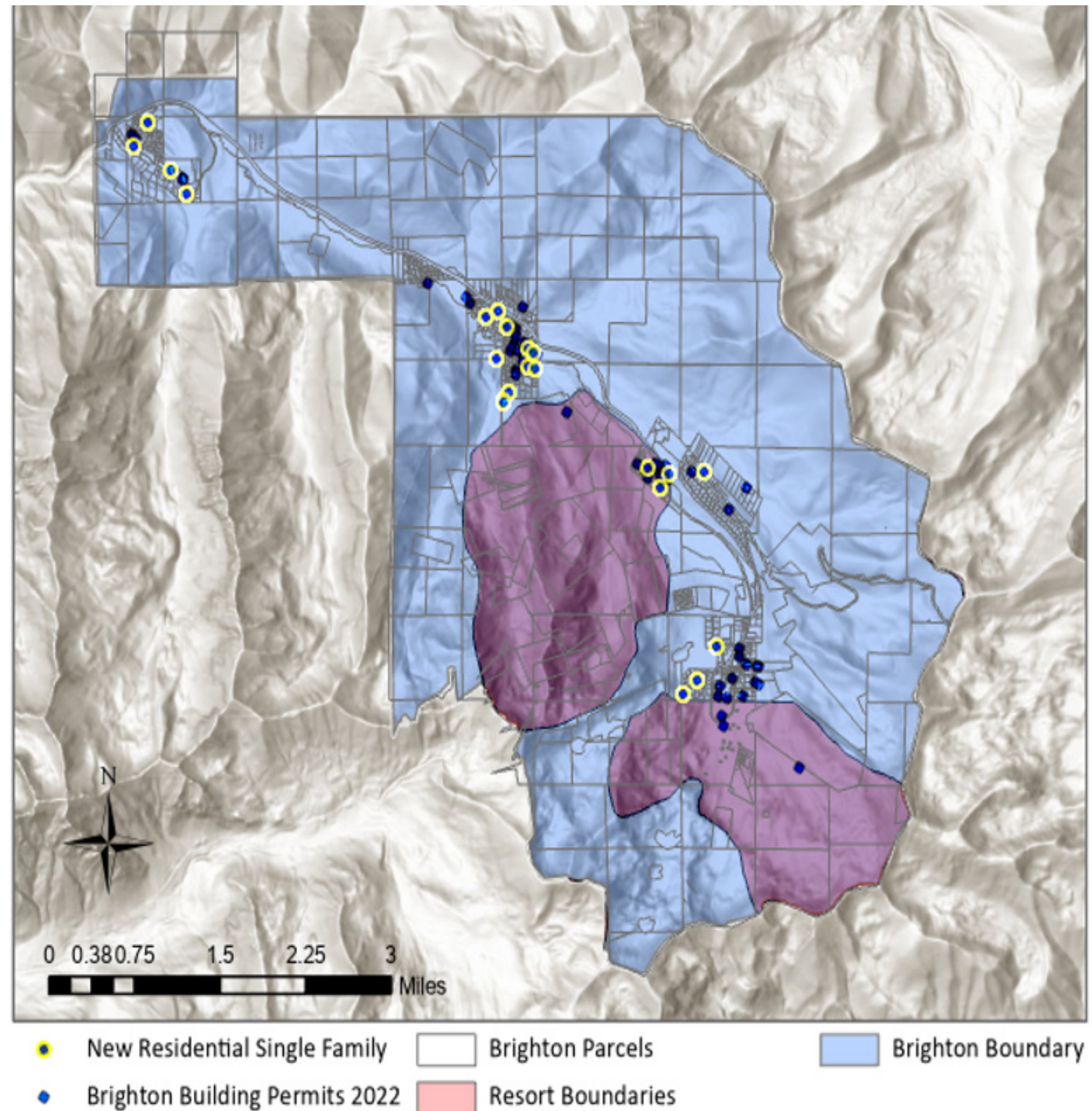
**Total Building Permits: 94**

**New Residential Single-Family: 23 (these include re-builds on existing lots)**

**Total Residential: 61**

**Total Commercial: 14**

**Other: 19**



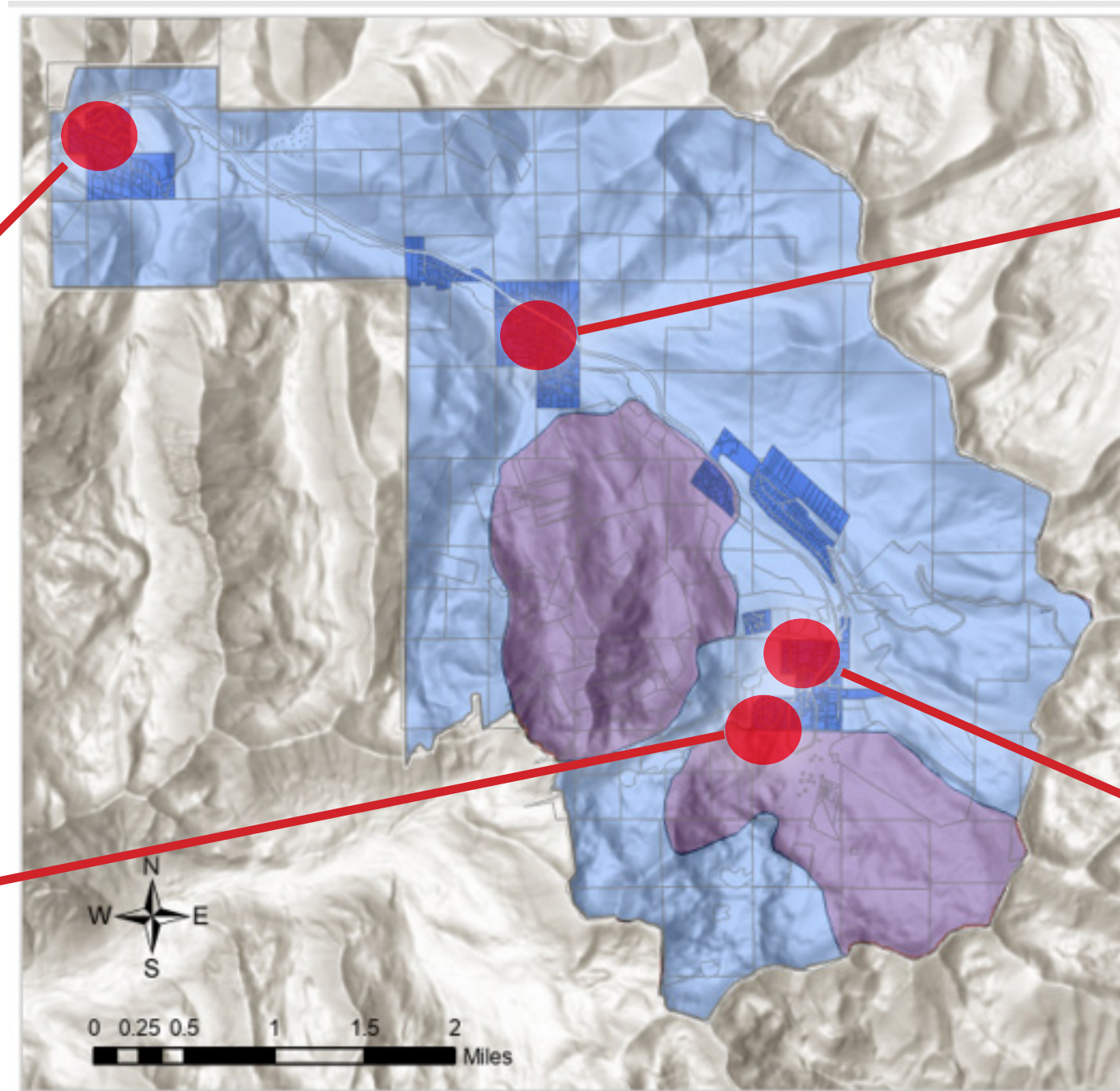
Map 2. Buildings Permits in 2022

# Site Plan Examples

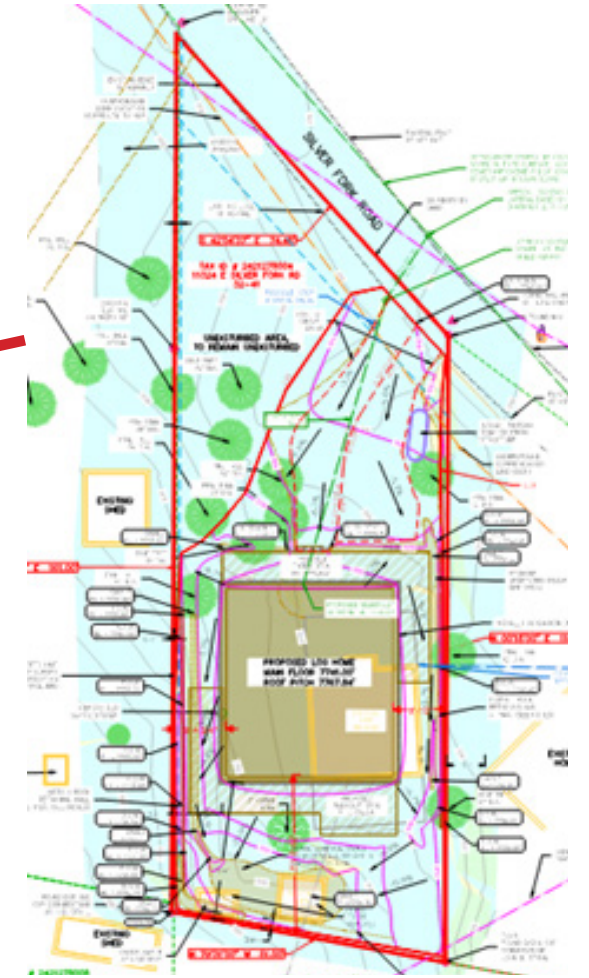
## Mount Haven



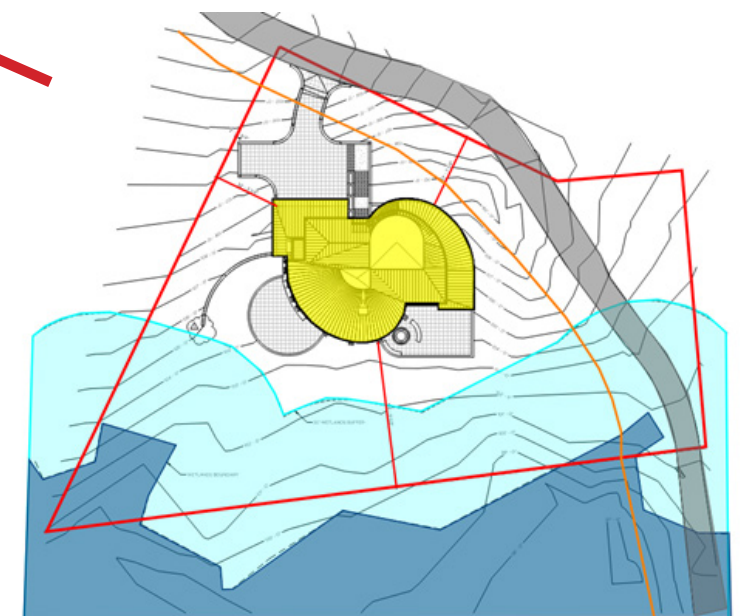
## Willow Loop



## Silver Fork



## Nordic Trail



# Site Plan Example 1

**Zone: FR-1 and FCOZ**

**Minimum Setback from Property Line: 32 