

ORDINANCE NO. 2017-28

AN ORDINANCE AMENDING SECTION 12.30.020 OF THE CENTERVILLE ZONING CODE TO SET THE MAXIMUM PERMITTED DENSITY IN THE RESIDENTIAL-MEDIUM ZONE, AMENDING SECTION 12.32.300 OF THE SAME REGARDING TABLE OF DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES, AMENDING SECTION 12.36.020 OF THE SAME REGARDING TABLE OF USES FOR RESIDENTIAL ZONES, AND ENACTING SECTION 12.32.055 OF THE SAME REGARDING ADDITIONAL DEVELOPMENT STANDARDS FOR RESIDENTIAL DEVELOPMENT IN THE RESIDENTIAL-MEDIUM AND RESIDENTIAL-HIGH ZONES

WHEREAS, the City Council recently directed Staff and the Planning Commission to consider and prepare proposed amendments to the Zoning Code to create gradation in the allowed densities within the Residential-Medium (R-M) Zone and to create additional development standards for residential development within the R-M and R-H Zones; and

WHEREAS, Staff prepared proposed amendments to the Zoning Code creating gradation in the allowed densities within the Residential-Medium (R-M) Zone, including additional development standards for residential development within the R-M and R-H Zones; and

WHEREAS, the proposed amendments were reviewed and revised by the Planning Commission with a positive recommendation to create such density gradations in the Residential-Medium (R-M) Zone and to create additional development standards for residential development within the R-M and R-H Zones as more particularly set forth herein; and

WHEREAS, City Council has reviewed the proposed amendments to the Zoning Code creating gradation in the allowed densities within the Residential-Medium (R-M) Zone and setting forth additional development standards for residential development within the R-M and R-H Zones; and

WHEREAS, the City Council decided to simplify the proposed R-M gradation calculations by capping the maximum density within the Residential-Medium (R-M) Zone to six units per acre as a permitted use and eliminating any additional density as a conditional use permit in the Residential-Medium (R-M) Zone and adding the additional development standards for residential development within the R-M and R-H Zones as more particularly set forth herein; and

WHEREAS, the proposed amendments to the Zoning Code as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public notices have been provided and appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. Section 12.30.020 of the Centerville Zoning Code regarding Zone Purposes is hereby amended to cap the maximum allowable density in the Residential-Medium (R-M) Zone to six units per acre as more particularly provided as follows:

12.30.020 Zone Purposes

In addition to the general purposes of this Title as set forth in CZC 12.10.030, the various zones each serve more specific purposes as set forth below.

* * *

(b) Residential Zones. Residential zones allow a wide range of residential land uses at various densities. These zones are intended to protect the stability of neighborhoods and encourage, collectively, different kinds of compatible residential development.

* * *

(2) The purpose of the R-M Zones is to permit well-designed ~~apartments,~~ townhomes, two-family dwellings, and condominiums at densities of four to ~~six eight~~ units per acre that are appropriately buffered from and compatible with surrounding land uses. Single-family dwellings are also permitted in the R-M Zone.

Section 2. Amendment. Section 12.32.300 of the Centerville Zoning Code regarding Table of Development Standards in Residential Zones is hereby amended to revise the various permitted and conditional use densities within the Residential-Medium (R-M) Zone as more particularly provided as follows:

12.32.300 Table of Development Standards in Residential Zones

12.32.300 Table of Development Standards in Residential Zones	Zones
	R-M
Site Standards	
Gross Density, Maximum, permitted use	<u>6 units per acre</u> 4 units per acre
Gross Density, Maximum, conditional use	<u>Not applicable</u> 8 units per acre

Section 3. Amendment. Section 12.36.020 of the Centerville Zoning Code regarding Table of Uses for Residential Uses is hereby amended to reference the various permitted and conditional use densities within the Residential-Medium (R-M) Zone as more particularly provided as follows:

12.36.020 Table of Uses for Residential Uses

Legend: "P" - permitted use, "C" - conditional use, "N" - not permitted, "A" allowed use through other provisions applicable to a specific zone

Residential Uses	Zones
	R-M
Dwelling, single-family	<u>P²C</u>
Dwelling, multiple-family	<u>P²C</u>
Twin Home	<u>P²N</u>
Dwelling, two-family	<u>P²</u>

2. See the permitted densities within the R-M Zone as more particularly described in CZC 12.30.020 (Zone Purposes) and as set forth in CZC 12.32.300 (Table of Development Standards in Residential Zones). Any residential development within the R-M Zone shall also be subject to the development standards set forth in CZC 12.32.055 (Additional Development Standards for R-M and R-H Zones).

Section 4. Enactment. Section 12.32.055 of the Centerville Zoning Code regarding Additional Development Standards for R-M and R-H Zones is hereby enacted to provide additional design and development standards for residential development within the R-M and R-H Zones as more particularly provided as follows:

12.32.055 Additional Development Standards for R-M and R-H Zones

Notwithstanding the Regulations of General Applicability in CZC 12.32.060 and the Table of Development Standards in CZC 12.32.300, all residential development within the R-M and R-H Zones shall comply with the following development standards.

(a) Architectural Design Standards. All primary buildings within the R-M and R-H Zones shall be designed by a licensed, professional architect and all drawings submitted for approval or permit shall bear the architect’s stamp for the State of Utah.

(b) Exterior Design Standards. All sides of primary buildings within the R-M and R-H Zones shall receive design consideration with particular attention given to areas exposed to public view.

