

CENTERVILLE PLANNING COMMISSION AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE PLANNING COMMISSION WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 PM ON March 26, 2014 AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

Meetings of the Planning Commission of Centerville City may be conducted via electronic means pursuant to Utah Code Ann. 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

Centerville City, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance, including hearing devices. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Blaine Lutz, Centerville Finance Director, at 295-3477, giving at least 24 hours notice prior to the meeting.

A notebook containing supporting materials for the business agenda items is available for public inspection and review at City Hall and will be available for review at the meeting . This Agenda is also posted on the City's website: and at <http://centervillepublic.novusagenda.com/> .

Tentative - The times shown below are tentative and are subject to change during the meeting.

Time:

7:00 **A. ROLL CALL**

B. PRAYER AND THOUGHT

Debra Randall

C. MINUTES REVIEW

Planning Commission Meeting March 12, 2014

D. COMMISSION BUSINESS

7:10 1. Public Hearing - Zone Map Amendment (Rezone) - 1984 North 400 West & 2000 North 400 West

Consideration of a zone map amendment (rezone) for parcels located at 1984 North 400 West (07-072-0114) and 2000 North 400 West (07-072-0115), from A-L (agricultural-low) to R-L (residential-low)

7:30 2. Public Hearing - Zoning Text Amendment, Building Street Frontage in SMSC

Consideration of amending various proposed zoning ordinance text amendments regarding building street frontage (corner lots) and landscaping buffer requirements, in the South Main Street Corridor (SMSC) Zone (Section 12-48-150 and Table 12-48-30)

7:50 3. Discussion - Accessory Dwelling Units (ADU's)

Discuss with Commissioners directive from the City Council regarding accessory dwelling units

8:10 4. Community Development Director' Report

Next Planning Commission Meeting scheduled April 9, 2014. Items to be considered are: Bamberger Office Building Final Site Plan; The Pasture Final Site Plan Amended

E. ADJOURNMENT

CENTERVILLE CITY COUNCIL

Staff Backup Report 3/26/2014

Item No.

Short Title: Planning Commission Meeting March 12, 2014

Initiated By: Community Development

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ▢ [03-12-2014 Planning Commission Minutes](#)

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, March 12, 2014

7:00 p.m.

A quorum being present at Centerville City Hall, 250 North Main Street, Centerville, Utah. The meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.

MEMBERS PRESENT

Gina Hirst

Logan Johnson

Scott Kjar

Kevin Merrill, Vice Chair

Debra Randall

MEMBERS ABSENT

Brian Holman

David Hirschi, Chair

STAFF PRESENT

Corvin Snyder, Community Development Director

Brandon Toponce, Assistant Planner

Lisa Romney, City Attorney

Kathy Streadbeck, Recording Secretary

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER

Commissioner Johnson

MINUTES REVIEW AND APPROVAL

The minutes of the Planning Commission meeting held February 26, 2014 were reviewed and amended. Commissioner Kjar made a **motion** to approve the minutes as amended. The motion was seconded by Commissioner Johnson and passed by unanimous vote (5-0).

PUBLIC HEARING | TEXT AMENDMENT, FENCES & WALLS, SETBACKS, R-M ZONE
Consideration of various proposed Zoning Ordinance Code Text Amendments regarding fences and walls, and corner lot setbacks in the R-M (residential-medium) Zone (Section 12-12-040, 12-55-110 and Table 12-32-1). Bruce and Nancy Smith, Applicants.

Brandon Toponce, Assistant Planner, reported this application has come about as part of an enforcement action. The applicants are seeking an amendment to the R-M Zone setbacks in

1 order to allow an existing fence to stay in place on their property. Mr. Toponce explained the
2 proposed changes to the zoning code as listed in the staff report dated March 12, 2014.

3
4 Cory Snyder, Community Development Director, reported the current language regarding
5 setbacks for fences and walls on a corner lot is unclear and requires interpretation each time this
6 type of application is filed. Mr. Snyder explained corner lots are currently considered to have
7 two (2) front yard setbacks, meaning a fence/wall must comply with front yard setbacks on both
8 frontages. However, the main building setback requirement for a corner lot allows a lesser
9 setback on the street side-yard. Therefore, a fence/wall on a corner lot is required to be further
10 back than the main building on the street side-yard. The proposed text amendment would change
11 the setbacks for a fence/wall to meet those of the main building, i.e., one (1) front yard setback
12 and one (1) street side-yard setback. A new definition for street side-yard is also included in the
13 proposed amendments. The proposed changes would keep both the main building and the
14 fence/wall at the same setback distance. In addition, the proposed amendments diminish the
15 setback in the R-M Zone from 20 feet to 18 feet. The applicant has an existing fence at the 18-
16 foot setback, changing this standard will bring their fence into compliance. Staff is accepting of
17 the proposed text amendments for corner lots in the R-M Zone.

18
19 Commission members questioned the change from 20 feet to 18 feet. Several asked if a
20 lesser setback in only one of the residential zones is strange. It was questioned whether the
21 setback should be diminished for all residential zones, i.e., the R-L and the R-H Zones also.

