



CLINTON CITY COUNCIL AGENDA

2267 N 1500 W Clinton, UT 84015

This meeting may be attended electronically by one or more members.

February 13, 2024 – 6 PM

[Click Here for ZOOM Meeting Link](#)

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Meeting ID: 891 7487 5476 Pass Code: 012738

I. 6:00 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Invocation or Thought
4. Roll Call

II. PUBLIC INPUT

Any public member who wishes to address the Council shall, prior to the meeting, sign the “list to present” with the Clerk of the Council. They will be allowed up to three minutes to make their presentation. Please send requests to litensor@clintoncity.com or call 801-614-0700. (According to Utah State Code, the Council cannot take action on items not advertised on the agenda).

III. BUSINESS

- A. Fire Department Badge Pinning
- B. **To be Postponed - Public Hearing Resolution 20-23**, Proposed Development Agreement for Approx. 19.20 Acres Zoned R-M (Multi-Family Residential) and 4.20 acres Zoned PZ (Performance Zone) Located at Approx. 2541 North 2000 West
- C. Declaration of Surplus Vehicles
- D. 800 North: 1000 West to 450 West Project Bid Award
- E. **Resolution 06-24**, 2024 CDBG Grant Application
- F. **Resolution 07-24**, Interlocal Agreement with Layton City for Fire Department Station Alerting
- G. Request for Additional Funds for Heritage Days Celebration
- H. Planning Commission Appointments and Meeting Schedule Change
- I. **Public Hearing Ordinance 24-01Z**, Proposed Text Amendments to Title 28, Clinton City Zoning Ordinance, Regarding Updates To The R-M (Multi-Family Residential) Zoning District (Chapter 28-15) Development Standards; And Consideration Of a New Planned Residential Development (PRD) Overlay Zone

IV. OTHER BUSINESS

- a. Approval of Minutes: January 23, 2024 CC; January 23, 2024 Work Session; January 30, 2024 Work Session
- b. Approval of Accounts Payable
- c. Planning Commission Report
- d. City Manager’s Report
- e. Staff Reports
- f. Council Reports on Areas of Responsibility
- g. Mayor’s Report
- h. Action Item Review

V. ADJOURN

I, The City Recorder of Clinton City, certify that this agenda for the Clinton City Council has been properly noticed on the Utah Public Notice Website, the Clinton City Website and at Clinton City Hall.

Mayor

Brandon Stanger

City Council

Marie Dougherty

Gary Tyler

Dane Searle

Spencer Arave

Austin Gray

*Dated this 9th day of February, 2024
/s/Lisa Titensor, Clinton City Recorder*

- *A link to the meeting can be found either at the top of the agenda OR on the Clinton City Website, or Facebook at <https://www.facebook.com/ClintonCityUT/>*
- *Supporting documentation for this agenda is posted on the Clinton City website at www.clintoncity.com and on the Utah Public Notice Website www.utah.gov/pmn*
- *In compliance with the American with Disabilities Act, individuals needing special accommodation (including auxiliary communicative aids and service) during the meeting should notify Lisa Titensor, City Recorder, at (801) 614-0700 at least 24 hours prior to the meeting.*
- *This meeting may involve the use of electronic communications for some members of this public body. The anchor location for the meeting shall be the Clinton City Council Chambers at 2267 N 1500 W Clinton UT 84015. Elected Officials at remote locations may be connected to the meeting electronically to participate.*
- *Notice is hereby given that by motion of the Clinton City Council, pursuant to Utah State Code Title 52, Chapter 4 sections 204 & 205, the City Council may vote to hold a closed session for any of the purposes identified in that Chapter.*
- *The order of agenda items may change to accommodate the needs of the city council, staff and/or public.*

CLINTON CITY COUNCIL AGENDA ITEM

SUBJECT: Fire Department Badge pinning for February 2024	AGENDA ITEM: A
PETITIONER: David Olsen, Justin Benavides	MEETING DATE: 02/13/2024
RECOMMENDATION: Recognize the following Firefighters/Paramedics for their accomplishment	TYPE OF VOTE: NONE
FISCAL IMPACT:	
BACKGROUND: Firefighter/Paramedic Chanler Wade Firefighter/Paramedic Katelyn Lee	
ATTACHMENTS:	

CLINTON CITY COUNCIL

AGENDA ITEM

<p>SUBJECT: <i>Public Hearing: TO BE POSTPONED</i> - Review and possible action on a development agreement for approximately 19.20 acres zoned R-M (Multi-Family Residential) and 4.20 acres zoned PZ (Performance Zone) located at approximately 2541 North 2000 West. The Development Agreement addresses residential design and development standards, utility services and street connections for the proposed development. (Parcels 13-490-0028, 13-049-0009, 13-049-0013, 13-049-0014, and 13-049-0015).</p>	<p>AGENDA ITEM: B</p>
<p>Petitioners: Charles G. Summers Family Trust, Sharon S. Bingham and Doug F. Summers Trustees, Judy Frandsen Trustee, and Ellis F. and Emma Jane Bouwhuis Summers Trustees Property Owners are represented by Derek Terry and Garrett Seely.</p> <p>Submitted By: Peter Matson, Community Development</p>	<p>MEETING DATE: 02/13/2024</p>
<p>ORDINANCE REFERENCES: General Plan/Master Land Use Map, Zoning Map and Zoning Ordinance (Title 28)</p>	<p>VOTE: Roll Call</p>
<p>RECOMMENDATION: To postpone the adoption of Resolution 20-23 approving the Development Agreement with the Property Owners of approximately 19.20 acres zoned R-M (Multi-Family Residential) and 4.20 acres zoned PZ (Performance Zone) located at approximately 2541 North 2000 West. (Parcels 13-490-0028, 13-049-0009, 13-049-0013, 13-049-0014, and 13-049-0015) and now the previously provisionally approved Resolution 19-23, Ordinance 23-07Z and Ordinance 23-08Z are fully approved and effective as of this approval action.</p>	
<p>BACKGROUND INFORMATION: The Development Agreement for the Summers property describes what the City agrees to provide (City’s Undertakings) and what the owner/developer agrees to complete (Owners’ Undertakings and Rights). The Agreement also includes legal terms and language common in most development agreements including the provision in Article VII specifying that the terms of the agreement are binding on the owners, successors and assignees (future owners and developers). Legal counsel has reviewed the agreement with suggested updates reflected in this latest draft.</p> <p>The substantive language of the Agreement is primarily located in Article IV which outlines development and design standards for development of this specific property. This article</p>	

addresses the maximum density of the project, residential site amenities, residential design standards, site development standards, landscaping, fencing, HOA requirements, and public utilities.

The development agreement is important because, at the time of application, the City's R-M zoning regulations were deemed insufficient in terms of basic development, design, and street/access standards. Therefore, the development agreement fills in these gaps and provides necessary regulations and requirements for the development. If the development agreement is approved, it will be officially recorded against each parcel within the subject area. This means that any future owners or developers of the property will be legally obligated to adhere to the standards and guidelines outlined in the agreement.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission reviewed the development agreement during their December 12th meeting. The Commission recommended the Council not approve Resolution 20-23 denying the request to approve the development agreement because the R-M (multi-family) zone should be updated and the development agreement should follow the updated code with respect to larger single-family lots, no private drives, more open space and a maximum of four units per townhome building. The motion was approved by a unanimous vote.

DISCUSSION: The approved minutes from the December 12th Council meeting indicate the motion to approve the General Plan amendment and P-Z/ R-M zoning was subject to the approval development agreement. The attached agreement is primarily the same as the draft reviewed when the zoning was approved. Given recent discussions about consistency between the development agreement and the draft RM/PRD ordinance, the attached table is provided comparing the major provisions of the draft ordinance with those of the development agreement. The agreement is considerably similar to the draft ordinance with the exception of two key provisions - the transition from existing single-family residential and the minimum open space percentage.

ATTACHMENTS:

- (A) Resolution 20-23 –Agreement for the Development of Land between Clinton City and Summers Family
- (B) General Plan Map
- (C) Zoning Map
- (D) Concept Plan
- (E) Draft #7 Development Agreement between Clinton City and Summers Family
- (F) R-M/PRD Ordinance / Development Agreement Comparison Table

RESOLUTION NO. 20-23

A RESOLUTION ADOPTING AN AGREEMENT FOR THE DEVELOPMENT OF LAND BETWEEN CLINTON CITY AND CHARLES G. SUMMERS FAMILY TRUST, SHARON S. BINGHAM AND DOUG F. SUMMERS TRUSTEES, JUDY FRANDBEN TRUSTEE, AND ELLIS F AND EMMA JANE BOUWHUIS SUMMERS TRUSTEES

WHEREAS, Owners, CHARLES G. SUMMERS FAMILY TRUST, SHARON S. BINGHAM AND DOUG F. SUMMERS TRUSTEES, JUDY FRANDBEN TRUSTEE, AND ELLIS F AND EMMA JANE BOUWHUIS SUMMERS TRUSTEES are developing certain property located at approximately 2541 North 2000 West in Clinton City; and

WHEREAS, Owners and Clinton City have entered into an agreement setting forth the responsibilities of both parties relative to various aspects of the development of Owners property with appropriate land uses, setbacks, street widths and architectural design to enhance the general area; and

WHEREAS, the City Council has determined it to be in the best interest of the citizens of Clinton City to enter into this agreement to ensure that the Owners' property will be developed according to the overall objectives and intent of the City's General Plan and in the best interest of the City.

NOW, THEREFORE, THE CLINTON CITY COUNCIL RESOLVES TO ADOPT AND APPROVE THE ATTACHED DEVELOPMENT AGREEMENT AND AUTHORIZE THE MAYOR TO EXECUTE SAID AGREEMENT.

SECTION 1. By majority vote on a motion before the Clinton City Council the Council the attached Development Agreement.

SECTION 2. Effective date. This Resolution shall become effective upon signature and posting.

PASSED BY MOTION AND ORDERED PUBLISHED by the Council of Clinton City, Utah, this 13th day of February 2024.

February 2, 2024
NOTICE PUBLISHED

BRANDON STANGER
MAYOR

ATTEST:

LISA TITENSOR
CITY RECORDER

Posted: _____

**CLINTON CITY
COUNCIL AGENDA ITEM**

SUBJECT: Surplus vehicles and equipment.	AGENDA ITEM: C
PETITIONER: Trevor Cahoon, Dave Williams	MEETING DATE: 02/13/24
RECOMMENDATION: That Council declare the below listed items as surplus, and authorize City Manager to offer them for sale using the JJ Kane Auction in SLC.	VOTE: Roll Call
FISCAL IMPACT:	
BACKGROUND: We have used JJ Kane Auction for years, and have done well using their services. The following equipment and vehicles have been replaced. Can now be sold off at auction. Police.....2012 Dodge Charger Police.....2014 Dodge Charger	
ATTACHMENTS: None	

CLINTON CITY COUNCIL AGENDA ITEM

SUBJECT: Reconstruct 800 North from 1000 West to 450 West	AGENDA ITEM: D
PETITIONER: David Williams, Bryce Wilcox	MEETING DATE: 02/13/24
RECOMMENDATION: awarding the total project of \$4,478,397.00 to Leon Poulsen Construction subject to construction cost approvals by Clearfield and Sunset Cities.	TYPE OF VOTE: Roll Call
<p>BACKGROUND: Clinton, Clearfield, Sunset Cities and the Weber Basin Water Conservancy District have joined together to reconstruct 800 North from 1000 West to 450 West. A map of the project area is attached. Clinton City is the lead agency and is responsible for overseeing the project. The interlocal agreement was approved on October 24, 2023. The project bid opening was on January 24, 2024. There were 6 bidders for the project. The bid tabulation is attached. There were 3 bid sections. Section A is the roadway and bridge. Section B is the Clearfield City waterline. Section C is the Weber Basin water line. The grant from Davis County is for \$1,516,000 and is for the roadway portion on Schedule A.</p> <p>The low bidder on the project was Leon Poulsen Construction with the following bid.</p> <p>Schedule A: \$ 2,025,133.00 Schedule B: \$604,913.00 Schedule C: \$1,848,351.00 Total: \$4,478,397.00</p> <p>The following is the estimated cost breakdown per entity for the total project costs based on the interlocal agreement. The costs are higher than anticipated in the interlocal agreement.</p> <p>Clinton Total: \$374,460.27 Clearfield Total: \$994,479.50 Sunset Total: \$15,106.23 Weber Basin Total \$1,848,351.00</p> <p>We have budget \$150,000 for the project in account #43. The remaining \$225,000 will come from account 37 and storm drain impact fees. The project will be completed in November 2024 so funding will come from this fiscal year and next fiscal year.</p> <p>The Weber Basin Water Conservancy District Board has agreed to their construction costs. Clearfield and Sunset Cities are in the process of approving their costs.</p>	
ATTACHMENTS: 800 N Bid Tabulation, 800 N Roadway Project Map	

7	Remove Tree	Each	3	\$ 900.00	\$ 2,700.00	\$
8	Remove Curb Ramp	Each	16	\$ 1,500.00	\$ 24,000.00	\$
9	Remove Curb and Gutter	Linear Feet	1,599	\$ 7.00	\$ 11,193.00	\$
10	Remove Concrete Flatwork	Square Feet	410	\$ 4.00	\$ 1,640.00	\$
11	Remove Sidewalk	Square Feet	4,306	\$ 4.00	\$ 17,224.00	\$
12	Remove Waterway	Square Feet	538	\$ 5.00	\$ 2,690.00	\$
13	Remove Driveway Approach	Square Feet	175	\$ 5.00	\$ 875.00	\$
14	Remove Concrete Barrier	Linear Feet	634	\$ 12.00	\$ 7,608.00	\$
15	Remove Storm Drain/Irrigation Box	Each	8	\$ 2,000.00	\$ 16,000.00	\$
16	Remove Concrete Manhole	Each	1	\$ 2,200.00	\$ 2,200.00	\$
17	Remove Street Sign	Each	7	\$ 300.00	\$ 2,100.00	\$
18	Remove Street Light	Each	6	\$ 750.00	\$ 4,500.00	\$
19	Soft Spot Repair	Cubic Yard	300	\$ 26.00	\$ 7,800.00	\$
20	Untreated Base Course (Plan Quantity)	Cubic Yard	3,856	\$ 32.00	\$ 123,392.00	\$
21	Hot-Mix Asphalt (3" thick)	Square Yard	2,032	\$ 17.00	\$ 34,544.00	\$
22	Hot-Mix Asphalt (5" thick)	Square Yard	11,849	\$ 28.00	\$ 331,772.00	\$
23	Chip Seal	Square Yard	11,849	\$ 2.50	\$ 29,622.50	\$
24	Slurry Seal	Square Yard	13,881	\$ 2.00	\$ 27,762.00	\$
25	Pedestrian Curb Ramp	Each	23	\$ 3,000.00	\$ 69,000.00	\$
26	Concrete Driveway Approach (6" Thick)	Square Feet	368	\$ 18.50	\$ 6,808.00	\$
27	Concrete Sidewalk (4" Thick)	Square Feet	6,314	\$ 15.50	\$ 97,867.00	\$
28	Concrete Curb and Gutter (Type A)	Linear Feet	1,526	\$ 62.00	\$ 94,612.00	\$
29	Adjust Valve Box to Grade	Each	21	\$ 1,100.00	\$ 23,100.00	\$
30	Adjust Manhole to Grade	Each	9	\$ 900.00	\$ 8,100.00	\$
31	Landscape Block Wall (1-2 ft tall)	Linear Feet	20	\$ 60.00	\$ 1,200.00	\$
32	Rock Mulch	Square Feet	6,377	\$ 3.50	\$ 22,319.50	\$
33	Top Soil and Turf Sod	Square Feet	877	\$ 5.00	\$ 4,385.00	\$
34	Chain-Link Fence (Install Only)	Linear Feet	165	\$ 50.00	\$ 8,250.00	\$
35	Vinyl Fence	Linear Feet	25	\$ 80.00	\$ 2,000.00	\$
36	Relocate Automated Gate	Each	1	\$ 4,000.00	\$ 4,000.00	\$
37	Pavement Marking - 4" Single	Linear Feet	3,206	\$ 0.20	\$ 641.20	\$
38	Pavement Marking - 4" Double	Linear Feet	2,653	\$ 0.40	\$ 1,061.20	\$
39	Pavement Marking - 12" Single	Linear Feet	1,187	\$ 0.80	\$ 949.60	\$
40	Pavement Marking - "SCHOOL"	Each	2	\$ 300.00	\$ 600.00	\$
41	Pavement Marking - Longitudinal Crosswalk	Linear Feet	32	\$ 20.00	\$ 640.00	\$
42	Pavement Marking - Yield Triangles	Linear Feet	20	\$ 10.00	\$ 200.00	\$
43	Pavement Marking - Turn Arrow	Each	4	\$ 80.00	\$ 320.00	\$
44	UDOT RRFB Assembly	Each	4	\$ 9,000.00	\$ 36,000.00	\$
45	UDOT School Beacon Speed Assembly	Each	2	\$ 6,000.00	\$ 12,000.00	\$
46	School Advanced Assembly	Each	2	\$ 900.00	\$ 1,800.00	\$
47	Clearfield City Stop Sign	Each	4	\$ 750.00	\$ 3,000.00	\$
48	Clearfield City Street Light	Each	9	\$ 6,500.00	\$ 58,500.00	\$
49	1" Electrical Conduit	Linear Feet	1,688	\$ 15.00	\$ 25,320.00	\$
50	2" Electrical Conduit	Linear Feet	134	\$ 20.00	\$ 2,680.00	\$

800 North Roadway: 450 W to 1000 W				Engineer's OPC			
Item #	Description	Unit	Estimated Quantity	Unit Price			Unit
51	UDOT Standard Meter Base	Each	1	\$ 6,000.00	\$	6,000.00	\$
52	UDOT Polymer Junction Box	Each	15	\$ 500.00	\$	7,500.00	\$

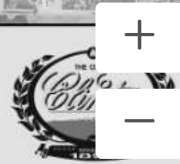
800NorthRoadway_BidTabulation.pdf

Added Feb 7 at 1:50 PM • 581.78 KB

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**800 North Roadway Project
Davis County
3rd Quarter Grant**



800NorthRoadway_ProjectMap.pdf

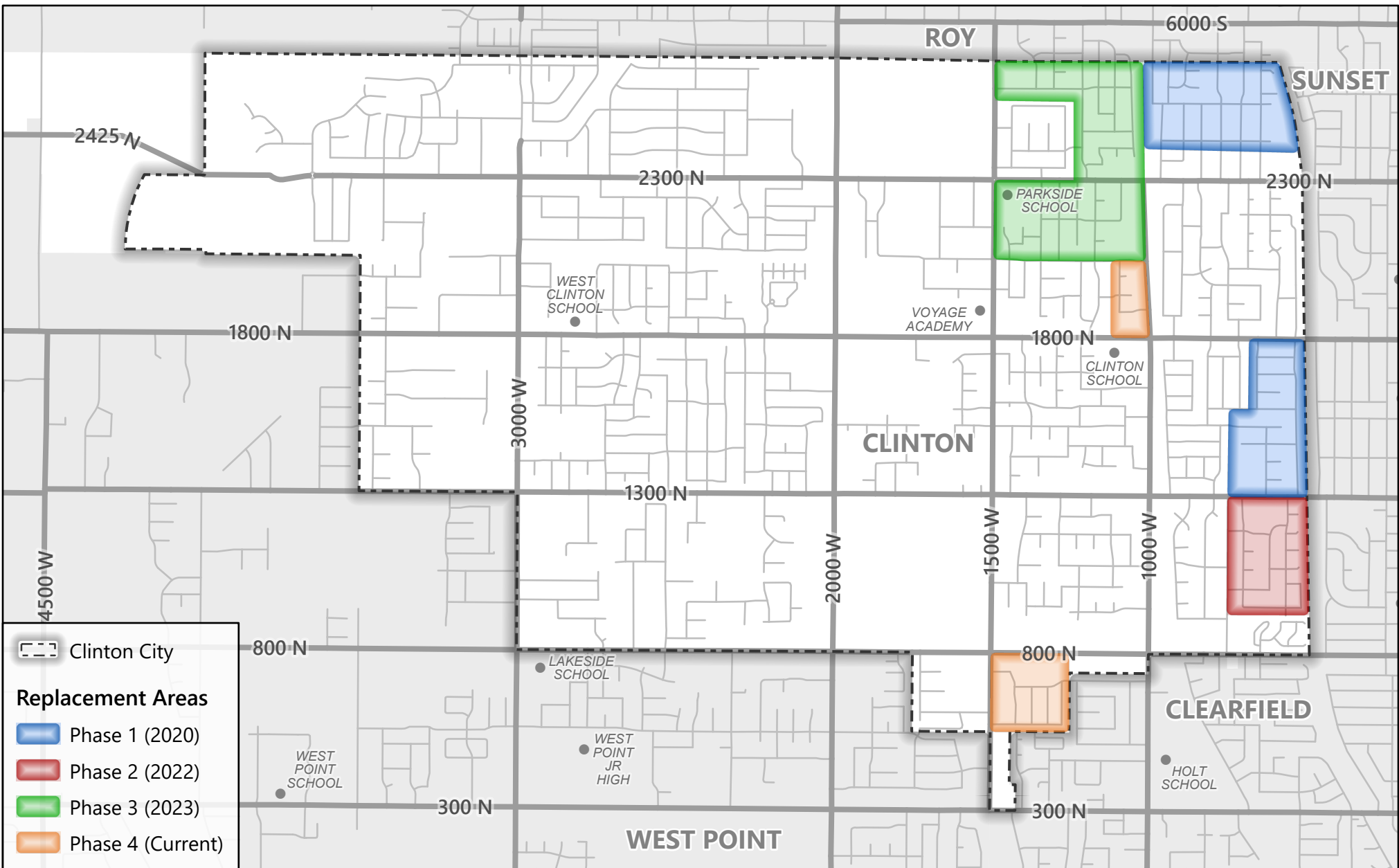
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CLINTON CITY COUNCIL AGENDA ITEM

