

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

CITY COUNCIL TRANSMITTAL REPORT

APPLICANT: **FRED HALE**
 63 WEST 1750 NORTH
 CENTERVILLE, UT 84014
 (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"**

PC RECOMMENDATION: **RECOMMENDS APPROVAL TO THE CITY
COUNCIL**

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.

PLANNING COMMISSION RECOMMENDATION*PC Recommended Edits of April 25, 2016:***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.

Suggested Reasons for the Action (Findings):

- 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.
- The Planning Commission finds that amendments are *CONSISTENT* with the goals, objectives and policies of the City’s General Plan.
- The Planning Commission finds that the amendments are needed to comply with S.B. 81, in the 2017 General Session of the Utah State Legislature.

Planning Commission Vote (&-0):

Commissioner	Yes	No	Not Present
Hayman (Chair)	X		

Hirst	X		
Johnson	X		
Daly	X		
Hintze	X		
Wright	X		
Helgesen	X		

PREVIOUS PLANNING COMMISSION MEETINGS

✓ April 25, 2018