

Mapleton City Planning Commission Staff Report

Meeting Date: December 13, 2012

Item: 4

Applicant: Mapleton City

Prepared by: Sean Conroy, Community Development Director

Public Hearing Item: Yes

Zone: A-2, CE-1, RA-1, RA-2, R-1-B, R-2, & R-3

REQUEST

Consideration of an ordinance amending Mapleton City Municipal Code (MCC) Chapters 18.26, 18.28, 18.30, 18.32, 18.36, 18.44, 18.48 and 18.52 to clarify specific development regulations.

FINDINGS OF FACT:

1. Mapleton City Code (MCC) Title 18 establishes the zoning standards and for the City, which are designed to promote orderly growth and development.
2. MCC Chapter 18.26.010 indicates that Table 18.26.010 summarizes the regulations pertaining to width of lots, size of yards and open spaces, coverage, and the height and size of buildings for the various zoning districts throughout the City.
3. Table 18.26.010 has not been updated for several years and contains several inconsistencies with the requirements found in MCC Title 18. For example, the Table indicates that the maximum building height in the A-2 Zone is 35 ft., while the actual standard adopted in the MCC states that the maximum building height is 30 ft.
4. MCC Chapters 18.28.050 and 18.36.060 establish the setback requirements for the A-2 and RA-2 Zones but do not identify a rear yard setback requirement. However, the Table does contain rear yard setback requirements for these zones, which the City has relied upon in the past.
5. MCC Chapter 18.30.040 identifies the lot requirements (setbacks, height, etc.) for the CE-1 Zone but does not identify a lot coverage requirement. However, the Table does contain a lot coverage requirement for the CE-1 Zone, which the City has relied upon in the past.
6. Some Chapters of the MCC simply reference the Table rather than spelling out the specific development standards. For example, under the R-1-B Zone the MCC Chapter 18.44.010 states "*Requirements and restrictions pertaining to area and width of lot, the location of buildings and structures, the size of yards and open spaces, the height and size of buildings and the percentage of the lot that may be occupied shall be as set forth in table 18.26.010*" (emphasis added).
7. MCC Chapter 16.03.050.E authorizes the Planning Commission to make recommendations to the City Council regarding the adoption of zoning text amendments.

PROJECT DESCRIPTION AND STAFF ANALYSIS:

1. The proposed amendments to Title 18 include the following changes:
 - Eliminate all references to Table 18.26.010;
 - Insert the rear setback requirement from Table 18.26.010 into Title 18 for the A-2 and RA-2 Zones;
 - Insert the lot coverage requirement from Table 18.26.010 into Title 18 for the CE-1 Zone;
 - Insert the setback, lot coverage, height, lot size and frontage requirements from Table 18.26.010 into Title 18 for the R-1-B, R-2 and R-3 Zones.
 - Insert the TDR requirements from Table 18.26.010 into Title 18 for the A-2 and the RA-1 Zones.
2. The intent of the proposed amendments is to eliminate confusion that could be created by the inconsistencies between Table 18.26.010 and Title 18. No new regulations or development standards are being created.

3. The proposed amendments will ensure that the setback, lot coverage, height, lot size and frontage requirements for all zones are properly codified in Title 18.

STAFF RECCOMENDATION:

Recommend adoption of the proposed amendments to Title 18 (see attachment “1”) to the City Council.

ALTERNATIVE ACTIONS:

1. Do not recommend adoption of the proposed amendments.
2. Recommend adoption of the proposed amendments with changes.
3. Continue this item to a future meeting with a request for changes/additional information.

ATTACHMENTS:

1. Proposed Amendments.
2. Table 18.26.010.

ATTACHMENT "1"
DEVELOPMENT REQUIREMENTS CLEANUP ORDINANCE

*All changes shown in strikeout and underline

Chapter 18.26

LOTS, YARDS, AND OPEN SPACES; BUILDING HEIGHT AND SIZE
18.26.010: REQUIREMENTS DESIGNATED:

Requirements and regulations pertaining to area on width of lots, size of yards, and open spaces, percentage of lot that may be occupied, and the height and size of buildings shall be as set forth in the applicable chapter for that particular zone. ~~Table 18.26.010 summarizing these regulations shall be on file in the city. (Ord. 2004-13, 6-16-2004, eff. 7-13-2004)~~

Chapter 18.28

A-2 AGRICULTURAL-RESIDENTIAL ZONE, ONE DWELLING UNIT
PER TWO ACRES
18.28.050: LOTS, BUILDINGS, YARDS, AND OPEN SPACES:

Each lot or parcel of property in the A-2 zone shall meet all of the following requirements:

- A. Lot Size And Area Per Dwelling: The minimum lot size in the A-2 zone shall be not less than two (2) acres or eighty seven thousand one hundred twenty (87,120) square feet. Not more than one single-family dwelling may be placed upon a legally created lot or parcel of land in the A-2 zone. When part of a TDR receiving site, the minimum lot size shall not be less than one (1) acre or forty three thousand five hundred and sixty (43,560) square feet.
 - B. Lot Width: Each lot or parcel of land in the A-2 zone shall have a minimum width of at least two hundred feet (200'). When part of a TDR receiving site, each lot or parcel shall have a minimum width of one hundred and twenty five (125') feet.
 - C. Front Yard/Rear Yard Requirements: No home shall have a front yard setback of less than thirty feet (30') measured from the front property line or the right of way edge to the foundation of the home. No home shall have a rear yard setback of less than twenty five feet (25') from the rear property line.
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Chapter 18.30

CE-1 CRITICAL ENVIRONMENT ZONE
18.30.040: LOT REQUIREMENTS

G. Permissible Lot Coverage: All buildings, including accessory buildings and structures, shall cover not more than thirty percent (30%) of the lot.

Chapter 18.32

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

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. When part of a TDR receiving site, the minimum lot size shall not be less than one half (1/2) acre or twenty one thousand seven hundred and eighty (21,780) square feet.
 - 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'). When part of a TDR receiving site, each lot or parcel shall have a width of at least 100 feet.
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Chapter 18.36

RA-2 RESIDENTIAL-MINOR AGRICULTURAL ZONE

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

Each lot or parcel of property in the RA-2 zone shall meet all of the following requirements:

- A. Lot Size and Area Per Dwelling: The minimum lot size in the RA-2 zone shall be not less than fourteen thousand five hundred (14,500) square feet. Not more than one single-family dwelling may be placed upon a legally created lot or parcel of land in the RA-2 zone.
 - B. Lot Width: Each lot or parcel of land in the RA-2 zone shall have an average width of at least one hundred feet (100').
 - C. Front Yard/Rear 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. No home shall have a rear yard setback of less than twenty five feet (25') from the rear property line.
 - D. Side Yard: Each lot or parcel of land in the RA-2 zone shall have a side yard of not less than ten feet (10').
 - E. 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.
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Chapter 18.44

R-1-B RESIDENTIAL ZONE

18.44.010: APPLICABLE REGULATIONS:

Within the R-1-B zone, the height and number of stories, the size of buildings and other structures, the percentage of a lot that may be occupied, the size of yards, courts and other open spaces, the density of population, the location and use of buildings, structures and land are regulated and restricted as set forth in this chapter. ~~and table 18.26.010, section 18.26.010 of this title. (Ord. 2002-05, 3-20-2002)~~

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

~~Requirements and restrictions pertaining to area and width of lot, the location of buildings and structures, the size of yards and open spaces, the height and size of buildings and the percentage of the lot that may be occupied shall be as set forth in table 18.26.010, section 18.26.010 of this title. (Ord. 2002-05, 3-20-2002). Each lot or parcel of property in the R-1-B zone shall meet all of the following requirements:~~

- A. Lot Size and Area Per Dwelling: The minimum lot size in the R-1-B zone shall be not less than fourteen thousand five hundred (14,500) square feet. Not more than one single-family dwelling may be placed upon a legally created lot or parcel of land in the R-1-B zone.
 - B. Lot Width: Each lot or parcel of land in the R-1-B zone shall have an average width of at least eighty feet (80').
 - C. Front Yard/Rear 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. No home shall have a rear yard setback of less than twenty five feet (25') from the rear property line.
 - D. Side Yard: Each lot or parcel of land in the R-1-B zone shall have a side yard of not less than ten feet (10').
 - E. 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.
 - F. Building Height: No lot or parcel of land in the R-1-B 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, top of the curb (if present), or the middle point of the street directly in front of the home. If the home is located more than thirty feet (30') from a city street, then the measurement shall be taken off of the established grade ten feet (10') from the home. Finished grade shall be established two feet (2') above the top of the curb or sidewalk if present, otherwise, established grade will be the existing street in front of the lot or two feet (2') above the grade or whatever is less.
 - G. Permissible Lot Coverage: All buildings, including accessory buildings and structures, shall cover not more than thirty percent (30%) of the lot.
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Chapter 18.48 R-2 RESIDENTIAL ZONE

18.48.010: APPLICABLE REGULATIONS:

Within the R-2 zone, the height and number of stories, the size of buildings and other structures, the percentage of a lot that may be occupied, the size of yards, courts and other open spaces, the density of population, the location and use of buildings, structures and land are regulated and restricted as set forth in this chapter. ~~and table 18.26.010, section 18.26.010 of this title. (Ord. 2002-05, 3-20-2002)~~

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

~~Requirements and restrictions pertaining to area and width of lot, the location of buildings and structure, the size of yard and open spaces, the height and size of buildings and the percentage of the lot that may be occupied shall be as set forth in table 18.26.010, section 18.26.010 of this title. (Ord. 2002-05, 3-20-2002). Each lot or parcel of property in the R-2 zone shall meet all of the following requirements:~~

- A. Lot Size and Area Per Dwelling: The minimum lot size in the R-2 zone shall be not less than ten thousand (10,000) square feet. Not more than one single-family dwelling may be placed upon a legally created lot or parcel of land in the R-2 zone.
- B. Lot Width: Each lot or parcel of land in the R-2 zone shall have an average width of at least one hundred and twenty feet (120').
- C. Front Yard/Rear 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. No home shall have a rear yard setback of less than twenty five feet (25') from the rear property line.
- D. Side Yard: Each lot or parcel of land in the R-2 zone shall have a side yard of not less than ten feet (10').
- E. 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.
- F. Permissible Lot Coverage: All buildings, including accessory buildings and structures, shall cover not more than thirty percent (30%) of the lot.

Chapter 18.52 R-3 RESIDENTIAL ZONE

18.52.010: APPLICABLE REGULATIONS:

Within the R-3 zone, the height and number of stories, the size of buildings and other structures, the percentage of a lot that may be occupied, the size of yards, courts and other open spaces, the density of population, the location and use of buildings, structures and land are regulated and restricted as set forth in this chapter. ~~and table 18.26.010, section 18.26.010 of this title. (Ord. 2002-05, 3-20-2002)~~

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

~~Requirements and restrictions pertaining to area and width of lot, the location of buildings and structures, the size of yards and open spaces, the height and size of buildings and the percentage of the lot that may be occupied shall be as set forth in table 18.26.010, section 18.26.010 of this title. (Ord. 2002-05, 3-20-2002) Each lot or parcel of property in the R-3 zone shall meet all of the following requirements:~~

- A. Lot Size and Area Per Dwelling: The minimum lot size in the R-3 zone shall be not less than ten thousand (6,000) square feet. Not more than one single-family dwelling may be placed upon a legally created lot or parcel of land in the R-3 zone.
- B. Lot Width: Each lot or parcel of land in the R-3 zone shall have an average width of at least one hundred and thirty feet (130').
- C. Front Yard/Rear 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. No home shall have a rear yard setback of less than twenty five feet (25') from the rear property line.
- D. Side Yard: Each lot or parcel of land in the R-3 zone shall have a side yard of not less than ten feet (10').
- E. 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.
- F. Permissible Lot Coverage: All buildings, including accessory buildings and structures, shall cover not more than thirty percent (30%) of the lot.

Attachment "2"

18.26.010

18.26.010

TABLE 18.26.010
Exhibit A

Zone	Minimum Front Yard	Setback Rear Yard	Side Yard Interior Lot	Setback Corner Lot	Maximum Lot Coverage	Maximum Building Height	Minimum Lot Size Square Feet Or Acres	Minimum Lot Frontage	Special Provisions
A-2	30 feet	25 feet ¹	10 feet ¹	30 feet	30%	35 feet ⁴	2 acres	250 feet	See chapter 18.28 of this title
A-2 cluster	30 feet ¹⁷	25 feet ¹	10 feet ¹	30 feet	30%	35 feet ⁴	20,000	125 feet	See section 18.28.050 of this title
A-2 TDR-R	30 feet	25 feet ¹	10 feet ¹	30 feet	30%	35 feet ⁴	1 acre	125 feet	See chapter 18.76 of this title
CE-1	50 feet ¹⁰	50 feet ²	50 feet ²	50 feet	30%	35 feet ^{15,4}	3 or 20 acres ¹²	250 feet ⁹	See chapter 18.30 of this title
CE-1 cluster	50 feet ¹⁰	50 feet ²	15 feet ²	50 feet	30%	35 feet ^{15,4}	1 acre	-- ¹¹	See subsection 18.30.080G of this title
RA-1	30 feet ¹⁷	25 feet ¹	10 feet ¹	30 feet	30%	30 feet ⁴	1 acre	125 feet	See chapter 18.32 of this title
RA-1 cluster	30 feet ¹⁷	25 feet ¹	10 feet ¹	30 feet	30%	30 feet ⁴	14,500 or 1/3 acre	100 feet	See section 18.32.050 of this title

