

Mapleton City Planning Commission Staff Report

Meeting Date: December 9, 2010

Applicant: Mapleton City
Prepared by: Cory Branch
Public Hearing Item: Yes

REQUEST

Mapleton City requests to amend Title 18, Development Code, Part III; Zoning, Chapter 18.32, RA-1 (Residential Agricultural) Zone, in order to allow greater flexibility to the minimum lot size requirement by allowing for the clustering of homes.

FINDINGS OF FACT:

1. Mapleton City is requesting this amendment in order to allow greater flexibility within the RA-1 zone as it relates to the minimum lot size requirement by allowing for the clustering of homes.
2. Attachment 1 includes the existing RA-1 zone text with the proposed amendments being underlined. (see Attachment 1 – Existing and proposed RA-1 zone text)

STAFF RECOMMENDATION:

Staff recommends approval of the proposed amendments to the RA-1 zone text.

ATTACHMENT:

1. Existing and proposed RA-1 zone text

Chapter 18.32

RA-1 RESIDENTIAL AGRICULTURAL ZONE, ONE DWELLING UNIT PER ACRE

18.32.010: PURPOSE AND OBJECTIVES:

The RA-1 zone is established to provide areas in which minor agricultural pursuits can be encouraged and supported within the municipality. The RA-1 zone is designed and intended to protect agricultural uses from encroachment of typical smaller lot development. Uses permitted in the RA-1 zone, in addition to residential and agricultural uses, must be incidental thereto and should not change the basic residential and agricultural character of the zone. Development within the RA-1 zone should be accomplished in an orderly and progressive manner, with no "leapfrog" encroachments of such uses or developments into the residential agricultural area.

18.32.020: PERMITTED USES:

The following uses shall be permitted in the RA-1 zone:

Agriculture (the science and art of farming; work of cultivating the soil, producing crops, and raising livestock).

Customary residential household pets as defined in section 18.08.345 of this title.

Home occupations, subject to the provisions of section 18.84.380 of this title.

Public utilities, drainage facilities, water wells and facilities; fences, walls, ornamental ponds; fences subject to section 18.84.130 of this title.

Single-family dwellings.

Temporary fruit and vegetable stands, for the sale of produce raised on the premises, that shall not exceed one hundred (100) square feet; and are maintained in an orderly manner.

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. This use subject to subsection 18.84.200B of this title (temporary building construction).

The raising, care and keeping of limited numbers of livestock and fowl, excluding swine, for family food production or recreation. Also barns, corrals, pens and coops and other structures for the care and keeping of domestic livestock and fowl, subject to the following:

A. The number of animals kept shall not exceed one animal unit for each twenty thousand (20,000) square feet of lot area.

B. No structure for the housing of livestock or fowl or corrals for the close confinement of livestock shall be located closer than one hundred feet (100') to an existing dwelling on an adjacent lot or fifty feet (50') to such a dwelling on the same lot.

18.32.030: PERMITTED ACCESSORY USES:

Accessory uses and structures are permitted in the RA-1 zone, provided they are incidental to the main residential dwelling unit, and do not substantially alter the character of the permitted principal use or structure. Such permitted accessory uses and structures include, but are not limited to, the following:

Accessory buildings such as barns, garages, carports, greenhouses, gardening sheds, recreation rooms, and similar structures which are customarily used in conjunction with and are incidental to a principal use or structure.

Swimming pools and incidental cabanas subject to any and all requirements of the international building code (IBC).

18.32.040: CONDITIONAL USES:

The uses listed below may be approved by issuance of a conditional use permit from the planning commission. Uses not specified herein as "permitted" or "conditional" shall be considered prohibited. The following is a list of possible conditional uses within the RA-1 zone:

Exotic pets. Sufficient evidence shall be provided that such pets will be prevented from causing damage to property of others; endangering the health, safety and welfare of other persons; or otherwise creating a public nuisance.

Places of worship, public schools, private parks and playgrounds, subject to section 18.84.320 of this title.

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 site plan in accordance with the provisions of section 18.84.320 of this title.

