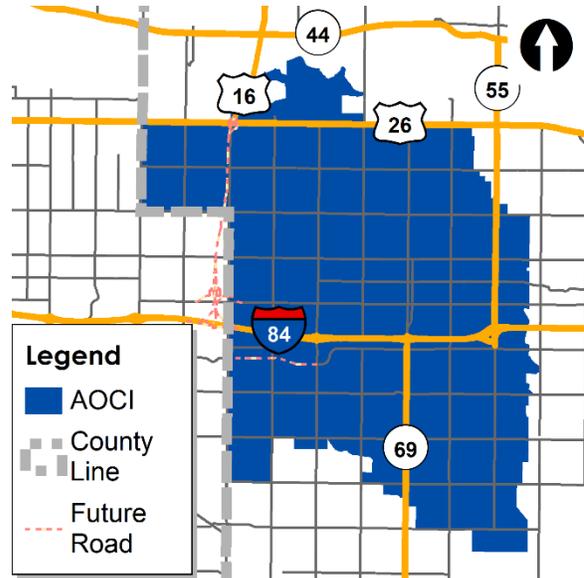


STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 1/11/2022
TO: Mayor & City Council
FROM: Bill Parsons, Current Planning Supervisor
208-884-5533
SUBJECT: ZOA-2021-0003
2021 UDC Text Amendment –
Collector Street Setbacks in Residential
Districts and Landscape Buffer along
Streets
LOCATION: City wide



I. PROJECT DESCRIPTION

Request to amend the text of the City’s Unified Development Code (UDC) pertaining to the Dimensional Standards for the Residential Districts in Chapter 2 and Landscape Buffer along Streets Standards in Chapter 3.

II. APPLICANT INFORMATION

A. Applicant:
Brighton Development Inc.
2929 W. Navigator, Suite 400
Meridian, ID 83642

III. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	11/2/2021	12/5/2021
Public Service Announcement	10/28/2021	12/6/2021
Nextdoor posting	10/28/2021	12/6/2021

IV. COMPREHENSIVE PLAN ANALYSIS ([Comprehensive Plan](#))

A. Comprehensive Plan Text (<https://www.meridiancity.org/compplan>):

3.01.01B - Update the Comprehensive Plan and Unified Development Code as needed to accommodate the community's needs and growth trends.

Over the last year, the City has seen an increase in the number of residential units that have collector street frontage. Typically, homes are designed with the rear yards oriented towards a 20-foot wide common lot. There has been an increase with the front doors of the homes oriented towards the collector street with on-street parking and alley access. City code conflicts with this traditional neighborhood design making it impractical to do given the parameters of the setback and landscape buffer requirements. Therefore, the applicant has consulted with City staff to propose the UDC text amendment to allow more of this type of development throughout the City.

V. UNIFIED DEVELOPMENT CODE ANALYSIS ([UDC](#))

As noted by the applicant, strict adherence to the Unified Development Code (UDC) can result in unanticipated constraints, particularly when traditional neighborhood elements are integrated into a conventional development. Typically, direct vehicular access to residential lots on collector streets is discouraged and prohibited by code. However, ACHD does have livable street designs for residential collectors and residential collectors for traditional neighborhoods. The template depicts both front and rear lot vehicular access, pedestrian buffers and on-street parking.

UDC Setback Standards

The City's UDC Dimensional Standards Tables for residential zoning districts, R-2 through R-40, require collector street setbacks of 25 feet for lots with front-loaded garages. The R-4 and R-8 zoning districts also specify a 25-foot street setback for "living area and/or side loaded garage." This dimensional requirement is reduced to 20 feet "to living area" in R-15 and R-40 zones. By contrast, the TN-R (Traditional Neighborhood Residential) zoning district's front setback minimum is 8 feet for "alley-accessed" properties without a reference to street classification.

UDC Landscape Buffers

A 20-foot wide street landscape buffer is required along all collector streets which include a 5-foot wide detached sidewalk; measured from the back of curb in the R-2 through R-40 zoning districts. Further, UDC 11-3B-7C.2a requires residential buffers to be located within a common lot. With the inclusion of the common lot, ACHD no longer recognizes the lot as having the required street frontage and requires a minor local street to be constructed in lieu of a public alley. To achieve what is being proposed with the subject UDC text amendment, an applicant would need to seek alternative compliance approval to either reduce the buffer or place the landscape buffer in an easement rather than a common lot.

The purpose of the common lot is to establish the maintenance of the landscape buffer by a homeowner's association. The applicant has indicated if the landscape buffer is depicted as an easement as proposed, planting materials will be installed by the homebuilder and will be maintained by the individual home owners as required in the recorded CC&R's.