SUBJECT: Resolution 06-24 CDBG Grant Application	AGENDA ITEM: E
PETITIONER: Bryce Wilcox, David Williams	MEETING DATE: February 13, 2024
RECOMMENDATION: adopt Resolution 06-24 authorizing staff to submit the 2024 CDBG grant application.	TYPE OF VOTE: Roll Call
FISCAL IMPACT: \$25,000	
<p>BACKGROUND:</p> <p>Over the last several years Clinton has been applying for Community Development Block Grants (CDBG) to replace Curb Ramps with ADA curb ramps. ADA requirements changed in the early 2000's so many of the ramps in the city do not meet current compliance requirements. We replace curb ramps with street projects and have completed 3 CDBG projects for curb ramps.</p> <p>We are applying for another curb ramp project from CDBG. The attached map shows the location of this year's project and the previous projects. We are requesting a \$125,000 project with a \$100,000 CDBG grant and a \$25,000 city match.</p> <p>The City needs to pass a Resolution supporting the submission of a CDBG grant application. The use of the CDBG grants to replace curb ramps has been extremely helpful. We recommend the council pass the resolution supporting the CDBG application.</p>	
ATTACHMENTS: CDBG Project Map	

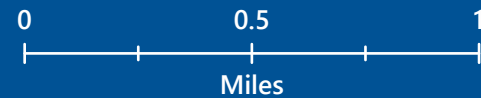


CLINTON CITY PROJECT LOCATION

CDBG ADA Ramp Replacement



UT



112°4'21"W 41°8'7"N

January 2024

RESOLUTION NO. 06-24

A RESOLUTION FOR THE 2024 CDBG APPLICATION TO DAVIS COUNTY

WHEREAS, Davis County administers the CDBG program for participating municipalities and other non-profit entities within the County; and

WHEREAS, The Clinton City Council proposes an ADA sidewalk ramp improvement project to increase mobility and accessibility throughout the City; and

WHEREAS, The Clinton City Council intends to apply to Davis County for FY 2024 CDBG funds.

NOW, THEREFORE, BE IT RESOLVED BY THE CLINTON CITY COUNCIL THAT APPLICATION BE MADE TO DAVIS COUNTY FOR 2024 CDBG FUNDS.

SECTION 1. By majority vote, on a motion before the Clinton City Council, an application to Davis County for 2024 CDBG funds for ADA sidewalk ramp improvement project is supported.

SECTION 2. Effective date. This Resolution shall become effective upon signature and posting.

PASSED BY MOTION AND ORDERED PUBLISHED by the Council of Clinton City, Utah, this 13th day of February 2024.

BRANDON STANGER
MAYOR

ATTEST:

LISA TITENSOR
CITY RECORDER

CLINTON CITY COUNCIL AGENDA ITEM

SUBJECT: Layton Station Alerting Contract	AGENDA ITEM: F
PETITIONER: Fire Chief David Olsen	MEETING DATE: 02/13/2024
RECOMMENDATION: Approve the ALERTING SYSTEM COST SHARING AGREEMENT with Layton City for \$5,038 plus an additional annual cost of \$250 maintenance fee and authorize City Manager Trevor Cahoon to sign the agreement.	TYPE OF VOTE: Roll Call
FISCAL IMPACT:	
BACKGROUND: This contract was a part of the dispatch virtual consolidation agreement/conversation in Davis County. Layton City agreed to house and maintains the virtual dispatch server, and the upgraded station alert server for the county Fire Departments. Layton City had a greater need to move forward faster than the rest of the county because the old station alert system was not upgradeable and they were in the process of opening their 4th fire station. As a result, Layton City covered the upfront costs of the equipment, knowing that the rest of the Fire Departments in the county agreed to pay their portion of the equipment once they were ready to go on-line with the new system. One time cost(s) · Station Alerting Server shared cost \$2250.00 · FIPO CAD Interface: \$1000.00 · Secondary USDD radio backup \$1788.00 Total cost: \$5038.00 Additionally, in the contract is a \$250.00 annual maintenance fee. This fee is included in next year's proposed Fire Department budget.	
ATTACHMENTS: Alerting System Agreement	

**ALERTING SYSTEM
COST SHARING AGREEMENT**

TERMS AND CONDITIONS

This Agreement entered into as of the date set forth below, by and between Layton City, a Utah municipal corporation, with its offices at 437 North Wasatch Drive, Layton, Utah 84041 ("Layton"), and Clinton City Fire, with its offices located at 2153 N. 1500 W. Clinton, Utah 84015 ("Partnering Entity"), jointly referred to as "Parties."

WHEREAS, Layton, along with other public entities within Davis County, including Partnering Entity, have determined to acquire a station alerting system for their respective fire stations; and

WHEREAS, in an effort to acquire this system in the most efficacious manner, the parties have elected to have Layton be the agency contracting with the vendor, being the repository for the servers for the system, collecting the proportionate costs from each entity, and remitting those payments to the contractor; and

WHEREAS, in order to facilitate this arrangement, the Parties enter into this Agreement.

For good and valuable consideration, receipt of which is hereby acknowledged, the Parties agree as follows:

ARTICLE I

EQUIPMENT / HARDWARE / SOFTWARE

- 1.1 **Ownership.** The Parties acknowledge and agree that Layton shall have and retain sole and exclusive ownership and possession of the computer servers, while Partnering Entity will have ownership and possession of the alerting equipment installed in each of its stations.
- 1.2 **Maintenance.** Each party agrees to use industry standards in the maintenance of that equipment in a manner consistent with the directions of the vendor. Day-to-day troubleshooting will be performed by Layton. Anything beyond that will be performed by the vendor or its agents.
- 1.3 **Upgrades, Change of Vendor.** Layton, after discussion with Partnering Entity, is authorized to acquire any upgrades to the system, and any additional costs therefor will be shared as provided herein.

ARTICLE II

PURCHASE / PAYMENTS

- 2.1 **Purchase.** Layton will be responsible for the negotiation and purchase of the equipment, hardware and software for the alerting system. Layton will notify Partnering Entity of the results of the negotiation and the terms of the purchase. Upon request, Layton will provide a copy of the purchase agreement to Partnering Entity.
- 2.2 **System Installation.** Installation of the system will be by the vendor or under the direction of the vendor. Any modifications may only be performed by the vendor, or Layton, under the direction of the vendor.
- 2.3 **Purchase Price and Cost Sharing.** The acquisition price of the product in its entirety was \$35,901.77. Layton is responsible for making this payment to the vendor. Partnering Entity may request confirmation of that payment at any time. All participants have agreed to share these costs as follows: the costs will be shared based on the number of stations each participant has equipped with the subject product. The amount for each station is \$2250 and is payable to Layton, and is due at the time of installation. Failure to make this payment will delay the activation of the system for said installation.
- 2.4 **Annual Maintenance Fee.** Partnering Entity will submit to Layton an annual maintenance fee, out of which fee, Layton will then provide the annual maintenance fee to vendor. The Parties agree the current fee is \$250 per equipped station. This payment to Layton is due on the annual anniversary date from the date of installation. If there is a change to the annual maintenance fee, the Parties will determine the amount to be assessed for each station. Failure to pay the annual maintenance fee to Layton will result in the deactivation of the system in the applicable station.
- 2.4 **Delivery of Payment.** Payment for the product and the annual maintenance fee shall be made to :

Address: Layton City Corporation
437 North Wasatch Drive
Layton, Utah 84041

Attn: Ed Frazier, IT Manager

ARTICLE III

GENERAL

- 3.1 **Entire Agreement.** This Agreement contains the entire agreement between the Parties and supersedes all written or oral agreements, descriptions, representations, and understandings with respect to the subject matter hereof. Partnering Entity acknowledges that it is not entering into this Agreement on the basis of any representations not expressly contained herein. Any modifications of this Agreement must be in writing and signed by a duly authorized officer of each Party.

- 3.2 **Rights of Others.** This Agreement is solely intended to provide rights to and be enforceable by Layton and Partnering Entity. No other person shall acquire or enforce any rights or any representations or warranties given under this Agreement.
- 3.3 **Waiver.** The waiver by either party of any default by the other shall not waive subsequent defaults of the same or different kind.
- 3.4 **Notices.** All notices and demands hereunder shall be in writing and shall be delivered by personal service, mail, or confirmed facsimile transmission at the address of the receiving Party set forth below (or at such different address as may be designated by one Party by written notice to the other). All notices or demands by mail shall be sent by certified or registered United States mail, return receipt requested, and shall be deemed complete upon receipt.

If to Partnering Entity:

Contact Name: Trevor Cahoon, City Manager
 Address: Clinton City
 2267 N 1500 W
 Clinton, Utah
 84015
 Email: tcagoon@clintoncity.com
 Phone: 801-614-0700
 Fax:

If to Layton:

Contact Name: Layton City Corporation
 Address: 437 North Wasatch Drive
 Layton, Utah 84041
 Attn: Alex R. Jensen, City Manager
 Email: ajensen@laytoncity.org
 Phone: (801) 336-3800
 Fax: (801) 336-3811

- 3.5 **Severability.** In the event that any of the provisions of this Agreement shall be held by a court or other tribunal of competent jurisdiction to be unenforceable, such provision will be enforced to the maximum extent permissible and the remaining portions of this Agreement shall remain in full force and effect.
- 3.6 **Force Majeure.** Layton shall not be responsible for any failure to perform due to unforeseen circumstances or to causes beyond Layton's reasonable control, including but not limited to acts of God, war, riot, embargoes, acts of civil or military authorities, acts

of terrorism, tortuous acts of others, fire, floods, accidents, strikes, failure to obtain export licenses or shortages or delays of transportation, facilities, fuel, energy, supplies, labor, or materials. In the event of any such delay, Layton may defer the delivery of Licensed Products for a period equal to the time of the delay.

- 3.7 **Conflict Resolution.** The Parties will make all reasonable efforts to resolve any disagreements regarding this agreement. If unable to do so, the Parties will submit the issue to all participating entities for a majority determination.
- 3.8 **Termination.** Any Party can terminate this agreement upon six months' notice. Any amounts due will be assessed on a proportional amount that would be due at the time of the termination.
- 3.9 **Binding on Successors in Interest.** This agreement inures to the benefit and is binding upon all successors in interest.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement effective on the latest of the signature dates specified below:

LAYTON CITY CORPORATION

Partnering Entity:

By: _____
Name: Alex R. Jensen
Title: City Manager
Address: 437 North Wasatch Drive
Layton, Utah 84041

By: _____
Name: Trevor Cahoon
Title: City Manager
Address: 2267N 1500 W
Clinton, Utah 84015

Date: _____

Date: _____

CLINTON CITY COUNCIL AGENDA ITEM

SUBJECT: Request for Budget Amendment	AGENDA ITEM: G
PETITIONER: Brooke Mitchell	MEETING DATE: 02/13/2024
RECOMMENDATION: authorize a budget amendment to increase the 2024 Heritage Days Budget Fund GL#10-7166 to add more attractions to the Celebration.	Type of Vote: Roll Call
FISCAL IMPACT:	
BACKGROUND: The City Council would like to see more attractions at the Heritage Days Celebration for Citizens. To accomplish this, the budget for GL# 10-7166 will need to be increased by \$6,700.	
ATTACHMENTS:	

CLINTON CITY COUNCIL AGENDA ITEM

SUBJECT: Planning Commission Appointments and Meeting Schedule Change	AGENDA ITEM: H
PETITIONER: Mayor Stanger	MEETING DATE: 02/13/2024
RECOMMENDATION: Ratify the Mayor's appointment of _ to the Clinton City Planning Commission for a term ending December 31, 2026 and move the meeting time of the Planning Commission to _____ at 7 p.m.	TYPE OF VOTE: Roll Call
FISCAL IMPACT:	
BACKGROUND: The Planning Commission currently has a vacancy. Mayor Stanger would like to appoint ___ to the Planning Commission for a term to end December 31, 2026. Also, to accommodate a more efficient meeting schedule, he would like to move the Planning Commission meetings from the first and third Tuesdays of each month to _____.	
ATTACHMENTS: None	

CLINTON CITY COUNCIL

AGENDA ITEM

SUBJECT: <i>Public Hearing</i> - Review and possible action on text amendments to Title 28, Clinton City Zoning Ordinance, regarding updates to the R-M (Multi-Family Residential) zoning district (Chapter 28-15) development standards; and consideration of a new Planned Residential Development (PRD) Overlay Zone – Ordinance 24-01Z	AGENDA ITEM: I
PETITIONER: Peter Matson, Community Development	MEETING DATE: February 13, 2024
RECOMMENDATION: Move to adopt Ordinance 24-01Z amending Title 28 (Zoning) updating to the R-M (Chapter 28-15 - Multi-Family Residential) Zone and adopting a new Planned Residential Development (Chapter 28-07 - PRD) Overlay Zone.	ROLL CALL VOTE: Yes
BACKGROUND: Ordinance 24-01Z includes Exhibit A which provides updates to the R-M zone shown with strike-out and underlined text, and Exhibit B that includes a new PRD overlay zone (Chapter 28-07).	
PROPOSED CHANGES FOR CONSIDERATION: Existing standards in the R-M zone address development of up to six attached unit buildings at a density range up to 12 units per acre. The zone does not address, nor is it proposed to address, development of stacked units typical of an apartment building. The current building setbacks in the R-M zone are larger than what is typical for single family and townhome buildings. Proposed updates to the setbacks are shown in the attached Exhibit A of Ordinance 24-01Z. Additionally, State law only allows design standards to apply only to dwellings with three families or more, but in the PRD overlay zone, design standards can apply to all dwellings.	
The PRD overlay zone outlined in Ordinance 24-01Z Exhibit B provides a framework for the development of small-lot single-family, twin homes, and townhomes within a master planned environment. It balances the need for flexibility and creativity with the goal of maintaining the integrity and character of the surrounding neighborhood.	
The PRD overlay zone aims to promote the development of well-designed, high-quality housing options that are compatible with the surrounding neighborhood. It encourages innovative site planning, creative building designs, and the preservation of open space. By allowing modifications to the underlying zoning regulations, it provides developers with the flexibility needed to create unique and attractive residential developments.	
PLANNING COMMISSION RECOMMENDATION: The Planning Commission reviewed these ordinance updates and amendments during a public hearing on January 16, 2024. A handful of residents were present – one expressed support for the Commission’s opinion about the ordinance amendments while others expressed concern that the Commission was being too conservative in their approach to density and private streets.	
The Commission recommended the Council approve the ordinance updates and amendments with the following specifics for the Council’s consideration:	
<ul style="list-style-type: none"> • 8 units/acre as the maximum base density and 10 units/acre maximum density; • Density bonus up to 25% for major for the betterment of the development and community such as land dedication for parks/open space and trails; • Minimum 2-car garage for all residential unit/dwelling types; • Private drives (20’ asphalt) should not be allowed; • Private alleys allowed if it provides a through connection and large enough for fire vehicles/garbage trucks and snow storage; • Allow the option of a reduced-width public street with a minimum 26’ of asphalt width; and • Remove the provision for a Design Review Committee (DRC) since the density bonus does not include site or building design options for a density bonus. 	
ATTACHMENTS:	
<ol style="list-style-type: none"> 1) Ordinance 24-01Z <ol style="list-style-type: none"> a. Exhibit A – Chapter 28-15 – R-M Zone Updates b. Exhibit B – Chapter 28-07 – PRD Overlay Zone 	

ORDINANCE NO. 24-01Z

ZONING TEXT CHANGE

AN ORDINANCE AMENDING CHAPTER 28-15 (R-M ZONE) AND ADDING CHAPTER 28-7 (PLANNED RESIDENTIAL DEVELOPMENT OVERLAY ZONE) OF THE CLINTON CITY ZONING ORDINANCE REGULATING DEVELOPMENT OF MULTI-FAMILY RESIDENTIAL DEVELOPMENTS.

WHEREAS, Clinton City has established an ordinance regulating zoning within the City; and

WHEREAS, Clinton City desires to update the base zoning requirements in the R-M (Multi-Family Residential) zone; and

WHEREAS, Clinton City desires to establish a Planned Residential Development (PRD) Overlay Zone to regulate single and multi-family master planned developments in the City; and

WHEREAS, The Clinton City Planning Commission and City Council have convened public hearings and have determined that changes are needed in this ordinance to promote the health, safety, and general welfare of the citizens;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CLINTON CITY, DAVIS COUNTY, STATE OF UTAH:

BY MOTION The Clinton City Council voted to adopt this Ordinance.

SECTION 1. Enactment

Chapter 28-15 Residential Multi-Family Zone, shall be amended as described in Exhibit A.

SECTION 2. Enactment

Title 28 shall be amended by adding Chapter 28-7 Planned Residential Development (PRD) Overlay Zone as described in Exhibit B

SECTION 3. Planning Commission Action

Reviewed in a public hearing the 16th day of January 2024, by the Clinton City Planning Commission and recommended for approval with specific modifications through a motion passed by a majority of the members of the Commission based upon the following findings.

For Favorable Action (Adoption):

- Proposed changes do not adversely affect the effectiveness of the Ordinance and are consistent with the intent of the General Plan.

SECTION 4. Severability. In the event that any provision of this Ordinance is declared invalid for any reason, the remaining provisions shall remain in effect.

SECTION 5. Effective date. This ordinance shall be recorded and become effective upon the date of posting indicated below.

PASSED AND ORDERED RECORDED AND POSTED by the Council of Clinton City, Utah, this 13th day of February, 2024.

February 2, 2024
NOTICE PUBLISHED

BRANDON STANGER
MAYOR

ATTEST:

LISA TITENSOR
CITY RECORDER

Posted: _____

Ordinance 24-01Z - Exhibit A

Draft #4 02-02-24

Chapter 28-15 Residential, Multi-Family (R-M)

28-15-1 Purpose and Intent

~~To provide neighborhoods in Clinton City with multi-family dwellings of moderate density.~~ The purpose of the R-M zone is to provide medium-density attached or detached dwelling units (townhomes, twin homes, small-lot single family) while providing usable, accessible open space and preserving the hometown feel of Clinton. This Chapter establishes the basic regulations for the development of residential buildings on individual lots in the R-M zone with the exception of any additional regulation or clarification that may be contained in other Chapters of this Title.

Table 15.4.1 establishes the general regulations for lot size setback, height, and bulk for residential uses in the R-M zone.

