

# Planning Commission Staff Report

August 11, 2016

## Item 3

**Applicant:** Mapleton City

**Location:** N/A

**Prepared by:** Sean Conroy,  
Community Development  
Director

**Public Hearing:** Yes

**Zone:** R-2, R-3

**Attachments:**

1. Proposed ordinance amendments.

### REQUEST

Consideration of an ordinance amending Mapleton City Code Chapters 18.48 and 18.52 amending the development standards for the Residential (R-2) and Residential (R-3) zoning districts.

### BACKGROUND AND PROJECT DESCRIPTION

The City has several residential zoning districts that dictate the development requirements for properties located in those zones. The R-2 and R-3 zones are meant to accommodate more compact and somewhat denser residential development and somewhat higher volumes of vehicular and pedestrian traffic than is characteristic of most of the other residential zones in the City. The R-2 and R-3 zones would likely be appropriate for areas classified as “High Density” in the General Plan, which is primarily west of Highway 89.

There has been an expectation that development in the areas with the general plan designation of high density residential would need to provide TDRs to obtain certain densities. However, the zoning ordinance does not specifically address how TDRs should work in the higher density areas. Also, while the R-2 and R-3 zones currently allow denser developments, the current standards in the code are insufficient to handle these types of projects.

Staff is proposing amendments to the R-2 and R-3 zones to address the TDR issue as well as to provide more guidance on how different types of lots should be developed (See changes shown in strikeout and underline in attachment “1”).

### EVALUATION

Below is a summary of the proposed amendments to the R-2 and R-3 zoning standards.

- Establishes a baseline density of 4 units per acre in both zones.
- Projects of 3 acres or more may utilize TDRs to increase density to between 5-7 units per acre in both the R-2 and R-3 zones (west of Highway 89). 1 TDR would be required for every 6 units in the project.
- Projects of 3 acres or more in the R-3 zone may utilize TDRs to increase density to between 8-12 units per acre with the use of TDRs. 1 TDR would be required for every 3 units in the project.
- Minimum lot size, width, and setback standards are identified for single-family detached, duplexes, twin homes, townhomes and apartments are identified.

- Some design criteria have been added that include:
  - Requirements for architectural diversity;
  - Requirement that parking for multi-family projects be located to the side or rear of buildings to avoid presenting parking lots to the public street;
  - Multi-family projects facing a street must include pedestrian entrances, accessible from the street and have sufficient window and door openings to provide attractive street facades; and
  - consistent use of materials.

## **RECOMMENDATION**

Recommend approval of the proposed ordinance to the City Council.

## Chapter 18.48 R-2 RESIDENTIAL ZONE

**18.48.010: APPLICABLE REGULATIONS:**

**18.48.020: GENERAL OBJECTIVES AND CHARACTERISTICS:**

**18.48.030: REGULATIONS GENERALLY:**

**18.48.040: PERMITTED USES:**

**18.48.041: CONDITIONAL USES:**

**18.48.042: DENSITY:**

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

**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. (Ord. 2013-03, 1-15-2013, eff. 2-7-2013)

**18.48.020: GENERAL OBJECTIVES AND CHARACTERISTICS:**

- A. The objective in establishing the R-2 residential zone is to provide a residential environment within the city which is characterized by a more compact and somewhat denser residential development and somewhat higher volume of vehicular and pedestrian traffic than is characteristic of one-family zones. Nevertheless, attractive lawns, shrubs and trees, and other landscape plantings about the houses and on the parking strip within the streets is also characteristic of this zone.
- B. Representative of the uses in this zone are single-family dwellings, duplexes, twin homes, nursing homes, public parks, playgrounds, schools, places of worship and other compatible uses. (Ord. 2002-05, 3-20-2002)

**18.48.030: REGULATIONS GENERALLY:**

In order to accomplish the objectives of this zone, the following regulations shall apply in the R-2 residential zone. (Ord. 2002-05, 3-20-2002)

**18.48.040: PERMITTED USES:**

A 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; subject to section [18.84.200](#) of this title (construction of temporary buildings).

Customary residential pets, except kennels.

Fences, walls and hedges; subject to section [18.84.100](#) of this title.

Gardening.

Home occupations, subject to the provisions of section [18.84.380](#) of this title.

