

ATTN: MARSHA

CENTERVILLE CITY PLANNING COMMISSION AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY PLANNING COMMISSION WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 P.M. ON WEDNESDAY, JUNE 10, 2015, 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 City Council 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 801-295-3477, 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: www.centervilleut.net and on NovusAgenda at the following link: <http://centerville.novusagenda.com/agendapublic>

Tentative Time: (The times shown below are tentative and are subject to change during the meeting)

- 7:00** **A. WELCOME AND ROLL CALL**
B. PLEDGE OF ALLEGIANCE
C. PRAYER OR THOUGHT – Vice-Chair Kevin Merrill
D. MINUTES REVIEW AND ACCEPTANCE – May 27, 2015
E. COMMISSION BUSINESS
- 7:10** **1. PUBLIC HEARING | ZONING CODE TEXT AMENDMENT, CHAPTER 12-36-
TABLE OF USES ALLOWED**
Consider proposed Zoning Code Text Amendment for Chapter 12-36-Table of Uses Allowed, to allow flag lots in the R-M (Residential-Medium) Zone. Todd Huffaker, Liahona One, LLC, Applicant
- 7:30** **2. PUBLIC HEARING | ZONING CODE TEXT AMENDMENTS, SOUTH MAIN
STREET CORRIDOR OVERLAY ORDINANCE AND SECTION 12-41-040-
MINIMUM AREA OF ZONE**
Consider proposed Zoning Code Text Amendments as follows:
1. Amending various Zoning Code Text Amendments in the South Main Street Corridor Overlay Ordinance; including placing density cap for the City Center and Traditional Main Street Districts
2. Amending Section 12-41-040-Minimum Area of Zone, reducing or eliminating minimum area requirements
Centerville City Council, Applicant
- 7:55** **3. PUBLIC COMMENT | SOUTH MAIN STREET CORRIDOR (SMSC) PLAN /
OVERLAY ZONE**
Receive public comments about the South Main Street Corridor (SMSC) Plan and related Zoning Ordinance (Overlay Zone)

8:55

4. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

a. Upcoming Meetings

- *PC Meeting June 24, 2015: Ron Schultz Lot Split 590 East 200 South, Porter Lane Townhomes Conceptual Site Plan and CUP,*

9:00

F. **ADJOURNMENT**

Posted June 5, 2015 by Community Development



PRELIMINARY DRAFT

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, May 27, 2015

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

Cheylynn Hayman
David Hirschi, Chair
Gina Hirst
William Ince
Logan Johnson
Scott Kjar

MEMBERS ABSENT

Kevin Merrill

STAFF PRESENT

Corvin Snyder, Community Development Director
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 May 13, 2015 were reviewed and amended. Chair Hirschi made a **motion** to approve the minutes as amended. The motion was seconded by Commissioner Kjar and passed by unanimous vote (6-0).

TRAINING FOR COMMISSIONERS | LEGISLATIVE & ADMINISTRATIVE DECISIONS - Planning Commission training regarding types of applications that come before the Planning Commission and the distinction between legislative and administrative decisions.

Lisa Romney, City Attorney, used this time to train the Commission on different types of applications that come before the Planning Commission. She reviewed the difference between legislative and administrative decisions explaining the process of approval and appeal for each

1 type of application and decision. She also explained standards of review; arbitrary, capricious or
2 illegal; reasonably debatable standards; and public clamor and how each applies to legislative
3 and administrative decisions. She reviewed State Law and Case Law explaining how the
4 Planning Commission plays a role in both kinds of decisions and how the Commission's
5 decisions may or may not affect City Council decisions. She also explained how each decision
6 requires findings and to what sources the Commission would look for those findings.

