



Memorandum

To: Planning Commission
From: Thomas Dansie, Director of Community Development
Date: June 10, 2022
Re: Ordinance Revision: Net Developable Area Standard

Executive Summary

The Commission has researched and prepared an ordinance that will alter the density standards in the CC and VC zones. The proposed ordinance will exclude areas in floodways and steep slopes from the area calculation used to determine the allowable density on a property. If the ordinance is adopted, only developable area will be included in determining how many units (transient lodging or housing) are allowed on a property.

Background

The Town regulates density in the CC and VC zones based on lot area. In the CC zone properties may be developed with one transient lodging or housing unit for each 2,500 square feet of lot area. In the VC zone one unit is allowed for each 4,000 square feet of lot area.

Many properties in the CC and VC zones contain land which is undevelopable based on other land use ordinances, specifically flood hazard regulation (no development is allowed in the floodway) and grading standards (no development is allowed on steep slopes in excess of 30% grade). While these areas are not allowed to be developed, they do contribute to the overall density allowed on the developable portions of the property.

For example, a one acre property in the VC zone is allowed ten units (43,560 square feet divided by 4,000 square feet equals 10.89, which rounds down to ten units). If half of that property is in a floodway the current ordinance prohibits development from being placed in the floodway, but still allows the full ten units on the property. Thus, the property with only one-half acre of developable land is allowed to be developed with ten units. The result is a property with a perceived density that is twice the density typically allowed in the VC zone.

The Commission has found this perceived increase in density is not consistent with the Town's village atmosphere and detracts from the Town's village scale.

The proposed ordinance modifies the density provisions in the CC and VC zones by excluding area in floodways and 30% slopes from the density calculation. This will result in development with more consistent perceived density throughout the Town.

General Plan Direction

The General Plan contains references about the need to protect natural features and to maintain village character and village scale. These include:

- Objective 2.1.3
- Objective 2.2.2
- Objective 2.3.1

Because the proposed ordinance is intended to preserve natural areas and limit the development potential associated with those areas it will promote these objectives.

Planning Commission Action

The Commission should determine whether or not the proposed ordinance revision will promote the goals and objectives of the General Plan and is in keeping with the spirit of the land use ordinance. The Commission should make findings regarding:

- Will altering the density standards based on net developable area promote the Town's village scale?
- Will the proposed ordinance promote development that is consistent with the vision of the General Plan?

Based on these findings the Commission should make a motion to recommend or not recommend the proposed ordinance revision. The Commission may wish to use the following sample motion language:

*The Commission recommends **approval/denial** of the proposed ordinance adopting a net developable area standard to determine density in the CC and VC zones, as presented and discussed in the June 15, 2022 meeting.*

ORDINANCE 2022-_____

AN ORDINANCE OF THE SPRINGDALE TOWN COUNCIL ADOPTING A NET DEVELOPABLE AREA STANDARD TO DETERMINE ALLOWABLE DENSITY IN THE CC AND VC ZONES

Whereas, the Springdale Town Council finds that the density (number of units allowed on a property based on its size) has a significant impact on the Town’s village scale and character; and

Whereas, the Council further finds that properties with large areas of undevelopable land can be developed with what is perceived to be more intense density that is not consistent with the Town’s village scale; and

Whereas, the Council desires to modify the density standard on properties with land in undevelopable areas (floodways and steep slopes) to allow density in the developable areas of the property that is consistent with the Town’s village character; and

Whereas, the necessary public hearings and other processes required to amend the Town’s land use ordinance have been followed;

Now therefore be it ordained by the Springdale Town Council that Title 10 of the Town Code is amended as follows:

***Section 1:** The following definition of “Net Developable Land Area” is added to section 10-2-2 of the Town Code.*

10-2-2: DEFINITIONS:

Net Developable Land Area: The total amount of area contained within a lot or parcel of land minus all areas within the parcel that contain 30% slopes or FEMA designated floodways.

***Section 2:** The density standard in the Central Commercial zone found in section 10-11A-7 is amended as follows:*

10-11A-7: DENSITY STANDARD:

No lot or parcel of land within the CC zone may be developed to have more than one apartment, condominium, transient lodging unit, or other similar unit per 2,500 square feet of net developable land area.

***Section 3:** The density standard in the Village Commercial zone found in section 10-11B-5(B) is amended as follows:*

10-11B-5: AREA REQUIREMENTS:

B. *Units per lot:* No lot or parcel of land within the VC zone may be developed to have more than one apartment or transient lodging unit per 4,000 square feet of net developable land area.

