



STAFF REPORT

MORGAN COUNTY PLANNING COMMISSION

PETITION FOR: TEXT AMENDMENT

Applicant: Morgan County Planning & Development
Applicant's Agent: N/A
Zoning Ordinance: City of Rutledge Zoning Ordinance
Chapter 12.9 Townhouses and Condominiums

Summary

Morgan County Planning Staff has recently given presentations to the Board of Commissioners and the Rutledge City Council describing the development in the counties around Morgan County and within the City of Madison. One of the fastest growing housing types seen in current development trends are townhouses. (All attached housing types are increasing in popularity.) Within a week of the presentation to the Commissioners, Staff received a phone call from a developer who wanted to build 500 townhouses in the City of Rutledge. Although the inquiry went no further than a couple of phone calls, it highlighted the possibility that townhouse development could come to Morgan County, and could be disastrous without strict parameters.

Staff requested that the City of Rutledge place a moratorium on multi-family dwellings, townhouses and condominiums. The 120-day moratorium was approved in June. The attached language addresses the concerns expressed by the Rutledge City Council regarding townhome and condominium development, including the lot size, parking, garages, setbacks and appearance.

From the City of Rutledge Zoning Ordinance: For clarification, "townhouse" is a term that is used for a two-story attached dwelling and can apply to units that are owned by the resident or rented. A "condominium" is owned by the resident and although it can be in another form, it is typically a townhouse (urban developers use the term for flats as well).

This language was sent to the Rutledge City Council in July for review and comment. No comments were received.

Current and Proposed Language

See attached for proposed language for Chapter 12.9. Existing language is also attached.

Chapter 12.9 Townhouses and Condominiums

In zoning districts where permitted, Townhouses and Condominiums shall meet the following requirements:

- (a) No more than 48 units shall be allowed per Townhouse or Condominium development. No more than 4 continuous townhouses or condominiums shall be built in a connected row.
- (b) The minimum lot area for any Townhouse or Condominium development shall six (6) acres. In no case shall more than fifty percent (50%) of the lot area be occupied by buildings.
- (c) The maximum impervious surface area for Townhouse or Condominium developments shall meet the zoning district where located. All Townhouse or Condominium developments shall dedicate a minimum of 20% to open space. At least one half of the dedicated open space must be useable space for passive and active recreational use. Pervious areas such as storm water facilities and parking lot islands shall not be used as part of the open space requirement. All open space recreational areas must be separated from the internal traffic flow and public thoroughfares. All passive and active recreational areas must be readily accessible to all occupants of the development.
- (d) All buildings must be separated on all sides a minimum of 60 feet from any other building; All buildings must be set back a minimum of 100 feet from the side and rear lot lines; All buildings must be set back a minimum of 60 feet from the street right-of-way; All buildings and structures must be set back a minimum of 100 feet from all bodies of water qualifying as State Waters; All buildings must be located outside any area designated as floodplain.
- (e) All buildings shall be oriented as to face front to front or rear to rear. No building shall be oriented as to face front to rear of another building within the development or to adjoining properties.
- (f) Building height shall be limited to two (2) floors and a median height of 35 feet above finished grade.
- (g) Each Townhouse or Condominium shall have its own rear yard at least 12 feet deep that is private and reasonably secluded from view from the streets and from neighboring properties, including adjacent units.
- (h) All Townhouse or Condominium units shall meet the following for minimum heated floor space:
 - One (1) bedroom unit – 800 square feet
 - Two (2) bedroom unit – 1,000 square feet
 - Three (3) bedroom unit – 1,200 square feet
- (i) Every Townhouse or Condominium development proposed to contain 24 dwelling units or more must include a community recreation amenity to serve the development. These amenities may include any of the following:
 - Active play area(s)
 - Children's play area(s)
 - Accessible walking trails
 - Public swimming pool(s)
 - Ball fields

Club house
Kitchen with seating
Tennis court(s)
Basketball court(s)
Volleyball court(s)
Other active recreation courts
Community Garden(s)
Community Outdoor

Townhouse and Condominium developments containing 24 to 48 dwelling units must include a minimum of two (2) amenities.

- (j) Each applicant of a Townhouse or Condominium development shall present, as part of the application, all legal documents in which all land associated with the development shall be protected and maintained. This includes all internal streets, parking areas, sidewalks, landscaping, open space areas, recreation amenities, common areas and structures.
- (k) All Townhouse or Condominium developments must be connected to a public water system and a public sanitary sewer system. All utilities must be located underground within the development.
- (l) All dumpsters and service equipment must be screened from view using durable architectural materials compatible with the building's exterior.
- (m) All Townhouse and Condominium developments must comply with the latest building and fire code adopted by the City of Rutledge. A fire hydrant, meeting the required fire flows for the size of the structure, must be located within one hundred (100) feet of each building within the development. In no case shall the hydrants be placed further than five hundred (500) feet apart within the development.
- (n) Exterior lighting must meet the requirements of the Rutledge Zoning Ordinance.
- (o) A landscaping plan shall be submitted and approved as part of the construction documents. The use of native plants and trees as landscaping material is encouraged wherever possible. Invasive or potentially invasive plants are not permitted. Existing tree cover and natural vegetation shall be preserved, whenever possible, or replaced with suitable vegetation. Ground cover(s) should be used to supplement landscaping in appropriate areas to reduce the need for extensive grass lawns. All Multi-Family Residential Developments are required to have a minimum of 20' buffer along adjoining property lines meeting the screening and buffer requirements of the Rutledge Zoning Ordinance
- (p) All exterior materials shall be durable and of high-quality. The front façade must contain more than one type of exterior material. A minimum of 50% of the front façade must be brick or stone. No aluminum or vinyl siding is allowed. Façade modulation shall be utilized with a minimum modulation depth of 4 feet. Maximum width of building façade without modulations shall be 30 feet. All front facades shall include architectural elements such as banding, projecting bays, base elements, cornice lines, column treatments, and decorative window treatments and/or architectural fenestration intended to relieve blank and undifferentiated facades. Rear and side materials shall be designed to be compatible in color, materials, and detailing with the public and residential facades. The roof lines of buildings which face public and residential areas shall be designed to include treatments such as pitched roofs,

gables, or raised features in order to provide attractive facades, provide interest and avoid the monotony of undifferentiated rooflines.

- (q) All access roads and parking areas must be paved with curbing and gutter, consistent with the requirements of the City of Rutledge regulations. All parking areas must be in the rear of the units and must be grouped to minimize the number of parking lots. The number of parking spaces must meet the requirements of the Rutledge Zoning Ordinance. Additional parking for guests must be provided and shall be spaced throughout the development. All parking must be off-street.
- (r) Sidewalks shall be provided on both sides of the street in all Townhouse and Condominium developments. Sidewalks must be located within the dedicated non-pavement right-of-way of roads and shall be concrete or asphalt, unless an alternate material is approved by the Director of Planning & Development. Sidewalks must be a minimum of 5 feet wide with a minimum 4 foot wide grassed or landscaped median between the sidewalk and the adjacent curb.
- (s) No additional structures shall be allowed in the front or rear yard of a Townhouse or Condominium.
- (t) Townhouse or Condominium developments with units containing garages must provide alleys for rear entry. No garage door may be part of the front façade. Alleys shall be a minimum of 16 feet wide. Dead end alleys are not allowed. Alleys must be paved to local street standards.