22
23 Mr. Snyder said all setbacks are gradual with respect to the intensity of a zone. He
24 explained the suburban pattern encourages an open space feel along frontages. The Commission
25 must decide if the proposed 2-foot difference adversely affects the look and feel of the R-M
26 Zone. He explained the 18-foot setback has been used throughout the city in some PDO Zones
27 where all setbacks are generally reduced. He also explained that 18 feet is the length of a
28 standard parking stall. This distance will allow cars to be parked on a lot without hindering the
29 public right-of-way. Mr. Snyder said staff has only researched the R-M Zone with respect to the
30 proposed application. If the Commission wishes to change the setback for all Residential Zones
31 then additional research, application, and public noticing would be necessary.

32
33 Commissioner Hirst questioned if the proposed 18-foot setback would affect any public
34 utility easements. Commissioner Kjar questioned if a variance would be a better option for this
35 applicant.

36
37 Mr. Snyder said most public utilities are located within the 10-foot public utility
38 easement; any utilities beyond that would be a unique situation. Lisa Romney, City Attorney,
39 said, according to State law, this particular situation is not eligible for a variance.

1 Nancy Smith, applicant, said the proposed application is specific to their situation. They
2 did not consider changing other zone setbacks. However, she is not opposed if the Commission
3 chose to change all residential zones to 18 feet. She said 18 feet is not uncommon as it is used in
4 many PDO developments.

5
6 Vice Chair Merrill opened the public hearing.

7
8 Jacob Smith, resident, said he lives in an R-M Zone and he is aware of one home that
9 would be affected by this change.

10
11 Vice Chair Merrill closed the public hearing.

12
13 Mr. Snyder said there are approximately 52 smaller lots in the R-M Zone. Staff is not
14 aware of each properties unique circumstances, but does not feel the 2-foot difference would be
15 significant.

16
17 Commissioner Randall agreed the 2-foot difference does not seem extravagant. She said
18 if this is the typical length of a parking stall, it seems a reasonable request. Commissioner Kjar
19 said corner lots are often tricky and he is comfortable allowing this flexibility.

20
21 Commissioner Randall made a **motion** for the Planning Commission to recommend
22 approval to the City Council for various Code Text Amendments to the Zoning Ordinance in
23 relation to the following sections:

24
25 Chapter 12-12 Definitions

26
27 **(amended)** Lot, Corner: A lot or parcel abutting two intersecting or intercepting streets
28 where the interior angle of intersection or interception does not exceed one hundred thirty-five
29 (135) degrees. Corner lots shall have one (1) front yard; one (1) street side yard; one (1) side
30 yard; and one (1) rear yard.

31
32 **(new)** Yard, Street Side: A space extending across the width of a lot or parcel between
33 the street side building line and the property line found on a corner lot facing the street. All
34 corner lots must have one front yard and one street side yard. The depth of the street side yard is
35 the minimum distance required by this Title between the street side lot line and the street side
36 building line.

37

Table 12-32-1 (*amended*)

Development Standards	Zones		
	R-L	R-M	R-H
Setback Standards – Street Side Yard			
Main Building	20	18	20
Main Building on corner lot abutting side yard of another lot or parcel	20	18	20
Accessory Building	Not Permitted	Not Permitted	Not Permitted

Section 12-55-110. Fences and Walls (*amended*)

(b) Fences in Front Yard and Street Side Yard. No fence or wall or other similar structure exceeding forty-eight (48) inches in height shall be erected within a front yard and a street side yard.

Reasons for Action (findings):

- a. The application was found to be complete for a review by the Planning Commission and approval by the City Council [Section 12-21-080(d)].
- b. The proposed text amendment meets the factors to be considered for an amendment found in Section 12-21-080(e) of the Zoning Ordinance.
- c. The change was found to be consistent with the General Plan [Section 12-420-2.1.2].
- d. A setback of 18 feet is consistent to parking requirements to allow for a vehicle to be parked in a driveway [Section 12-52-090(a)(1)].
- e. There will not be any significant impacts to the surrounding community in relation to this amendment [Section 12-21080(e)(3)].

The motion was seconded by Commissioner Hirst and passed by unanimous roll-call vote (5-0).

COMMUNITY PARK EXPANSION | 1250 North 800 West | FINAL SITE PLAN
Consideration of a final site plan for property being used for the expansion of the Centerville Community Park; which consists of additional sports fields and parking, located at approximately 1250 North 800 West in the PF-L Zone. Bruce Cox, Centerville City, Applicant.

Cory Snyder, Community Development Director, reported the applicant is ready for final site plan approval for the Community Park expansion project. The proposed expansion will include soccer fields, parking, utilities, and amenities. The applicant proposes to complete this

project in phases. The majority of the site will be completed during the first phase. The amenities: lighting, pavilion, restrooms, and playground will be installed as funds become available in the future. The applicant will be required to seek additional approvals as these amenities are added to the site. The applicant has submitted a landscape plan as required. The applicant has also conducted a parking study and plans to install 50 parking stalls per field for a total of 300 stalls. Staff is accepting of both the landscape plan and the parking proposal. In addition, the City Engineer has reviewed and approved the proposed drainage plan.

Kevin Campbell, applicant, reviewed the drainage/detention plan. He reviewed the flow patterns in and around the area explaining the proposed fields are a low spot for the city and that the fields have been designed with excess detention.

Commissioner Kjar made a **motion** for the Planning Commission to approve the final site plan for the City Community Park Expansion to be located approximately at 1250 North 800 West, with the following conditions:

Conditions:

1. The development of the property shall be subject to the layout and design as submitted and reviewed by the Commission on March 12, 2014, subject to any future allowed amendments as defined in City ordinances.
2. Any future installation of additional lighting for the sports fields shall be subject to approval of an amended site plan, as defined or allowed by City ordinances.

