

PLANNING AND ZONING DEPARTMENT
Before the NAMPА PLANNING AND ZONING COMMISSION
28 MAY, 2024

Public Hearing
Staff Report

By Kristi Watkins, Principal Planner

Zoning Code Text Amendment of Title 10, Chapter 6 (AG), Chapter 7 (RA) regarding the requirements for cluster developments, Chapter 16 (BC), Chapter 18 (IP), Chapter 19 (IL), Chapter 20 (IH), in regards to setbacks adjacent to a property with the very low density residential designation in the Comprehensive Plan and the specific requirements per zoning district and Chapter 26 (PUDs and MPCs) in regards to the Cottage/Cluster Developments in the very low density residential designation in the Comprehensive Plan, for the City of Nampa. (ZTA-00041-2024).

Action Requested: *Recommend Approval or Denial*

ZONING CODE TEXT AMENDMENTS

Section 10-2-3 D Conclusions of Law Pertinent to Proposed Zoning Ordinance Text Amendments:

Before the commission recommends a text (content) amendment to the zoning ordinance, and, before the City Council approves any proposed zoning code amendment(s), the Commission and the City Council must individually find and conclude: 1. That the proposed amendment(s) is, are or would be reasonably necessary, in the interest of the public, and in harmony with the goals and/or policies of the adopted comprehensive plan.

DESCRIPTION OF CHANGES TO TITLE 10

Due to changes made in the Comprehensive Plan in February 2024 to include the Very Low-Density Residential land use designation, some other changes needed to be made to Title 10 to be consistent.

Additions to the code are written in blue and deletions are written in red with a strikethrough.

Title 10, Chapter 6 – AG:

10-6-7: EXCEPTIONS FOR CLUSTER DEVELOPMENT IN THE AGRICULTURAL DISTRICT/ZONE

A ~~cluster development~~ “Cluster Development” is permitted in the Agricultural Zoning District with the following limitations:

10-6-7.A: Any ~~cluster development~~ “Cluster Development” in the Agricultural Zoning District shall be a Planned Unit Development or within a Master Planned Community. ~~and a “Cluster Development” area in a specific area plan.~~

10-6-7.B: ~~The gross density shall not exceed 1 dwelling unit per acre unless a specific area plan indicates.~~ A “Cluster Development” shall not exceed 2.5 dwelling units per acre. ~~A density of up to 2.5 dwelling units per acre in a~~

10-6-7.C: A “Cluster Development” in the Agricultural Zoning District Land Use Designation on the Future Land Use Map is permitted unless otherwise limited or restricted by a specific area plan.

10-6-7.CD: Cluster development shall be limited to single-family residential dwellings.

10-6-7.DE: Each residential structure with a garage shall provide a driveway from the front property line to a garage door of no less than 20 feet in length.

10-6-7.EF: Variations to the lot size and bulk requirements listed in this chapter shall be outlined and approved through the Planned Unit Development or Master Planned Community application.

Title 10, Chapter 7 – RA:

10-7-8: EXCEPTIONS FOR CLUSTER DEVELOPMENT IN THE SUBURBAN RESIDENTIAL DISTRICT/ZONE

A ~~cluster development~~ “Cluster Development” is permitted in the Suburban Residential Zoning District with the following limitations:

10-7-8.A: Any ~~cluster development~~ “Cluster Development” in the Suburban Residential Zoning District shall be a Planned Unit Development or part of a Master Planned Community ~~and identified as a “Cluster Development” area in a specific area plan.~~

10-7-8.B: ~~The gross density shall not exceed 1 dwelling unit per acre unless a specific area plan indicates. A “Cluster Development” shall not exceed 2.5 dwelling units per acre. a density of up to 2.5 dwelling units per acre in a~~

10-7-8.C: A “Cluster Development” in the Suburban Residential Zoning District Land Use Designation on the Future Land Use Map is permitted unless otherwise limited or restricted by a specific area plan.

10-7-8.CD: Cluster development shall be limited to single-family residential dwellings.

10-7-8.DE: Each residential structure with a garage shall provide a driveway from the front property line to a garage door of no less than 20 feet in length.