Public schools, public libraries, public recreation buildings and similar public buildings and grounds; places of worship, but not including temporary revival tents or buildings; public utility buildings and structures, providing that no storage yard shall be maintained on the premises. All uses under this heading are subject to section [18.84.320](#), "Site Plan Review Process And Bonding", of this title.

Single-family dwellings, twin homes (~~2 attached units on 2 lots if subdivided into 2 lots in accordance with [title 17](#) of this code~~) and duplexes (2 units on 1 lot) - conventional construction and modular homes. Also residential accessory structures appurtenant thereto.

Temporary building or yard storage of construction materials and equipment incidental and necessary to construction of a housing development, utilities or other community facilities, provided such temporary building or yard is located on the same tract of land on which the houses, utilities or other community facilities are constructed. A permit therefor shall be issued only to the contractor or builder and shall be valid for not more than one year, at the expiration of which time the same building or storage yard shall be removed from the premises and the use discontinued; subject to section [18.84.200](#) of this title (construction of temporary buildings). (Ord. 2002-05, 3-20-2002; amd. Ord. 2007-11, 5-15-2007)

#### **18.48.041: CONDITIONAL USES:**

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

#### **18.48.042: DENSITY**

A. Without Transferable Development Rights (TDRs): The maximum allowed density for projects not utilizing TDRs is four (4) units per acre exclusive of right-of-way and/or other public dedications.

B. With Transferable Development Rights (TDRs): For project sites of three (3) acres or more and located west of Highway 89, the following density bonus can be achieved with the use of TDRs:

- 1) Projects may obtain densities of between five (5) units per acre and seven (7) units per acre with the submittal of one (1) TDR certificate for every six (6) units in the project. When this calculation results in a fraction of a TDR, a full TDR shall be required.

By way of example, a project proposing eighteen (18) units on three (3) acres would have a density of six (6) units per acre. This would require one (1) TDR for every six (6) units, or three (3) TDRs.

**18.48.050: LOTS, BUILDINGS, YARDS, DESIGN STANDARDS, AND OPEN SPACES:**

A. The minimum lot size for projects east of Highway 89 is ten thousand (10,000) square feet with eighty (80) feet of width on a public street.

B. The following minimum lot size and width requirements apply in the R-2 zone for project east of Highway 89:

<b>Lot type</b>	<b>Minimum Lot Size</b>	<b>Minimum Width</b>
Single Family Detached	6,000 square feet	50 feet
Duplex (1 lot, 2 units)	8,000 square feet	60 feet
Twin Home (2 attached units)	5,000 square feet per unit	50 feet per unit

C. The following minimum setbacks apply for projects east of Highway 89:

<b>Lot Type</b>	<b>Front</b>	<b>Interior Side</b>	<b>Corner Side</b>	<b>Rear</b>
All	30 feet	10 feet	30 feet	25 feet

D. The following minimum setbacks apply for projects east of Highway 89:

<b>Lot Type</b>	<b>Front</b>	<b>Interior Side</b>	<b>Corner Side</b>	<b>Rear</b>
Single Family Detached (east of Hwy 89)	30 feet	10 feet	30 feet	25 feet
Single Family Detached (west of Hwy 89)	20 feet	8 feet	20 feet	20 feet
Duplex	20 feet	8 feet	20 feet	20 feet
Twin Home (2 attached units)	20 feet	0	20 feet	20 feet

E. 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 ordinances 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.

5. Cantilevered elements such as bay windows or other pop-outs that are eight (8) feet or less in length may encroach into a minimum side and/or rear yard no more than two (2) feet.

6. A deck may encroach no more than eight feet into a rear yard.

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 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-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.~~

FF. Permissible Lot Coverage: All buildings, including accessory buildings and structures, shall cover not more than forty five ~~thirty~~ percent (~~30~~45%) of the lot. (Ord. 2013-03, 1-15-2013, eff. 2-7-2013)

GG. Building Height: No lot or parcel of land in the R-2 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 forty feet (40') as defined in section [18.08.170](#) of this title. (Ord. 2013-05, 6-18-2013, eff. 7-12-2013)

H. Accessory Buildings: See section [18.26.020](#) of this title.

I. Residential units shall have the following design standards:

1. A variety of architectural styles shall be required. No two (2) detached homes of the same exterior architectural design shall be situated next to, or across the street from, another.

