



Meeting Minutes
Planning & Zoning Commission

Monday, January 28, 2019

7:30 PM

Council Chambers | 4488 Pineview Drive

1. Call to order/ Roll Call. Present: Wanda McDaniel, Johnnie Purify, Randall Madison, Raja C. Antone, James Taylor, Roy Wade and Josephine Aubry. Josephine Aubry was not present for the approval of the Minutes but was present for all the other cases. Also attending Tina Garver (Community Development Director) and Shauna Wilson-Edwards (Zoning Coordinator).

The meeting was called to order at 7:34 pm

2. Approval of December 17, 2018 Planning and Zoning Public Hearing minutes.

A motion was made by Raja Antone, seconded by Roy Wade, that the December 17, 2018 Planning and Zoning Public Hearing Minutes be approved. The motion carried by the following vote: Josephine Aubry was not present for this vote but was present for all other votes.

No Public Comment

Yes: 6 - Johnnie Purify, Wanda McDaniel, Raja Antone, Randall Madison, Roy Wade, and Jim Taylor
Vote 6:0

PZ 19--001 Rezoning: New Macland

Motion was made by Raja Antone, seconded by Roy Wade, that this Rezoning be approved with staff written recommendations.

Public Comment: 15 residents in objection spoke - Nicky Mitchel, Mr. Autry, Patrick Hansen, Matt Manley, A. Taylor, Stefan Bauer, Marley Redlin. Greg Foy, Sharon Archer, Lesley, Anna Best, Tom Stewart,, Susan Ashworth, Libby Woolard, Donna Gateon, Debra Taylor. Residents were concerned about increase traffic, increase flooding and decrease wild life, noise during and after construction. Petition provided: approximately 74 signatures against rezoning. James and Susan Walden provided letter in objection. The motion carried by the following vote:

Yes: 4 - Johnnie Purify, Raja Antone, Randall Madison, and Roy Wade

No: 3 - Wanda McDaniel, Jim Taylor, and Jo Aubry VOTE: 4:3

PZ 19--002 Rezoning Walton Quads

Per applicant request a motion was made by Jim Taylor, seconded by Roy Wade, that this Rezoning be tabled. The motion carried by the following vote:

Yes: 7 - Johnnie Purify, Wanda McDaniel, Raja Antone, Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry Vote 7:0

PZ 19--003 Special Use Walton Quads

Per applicant request a motion was made by Jim Taylor, seconded by Roy Wade, that this Rezoning be tabled. The motion carried by the following vote:

Yes: 7 - Johnnie Purify, Wanda McDaniel, Raja Antone, Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry Vote 7:0

PZ 19--004 Text Amendment: PUD-R

A motion was made by Jim Taylor, seconded by Roy Wade, that this P&Z Text Amendment be approved with the following requirements.

Planning and Zoning Commission added (m) to requirements. See attached Proposed Table 2.1 and table 2.2

Section 2-15. Planned Unit Development – Residential (PUD-R)

(a) Purpose

The PUD-R district is intended to allow flexible site planning and building arrangements under a unified plan of development so that innovative land planning methods may be utilized which foster natural resource conservation and neighborhood cohesiveness as well as neo-traditional developments. This may permit buildings to be clustered or arranged in an unconventional manner to maximize open space, create a pedestrian scale and other public benefits. In this district smaller lots than might otherwise be permitted under traditional zoning districts may be allowed; however, the purpose is not merely to allow smaller lots or reduce development requirements but to achieve other goals including the protection of sensitive environmental, historic, or aesthetic resources as well as the provision of site amenities such as parks, open space, walking trails, etc. The PUD-R district is intended to encourage greater density of development, and to encourage ingenuity and resourcefulness in land planning techniques which result in quality residential patterns that conserve and create open space, reduce vehicle trips and provide stable developments which enhance the surrounding area.

(b) PUD-R is intended for single-family detached dwellings, single-family attached, fee-simple townhouse, multi-family development.

(c) The building setback abutting any zoning district must be 35 feet along the perimeter of the site.

(d) The minimum landscape buffer width abutting any zoning district shall be 25 feet for the entire perimeter of the site.

(e) All townhouses shall have two-car garages, and the parking pads/driveway in front of the garage shall be a minimum of 22 feet in length in order to accommodate two additional cars. The garages shall be used for the parking and storage of vehicles and may not be enclosed to provide for additional residential space.

(f) A recreation area shall be provided at a ratio of 1 acre per 50 units (or a proportional percentage thereof) with a minimum of 10,000 square feet provided. Such area shall be developed with at least one recreational feature, such as a walking trail, pavilion, gazebo, picnic area, swimming pool, playground or tennis courts. Recreational areas must be outside of any floodplain area. Any recreation area must be located in an area with a slope of less than 15%; however, all recreation areas or applicable green space must meet ADA requirements for accessibility.