Feet**

**Wetland Present: 50-Foot Buffer**

**Building Footprint: ±4,961 SQ FT**

**Lot Size: 45,183 SQ FT**

**Lot Coverage: ± 11%**

**Building Height: 30 Feet**

## Legend

Property Line: Red Line

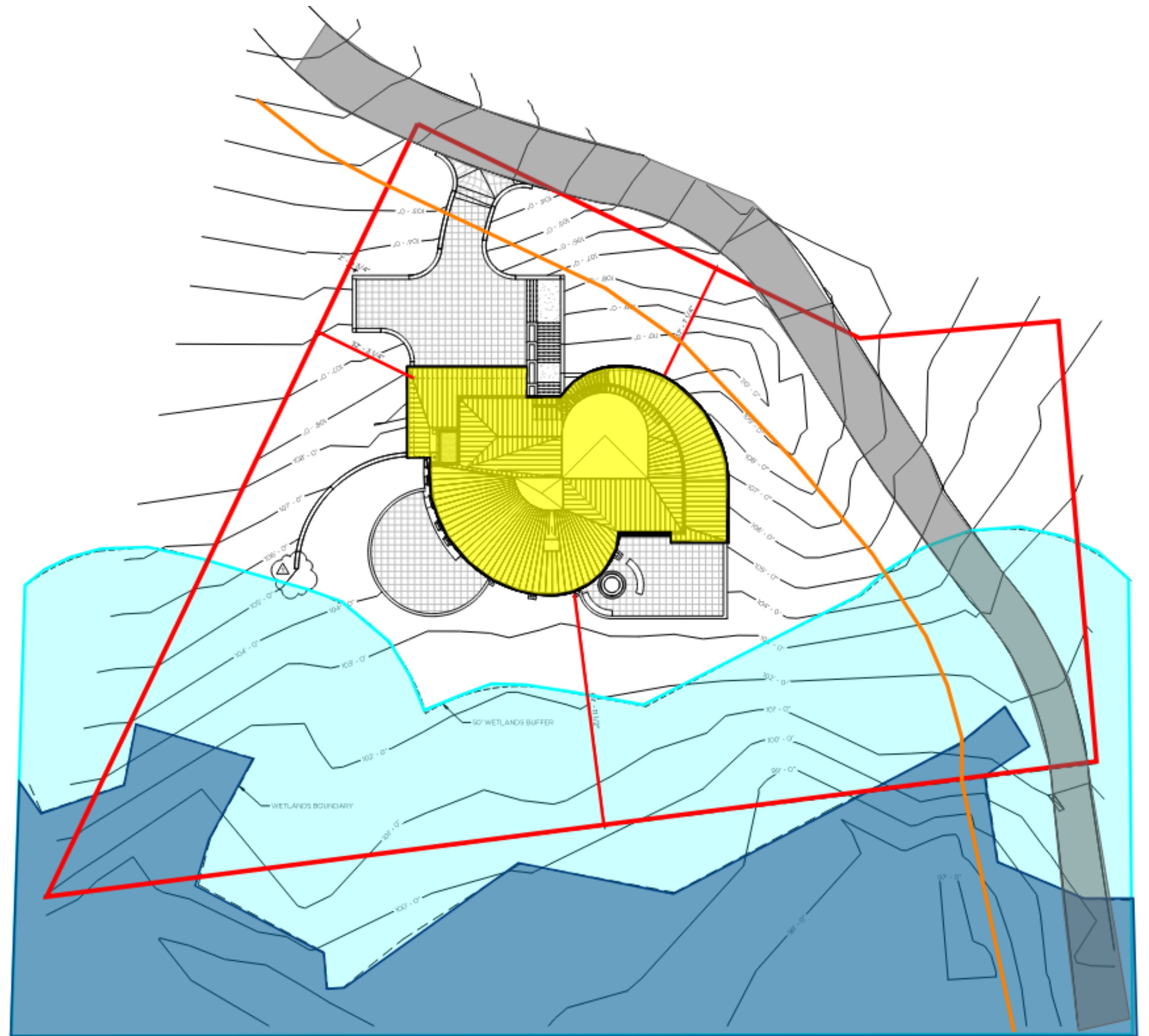
Building Footprint: Yellow and Black

Paved Road: Dark Grey

Right-of-Way: Orange Line

Wetland: Dark Blue

Wetland Buffer: Light Blue



# Site Plan Example 1

## Aerial

### Legend

- Property Line: Red Line
- Building Footprint: Yellow and Black
- Right-of-Way: Orange Line
- Wetland: Dark Blue
- Wetland Buffer: Light Blue