28-15-2 Permitted Uses

- 1) Agriculture
- 2) One, two, three, four, five, and six-family dwellings.
- 3) Public-owned and operated uses and facilities; public buildings; public parks and playgrounds.
- 4) Household Pets
- 5) Garages, Accessory Buildings, Sheds, and Carports, as defined in this Title, incidental to any permitted use.
- 6) Churches, Synagogues, and Temples
- 7) Cemetery
- 8) Sign. One nameplate or identification sign in accordance with the Clinton City Sign Ordinance.
- 9) Educational Institution (Elementary and Secondary, including associated grounds and athletic and other facilities)
- 10) Temporary on site storage containers for emergency construction or repair of residences, with the following stipulations:
 - a) Must be placed on a hard surface
 - b) Can only be present for 3 months out of a 12 month period.
- 11) Home Office

28-15-3 Conditional Uses

- 1) Golf Course
- 2) Public Utility Substations
- 3) Garages, Accessory Buildings, Sheds, and Carports, as defined in this Title, approved during site plan review and incidental to an approved conditional use.

Ordinance 24-01Z - Exhibit A

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28-15-4 Site Development Standards

Site development standards shall be in accordance with Table 15.4.1.

Table 15.4 15.4.1		NUMBER OF DWELLINGS						
MINIMUMS		1	2	3	4	5	6	
Lot Area Square Feet		6,000 <u>sf</u>	7,500 <u>sf</u>	10,750 <u>sf</u>	14,500 <u>sf</u>	16,500 <u>sf</u>	21,500 <u>sf</u>	
Lot Width		60 <u>ft</u>	75 <u>ft</u>	85 <u>ft</u>	85 <u>ft</u>	90 <u>ft</u>	100 <u>ft</u>	
Yard Set-Backs ^a	Front/ <u>driveway</u>	20 22 <u>ft</u>	30 22 <u>ft</u>	30 22 <u>ft</u>	30 22 <u>ft</u>	30 22 <u>ft</u>	30 22 <u>ft</u>	
	Side, (interior)	Dwelling	10 8/10 <u>ft</u>	20 10 <u>ft</u>	20 10 <u>ft</u>	20 15 <u>ft</u>	20 15 <u>ft</u>	20 15 <u>ft</u>
		Other Main Building	10	20	20	20	20	20
	Side, (exterior)	Major Streets	30 feet					
		Other Streets	20 feet					
	Rear	25-feet			<u>30 feet</u>			
	Garages, Accessory Buildings, Sheds, and Carports		Distances from the property lines will be evaluated during a site plan review as established in §28-3-10. Distances outlined above, for a dwelling, and in the “R” Zones for the type of structure will be used as a guide. Consideration for reducing distances during site plan review will be based upon mitigation proposed to reduce impact upon adjacent properties.					
Building Height	Minimum	1 story						
	Maximum	2 1/2 story or (35 feet)						
	Accessory Building	Minimum 12 feet, Maximum 20 feet, Maximum 1 story						
	Shed	Minimum 6 feet, Maximum 16 feet, Maximum 1 story						
Building Size	Dwelling	850 square feet minimum except townhouses and other similar attached 2-story units may have a ground floor minimum of 550 square feet						
	Accessory Building	600 square feet maximum per unit.						
	Shed	200 square feet maximum individual structure per unit.						
Parking	<u>Enclosed 2-car garage required for each residential unit. Guest parking standards in Chapter 28-4</u>							
	<u>Minimum 2-car garage dimension – 20 feet by 22 feet deep</u>							
^a-Exception: Front setback from any Major Street shall be a minimum of 35 feet.								

Ordinance 24-01Z - Exhibit A

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28-15-5 Building Design. Single-family residential and attached-unit buildings shall be limited to 2 1/2 stories (35 feet).

- 1) Each attached-unit building shall include variation in color or shade of color and incorporate front façade articulation through the differentiation of individual units with placement of dormers, window variations and entry features. Additional articulation shall be achieved by:
 - a) Variations in the setback of the façade of the building by at least two feet between adjoining units; or
 - b) Horizontal or vertical shift in roofline of at least two feet at intervals not greater than two attached units with variations in roof pitch, overhangs and projections.
- 2) Rear elevations shall alternate in color or shade of color, include articulation in roofline, and avoid the appearance of a flat wall through two-foot shifts in walls of alternating units and minimum four-inch stucco or cement board wrap of all rear wall corners. Buildings with more than four attached units that back or front along the perimeter of the development visible to an outside street or trail must be a mixture of four-, five- or six-unit buildings that alternate in color or shade of color. Buildings with five or six units may be used back-to-back in the interior of the development.

28-15-6 Transition from Existing Single-Family Residential. Only detached single-family homes may be built next to off-site, existing dwellings in R-1-8, R-1-9, R-1-10, and R-1-15 zones, where there is no significant existing geographical or infrastructural buffer (e.g. highway, canal, waterway). Fencing alone does not apply as a buffer. In such cases, the following shall apply:

- 1) Single-family lots must comprise 50% of the R-M development area.
- 2) The first layer of lots immediately abutting the existing R-1 zone must be sized at no less than 50% the minimum average square footage required by the R-1 zone.
- 3) Developer may use open space to replace the first layer, if the open space depth is at least one-half the minimum required lot depth of the adjacent R-1 zone.

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28-7 Planned Residential Development (PRD) Overlay Zone

28-7-1 Purpose and Intent

The purpose of the Planned Residential Development (PRD) overlay zone is to encourage creative and efficient utilization of land by providing greater flexibility in the placement of buildings on the land, the consolidation of open spaces, and the clustering of dwelling units. These provisions are intended to create more attractive and desirable design of residential neighborhoods and housing projects in Clinton City.

28-7-2 PRD Definition and Use

A PRD is a master planned, architecturally-designed development in which the regulations of the underlying zone, in which the development is situated, may be modified to allow flexibility and creativity in site and building design and location, in accordance with an approved PRD plan and requirements of this Chapter.

- 1) The PRD Overlay Zone shall be used in combination with the R-M (Multi-Family Residential) zoning district. The PRD overlay zone shall not be applied to a land area as an independent zoning district. Property to which the PRD overlay zone has been applied shall be developed only in conformance with an approved PRD plan.

28-7-3 Classification of Land to PRD Overlay Zone

- 1) Land shall be classified as being in the PRD overlay zone pursuant to an amendment to the zoning ordinance adopted pursuant to the provisions of Chapter 28-1 of the Clinton Municipal Code provided, however, in order to classify any land as being in the PRD overlay zone the following conditions shall be considered by the Land Use Authority:
 - a. The land has features which are comparable with clustering or other nonstandard development; and
 - b. The land has features which are compatible with the coordination and design of open spaces and with the proposed housing development; and
 - c. The classification is not in conflict with any applicable element of the Clinton City General Plan.
- 2) Land included in the PRD overlay zone shall be designated on the Official Zoning Map of Clinton City with the symbol (PRD) following the underlying zoning district designation of such land.

28-7-4 Permitted Uses

- 1) Single and multiple family residential developments containing any type or mixture of housing units are permitted, including, but not limited to clustered development, townhouses, patio houses, detached houses, and duplexes. Such units may have no more than two walls in common, with no residential units above other residential units.
- 2) Open space uses in a PRD may incorporate public or private recreational facilities, including, but not limited to playgrounds, exercise fitness stations, swimming pools, sports courts or fields, and pavilions/picnicking areas, when approved as part of the final PRD plan.

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28-7-5 Application of PRD to Underlying Zoning District

- 1) The underlying zone still applies. Variations from the development standards of the underlying zone may be permitted and approved by the Land Use Authority only as outlined in this ordinance. Variations, however, shall not include changes in the uses allowed by the zoning district with which the PRD zone has been combined.
- 2) A PRD as an overlay on the R-M zone shall include a minimum acreage of three acres. The Land Use Authority may consider a PRD proposal with less acreage only if it can be demonstrated that a contiguous open space area can be provided to meet the recreational needs of the residents and integrated storm water standards of this ordinance.
- 3) The Land Use Authority may, in the process of approving preliminary PRD plats, approve variations from the minimum standards of the underlying zone where there is sufficient evidence that the variations will not adversely impact neighboring property and that the standards of this Chapter are met.
- 4) The following development spacing requirements shall apply to residential structures within the PRD:
 - a. The minimum front yard setback for a rear-loaded building along a street shall be 15 feet;
 - b. The minimum corner side yard setback shall be 15 feet along a local street, and 20 feet along a collector or arterial street;
 - c. The minimum rear yard setback for single-family residential lots or attached dwellings with front-accessed garages shall be 15 feet;
 - d. The minimum side to side separation between single-family structures shall be 10 feet and between attached-unit structures shall be 15 feet;
 - e. The minimum side to front and side to rear separation between residential structures shall be 22 feet, with a five foot maximum porch encroachment allowed into the side to front separation;
 - f. The minimum front to front separation between residential structures shall be 30 feet with a five foot maximum porch encroachment allowed into the separation;
 - g. The minimum setback with a front facing garage shall be 22 feet from the front property line on a public street or back of curb on a private access;
 - h. The minimum single-family lot size shall be 3,500 square feet. Lot sizes of 6,000 square feet or greater shall employ a minimum side to side separation of 18 feet; and
 - i. All development shall comply with other applicable design guidelines and standards as adopted by the Land Use Authority.
- 5) **Building Height, Design and Massing.** Single-family residential and attached-unit buildings shall be limited to 2 1/2 stories and 35 feet.
 - a. Each attached-unit building shall include variation in color or shade of color and incorporate front façade articulation through the differentiation of individual units with placement of dormers, window variations and entry features. Additional articulation shall be achieved by:
 - i. Variations in the setback of the façade of the building by at least two feet between

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adjoining units; or

- ii. Horizontal or vertical shift in roofline of at least two feet at intervals not greater than two attached units with variations in roof pitch, overhangs and projections.
- 6) Rear elevations shall alternate in color or shade of color, include articulation in roofline, and avoid the appearance of a flat wall through two-foot shifts in walls of alternating units and minimum four-inch stucco or cement board wrap of all rear wall corners. Buildings with more than four attached units that back or front along the perimeter of the development visible to an outside street or trail must be a mixture of four-, five- or six-unit buildings that alternate in color or shade of color. Buildings with five or six units may be used back-to-back in the interior of the development. **Parking.** Single-family and attached units shall include a minimum two-car attached enclosed garage with a minimum dimension of 20 feet wide by 22 feet deep. Additional parking stalls are required for developments applying a reduced public right of way.
- 7) **Shared Private Access.** Shared private access shall have a minimum of 20 feet of asphalt, or 26 feet of asphalt where buildings surpass 30 feet in height and have no other fire apparatus lane. The homeowners association must own and maintain all shared private access, including snow removal, and must enforce a strict no-parking policy.
 - a. To provide vehicular access to any rear-loaded garage, the development may use a private alley with individual four-foot approaches into each garage. Where alleys dead-end, they must be less than 150 feet in length. Where alleys pass through to public streets, they shall include open space breaks for snow storage. Buildings shall not include cantilevers that protrude into the alley.
 - b. For scenarios that necessitate small groupings of front-loaded units, the development may use a private drive leading to individual 22-foot driveways. Drives must be less than 150 feet and include space for snow storage. A two-foot mountable curb and gutter may separate individual driveways from the private drive.
- 8) **Traffic Study.** If required by the City Engineer, a traffic impact study shall be submitted as part of the preliminary PRD plan, to determine vehicle traffic generated by the proposed PRD. The traffic impact study shall be prepared by a licensed Utah traffic engineer and at a minimum follow the equivalent of a UDOT Level II study, or if a UDOT road is impacted, the specific study level required by UDOT.
- 9) **Materials.** New buildings shall be compatible with the construction materials of surrounding and historic buildings by meeting the design requirements in this chapter and by complying with other applicable design standards and guidelines as adopted by the Land Use Authority.
- 10) **Front Entrance Feature.** All residential units shall have an open-air front porch, stoop or other front entrance feature. Front entrance feature dimensions shall be, or shall include a portion with a minimum depth and width of five feet. These front entrance features may encroach no more than five feet into the front yard setback. Residential units shall comply with other applicable design standards and guidelines as adopted by the Land Use Authority.
- 11) **Transition from Existing Single-Family Residential.** Only detached single-family homes may be built next to off-site, existing dwellings in R-1-8, R-1-9, R-1-10, and R-1-15 zones, where there is no significant existing geographical or infrastructural buffer (e.g. highway, canal, waterway). Fencing

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alone does not apply as a buffer. In such cases, the following shall apply:

- a. Single-family lots must comprise 50% of the R-M development area.
- b. The first layer of lots immediately abutting the existing R-1 zone must be sized at no less than 50% the minimum average square footage required by the R-1 zone.
- c. Developer may use open space to replace the first layer, if the open space depth is at least one-half the minimum required lot depth of the adjacent R-1 zone.

12) **Base and Bonus Density.** The base density of a PRD shall be based on the density of the underlying zoning district. The base residential density and the maximum 50% density bonus shall be based on the following:

Zoning District	Base Density	Potential Density with 50% Bonus
R-M	8 units per acre	12 units per acre

13) **Minimum Base Open Space.** PRDs shall provide a minimum open space area for use-in-common of residents and/or occupants of such development. The open space provided shall be integrated into the PRD project and accessible to all residents of the PRD community via pedestrian pathway system or street sidewalks. The base open space requirement shall apply to the proposed PRD site as follows:

Zoning District	Density	Base Open Space
R-M	Up to 8 units/acre	5.00%*
R-M	8 to 10 units/acre	7.5%*
R-M	10 to 12 units/acre	10%*

*Calculated based on gross site area (includes any area(s) proposed for future public right-of-way).

14) **Density Bonus and Incentives.** The inclusion of certain amenities or design options may result in an allowed increase in density, or a density bonus. The total density bonus shall not exceed 50%. The Land Use Authority may grant a density bonus upon inclusion and acceptance of additional design options from the following categories, as set forth below:

Recreation and Site Amenities	Maximum thirty percent (30%) bonus
Exterior Building Materials	Maximum ten percent (20%) bonus
Fencing	Maximum ten percent (10%) bonus
Open Space (above the minimum base requirement)	Maximum 20%

- a. **Minimum Base Open Space Requirement:** The minimum base open space requirement in the R-M zoning district is 5-10% depending on project density as noted in Subsection (13) of this Chapter. The purpose of this open space is to provide for recreational activity and integrated storm water quality and/or detention throughout the development.
 - i. Required base open space shall not include areas that are occupied by buildings, lots,

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structures, parking areas or streets. Additionally, required open space shall not include:

1. Area between buildings and outside of platted lots and building pads unless part of the approved pedestrian circulation plan and at least 20 feet in width;
 2. Front, rear, and side yard setbacks; and
 3. Paved areas such as driveways, streets, and private sidewalks.
- ii. At least one recreational open space area shall be accessible to all residents and provided within 1,000 feet, measured along a walking route from each residential unit.
1. The open space network shall include an area large enough to encourage gathering for social and recreational activity for residents of the development and their guests, with at least one edge fronting a public street.
 2. Depending on the size and location of the PRD, a pathway system is encouraged to provide pedestrian or cycling access to community open space areas, including on-site amenities and nearby off-site parks and trails. The pathway system should connect along or through open space areas, and connect to sidewalks. The minimum width of a pathway shall be five feet.
 3. Stormwater detention may be provided in combination with open space areas if pedestrian access is provided from two edges of an open space area that does not exceed a 5:1 (20%) slope ratio. The sloped access into the detention area shall be at least 20 feet wide along such edges.
 - a. At least half of the open space areas used for detention shall provide a usable recreation area of 30 feet between the bottom of slopes.
 - b. Based on findings of the geo-technical study of water table depth and soil type, a perforated perimeter drain may be required to promote dewatering and to prevent saturation of the detention basin area for recreational use.
- v. Programmed open space amenities such as playground equipment, exercise equipment, sport court(s), picnic/seating areas and/or covered pavilion(s) shall be provided with a variety of options to serve all ages and abilities, and to be accessible to the residents and their guests. The applicant shall provide an estimate of how the proposed open space and facilities are appropriately sized and how they meet the needs of residents and guests of the project.
- b. **Provision of Recreation and Site Amenities:** All areas of a developed site not occupied by buildings, required parking, driveways, walkways, or service areas shall be landscaped according to an approved landscaping plan. These areas may also incorporate hardscape for patios, plazas, and courtyards.
- i. The base open space area shall be planted with a minimum of two-inch caliper trees and six-foot evergreen trees based on an approved landscape plan consistent with the approved preliminary plat.
 - a. All residential buildings shall provide planting beds with shrubs and plant materials along the front of the building. In yards with a front setback of less than 20 feet,

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planting beds shall be included in all street-fronting setback areas based on the water efficient landscape standards found in Section 28-3-21 of this Title.

- c. **Recreation and Site Amenities – Density Bonus:** Up to a 10% density bonus may be awarded for the provision of major recreation facilities and site amenities such as swimming pools, tennis courts, playgrounds, or similar facilities. Up to a 30% density bonus may be awarded for dedication of property for a park, trail or recreational facility identified on the Parks Master Plan.
 - d. **Exterior Building Materials:** The applicant shall provide a material and color board for review and recommendation by the Design Review Committee (DRC). Twenty percent of all street-facing sides of primary and accessory buildings shall be finished with masonry. For the purposes of this section, masonry shall include brick stone or fiber cement board (or similar material) but shall not include stucco or similar products. Calculation of minimum percentage shall not include entry feature columns.
 - i. **Exterior Building Materials – Density Bonus:** An increase of masonry materials (applied to street-facing building sides) from 20% to 50% may receive a 10% density bonus, and an increase to 75% may receive a 20% density bonus.
 - ii. **Application of Exterior Brick or Rock Materials:** To achieve the appearance of masonry as a structural component of the architecture, exterior masonry materials shall extend beyond any exterior wall corner by a depth of at least 24 inches onto the adjoining (perpendicular) wall elevation. This requirement shall also apply to non-masonry exterior materials, such that transitions of materials do not occur at building corners. The uniform application of buildings materials at corners shall extend vertically up to the roof eaves.
 - e. **Fencing Materials:** Perimeter fencing around the proposed PRD development shall be required, except along boundaries where buildings are proposed to front onto streets. All perimeter fencing shall be uniform in design.
 - i. **Fencing Materials – Density Bonus:** A density bonus of up to 10% may be granted for the use of upgraded fencing materials such as architecturally designed brick or masonry, vinyl with wood texture in color and appearance, vinyl with brick or stone columns, composite, and open fencing such as vinyl rail or wrought iron used in conjunction with landscaping, or comparable materials (as approved by the Land Use Authority).
- 15) **Open Space – Density Bonus:** The following criteria are required to be met when granting a density bonus for additional open space beyond the required base open space:
- a. The open space shall be held in common via public ownership or by a homeowner's association with a permanent open space easement;
 - b. The open space shall be large enough for the use of all residents of the project and their guests, or the general public. Such spaces shall include improvements such as playgrounds, pathways, pavilions, play courts, ball fields, as well as informal spaces which encourage the use and enjoyment of the open space;
 - c. The specific amenities shall be identified with the Concept Plan at the time of rezone application

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as the standard for preliminary and final plat landscape plan submittals. Amenities and other improvements shall be described in a development agreement for the site, or based on the approval of public meeting minutes showing the proposed amenities; and

- d. A density bonus of up to 20% may be granted for the provision of additional open space beyond the required minimum as outlined in Section 28-7-5(13) of this Chapter. A one percent density bonus may be granted for each additional one percent of open space provided above the minimum required open space for the development.
- 20) The Land Use Authority shall require the preservation, maintenance, and ownership of all open space through one, or a combination of the following:
- a. Dedication of the land as a public park or parkway system;
 - b. Dedication of the land as permanent open space on the recorded plat;
 - c. Granting the City a permanent open space easement on the private open spaces to guarantee that the open space remain perpetually in recreation use, with ownership and maintenance being the responsibility of a homeowner's association.
 - d. Following the approval of the Final Subdivision Plat, and prior to the bond release, a homeowners association or community association shall be formed by the recordation and declarations providing for the collection of fees to maintain the common area(s). The association shall establish Codes, Covenants and Restrictions (CC&R's). The CC&R's shall include a no-sunset clause for the permanent obligation to irrigate and maintain the common area(s); or
 - e. Through compliance with the provisions of the Condominium Ownership Act and the Community Association Act as outlined in Title 57 of the Utah Code (as amended), which provides for the payment of common expenses for the upkeep of common areas and facilities.
 - f. In the event the common open space and other facilities are not maintained in a manner consistent with the approved final PRD plan, the City may at its option cause such maintenance to be performed and assess the costs to the affected property owners or responsible association.
- 21) Following final plat PRD approval, any substantial changes in use, or arrangement of lots, blocks, and building tracts, or any changes in the provision or type of common open spaces must be resubmitted for final plat review and approval by the Land Use Authority.