10-7-8.EF: Variations to the lot size and bulk requirements listed in this chapter shall be outlined and approved through the Planned Unit Development or Master Planned Community application.

Title 10, Chapter 16 – BC:

10-16-6: OTHER REQUIRED CONDITIONS

The following additional conditions shall apply:

10-16-6.A: Setback from Residential Districts: In any BC district directly across the street from any Residential or Agricultural Zoning district, or Residential or ~~Agricultural~~ “Very Low Density Residential” land use setting on the comprehensive plan, the commercial property's parking and loading facilities shall be distant at least twenty feet (20') from the intervening street's edge upon the commercial property. The requirements of this subsection shall not, however, apply where such Residential or Agricultural Zoning District, or any ~~Agricultural~~ “Very Low Density Residential” or Residential land use setting is separated from the BC district by a street planned to have a right-of-way of eighty feet (80') or more.

Title 10, Chapter 18 – IP:

10-18-9: OTHER REQUIRED CONDITIONS

The following additional conditions shall apply in an IP district:

10-18-9.A: Outdoor Operation(s): All aspects of property uses shall be conducted wholly within a completely enclosed building, except for off street parking, loading, and aspects of a use allowed via issuance of a conditional use permit that are specifically allowed by the commission to be conducted outside the building(s) located on the property.

10-18-9.B: Setback from Residential Districts: In any IP district directly across a street from any residential district (or from any ~~agricultural~~ [“Very Low Density Residential”](#) district designated for future residential use in the comprehensive plan), structures in an IP zone shall be set at least fifty feet (50') away from that industrial property's front or street side property line that abuts the intervening street line/edge.

Title 10, Chapter 19 – IL:

10-19-8.B: Setback from Residential Districts: In an IL district directly across a street or thoroughfare from a residential district or ~~agricultural~~ [“Very Low Density Residential”](#) district in an area designated for future residential use on the comprehensive plan land use map, the parking and loading facilities shall be set at least twenty feet (20') back from the street line (edge of pavement), and structures shall be set back at least fifty feet (50') from the street line (edge of pavement).

Title 10, Chapter 20 – IH:

10-20-8.B: Setback from Residential Districts: In any IH district directly across a street or thoroughfare from a residential district or ~~agricultural~~ [“Very Low Density Residential”](#) district designated for future residential use in the comprehensive plan, the parking and loading facilities shall be distant at least twenty feet (20') from the street, and the buildings and structures at least fifty feet (50') from the street; provided, this requirement shall not apply when the street or thoroughfare is provided on one or both sides with a service road developed in accordance with the provisions of chapter 27 of this title.

Title 10, Chapter 26 – PUDs & MPCs:

Planned Unit Development (PUD): The intent of PUD regulations is to permit greater but limited flexibility to: [zoning, uses](#), lot sizes, bulk requirements, setbacks, building height, and placement of structures that are typically required in zoning districts, and consequently, more creative design for development than generally is possible under conventional zoning regulations or subdivision regulations as affected by zoning regulations. Density allowance is increased by 20% over standard subdivision development. It is further intended to promote more economical and efficient use of land while facilitating a harmonious variety of neighborhood development, a higher level of urban amenities, and preservation of natural scenic qualities of open spaces.

10-26-2.A: PUD and MPC Ratio of Land Uses ~~in a Mixed Use Development:~~

[10-26-2.A.1:](#) Ratio of Land Uses for MPC's, PUD's that are larger than 5 acres in a Mixed Use land use designation: In the Residential Mixed-Use land use designation on the Future Land Use Map, over fifty percent (50%) of the proposed land use shall be residential with no less than 5% of the land use as commercial. In the Community Mixed-Use land use designation on the Future Land Use Map, over fifty percent (50%) of the proposed land use shall be commercial with no less than 5% of the land use as High-Density Residential and/or light industrial.

10-26-2.A.2: A developments not located in a mixed-use future land use designation, may propose a mix of zoning designations and uses. Up to 30% of the land area may be assigned a zone that does not match the future land use designation.