(g) Accessory structure may not be closer to any right-of-way or property lines than the principal building. In case of corner lots, the accessory structure may not be closer to any right-of-way than the principal building. No accessory structure may exceed the more restrictive of either 15 feet of the height of the principal building.

(h) Materials to be used on exterior facades of all buildings shall include no less than 50% brick or stone, on all 3 sides. If the rear of the building faces the main right-of-way, 50% brick on the rear façade that is visible to the main road will be required. All other building materials must be consistent with the architectural standards outlined in this Code.

(i) A 10 foot wide front landscape strip is required along the frontage of the development. One canopy tree shall be planted along every street frontage at a quantity equal to one tree per 40 feet of property frontage. This 10 foot strip must also include evergreen trees and shrubs. Trees Buffer Landscaping, Section 12 of the Unified Development Code is applicable to development within the PUD-R district.

(j) All PUD-R developments shall be zoned and subject to site specific plans and is still subject to applicable requirements of the Unified Development Code.

(k) The PUD-R allows for flexibility in design therefore no other variance may be requested.

(l) If development does not have lots, the units must meet the required square footage outlined for the PUD-R zoning district.

- (m) A detailed site plan will be required with application and should include the following:
 - i. The location and extent of public rights-of-way, easements and water and drainage courses bounding and within the tract included in the general plan by reference to a plan or drawing.
 - ii. Minimum standards for lot development (setbacks, lot size).
 - iii. Open space and recreation area provisions (active and passive).
 - iv. Detailed landscaping plan.
 - v. Detailed architectural elevations of the proposed buildings.

(m) All requirements outlined for the PUD-R zoning district must be met for a rezoning application to be considered. [Added by Planning and Zoning Commissioners at public hearing]

No public comment.

The motion carried by the following vote:

Yes: 7 - Johnnie Purify, Wanda McDaniel, Raja Antone, Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry
Vote 7:0

PZ 19--005 Text Amendment – Screening requirements (Section 2-14 f)

A motion was made by Raja Antone, seconded by Wanda McDaniel, that this P&Z Text Amendment be approved.
Sec. 2-14. MDR, Medium Density Residential District.

Proposed text will read:

(f) Private open space required. Every single-family detached and single-family attached dwelling unit zoned MDR shall have a minimum 400 square foot private yard or patio arranged for use by the occupants of the dwelling and located in the side or rear yard. The private yard or patio ~~must~~ may be enclosed by any combination of the following: a masonry wall, wood fence, trellis or lattice with a minimum height of 6 feet; or an evergreen hedge, shrubs or trees that will achieve a height of 6 feet within 3 years of planting under normal growing conditions.

The motion carried by the following vote:

Yes: 7 - Johnnie Purify, Wanda McDaniel, Raja Antone, Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry
Vote: 7:0

5. Adjourn

Meeting adjourn at 9:40 pm. A motion was made by Jim Taylor, seconded by Roy Wade, that this be approved. The motion carried by the following vote:

Yes: Johnnie Purify, Wanda McDaniel, Raja Antone, Randall Madison, Roy Wade, Jim Taylor, and Jo Aubry

Vote: 7:0

Attached –

File #: PZ 19-004

Application: Text Amendment, City initiated

PETITION: City initiated request to consider an amendment to add Planned Unit Development-Residential (PUD-R) as a zoning category in the Unified Development Code (UDC).

Purpose of Amendment: Provide flexibility in design, allows for setback variations, lot size variations and increase density.