18.32.050: LOTS, BUILDINGS, YARDS, AND OPEN SPACES:

Each lot or parcel of property in the RA-1 zone shall meet all of the following requirements:

- A. Lot Size And Area Per Dwelling: The minimum lot size in the RA-1 zone shall be not less than one acre or forty three thousand five hundred sixty (43,560) square feet. Not more than one single-family dwelling may be placed upon a legally created lot or parcel of land in the RA-1 zone.
- B. Lot Width: Each lot or parcel of land in the RA-1 zone shall have a width of at least one hundred twenty five feet (125').
- C. Front Yard Requirements: No home shall have a front yard of less than thirty feet (30') measured from the front property line or the right of way to the foundation of the home.
- D. Rear Yard Requirements: No home shall have a rear yard of less than twenty five feet (25') measured from the rear property line to the foundation of the home.

DE. Side Yard: Each lot or parcel of land in the RA-1 zone shall have a side yard of not less than ten feet (10').

EF. Side Yard; Corner Lots: Lots having frontage contiguous to a street shall not be less than thirty feet (30') as measured for the front yard setback.

FG. Accessory Buildings: Accessory buildings may be located no closer than three feet (3') of a property line. Buildings with fire rated walls, built to the standards outlined in the international residential building code (IRC) may be placed up to the property line. However, in no case shall an accessory building exceed twelve feet (12') in height within ten feet (10') of the required setback area. All roof drainage shall be directed away from any adjacent property lines, and shall be drained to the property wherein the building is located. Accessory buildings shall not exceed thirty five feet (35') in height.

GH. 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 ordinance 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 not more than four feet (4'), and into a minimum side yard not more than 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.

HI. Building Height: No lot or parcel of land in the RA-1 zone shall have a building or structure used for dwelling or public assembly which exceeds a height of two (2) stories with a maximum of thirty feet (30') measured from the finished grade of the lot to the midpoint of the roof pitch. Measurement shall be taken on three (3) sides of the home. Finished grade shall be established thirty feet (30') away from the front of the home, or from top of the curb (if present) or the middle point of the street directly in front of the home. If the home is located further than thirty feet (30') from a city street, then the measurement shall be taken of the established grade ten feet (10') from the home.

IJ. Permissible Lot Coverage: All buildings, including accessory buildings and structures, shall cover not more than thirty five percent (35%) of the area of the lot or parcel of land.

18.32.055: CLUSTERING OF SINGLE FAMILY DETACHED DWELLINGS:

A. Purpose: The purpose of clustering within the RA-1 zone is meant to protect and preserve open space, encourage imaginative and efficient utilization of land, develop a sense of community, and to ensure compatibility with the surrounding neighborhoods and environment. Clustering also offers the developer some flexibility in addressing land

development issues. These provisions are intended to create more attractive and desirable environments within the residential areas of Mapleton City.

B. Overall Size Requirement: The minimum overall size requirement for any development utilizing clustering within the RA-1 zone shall be no less than fifty (50) acres.

C. Project Density: The maximum project density allowed for any development utilizing clustering shall be one (1) single family dwelling unit per acre, excluding street rights-of-way.

D. Lot Size Requirement: The minimum lot size requirement for any development utilizing clustering shall be no less than twenty one thousand (21,000) square feet. Not more than one single family dwelling may be placed upon a legally created lot or parcel of land in the RA-1 zone.

E. Designated Build Area/s:

1. Each lot within a development utilizing clustering shall contain a designated build area/s, meeting the following requirements:

a. The designated build area/s shall include an area with a slope of less than thirty percent (30%) as defined per Mapleton City Code section 18.08.055.

b. The minimum size of the designated build areas/s shall be no less than eleven thousand (11,000) square feet.

c. If a lot contains different zones the designated build area/s shall be located in the RA-1 zone portion of the lot.

d. The designated build areas/s shall meet all setbacks, as defined under section 18.32.050 of this chapter except that no designated build areas/s within a rear yard setback shall be located closer than fifty feet (50') from any adjoining zone.

e. The location of each designated build area/s shall be shown on the final plat, together with a notation to the effect that all dwellings, accessory buildings, and private roads shall be located within the designated build area/s.

F. Open Space: Within a development utilizing clustering any open space lots may be owned and maintained either privately or by a home owner's association.

18.32.060: PARKING AND DRIVEWAY REQUIREMENTS:

A. Each home located on a lot or parcel in the RA-1 zone shall have on the same lot or parcel two (2) off street enclosed parking spaces.

B. Each home shall also have a driveway that leads from a public street to the required enclosed parking spaces. Said driveway shall have a width of at least twelve feet (12') and be constructed with a hard surface material.