



IVINS CITY

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SUBDIVISION ENHANCEMENT OVERLAY DISTRICT (SEO) PROCESS

Purpose:

The Subdivision Enhancement Overlay District (SE) is provided by the City as an “overlay district” to encourage the development of desirable and attractive residential subdivision areas that provide subdivision and community features not typically required by the subdivision requirements of the City. The District also allows flexibility in the development requirements of the underlying district. The Subdivision Enhancement Overlay District (SE) does not establish any allowed uses or density for the subject property. Rather, the identification of the allowed uses and allowed density (or base density) is provided by the underlying zoning district.

The Subdivision Enhancement Overlay District (SE) encourages creative and efficient subdivision designs and the voluntarily provision by the developer of subdivision and community benefit features including areas of open space, streetscape enhancements, and other desirable subdivision and community design features. All residential subdivisions located within a Subdivision Enhancement Overlay District (SE) shall require a subdivision layout that achieves the following objectives:

- 1) The voluntary provision of streetscape enhancements and improvements by the developer including, but not limited to, the dedication and improvement of wider street right-of-ways than typically required by the City, with associated street landscaping, street tree plantings, street medians, pedestrian and biking facilities, and other streetscape enhancements, buffering and screening treatments.
- 2) The voluntary provision of park and open space areas and associated improvements including the preservation of natural features located on the development site and other open space and park areas with associated improvements including pedestrian trails, children’s play equipment, benches, drinking fountains, and landscaping improvements for the benefit of subdivision and community residents.
- 3) Provides subdivision design and enhancement features including unique and visually attractive entryways, subdivision and community landscape treatments, public art pieces, and consistent architectural features and building design themes.
- 4) Provides convenience in layout and a variety of lot sizes.

Application Requirements:

In addition to the requirements for a Zoning Districts Map Amendment, as provided by Chapter 5 herein, an Application for a Zoning Districts Map Amendment to establish a Subdivision Enhancement Overlay District (SE) shall provide:

- 1) **Identification of all Sensitive Lands Areas.** A Sensitive Lands Determination and Inventory shall be

provided, if applicable, consistent with the requirements of Chapter 8, which identifies all sensitive lands that may be within the property boundaries proposed for the establishment of a Subdivision Enhancement Overlay District (SE).

Approval and Designation:

As an overlay district the identification of the allowed uses, development requirements and standards, and all other applicable requirements are determined and controlled by the underlying zoning district, or “base zone,” unless such standards are modified to the extent provided by the Subdivision Enhancement Overlay District (SE).

The application of the Subdivision Enhancement Overlay District (SE) to any areas proposed to be subdivided for residential uses shall require the approval of a Zoning Districts Map Amendment Application, as provided by Chapter 5, herein, concurrent with the approval of a Subdivision Application. If approved, and as an example only, a Zoning Districts Map Amendment Application to allow a Subdivision Enhancement Overlay District (SE) for an area located within an existing Residential R-1-10 district, would be identified on the Zoning Districts Map as R-1-10(SE), identifying the Residential R-1-10 District as the underlying district with a Subdivision Enhancement Overlay District (SE) as the “overlay” district.

Zoning Districts Allowed:

A Subdivision Enhancement Overlay District (SE) shall only be applied to property located within the Residential Estates RE-20.0, RE-15.0 and RE-12.5 Districts and the Single Family Residential R-1-10 and R-1-8 Districts.

Approval Criteria:

A Zoning Districts Map Amendment Application to establish a Subdivision Enhancement Overlay District (SE) may be approved by the Council, following the receipt of a Commission recommendation, concurrent with the approval of a Subdivision Application, and following the completion of all requirements for a Zoning Districts Map Amendment Application, as required by Chapter 5, herein. The Council in approving a Zoning Districts Map Amendment Application, and the Commission in formulating a recommendation, shall find that the Subdivision Enhancement Overlay District (SE):

- 1) Is consistent, and does not conflict, with any policy of the Ivins City General Plan.
- 2) Meets the purposes of this Chapter.
- 3) Provides a subdivision design with increased amenities and features than typically provided, or required.
- 4) Proposes the voluntary provision of features, enhancements, or improvements which may include, the dedication and improvement of wider street right-of-ways than typically required, with associated street enhancements including but not limited to landscaping, street tree plantings, street medians, pedestrian and biking facilities, and, buffering and screening treatments.
- 5) Proposes the voluntary provision of park and open space areas and associated improvements.
- 6) Provides subdivision design and enhancement features, which may include unique and visually attractive entryways, subdivision and community landscape treatments, public art pieces, and consistent architectural features and building design themes.
- 7) Provides convenience in layout and a variety of lot sizes.
- 8) Proposes the voluntary dedication of other desirable community design features.
- 9) Meets all requirements of Chapter 5 herein, for the approval of a Zoning Districts Map Amendment Application.