28-7-14 Streets, Circulation, and Parking

- 1) Streets must be public. The design of public streets within a PRD shall follow City standards for width of right-of-way and construction as outlined in Title 25 and Title 26 of this Code and the Development Guidelines and Design Standards.
- 2) The Land Use Authority may approve alternative street designs. Locations of private ROWs will be negotiated with the city during the development review and approval process.
 - a. Shared private access may be approved according to 28-7-5(7).
 - b. The Land Use Authority may allow a reduced width public right-of-way with no less than 26 feet of asphalt and a street cross section approved by the City Engineer, including minimum three-foot

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park strips and four-foot sidewalks as outlined in the City’s Engineering Standards. The following items are stipulated for this type of street:

- i. No on-street parking is allowed and must be strictly enforced by the HOA.
 - ii. Guest parking stalls, owned and maintained by the HOA, shall be dispersed throughout the development; and
 - iii. Townhomes only: Developer may choose the park strip/sidewalk combination or an expanded five-six-foot sidewalk approved by the City Engineer. Sidewalk is required along both sides of all public streets with front-to-front, front-to-side, and side-to-side building configurations. Sidewalk is not required along rear-loading garages and therefore may be limited to one side of the street for front-to-rear configurations as approved by the City Engineer.
- 3) Points of primary vehicular access to a PRD shall be designed to provide smooth traffic flow with controlled turning movements and minimum hazards to vehicular, pedestrian, and bicycle traffic. Points of intersection between internal and external circulation systems shall be so arranged that both systems function in a safe and efficient manner.
 - 4) The required off-street parking shall be distributed throughout the PRD and provide reasonable access to all residential structures within the project.

28-7-15 PRD Review Process

A PRD is reviewed in a three-step process - conceptual plan review and overlay zoning, preliminary plan review, and final plan review.

- 1) Subdivision approval may be considered concurrent with the PRD review and approval process. Subdivision review shall follow all subdivision standards as outlined in Title 26 of this Code and the development standards and design guidelines.

28-7-16 Conceptual PRD Plan Approval and PRD Overlay

- 1) Conceptual PRD plan review examines the PRD concept plan with respect to such items as density, including the number, type, and location of dwelling units; parking and circulation; adequacy of services; and the impact of the proposed PRD on surrounding areas.
- 2) Concurrent with any request to rezone property to the PRD overlay zone, a conceptual PRD plan shall be submitted to, and reviewed by, the Land Use Authority. The Land Use Authority shall hold a public hearing to review the proposed rezone and conceptual PRD plan in accordance with Section 28-1-4 of this Code.
- 3) Conceptual approval and PRD overlay zoning will only be granted when there is a reasonable certainty that the PRD will fulfill the requirements of the General Plan, City Code, and the City Development Guidelines and Design Standards.
- 4) The conceptual plan shall be reviewed by the Land Use Authority and considered for approval as outlined above, and shall contain the following information:
 - a. A legal description;

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- b. Lot configuration;
- c. Concept landscape plan with proposed open space amenities;
- d. Concept building type elevations or perspectives;
- e. Street configuration;
- f. Existing utilities; and
- g. Proposed storm drain, water, and sewer systems.

5) Approval of a conceptual PRD plan shall require the following findings:

- a. That the proposed development is consistent with the density standards of the General Plan;
- b. That the proposed development will provide a more pleasant and attractive living environment than a conventional residential development established under the provisions of the underlying residential zoning district;
- c. That the proposed development creates no detriment to adjacent properties nor to the general area in which it is located; and that it will be in substantial harmony with the character of existing development in the area;
- d. That the PRD project will provide more efficient use of the land and more usable open space than a conventional development permitted by the underlying zoning district;
- e. That any variations allowed from the development standards of the underlying zoning district will not create increased hazards to the health, safety, or general welfare of the residents of the proposed PRD or adjacent areas; and
- f. That the application of a density bonus of up to 50% will be compensated by better site design and by increased amenities.

28-7-17 PRD Design Review Committee

- 1) A PRD Design Review Committee shall be established by Clinton City. The Committee shall be responsible for providing support and recommendations to the staff regarding basic design elements as presented in a preliminary PRD plan. The PRD Design Review Committee may also make recommendations regarding density bonuses based on the design options outlined in Subsection 28-7-5(13)(a) of this Chapter.
- 2) The Development Staff shall select a group of up to five members who are professionals from among the fields of: architectural design, landscape architecture, urban design, architectural history, planning, and engineering.
 - a. There will be no regular meeting times of the PRD Design Review Committee. The Committee shall meet at such times and places and as often as necessary to review PRD applications with staff.
 - b. The PRD Design Review Committee, together with staff, shall review all design aspects of the preliminary PRD plan, landscaping plans, and building elevations.
 - c. If a density bonus is proposed, the PRD Design Review Committee, together with staff, shall

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determine an acceptable density bonus for the PRD project; the density bonus recommendation shall be forwarded to the Land Use Authority as for consideration.

28-7-18 Preliminary PRD Plat Approval

- 1) The preliminary PRD plat shall be reviewed and approved by the Land Use Authority as defined in Section 26-3-3 of this Code. Said preliminary PRD Plat shall contain the following information:
 - a. A complete and accurate legal description of the property which is the subject of the PRD. A preliminary title search showing legal ownership of the property. If the developer is not the property owner, written proof that said developer has sufficient legal claim on the property, and each parcel therein, or authority to represent its owners, must be provided to proceed with development plans;
 - b. Topographic maps of the entire site, including contour intervals no greater than two feet;
 - c. A tabulation of the total acreage of the site and the percentages thereof to be designated for various uses, i.e. parking, residential units, open space, streets, etc.;
 - d. Proposed circulation pattern including private driveways, public and private streets, and pedestrian and bicycle paths;
 - e. Parks, common open spaces, playgrounds, school sites, and other public or private recreation facilities and improvements proposed within the PRD;
 - f. General locations of all dwellings and other structures in the PRD, and an indication of proposed population densities and building densities (units per acre), including tables or graphs showing the percentages of each dwelling type proposed;
 - g. Proposed location of parking, ingress and egress;
 - h. A general landscaping plan showing what areas are to be landscaped and what types of plants and materials are contemplated;
 - i. Preliminary elevations or perspectives of all building types proposed within the development;
 - j. Preliminary subdivision plat, if the site is being divided, showing a general layout of all proposed lots as outlined in Title 26 of this Code;
 - k. A preliminary utility plan showing the manner in which adequate sewage disposal, storm drainage, and water services are to be provided, including the point from which said services are to be extended or connected; and
- 2) The Land Use Authority may impose such conditions on a preliminary PRD plan, as it may deem appropriate to meet the goals and objectives of this Chapter and the General Plan.

28-7-19 Homeowner's Association. A homeowner's association (HOA) shall be established for every PRD. The HOA shall be established for the general maintenance, upkeep and enforcement of those areas held in common ownership.

- 1) The HOA must maintain common areas and facilities in accordance with the approved final

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PRD plan and development agreement. The HOA must enforce any no-parking requirements. No deviation by the HOA from the approved final PRD plan shall be made without prior approval from the City Council.

- 2) Codes, covenants, and restrictions (CCRs) for the development must be approved by the city as part of the final PRD plan. Future members of the HOA or its governing board may not alter provisions of the CCRs in a way that would conflict with these ordinances or their intent.
- 3) CCRs shall specify and provide for enforcement that the majority of the units in a PRD are owner-occupied with specific provisions that no more than 50% of the units in a PRD shall be rental units.
- 4) Amendment Procedure: In the event the governing board of the development proposes an amendment to the CC&Rs, such amendment shall not be effective until it has been reviewed and formally approved by the City Council. This requirement is instituted to ensure that any modifications to the rental unit limitations or other substantive provisions of the CC&Rs are in congruence with the approved final PRD plan.
- 5) Submission for Approval: Proposed amendments to the CC&Rs must be submitted to the City Council in accordance with the procedure outlined within the CC&Rs, and shall be subject to the City Council's review and discretion for approval.

28-7-20 Final PRD Plan Approval

- 1) After the approval of the preliminary PRD plat and prior to the construction of any building or structure in the PRD overlay zone, a final PRD plat shall be submitted and approved by the Land Use Authority as defined in Section 26-3-5. Said plans may be submitted in phases, provided each phase can exist as a separate project capable of independently meeting all of the requirements of this Chapter and of the underlying zoning district with which the PRD zone has been combined. The separate development of said phases shall not be detrimental to the PRD nor to the adjacent properties in the event that the remainder of the project is not completed. Said final PRD plan shall be drawn to scale and shall contain the following information:
 - a. All of those requirements designated for submission with preliminary PRD plans;
 - b. A certified survey of the property showing any survey conflicts with adjoining properties, any discrepancies between the survey descriptions and existing fence lines, and overlaps with adjoining property descriptions;
 - c. Tabulations of all dwelling units to be constructed by types and number of bedrooms per unit;
 - d. Detailed development plan with completed dimensions showing precise locations of all buildings and structures, lot or parcel sizes and locations, designations of common open spaces and special use areas, detailed circulation pattern including proposed ownership and typical cross section of streets;
 - e. Final exterior design for all building types, presented as exterior perspectives or exterior elevations;

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- f. Detailed landscaping plans showing the types and sizes of all plant materials and their locations, decorative materials, recreation equipment, special effects, and sprinkler irrigation systems;
 - g. Dimensioned parking layout showing location of individual parking stalls and all areas of ingress or egress;
 - h. Detailed engineering plans showing site grading, street improvements, drainage, and public and private utility locations, and submission of engineering feasibility studies, stamped by a licensed professional engineer, if required by the City Engineer;
 - i. Fully executed declaration of covenants, conditions, and restrictions, together with open space easements and other bonds, guarantees, or agreements as required herein or, as approved by the Land Use Authority to meet the objectives of this Chapter. The bond will be 110% of all improvements both public and private. Including, but not limited to, all landscaping, playgrounds, pathways, fencing, and any other recreational amenity;
 - j. A time schedule for the completion of landscaping, parking, street improvements, and other improvements and amenities which are guaranteed by bonds or other securities; and
 - k. Any additional information required by the Development Guidelines and Design Standards.
- 2) Any failure to receive final PRD plat approval from the Land Use Authority within two years of the approval of the preliminary PRD plat shall terminate all proceedings and render the preliminary PRD plat unapproved.



**SPECIAL WORK SESSION
2267 N 1500 W
CLINTON UT 84015**

City Council Members
Mayor Brandon Stanger
Council
Marie Dougherty
Dane Searle
Gary Tyler
Spencer Arave
Austin Gray

Planning Commission Members
Dan Evans
Jolene Cressall
Mark Gregersen
Ed Olson

Date of Meeting	January 16, 2024	Call to Order	6:00 p.m.
Staff Present	City Manager Dennis Cluff, Peter Matson, Police Chief Shawn Stoker, Treasurer Steve Hubbard and Lisa Titensor recorded the minutes. Land Use Attorney Todd Godfrey		
Roll Call/Attendance	Present were: Mayor Stanger, Councilmembers Marie Dougherty, Dane Searle arrived at 6:31 pm, Gary Tyler arrived at 6:25 pm, Spencer Arave, Austin Gray Planning Commissioners Jolene Cressall, Dan Evans, Mark Gregersen, and J. Stark arrived at 6:47 pm. Public: Richard Higginson, David Peterson, Mike Hatch, Guy Adair		
Declaration of Conflicts	There were none.		
JOINT CITY COUNCIL/PLANNING COMMISSION WORK MEETING TO REVIEW DISCUSS AMENDMENTS TO THE R-M ZONE AND A NEW PLANNED RESIDENTIAL DEVELOPMENT (PRD) OVERLAY ZONE FOR THE REGULATION OF MEDIUM DENSITY HOUSING.			
Petitioner	Mayor Stanger		
Discussion	<p>The City Council and the Planning Commission held a joint work session to discuss this issue.</p> <p>The Planning Commission and the City Council addressed this issue. The Planning Commission was excused to attend the regularly scheduled Planning Commission meeting at 7 pm.</p> <p>The mayor asked the council members for a straw poll on various development standards. The group agreed on a density of 8 units to the acre for a base zone, with an optional overlay zone that would provide some alternate standards and the possibility of a density bonus if developers met certain criteria. The members were split on the density bonus, with three council members indicating the ordinance should allow up to 12 units per acre, and two members indicating the ordinance should max at 10.</p>		

The council agreed that travel streets should be public. Three members supported allowing private drives and alleys. The council discussed setting percentage requirements for communal open space for the various densities, and spacing requirements between structures that could be reduced if a developer used the overlay zone. The majority of council members supported the idea of a density transition for areas where a new multi-family zone is created adjacent to an existing zone of lower density. The council agreed the ordinance should include architectural design standards for both the front and rear of the structures.

The following draft is a result of the discussion:

Chapter 28-15 Residential, Multi-Family (R-M)

28-15-1 Purpose and Intent

To provide neighborhoods in Clinton City with multi-family dwellings of moderate density. The purpose of the R-M zone is to provide medium-density attached or detached dwelling units (townhomes, twin homes, small-lot single family) while providing usable, accessible open space and preserving the hometown feel of Clinton. This Chapter establishes the basic regulations for the development of residential buildings on individual lots in the R-M zone with the exception of any additional regulation or clarification that may be contained in other Chapters of this Title. Table 15.4.1 establishes the general regulations for lot size setback, height, and bulk for residential uses in the R-M zone.

28-15-2 Permitted Uses

- 1) Agriculture
- 2) One, two, three, four, five, and six-family dwellings.
- 3) Public-owned and operated uses and facilities; public buildings; public parks and playgrounds.
- 4) Household Pets
- 5) Garages, Accessory Buildings, Sheds, and Carports, as defined in this Title, incidental to any permitted use.
- 6) Churches, Synagogues, and Temples
- 7) Cemetery
- 8) Sign. One nameplate or identification sign in accordance with the Clinton City Sign Ordinance.
- 9) Educational Institution (Elementary and Secondary, including associated grounds and athletic and other facilities)
- 10) Temporary on site storage containers for emergency construction or repair of residences, with the following stipulations:
 - a) Must be placed on a hard surface
 - b) Can only be present for 3 months out of a 12 month period.
- 11) Home Office

28-15-3 Conditional Uses

1. Golf Course
2. Public Utility Substations
3. Garages, Accessory Buildings, Sheds, and Carports, as defined in this Title, approved during site plan review and incidental to an approved conditional use.

28-15-4 Site Development Standards

Table 15.4 15.4.1		NUMBER OF DWELLINGS						
MINIMUMS		1	2	3	4	5	6	
Lot Area Square Feet		6,000 <u>sf</u>	7,500 <u>sf</u>	10,750 <u>sf</u>	14,500 <u>sf</u>	16,500 <u>sf</u>	21,500 <u>sf</u>	
Lot Width		60 <u>ft</u>	75 <u>ft</u>	85 <u>ft</u>	85 <u>ft</u>	90 <u>ft</u>	100 <u>ft</u>	
Yard Set-Backs ^a	Front/ <u>driveway</u>	20 22 <u>ft</u>	30 <u>ft</u>	30 <u>ft</u>	30 <u>ft</u>	30 <u>ft</u>	30 <u>ft</u>	
	Side, (interior)	Dwelling	10 5/8 <u>ft</u>	20 10 <u>ft</u>	20 10 <u>ft</u>	20 10 <u>ft</u>	20 10 <u>ft</u>	20 10 <u>ft</u>
		Other Main Building	10	20	20	20	20	20
	Side, (exterior)	Major Streets	30 feet					
		Other Streets	20 feet					
Rear		25 feet				<u>20 feet</u>		
Garages, Accessory Buildings, Sheds, and Carports		Distances from the property lines will be evaluated during a site plan review as established in §28-3-10. Distances outlined above, for a dwelling, and in the “R” Zones for the type of structure will be used as a guide. Consideration for reducing distances during site plan review will be based upon mitigation proposed to reduce impact upon adjacent properties.						

Site development standards shall be in accordance with Table 15.4.1.

Building Height

Minimum

1 story

Maximum

2 1/2 story or 35 feet

Accessory Building

Minimum 12 feet, Maximum 20 feet, Maximum 1 story

Shed Building Size

Minimum 6 feet, Maximum 16 feet, Maximum 1 story

~~850~~ 1,200 square feet minimum except townhouses and other

Dwelling

similar attached 2-story units may have a ground floor minimum of ~~550~~ 600 square feet

Accessory Building

600 square feet maximum per unit.

Shed

200 square feet maximum individual structure per unit.

Parking

Enclosed 2-car garage required for each residential unit. Guest parking standards in Chapter 28-4

Minimum 2-car garage dimension – 20 feet by 22 feet deep

^a

~~Exception: Front setback from any Major Street shall be a minimum of 35 feet.~~

28-7 Planned Residential Development (PRD) Overlay Zone

28-7-1 Purpose and Intent

The purpose of the Planned Residential Development (PRD) overlay zone is to encourage creative and efficient utilization of land by providing greater flexibility in the placement of buildings on the land, the consolidation of open spaces, and the clustering of dwelling units. These provisions are intended to create

more attractive and desirable design of residential neighborhoods and housing projects in Clinton City.

28-7-2 PRD Definition and Use

A PRD is a master planned, architecturally-designed development in which the regulations of the underlying zone, in which the development is situated, may be modified to allow flexibility and creativity in site and building design and location, in accordance with an approved PRD plan and requirements of this Chapter.

- 1) The PRD Overlay Zone shall be used in combination with the R-M (Multi-Family Residential) zoning district. The PRD overlay zone shall not be applied to a land area as an independent zoning district. Property to which the PRD overlay zone has been applied shall be developed only in conformance with an approved PRD plan.

28-7-3 Classification of Land to PRD Overlay Zone

- 1) Land shall be classified as being in the PRD overlay zone pursuant to an amendment to the zoning ordinance adopted pursuant to the provisions of Chapter 28-1 of the Clinton Municipal Code provided, however, in order to classify any land as being in the PRD overlay zone the following conditions shall be considered by the Land Use Authority:
 - a. The land has features which are comparable with clustering or other nonstandard development; and
 - b. The land has features which are compatible with the coordination and design of open spaces and with the proposed housing development; and
 - c. The classification is not in conflict with any applicable element of the Clinton City General Plan.
- 2) Land included in the PRD overlay zone shall be designated on the Official Zoning Map of Clinton City with the symbol (PRD) following the underlying zoning district designation of such land.

28-7-4 Permitted Uses

- 1) Single and multiple family residential developments containing any type or mixture of housing units are permitted, including, but not limited to clustered development, townhouses, condominiums, atrium or patio houses, detached houses, and duplexes. Such units may have no more than two walls in common, with no residential units above other residential units.
- 2) Open space uses in a PRD shall incorporate private recreational facilities, including, but not limited to playgrounds, exercise fitness stations, swimming pools, sports courts or fields, and pavilions/picnicking areas, for the exclusive use of the occupants of the PRD and their guests, when approved as part of the final PRD plan.

28-7-5 Application of PRD to Underlying Zoning District

- 1) Variations from the development standards of the underlying zone may be permitted and approved by the Land Use Authority. Variations, however, shall not include changes in the uses allowed by the zoning district with which the PRD zone has been combined, except as permitted by 28-7-11.