**Property boundaries on aerial images are for illustrative purposes and may not be exact.**



# Site Plan Example 2

Zone: FR-0.5 & FCOZ

Minimum Setback from Property

Line: 8 Feet

Slope Greater than 30% Present

Building Footprint: ±1,300 Square Feet

Lot Size: 27,007 Square Feet

Lot Coverage: ± 5%

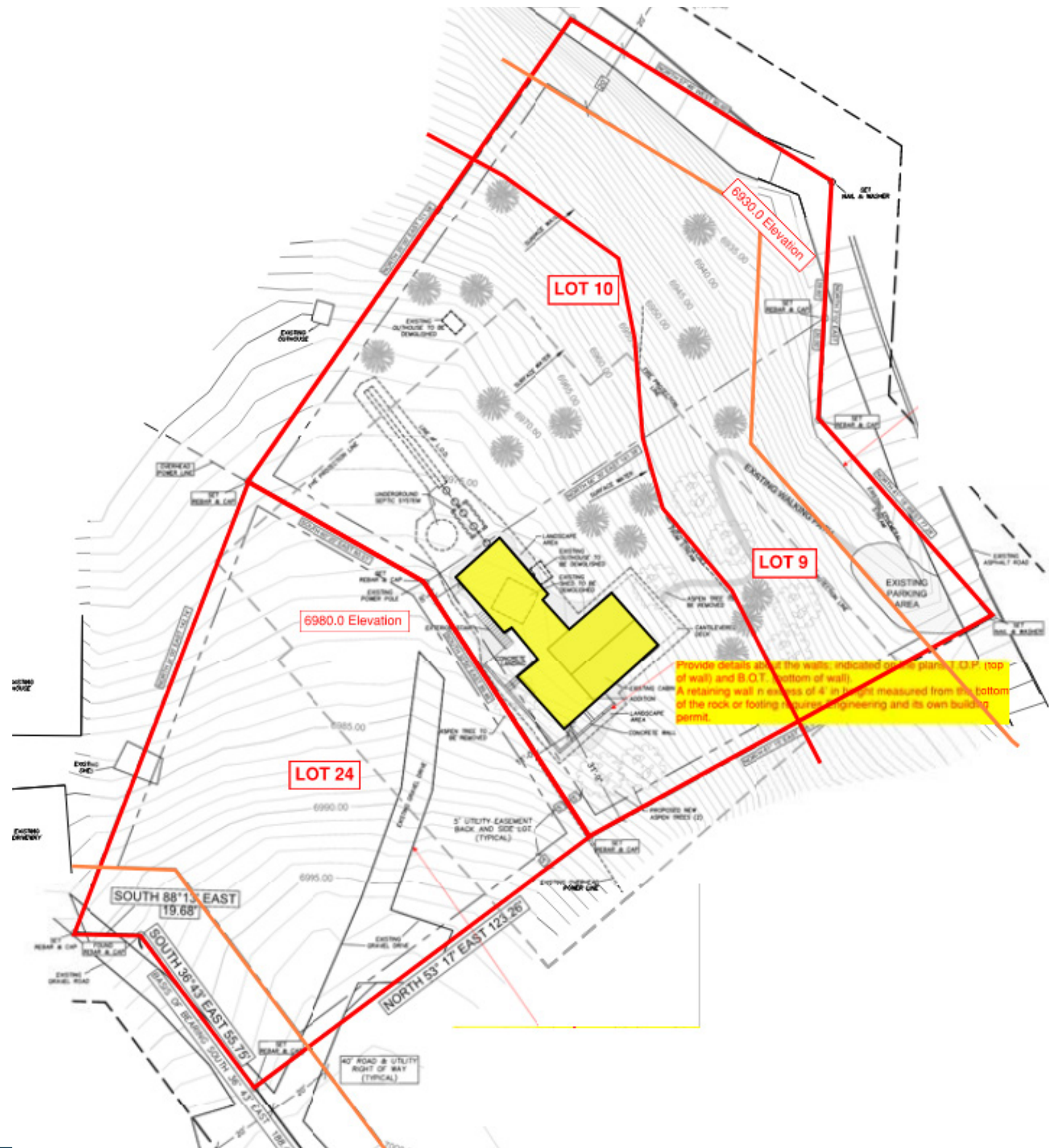
Building Height: ±28 Feet from grade

## Legend

Property Line: Red Line

Building Footprint: Yellow and Black

Property boundaries on aerial images are for illustrative purposes and may not be exact.