7
8 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

- 9
10 1. The next Planning Commission meeting will be Wednesday, June 10, 2015.
11 2. Upcoming Agenda Items
12 • Code Text Amendment, Main Street Density Cap, Lot Types & PDO Acreage
13 • Code Text Amendment, Allow Flag Lots in R-M Zone
14 • Conditional Use Permit, Skinner Produce Stand
15 • Public Comment (1-hour), South Main Street Corridor Zone
16

17
18 The meeting was adjourned at 8:40 p.m.
19
20

21 _____
22 David Hirschi, Chair

_____ Date Approved

23
24
25 _____
26 Kathleen Streadbeck, Recording Secretary

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

**STAFF REPORT
AGENDA: ITEM 1**

**APPLICANT: TODD HUFFAKER
577 NORTH 100 EAST
CENTERVILLE, UT 84014**

**AGENT: JEFF COOK
COOK BUILDERS
PO BOX 684
CENTERVILLE, UT 84014
jeff@cookbuilder.com**

APPLICATION: ZONING CODE TEXT AMENDMENT

**REQUEST: AMEND CHAPTER 12-36-TABLE OF USES ALLOWED,
ALLOW FLAG LOTS IN THE RESIDENTIAL-MEDIUM (R-M)
ZONE**

RECOMMENDATION: RECOMMEND APPROVAL TO THE CITY COUNCIL

BACKGROUND

On March 27, 2015, Jeff Cook came before the Planning Commission to request the conceptual acceptance of a duplex on behalf of Todd Huffaker. This duplex was proposed on the west portion of the Huffaker Dental property in an unused landscaped area. The Planning Commission accepted the conceptual site plan with several conditions of approval. The applicant desires to divide the property into two lots, one remaining commercial for the dental office and the other being amended to Residential-Medium (R-M). However, the commercial lot still needs to maintain a driveway and parking lot area, while the new residential lot has sufficient access. In order to accomplish both requirements, the residential lot would need to become a flag lot. Current zoning only allows a flag lot to be located within Residential-Low (R-L) zoning. Therefore, the applicant is requesting Chapter 12-36 - Table of Uses Allowed, be amended to accommodate flag lots within the Residential-Medium Zones.

EXISTING ORDINANCE

Residential Uses	A-L	R-L	R-M	R-H	C-M	C-H	C-VH	I-M	I-H
Flag Lot Subdivision Development	N	P	N	N	N	N	N	N	N

PROPOSED ORDINANCE

Residential Uses	A-L	R-L	R-M	R-H	C-M	C-H	C-VH	I-M	I-H
Flag Lot Subdivision Development	N	P	P	N	N	N	N	N	N

The proposed change would allow flag lots within the Residential-Medium (R-M) Zone and would still require all flag lots to follow the criteria found in Section 15-5-102(10) of the Subdivision Ordinance.

REVIEW OF SECTION 15-5-102(10), FLAG LOT DEVELOPMENT

The applicant does not wish to alter this section and all flag lots within the R-M Zone would be required to meet the provisions of this section. For a reminder of the criteria, the following summary has been added:

Configuration

- Permitted within an applicable Zoning District
- Minimum Lot Area: 10,800 square feet
- Buildable Area: 2,000 square feet
- Street Frontage: 25 feet
- Stem Pole Minimum Depth: 80 Feet
- Layout: No more than two flag lots. Multiple flag lots must have a separation of 160 feet

Yard Area

- All buildings placed in the flag portion of the lot
- Setbacks from the main building to the property line on all sides: 16 feet
- Accessory building from the property line: 3 feet
- Maximum depth of main building: 400 Feet

Stem/Pole Use and Maintenance

- Driveway must be 20' of unobstructed width, with 10 feet being in hard surface
- Two flag lots may share a stem with a recorded agreement with the combined total of both lots being 21,780 square feet
- Proper addressing must be placed for all lots on the public right-of-way

Other Services

- Adequate utilities
- Applicable fire protection
- Proper storm water drainage

TEXT AMENDMENT REVIEW AND ANALYSIS SECTION 12-21-080(e) 1-4

1. Is the proposed amendment consistent with the goals, objectives and policies of the City's General Plan?

➤ **Staff Response:** Within Section 12-420-3(2) of the General Plan it states "The City shall assure an adequate supply of housing for future population through

identification of optimum locations for housing development and provision of City services as required". Staff believes that in order to achieve optimum location for residential uses, a wide range of allowances for housing types and locations must be addressed. This was the very intent of why the Flag Lot Ordinance was created. Therefore, by allowing flag lots within the R-M Zone it is adding yet another component to identifying optimal locations for development.

