

MEMORANDUM



AGENDA ITEM: 12.1

DATE: May 6, 2014

TO: Planning Commission

FROM: Greg Desmond, Interim Planning Director

RE: MR: Medium Density Residential Development Standards

Summary

Chapter 17, Section 17.40.060 and Section 17.40.070 of the City of St Helena's Municipal Code outlines the development standards for the MR: Medium Density Residential district.

Discussion

Staff and the Planning Commission share concerns regarding recent development trends throughout the community. Specifically that residential development is occurring at a scale that is not entirely consistent with the language and or intent of the general plan. To be clear, development is occurring within the constraints of current development standards as outlined in our current zoning ordinance, but that there is a need to amend our zoning ordinance to better address the scale and scope of development that is occurring.

Staff has attached Chapter 17, Section 17.40.060 and Section 17.40.070 of the City of St Helena's Municipal Code outlines the development standards for the MR: Medium Density Residential district.

Planning Commission Action

Discuss and provide direction to staff regarding next steps.

17.40.060 Development standards.

The following standards and requirements shall apply in the MR medium density residential district, except as otherwise provided in this title:

A. Maximum Standards.	
1. Density	16.0 dwelling units per acre or as set forth in subsection E of this section.
2. Lot coverage	45%
3. Height of principal building	30 feet
4. Height of accessory building as regulated by Chapter 17.116	15 feet
5. Floor Area Ratio	(F.A.R.) shall be as regulated in Section 17.40.070 .
6. Width	The width of a structure shall not exceed 60% of the width of the lot as measured at the front elevation, excluding lineal footage of staggered architectural features that start at least 20 ft. back from the front elevation. The width is measured from the outside wall and shall not include roof eaves, but shall include porches and cantilevered floor areas. The front of lots shall be determined as set forth in Section 17.112.030 , Front of lot/setbacks and yards in unusual situations.
B. Minimum	

standards for parcels, except for flag lots, small lots or residential condominium projects and townhouses as provided for in Chapter 17.112 :	
1. Density	Not less than 5.1 dwelling units per acre consistent with subsection E of this section.
2. Lot area	7,000 square feet
3. Lot width	70 feet
4. Lot frontage	70 feet
C. Minimum standards for structures with a maximum height of twenty-five (25) feet or less:	
1. Front setback	20 feet
2. Side setback	20 feet
3. Side yard	10 feet
4. Rear yard	20 feet
D. Minimum standards for structures with a maximum height greater than twenty-five (25) feet and thirty (30) feet or less:	
1. Front setback	30 feet
2. Side setback	30 feet
3. Side yard	15 feet
4. Rear yard	30 feet

E. The planning director shall determine the density of the parcel utilizing assessor parcel information or a record of survey. Generally, if the density calculation results in housing that is a fraction of a unit and the fraction is less than one-half, the whole number shall be rounded down. If the fraction is one-half or greater, the whole number shall be rounded up. The determination of the planning director may be appealed to the planning commission.

1. The planning commission may approve a use permit to allow a reduced density on a parcel if environmental site constraints, the size and configuration of pre-existing development, or the provision of city services make compliance with the minimum density and other development standards impractical. Environmental constraints may include, without limitation, the presence of streams, significant trees, steep slopes, unusual lot configurations, or the presence of historic structures and cultural resources.

2. Approval of a general plan amendment is required to reduce the density for other reasons. In approving a general plan amendment the city council and planning commission shall make the findings of Section [17.12.110](#).

3. A legal second unit may be counted for purposes of compliance with the minimum density standard, but is exempt from the maximum density standard pursuant to Section [17.116.030\(B\)\(5\)](#).

4. Prior to permitting a density reduction by use permit or by general plan amendment, the city shall ensure compliance with Government Code Section 65863 by either finding that the remaining sites identified in the housing element are adequate to accommodate the city's share of the regional housing need; or by identifying sufficient additional, adequate, and available sites with an equal or greater density so that there is no net loss in residential density.