# Site Plan Example 2

## Aerial

### Legend

- Property Line: Red Line
- Building Footprint: Yellow and Black

Property boundaries on aerial images are for illustrative purposes and may not be exact.





# Site Plan Example 3

Zone: FR-0.5 & FCOZ

Minimum Setback from Property

Line: 8 Feet

Building Footprint: ±1,063 Square Feet

Lot Size: 6,969 Square Feet

Lot Coverage: ± 15%

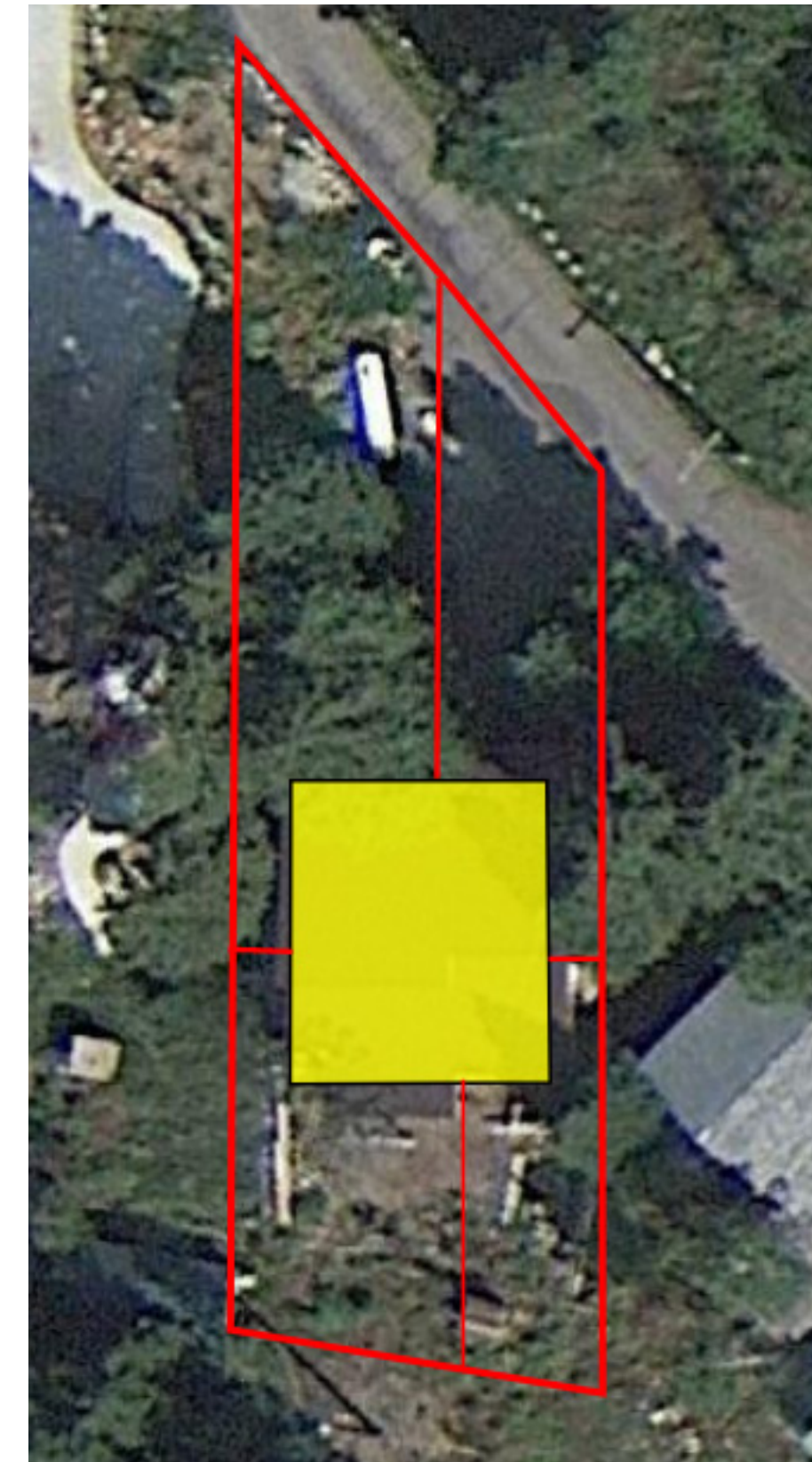
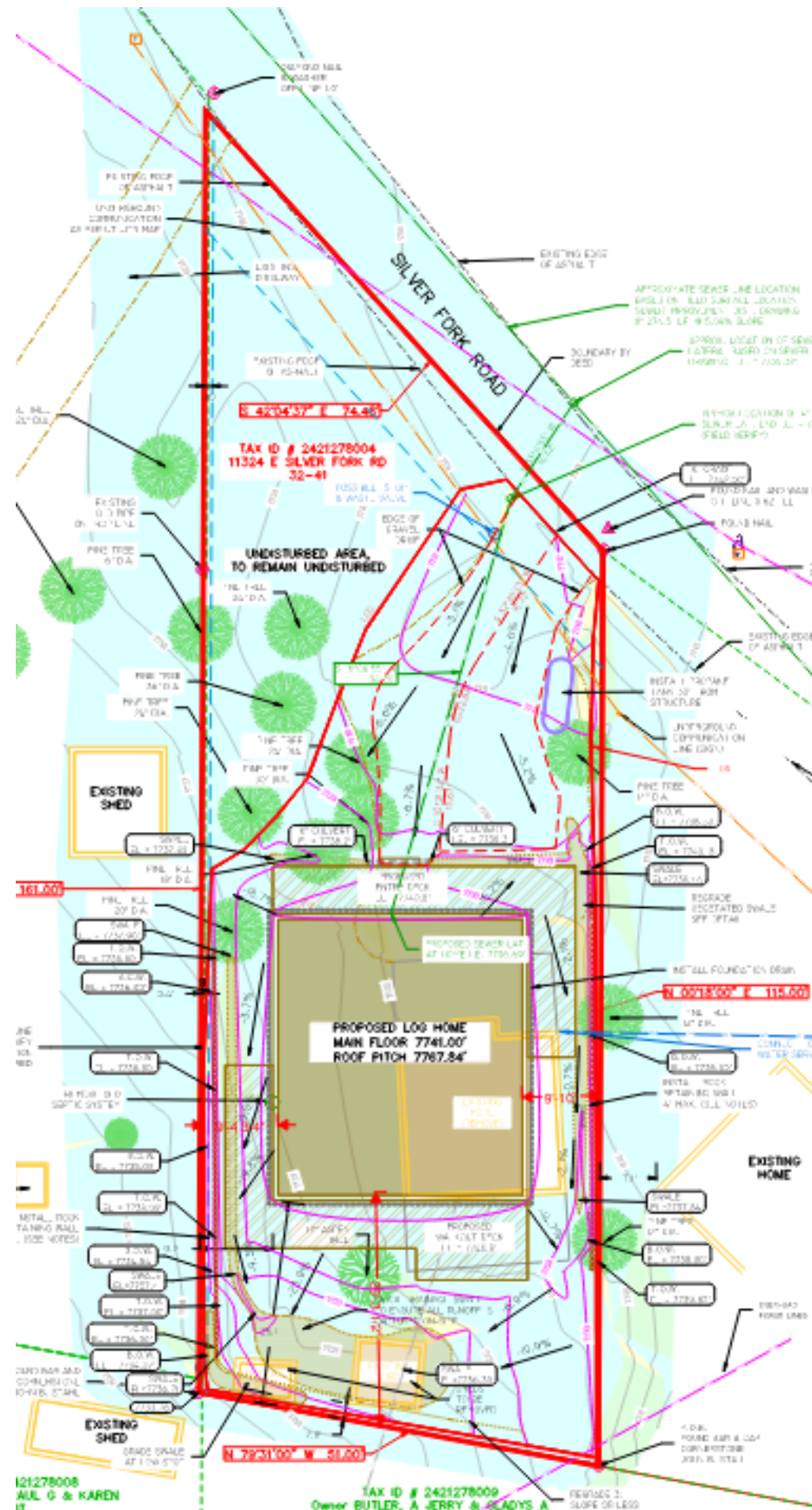
Building Height: ±28 Feet from grade