2. For projects of ten (10) lots or more, the developer/builder shall provide Mapleton City with no less than five (5) different home designs with differing exterior elevations, rooflines, colors and materials. Exceptions shall be granted if the lots or pads are sold to individuals who will build custom homes. If the lots are purchased by one builder or multiple builders who have purchased a "block" of lots or pads, then these design standards shall apply.

# Chapter 18.52

## R-3 RESIDENTIAL ZONE

### 18.52.010: APPLICABLE REGULATIONS:

### 18.52.020: GENERAL OBJECTIVES AND CHARACTERISTICS:

### 18.52.030: REGULATIONS GENERALLY:

### 18.52.040: PERMITTED USES:

### 18.52.041: CONDITIONAL USES:

### 18.52.042: DENSITY:

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

#### **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. (Ord. 2013-03, 1-15-2013, eff. 2-7-2013)

#### **18.52.020: GENERAL OBJECTIVES AND CHARACTERISTICS:**

- A. The objective in establishing the R-3 residential zone is to provide a location within the city where multi-family dwellings can be located most appropriately. This zone is characterized by a variety of dwelling types having widely varying forms and shapes. Typical also of the R-3 residential zone is somewhat smaller lot widths, a greater movement of vehicular traffic, and a somewhat denser residential environment than is characteristic of the one-family or two-family zone. However, attractive lawns, shrubs, trees and other landscape plantings about the houses and on the parking strip within the streets are also characteristic of this zone.
- B. Representative of the uses in this zone are single family and multi-family ~~one-, two-, three- and four-family~~ dwellings, churches, public schools, parks and playgrounds. (Ord. 2002-05, 3-20-2002)

#### **18.52.030: REGULATIONS GENERALLY:**

In order to accomplish the objectives and purposes of this title and to promote the characteristics of this zone, the following regulations shall apply in the R-3 residential zone. (Ord. 2002-05, 3-20-2002)

#### **18.52.040: PERMITTED USES:**

The following uses shall be permitted in the R-3 residential zone:

A 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; subject to section [18.84.200](#) of this title (construction of temporary buildings).

Customary residential pets.

Fences, walls, and hedges; subject to section [18.84.100](#) of this title.

Gardening.

Home occupations, subject to the provisions of section [18.84.380](#) of this title.

Public schools, public libraries, public recreation buildings, and similar public buildings and grounds; places of worship, but not including temporary revival tents or buildings; public utility buildings and structures, providing that no storage yard shall be maintained on the premises. All uses under this heading are subject to section [18.84.320](#), "Site Plan Review Process And Bonding", of this title.

Single-family, twin homes (2 attached units on 2 lots), duplexes (2 attached units on 1 lot), townhomes (3 or more attached units, each on its own lot), and multi-family (apartments or condominiums) ~~two-family and multiple-family dwelling~~— conventional construction and modular homes. Also residential accessory structures appurtenant thereto. ~~All two-family and multiple-family dwellings subject to section [18.84.320](#) "Site Plan Review Process And Bonding", of this title.~~

Temporary building or yard storage of construction materials and equipment incidental and necessary to construction of a housing development, utilities or other community facilities, provided such temporary building or yard is located on the same tract of land on which the houses, utilities, or other community facilities are constructed. A permit therefor shall be issued only to the contractor or builder and shall be valid for not more than one year, at the expiration of which time the same building or storage yard shall be removed from the premises and the use discontinued; subject to section [18.84.200](#) of this title (construction of temporary buildings). (Ord. 2002-05, 3-20-2002)

#### **18.52.041: CONDITIONAL USES:**

Clubs, lodges and nonprofit recreational buildings, except those the chief activity of which is customarily carried on as a business.

Daycare facilities.

Mobile home parks after approval of the planning commission and city council.

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 the site plan in accordance with the provisions of section [18.84.320](#), "Site Plan Review Process And Bonding", of this title. (Ord. 2002-05, 3-20-2002)

**18.52.042: DENSITY**

A. Without Transferable Development Rights (TDR): The maximum allowed density for projects not utilizing TDRs is four (4) units per acre exclusive of right-of-way dedications.

B. With Transferable Development Rights (TDR): For project sites of three (3) acres or more, the following density bonuses can be achieved with the use of TDRs:

- 1) Projects may obtain densities of between five (5) units per acre and seven (7) units per acre with the submittal of one (1) TDR certificate for every six (6) units in the project. When this calculation results in a fraction of a TDR, a full TDR shall be required.
- 2) Projects may obtain densities of between eight (8) units per acre and (12) units per acre with the submittal of one (1) TDR certificate for every three (3) units. When this calculation results in a fraction of a TDR, a full TDR shall be required.