Reasons for Action (findings):

- a. The Planning Commission finds that the final site plan submittal sufficiently addressed the directives given at the conceptual site plan acceptance.
- b. The Planning Commission finds the final site plan submittal with the above conditions being addressed, that the proposed development has satisfied the applicable general Development Standards [Chapters 12-43, 12-51, 12-52] of the Zoning Ordinance.

The motion was seconded by Commissioner Randall and passed by unanimous roll-call vote (5-0).

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

1. The next Planning Commission meeting will be Wednesday, March 26, 2014.

Upcoming Agenda Items

- Bamberger Office Building, Final Site Plan
- Howard Turner (2000 North 400 West), Rezone

The meeting was adjourned at 8:00 p.m.

Kevin Merrill, Vice Chair

Date Approved

Kathleen Streadbeck, Recording Secretary

CENTERVILLE CITY COUNCIL

Staff Backup Report 3/26/2014

Item No. 1.

Short Title: Public Hearing - Zone Map Amendment (Rezone) - 1984 North 400 West & 2000 North 400 West

Initiated By: Howard A. Turner & Spencer Packer, Petitioners/Applicants

Scheduled Time: 7:10

SUBJECT

Consideration of a zone map amendment (rezone) for parcels located at 1984 North 400 West (07-072-0114) and 2000 North 400 West (07-072-0115), from A-L (agricultural-low) to R-L (residential-low)

RECOMMENDATION

See Staff Report

BACKGROUND

See Staff Report

ATTACHMENTS:

Description

- ❏ [03-26-2014 PC Staff Report Turner Rezone](#)
- ❏ [03-26-2014 Turner Backup Material](#)

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 1**

PETITIONERS: **HOWARD A. TURNER
2025 NORTH 95 WEST
CENTERVILLE, UT 84014**

**SPENCER PACKER
1259 WEST 75 NORTH
CENTERVILLE, UT 84014
(hichief@msn.com)**

PROPERTY OWNER(s): **HOWARD A. TURNER
2025 NORTH 95 WEST
CENTERVILLE, UT 84014**

**TIFFANY E. & LANCE TEMPTEST
1984 NORTH 400 WEST
CENTERVILLE, UT 84075
(lance.tempest@gmail.com)**

PROPERTIES: **PARCEL 07-072-0114 (0.35 ACRES)
PARCEL 07-072-0115 (0.50 ACRES)**

LAND USES: **SINGLE FAMILY HOME & VACANT**

APPLICATION: **ZONING MAP AMENDMENT REQUEST TO REZONE
FROM AGRICULTURAL-LOW (A-L) TO
RESIDENTIAL-LOW (R-L)**

RECOMMENDATION: **APPROVE THE REQUEST FOR REZONE**

BACKGROUND

In the past, the subject parcels were divided and subsequently sold to other parties (*apparently a few times*) without proper approval from Centerville City. Thus, City Ordinances only recognize the existence of one parcel (.85 ac) with only one residential development right. Additionally, one of the divided properties (.35 ac) has already exercised this right with the construction of a single family home.

Another party now desires to purchase the vacant divided lot (.50 ac) and construct another residential structure. Consequently, in order to develop a second dwelling, the original lot needs to be properly subdivided and install the required infrastructure in order to establish another dwelling. Due to the original size of these divided tracts (.85 acres), there is not a sufficient amount of land area to meet the minimum lot size requirement of ½ acre for the Agricultural-Low (A-L) Zone. If the R-L were approved, the lot size requirement reduces to four (4) units per acre and hence there would be sufficient opportunity to subdivide the land into two lots. Additionally, the existing dwelling, which is currently situated on an illegal undersize lot (.35 where .50 is required by the A-L Zone), would then become a conforming lot size within the R-L Zone.

REVIEW AND ANALYSIS OF THE REQUEST FOR R-L ZONING

Factors to be Considered

The deciding entity must consider four (4) factors when making a recommendation and a final decision for a zone map amendment. These required factors are found in Section 12-21-080(e) of Centerville City's Zoning Ordinance. Staff's review and conclusions for these factors are provided below:

1. **Is the proposed amendment consistent with the goals, objectives and policies of the City's General Plan?** The parcels are located within Neighborhood 4, Northwest Centerville [12-480-5];
 - [Plan Statement] ***"Issue: Future land uses and transitions between different land uses"***
 - **Goal** – *"Establish appropriate land-use patterns and land use transitions"*
 - **Policy** – *"Only compatible land uses shall be located adjacent to each other, as outlined in the Land-Use Hierarchy Standards section of this Ordinance."*
 - **Staff's Conclusion** – Low (i.e. less than 4 units/ac) to medium (i.e. 4-8 units/ac) are deemed compatible transitions (see Land Use Hierarchy Standards of the Neighborhood Plan). Therefore, the request from A-L to R-L is consistent with the Neighborhood Plan.
 - [Plan Statement] ***"Issue – Semi-rural areas (i.e. north of Jennings Lane); such areas do not qualify as true rural residential, which typically consist of 5 acres per dwelling. Historical planning practices show that [1/2 to 1 acre] is too small."***
 - **Goal** – *"Preserve existing areas of semi-rural residential for current property owners"*
 - **Policy** – *"Amend zone text to create overlay or other designation establishing a boundary for area to be preserved as semi-residential."*
 - **Staff's Conclusion** – A semi-rural overlay has not been applied to the area being reviewed and no such overlay has been enacted, not even in the 2003 Zoning Code Update for the entire City. The preservation of semi-rural was intended to preserve agricultural uses on parcels larger

than one-acre lots. The preservation was also limited to current property owners (*assuming then some owners were interested*) and was not intended to limit future development of the entire neighborhood. Thus, staff believes that leaving the property in an A-L Zone, which allows ½ acre lots, is not consistent with this semi-rural idea.