## Legend

Property Line: Red Line

Building Footprint: Light Brown

Property boundaries on aerial images are for illustrative purposes and may not be exact.



# Site Plan Example 4

**Zone: FR-0.5 & FCOZ**

**Minimum Setback from Property**

**Line: 10 Feet**

**Building Footprint: ± 3,800 Square Feet**

**Lot Size: 35,763 Square Feet**

**Lot Coverage: ± 10%**

**Building Height: ± 33 Feet from grade**

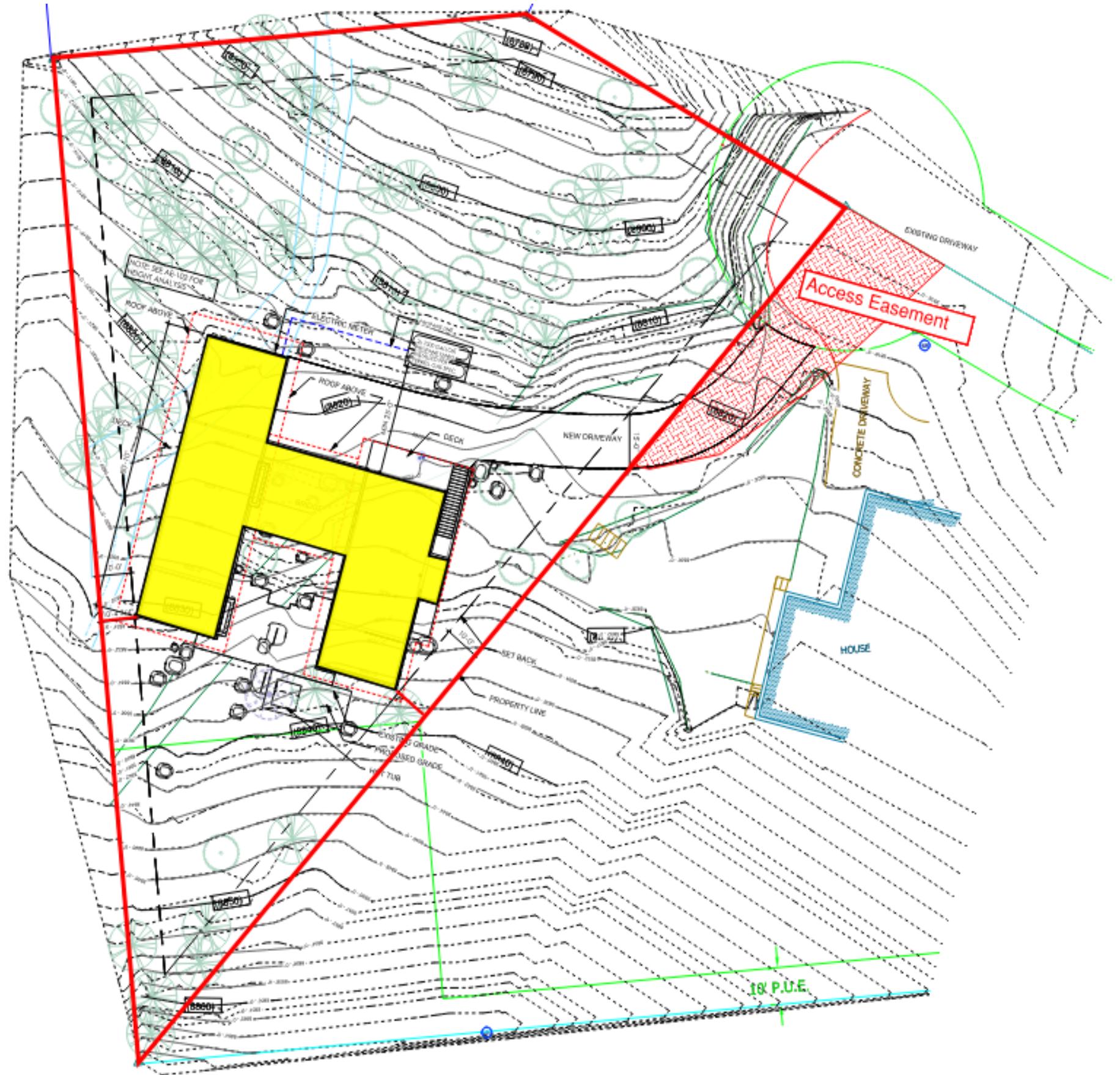