By way of example, a project proposing 27 units on three (3) acres would have a density of nine (9) units per acre. This would require one (1) TDR for every three (3) units, or nine (9) TDRs.

**18.52.050: LOTS, BUILDINGS, YARDS, DESIGN STANDARDS AND OPEN SPACES FOR NEW STRUCTURES SINGLE FAMILY DETACHED DWELLINGS:**

A. The following minimum lot size and width requirements apply in the R-3 zone:

<b>Lot type</b>	<b>Minimum Lot Size</b>	<b>Minimum Width</b>
Single Family Detached	5,000 square feet	50 feet
Duplex (1 lot, 2 units)	8,000 square feet	60 feet
Twin Home (2 attached units)	4,000 square feet per unit	40 feet per unit
Townhome (3 or more attached units)	2,000 square feet per unit	20 feet per unit
Multi-family (apartments/condominiums)	43,560 square feet	200 feet

B. The following minimum setbacks apply in the R-3 zone:

Lot type	Front	Interior Side	Corner Side	Rear
Single Family Detached	20 feet	8 feet	20 feet	20 feet
Duplex	20 feet	8 feet	20 feet	20 feet
Twin Home (2 attached units)	20 feet	0	20 feet	20 feet
Townhome (3 or more attached units)	10 feet	0	10 feet	20 feet
Multi-family	30 feet	30 feet	30 feet	30 feet

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 six 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 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-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.~~

~~FC. Permissible Lot Coverage: All buildings, including accessory buildings and structures, shall cover not more than fifty ~~thirty~~ percent (35%) of the lot.~~

~~GD. Building Height: No lot or parcel of land in the R-3 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 forty feet (40') as defined in section [18.08.170](#) of this title.~~

~~HE. Accessory Buildings: See section [18.26.020](#) of this title.~~

~~F. Parking shall be provided in accordance with section 18.84.270 of this title. For townhome, condo and/or apartment projects, parking shall not be located between a public street and the principal buildings.~~

G. Single family detached, duplexes and twinhomes shall have the following design standards:

1. A variety of architectural styles shall be required. No two (2) detached homes of the same exterior architectural design shall be situated next to, or across the street from, another.

2. For projects of ten (10) lots or more, the developer/builder shall provide Mapleton City with no less than five (5) different home designs with differing exterior elevations, rooflines, colors and materials. Exceptions shall be granted if the lots or pads are sold to individuals who will build custom homes. If the lots are purchased by one builder or multiple builders who have purchased a "block" of lots or pads, then these design standards shall apply.

3. Twin homes and duplexes shall be designed so that both units are architecturally compatible in forms and materials, and have the appearance of one single-family structure.

H. Project plans for Townhomes, condominiums and/or apartment units shall be approved by the City Council in conjunction with subdivision plat approval. Plans shall include the following standards:

1. Variation in building facades facing streets is encouraged to provide identity to buildings within multi-unit, attached projects. This may include a variety of building styles, massing, composition, and prominent architectural features, such as door and window openings, porches, and rooflines.

2. Buildings that are located within forty feet (40') of a public street shall have at least twenty five percent (25%) of the wall surface in window and door areas. The buildings shall also include ground floor pedestrian entrances that are oriented toward the street and/or an open space accessible from a street.

3. Windows shall not be flush with exterior walls. They shall be recessed or treated with a trim.

4. The use of materials shall be consistent on all sides of a building. The use of brick and/or stone shall appear structural and shall terminate at logical locations (building projections, inside wall corners, etc.), and their use on only one elevation, the street façade for example, is discouraged.

## **18.76.070: TRANSFERABLE DEVELOPMENT RIGHTS; RECEIVING SITES:**

A. Transferable development right receiving sites shall be limited to the A-2, RA-1, PRC, PRD, PD ~~and~~ SDP, R-2 and R-3 zone designations exclusively unless otherwise authorized by the city council as part of an annexation agreement. For R-2 zoning designations, only properties located west of Highway 89 shall be eligible for a transferable development right receiving site.

1. All areas shall be eligible to increase the density with the use of TDRs by no more than doubling what the underlying zone designation allows, except for areas in the R-2 and R-3 zones, which are subject to the density requirements outlined in sections 18.48.042 and 18.48.052 of this title.