- 2) A PRD as an overlay on the R-M zone shall include a minimum acreage of ~~one acre~~three acres. The Land Use Authority may consider a PRD proposal with less acreage only if it can be demonstrated that a contiguous open space area can be provided to meet the recreational needs of the residents and integrated storm water standards of this ordinance.
- 3) The Land Use Authority may, in the process of approving preliminary PRD plats, approve variations from the minimum standards of the underlying zone where there is sufficient evidence that the variations will not adversely impact neighboring property and that the ~~designation~~-standards of ~~Section 28-7-14~~this Chapter are met.
- 4) The following development spacing requirements shall apply to residential structures within the PRD:
 - a. The minimum front yard setback for a rear-loaded building along a street shall be 15';
 - b. The minimum corner side yard setback shall be 15' along a local street, and 20' along a collector or arterial street;
 - c. The minimum rear yard setback for single family residential lots or pads with front-accessed garages from the street shall be ~~20'~~15';
 - d. The minimum side to side separation between residential structures shall be ten feet;
 - e. The minimum side to front, side to rear, and rear to rear separation between residential structures shall be 20', with a five foot maximum porch encroachment allowed into the side to front separation;
 - f. The minimum front to front separation between residential structures shall be ~~40'~~30' with a five foot maximum porch encroachment allowed into the separation;
 - g. The minimum ~~lot width, for single family detached homes with a front accessed garage from a street shall be 45', setback with a front facing with a minimum~~garage ~~setback of~~shall be 22' from the front property line or back of curb on a private street. To improve spacing of narrow lots and building pad sites and to minimize driveway curb cuts and sidewalk/pathway crossings along street frontages, alleys (rear lane drives) or shared side drives may be ~~allowed~~approved to provide primary vehicle access to garages and parking spaces located at the rear of buildings and lots. ~~may be approved. A maximum 4' deep approach may be allowed~~is required into a garage accessed by an alley; ~~and~~
 - h. **Building Design.** Townhomes with backs or fronts along the perimeter of the development visible to an outside street or trail must be a mixture of 4, 5 and 6 unit buildings. The rear elevations in this instance shall avoid the appearance of a flat wall through two foot shifts in walls of alternating units and minimum four inch stucco or cement board wrap of all rear wall corners. Buildings with 5 or 6 units may be used back-to-back in the interior of the development; and
 - i. All development shall comply with other applicable design guidelines and standards as adopted by the Land Use Authority.
- 5) **Building Height and Massing.** Single family residential and attached-unit buildings shall be limited to ~~two 2 1/2 stories or 30'~~35', ~~except when adjacent to non-residential uses, or areas where the General Plan future land use designation is PZ where the height may be three stories or 35'~~

a. Each attached-unit building shall incorporate front façade articulation through the differentiation of individual units with placement of dormers, window variations and entry features. Additional articulation shall be achieved by:

i. Variations in the setback of the façade of the building by at least two feet between adjoining units; or

ii. Horizontal or vertical shift in roofline of at least two feet at intervals not greater than two attached units with variations in roof pitch, overhangs and projections.

~~5)6)~~ **Parking.** Single-family and attached units shall include a minimum 2-car attached enclosed garage with a minimum dimension of 20’ wide by 22’ deep.

~~6)7)~~ **Alley.** To provide vehicular access to any rear-loaded garage, a standard alley or fire lane alley shall be provided at the rear of lots or structures when buildings along all block faces front a public or private street.

~~7)8)~~ **Traffic Study.** If required by the City Engineer, a traffic impact study shall be submitted as part of the preliminary PRD plan, to determine vehicle traffic generated by the proposed PRD. The traffic impact study shall be prepared by a licensed Utah traffic engineer and meet UDOT Level II study requirements. The traffic study shall at a minimum include an analysis of on-site circulation, capacities of existing streets, number of additional trips which will be generated, origin/destination studies, peak traffic generation movements and any additional infrastructure identified in the study.

~~8)9)~~ **Materials.** New buildings shall be compatible with the construction materials of surrounding and historic buildings by meeting the design requirements in this chapter and by complying with other applicable design standards and guidelines as adopted by the Land Use Authority.

~~9)10)~~ **Front Entrance Feature.** All residential units shall have an open-air front porch, stoop or other front entrance feature. Front entrance feature dimensions shall be, or shall include a portion with a minimum depth and width of five feet. These front entrance features may encroach no more than five feet into the front yard setback. Residential units shall comply with other applicable design standards and guidelines as adopted by the Land Use Authority.

11) Transition from Existing Single-Family Residential. Only detached single-family homes may be built next to off-site, existing dwellings in R-1-8, R-1-9, R-1-10, and R-1-15 zones, where there is no significant existing geographical or infrastructural buffer (e.g. highway, canal, waterway). In such cases, the following shall apply:

a. Single-family lots must comprise 50% of the R-M development area.

b. The first layer of lots immediately abutting the existing R-1 zone must be sized at no less than 50% the minimum square footage required by the R-1 zone.

c. The second layer of lots must be sized at no less than 50% of the square footage of the first layer.

d. Developer may use open space to replace the first layer, referenced in 11(b), if the open space depth is at least one-half the minimum required lot width of the adjacent R-1 zone.

~~10)11)~~ **Base and Bonus Density.** The base density of a PRD shall be based on the density of the underlying zoning district. The base residential density and the maximum 50% density bonus shall be based on the following:

Zoning District	Base Density	Potential Density with 50% Bonus
-----------------	--------------	----------------------------------

R-M	8 units per acre	12 units per acre
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~~11~~12) **Minimum Base Open Space.** PRDs shall provide a minimum open space area for use-in-common of residents and/or occupants of such development. The open space provided shall be integrated into the PRD project and accessible to all residents of the PRD community via pedestrian pathway system or street sidewalks. The base open space requirement shall apply to the proposed PRD site as follows:

Zoning District	Density	Base Open Space
R-M	<u>Up to 8 units/acre</u>	5.00%*
<u>R-M</u>	<u>8 to 10 units/acre</u>	<u>7.5%*</u>
R-M	<u>10 to 12 units/acre</u>	10%*

*Calculated based on gross site area (includes any area(s) proposed for future public right-of-way).

~~12~~13) **Density Bonus and Incentives.** The inclusion of certain amenities or design options may result in an allowed increase in density, or a density bonus. The total density bonus shall not exceed 50%. The Land Use Authority may grant a density bonus upon inclusion and acceptance of additional design options from the following categories, as set forth below:

Recreation and Site Amenities	Maximum ten-twenty percent (40 20%) bonus
<u>Enclosed Parking</u>	<u>Maximum ten percent (10%) bonus</u>
Exterior Building Materials	Maximum ten percent (10%) bonus
Fencing	Maximum five percent (5 10%) bonus
Streetscape Enhancements	Maximum ten percent (10%) bonus
<u>Open Space (above the minimum base requirement)</u>	<u>Maximum ten percent (10%) bonus</u>

- a. **Minimum Base Open Space Requirement:** The minimum base open space requirement in the R-M zoning district is 5-10% depending on project density as noted in Subsection (13) of this Chapter. The purpose of this open space is to provide for recreational activity and integrated storm water quality and/or detention throughout the development.
 - i. Required base open space shall not include areas that are occupied by buildings, lots, structures, parking areas or streets. Additionally, required open space shall not include:
 - 1. Area between buildings and outside of platted lots and building pads unless part of the approved pedestrian circulation plan and at least 20' in width;
 - 2. Front, rear, and side yard setbacks; and
 - 3. Paved areas such as driveways, streets, and private sidewalks.
 - ii. At least one recreational open space area shall be accessible to all residents and provided within 900'-1,000' measured along a walking route from each residential unit.

1. The open space network shall include an area large enough to encourage gathering for social and recreational activity for residents of the development and their guests, with at least one edge fronting a public or private street.
 2. ~~Depending on the size and location of the PRD, A-a~~ pathway system ~~may be established~~ ~~to~~is encourage ~~to provide~~ pedestrian or cycling access to community open space areas, including on-site amenities and nearby off-site parks and trails. The pathway system ~~shall~~should connect along or through open space areas, and ~~shall~~connect to sidewalks. The minimum width of a pathway shall be five feet.
 3. Stormwater detention may be provided in combination with open space areas if pedestrian access is provided from two edges of an open space area that does not exceed a 5:1 (20%) slope ratio. The sloped access into the detention area shall be at least 20' wide along such edges.
 - a. At least half of the open space areas used for detention shall provide a usable recreation area of 30' between the bottom of slopes.
 - b. Based on findings of the geo-technical study of water table depth and soil type, a perforated perimeter drain may be required to promote dewatering and to prevent saturation of the detention basin area for recreational use.
- v. Programmed open space amenities such as playground equipment, exercise equipment, sport court(s), picnic/seating areas and/or covered pavilion(s) shall be provided with a variety of options to serve all ages and abilities, and to be accessible to the residents and their guests. The applicant shall provide an estimate of ~~the number of residents and guests to use open space amenities, and~~ how the proposed open space and facilities are appropriately sized and how they meet the needs of residents and guests of the project.
- a. Provision of Recreation and Site Amenities:** All areas of a developed site not occupied by buildings, required parking, driveways, walkways, or service areas shall be landscaped according to an approved landscaping plan. These areas may also incorporate hardscape for patios, plazas, and courtyards.
- i. The base open space area shall be planted with a minimum of two-inch caliper trees and six foot evergreen trees based on an approved landscape plan consistent with the approved preliminary plat.
 - ~~ii. In addition to the trees planted within the base open space area, one deciduous canopy tree with a minimum caliper of two inches is required for every 30' along the following linear landscape features in accordance with Clinton Municipal Code 28-20-6, Table 20-2—Clinton City Street Tree List:~~
 - ~~1. Landscape buffers between parking/drive areas and adjacent development;~~
 - ~~2. Park Strips between the street sidewalk and back of curb.~~
 - ~~a. Street trees shall be planted no closer than 20' to light standards;~~
 - ~~b. Tree species should vary along linear landscape features to create a unique street identify, to provide visual variety, and to promote the health of the City's urban~~

~~forestry; and Spacing of the trees may vary; the maximum spacing is 40'. In the event that any of the trees or shrubs die or do not adequately grow, they shall be promptly replaced; and Trees shall be designed, specified and planted with sufficient spacing from buildings to prevent negative impact from tree branches at mature growth; and~~

~~e.a.~~ All residential buildings shall provide planting beds with shrubs and plant materials along the front of the building. In yards with a front setback of less than 20', planting beds shall be included in all street-fronting setback areas based on the water efficient landscape standards found in Section 28-3-21 of this Title.

c. **Recreation and Site Amenities – Density Bonus:** ~~A~~ Up to a five-ten percent density bonus may be awarded for the provision of major recreation facilities and site amenities such as swimming pools, tennis courts, playgrounds, or similar facilities. Up to a ~~ten-twenty~~ percent density bonus may be awarded for dedication of property for a park, trail or recreational facility identified on the Parks Master Plan.

~~d. **Enclosed Parking:** A five percent density bonus may be awarded for providing an enclosed two-car garage for at least 75% of the residential building units. Up to a ten percent density bonus may be awarded for providing all residential building units with an enclosed two-car garage.~~

~~e.d.~~ **Exterior Building Materials:** The applicant shall provide a material and color board for review and recommendation by the Design Review Committee (DRC). Twenty percent of all street-facing sides of primary and accessory buildings shall be finished with masonry. For the purposes of this section, masonry shall include brick stone or fiber cement board (or similar material) but shall not include stucco or similar products. Calculation of minimum percentage shall not include entry feature columns.

- i. **Exterior Building Materials – Density Bonus:** An increase of masonry materials (applied to street-facing building sides) from 20% to 50% may receive a five-ten percent density bonus, and an increase to 75% may receive a ten percent density bonus.
- ii. **Application of Exterior Brick or Rock Materials:** To achieve the appearance of masonry as a structural component of the architecture, exterior masonry materials shall extend beyond any exterior wall corner by a depth of at least 24" onto the adjoining (perpendicular) wall elevation. This requirement shall also apply to non-masonry exterior materials, such that transitions of materials do not occur at building corners. The uniform application of buildings materials at corners shall extend vertically up to the roof eaves.

~~f.e.~~ **Fencing Materials:** Perimeter fencing around the proposed PRD development shall be required, except along boundaries where buildings are proposed to front onto

streets. All perimeter fencing shall be uniform in design.

- i. **Fencing Materials – Density Bonus:** A density bonus of up to ~~five~~ten percent may be granted for the use of upgraded fencing materials such as architecturally designed brick or masonry, vinyl with wood texture in color and appearance, vinyl with brick or stone columns, composite, and open fencing such as vinyl rail or wrought iron used in conjunction with landscaping, or comparable materials (as approved by the Land Use Authority).

15) The following criteria are required to be met when granting a density bonus for additional open space beyond the required base open space:

- a. The open space shall be held in common via public ownership or by a homeowner's association with a permanent open space easement;
- b. The open space shall be large enough for the use of all residents of the project and their guests, or the general public. Such spaces shall include improvements such as playgrounds, pathways, pavilions, play courts, ball fields, as well as informal spaces which encourage the use and enjoyment of the open space.
- c. The specific amenities shall be identified with the Concept Plan at the time of rezone application as the standard for preliminary and final plat landscape plan submittals. Amenities and other improvements shall be described in a development agreement for the site, or based on the approval of public meeting minutes showing the proposed amenities.

20) The Land Use Authority shall require the preservation, maintenance, and ownership of all open space through one, or a combination of the following:

- a. Dedication of the land as a public park or parkway system;
- b. Dedication of the land as permanent open space on the recorded plat;
- c. Granting the City a permanent open space easement on the private open spaces to guarantee that the open space remain perpetually in recreation use, with ownership and maintenance being the responsibility of a homeowner's association.
- d. Following the approval of the Final Subdivision Plat, and prior to the bond release, a homeowners association or community association shall be formed by the recordation and declarations providing for the collection of fees to maintain the common area(s). The association shall establish Codes, Covenants and Restrictions (CC&R's) with the City as a majority voting member. The CC&R's shall include a no-sunset clause for the permanent obligation to irrigate and maintain the common area(s); or
- e. Through compliance with the provisions of the Condominium Ownership Act and the Community Association Act as outlined in Title 57 of the Utah Code (as

amended), which provides for the payment of common expenses for the upkeep of common areas and facilities.

- f. In the event the common open space and other facilities are not maintained in a manner consistent with the approved final PRD plan, the City may at its option cause such maintenance to be performed and assess the costs to the affected property owners or responsible association.

- 21) Following final plat PRD approval, any substantial changes in use, or arrangement of lots, blocks, and building tracts, or any changes in the provision or type of common open spaces must be resubmitted for final plat review and approval by the Land Use Authority.

28-7-14 Streets, Circulation, and Parking

- 1) The design of public and private streets within a PRD shall follow City standards for width of right-of-way and construction as outlined in Title 25 and Title 26 of this Code and the Development Guidelines and Design Standards.
- 2) The Land Use Authority may approve alternative street designs. Locations of private ROWs will be negotiated with the city during the development review and approval process.

~~a. Private drives and alleys not meeting the city's public street standards shall at a minimum meet the fire code as directed by the Fire Marshal and be maintained by and dedicated to an HOA. Said private drives no longer than 150' deep shall include a minimum of 20' asphalt.~~

~~b.a.~~ Private alleys providing a through connection to public streets shall include a minimum of 26' asphalt. Private drives and alleys within a PRD shall include open space areas for snow storage.

~~e.b.~~ The Land Use Authority may allow a reduced width public right-of-way with no less than 26' of asphalt and a street cross section approved by the City Engineer. The following items are stipulated for this type of street:

- i. No on-street parking is allowed;
- ii. Guest parking shall be dispersed throughout the development; and
- iii. Guest parking stalls must be owned and maintained by the homeowner's association.

- 3) Points of primary vehicular access to a PRD shall be designed to provide smooth traffic flow with controlled turning movements and minimum hazards to vehicular, pedestrian, and bicycle traffic. Points of intersection between internal and external circulation systems shall be so arranged that both systems function in a safe and efficient manner.

- 4) The required off-street parking shall be distributed throughout the PRD and provide reasonable access to all residential structures within the project.

28-7-15 PRD Review Process

A PRD is reviewed in a three-step process - conceptual plan review and overlay zoning, preliminary plan review, and final plan review.

- 1) Subdivision approval may be considered concurrent with the PRD review and approval process. Subdivision review shall follow all subdivision standards as outlined in Title 26 of this Code and the development standards and design guidelines.

28-7-16 Conceptual PRD Plan Approval and PRD Overlay

- 1) Conceptual PRD plan review examines the PRD concept plan with respect to such items as density, including the number, type, and location of dwelling units; parking and circulation; adequacy of services; and the impact of the proposed PRD on surrounding areas.
- 2) Concurrent with any request to rezone property to the PRD overlay zone, a conceptual PRD plan shall be submitted to, and reviewed by, the Land Use Authority. The Land Use Authority shall hold a public hearing to review the proposed rezone and conceptual PRD plan in accordance with Section 28-1-4 of this Code.
- 3) Conceptual approval and PRD overlay zoning will only be granted when there is a reasonable certainty that the PRD will fulfill the requirements of the General Plan, City Code, and the City Development Guidelines and Design Standards.
- 4) The conceptual plan shall be reviewed by the Land Use Authority and considered for approval as outlined above, and shall contain the following information:
 - a. A legal description;
 - b. Lot configuration;
 - c. Concept landscape plan with proposed open space amenities;
 - d. Concept building type elevations or perspectives;
 - e. Street configuration;
 - f. Existing utilities; and
 - g. Proposed storm drain, water, and sewer systems.
- 5) Approval of a conceptual PRD plan shall require the following findings:
 - a. That the proposed development is consistent with the density standards of the General Plan;
 - b. That the proposed development will provide a more pleasant and attractive living environment than a conventional residential development established under the provisions of the underlying residential zoning district;

- c. That the proposed development creates no detriment to adjacent properties nor to the general area in which it is located; and that it will be in substantial harmony with the character of existing development in the area;
- d. That the PRD project will provide more efficient use of the land and more usable open space than a conventional development permitted by the underlying zoning district;
- e. That any variations allowed from the development standards of the underlying zoning district will not create increased hazards to the health, safety, or general welfare of the residents of the proposed PRD or adjacent areas; and
- f. That the application of a density bonus of up to 50% will be compensated by better site design and by increased amenities.

28-7-17 PRD Design Review Committee

- 1) A PRD Design Review Committee shall be established by Clinton City. The Committee shall be responsible for providing support and recommendations to the staff regarding basic design elements as presented in a preliminary PRD plan. The PRD Design Review Committee may also make recommendations regarding density bonuses based on the design options outlined in Subsection 28-7-5(13)(a) of this Chapter.
- 2) The Development Staff shall select a group of ~~at least~~ upto five members who are professionals from among the fields of: architectural design, landscape architecture, urban design, architectural history, planning, and engineering.
 - a. There will be no regular meeting times of the PRD Design Review Committee. The Committee shall meet at such times and places and as often as necessary to review PRD applications with staff.
 - b. The PRD Design Review Committee, together with staff, shall review all design aspects of the preliminary PRD plan, landscaping plans, and building elevations.
 - c. If a density bonus is proposed, the PRD Design Review Committee, together with staff, shall determine an acceptable density bonus for the PRD project; the density bonus recommendation shall be forwarded to the Land Use Authority as for consideration.

28-7-18 Preliminary PRD Plat Approval

- 1) The preliminary PRD plat shall be reviewed and approved by the Land Use Authority as defined in Section 26-3-3 of this Code. Said preliminary PRD Plat shall contain the following information:
 - a. A complete and accurate legal description of the property which is the subject of the PRD. A preliminary title search showing legal ownership of the property. If the developer is not the property owner, written proof that said developer has

- sufficient legal claim on the property, and each parcel therein, or authority to represent its owners, must be provided to proceed with development plans;
- b. Topographic maps of the entire site, including contour intervals no greater than two feet;
 - c. A tabulation of the total acreage of the site and the percentages thereof to be designated for various uses, i.e. parking, residential units, open space, streets, etc.;
 - d. Proposed circulation pattern including private driveways, public and private streets, and pedestrian and bicycle paths;
 - e. Parks, common open spaces, playgrounds, school sites, and other public or private recreation facilities and improvements proposed within the PRD;
 - f. General locations of all dwellings and other structures in the PRD, and an indication of proposed population densities and building densities (units per acre), including tables or graphs showing the percentages of each dwelling type proposed;
 - g. Proposed location of parking, ingress and egress;
 - h. A general landscaping plan showing what areas are to be landscaped and what types of plants and materials are contemplated;
 - i. Preliminary elevations or perspectives of all building types proposed within the development;
 - j. Preliminary subdivision plat, if the site is being divided, showing a general layout of all proposed lots as outlined in Title 26 of this Code;
 - k. A preliminary utility plan showing the manner in which adequate sewage disposal, storm drainage, and water services are to be provided, including the point from which said services are to be extended or connected; and

2) The Land Use Authority may impose such conditions on a preliminary PRD plan, as it may deem appropriate to meet the goals and objectives of this Chapter and the General Plan.

28-7-19 Homeowner's Association. A homeowner's association (HOA) shall be established for every PRD. The HOA shall be established for the general maintenance, upkeep and enforcement of those areas held in common ownership.