## Legend

Property Line: Red Line

Access Easement: Hatched Red

Building Footprint: Yellow and Black

**Property boundaries on aerial images are for illustrative purposes and may not be exact.**



# Site Plan Example 4 Aerial

## Legend

Property Line: Red Line

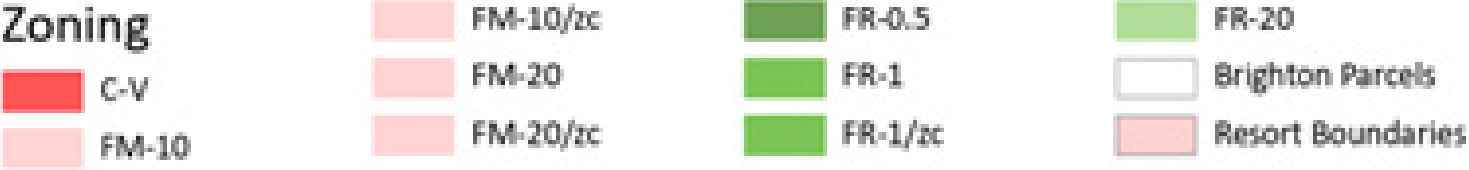
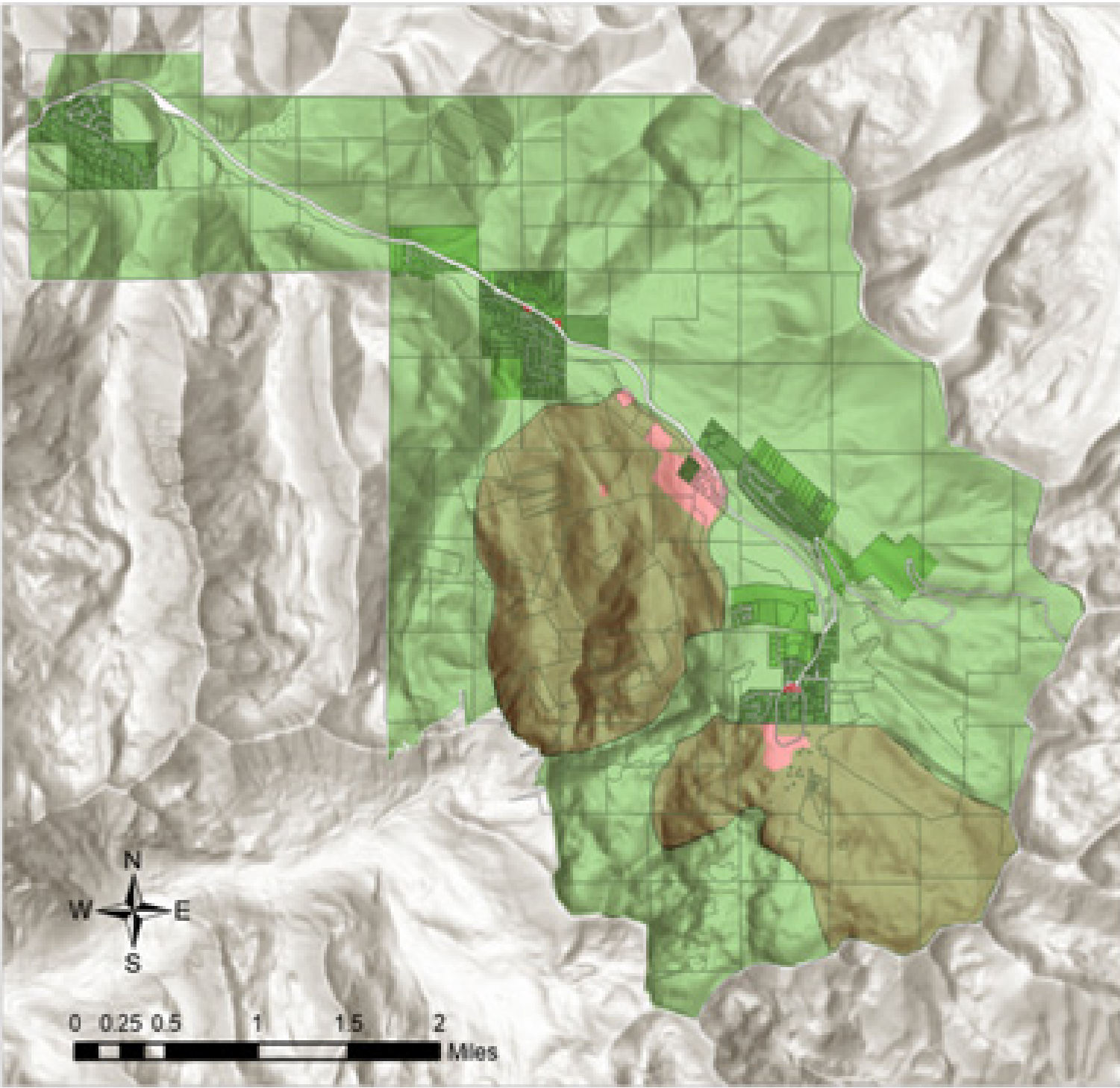
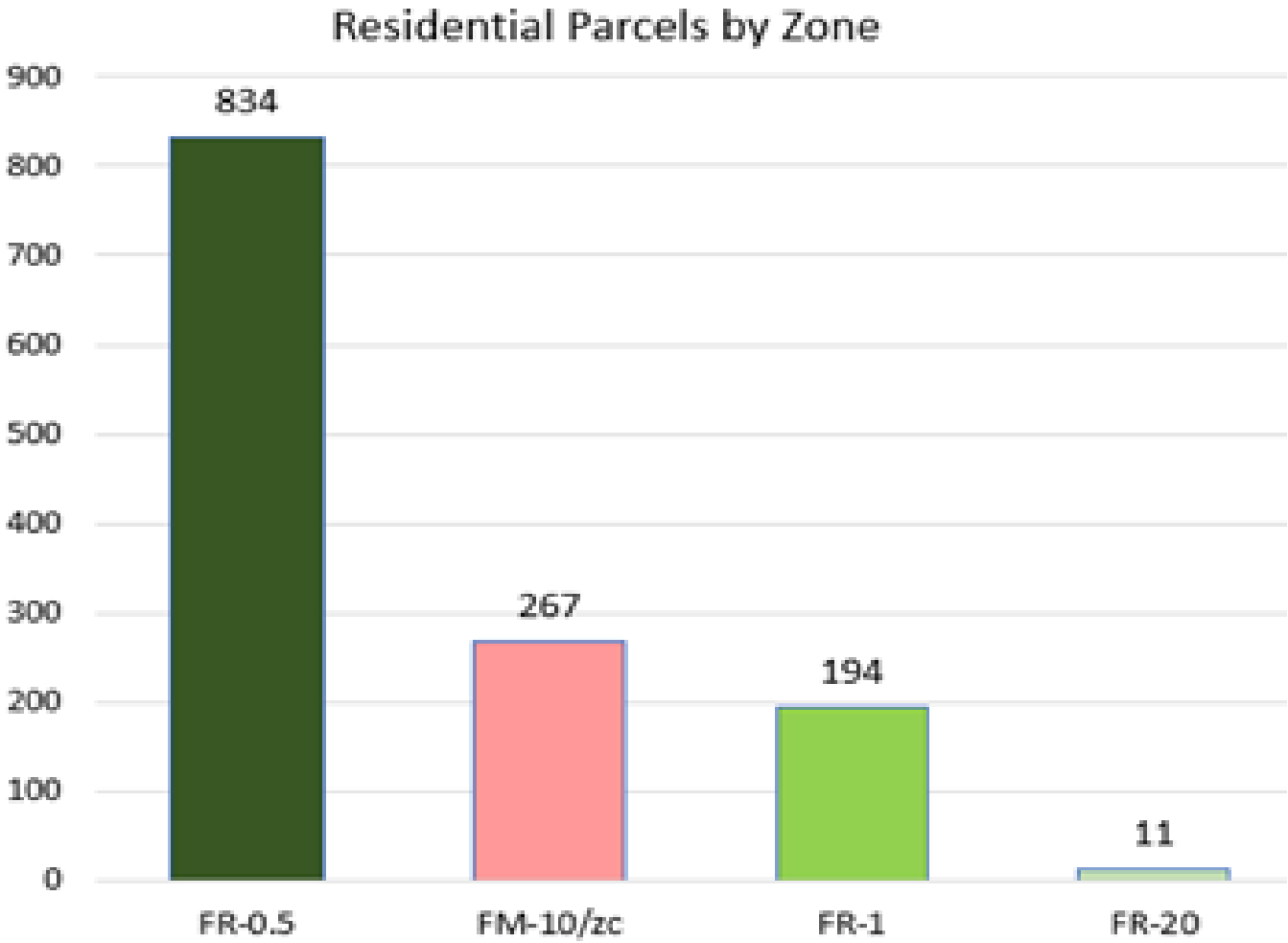
Building Footprint: Yellow and Black