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Zone	Minimum Front Yard	Setback Rear Yard	Side Yard Interior Lot	Setback Corner Lot	Maximum Lot Coverage	Maximum Building Height	Minimum Lot Size Square Feet Or Acres	Minimum Lot Frontage	Special Provisions
RA-1 TDR-R	30 feet ¹⁷	25 feet ¹	10 feet ¹	30 feet	30%	-- ⁴	14,500 or 1/3 acre	100 feet	See chapter 18.76 of this title
RA-2	30 feet	25 feet	10 feet	30 feet	30%	30 feet ⁴	14,500 ³	100 feet	See chapter 18.36 of this title
R-1-B	30 feet	25 feet ¹	10 feet ¹	30 feet	30%	30 feet ⁴	14,500 or 1/3 acre	80 feet	See chapter 18.44 of this title
R-2	30 feet	25 feet ¹	-- ^{1.5}	30 feet	30%	30 feet ⁴	10,000 per unit	120 feet	See chapter 18.48 of this title
R-2 TDR-R	30 feet	25 feet ¹	-- ^{1.5}	30 feet	30%	30 feet ⁴	6,000 per unit	120 feet	See chapter 18.76 of this title
R-3	30 feet	25 feet ¹	-- ^{1.5}	30 feet	30%	30 feet ⁴	6,000 per unit	130 feet	See chapter 18.52 of this title
*PO-1	30 feet	25 feet ¹	10 feet ¹	30 feet	-- ^{1.5}	20 feet	1/2 acre ¹⁴	None	See chapter 18.54 ⁸ of this title
NC-1	30 feet	-- ^{1.15}	-- ^{1.5}	30 feet	None	35 feet ⁴	18,000	120 feet	See chapter 18.58 ⁸ of this title
CC-1	30 feet	-- ^{1.7}	10 feet ¹	30 feet	None	35 feet ⁴	None	None	See chapter 18.60 ⁸ of this title

18.26.010

18.26.010

Zone	Minimum Front Yard	Setback Rear Yard	Side Yard Interior Lot	Setback Corner Lot	Maximum Lot Coverage	Maximum Building Height	Minimum Lot Size Square Feet Or Acres	Minimum Lot Frontage	Special Provisions
GC-1	30 feet	--1' ⁷	10 feet ¹	30 feet	None	35 feet ⁴	None	None	See chapter 18.64 ⁸ of this title
I&M-1	30 feet	--1' ⁷	10 feet ¹	30 feet	None	35 feet ⁴	None	None	See chapter 18.72 ⁸ of this title

*For reference only.

1. Accessory buildings: same as main buildings except as permitted by section 18.26.020 of this chapter.
2. Accessory buildings shall be set back not less than 50 feet from the side or rear lot line. (See subsection 18.30.040C1b of this title.)
3. 14,500 square feet, except 20,000 square feet for each animal unit.
4. 35 feet maximum for both main and accessory buildings.
5. Main buildings: not less than 10 feet from either side lot line and the combined distance of the 2 side setbacks shall be not less than 20 feet. Accessory buildings: same as main buildings, except as permitted by section 18.26.020 of this chapter.
6. 300 feet for each shopping center. No requirements for individual buildings in each center.
7. 15 feet adjacent to a zone boundary line; otherwise no rear yard is required.
8. All storage of nonretail materials in the PO-1, NC-1, CC-1, GC-1 and I&M-1 zones shall be within enclosed buildings or behind a sight obscuring wall or fence, which material cannot be seen from streets.
9. All new buildings that are situated along a Bonneville bench ridge line shall be setback 250 feet from the crest of the Bonneville bench. (See subsection 18.30.040C1c of this title.)
10. 140 foot frontage, from the front setback line, when clustered.
11. Each lot shall contain at least one area of not less than 14,500 square feet that qualifies as a buildable area.
12. Side and rear shall be 10 feet on any boundary abutting a commercially zoned property and 30 feet on any boundary that abuts a residentially zoned property.

18.26.010

18.26.010

13. Not less than $\frac{1}{2}$ acre nor more than 2.5 acres.
14. The office structure shall contain not more than 10,000 square feet or 10 percent of the total lot area, whichever is less.
15. No building, roof or other appurtenant device shall encroach or visually intrude upon a ridge line area.
16. Each setback shall be varied by at least 5 feet for each home up to a setback of 55 feet. No home shall move back to the 30 foot setback until at least 3 homes are setback beyond the minimum setback. See subsection 18.28.050E of this title.
17. See chapter 18.30 of this title for exceptions.

(Ord. 2002-05, 3-20-2002)