Further support within the General Plan is found within Section 12-490(6-D), Moderate Income Housing. This section encourages the City to look at the built environment and develop un-utilized portions of the property for housing. This may be accomplished by allowing more flexible lot standards with additional design standards. This section further states that one way to accomplish this goal is by supporting the limited use of flag lot development. As with the previous paragraph, the General Plan once again is supportive of the use of flag lots on utilized properties.

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

- **Staff Response:** Staff believes the proposed amendment is helping to develop un-utilized properties that may not have otherwise been buildable. In addition, some locations throughout the City are not harmonious to a single-family dwelling because of location or surrounding development. Yet, perhaps these lots would be more suited to a duplex or a set of town homes. All proposed flag lots within existing R-M Zones, or future R-M Zones, would be reviewed by the Planning Commission for compliance to all applicable City codes. Each lot would also be reviewed as part of the small subdivision waiver to ensure overall harmony with the surrounding development.

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

- **Staff Response:** Through previous flag lot approvals, the Ordinance has proven to be successful in addressing all possible negative impacts to the community. If a property is already zoned R-M, they are allowed to utilize their property as allowed within the Table of Uses, Chapter 12-36 and 12-32, Residential Zones. If a property owner wishes to rezone the property to R-M, they must still go through the rezone process; and follow the intent of the General Plan for that specific area. In addition, if the applicant is looking to develop multiple family dwellings, they would have added requirements concerning parking, landscaping and open space. If a proposal does not meet the parameters set forth in the Zoning Ordinance and the Subdivision Ordinance, the development would not be allowed.

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

- **Staff's Response:** Each proposed flag lot regardless of zoning district, is required to address the adequacy of facilities as part of the small subdivision waiver. The review process would also look at proper drainage and the negative impacts that may occur with additional run off and hard surfacing.

PLANNING STAFF RECOMMENDATION

Suggested Motion for amendments to the Centerville City Zoning Ordinance in regard to Chapter 12-36, Table of Uses Allowed – I hereby make a motion for the Planning Commission to recommend to the City Council, the amendments to Chapter 12-36, Table of Uses Allowed, as follows:

Residential Uses	A-L	A-M	R-L	R-M	R-H	All PF Zones	C-M	C-H	C-VH	I-M	I-H
Flag Lot Subdivision Development	N	N	P	P	N	N	N	N	N	N	N

Suggested Reasons for the Action (Findings):

1. The change is consistent to the General Plan, Section 12-420-3(2), identifying optimum locations for residential development and Section 12-490(6-D), which supports flag lots on un-utilized properties.
2. Under review by the Planning Commission, a property owner would be allowed to maximize the use of their property.
3. All flag lots within an R-M Zone would be required to adhere to all applicable guidelines found in Chapter 12-36, and 12-32 of the Zoning Ordinance and Sections 15-5-102(9) and 15-2-107 of the Subdivision Ordinance.
4. Through previous approvals, the Flag Lot Ordinance has been proven efficient in developing un-utilized land and addressing negative impacts on surrounding properties.
5. It does not appear that amending the Ordinance will have a significant negative impact on the community.