1) The HOA must maintain common areas and facilities in accordance with the approved final PRD plan and development agreement. No deviation by the HOA from the approved final PRD plan shall be made without prior approval from the city.

2) Codes, covenants, and restrictions (CCRs) for the development must be approved

by the city as part of the final PRD plan.

- 3) CCRs shall specify and provide for enforcement that the majority of the units in a PRD are owner-occupied with specific provisions that no more than 50% of the units in a PRD shall be rental units.

~~28-7-19~~ 28-7-20 **Final PRD Plan Approval**

- 1) After the approval of the preliminary PRD plat and prior to the construction of any building or structure in the PRD overlay zone, a final PRD plat shall be submitted and approved by the Land Use Authority as defined in Section 26-3-5. Said plans may be submitted in phases, provided each phase can exist as a separate project capable of independently meeting all of the requirements of this Chapter and of the underlying zoning district with which the PRD zone has been combined. The separate development of said phases shall not be detrimental to the PRD nor to the adjacent properties in the event that the remainder of the project is not completed. Said final PRD plan shall be drawn to scale and shall contain the following information:
- a. All of those requirements designated for submission with preliminary PRD plans;
 - b. A certified survey of the property showing any survey conflicts with adjoining properties, any discrepancies between the survey descriptions and existing fence lines, and overlaps with adjoining property descriptions;
 - c. Tabulations of all dwelling units to be constructed by types and number of bedrooms per unit;
 - d. Detailed development plan with completed dimensions showing precise locations of all buildings and structures, lot or parcel sizes and locations, designations of common open spaces and special use areas, detailed circulation pattern including proposed ownership and typical cross section of streets;
 - e. Final exterior design for all building types, presented as exterior perspectives or exterior elevations;
 - f. Detailed landscaping plans showing the types and sizes of all plant materials and their locations, decorative materials, recreation equipment, special effects, and sprinkler irrigation systems;
 - g. Dimensioned parking layout showing location of individual parking stalls and all areas of ingress or egress;
 - h. Detailed engineering plans showing site grading, street improvements, drainage, and public and private utility locations, and submission of engineering feasibility studies, stamped by a licensed professional engineer, if required by the City Engineer;
 - i. Fully executed declaration of covenants, conditions, and restrictions, together with

	<p>open space easements and other bonds, guarantees, or agreements as required herein or, as approved by the Land Use Authority to meet the objectives of this Chapter. The bond will be 110% of all improvements both public and private. Including, but not limited to, all landscaping, playgrounds, pathways, fencing, and any other recreational amenity;</p> <ul style="list-style-type: none"> j. A time schedule for the completion of landscaping, parking, street improvements, and other improvements and amenities which are guaranteed by bonds or other securities; and k. Any additional information required by the Development Guidelines and Design Standards. <p>2) Any failure to receive final PRD plat approval from the Land Use Authority within two years of the approval of the preliminary PRD plat shall terminate all proceedings and render the preliminary PRD plat unapproved.</p>
<p>ADJOURNMENT</p>	<p>The meeting adjourned at approximately 9:45 p.m.</p>

*Dated this 13th day of February 2024
/s/Lisa Titensor, Clinton City Recorder*



**CLINTON CITY COUNCIL MEETING MINUTES
CITY HALL
2267 North 1500 W Clinton UT 84015**

**MAYOR
Brandon Stanger**

**CITY COUNCIL MEMBERS
Marie Dougherty
Gary Tyler
Dane Searle
Spencer Arave
Austin Gray**

Date of Meeting	January 23, 2024	Call to Order: 7:10 PM
City Council & Staff Present	City Manager Trevor Cahoon, Police Chief Shawn Stoker, Fire Chief David Olsen, Community Development Director Peter Matson, Recreation Director Brooke Mitchell, Public Works Director David Williams, IT Specialist Dereck Bauer, JUB Engineer Bryce Wilcox, Treasurer Steve Hubbard, Court Administrator Amy Durrans and Lisa Titensor recorded the minutes.	
Attendees who signed the record	Celeste Hopkins, Chance Hopkins, Joanne Daniels, Tori Daniels, Tyler Heath (PRI), Lori Bryson, Marilyn Diamond, Michael Bryson, Lance Wilson, Mike Hardin, Guy Adair, Laretta & Bob Beesley, Crista Daniels, Richard Daniels, Preston Anderson, Beth Johnson, Judy Frandson,	
Invocation or Thought & Pledge of Allegiance	Councilmember Spencer Arave	
Roll Call & Attendance Of City Council	Mayor Stanger, Councilmember Arave, Councilmember Dougherty, Councilmember Gray, Councilmember Searle, Councilmember Tyler	
Public Input	There was none.	

A. RECOGNITION OF OUTGOING PLANNING COMMISSIONERS

Petitioner	Mayor Stanger, City Council
Discussion	<p>Clinton City would like to express appreciation to two members of the Planning Commission whose terms have come to an end.</p> <p>Tony Thompson served on the Planning Commission from January 2003 through December 2023. Clinton City has benefitted greatly from Tony’s knowledge and expertise. He has been a dedicated member of the Commission during Clinton’s significant growth and development over the past 20 years. He has contributed countless hours preparing for Planning Commission meetings in order to provide good recommendations to the City Council that comply with both City and State Code requirements. His love for Clinton is evident in his long time dedication and service.</p> <p>Dereck Bauer served on the Planning Commission from January 2018 through December 2023. He has a broad knowledge and understanding of many aspects related to government functions and has a good understanding of City and State laws. He is very observant and detailed oriented and has contributed significantly in helping the Planning Commission fulfill their purpose.</p> <p>Dereck is willing to step in and help wherever needed including using his IT abilities to help achieve the City’s goal of improving transparency. Dereck has helped the City provide electronic participation in meetings for participants who can’t attend in person. Whenever staff has an issue or request he finds a solution. His contributions to Clinton are very much appreciated.</p> <p>Mayor Stanger explained Dereck plays a big role in the City.</p> <p>The City Council expressed appreciation for both of these individuals.</p>

	<p>Councilmember Dougherty expressed appreciation to Dereck for his service. She acknowledged his insightfulness. She expressed appreciation for Dereck’s service.</p> <p>Councilmember Searle expressed appreciation for his willingness to be available even on weekends.</p> <p>Mayor Stanger explained that Tony Thompson has served for 20 years. He could not be here this evening. He has done an excellent job on the Planning commission.</p> <p>Councilmember Tyler stated Mr. Thompson is very knowledgeable and has been an asset to the City.</p>
B. RECOGNITION OF LARETTA BEASLEY FOR SERVICE ON THE MOSQUITO ABATEMENT DISTRICT BOARD	
Petitioner	Mayor Stanger, City Council
Discussion	<p>Clinton City would like to thank Laretta Beesley for her dedication and service to Clinton City. Laretta has been Clinton’s representative on the Davis County Mosquito Abatement Board since 1995.</p> <p>She has also chaired the Arts Board since it was established in November 2009. She has recently stepped down from the board but will continue to contribute to the board as a non-voting member. The Arts Board is responsible for organizing several events that promote the arts in the community and provides entertainment and joy for the citizens. Laretta has also served as the lead poll worker for elections for many years.</p> <p>Clinton is so fortunate to have benefitted from Laretta’s love of Clinton and her willingness to serve.</p> <p>Councilmember Arave thanked Laretta for her service and said he appreciated her example as a youth growing up in Clinton..</p> <p>Councilmember Dougherty expressed appreciation for Laretta’s love of Clinton City and her many years of service.</p> <p>Councilmember Searle expressed appreciation for Laretta’s welcoming personality.</p> <p>Councilmember Gray expressed appreciation to Laretta as well.</p> <p>Councilmember Tyler expressed appreciation for Laretta’s example to other citizens.</p>
C. VICTIM ADVOCATE UPDATE	
Petitioner	Police Chief Shawn Stoker
Discussion	<p>The Victim Advocate provides services to Clinton, Syracuse, and Sunset. Funding for this position is through a VOCA Grant, the remainder is shared by the three cities. The advocate’s primary employment is with Syracuse then Clinton and Sunset was added a few years ago. The Victim Advocate Program has been very successful. The program not only serves Survivors in the community, but provides support, resources, information, and assistance during times when they are most needed.</p> <p>The Clinton City Victim Advocate, Celeste Hopkins gave a presentation on the Victim Advocate Program. She provided a program overview, update, report on services provided, and projection of future needs.</p> <p>She explained that due to the volume of needs in the community, she would like to hire a part-time advocate and asked the Council to consider this for the next budget cycle.</p> <p>Celeste is doing a great job.</p>

D. PUBLIC HEARING ON R-M ORDINANCE

<p>Petitioner</p>	<p>Peter Matson, Community Development</p>
<p>Discussion</p>	<p>Ordinance 24-01Z includes Exhibit A which includes updates to the R-M zone shown with strike-out and underlined text, and Exhibit B that includes a new PRD overlay zone (Chapter 28-07).</p> <p>PROPOSED CHANGES FOR CONSIDERATION: Existing standards in the R-M zone address development of single unit up to six attached unit buildings. The existing code allows up to 12 units per acre. The zone does not address, nor is it proposed to address, development of stacked units typical of an apartment building. The current building setbacks in the RM zone are larger than what is typical for single family and townhome buildings. Proposed updates to the setbacks are shown in Exhibit A of Ordinance 24-01Z which is attached to the staff report. Additionally, State law prohibits cities from regulating residential building design unless part of a master planned development or development agreement.</p> <p>The PRD overlay zone (Ordinance 24-01Z Exhibit B) also attached to the ordinance is intended to address development of small-lot single family, twin homes and townhomes in a master planned environment where the regulations of the underlying R-M zone may be modified to allow flexibility and creativity in site and building design.</p> <p>PLANNING COMMISSION RECOMMENDATION: The Planning Commission reviewed these ordinance updates and amendments during a public hearing on January 16, 2024. A handful of residents were present – one expressed support for the Commission’s opinion about the ordinance amendments while others expressed concern that the Commission was being too conservative in their approach to density and private streets.</p> <p>The Commission recommended the Council approve the ordinance updates and amendments with the following specifics for the Council’s consideration:</p> <ul style="list-style-type: none"> • 8 units/acre as the maximum base density and 10 units/acre maximum density; • Density bonus up to 25% for major for the betterment of the development and community such as land dedication for parks/open space and trails; • Minimum 2-car garage for all residential unit/dwelling types; • Private drives (20’ asphalt) should not be allowed; • Private alleys allowed if it provides a through connection and large enough for fire vehicles/garbage trucks and snow storage; • Allow the option of a reduced-width public street with a minimum 26’ of asphalt width; and • Remove the provision for a Design Review Committee (DRC) since the density bonus does not include site or building design options for a density bonus. <p>Mayor Stanger explained this is a complex issue. Not all issues have been able to be addressed. More discussion is needed to finalize the ordinance.</p> <p>He explained some things that have been addressed are:</p> <ol style="list-style-type: none"> 1) Existing zoning to step down by half for a buffer between lot sizes; 2) Breakdown between town homes and small lot homes to equal 50/50 of each; 3) Limit rentals to 50/50 split to maintain pride or ownership; 4) Street widths need to be at least 20’ of asphalt to allow for emergency equipment access; 5) Street sizes – 26’ asphalt to asphalt with no parking; 6) Sidewalks and parkstrips are still under discussion; 7) Architectural design score allowances; 8) Useable space – 10% of property within 1000’ of each of the residences;

	<p>He gave an overview of statements from the public that were received during the special public open house held on this issue: Encourage front lawns & local scapes, walkability, water wise landscaping, emergency vehicle access; for future development in an RM Zone 15% turf; prefer town homes over apartments; no HOA's; no small private drives; concern for schools; open space/parks nearby.</p> <p>He explained that regarding shared driveways, they would not be more than 150' and at least 20' wide for emergency vehicle access.</p> <p>Mayor Stanger opened the public hearing at 7:43 pm for title 28 the RM Zone Ordinance.</p> <p>Lance Wilson said he is impressed with the document so far and appreciates the hard work that went into it. Based on his experience in real estate, he is concerned about liability for the City regarding HOA control requirements. He would like the City to adopt policies from Fanny Mae, Freddie Mac & HUD. He would like to see the following addressed further:</p> <ul style="list-style-type: none"> • Define private drive and alley • Overlay code • Gutters without curbing • Consider sidewalks <p>Trent Williams feels the City is too concerned with what they can get from a development and the additional cost it will require of the City. He feels that too many restrictions make it nearly impossible to meet code requirements. He asked the Council to consider fees in lieu of parks or amenities that the City will be required to maintain in the future at continued cost to the City and keeping a more central location for parks.</p> <p>Nathan Johnson urged the Council not to be too conservative. He feels the City is moving in the right direction. As a realtor, he cautioned the City to consider limiting restrictions and get this ordinance in order soon.</p> <p>Michael Bryson explained the property in question is his grandparents. He would like to purchase a home in Clinton but cannot afford it. His biggest fear is that HOA's add to already high monthly payments.</p> <p>Councilmember Tyler moved to close the public hearing. Councilmember Searle seconded the motion. Councilmembers Arave, Dougherty, Gray, Searle and Tyler voted in favor of the motion.</p>
CONCLUSION	<p><i>Councilmember Gray moved to table the decision on Ordinance 24-01Z in order to hold a special work session and then schedule a special meeting at a future date. Councilmember Arave seconded the motion. Voting by roll call is as follows: Councilmember Arave, aye; Councilmember Dougherty, aye; Councilmember Gray, aye; Councilmember Searle, aye; and Councilmember Tyler, aye.</i></p>
E. WEBER BASIN CANAL AGREEMENT	
Petitioner	Public Works Director David Williams Engineer Bryce Wilcox
Discussion	<p>In January 2023 Clinton City executed an agreement with the Bureau of Reclamation to install a waterline across the Layton canal near the east end of Pond Park. This location is shown on the map attached to the staff report and will provide an additional loop in the water system to better serve the Cranefield Subdivision and areas out west. The Bureau of Reclamation required Clinton city to cross the canal using a jack and bore construction method. This was bid out last spring, the cost for the jack and bore was very high, over \$300,000. Staff discussed this with Reclamation and they have agreed to allow the use of a directional drill construction method to cross their canal. This will save the City</p>

	<p>significantly. This amendment is to change the agreement to allow Clinton city to directional drill the waterline. Staff recommends that the City Council execute this agreement.</p> <p>The following two bids were received for the installation of the waterline:</p> <p>Brinkerhoff Excavating \$160,385.00</p> <p>Newman Construction \$186,900.00</p> <p>The waterline crossing is funded by impact fees. Account 51 has \$85,000 budgeted for this project. The remainder of the impact fees, about \$730,000, are being held in Account #49 Well and Water Tank. During the budgeting process it was unknown if the crossing method could be modified so additional funding was not added to the project. Staff proposes using \$85,000 from Account 51 and \$76,000 from Account #49 to pay for this project. The crossing has to be completed between November 1st and April 1st of 2024 outside of the irrigation season. The contractor has agreed to complete the installation prior to April 1st. Brinkerhoff Construction has done work in Clinton several times and they do excellent work.</p> <p>This fund transfer can be made as a budget amendment at a later date.</p>
CONCLUSION	<p><i>Councilmember Searle moved to award the bid to Brinkerhoff Construction for Phase 5 of the Sewer project for \$160,385. Councilmember Tyler seconded the motion. Voting by roll call is as follows: Councilmember Arave, aye; Councilmember Dougherty, aye; Councilmember Gray, aye; Councilmember Searle, aye; and Councilmember Tyler, aye.</i></p>
F. AGREEMENT EXTENSION FOR SEASONAL CONCESSION SERVICES	
Petitioner	Recreation Director Brooke Mitchell
Discussion	<p>3 Banderas has been managing the concession stands at the Civic Center Park, West Clinton Park and Powerline Park since 2017. Their agreement has been renewed 2 times since then, from 2018-2020 and then again from 2021-2023.</p> <p>Contracting Concession Services out saves the City money in personnel costs and loss of product.</p>
CONCLUSION	<p><i>Councilmember Arave moved to approve the Seasonal Concession Services Agreement with 3 Banderas for 1 year. Councilmember Dougherty seconded the motion. Voting by roll call is as follows: Councilmember Arave, aye; Councilmember Dougherty, aye; Councilmember Gray, aye; Councilmember Searle, aye; and Councilmember Tyler, aye.</i></p>
G. RES 06-24 CITY COUNCIL ASSIGNMENTS FOR 2024	
Petitioner	Mayor Stanger
Discussion	<p>The Mayor is responsible for making assignments for the City Council. He asked the Council their preferences, they agreed on the following:</p> <p>Councilmember Tyler – Davis Chamber Councilmember Gray – West Davis Chamber; Youth Gray Councilmember Arave - HAFB Groundwater Committee ; Arts Board & Parks ; Heritage Days / Parade Councilmember Heritage Days / Parade Councilmember Dougherty – Communities that Care; Mosquito Abatement Dist. Councilmember Searle – Sewer District; Mayor Pro Tem for 2024</p>
CONCLUSION	<p><i>Councilmember Arave moved to ratify the City Council assignments as listed above and adopt Resolution 06-24 appointing Councilmember Dougherty to the Davis Mosquito Abatement District. Councilmember Searle seconded the motion. Voting by roll call is as follows: Councilmember Arave, aye;</i></p>

	<i>Councilmember Dougherty, aye; Councilmember Gray, aye; Councilmember Searle, aye; and Councilmember Tyler, aye.</i>
Approval of Minutes	<i>Councilmember Tyler moved to approve the minutes of the January 9, 2024 City Council Meeting. Councilmember Gray seconded the motion. Voting is as follows: Councilmember Arave, aye; Councilmember Dougherty, aye; Councilmember Gray, aye; Councilmember Searle, aye; and Councilmember Tyler, aye.</i>
Accounts Payable	<i>Councilmember Searle moved to authorize the payments. Councilmember Tyler seconded the motion. Council members' Arave, Dougherty, Gray, Searle and Tyler voted in favor of the motion.</i>
Planning Commission Report	Held a public hearing for the RM Zone. Will meet in February to address additional ordinance updates.
City Manager	<ul style="list-style-type: none"> • Nothing at this time.
Staff reports	Fire Chief Olsen asked the City Council to participate in a first responder mental health spouse training on February 12, 2024 at 6 pm.
Councilmember Arave	<ul style="list-style-type: none"> • Nothing at this time.
Councilmember Dougherty	<ul style="list-style-type: none"> • The Arts Board Cowboy Poetry night went well; they will hold a paint night on February 16, 2024 at 6:30 pm; they will hold a children's/parents dance on March 15, 2024 at 6:30 pm. • Communities that Care would like to give a presentation to the City Council in February. • Gave a legislative update.
Councilmember Gray	<ul style="list-style-type: none"> • Nothing at this time.
Councilmember Searle	<ul style="list-style-type: none"> • Attended his first Sewer Board Meeting.
Councilmember Tyler	<ul style="list-style-type: none"> • Nothing at this time.
Mayor Stanger	<ul style="list-style-type: none"> • The Waste Management District will be putting forth requirements for recycling. • Department of the Air Force sent a letter of gratitude for Councilmember Dougherty's assistance in the public outreach for the air sampling program. • North Davis Communities that Care did an e cig tax to fund programs, they have found that proper procedures are being followed for sales.
ADJOURNMENT	<i>Councilmember Searle moved to adjourn. Councilmember Gray seconded the motion. Council members' Arave, Dougherty, Gray, Searle and Tyler voted in favor of the motion. The meeting adjourned at 8:37 pm.</i>

*Dated this 13th day of February 2024
/s/Lisa Titensor, Clinton City Recorder*



**SPECIAL WORK SESSION
2267 N 1500 W
CLINTON UT 84015**

***City Council Members
Mayor Brandon Stanger
Council
Marie Dougherty
Dane Searle
Gary Tyler
Spencer Arave
Austin Gray***

Date of Meeting	January 23, 2024	Call to Order	6:00 p.m.
Staff Present	City Manager Trevor Cahoon, Peter Matson and Lisa Titensor recorded the minutes.		
Roll Call/Attendance	Present were: Mayor Stanger, Councilmembers Marie Dougherty, Dane Searle, Gary Tyler, Spencer Arave and Austin Gray		
Declaration of Conflicts	There were none.		
CITY COUNCIL WORK SESSION TO DISCUSS AMENDMENTS TO THE R-M ZONE AND A NEW PLANNED RESIDENTIAL DEVELOPMENT (PRD) OVERLAY ZONE FOR THE REGULATION OF MEDIUM DENSITY HOUSING.			
Petitioner	Mayor Stanger		
Discussion	<p>The City Council discussed the DRAFT Ordinance at length.</p> <p>The main topics of this discussion were:</p> <p>Roads, sidewalks, parkstrips, articulation between buildings and color changes, buffers and transition, minimum lot size, right of way, HOA's.</p> <p>For each issue, the City Council did meet majority consensus.</p> <p>The City Council postponed the work session to hold the regularly scheduled City Council meeting t 7 pm.</p> <p>The City Council reconvened the work session at 8:50 pm.</p> <p>The following draft is a result of the discussion.</p> <p>28-7 Planned Residential Development (PRD) Overlay Zone</p> <p>28-7-1 Purpose and Intent</p> <p>The purpose of the Planned Residential Development (PRD) overlay zone is to encourage creative and efficient utilization of land by providing greater flexibility in the placement of buildings on the land, the consolidation of open spaces, and the clustering of dwelling units. These provisions are intended to create more attractive and desirable design of residential</p>		

neighborhoods and housing projects in Clinton City.

