

**CENTERVILLE CITY  
COMMUNITY DEVELOPMENT DEPARTMENT  
655 North 1250 West, Centerville, Utah 84014  
(801) 292-8232**

**STAFF REPORT  
AGENDA: ITEM 2**

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**APPLICANT: FRED HALE  
63 WEST 1750 NORTH  
CENTERVILLE, UT 84014  
([fredh@colonialbuilding.com](mailto:fredh@colonialbuilding.com))**

**APPLICATION: ZONING ORDINANCE TEXT AMENDMENT**

**APPLICATION REQUEST: AMEND THE ZONING CODE OF THE HILLSIDE  
OVERLAY RELATING TO THE **“MAXIMUM  
IMPERVIOUS COVERAGE LIMITATIONS”****

**RECOMMENDATION: RECOMMEND APPROVAL TO THE CITY COUNCIL**

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**BACKGROUND**

The petitioner, Mr. Fred Hale, recently submitted a set of home construction plans for Lot 4 of the Rigby Court Subdivision. Lot 4 consists of 1.028 acres, which is located in the Agricultural-Low (A-L) Zone. This lot is also located within the Hillside Overlay Zone and subject to those additional provisions. As part of the City’s review, the proposed plans for the lot exceed the “Maximum Impervious Material Coverage” restrictions of the Overlay Zone. In accordance with CZC 12.42.040.d, the maximum limits (*for any lot regardless of the underlying zoning*) are as follows:

***“Maximum Impervious Material Coverage. The maximum allowable coverage of a lot in the Hillside Overlay Zone by impervious material shall be 40% of the total lot area, or 5,000 square feet, whichever is less.”***

As it stands, the current overlay limits “impervious coverage” for Lot 4 to 5,000 square feet, even though the property is approximately one (1) acre in size. In a comparative scenario, a ¼ acre lot (10,800 sq. ft) of the R-L Zone, subject to the Overlay provisions, would only be limited to 4,320 sq. ft, nearly the same allotment as an acre size lot. Consequently, the petitioner desires to amend the Overlay provisions to achieve a greater balance between the differing lot sizes that could occur in the various zones (*predominately R-L & A-L*) of the Overlay area.

**APPLICANT'S PROPOSED CHANGE OF LANGUAGE REGARDING "MAXIMUM IMPERVIOUS MATERIAL COVERAGE (SEE ATTACHMENT FOR THE FULL REQUEST).**

*"As requested at our meeting I am providing you a proposal for an ordinance change that will allow for larger homes in the hillside areas. This proposal will consider the increase of runoff due to the additional impervious surface area when this area exceed 5,000 sq. ft. There are two items that need to be considered in the design, first the size of the required retention basin and second the allowable size of the orifice plate or discharge pipe."*

The submitted request also details the suggested engineering standards and calculations. However, the Development Review Committee (DRC) believes that such elements are standardized specifications, which language is not needed to be included in the Zoning Ordinance. Therefore, the DRC (*with the assistance of Lisa Romney*) is recommending a modification to the language provided by the petitioner.

*DRC Recommended Edits:*

**CZC 12.42.040 Development Requirements**

- (d) Maximum Impervious Material Coverage. *Except as otherwise provided herein,* the maximum allowable coverage of a lot in the Hillside Overlay Zone by impervious material shall be 40% of the total lot area, or 5,000 square feet, whichever is less. *The maximum allowable impervious material coverage of a lot may be allowed to exceed 5,000 square feet as an exception upon recommendation of the City Engineer and approval of the applicable land use authority for the subject application (i.e. subdivision, site plan, or building permit).*

*Any applicant seeking an exception to exceed 5,000 square feet of impervious material coverage per lot shall be required to provide on-site detention and appropriately sized outflow orifice plates for the additional impervious area (over 5,000 square feet) in accordance with City Engineer recommended detention volume calculations for a 25-year storm event.*