➤ [Plan Statement] **“Residential Densities/Development.”**

- **Statement** – “The maximum density allowed on residential property is as follows...”
 - [listed directive] – “The base density for all of Centerville will be a maximum of 4 units/acre” (additional density is allowed in relation to the distance to specified services).
- **Staff’s Conclusion** – The request for R-L, which allows up to 4 units per gross acre, is consistent with the base density stated by the Plan.

2. Is the proposed amendment harmonious with the overall character of existing development in the vicinity of the subject property?

- **Staff Response:** The area is primarily developed with single-family dwelling lots (*some larger some smaller*), particularly all around the *super-block* that the parcels are a part of. Interior to this super-block is an island of under-utilized agricultural space. Staff believes that the rezone and likely subsequent subdivision into two lots would be consistent and typical with the development pattern of this super-block area.

3. What is the extent to which the proposed amendment may adversely affect adjacent property?

- **Staff’s Response:** To repeat, the subject parcels were divided and subsequently sold to other parties (*apparently a few times*) without proper approval from Centerville City. Right now, the properties are in an illegal development status and if the situation is not rezoned, it will likely have a direct effect on the current and future usability of these properties. This in turn then possibly affects the monetary value and assessments related to the land. If so, then it could negatively affect the surrounding values and assessments. The mitigation of such negative consequences is one of the primary justifications for adopting subdivision and zoning regulations.

4. What is the adequacy of facilities and services intended to serve the subject property?

- **Staff Response:** The area is already developed with numerous homes and all related utility services are readily available to support the R-L Zone request.

PLANNING STAFF RECOMMENDATION

Suggested Motion for an amendment to the Centerville City Zoning Map – I hereby make a motion for the Planning Commission to recommend to the City Council the following amendment to the Centerville City Zoning Map:

Rezone the following parcels from Agricultural-Low (A-L) to Residential-Low (R-L):

a. PARCEL 07-072-0114 (0.35 ACRES)

b. PARCEL 07-072-0115 (0.50 ACRES)

Suggested Reasons for the Action (Findings):

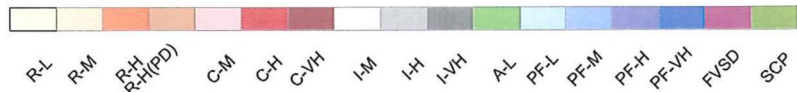
1. The Planning Commission finds that the proposed rezone meets the criteria found in Section 12-21-080(e) of the Zoning Ordinance.
2. The Planning Commission finds that the rezone request is consistent with the goals of the General Plan found in Section 12-480-5, as reviewed in the Planning Staff Report.
3. The Planning Commission finds that the subject parcels were divided and subsequently sold to other parties (*apparently a few times*) without proper approval from Centerville City.
4. The Planning Commission finds that City Ordinances only recognize the existence of one parcel (.85 ac) with only one residential development right.
5. The Planning Commission finds that another party desires to purchase the vacant divided lot (.50 ac) and construct another residential structure.
6. The Planning Commission finds that in order to develop a second dwelling, the original lot needs to be properly subdivided and install the required infrastructure to establish another house.
7. The Planning Commission finds that due to the original size of these divided tracts (.85 acres), there is not sufficient amount land area to meet the minimum lot size requirement of ½ acre for the Agricultural-Low (A-L) Zone.
8. The Planning Commission finds that if the R-L were approved, the lot size requirement reduces to four (4) units per acre and hence there would be sufficient opportunity to subdivide the land into two lots.
9. The Planning Commission finds that, upon a future subdivision approval, the parcel with the existing dwelling, which is currently situated on an illegal undersize lot (.35 where .50 is required by the A-L Zone), would then become a conforming lot size within the R-L Zone.

CENTERVILLE, UTAH

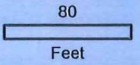
ZONING MAP

Adopted: December 2, 2003
Zoning Last Revised: 4/2/13

ZONE DISTRICTS



Print Date: 3/6/2014



CENTERVILLE CITY COUNCIL

Staff Backup Report 3/26/2014

Item No. 2.