Approval of Subdivision Applications and Other Applications Located in a Subdivision

Enhancement Overlay District:

Applications for Subdivision Approval or any other Application for any approval, permit, or license required by the City's Land Use Ordinances for lands located in a Subdivision Enhancement Overlay District (SE) shall be submitted and reviewed in accordance with the requirements and procedures of the City's Land Use Ordinances, as applicable.

Base Density:

The allowed base density for any proposed subdivision located in a Subdivision Enhancement Overlay District (SE) shall be determined by dividing the total area of the subdivision site, less twenty percent (20%) of the total site area required for street rights-of-way, utility easements, and other encumbrances, by the minimum lot size requirement of the base zoning district in which the property is located, and excluding any areas proposed to be used for schools, churches, public facilities or any other similar encumbered uses. (See Appendix B for an example of a calculation of base density in the Subdivision Enhancement Overlay District).

Subdivision Enhancement Plan and/or Development Agreement may be Required:

A Subdivision Enhancement Project Plan ("Project Plan") shall be presented to the Commission for recommendation, and approval by the Council, as part of the application for a Zoning Districts Map Amendment Application to establish a Subdivision Enhancement Overlay District (SE). The Project Plan must achieve, and must identify the subdivision enhancement features being provided for the benefit of the subdivision and community residents that are typically not required by the City. The Subdivision Enhancement Project Plan must demonstrate compliance with the requirements of this Chapter and all other requirements of the City's Land Use Ordinances, as applicable.

The Subdivision Enhancement Project Plan may be required to be accompanied by, or included within the provisions of a Development Agreement, when deemed necessary by the Council. Once approved by the Council, the Project Plan shall be controlling for all required future approvals, permits, and licenses, including but not limited to, Subdivision and Use Applications, and any other requirements of the City's Land Use Ordinances, as applicable.

Required Minimum Open Space:

Any subdivision development located within an area identified as a Subdivision Enhancement Overlay District (SE) shall provide a minimum of ten percent (10%) of the total area of the development site as improved open space, provided in accordance with the open space standards, maintenance, and dedication requirements set forth by Section 704, herein. Such required open space may include areas of natural beauty or amenity, active park areas, and areas voluntarily being provided for streetscape treatments and enhancements for the community benefit and wider than typically required, or provided. Improved open space areas shall not include areas within any lot, or internal subdivision street right-of-way. Open space areas shall not include lands used for schools, churches, or any other similar encumbered uses.

Density Incentives:

Density incentives may be granted by the Council, with the receipt of a Commission recommendation, for a subdivision located within a Subdivision Enhancement Overlay District (SE) for the provision of additional improved open space, or for the provision of additional subdivision features as more particularly set forth by Section 705-11, Section 705-12, Section 705-13, and Section 705-14 herein. Such density incentives shall be calculated from the base density as determined in accordance with the provisions of this Chapter. In no event shall the maximum density incentives for any subdivision in Subdivision Enhancement Overlay District exceed twenty five percent (25%) of the base density, as

provided by Section 705-11, Section 705-13, and Section 705-14. (See Appendix B for an example of a calculation of density incentives in the Subdivision Enhancement Overlay District).

Provision of Additional Open Space:

A density incentive for the provision of open space areas, in addition to the required minimum ten percent (10%) of the subdivision site, shall be provided as follows:

Improved Open Space Area being Provided as a Percentage of the Total Subdivision Site	Maximum Density Incentive (Percentage of Allowed Base Density)
10	0.0
11	1.0
12	2.0
13	3.0
14	4.0
15	5.0
16	6.0
17	7.0
18	8.0
19	9.0
20+	10.0

Improvements and Enhancements to Open Space Areas:

For a subdivision to qualify for a Subdivision Enhancement Overlay District (SE) and to qualify for any density incentives that may be provided shall provide improvements and features for the open space area for the benefit of both the subdivision and the community. These open space improvements may include improvements to facilitate public access and use, park equipment, trails and walkways, public art features, streetscape landscaping and buffering treatments or other improvements and enhancements as recommended by the Commission, and approved by the Council.

Consistency in Design Elements:

Subdivisions located within a Subdivision Enhancement Overlay District (SE) that provide and incorporate a consistent and overall subdivision design theme, such as unified architectural building styles, consistency in building materials, colors, height, type and quality, or provide other subdivision design features and amenities, designed to add long term attractiveness and quality to the subdivision, and recommended by the Commission, and approved by the Council, may receive up to a five percent (5%) density incentive. To receive a density incentive for design elements, the subdivision drawings and covenants, conditions, and restrictions (CC&R's) shall be reviewed and accepted by the Commission and Council as including sufficient guarantees to provide the subdivision features and building design elements.