10-26-4.E.1.a: Units, Zoning and Lot Sizes:

- Each cottage/cluster subdivision shall consist of single-family detached cottages, two-unit townhouses, or some combination thereof, in the AG, RA, and RS-4 Zoning Districts; or a combination of single-family detached cottages, two – and three-unit townhouses in the RD, RML, RMH, GB2 and RP Zoning Districts.
- Cottage/cluster subdivisions shall be configured with cluster homes surrounding a central courtyard. The central common courtyard shall be a cumulative size comprising of at least 500 square feet per dwelling unit.
- Lot Sizes: Lots shall be sized utilizing the following matrix:

Future Land Use Designation		Zoning District	Gross Density
Agricultural <u>Very Low Density Residential</u>		AG*	max 2.5 DU/acre
Agricultural <u>Very Low Density Residential</u>		RA*	
RMU	MDR	RS-4 (single-family detached only)	2.51 - 8 DU/acre
RMU	MDR	RD (single-family detached and 2–3-unit townhouses)	
RMU	MDR	RP (single-family detached and 2–3-unit townhouses)	
CMU	HDR	RD (2–3-unit townhouses only)	8.01 + DU/acre
CMU	HDR	RML (2–3-unit townhouses only)	
CMU	HDR	RMH (2–3-unit townhouses only)	
CMU	HDR	GB2 (2–3-unit townhouses only)	
CMU	HDR	RP (2–3-unit townhouses only)	
(*) The Agricultural <u>“Very Low Density Residential”</u> Future Land Use Designation is intended for very low density residential with large open space preservation areas. Dwelling units in the AG and RA Zoning Districts shall be clustered on smaller lots with the remaining open space on (a) large common lot(s).			
LOT SIZES RS4 ZONING DISTRICT: Lots sizes for single-family detached dwelling units shall be 4,000 to 7,000 sq. ft.			
LOT SIZES RD, RML, RMH, GB2 and RP ZONING DISTRICTS: Lot sizes for single-family detached dwelling units shall be 2,500 – 5,000 sq. ft., and for a townhouse building with 2-3 dwelling units, the parcel area required for each townhouse dwelling unit is 1,350 – 3,500 sq. ft.			
All Cluster developments over 2 acres in size must be submitted as a planned unit development <u>or master planned community</u> . Cluster developments smaller than 2 acres in size must obtain a Conditional Use Permit.			
DU = One (1) Individual dwelling unit			

STAFF PROPOSED FINDINGS

The following findings are proposed by staff:

- 1) Section 10-2-3 D of Nampa City Code provides the standards for amending the City's zoning ordinance.
- 2) The proposed Ordinance Amendments are appropriate because they are "reasonably necessary, in the interest of the public, and in harmony with the goals and/or policies of the adopted comprehensive plan." Nampa City Code § 10-2-3-D.
- 3) The proposed Ordinance Amendments are in harmony with the City's Nampa 2040 Comprehensive Plan.

POTENTIAL MOTIONS

APPROVE:

I move to recommend approval of the **Zoning Code Text Amendment of Title 10**, Chapter 6 (AG), Chapter 7 (RA) regarding the requirements for cluster developments, Chapter 16 (BC), Chapter 18 (IP), Chapter 19 (IL), Chapter 20 (IH), in regards to setbacks adjacent to a property with the very low density residential designation in the Comprehensive Plan and the specific requirements per zoning district and Chapter 26 (PUDs and MPCs) in regards to the Cottage/Cluster Developments in the very low density residential designation in the Comprehensive Plan, for the City of Nampa. (ZTA-00041-2024).

DENY:

I move to recommend denial of the **Zoning Code Text Amendment of Title 10**, Chapter 6 (AG), Chapter 7 (RA) regarding the requirements for cluster developments, Chapter 16 (BC), Chapter 18 (IP), Chapter 19 (IL), Chapter 20 (IH), in regards to setbacks adjacent to a property with the very low density residential designation in the Comprehensive Plan and the specific requirements per zoning district and Chapter 26 (PUDs and MPCs) in regards to the Cottage/Cluster Developments in the very low density residential designation in the Comprehensive Plan, for the City of Nampa. (ZTA-00041-2024) for the following reasons: _____.