*The applicant shall be required to provide engineered drawings and specifications for the proposed detention and drainage to qualify for the exception. In no event shall the impervious material coverage of any lot in the Hillside Overlay Zone exceed 40% of the total lot area.*

*For purposes of calculating the permissible lot coverage percentage, lot areas that exceed 30% slope shall be excluded and shall not be used in calculating the permitted 40% coverage area.*

## TEXT AMENDMENT REVIEW AND ANALYSIS (12.21.080.E)

1. **Is the proposed text or map amendment consistent with the goals, objectives and policies of the City's General Plan?**

**GP SECTION 12-420-2.3. RESIDENTIAL DEVELOPMENT POLICIES.** The following policies are adopted specifically for the achievement of the citizens' desires for “*Residential Development*” in Centerville.

*“The hillsides and naturally wooded canyons east of the City should be provided protection from indiscriminate development to assure retention of the natural slopes and vegetation.”*

**GP SECTION 12-440-3. NATURAL HAZARDS POLICIES.** The following policies are adopted specifically for the achievement of the citizens' desires for “*Natural Hazards*” in Centerville.

*“Earthquake or seismic hazards have been identified as a significant potential problem in Centerville. All future residential developments should take into consideration the location of the fault lines and other seismically-related hazards. Centerville City shall require the advice of competent geotechnical advisors when development is proposed in seismic hazard areas”*

### Staff Analysis and Comment:

It is the position of staff that the proposed language changes remain consistent with the policies of the General Plan and the hillslope development provisions in relation to impervious coverage standards between agricultural and residential lots within the Hillside Overlay. The amendment still appropriately limits the amount of impervious coverage for Hillside development to 40% or under and adds the ability to detain the storm water runoff to protect an adjacent lot from storm water runoff. Keep in mind a typical flat lot development standard has a maximum impervious coverage limit of 60%.

## PLANNING STAFF RECOMMENDATION

Suggested Motion for an amendment to the Centerville City Zoning Ordinance regarding the proposed Hillside Overlay amendments – **I hereby make a motion for the Planning Commission to recommend to the City Council to approve the proposed Hillside Overlay amendment, CZC 12.42.040(d), as follows:**

Maximum Impervious Material Coverage. *Except as otherwise provided herein*, the maximum allowable coverage of a lot in the Hillside Overlay Zone by impervious material shall be 40% of the total lot area, or 5,000 square feet, whichever is less. *The maximum allowable impervious material coverage of a lot may be allowed to exceed 5,000 square feet as an exception upon recommendation of the*

City Engineer and approval of the applicable land use authority for the subject application (i.e. subdivision, site plan, or building permit).

Any applicant seeking an exception to exceed 5,000 square feet of impervious material coverage per lot shall be required to provide on-site detention and appropriately sized outflow orifice plates for the additional impervious area (over 5,000 square feet) in accordance with City Engineer recommended detention volume calculations for a 25-year storm event.

The applicant shall be required to provide engineered drawings and specifications for the proposed detention and drainage to qualify for the exception. In no event shall the impervious material coverage of any lot in the Hillside Overlay Zone exceed 40% of the total lot area.

For purposes of calculating the permissible lot coverage percentage, lot areas that exceed 30% slope shall be excluded and shall not be used in calculating the permitted 40% coverage area.

Suggested Reasons for Findings:

- a. The Planning Commission finds that the “decision to amend the...zoning ordinance is a matter of within the legislative discretion of the City Council as described in CZC 12.21.060.a.1.B.
- b. The Planning Commission finds that amendments consistent with the goals, objectives and policies of the City’s General Plan, as presented in the staff report.
- c. The Planning Commission finds that this amendment would serve to treat the residential and agricultural zones fairly as regulated within the Hillside Overlay Zone and remain consistent within the regulations and parameters of the code.
- d. Therefore, the Planning Commission finds that the amendments are consistent with the desire to allow hillside development to be contextually developed in relation to topography and slope stability.