28-7-2 PRD Definition and Use

A PRD is a master planned, architecturally-designed development in which the regulations of the underlying zone, in which the development is situated, may be modified to allow flexibility and creativity in site and building design and location, in accordance with an approved PRD plan and requirements of this Chapter.

- 1) The PRD Overlay Zone shall be used in combination with the R-M (Multi-Family Residential) zoning district. The PRD overlay zone shall not be applied to a land area as an independent zoning district. Property to which the PRD overlay zone has been applied shall be developed only in conformance with an approved PRD plan.

28-7-3 Classification of Land to PRD Overlay Zone

- 1) Land shall be classified as being in the PRD overlay zone pursuant to an amendment to the zoning ordinance adopted pursuant to the provisions of Chapter 28-1 of the Clinton Municipal Code provided, however, in order to classify any land as being in the PRD overlay zone the following conditions shall be considered by the Land Use Authority:
 - a. The land has features which are comparable with clustering or other nonstandard development; and
 - b. The land has features which are compatible with the coordination and design of open spaces and with the proposed housing development; and
 - c. The classification is not in conflict with any applicable element of the Clinton City General Plan.
- 2) Land included in the PRD overlay zone shall be designated on the Official Zoning Map of Clinton City with the symbol (PRD) following the underlying zoning district designation of such land.

28-7-4 Permitted Uses

- 1) Single and multiple family residential developments containing any type or mixture of housing units are permitted, including, but not limited to clustered development, townhouses, patio houses, detached houses, and duplexes. Such units may have no more than two walls in common, with no residential units above other residential units.
- 2) Open space uses in a PRD may incorporate public or private recreational facilities, including, but not limited to playgrounds, exercise fitness stations, swimming pools, sports courts or fields, and pavilions/picnicking areas, when approved as part of the final PRD plan.

28-7-5 Application of PRD to Underlying Zoning District

- 1) The underlying zone still applies. Variations from the development standards of the underlying zone may be permitted and approved by the Land Use Authority only as outlined in this ordinance. Variations, however, shall not include changes in the uses allowed by the zoning district with which the PRD zone has been combined.
- 2) A PRD as an overlay on the R-M zone shall include a minimum acreage of three acres. The Land Use Authority may consider a PRD proposal with less acreage only if it can be demonstrated that a contiguous open space area can be provided to meet the

recreational needs of the residents and integrated storm water standards of this ordinance.

- 3) The Land Use Authority may, in the process of approving preliminary PRD plats, approve variations from the minimum standards of the underlying zone where there is sufficient evidence that the variations will not adversely impact neighboring property and that the standards of this Chapter are met.
- 4) The following development spacing requirements shall apply to residential structures within the PRD:
 - a. The minimum front yard setback for a rear-loaded building along a street shall be 15 feet;
 - b. The minimum corner side yard setback shall be 15 feet along a local street, and 20 feet along a collector or arterial street;
 - c. The minimum rear yard setback for single-family residential lots or attached dwellings with front-accessed garages shall be 15 feet;
 - d. The minimum side to side separation between single-family structures shall be 10 feet and between attached-unit structures shall be 15 feet;
 - e. The minimum side to front and side to rear separation between residential structures shall be 22 feet, with a five foot maximum porch encroachment allowed into the side to front separation;
 - f. The minimum front to front separation between residential structures shall be 30 feet with a five foot maximum porch encroachment allowed into the separation;
 - g. The minimum setback with a front facing garage shall be 22 feet from the front property line on a public street or back of curb on a private access;
 - h. The minimum single-family lot size shall be 3,500 square feet. Lot sizes of 6,000 square feet or greater shall employ a minimum side to side separation of 18 feet; and
 - i. All development shall comply with other applicable design guidelines and standards as adopted by the Land Use Authority.
- 5) **Building Height, Design and Massing.** Single-family residential and attached-unit buildings shall be limited to 2 1/2 stories and 35 feet.
 - a. Each attached-unit building shall include variation in color or shade of color and incorporate front façade articulation through the differentiation of individual units with placement of dormers, window variations and entry features. Additional articulation shall be achieved by:
 - i. Variations in the setback of the façade of the building by at least two feet between adjoining units; or
 - ii. Horizontal or vertical shift in roofline of at least two feet at intervals not greater than two attached units with variations in roof pitch, overhangs and projections.
 - b. Rear elevations shall alternate in color or shade of color, include articulation in roofline, and avoid the appearance of a flat wall through two-foot shifts in walls of

alternating units and minimum four-inch stucco or cement board wrap of all rear wall corners. Buildings with more than four attached units that back or front along the perimeter of the development visible to an outside street or trail must be a mixture of four-, five- or six-unit buildings that alternate in color or shade of color. Buildings with five or six units may be used back-to-back in the interior of the development.

- 6) **Parking.** Single-family and attached units shall include a minimum two-car attached enclosed garage with a minimum dimension of 20 feet wide by 22 feet deep. Additional parking stalls are required for developments applying a reduced public right of way.
- 7) **Shared Private Access.** Shared private access shall have a minimum of 20 feet of asphalt, or 26 feet of asphalt where buildings surpass 30 feet in height and have no other fire apparatus lane. The homeowners association must own and maintain all shared private access, including snow removal, and must enforce a strict no-parking policy.
 - a. To provide vehicular access to any rear-loaded garage, the development may use a private alley with individual four-foot approaches into each garage. Where alleys dead-end, they must be less than 150 feet in length. Where alleys pass through to public streets, they shall include open space breaks for snow storage. Buildings shall not include cantilevers that protrude into the alley.
 - b. For scenarios that necessitate small groupings of front-loaded units, the development may use a private drive leading to individual 22-foot driveways. Drives must be less than 150 feet and include space for snow storage. A two-foot mountable curb and gutter may separate individual driveways from the private drive.
- 8) **Traffic Study.** If required by the City Engineer, a traffic impact study shall be submitted as part of the preliminary PRD plan, to determine vehicle traffic generated by the proposed PRD. The traffic impact study shall be prepared by a licensed Utah traffic engineer and at a minimum follow the equivalent of a UDOT Level II study, or if a UDOT road is impacted, the specific study level required by UDOT.
- 9) **Materials.** New buildings shall be compatible with the construction materials of surrounding and historic buildings by meeting the design requirements in this chapter and by complying with other applicable design standards and guidelines as adopted by the Land Use Authority.
- 10) **Front Entrance Feature.** All residential units shall have an open-air front porch, stoop or other front entrance feature. Front entrance feature dimensions shall be, or shall include a portion with a minimum depth and width of five feet. These front entrance features may encroach no more than five feet into the front yard setback. Residential units shall comply with other applicable design standards and guidelines as adopted by the Land Use Authority.
- 11) **Transition from Existing Single-Family Residential.** Only detached single-family homes may be built next to off-site, existing dwellings in R-1-8, R-1-9, R-1-10, and R-1-15 zones, where there is no significant existing geographical or infrastructural buffer (e.g. highway, canal, waterway). Fencing alone does not apply as a buffer. In such cases, the following shall apply:
 - a. Single-family lots must comprise 50% of the R-M development area.

b. The first layer of lots immediately abutting the existing R-1 zone must be sized at no less than 50% the minimum average square footage required by the R-1 zone.

c. Developer may use open space to replace the first layer, if the open space depth is at least one-half the minimum required lot depth of the adjacent R-1 zone.

- 12) **Base and Bonus Density.** The base density of a PRD shall be based on the density of the underlying zoning district. The base residential density and the maximum 50% density bonus shall be based on the following:

Zoning District	Base Density	Potential Density with 50% Bonus
R-M	8 units per acre	12 units per acre

- 13) **Minimum Base Open Space.** PRDs shall provide a minimum open space area for use-in-common of residents and/or occupants of such development. The open space provided shall be integrated into the PRD project and accessible to all residents of the PRD community via pedestrian pathway system or street sidewalks. The base open space requirement shall apply to the proposed PRD site as follows:

Zoning District	Density	Base Open Space
R-M	Up to 8 units/acre	5.00%*
R-M	8 to 10 units/acre	7.5%*
R-M	10 to 12 units/acre	10%*

*Calculated based on gross site area (includes any area(s) proposed for future public right-of-way).

- 14) **Density Bonus and Incentives.** The inclusion of certain amenities or design options may result in an allowed increase in density, or a density bonus. The total density bonus shall not exceed 50%. The Land Use Authority may grant a density bonus upon inclusion and acceptance of additional design options from the following categories, as set forth below:

Recreation and Site Amenities	Maximum thirty percent (30%) bonus
Exterior Building Materials	Maximum ten percent (10%) bonus
Fencing	Maximum ten percent (10%) bonus
Streetscape Enhancements	Maximum ten percent (10%) bonus
Open Space (above the minimum base requirement)	Maximum ten percent (10%) bonus

- a. **Minimum Base Open Space Requirement:** The minimum base open space requirement in the R-M zoning district is 5-10% depending on project density as noted in Subsection (13) of this Chapter. The purpose of this open space is to provide for recreational activity and integrated storm water quality and/or

detention throughout the development.

- i. Required base open space shall not include areas that are occupied by buildings, lots, structures, parking areas or streets. Additionally, required open space shall not include:
 1. Area between buildings and outside of platted lots and building pads unless part of the approved pedestrian circulation plan and at least 20 feet in width;
 2. Front, rear, and side yard setbacks; and
 3. Paved areas such as driveways, streets, and private sidewalks.
 - ii. At least one recreational open space area shall be accessible to all residents and provided within 1,000 feet, measured along a walking route from each residential unit.
 1. The open space network shall include an area large enough to encourage gathering for social and recreational activity for residents of the development and their guests, with at least one edge fronting a public street.
 2. Depending on the size and location of the PRD, a pathway system is encouraged to provide pedestrian or cycling access to community open space areas, including on-site amenities and nearby off-site parks and trails. The pathway system should connect along or through open space areas, and connect to sidewalks. The minimum width of a pathway shall be five feet.
 3. Stormwater detention may be provided in combination with open space areas if pedestrian access is provided from two edges of an open space area that does not exceed a 5:1 (20%) slope ratio. The sloped access into the detention area shall be at least 20 feet wide along such edges.
 - a. At least half of the open space areas used for detention shall provide a usable recreation area of 30 feet between the bottom of slopes.
 - b. Based on findings of the geo-technical study of water table depth and soil type, a perforated perimeter drain may be required to promote dewatering and to prevent saturation of the detention basin area for recreational use.
 - v. Programmed open space amenities such as playground equipment, exercise equipment, sport court(s), picnic/seating areas and/or covered pavilion(s) shall be provided with a variety of options to serve all ages and abilities, and to be accessible to the residents and their guests. The applicant shall provide an estimate of how the proposed open space and facilities are appropriately sized and how they meet the needs of residents and guests of the project.
- a. **Provision of Recreation and Site Amenities:** All areas of a developed site not occupied by buildings, required parking, driveways, walkways, or service areas shall be landscaped according to an approved landscaping plan. These areas may also incorporate hardscape for patios, plazas, and courtyards.
- i. The base open space area shall be planted with a minimum of two-inch caliper

trees and six-foot evergreen trees based on an approved landscape plan consistent with the approved preliminary plat.

- a. All residential buildings shall provide planting beds with shrubs and plant materials along the front of the building. In yards with a front setback of less than 20 feet, planting beds shall be included in all street-fronting setback areas based on the water efficient landscape standards found in Section 28-3-21 of this Title.
- c. **Recreation and Site Amenities – Density Bonus:** Up to a 10% density bonus may be awarded for the provision of major recreation facilities and site amenities such as swimming pools, tennis courts, playgrounds, or similar facilities. Up to a 20% density bonus may be awarded for dedication of property for a park, trail or recreational facility identified on the Parks Master Plan.
- d. **Exterior Building Materials:** The applicant shall provide a material and color board for review and recommendation by the Design Review Committee (DRC). Twenty percent of all street-facing sides of primary and accessory buildings shall be finished with masonry. For the purposes of this section, masonry shall include brick stone or fiber cement board (or similar material) but shall not include stucco or similar products. Calculation of minimum percentage shall not include entry feature columns.
 - i. **Exterior Building Materials – Density Bonus:** An increase of masonry materials (applied to street-facing building sides) from 20% to 50% may receive a 10% density bonus, and an increase to 75% may receive a 10% density bonus.
 - ii. **Application of Exterior Brick or Rock Materials:** To achieve the appearance of masonry as a structural component of the architecture, exterior masonry materials shall extend beyond any exterior wall corner by a depth of at least 24 inches onto the adjoining (perpendicular) wall elevation. This requirement shall also apply to non-masonry exterior materials, such that transitions of materials do not occur at building corners. The uniform application of buildings materials at corners shall extend vertically up to the roof eaves.
- e. **Fencing Materials:** Perimeter fencing around the proposed PRD development shall be required, except along boundaries where buildings are proposed to front onto streets. All perimeter fencing shall be uniform in design.
 - i. **Fencing Materials – Density Bonus:** A density bonus of up to 10% may be granted for the use of upgraded fencing materials such as architecturally designed brick or masonry, vinyl with wood texture in color and appearance, vinyl with brick or stone columns, composite, and open fencing such as vinyl rail or wrought iron used in conjunction with landscaping, or comparable materials (as approved by the Land Use Authority).

15) The following criteria are required to be met when granting a density bonus for additional open space beyond the required base open space:

- a. The open space shall be held in common via public ownership or by a

	<p>homeowner's association with a permanent open space easement;</p> <p>b. The open space shall be large enough for the use of all residents of the project and their guests, or the general public. Such spaces shall include improvements such as playgrounds, pathways, pavilions, play courts, ball fields, as well as informal spaces which encourage the use and enjoyment of the open space.</p> <p>c. The specific amenities shall be identified with the Concept Plan at the time of rezone application as the standard for preliminary and final plat landscape plan submittals. Amenities and other improvements shall be described in a development agreement for the site, or based on the approval of public meeting minutes showing the proposed amenities.</p> <p>20) The Land Use Authority shall require the preservation, maintenance, and ownership of all open space through one, or a combination of the following:</p> <p>a. Dedication of the land as a public park or parkway system;</p> <p>b. Dedication of the land as permanent open space on the recorded plat;</p> <p>c. Granting the City a permanent open space easement on the private open spaces to guarantee that the open space remain perpetually in recreation use, with ownership and maintenance being the responsibility of a homeowner's association.</p> <p>d. Following the approval of the Final Subdivision Plat, and prior to the bond release, a homeowners association or community association shall be formed by the recordation and declarations providing for the collection of fees to maintain the common area(s). The association shall establish Codes, Covenants and Restrictions (CC&R's). The CC&R's shall include a no-sunset clause for the permanent obligation to irrigate and maintain the common area(s); or</p> <p>e. Through compliance with the provisions of the Condominium Ownership Act and the Community Association Act as outlined in Title 57 of the Utah Code (as amended), which provides for the payment of common expenses for the upkeep of common areas and facilities.</p> <p>f. In the event the common open space and other facilities are not maintained in a manner consistent with the approved final PRD plan, the City may at its option cause such maintenance to be performed and assess the costs to the affected property owners or responsible association.</p> <p>21) Following final plat PRD approval, any substantial changes in use, or arrangement of lots, blocks, and building tracts, or any changes in the provision or type of common open spaces must be resubmitted for final plat review and approval by the Land Use Authority.</p> <p>28-7-14 Streets, Circulation, and Parking</p> <p>1) Streets must be public. The design of public streets within a PRD shall follow City standards for width of right-of-way and construction as outlined in Title 25 and Title 26 of this Code and the Development Guidelines and Design Standards.</p> <p>2) The Land Use Authority may approve alternative street designs. Locations of</p>
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private ROWs will be negotiated with the city during the development review and approval process.

- a. Shared private access may be approved according to 28-7-5(7).
- b. The Land Use Authority may allow a reduced width public right-of-way with no less than 26 feet of asphalt and a street cross section approved by the City Engineer, including minimum three-foot park strips and four-foot sidewalks. The following items are stipulated for this type of street:
 - i. No on-street parking is allowed and must be strictly enforced by the HOA.
 - ii. Guest parking stalls, owned and maintained by the HOA, shall be dispersed throughout the development; and
 - iii. Townhomes only: Developer may choose the park strip/sidewalk combination or an expanded five-six-foot sidewalk approved by the City Engineer. Sidewalk is required along both sides of all public streets with front-to-front, front-to-side, and side-to-side building configurations. Sidewalk is not required along rear-loading garages and therefore may be limited to one side of the street for front-to-rear configurations. Where units are across from no other units and instead face open space or parking stalls, sidewalk may be limited to one side of the street, as chosen by the developer.
- 3) Points of primary vehicular access to a PRD shall be designed to provide smooth traffic flow with controlled turning movements and minimum hazards to vehicular, pedestrian, and bicycle traffic. Points of intersection between internal and external circulation systems shall be so arranged that both systems function in a safe and efficient manner.
- 4) The required off-street parking shall be distributed throughout the PRD and provide reasonable access to all residential structures within the project.

28-7-15 PRD Review Process

A PRD is reviewed in a three-step process - conceptual plan review and overlay zoning, preliminary plan review, and final plan review.

- 1) Subdivision approval may be considered concurrent with the PRD review and approval process. Subdivision review shall follow all subdivision standards as outlined in Title 26 of this Code and the development standards and design guidelines.

28-7-16 Conceptual PRD Plan Approval and PRD Overlay

- 1) Conceptual PRD plan review examines the PRD concept plan with respect to such items as density, including the number, type, and location of dwelling units; parking and circulation; adequacy of services; and the impact of the proposed PRD on surrounding areas.
- 2) Concurrent with any request to rezone property to the PRD overlay zone, a conceptual PRD plan shall be submitted to, and reviewed by, the Land Use Authority. The Land Use Authority shall hold a public hearing to review the proposed rezone and conceptual PRD plan in accordance with Section 28-1-4 of this Code.

- 3) Conceptual approval and PRD overlay zoning will only be granted when there is a reasonable certainty that the PRD will fulfill the requirements of the General Plan, City Code, and the City Development Guidelines and Design Standards.
- 4) The conceptual plan shall be reviewed by the Land Use Authority and considered for approval as outlined above, and shall contain the following information:
 - a. A legal description;
 - b. Lot configuration;
 - c. Concept landscape plan with proposed open space amenities;
 - d. Concept building type elevations or perspectives;
 - e. Street configuration;
 - f. Existing utilities; and
 - g. Proposed storm drain, water, and sewer systems.
- 5) Approval of a conceptual PRD plan shall require the following findings:
 - a. That the proposed development is consistent with the density standards of the General Plan;
 - b. That the proposed development will provide a more pleasant and attractive living environment than a conventional residential development established under the provisions of the underlying residential zoning district;
 - c. That the proposed development creates no detriment to adjacent properties nor to the general area in which it is located; and that it will be in substantial harmony with the character of existing development in the area;
 - d. That the PRD project will provide more efficient use of the land and more usable open space than a conventional development permitted by the underlying zoning district;
 - e. That any variations allowed from the development standards of the underlying zoning district will not create increased hazards to the health, safety, or general welfare of the residents of the proposed PRD or adjacent areas; and
 - f. That the application of a density bonus of up to 50% will be compensated by better site design and by increased amenities.