Convenience in Layout, Variety of Lot Sizes and Unique Subdivision Features:

Subdivisions located within a Subdivision Enhancement Overlay District (SE) that provide creative, or

extraordinary layout design, including variations in lot sizes, and incorporate unique features and amenities for the benefit of subdivision and community residents, not typically required or provided in other subdivisions, and recommended by the Commission, and approved by the Council, may receive up to a ten percent (10%) density incentive. To receive a density incentive for creative or extraordinary subdivision design, unique features and amenities, the subdivision drawings and covenants, conditions, and restrictions (CC&R's) shall be reviewed and accepted by the Commission and Council as including sufficient guarantees to provide the variety of lot sizes and unique subdivision features.

Lot Standards:

- 1) **Lot Area.** In order to provide for creativity and flexibility in subdivision design and to meet the purposes of this Chapter, lots located within a Subdivision Enhancement Overlay District (SE) may be smaller than the minimum size required by the underlying zone, as recommended by the Commission, and approved by the Council.
- 2) **Lot Width and Frontage.** The minimum lot width and lot frontage of lots located in a Subdivision Enhancement Overlay District (SE) may be less than required by the underlying zone, as recommended by the Commission, and approved by the Council.
- 3) **Lot Width and Frontage.** The minimum lot width and lot frontage of lots located in a Subdivision Enhancement Overlay District (SE) may be less than required by the underlying zone, as recommended by the Commission, and approved by the Council.
- 4) **Other Lot Standards.** All other lot standards, except lot area, width, and frontage, shall be met, as required by the underlying zone.

Building Standards:

All requirements for primary and accessory buildings, as provided by the underlying zone, shall be met, including building height.

Yard Regulations:

The design of subdivisions located in a Subdivision Enhancement Overlay District (SE) may consider variations in the siting and orientation of buildings and structures, but shall comply with the following minimum setback standards. Exceptions to these minimum setback requirements may be recommended by the Commission and approved by the Council during the Subdivision Application approval processes when determined appropriate.

- 1) **Front Yard Setback.** The minimum front yard setback for primary buildings shall be twenty (20) feet.
- 2) **Rear Yard Setback.** The minimum rear yard setback for primary buildings shall be fifteen (15) feet.
- 3) **Side Yard Setback.** The minimum side yard setback for lots located in a Subdivision Enhancement Overlay District (SE) may be less than required by the underlying zone, as recommended by the Commission, and approved by the Council.
- 4) **Side Yard Corner Setback.** The minimum side yard setback for lots located in a Subdivision Enhancement Overlay District (SE) may be less than required by the underlying zone, as recommended by the Commission, and approved by the Council.
- 5) **Accessory Buildings.** The minimum yard requirements for accessory buildings and structures, including all setback requirements, shall be as required by the underlying district.

Open Space Standards, Use, Permanent Protection, Ownership, and Maintenance Regulations:

All matters relating to open space areas being provided with a subdivision located in a Subdivision Enhancement Overlay District (SE), including development standards, allowed uses, permanent protections, ownership, and maintenance shall be controlled by the requirements and provisions of Sections 704-17 to Section 704-21 herein.

SUBDIVISION ENHANCEMENT OVERLAY DISTRICT (SE)

EXAMPLE

1) BASE DENSITY:

Total Area Available for Lots = Total Area of Subdivision Site minus 20% of Total Site Area minus All Areas Encumbered for Other Uses (including schools, churches, public facilities, etc.)

Base Density = Total Area Available for Lots divided by Minimum Lot Size Requirement of Base Zoning District

= Total Allowed Base Density

Example, with a 20 Acres of Total Area of Subdivision Site and Base Zoning District of RE-12.5, and no areas encumbered by Other Uses

Total Area Available for Lots = 20 Acres – 4 Acres – 0 Acres
= 16 Acres

Base Density = 16 Acres (696,960 Square Feet) ÷ 12,500 Square Feet

Total Allowed Base Density = 55.76 Lots

2) DENSITY INCENTIVES:

Maximum Density Incentive = Total Allowed Base Density multiplied by Allowed Density Incentives (not to exceed 25% of Base Density)

Provision of Open Space = Maximum Density Incentive available is 10% of Total Allowed Base Density

Consistency in Design Elements = Maximum Density Incentive available is 5% of Total Allowed Base Density)

Convenience in Layout Variety of lot Sizes and Unique Subdivision Features = Maximum Density Incentive available is 10% of Total Allowed Base Density)

Example, with a 20 Acres of Total Area of Subdivision Site, Total Allowed Base Density of 55.76 Lots and Allowed Density Incentives of 20%

Maximum Density Incentive = 55.76 Lots x 20%

Maximum Density Incentive = 11.15 Lots

3) TOTAL ALLOWED DENSITY:

Total Allowed Density = Total Allowed Base Density plus Maximum Density Incentive

Example, with a 20 Acres of Total Area of Subdivision Site, Total Allowed Base Density of 55.76 Lots and Maximum Density Incentive of 11.15 Lots

Total Allowed Density = 55.76 Lots + 11.15 Lots

Total Allowed Density = 66.91 Lots

Total Allowed Density = 66 Lots (Rounded down per Section 312)