- (1) All primary buildings within a development project shall possess an overall building architectural theme, including, but not limited to, exterior building materials, textures, colors and signage.
- (2) The apparent mass of primary buildings or structures shall be minimized through design, articulation, and use of materials. An open design is desired that visually and physically breaks up the mass and footprint of buildings. Approaches such as the use of vertical and horizontal planes, roof pitches, roof lines, windows, reveals, and alcoves shall be used to create façade variation, shadows, corners, and architectural interest. Articulation approaches should not appear to be applied randomly or merely a surface treatment. In addition, the use of any multiple articulation approaches shall be coordinated to affect a complementary building design.

- (3) Natural or natural-appearing materials, such as stone, cultured stone, brick, and wood, shall be the design gestures used in the architectural design of all primary buildings. Wood siding, cement fiber board siding, and other similar appearing materials shall be the other main materials used in the design of all residential buildings. Substantial or prominent use of synthetic stucco, and unnatural appearing materials, such as metal, vinyl, and plastics are to be used sparingly. Use of such secondary and/or accent materials shall not exceed 20% of the building or structure's exterior.
- (4) The Planning Commission shall review and approve architectural design of buildings within the R-M and R-H Zones in accordance with the provisions set forth herein during conditional use permit and/or site plan review.

(c) Landscaping and Open Space. All residential developments within the R-M and R-H Zones, except for single-family developments, shall comply with the landscaping regulations of CZC 12.51 (Landscaping and Screening), and more specifically, the regulations of CZC 12.51.070(g) regarding multi-family developments. Additionally, landscaping and open spaces shall be designed in a manner to meet the residential needs for active and passive spaces for residents and visitors, such as private spaces, entry features, small centralized gathering areas, and buffering adjacent land uses. Furthermore, such areas shall be designed with the amenities or features that complement the various expected residents, both day and evening hours, and beyond the default design of a tot lot, playground, or clubhouse.

(d) Use of Public and Private Roadways. All dwellings within residential developments in R-M and R-H Zones shall be accessed from a public roadway, unless otherwise approved as part of a planned development or condominium (See, CZC 12.55.150). Approved access from a private right-of-way shall meet the following standards:

- (1) Access to and from a public street may be in the form of private right-of-way or a driveway, as defined or required by this Title.
- (2) Two points of ingress/egress from a public right-of-way shall be established for any development greater than 20 dwellings, irrespective of the allowed gross density.
- (3) When a private right-of-way is utilized, the private right-of-way pavement (i.e. travel lanes) shall be at least 27-feet and the constructed cross-section with curb and gutter of the roadway shall be built to City Specifications.
- (4) Access using a private right-of-way shall be constructed with a sufficient width to provide on-street parking for visitors at a ratio of at least 0.5 stalls per dwelling. An exception may be provided to this ratio if visitor parking is provided by separate parking area or parking lot as part of a site plan approved by the City.
- (5) A sidewalk system shall be provided on both sides of any private right-of-way. An exception may be provided to this requirement if an alternate integrated development pathway system connecting to the public right-of-way and serving the dwellings is provided to satisfy the requirement for sidewalks, as part of a site plan approved by the City.

- (6) A private right-of-way shall be perpetually maintained by the developer or an owner's association. Such perpetual care and maintenance obligations shall be addressed with covenant, conditions, and restrictions, for the development approved by the City and recorded against the property.
- (7) A private right-of-way design shall also comply with all applicable Fire Code regulations.

(e) Residential Development Style Limitations for R-M Zone. The residential development style for residential development within the R-M Zone shall be limited to single-family dwellings, twin homes, duplexes, or townhomes in tri-plex, four-plex, and six-plex formats that mimic a typical neighborhood style street on public or private roadways (as described in Subsection (d)). Higher density design formats such as stacked flats or apartment style buildings or buildings constructed with associated vehicular parking lot style facilities are prohibited in the R-M Zone.

Section 5. Findings. The amendments to the Zoning Code adopted herein are based on the following findings:

- a. The City Council finds that the “decision to amend the Zoning Code is a matter of within the legislative discretion of the City Council as described in CZC 12.21.060(a)(1)(B).
- b. The City Council finds that the amendments to the Zoning Code are consistent with the goals, objectives and policies of the City’s General Plan, as presented in the Staff Report.
- c. The City Council finds that the amendments to the Zoning Code are consistent with the desire to allow residential medium development in appropriate locations, the desire to ensure residential character quality, and the desire to ensure an adequate supply of housing types for future population growth.

Section 6. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 7. Omission Not a Waiver. The omission to specify or enumerate in this ordinance those provisions of general law applicable to all cities shall not be construed as a waiver of the benefits of any such provisions.


Section 8. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, ON THIS 21st DAY OF NOVEMBER, 2017.

ATTEST:

CENTERVILLE CITY


Marsha L. Morrow, City Recorder

By: 
Mayor Paul A. Cutler

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Fillmore	_____	<u>X</u>
Councilmember Ince	<u>X</u>	_____
Councilmember Ivie	<u>X</u>	_____
Councilmember McEwan	<u>X</u>	_____
Councilmember Mecham	<u>X</u>	_____



CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

Marsha L. Morrow
MARSHA L. MORROW, City Recorder

DATE: 11/28/17

RECORDED this 28 day of Nov, 2017.

PUBLISHED OR POSTED this 28 of Nov, 2017.