**Proposed Table 2-1
Permitted and Special Uses by Residential Zoning District**

*Underlined Text: Staff proposal
Strike out: Proposed Text to me removed*

Use	See Also Sec.	R-30	R-20	R-15	MDR	<u>PUD-R</u>
ACCESSORY USES						
Accessory uses and structures not otherwise listed in this table, determined by the community development director to be normally incidental to one or more permitted principal uses	Sec. 4-05	P	P	P	P	<u>P</u>
Accessory apartment, attached	Sec. 4-10	S	S	S	S	<u>S</u>
Accessory apartment, detached	Sec. 4-10	S	S	S	S	<u>S</u>
Carport or garage		P	P	P	P	<u>P</u>
Construction field office	Sec. 4-210	P	P	P	P	<u>P</u>
Fallout shelter		P	P	P	P	<u>P</u>
Family day care home	Sec. 4-110	P	P	P	P	<u>P</u>
Fence	Sec. 4-135	See Table 4.1				
Greenhouse, private		P	P	P	P	<u>P</u>
Guest house	Sec. 4-160	P	P	P	P	<u>P</u>
Home occupation	Sec. 4-170	P	P	P	P	<u>P</u>
Intermodal container, temporary	Sec. 4-180	P	P	P	P	<u>P</u>
Junk	Sec. 4-185	X	X	X	X	<u>X</u>
Model home or subdivision sales officer, temporary	Sec. 4-285	P	P	P	P	<u>P</u>
Parking space, parking lot accessory to one or more permitted uses	Sec. 4-235	P	P	P	P	<u>P</u>
Parking of commercial vehicle or semi-trailer	Sec. 4-270	X	X	X	X	<u>X</u>
Recreation facility, private (tennis court, swimming pool)	Sec. 4-295	P	P	P	P	<u>P</u>
Roadside stand		S	X	X	X	<u>X</u>
Solar energy system, building mounted	Sec. 4-275	P	P	P	P	<u>P</u>
Solar energy system, ground mounted	Sec. 4-280	S	S	S	S	<u>S</u>
Tower, amateur radio	Sec. 4-435	P	P	P	P	<u>P</u>
Utility substation		P	P	P	P	<u>P</u>
Yard or garage sale	Sec. 4-335	P	P	P	P	<u>P</u>
AGRICULTURAL USES						
Livestock and animal quarters	Sec. 4-200	S	X	X	X	<u>X</u>
Poultry	Sec. 4-200 (d)	P	P	P	P	<u>P</u>
Production of crops	Sec. 4-15	P	P	P	P	<u>P</u>
Timbering and forestry	Sec. 4-15	P	P	P	P	<u>P</u>
Agriculture, agricultural facility, or agricultural operation not otherwise specifically indicated in this table		S	S	X	X	<u>X</u>
RESIDENTIAL USES						
Boarding house		X	X	X	X	<u>X</u>
Conservation subdivision	Art.15 Div. 9	P	P	P	P	<u>P</u>
Dwelling, detached single-family	Sec. 4-130	P	P	P	P	<u>P</u>
Dwelling, two-family (duplex)	Sec. 4-125	X	X	X	P	<u>P</u>
Dwelling, attached single-family (fee simple or condo)	Sec. 4-120	X	X	X	P	<u>P</u>
Dwelling, multiple-family		X	X	X	P	<u>P</u>
Group home		X	X	X	S	<u>S</u>
Live-work unit		X	X	X	S	<u>S</u>
Loft		X	X	X	P	<u>P</u>
Manufactured home	Sec. 4-205	X	X	X	X	<u>X</u>
Modular home (see def. industrialized building)		P	P	P	P	<u>P</u>
Model home or subdivision sales office, temporary	Sec. 4-285	P	P	P	P	<u>P</u>

Relocated residential structure		S	S	S	S	<u>S</u>
INSTITUTIONAL USES		R-30	R-20	R-15	MDR	<u>PUD-R</u>
Church, temple, synagogue, or place of worship	Sec. 4-70	S	S	S	S	<u>S</u>
Club or lodge, nonprofit (civic, fraternal, social)	Sec. 4-75	S	S	S	S	<u>S</u>
Continuing care retirement community		X	X	X	S	
Use	See Also Sec.	R-30	R-20	R-15	MDR	<u>PUD-R</u>
Institutionalized residential living and care facilities, serving less than 15 persons	Sec. 4-175	X	X	X	X	<u>X</u>
Institutionalized residential living and care facilities, serving 15 or more persons	Sec. 4-175	X	X	X	X	<u>X</u>
Public use		P	P	P	P	<u>P</u>
School, private elementary, middle, or high	Sec. 4-260	S	S	S	S	<u>S</u>
RECREATIONAL USES		R-30	R-20	R-15	MDR	<u>PUD-R</u>
Common area		P	P	P	P	<u>P</u>
Community recreation	Sec. 4-100	P	P	P	P	<u>P</u>
Conservation area		P	P	P	P	<u>P</u>
Golf course as part of residential subdivision		S	S	S	S	<u>P</u>

Proposed Table 2-2
Dimensional Requirements for Residential Zoning Districts
NP = Not Permitted NA = Not Applicable

