PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: December 20, 2017

NAME OF APPLICANT: Midway City

AGENDA ITEM: Code Text Amendment of Title 16

ITEM: 7

Midway City is proposing a Code Text Amendment of Midway City's Land Use Code of Section 16.16.8 that would amend densities in Planned Unit Developments. This item is based on amendments made to the General Plan that were adopted earlier this year.

BACKGROUND:

The purpose of this item is to review and amend the City's land use ordinance regarding densities that are allowed in Planned Unit Developments (PUDs). The purpose of reviewing the ordinance is based on the newly revised Midway City General Plan that was adopted in January of this year. Some of the main goals of the General Plan revisions was to promote open space, preserve the rural character of Midway and reduce densities where appropriate. These three goals developed from the City's General Plan survey that was conducted in 2016. In that survey information was gathered regarding the residents' preferences of the vision they have for Midway. 66% of the 483 responses to that survey stated the rural atmosphere was very important to them. 70% felt that the quietness of Midway was very important. 69% felt that open space protection was very important.

The idea that developed in the Community Vision Committee that was formed that reviewed that chapter of the General Plan was to preserve the rural atmosphere, preserve open space, and protect view corridors by extending the required setbacks along City streets. By doing this the City will help retain its rural atmosphere. Below are some

examples from the General plan that promote this extending the setbacks from City streets:

Elements of the Community Vision

- *High-quality, well-planned residential areas with open spaces that support and complement the unique rural quality and character of the City;*

- *Goal 2: Encourage open space to preserve a high quality of life and to preserve Midway's rural atmosphere.*

- *Guideline 1: Consider reviewing the Municipal Code to possibly reduce density where appropriate.*

There is clearly support for protecting open space and analyzing our current code to review allowed densities. By doing this we can determine if the allowed densities are appropriate for Midway and in vision with the General Plan. Density has a direct impact our community in several ways which include traffic, student population, demand on services, and even air pollution.

Section 16.16.8 establishes densities for PUDs in all zones where they are allowed.

A. The following standards, requirements and conditions shall specifically apply to all PUDs:
1. The permitted base densities allowed in a PUD for each zoning district are listed below:

R-1-7	*5.0 units per acre*
R-1-9	*4.0 units per acre*
R-1-11	*3.0 units per acre*
R-1-15	*2.5 units per acre*
R-1-22	*2.0 units per acre*
RA-1-43	*1.5 units per acre*

An additional one-quarter unit per acre shall be permitted when Swiss-Alpine architecture is used in the design of the development. The determination regarding the usage of the Swiss Alpine architecture shall be recommended by the Vision Architectural Committee and determined by the City Council as part of the conditional use process.
2. The minimum land area for a PUD shall be ten acres.
3. The minimum number of units in a PUD shall be 40.

The densities listed above are both higher and lower than what each particular zone allows for a standard subdivision. The following is a list of the densities per acre for a PUD as compared to what zoning would allow for a standard subdivision:

Zone	PUD Density	Standard Subdivision Density
• R-1-7	5.0 units per acre	6.2 (-15% for roads = 5.3)
• R-1-9	4.0 units per acre	4.8 (-15% for roads = 4.1)
• R-1-11	3.0 units per acre	4.0 (-15% for roads = 3.4)
• R-1-15	2.5 units per acre	2.9 (-15% for roads = 2.5)
• R-1-22	2.0 units per acre	2.0 (-15% for roads = 1.7)
• RA-1-43	1.5 units per acre	1.0 (-15% for roads = 0.9)

The zone that has the largest difference in density is the RA-1-43 zone. The other zones, once 15% of the property is subtracted for roads (roads are not subtracted for density calculations in PUDs), are fairly similar densities. The disadvantage of a higher relative density in the RA-1-43 zone is that particular zone falls on the periphery of Midway so the increased relative density creates more trips per day that must travel through the other zones to access services and stores. Someone could argue that it should be the opposite of this so the relative density is higher in the zones located near the services to help create the situation where more people could walk to stores and services instead of accessing them by driving.

Staff would like to propose amending the ordinance so that the density in the RA-1-43 zone is more similar to the relative density of the other zones. Where the R-1-22 zones allows two units in a half acre zone, the RA-1-43 zone should have a density of one unit for each acre. The proposed amendment is the following:

> *A. The following standards, requirements and conditions shall specifically apply to all PUDs:*
> *1. The permitted base densities allowed in a PUD for each zoning district are listed below:*
> *R-1-7 5.0 units per acre*
> *R-1-9 4.0 units per acre*
> *R-1-11 3.0 units per acre*
> *R-1-15 2.5 units per acre*
> *R-1-22 2.0 units per acre*
> *RA-1-43 ~~1.5~~ 1 unit~~s~~ per acre*
> *~~An additional one-quarter unit per acre shall be permitted when Swiss-Alpine architecture is used in the design of the development. The determination regarding the usage of the Swiss Alpine architecture shall be recommended by the Vision Architectural Committee and determined by the City Council as part of the conditional use process.~~*
> *2. The minimum land area for a PUD shall be ten acres.*
> *3. The minimum number of units in a PUD shall be 40.*

PUDs are useful to the City in several ways even with the increased density. First, PUDs have a relatively high percentage of second homes. Second, home owners pay the full property assessed tax rate whereas primary home owners pay a reduced rate. Third, PUDs

are clustered, so they provide more open space. Fourth, they usually have private roads which requires no maintenance from City provided services. Fifth, there are much less children in PUDs since many of the home owners are retired which creates much less demand on the school district. Because of these reasons it is important that PUDs remain a viable option for development in Midway.

POSSIBLE FINDINGS:

- Reducing density will also reduce potential traffic especially in the RA-1-43 zone which is generally located farthest from services and stores
- Reducing density for PUDs in the RA-1-43 zone will make the density more comparable to densities for PUDs in all the other zones
- The General Plan promotes reducing density where appropriate

ALTERNATIVE ACTIONS:

1. Recommendation of Approval. This action can be taken if the Planning Commission feels that the proposed language is an acceptable addition to the City's Municipal Code.

    a. Accept staff report
    b. List accepted findings
    c. Place condition(s)

2. Continuance. This action can be taken if the Planning Commission would like to continue exploring potential options for the amendment.

    a. Accept staff report
    b. List accepted findings
    c. Reasons for continuance
        i. Unresolved issues that must be addressed
    d. Date when the item will be heard again

3. Recommendation of Denial. This action can be taken if the Planning Commission feels that the proposed amendment is not an acceptable revision to the City's Municipal Code.

   a. Accept staff report
   b. List accepted findings
   c. Reasons for denial