Short Title: Public Hearing - Zoning Text Amendment, Building Street Frontage in SMSC

Initiated By: Planning Staff, Centerville City

Scheduled Time: 7:30

SUBJECT

Consideration of amending various proposed zoning ordinance text amendments regarding building street frontage (corner lots) and landscaping buffer requirements, in the South Main Street Corridor (SMSC) Zone (Section 12-48-150 and Table 12-48-30)

RECOMMENDATION

See Staff Report

BACKGROUND

See Staff Report

ATTACHMENTS:

Description

- ▯ [03-26-2014 PC Staff Report Code Text Amend., building street frontage SMSC](#)

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 2**

APPLICANT: CENTERVILLE CITY

APPLICATION: ZONING CODE TEXT AMENDMENT

**APPLICANT REQUEST: AMEND SECTION 12-48-150 - BUILDING FRONTAGE
REQUIREMENTS ON CORNER LOTS AND TABLE 12-48-3
- LANDSCAPING BUFFER REQUIREMENTS**

**RECOMMENDATION: RECOMMEND APPROVAL FOR THE ZONING CODE
TEXT AMENDMENT REGARDING SECTION 12-48-150, TO
REMOVE THE REFERENCE OF BUILDING FRONTAGE
PERCENTAGE ON CORNER LOTS NOT FACING MAIN
STREET; AND TO AMEND TABLE 12-48-3 IN RELATION
TO BUFFERING LANDSCAPING**

BACKGROUND

Recently, Mr. Dean applied for conceptual site plan acceptance for a new office building to be constructed at 190 South Main Street. As staff reviewed the plans, it became evident that the proposed configuration of the building did not meet the current standards for development on a corner lot within the South Main Street Corridor (SMSC) District. According to Table 12-48-3, it indicates that a building frontage along Main Street should cover at least 75% of the lot width. In addition, Section 12-48-150(c)2.(B), states that the street frontage for a corner lot is for both the front and side streets. With this Ordinance reference, it would require Mr. Dean to construct a building that has 75% street frontage along Main Street and Bamberger Way. However, this would not be feasible, since the Zoning Ordinance also requires a total number of parking stalls and a total percentage of landscaping. With such small lots along Main Street, this prohibits any type of development to occur on corner lots.

In addition to the building frontage issue, staff also believed that Table 12-48-3 was inconsistent and prohibited maximum development for smaller lots along Main Street. The current requirement that addresses landscaping buffer requirements may be confusing to the public, with different buffering standards based on specific districts, zoning and development. In Mr. Dean's case, the required buffer would be 15 feet. This would push into the parking lot area, possibly eliminating stalls and hinder the size and performance of the building. Staff proposes that the Ordinance be consistent with the entire length of Main Street concerning buffer landscaping.

Staff has recommended the City sponsor these amendments to the Ordinance to clarify and allow for the best use of space and development for the Main Street Corridor Area.

PROPOSED AMENDMENTS

The following is staff's proposed modifications to Chapter 12-48, South Main Street Corridor (SMSC) Zone:

SECTION 12-48-150(c)2.(B)

The street frontage for corner lots shall ~~be for both the front and side streets~~ apply to that portion of the building facing Main Street only.

TABLE 12-48-3

TABLE 12-48-3 – Landscaping Modifications		
Land Use Type	SMSC Districts	
	City Center	All Others
Buffer Landscaping for Mixed-Use Projects Only (all others per 12-51)	8 Feet for "M" Zones 15 Feet for "H" and "VH" Zones	10 8 Feet for "M" Zones 20 15 Feet for "H" and "VH" Zones

ZONE TEXT AMENDMENT APPROVAL STANDARDS SECTION 12-21-080(e)

General Plan

Within Section 12-480-7-1D of the General plan, it states that one of the objectives for the South Main Street Corridor (SMSC) is to encourage greater intensity of land use in appropriate areas. Staff believes the proposed changes help to encourage more intense development along Main Street by allowing the building to maximize the site, yet still allow for parking and landscaping requirements. The General Plan further states in Section 12-480-7-4B, that the setbacks should be generally consistent throughout the districts. With the modification to the landscaping buffer, this has brought more consistency to the general setbacks for the buffer area in each district.

Therefore, staff believes the modifications are consistent with the goals and objectives of the General Plan, specifically Section 12-480-7, South Main Street Corridor-Wide Vision.

Harmonious to existing property

The first proposed change is a clarification that allows for corner lots to have the same developable advantages as other lots. This modification would allow each lot with corners to stay in harmony with their surroundings. The second proposed amendment, dealing with landscape buffer setbacks, is providing consistency to what is already approved in specific districts. The majority of lots on Main Street are zoned low and medium intensity with some high intensity to the north and south edge of the corridor zone. Therefore, it did not make sense to call out very-high zones, and it was not clear, nor consistent, that only mixed use would have an 8-foot buffer. Staff believes these proposed changes will be harmonious with the existing properties found on Main Street.

Adverse Affects

In the creation of the South Main Street Corridor (SMSC), staff believes many adverse affects were already addressed, and that the proposed changes do not create any additional negative impacts. One may be concerned with the reduction in the buffer size, yet developers would still be required to adhere to screening and planting standards found in Chapter 12-51, to ensure the new use does not impact the existing lots adjacent to a proposed project. Finally, without amending the building frontage percentages, staff believes the existing requirements would have had negative impacts on the development of all corner lots.

Adequacy of Facilities

As in all cases, it is the responsibility of property owners prior to developing their land to address adequate facilities, easements and all known utility lines.

PLANNING STAFF RECOMMENDATIONS**Zone Text Amendment – Staff Suggested Motion:**

PROPOSED ACTION: I hereby make a motion for the Planning Commission to recommend approval to the City Council for the following Code Text Amendments to the Zoning Ordinance:

SECTION 12-48-150(c)2.(B)

The street frontage for corner lots shall apply to that portion of the building facing Main Street only.