PROPOSED UDC AMENDMENTS

Collector Street Setback Reduction

Modification of Dimensional Standards Table Note 1 in each of the Residential Zoning Districts R-2, R-4, R-8, R-15 and R-40 will allow reduced setbacks for alley or rear-loaded lots, if the required 20-foot collector landscape easement is provided and the dwelling's street setback is not less than 10 feet from back of sidewalk.

Landscape Buffers Along Streets

As noted above, UDC Section 11-3B-7C.2a requires "all residential subdivision street buffers" to be in a common lot maintained by a HOA. This is a problem for alley or rear-loaded lots regardless of zoning district or street classification. Thus, amendment of Section 11-3B-7C.2a, OR striking that section and mending Section 11-3B-7C.2b. **Staff recommends that both sections be amended as stated below so it is clear when a common lot is or isn't required.**

For illustrative purposes the applicant has provided an exhibit the demonstrates how the proposed code changes would be implemented. As shown, the graphic depicts an 8-foot wide parkway, 5-foot wide detached sidewalk and a 10-foot building setback, measured from the back of sidewalk. The proposed text change establishes a minimum setback (23') and specifies parameters in order for a project to take advantage of the reduced street setback.

In summary, staff believes the proposed changes removes ambiguity from the code, aligns with ACHD livable street design guides and eliminates the additional need to process alternative compliance to allow for an alternate design.

VI. DECISION

A. Staff:

Staff recommends approval of the proposed text amendment to the UDC based on the analysis provided in Section V, modifications presented in Exhibits below and the Findings of Fact and Conclusions of Law in Section VIII.

B. The Meridian Planning and Zoning Commission heard this item on November 18, 2021. At the public hearing, the Commission voted to recommend approval of the subject ZOA request.

- 1. Summary of Commission public hearing:**
 - a. In favor: Mike Wardle**
 - b. In opposition: None**
 - c. Commenting: None**
 - d. Written testimony: None**
 - e. Staff presenting application: Bill Parsons**
 - f. Other Staff commenting on application: None**
- 2. Key issue(s) of public testimony:**
 - a. None**
- 3. Key issue(s) of discussion by Commission:**
 - a. None**
- 4. Commission change(s) to Staff recommendation:**

- a. Commission amended UDC 11-3B-7C.2, adding the verbiage homeowners' association.
- 5. Outstanding issue(s) for City Council:
 - a. None

C. City Council:

Enter Summary of City Council Decision.

VII. EXHIBITS

**CITY OF MERIDIAN UNIFIED DEVELOPMENT CODE AMENDMENT
STREET SETBACK FOR RESIDENTIAL UNITS ABUTTING COLLECTOR STREETS**

PROPOSED AMENDMENT: 11-2A-4. – Low-density residential district (R-2)

Dimensional standards for development in the R-2 residential district shall be as follows:

TABLE 11-2A-4 – DIMENSIONAL STANDARDS FOR THE R-2 DISTRICT

R-2 Standard	Requirement
Minimum property size/dwelling unit (in square feet)	12,000
Minimum street frontage (in feet)	80
Rear setback (in feet)	15
Interior side setback (in feet)	7.5/story
Street setback ¹ (in feet):	
Local	20
Collector	25
Street landscape buffer ² (in feet):	
Collector	20
Arterial	25
Entryway corridor	35
Interstate	50
Maximum building height (in feet)	35
Minimum living area (in square feet)	1,500
Minimum ground floor area for multi-story units (in square feet)	800

Notes: 1. Measured from back of sidewalk or property line where there is no adjacent sidewalk. A reduction of the street setback shall be granted for homes that front on a collector street with on-street parking and garage access from an alley, common drive or local street, if the required twenty-foot (20') landscape buffer easement from back of curb is provided and the dwelling setback is not less than ten feet (10') from the back of sidewalk.

2. A reduction to the width of the buffer may be requested as set forth in subsection 11-3B-7.C.1.c of this title.

Dimensional standards for development in the R-4 residential district shall be as follows:

TABLE 11-2A-5 – DIMENSIONAL STANDARDS FOR THE R-4 DISTRICT

R-4 Standard	Requirement
Minimum property size/dwelling unit (in square feet)	8,000
Minimum street frontage (in feet)	60
Rear setback (in feet)	15
Interior side setback (in feet)	5
Street setback ¹ to front loaded garage (in feet):	
Local	20
Collector	25
Street setback ¹ to living area and/or side loaded garage (in feet):	
Local	15
Collector	25
Street landscape buffer ² (in feet):	
Collector	20
Arterial	25
Entryway corridor	35
Interstate	50
Maximum building height (in feet)	35
Minimum living area (in square feet):	
Detached	1,400
Attached	800
Minimum ground floor area for multi-story units (in square feet)	800

Notes: 1. Measured from back of sidewalk or property line where there is no adjacent sidewalk. A reduction of the street setback shall be granted for homes that front on a collector street with on-street parking and garage access from an alley, common drive or local street, if the required twenty-foot (20') landscape buffer easement from back of curb is provided and the dwelling setback is not less than ten feet (10') from the back of sidewalk.