F. Consistent with California Government Code Sections 65915 through 65918, a density bonus may be given for housing projects that are affordable for persons of very low, low, or moderate income. (Ord. 07-5 § 2 (part); Ord. 05-4 § 1 (part); Ord. 04-4 § 2 (part); Ord. 00-5 § 4 (part); prior code § 27.55)

17.40.070 Other uses, standards and requirements.

The floor area ratio in the MR district shall be regulated as follows:

A. The maximum floor area limitation pertains to the construction of single-family dwelling units, duplexes, and triplexes. Exceptions to the limitation may be granted by the planning commission dependent upon the minimum density requirements for the parcel and the size and configuration of the pre-existing development.

1. The maximum gross floor area is the product of the parcel area multiplied by the floor area ratio (F.A.R.) shown on the table below:

Net Parcel Area (Square Feet)	Floor Area Ratio	Maximum Gross Floor
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	(F.A.R.)	Area (Square Feet)
4,999 and less	—	1,800
5,000	0.36	1,800
6,000	0.35	2,100
7,000	0.34	2,380
8,000	0.33	2,640
9,000	0.32	2,880
10,000	0.31	3,100
11,000	0.30	3,300
12,000	0.29	3,480
13,000	0.28	3,640
14,000	0.27	3,780
15,000	0.26	3,900
16,000	0.25	4,000
17,000	0.24	4,080
18,000	0.23	4,140
19,000	0.22	4,180
20,000 or greater	0.21	4,200

2. The F.A.R. shall be interpolated to the nearest two-tenths of one percent based upon each two hundred (200) square feet of parcel area. For example, a parcel that is ten thousand six hundred (10,600) square feet in size has an allowable F.A.R. of .304.

B. The maximum gross floor area for a single-family dwelling, regardless of parcel size, is four thousand two hundred (4,200) square feet. The maximum gross floor area may be increased by four hundred (400) square feet per parcel for construction of a second unit, duplex or triplex.

C. The following buildings and areas are exempt from the F.A.R. provisions:

1. One covered parking space of two hundred (200) square feet in size;
2. Nonhabitable accessory buildings less than one hundred twenty (120) square feet in size;
3. A nonhabitable basement or attic as defined in subsection D of this section;
4. A balcony, porch, deck or other structure where at least one of the longest dimensions is unenclosed;

5. A legally constructed building which exceeds the maximum floor area permitted by this chapter and which is destroyed by fire, flood, landslide or other act of God. Such a building may be rebuilt with up to the same amount of floor area, subject to development plan review and approval by the city in accordance with Section [17.16.050](#).

D. Definitions.

“Attic” means a room or space immediately below the roof of a building that is not habitable and is utilized only for storage. The area must be an unconditioned, unfinished area less than seven feet at its highest point with an average height not exceeding four feet.

“Basement” means any floor level below the first story in a building in which the finished floor level directly above is less than four feet above finished grade on all sides.

“Floor area ratio” means the ratio of building gross floor area divided by net parcel area.

“Gross floor area” means the total horizontal area in square feet of each floor within the exterior walls of all buildings on a parcel, as measured at the exterior face of the enclosing walls, unless specifically excluded by subsections (C)(1) through (5) of this section.

“Lot coverage” means the land area covered by all buildings or structures on a lot, including all projections except eaves. Decks or other structures with an elevation of eighteen (18) inches or less above finished grade shall not be considered as lot coverage.

“Net parcel area” means the total horizontal area included within the property lines of a parcel, excluding area within vehicular rights-of-way and vehicular easements.

“Pre-existing development” means structures and improvements that were vested with a building permit prior to March 8, 2005, the date of adoption of the ordinance codified in this chapter.

E. Property owners within this district shall recognize that there exists a right to farm properties within the district and in the vicinity of the district. There is a good faith expectation that no complaints will occur regarding legal normal agricultural activities on properties in the district or in the vicinity of the district. Such activities may include day or night disbursement of chemicals, and creation of dust, noise, or fumes. (Ord. 07-5 § 2 (part): Ord. 05-4 § 1 (part): Ord. 02-6 § 4; Ord. 00-5 § 4 (part): prior code § 27.56)