TABLE 12-48-3

TABLE 12-48-3 – Landscaping Modifications		
Land Use Type	SMSC Districts	
	City Center	All Others
Buffer Landscaping	8 Feet for “M” Zones 15 Feet for “H” Zones	8 Feet for “M” Zones 15 Feet for “H” Zones

SUGGESTED REASONS FOR THE ACTION:

- The proposed text amendment meets the factors to be considered for an amendment found in Section 12-21-080(e) of the Zoning Ordinance.
- The change was found to be consistent with the General Plan [Section 12-480-7-1D, 12-480-7-4B].
- There will not be any significant impacts to the surrounding community in relation to this amendment [Section 12-21080(e)(3)].

CENTERVILLE CITY COUNCIL

Staff Backup Report 3/26/2014

Item No. 3.

Short Title: Discussion - Accessory Dwelling Units (ADU's)

Initiated By: Community Development

Scheduled Time: 7:50

SUBJECT

Discuss with Commissioners directive from the City Council regarding accessory dwelling units

RECOMMENDATION

See memo

BACKGROUND

See memo

ATTACHMENTS:

Description

- 📎 [Accessory Dwelling Units - City Council Directive Memo](#)
- 📎 [ADU's Summary Brief](#)

Memorandum

To: Centerville City Planning Commission
From: Corvin M. Snyder AICP, Community Development Director
Date: 3/20/2014
Re: Accessory Dwelling Units – City Council Directive

As some of the Commission Members may remember, last year both the Commission and the City Council received a presentation regarding Accessory Dwelling Units (ADU's). This subject has been a long standing and mostly unaddressed land use planning idea since my initial employment with the City. The potential allowance of ADU's resurfaced during the most recent update of the Moderate Income Housing Element of the City's General Plan. Since, then the idea has been selected as one of the major planning work goals to focus on this past year.

As a result, last year's presentation was the first step taken to begin considering if ADU's ought to be allowed in some manner within Centerville City. Please see attachments to learn or be reminded about what was discussed in the earlier presentations.

The City Council has now directed the Planning Commission to initiate and manage the education, discussion, and public outreach to consider allowing ADU's as an option for providing housing options within the City. Thus, staff has scheduled discussion time for this meeting for the Commission to brainstorm how such education and public discussions should be performed.

Staff does not believe it is necessary to establish any type of sub-committee to address this topic. We believe that using the tools such as the website, newsletters, and other mailers would be adequate to get the message out. Then the Commission could use the regular Commission Meetings to hold a few discussions and present information for the public to consider. Afterwards, if there is an interest, the staff could draft a copy of a model ordinance and then hold a couple of meetings to evaluate a potential ordinance. Finally, the Commission could then proceed with the formal process and public hearings and forward a Commission recommendation to the City Council.



ADU's Summary Brief

♦ ACCESSORY DWELLING UNIT ♦

Accessory Dwelling Units (ADU's)

Accessory Dwelling Units (ADU's) is an additional, self-contained housing unit that is secondary to the main residence. ADU's are sometimes referred to as "mother-in-law" apartments or "granny flats," since their origins were to provide space for extended family members.

ADU's can take many forms such as attachments or additions to the main home, use of basement areas, a second-story over an detached garage, or separate backyard building.

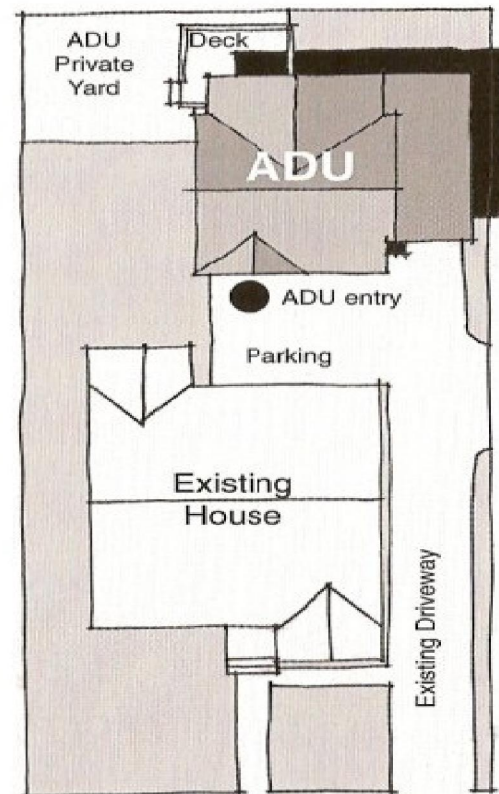
Purpose of ADU's

The intent or use of ADU's is often to provide places for the elderly to be taken care of by family members, places for newly married or return of adult children, or even perhaps to supplement a mortgage payment. ADU's are typically used in single-family areas when the following conditions exist:

- Excess space within the primary dwelling or above a garage exists that can be conveniently converted into living quarters.
- An under-utilized or odd lot exists and further division of land is not feasible or is prohibited.
- The housing stock is located near a college or educational institution.
- A shortage and/or demand for affordable housing exists in a particular area.