**Property boundaries on aerial images are for illustrative purposes and may not be exact.**



# Zoning Map

- Most of the residential properties are in the FR-0.5 and the FR-1 zone.
- Properties in the FM-10 zone are resort properties (mostly Solitude), which are impacted by Federal land use regulations.

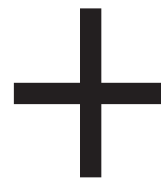


Map 3. Zoning Map

# Current Zoning Regulations

## Underlying / Base Zone FR-0.5, FR-1, FR-20

<i>Permitted Uses</i>	Accessory uses, agriculture, home business, home daycare, household pets subject to watershed regulations, minor ski resort improvements, residential facility for persons with a disability, short-term rentals, single-family dwellings, wireless telecommunications facilities		
<i>Conditional Uses</i>	Accessory uses, bed and breakfast, commercial and private recreation, day care, dwelling group, home day care, horses and animals, logging and lumber, offices use incidental to main use, residential facility for elderly persons, ski resorts, temporary structure, underground record vault, wireless telecommunications facilities, water treatment and storage facility		
<i>Min. Lot Area</i>	0.5 acres	1 acre	20 acres
<i>Min. Lot Width</i>	100 feet	200 feet	300 feet
<i>Max. Density</i>	2 d.u. per acre	1 d.u. per acre	1 d.u. per 20 acres
<i>Setbacks</i>	No minimum setbacks. Setbacks and limits of disturbance are determined through the FCOZ process and are unique to lot conditions that may restrict development.		
<i>Max. Building Height</i>	30 feet where the slope is greater than 15%. 35 feet on all other properties. No SF structure may be less than 1 story.		