2. A reduction to the width of the buffer may be requested as set forth in subsection 11-3B-7.C.1.c of this title.

PROPOSED AMENDMENT: 11-2A-6. – Medium-density residential district (R-8)

Dimensional standards for development in the R-8 Residential District shall be as follows:

TABLE 11-2A-6 – DIMENSIONAL STANDARDS FOR THE R-8 DISTRICT

R-8 Standard	Requirement
Minimum property size/dwelling unit (in square feet)	4,000
Minimum street frontage (in feet)	40
With alley loaded garage, side entry garage, or private mew lots	32
Street setback ¹ to garage (in feet):	
Local	20
Collector	25
Alley	5
Street setback ¹ to living area and/or side loaded garage (in feet):	
Local	10
Collector	25
Alley	5
Interior side setback (in feet)	5
Rear setback (in feet)	12
Street landscape buffer ² (in feet):	
Collector	20
Arterial	25
Entryway corridor	35
Interstate	50
Maximum building height (in feet)	35

Notes: 1. Measured from back of sidewalk or property line where there is no adjacent sidewalk. A reduction of the street setback shall be granted for homes that front on a collector street with on-street parking and garage access from an alley, common drive or local street, if the required twenty-foot (20') landscape buffer easement from back of curb is provided and the dwelling setback is not less than ten feet (10') from the back of sidewalk.

2. A reduction to the width of the buffer may be requested as set forth in subsection 11-3B-7.C.1.c of this title.

PROPOSED AMENDMENT: 11-2A-7. – Medium high-density residential district (R-15)

Dimensional standards for development in the R-15 Residential District shall be as follows:

TABLE 11-2A-7 – DIMENSIONAL STANDARDS FOR THE R-15 DISTRICT

R-15 Standard	Requirement
Minimum property size/dwelling unit (in square feet)	2,000
Minimum street frontage (in feet)	0
Street setback ¹ to garage (in feet):	
Local	20
Collector	25
Alley	5
Street setback ¹ to living area (in feet):	
Local	10
Collector	20
Alley	5
Interior side setback (in feet)	3
Rear setback (in feet)	12
Street landscape buffer ² (in feet):	
Collector	20
Arterial	25
Entryway corridor	35
Interstate	50
Maximum building height (in feet)	40

Notes: 1. Measured from back of sidewalk or property line where there is no adjacent sidewalk. A reduction of the street setback shall be granted for homes that front on a collector street with on-street parking and garage access from an alley, common drive or local street, if the required twenty-foot (20') landscape buffer easement from back of curb is provided and the dwelling setback is not less than ten feet (10') from the back of sidewalk.

2. A reduction to the width of the buffer may be requested as set forth in subsection 11-3B-7.C.1.c of this title.

PROPOSED AMENDMENT: 11-2A-8. – High-density residential district (R-40).

Dimensional standards for development in the R-40 residential district shall be as follows:

TABLE 11-2A-8 – DIMENSIONAL STANDARDS FOR THE R-40 DISTRICT

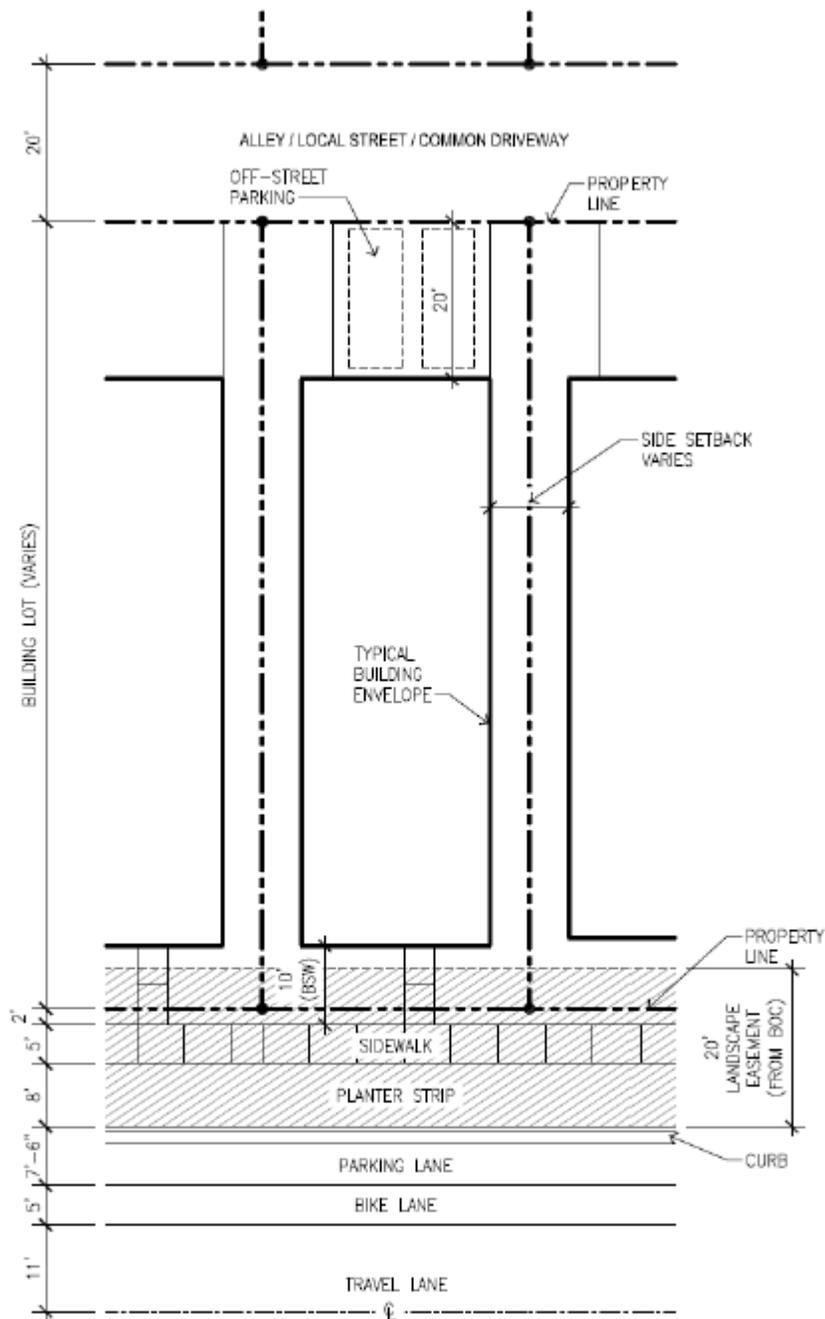
R-40 Standard	Requirement
Minimum property size/dwelling unit (in square feet)	1,000
Minimum street frontage (in feet)	0
Rear setback (in feet)	12
Interior side setback (in feet)	3
Street setback to garage (in feet):	
Local	20
Collector	25
Alley	5
Street setback ¹ to living area (in feet):	
Local	10
Collector	20
Alley	5
Street landscape buffer ² (in feet):	
Collector	20
Arterial	25
Entryway corridor	35
Interstate	50
Maximum building height (in feet)	60

Notes: 1. Measured from back of sidewalk or property line where there is no adjacent sidewalk. A reduction of the street setback shall be granted for homes that front on a collector street with on-street parking and garage access from an alley, common drive or local street, if the required twenty-foot (20') landscape buffer easement from back of curb is provided and the dwelling setback is not less than ten feet (10') from the back of sidewalk.

2. A reduction to the width of the buffer may be requested as set forth in subsection 11-3B-7.C.1.c of this title.

PROPOSED AMENDMENT: UDC Section 11-3B-7C.2:

- 2a. All residential subdivision street buffers shall be on a common lot, maintained by a homeowners' association.
- 2b. All ~~commercial, industrial, and other nonresidential~~ street landscape buffers shall be on a common lot or on a permanent dedicated buffer easement, maintained by the property owner, homeowners' association or business owner's association.



TYPICAL SETBACK CONFIGURATION FOR ALLEY- OR REAR-LOADED LOTS FRONTING COLLECTOR STREETS WITH ON-STREET PARKING

VIII. FINDINGS

1. UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS: (UDC 11-5B-3E)

Upon recommendation from the Commission, the Council shall make a full investigation and shall, at the public hearing, review the application. In order to grant a text amendment to the Unified Development Code, the Council shall make the following findings:

A. The text amendment complies with the applicable provisions of the comprehensive plan;

The Commission finds that the proposed UDC text amendment complies with the applicable provisions of the Comprehensive Plan. Please see Comprehensive Plan Policies and Goals, Section IV, of the Staff Report for more information.

B. The text amendment shall not be materially detrimental to the public health, safety, and welfare; and

The Commission finds that the proposed zoning ordinance amendment will not be detrimental to the public health, safety or welfare if the changes to the text of the UDC are approved as submitted. It is the intent of the text amendment to further the health, safety and welfare of the public.

C. The text amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the City including, but not limited to, school districts.

The Commission finds that the proposed zoning ordinance amendment does not propose any significant changes to how public utilities and services are provided to developments. All City departments, public agencies and service providers that currently review applications will continue to do so. Please refer to any written or oral testimony provided by any public service provider(s) when making this finding.