MINIMUM LOT SIZE AND MAXIMUM DENSITY BY USE	R-30	R-20	R-15	MDR	<u>PUD-R</u>
Minimum lot size, detached single-family dwelling lot (square feet)	30,000	20,000	15,000	11,000	<u>8,400</u>
Minimum lot size, two-family dwelling lot (square feet)	NP	NP	NP	22,000	‡
Minimum lot size, fee simple townhouse lot	NP	NP	NP	2,000	‡
Minimum lot size, lot for any other permitted use not otherwise specified in this table (square feet)	30,000	20,000	15,000	11,000	‡
Maximum residential density, detached single-family dwelling (dwelling units per acre)	1.2	1.75	2.3	3.2	<u>8</u>
Maximum residential density, permitted multiple-family dwelling types (dwelling units per acre)	NP	NP	NP	5.0	<u>8</u>
Maximum residential density, multiple-family dwelling types with special use approval (dwelling units per acre)	NP	NP	NP	8.0	<u>N/A</u>
MINIMUM LOT WIDTH AT FRONT SETBACK					
Minimum lot width, all uses except as noted (feet)	100	90	75	60	<u>60</u>
Minimum lot width, fee simple townhouse lot (feet)	NP	NP	NP	20	<u>20</u>
Minimum lot width, fee simple townhouse lot at end of building (feet)	NP	NP	NP	30	<u>20</u>
MINIMUM LOT FRONTAGE ON STREET					
Minimum lot frontage on street, except cul-de-sac lot, all uses (feet)	100	90	75	60	‡
Minimum lot frontage on street, cul-de-sac lot, all uses (feet)	50	45	40	35	‡
BUILDING AND SITE REQUIREMENTS					
Maximum impervious surface coverage of a lot, detached single-family dwelling (percent)	25%	30%	35%	40%	<u>60%</u>
Maximum impervious surface coverage of a lot, permitted uses other than detached single-family dwelling (percent)	35%	40%	45%	50%	<u>60%</u>
BUILDING HEIGHT REQUIREMENTS					
Maximum building height (feet)	35	35	35	35	<u>35</u>
Maximum building height (number of stories)	2	2	2	2	<u>2</u>
SETBACKS FOR PRINCIPAL BUILDINGS AND ACCESSORY STRUCTURES LARGER THAN 144 SQUARE FEET IN FLOOR AREA					
Front (feet)	45	35	35	35	‡

Side (feet)	12	10	10	10	‡
Rear (feet)	40	35	30	20	‡
ACCESSORY BUILDINGS OF 144 SQUARE FEET OR LESS IN FLOOR AREA AND ACCESSORY STRUCTURES					
Front (feet)	NP	NP	NP	NP	NP
Side (feet)	5	5	5	5	<u>Sec 2-22</u>
Rear (feet)	5	5	5	5	<u>Sec 2-22</u>
SPECIAL SETBACKS, BUFFERS, AND LANDSCAPE STRIPS					
Minimum principal or accessory building setback abutting any R-30, R-20, or R-15 zoning district (feet)	NA	NA	NA	35	<u>25</u>
	R-30	R-20	R-15	MDR	PUD-R
Minimum buffer width abutting any R-30, R-20, or R-15 zoning district (feet)	NA	NA	NA	25	<u>25</u>
Minimum landscape strip required along right-of-ways for any non-single-family residential use (width in feet)	10	10	10	10	<u>10</u>
MINIMUM HEATED FLOOR AREA REQUIREMENTS					
Detached, single-family dwelling unit (square feet)	2,000	1,800	1,600	1,400	<u>1,400</u>
Fee simple townhouse unit or unit in a two-family dwelling	NP	NP	NP	1,200	<u>1,200</u>
Multi-family dwelling unit, efficiency	NP	NP	NP	600	<u>600</u>
Multi-family dwelling unit, one bedroom	NP	NP	NP	750	<u>750</u>
Multi-family dwelling unit, two bedroom	NP	NP	NP	1,050	<u>1,050</u>
Multi-family dwelling unit, three bedroom	NP	NP	NP	1,200	<u>1,200</u>

‡ As established as part of the zoning approval for the development.

Planned Unit Development- Residential Zoning District.

Section 2-15. Planned Unit Development – Residential (PUD-R)

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- (h) Materials to be used on exterior facades of all buildings shall include no less than 50% brick or stone, on all 3 sides. If the rear of the building faces the main right-of-way, 50% brick on the rear façade that is visible to the main road will be required. All other building materials must be consistent with the architectural standards outlined in this Code.
- (i) A 10 foot wide front landscape strip is required along the frontage of the development. One canopy tree shall be planted along every street frontage at a quantity equal to one tree per 40 feet of property frontage. This 10 foot strip must also include evergreen trees and shrubs. Trees Buffer Landscaping, Section 12 of the Unified Development Code is applicable to development within the PUD-R district.
- (j) All PUD-R developments shall be zoned and subject to site specific plans and is still subject to applicable requirements of the Unified Development Code.
- (k) The PUD-R allows for flexibility in design therefore no other variance may be requested.
- (l) If development does not have lots, the units must meet the required square footage outlined for the PUD-R zoning district.
- (m) A detailed site plan will be required with application and should include the following:
 - i. The location and extent of public rights-of-way, easements and water and drainage courses bounding and within the tract included in the general plan by reference to a plan or drawing.
 - ii. Minimum standards for lot development (setbacks, lot size).
 - iii. Open space and recreation area provisions (active and passive).
 - iv. Detailed landscaping plan.
 - v. Detailed architectural elevations of the proposed buildings.

b) Area Regulations

Minimum Tract Size: 3 acres