# FCOZ

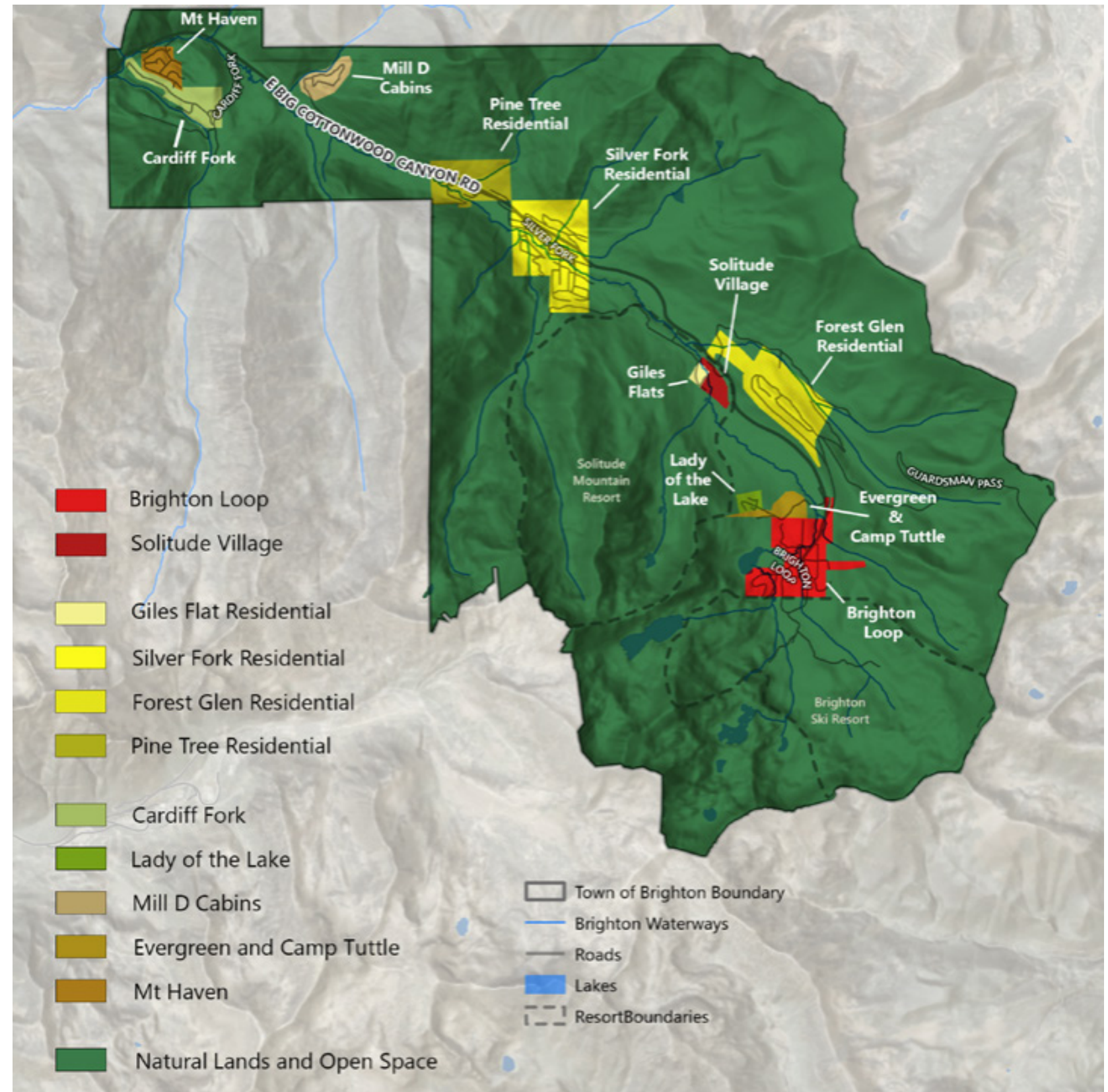
## Foothills and Canyons Overlay Zone

<i>Applicability</i>	All properties in the Town of Brighton are subject to the Foothills and Canyons Overlay Zone.
<i>Setbacks</i>	Setbacks less than 10 feet must demonstrate that no additional burden will be placed on the property.
<i>Cluster Development*</i>	Allowed under special conditions and may be required by the Planning Commission, if conditional use.
<i>Slope Protection</i>	No development on slopes greater than 30%. A Waiver may be requested and approved by the Planning Commission.
<i>Grading</i>	Grading standards established
<i>Retaining Walls</i>	Terracing and Retaining Wall standards established
<i>Site Access</i>	Site Access standards established
<i>Trails</i>	Trail standards established
<i>Fences</i>	Fencing standards established
<i>Tree and Vegetation Protection</i>	Tree and Vegetation Standards established
<i>Stream and Corridor Wetlands Protection</i>	Boundaries established, prohibited activities in buffers, and setbacks from buffers established.
<i>Wildlife and Habitat Protection</i>	Requirements established to ensure wildlife and habitat protection
<i>Traffic Studies</i>	Traffic studies are required as part of FCOZ.
<i>Limits of Disturbance</i>	Limits of disturbance shall determine the buildable area of the lot. For lots less than 1 acre, the limit of disturbance is 20,000 square feet max.  For lots greater than 1 acre, the limit of disturbance is 20,000 square feet plus 20% for each additional acre in lot size
<i>Design Standards</i>	Design Standards are established Including: Building Location, outdoor lighting, fencing and screening of garbage, driveway design, culvert design, grading, landscape design, fire resistance, materials and colors, building mass and scale, utility lines, parking location, ridgeline development,
<i>Exceptions</i>	Some exceptions are included in the code

# Future Development Considerations

Residential Area Goals (yellows):  
These areas may change over time to improve identified issues like utilities, emergency services, and roads. Mount Haven and Cardiff are very secluded communities with some full-time residents and a few properties with year round water. The community anticipates that these areas will see some development of the remaining vacant properties. Therefore, it is important that land use regulations guide development to protect resources.

Open Space Area Goals (dark green):  
These areas are meant for preservation and recreation and area not intended for any development in the future unless to provide recreational amenities.



Identified Character Areas in the General Plan

# Key Findings of Recent Residential Development

- . The most prevalent type of development is single-family and this is anticipated this trend will continue into the future.
- . Of the recent permits permitted in 2022 most of them have been subject to regulations based on the properties topographic conditions like the presence of water and slopes greater than 30% and so the site plan was altered to accommodate and preserve natural features.
- . There appear to be conditions where buildings on a site plan need a small setback to accommodate for topographic conditions but in most cases no conditions call for development less than 8 feet closer to a property line.
- . The residential lots surveyed in this report have a mean lot size of .49 acres or 21,344.4 square feet.
- . The maximum lot coverage from the single-family buildings permits reviewed in this report from 2022 is 15% and the minimum lot coverage is 5%.

# Key Findings of Existing Zone Regulations

- . All of the recreational land including, Forest Service land and ski resorts, and private residential lots are in the Forestry and Recreation Zone and FCOZ and are subject to the same development standards.
- . In the Forestry and Recreation Zone there is no minimum setback from the property line enforced. The setbacks are dictated by the limits of disturbance and 10 foot setback in the FCOZ.
- . In the Forestry and Recreation Zone there are no maximum lot coverage regulations enforced. These are, again, dictated through FCOZ but no maximum limit is established.
- . The maximum height enforced in the zone is 30-35 feet.



# Course of Action for Residential Development for Code Updates

1. Continue to implement FCOZ everywhere (small changes to standards may be discussed later).

2. Single-family development should be subject to different minimum and maximum standards than development related to recreational uses in the FR zone.

3. Establish maximum lot coverage in the FR zone. Staff Recommends 33% for buildings.

4. Establish a minimum setback in the FR zone that may not be encroached unless given special approval by the Planning Commission. This would be a separate option outlined in the FCOZ Chapter if the applicants want to request a reduction in setback. This is also partially implemented but could be expanded.

5. Adopt a dark sky ordinance that all development (including residential) would be subject to.

6. Minimum standards for detached accessory structures?

8. Incentives for adaptive reuse of existing cabins?

***What else does the Planning Commission want to consider for residential lot development?***