Typical ADU Regulations

- Ownership and occupancy restrictions
- Maximum dwelling sizes
- Setback modifications



- Maximum lot area coverage
- Parking space and location requirements
- Building orientation standards
- Building exterior standards

Potential Drawbacks of ADU's

- Establishing acceptable densities
- ADU's building compatibility and aesthetics
- Excessive parking of vehicles
- Introduction of excessive rental properties within a stable neighborhood.
- ADU's construction costs & fees
- Zoning Enforcement problems



Considering ADU's

♦ ACCESSORY DWELLING UNIT ♦

Why Consider Allowing ADU's

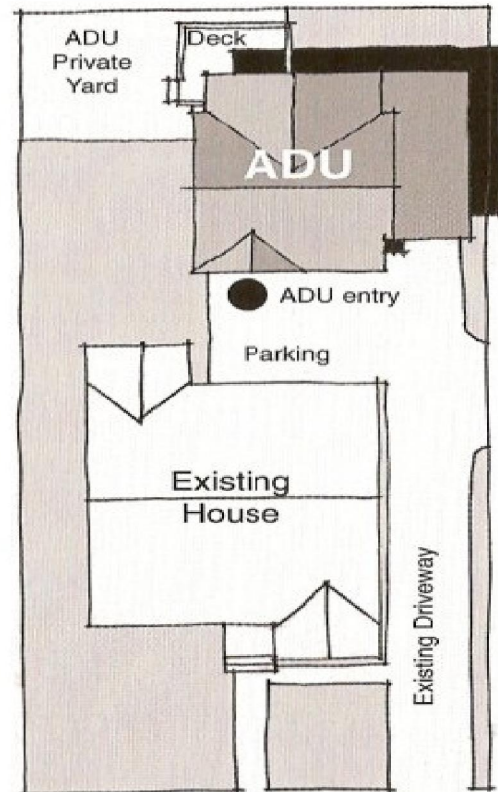
- Provide opportunities for people moving through life's stages to be able to live and/or grow up in the same community.
- Increase opportunities for redevelopment to reduce the demand for new extensions of utility lines and services.
- Encourage the development of sustainable and/or walkable neighborhoods, where employment, goods, and services can be obtained with less driving distances.
- Encourage opportunities for establishing a variety of housing types in keeping with the income ranges of more families.

Who Typically Chooses to Build ADU's

- Older Singles/Couples
- Younger Singles/Couples
- Middle-aged Empty Nesters
- Single Person Households
- People that Travel Often/Extended Periods

Who Benefits From ADU's

- *Home Owners* — creating a "home based" supplemental income
- *Aging Persons* — ability to prolong their normal living arrangements
- *Local Businesses* — provides a larger client base to provide needed services
- *Local Contractors* — provides opportunities to construct significant home improvements
- *Lending Institutions* — provides a base for home improvement loans
- *Real Estate Firms* — potentially provides slightly higher priced housing resale stock



Utah Counties/Cities Currently Allowing ADU's*

- | | |
|------------------|------------------|
| • Orem City | • Centerfield |
| • Draper City | • Salt Lake City |
| • Lindon City | • Grand County |
| • Sandy City | • Summit County |
| • Mapleton City | • Toole County |
| • Eagle Mountain | • Weber County |
| • Murray City | |
| • Alpine City | |
| • Bountiful City | |
| • West Point | |
| • Provo City | |
| • Payson City | |
| • Taylorsville | |

* As found using internet search engines



Types Guide to ADU's

♦ ACCESSORY DWELLING UNIT ♦

Types of ADU's

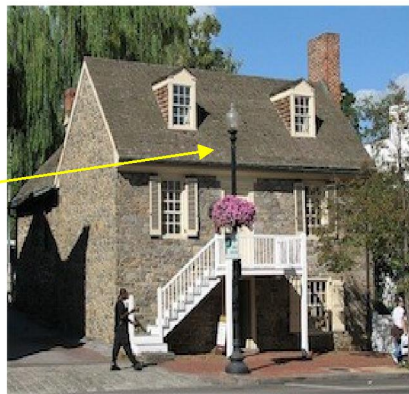
There are five (5) main types of ADU's.

These types are:

- Dwelling created in a portion of an existing single family (e.g. basements, attics)
- Dwelling created as a dedicated addition to an existing single family home
- Dwelling created as a free-standing accessory building (e.g. guest house, or cottage)
- Dwelling created from by converting the garage into livable space
- Dwelling purposely designed into the layout of new construction.

Existing Home Renovation – (example)

Location of
ADU



ADU Guest House/Cottage — (example)

Location of
ADU



Garage Conversion – (example)

Location of
ADU



Dedicated ADU Additions — (example)

Location of
ADU



Integrated New Construction — (example)