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

**STAFF REPORT
AGENDA: ITEM 2**

**APPLICANT: CENTERVILLE CITY COUNCIL
C/O PAUL CUTLER, MAYOR
250 NORTH MAIN STREET
CENTERVILLE, UTAH 84014**

APPLICATION: ZONING CODE TEXT AMENDMENTS

**APPLICANT REQUEST: AMEND CENTERVILLE CITY ZONING ORDINANCES, AS
FOLLOWS:**

- *RESIDENTIAL-MEDIUM DENSITY CAP IN THE SMSC
OVERLAY ZONE FOR THE CITY CENTER &
TRADITIONAL MAIN STREET DISTRICTS*
- *REDUCE THE MINIMUM ACREAGE FOR PLANNED
DEVELOPMENT OVERLAYS (PDO)*

**RECOMMENDATION: CONSIDER RECOMMENDING APPROVAL OF THE
ZONING CODE TEXT AMENDMENTS**

BACKGROUND

Recently, the City Council adopted a "Temporary Zoning Regulation Ordinance" (TZRO) restricting any further development within the South Main Street Corridor Zone. As a result of the public's concerns that have been expressed over the recent submittal of re-developing the O'Brien/Pitt properties, the Council desires to revisit the merits of the current Plan. Additionally, in the meantime, the Council initiated the process for amending/adding the following Zoning Text Amendments:

- *Consider a residential density cap (i.e. Residential-Medium or maximum 8 dwellings per acre) for the City Center and Traditional Main Street Districts of the South Main Street Corridor Zone.*
- *Consider reducing/eliminating the five (5) acre minimum parcel size for the Planned Development Overlay Zone (PDO).*

ZONE TEXT AMENDMENT #1 – RESIDENTIAL-MEDIUM DENSITY MAXIMUM CAP

Factors to be Considered

The deciding entity must consider three (3) factors when making a recommendation and a final decision for a zone text 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?**
 - ✓ **Policy Section 12-480-2.2.b.1, Neighborhood 1, Southeast Centerville** – “The Main Street Commercial Area shall be allowed to remain as a convenience and specialty shopping area. To encourage larger scale commercial development would be detrimental...”
 - ✓ **Policy Section 12-480-2.2.b.2, Neighborhood 1, Southeast Centerville** – “The Main Street Commercial Area is old and somewhat deteriorating. Significant commercial viability is not likely to occur unless some type of restoration or revitalization is encouraged. Centerville City should seriously consider the preparation of a revitalization plan for this area.” [*RESPONSE EFFORTS = 2007 MAIN STREET STUDY, 2008 SMSC PLAN*]
 - ✓ **Residential Policy** – Section 12-420-1 “...the citizens of Centerville desire to achieve a quality of life that is consistent with the development of low density residential.”
 - **Section 12-420-2.2, Residential Development Policies** – “...medium or high density that is allowed in appropriate locations within the City...”
 - ✓ **Strategy 6.A of the Moderate Income Housing Element** – The City is to continue its “support of allowing mixed-use zoning and related development in strategic areas of the City.”
 - ✓ **Objective 6.A.3 of the Moderate Income Housing Element** – The City is to “remain committed to land use policies that support developing other future mixed-use or flexible use development areas.”
 - ✓ **Goal 1.C, South Main Street Corridor Plan (a corridor-wide view)** – “Encourage additional single-family and multi-family residential lands uses, by way of mixed-use development...”
 - ✓ **Goal 7, Traditional and City Center Main Street Districts, SMSC Plan (goal explanation)** – “The goal is primarily to create a central commercial district along Main Street...”

Staff's Conclusion – From review of the General Plan policies, it is staff's position that the City Center & Traditional Main Street Districts are primarily a commercial area (*see C-M Zoning District boundaries*). Thus, these areas are not considered “residential.” However, the SMSC Plan does allow for residential uses to be considered in this particular commercial area. Additionally, both the Moderate Income Housing and SMSC Plans desire that such residential uses be encouraged through mixed-use development and/or through use of medium and high densities.

2. **Is the proposed amendment harmonious with the overall character of existing development in the vicinity of the subject property, and**
3. **What is the extent to which the proposed amendment may adversely affect adjacent property?**

Staff's Conclusion: The text amendment would affect the areas of the City Center and Traditional Main Street Districts of SMSC Overlay Zone. Staff believes that the use of medium residential densities as part of a mixed-use would facilitate the desires of the SMSC Plan and provide a definable maximum cap that is not currently in the related Ordinances of these districts. Such a maximum cap helps to bring greater clarity to SMSC Plan for the developers, City staff, elected officials, and for the property owners and residents of the immediate area.

ZONE TEXT AMENDMENT #2 - REDUCING/ELIMINATING THE FIVE (5) ACRE MINIMUM PARCEL SIZE

Factors to be Considered

The deciding entity must consider three (3) factors when making a recommendation and a final decision for a zone text 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?**

Staff's Conclusion: There are no specific General Plan policies related to expectation to minimums or maximums for Planned Overlay Developments. The concept of setting a minimum is related to providing enough land area for allowing flexible development patterns to establish open areas and amenities to improve the design and layout of parcels to accomplish some of the following examples:

- Clustering for hillside slopes or creating useable common open space
- Combining egress/ingress points and allowing for cross circulation
- Provision of common area and related development features
- Using bonus densities to improve landscaping layout and/or building architectural design

- 2. Is the proposed amendment harmonious with the overall character of existing development in the vicinity of the subject property, and**
- 3. What is the extent to which the proposed amendment may adversely affect adjacent property?**

Staff's Conclusion: The five (5) acre minimum is a common minimum size for establishing a planned development overlay regulation. Staff believes it is more appropriate to reduce the five (5) acre minimum size rather than eliminate it. Again, when parcels become too small, it is much more difficult to create needed buffers to surrounding properties or to internally create the desired common spaces and related amenities to improve a development beyond the traditional zoning regulations. Staff suggests that any reduction not be set below a three (3) acre minimum.

PLANNING STAFF RECOMMENDATION

Staff Suggested Action #1, Residential-Medium Density Cap - I hereby make a motion for the Planning Commission to **RECOMMEND APPROVAL** of a residential-medium cap, as follows:

1. *Amend the text of the SMSC Overlay Zone for the City Center and Traditional Main Street Districts to cap the allowable residential density at a maximum of eight (8) units per acre.*

Staff Suggested Reasons for Action #1:

- a. The Planning Commission finds that the SMSC Plan does allow for residential uses to be considered in this particular commercial area.
- b. The Planning Commission finds that both the Moderate Income Housing and SMSC Plans desire that such residential uses be encouraged through mixed-use development and/or through use of medium and high densities.
- c. The Planning Commission finds that the use of medium residential densities as part of a mixed-use would facilitate the desires of the SMSC Plan and provide a definable maximum cap that is not currently in the related Ordinances of these districts.
- d. The Planning Commission finds that a maximum cap helps to bring greater clarity to SMSC Plan for the developers, City staff, elected officials, and for the property owners and residents of the immediate area.

Staff Suggested Action #2, - Reducing/Eliminating the Five (5) Acre Minimum Parcel Size for PDO's- I hereby make a motion for the Planning Commission to **RECOMMEND APPROVAL** of a reduction in the minimum parcel size in a PDO, as follows:

1. *Amend the text of the Planned Development Overlay Zone to reduce the minimum parcel size to three (3) acres.*

Staff Suggested Reasons for Action #2:

- a. The Planning Commission finds there are no specific General Plan policies related to expectation to minimums or maximums for Planned Overlay Developments.
- b. The Planning Commission finds that the concept of setting a minimum is related to providing enough land area for allowing flexible development patterns to establish open areas and amenities to improve the design and layout of parcels.
- c. The Planning Commission finds that when parcels become too small, it is much more difficult to create needed buffers to surrounding properties or to internally create the desired common spaces and related amenities to improve a development beyond the traditional zoning regulations.