Location of
ADU



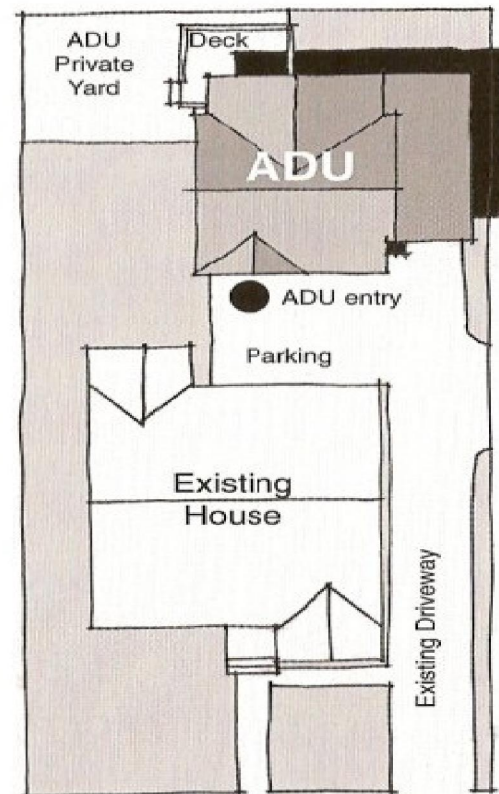


Typical Regulations for ADU's

♦ ACCESSORY DWELLING UNIT ♦

Requirements for Allowing ADU's

- Owner occupancy (at least 6 months) of either the home or the ADU. Owner is defined as a person with at least 50% or greater interest in the property
- Owner must sign a owner-occupancy covenant in order to construct or use an ADU
- Occupancy limit for unrelated persons for both units
- Limit one (1) ADU within single family zones
- Limitation of ADU unit sizes (minimums/maximums) based on lot sizes of a residential zone.
- Detached ADU setback/height restrictions
- Entry Door Orientations for ADU's
- Providing for additional parking stalls
- Minimum pervious surface requirements for entire property.
- Building & safety regulations for sleeping areas, kitchens, etc. for the use of ADU's



Ordinance Enforcement for ADU's

- Receiving some type of official City approval for construction and use of ADU's
- Recordation of ADU covenants for the property.
- Establishing procedures for the sale or transfer of ownership for properties containing ADU's
- Removal of select features (e.g. kitchen) within ADU's, if no longer desired or abandoned.
- Establishing legalizing procedures for existing illegally developed ADU's or their

removal

- Requirements for submittal, approval, and permit issuance to establish ADU's

Ordinance Exceptions For ADU's

- Waiver of parking requirements based on location in relation to mass transit, goods & services, historic preservation, etc.
- Temporary Owner Absence Allowance due to job dislocation, sabbatical leave, educational pursuits, illness, etc.
- Encouraging affordability through exemptions or reductions of approval fees, building permit fees, and/or impact fees.



Additional Information about ADU's

♦ ACCESSORY DWELLING UNIT ♦

State & Local Planning Policies

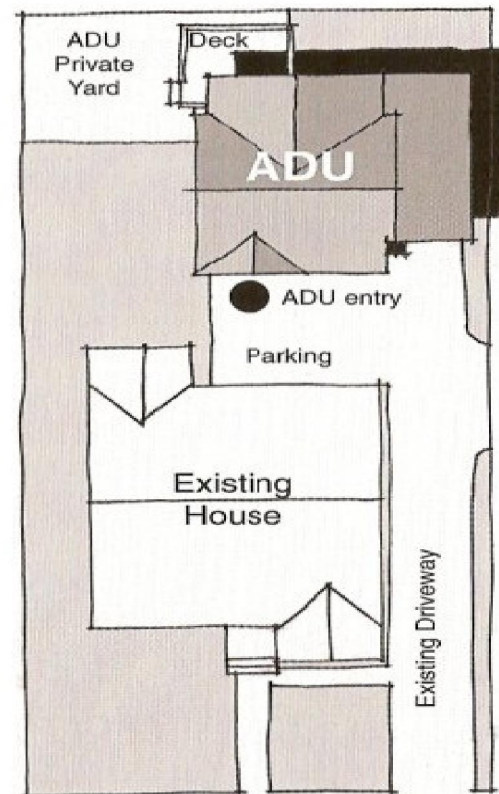
- UCA 10-9a-403, “in drafting the moderate income housing element [cities] shall consider the Legislature’s determination that cities shall facilitate a reasonable opportunity for a variety of housing types
- Centerville City General Plan, Moderate Income Housing, See Strategy 6-D.4

Planning Toolkits About ADU's

- Urban Planning Tools for Quality Growth, Chapter 2, Page 36, an Envision Utah Publication (www.envisionutah.org/Urban%20Planning%20Tools%20for%20QG_ch2_1.pdf)
- Getting to Smart Growth, 100 Policies for Implementation, Chapter 3, Section 3, a ICMA Smart Growth Publication (www.smartgrowth.org/pdf/gettosg.pdf)
- Smart Growth/Smart Energy Toolkit, Accessory Dwelling Units (www.mass.gov/envir/smart_growth_toolkit/pages/mod-adu.html)

ADU Publications & Studies

- Accessory Dwelling Units: Case Study, by the US. Department of Housing and Urban Development (<http://www.huduser.org/portal/publications/adu.pdf>)
- Granny Flats Add Flexibility and Affordability, Better Cities & Towns (<http://bettercities.net/article/granny-flats-add-flexibility-and-affordability>)
- Missouri Gerontology Institute, Accessory Apartments (<http://extension.missouri.edu/publications/DisplayPub.aspx?P=GG14>)



Local Newspaper Articles

- Salt Lake Tribune, Mother-in-law apartments back in fashion?, 03-10-2013
- Daily Herald, Poll—Should Utah valley cities allow accessory apartments?, 02-10-2013
- Ezine @rticles, Orem Utah Accessory Apartment 2012 Update, Denise C. Martin, 07-18-2012
- Daily Herald, Pleasant Grove says no to accessory apartments, Laura Giles, 04-20-2010
- Deseret News, Check zoning laws on building apartment in family’s house, 05-09-1993

CENTERVILLE CITY COUNCIL

Staff Backup Report 3/26/2014

Item No. 4.

Short Title: Community Development Director' Report

Initiated By: Community Development

Scheduled Time: 8:10

SUBJECT

Next Planning Commission Meeting scheduled April 9, 2014. Items to be considered are:
Bamberger Office Building Final Site Plan; The Pasture Final Site Plan Amended

RECOMMENDATION

BACKGROUND