28-7-17 PRD Design Review Committee

- 1) A PRD Design Review Committee shall be established by Clinton City. The Committee shall be responsible for providing support and recommendations to the staff regarding basic design elements as presented in a preliminary PRD plan. The PRD Design Review Committee may also make recommendations regarding density bonuses based on the design options outlined in Subsection 28-7-5(13)(a) of this Chapter.
- 2) The Development Staff shall select a group of up to five members who are professionals from among the fields of: architectural design, landscape architecture, urban design, architectural history, planning, and engineering.

- a. There will be no regular meeting times of the PRD Design Review Committee. The Committee shall meet at such times and places and as often as necessary to review PRD applications with staff.
- b. The PRD Design Review Committee, together with staff, shall review all design aspects of the preliminary PRD plan, landscaping plans, and building elevations.
- c. If a density bonus is proposed, the PRD Design Review Committee, together with staff, shall determine an acceptable density bonus for the PRD project; the density bonus recommendation shall be forwarded to the Land Use Authority as for consideration.

28-7-18 Preliminary PRD Plat Approval

- 1) The preliminary PRD plat shall be reviewed and approved by the Land Use Authority as defined in Section 26-3-3 of this Code. Said preliminary PRD Plat shall contain the following information:
 - a. A complete and accurate legal description of the property which is the subject of the PRD. A preliminary title search showing legal ownership of the property. If the developer is not the property owner, written proof that said developer has sufficient legal claim on the property, and each parcel therein, or authority to represent its owners, must be provided to proceed with development plans;
 - b. Topographic maps of the entire site, including contour intervals no greater than two feet;
 - c. A tabulation of the total acreage of the site and the percentages thereof to be designated for various uses, i.e. parking, residential units, open space, streets, etc.;
 - d. Proposed circulation pattern including private driveways, public and private streets, and pedestrian and bicycle paths;
 - e. Parks, common open spaces, playgrounds, school sites, and other public or private recreation facilities and improvements proposed within the PRD;
 - f. General locations of all dwellings and other structures in the PRD, and an indication of proposed population densities and building densities (units per acre), including tables or graphs showing the percentages of each dwelling type proposed;
 - g. Proposed location of parking, ingress and egress;
 - h. A general landscaping plan showing what areas are to be landscaped and what types of plants and materials are contemplated;
 - i. Preliminary elevations or perspectives of all building types proposed within the development;
 - j. Preliminary subdivision plat, if the site is being divided, showing a general layout of all proposed lots as outlined in Title 26 of this Code;
 - k. A preliminary utility plan showing the manner in which adequate sewage disposal, storm drainage, and water services are to be provided, including the

point from which said services are to be extended or connected; and

- 2) The Land Use Authority may impose such conditions on a preliminary PRD plan, as it may deem appropriate to meet the goals and objectives of this Chapter and the General Plan.

28-7-19 Homeowner's Association. A homeowner's association (HOA) shall be established for every PRD. The HOA shall be established for the general maintenance, upkeep and enforcement of those areas held in common ownership.

- 1) The HOA must maintain common areas and facilities in accordance with the approved final PRD plan and development agreement. The HOA must enforce any no-parking requirements. No deviation by the HOA from the approved final PRD plan shall be made without prior approval from the City Council.
- 2) Codes, covenants, and restrictions (CCRs) for the development must be approved by the city as part of the final PRD plan. Future members of the HOA or its governing board may not alter provisions of the CCRs in a way that would conflict with these ordinances or their intent.
- 3) CCRs shall specify and provide for enforcement that the majority of the units in a PRD are owner-occupied with specific provisions that no more than 50% of the units in a PRD shall be rental units.

28-7-20 Final PRD Plan Approval

- 1) After the approval of the preliminary PRD plat and prior to the construction of any building or structure in the PRD overlay zone, a final PRD plat shall be submitted and approved by the Land Use Authority as defined in Section 26-3-5. Said plans may be submitted in phases, provided each phase can exist as a separate project capable of independently meeting all of the requirements of this Chapter and of the underlying zoning district with which the PRD zone has been combined. The separate development of said phases shall not be detrimental to the PRD nor to the adjacent properties in the event that the remainder of the project is not completed. Said final PRD plan shall be drawn to scale and shall contain the following information:
 - a. All of those requirements designated for submission with preliminary PRD plans;
 - b. A certified survey of the property showing any survey conflicts with adjoining properties, any discrepancies between the survey descriptions and existing fence lines, and overlaps with adjoining property descriptions;
 - c. Tabulations of all dwelling units to be constructed by types and number of bedrooms per unit;
 - d. Detailed development plan with completed dimensions showing precise locations of all buildings and structures, lot or parcel sizes and locations, designations of common open spaces and special use areas, detailed circulation pattern including proposed ownership and typical cross section

	<p>of streets;</p> <ul style="list-style-type: none"> e. Final exterior design for all building types, presented as exterior perspectives or exterior elevations; f. Detailed landscaping plans showing the types and sizes of all plant materials and their locations, decorative materials, recreation equipment, special effects, and sprinkler irrigation systems; g. Dimensioned parking layout showing location of individual parking stalls and all areas of ingress or egress; h. Detailed engineering plans showing site grading, street improvements, drainage, and public and private utility locations, and submission of engineering feasibility studies, stamped by a licensed professional engineer, if required by the City Engineer; i. Fully executed declaration of covenants, conditions, and restrictions, together with open space easements and other bonds, guarantees, or agreements as required herein or, as approved by the Land Use Authority to meet the objectives of this Chapter. The bond will be 110% of all improvements both public and private. Including, but not limited to, all landscaping, playgrounds, pathways, fencing, and any other recreational amenity; j. A time schedule for the completion of landscaping, parking, street improvements, and other improvements and amenities which are guaranteed by bonds or other securities; and k. Any additional information required by the Development Guidelines and Design Standards. <p>2) Any failure to receive final PRD plat approval from the Land Use Authority within two years of the approval of the preliminary PRD plat shall terminate all proceedings and render the preliminary PRD plat unapproved.</p> <p>The city Council agreed to schedule another work session for January 30, 2024 at 6 pm. to continue the discussion.</p>
<p>ADJOURNMENT</p>	<p>The meeting adjourned at midnight.</p>

*Dated this 13th day of February 2024
/s/Lisa Titensor, Clinton City Recorder*



**SPECIAL WORK SESSION
2267 N 1500 W
CLINTON UT 84015**

***City Council Members
Mayor Brandon Stanger
Council
Marie Dougherty
Dane Searle
Gary Tyler
Spencer Arave
Austin Gray***

Date of Meeting	January 30, 2024	Call to Order	6:05 p.m.
Staff Present	City Manager Trevor Cahoon, Peter Matson and Lisa Titensor recorded the minutes.		
Roll Call/Attendance	Present were: Mayor Stanger, Councilmembers Marie Dougherty, Dane Searle, Gary Tyler, Spencer Arave and Austin Gray Richard Higginson, Bryce Wilcox – JUB Engineers, Mike Hatch, Richard Daniels, Joanne Daniels, Marilyn Diamond, John Diamond		
Declaration of Conflicts	There were none.		
CITY COUNCIL WORK SESSION TO DISCUSS AMENDMENTS TO THE R-M ZONE AND A NEW PLANNED RESIDENTIAL DEVELOPMENT (PRD) OVERLAY ZONE FOR THE REGULATION OF MEDIUM DENSITY HOUSING.			
Petitioner	Mayor Stanger		
Discussion	<p>The City Council discussed the DRAFT Ordinance at length.</p> <p>They discussed the following: Exhibit A, Sidewalks, Public roadways, Pedestrian walkway.</p> <p>Engineer Bryce Wilcox explained that the Public Highways recommend sidewalks on both sides of the street to relieve burden of crossing the street. They also recommend a sidewalk in front of every residence. Sidewalks and parkstrips guidelines are clear that it must be a 6' sidewalk if it is beside curb & gutter and a 4' parkstrip.</p> <p>In regards to utilities, Clinton's infrastructure is in good shape. Higher density may impact this and will require more evaluation. The original models were based off the master land use plan.</p> <p>The City Council discussed open space, streetscape, density, amenities and fees in lieu and development agreements.</p> <p>Community Development Director Peter Matson explained the focus should be on product, guidelines and standards. The General Plan amendment will benefit Clinton.</p> <p>The following draft is result of the discussion:</p>		

28-7 Planned Residential Development (PRD) Overlay Zone**28-7-1 Purpose and Intent**

The purpose of the Planned Residential Development (PRD) overlay zone is to encourage creative and efficient utilization of land by providing greater flexibility in the placement of buildings on the land, the consolidation of open spaces, and the clustering of dwelling units. These provisions are intended to create more attractive and desirable design of residential neighborhoods and housing projects in Clinton City.

28-7-2 PRD Definition and Use

A PRD is a master planned, architecturally-designed development in which the regulations of the underlying zone, in which the development is situated, may be modified to allow flexibility and creativity in site and building design and location, in accordance with an approved PRD plan and requirements of this Chapter.

- 1) The PRD Overlay Zone shall be used in combination with the R-M (Multi-Family Residential) zoning district. The PRD overlay zone shall not be applied to a land area as an independent zoning district. Property to which the PRD overlay zone has been applied shall be developed only in conformance with an approved PRD plan.

28-7-3 Classification of Land to PRD Overlay Zone

- 1) Land shall be classified as being in the PRD overlay zone pursuant to an amendment to the zoning ordinance adopted pursuant to the provisions of Chapter 28-1 of the Clinton Municipal Code provided, however, in order to classify any land as being in the PRD overlay zone the following conditions shall be considered by the Land Use Authority:
 - a. The land has features which are comparable with clustering or other nonstandard development; and
 - b. The land has features which are compatible with the coordination and design of open spaces and with the proposed housing development; and
 - c. The classification is not in conflict with any applicable element of the Clinton City General Plan.
- 2) Land included in the PRD overlay zone shall be designated on the Official Zoning Map of Clinton City with the symbol (PRD) following the underlying zoning district designation of such land.

28-7-4 Permitted Uses

- 1) Single and multiple family residential developments containing any type or mixture of housing units are permitted, including, but not limited to clustered development, townhouses, patio houses, detached houses, and duplexes. Such units may have no more than two walls in common, with no residential units above other residential units.
- 2) Open space uses in a PRD may incorporate public or private recreational facilities, including, but not limited to playgrounds, exercise fitness stations, swimming pools, sports courts or fields, and pavilions/picnicking areas, when approved as part of the final PRD plan.

28-7-5 Application of PRD to Underlying Zoning District

- 1) The underlying zone still applies. Variations from the development standards of the underlying zone may be permitted and approved by the Land Use Authority only as outlined in this ordinance. Variations, however, shall not include changes in the uses allowed by the zoning district with which the PRD zone has been combined.
- 2) A PRD as an overlay on the R-M zone shall include a minimum acreage of three acres. The Land Use Authority may consider a PRD proposal with less acreage only if it can be demonstrated that a contiguous open space area can be provided to meet the recreational needs of the residents and integrated storm water standards of this ordinance.
- 3) The Land Use Authority may, in the process of approving preliminary PRD plats, approve variations from the minimum standards of the underlying zone where there is sufficient evidence that the variations will not adversely impact neighboring property and that the standards of this Chapter are met.
- 4) The following development spacing requirements shall apply to residential structures within the PRD:
 - a. The minimum front yard setback for a rear-loaded building along a street shall be 15 feet;
 - b. The minimum corner side yard setback shall be 15 feet along a local street, and 20 feet along a collector or arterial street;
 - c. The minimum rear yard setback for single-family residential lots or attached dwellings with front-accessed garages shall be 15 feet;
 - d. The minimum side to side separation between single-family structures shall be 10 feet and between attached-unit structures shall be 15 feet;
 - e. The minimum side to front and side to rear separation between residential structures shall be 22 feet, with a five foot maximum porch encroachment allowed into the side to front separation;
 - f. The minimum front to front separation between residential structures shall be 30 feet with a five foot maximum porch encroachment allowed into the separation;
 - g. The minimum setback with a front facing garage shall be 22 feet from the front property line on a public street or back of curb on a private access;
 - h. The minimum single-family lot size shall be 3,500 square feet. Lot sizes of 6,000 square feet or greater shall employ a minimum side to side separation of 18 feet; and
 - i. All development shall comply with other applicable design guidelines and standards as adopted by the Land Use Authority.
- 5) **Building Height, Design and Massing.** Single-family residential and attached-unit buildings shall be limited to 2 1/2 stories and 35 feet.
 - a. Each attached-unit building shall include variation in color or shade of color and incorporate front façade articulation through the differentiation of individual units with placement of dormers, window variations and entry features. Additional articulation shall be achieved by:

- i. Variations in the setback of the façade of the building by at least two feet between adjoining units; or
 - ii. Horizontal or vertical shift in roofline of at least two feet at intervals not greater than two attached units with variations in roof pitch, overhangs and projections.
- 6) **Rear elevations** [MOU1] shall alternate in color or shade of color, include articulation in roofline, and avoid the appearance of a flat wall through two-foot shifts in walls of alternating units and minimum four-inch stucco or cement board wrap of all rear wall corners. Buildings with more than four attached units that back or front along the perimeter of the development visible to an outside street or trail must be a mixture of four-, five- or six-unit buildings that alternate in color or shade of color. Buildings with five or six units may be used back-to-back in the interior of the development.
- 7) **Parking**[MOU2]. Single-family and attached units shall include a minimum two-car attached enclosed garage with a minimum dimension of 20 feet wide by 22 feet deep. Additional parking stalls are required for developments applying a reduced public right of way.
- 8) **Shared Private Access.** Shared private access shall have a minimum of 20 feet of asphalt, or 26 feet of asphalt where buildings surpass 30 feet in height and have no other fire apparatus lane. The homeowners association must own and maintain all shared private access, including snow removal, and must enforce a strict no-parking policy.
 - a. To provide vehicular access to any rear-loaded garage, the development may use a private alley with individual four-foot approaches into each garage. Where alleys dead-end, they must be less than 150 feet in length. Where alleys pass through to public streets, they shall include open space breaks for snow storage. Buildings shall not include cantilevers that protrude into the alley.
 - b. For scenarios that necessitate small groupings of front-loaded units, the development may use a private drive leading to individual 22-foot driveways. Drives must be less than 150 feet and include space for snow storage. A two-foot mountable curb and gutter may separate individual driveways from the private drive.
- 9) **Traffic Study.** If required by the City Engineer, a traffic impact study shall be submitted as part of the preliminary PRD plan, to determine vehicle traffic generated by the proposed PRD. The traffic impact study shall be prepared by a licensed Utah traffic engineer and at a minimum follow the equivalent of a UDOT Level II study, or if a UDOT road is impacted, the specific study level required by UDOT.
- 10) **Materials.** New buildings shall be compatible with the construction materials of surrounding and historic buildings by meeting the design requirements in this chapter and by complying with other applicable design standards and guidelines as adopted by the Land Use Authority.
- 11) **Front Entrance Feature.** All residential units shall have an open-air front porch, stoop or other front entrance feature. Front entrance feature dimensions shall be, or shall include a portion with a minimum depth and width of five feet. These front entrance features may encroach no more than five feet into the front yard setback. Residential units shall comply with other applicable design standards and guidelines as adopted by the Land Use Authority.

- 12) **Transition from Existing Single-Family Residential.** Only detached single-family homes may be built next to off-site, existing dwellings in R-1-8, R-1-9, R-1-10, and R-1-15 zones, where there is no significant existing geographical or infrastructural buffer (e.g. highway, canal, waterway). Fencing alone does not apply as a buffer. In such cases, the following shall apply:
- a. Single-family lots must comprise 50% of the R-M development area.
 - b. The first layer of lots immediately abutting the existing R-1 zone must be sized at no less than 50% the minimum average square footage required by the R-1 zone.
 - c. Developer may use open space to replace the first layer, if the open space depth is at least one-half the minimum required lot depth of the adjacent R-1 zone.
- 13) **Base and Bonus Density.** The base density of a PRD shall be based on the density of the underlying zoning district. The base residential density and the maximum 50% density bonus shall be based on the following:

Zoning District	Base Density	Potential Density with 50% Bonus
R-M	8 units per acre	12 units per acre

- 14) **Minimum Base Open Space.** PRDs shall provide a minimum open space area for use-in-common of residents and/or occupants of such development. The open space provided shall be integrated into the PRD project and accessible to all residents of the PRD community via pedestrian pathway system or street sidewalks. The base open space requirement shall apply to the proposed PRD site as follows:

Zoning District	Density	Base Open Space
R-M	Up to 8 units/acre	5.00%*
R-M	8 to 10 units/acre	7.5%*
R-M	10 to 12 units/acre	10%*

*Calculated based on gross site area[MOU3].

- 15) **Density Bonus and Incentives.** The inclusion of certain amenities or design options may result in an allowed increase in density, or a density bonus. The total density bonus shall not exceed 50%. The Land Use Authority may grant a density bonus upon inclusion and acceptance of additional design options from the following categories, as set forth below:

Recreation and Site Amenities	Maximum fifty percent (50%) bonus
Exterior Building Materials	Maximum twenty percent (20%) bonus
Fencing	Maximum ten percent (10%) bonus
Open Space (above the minimum base requirement)	Maximum twenty percent (20%) bonus

- a. **Minimum Base Open Space Requirement:** The minimum base open space requirement in the R-M zoning district is 5-10% depending on project density as

noted in Subsection (13) of this Chapter. The purpose of this open space is to provide for recreational activity and integrated storm water quality and/or detention throughout the development.

- i. Required base open space shall not include areas that are occupied by buildings, lots, structures, parking areas or streets. Additionally, required open space shall not include:
 1. Area between buildings and outside of platted lots and building pads unless part of the approved pedestrian circulation plan and at least 20 feet in width;
 2. Front, rear, and side yard setbacks; and
 3. Paved areas such as driveways, streets, and private sidewalks.
 - ii. At least one recreational open space area shall be accessible to all residents and provided within 1,000 feet, measured along a walking route from each residential unit.
 1. The open space network shall include an area large enough to encourage gathering for social and recreational activity for residents of the development and their guests, with at least one edge fronting a public street.
 2. Depending on the size and location of the PRD, a pathway system is encouraged to provide pedestrian or cycling access to community open space areas, including on-site amenities and nearby off-site parks and trails. The pathway system should connect along or through open space areas, and connect to sidewalks. The minimum width of a pathway shall be five feet.
 3. Stormwater detention may be provided in combination with open space areas if pedestrian access is provided from two edges of an open space area that does not exceed a 5:1 (20%) slope ratio. The sloped access into the detention area shall be at least 20 feet wide along such edges.
 - a. At least half of the open space areas used for detention shall provide a usable recreation area of 30 feet between the bottom of slopes.
 - b. Based on findings of the geo-technical study of water table depth and soil type, a perforated perimeter drain may be required to promote dewatering and to prevent saturation of the detention basin area for recreational use.
 - v. Programmed open space amenities such as playground equipment, exercise equipment, sport court(s), picnic/seating areas and/or covered pavilion(s) shall be provided with a variety of options to serve all ages and abilities, and to be accessible to the residents and their guests. The applicant shall provide an estimate of how the proposed open space and facilities are appropriately sized and how they meet the needs of residents and guests of the project.
- a. **Provision of Recreation and Site Amenities:** All areas of a developed site not occupied by buildings, required parking, driveways, walkways, or service areas shall be landscaped according to an approved landscaping plan. These areas may also

incorporate hardscape for patios, plazas, and courtyards.

- i. The base open space area shall be planted with a minimum of two-inch caliper trees and six-foot evergreen trees based on an approved landscape plan consistent with the approved preliminary plat.
 - a. All residential buildings shall provide planting beds with shrubs and plant materials along the front of the building. In yards with a front setback of less than 20 feet, planting beds shall be included in all street-fronting setback areas based on the water efficient landscape standards found in Section 28-3-21 of this Title.
- c. **Recreation and Site Amenities – Density Bonus[MOU4]:** Up to a 20% density bonus may be awarded for the provision of major recreation facilities and site amenities such as swimming pools, tennis courts, playgrounds, or similar facilities. Up to a 30% density bonus may be awarded for dedication to the City of property and associated improvements and amenities for parks, trails or recreational facilities identified on the Parks Master Plan.
- d. **Exterior Building Materials:** The applicant shall provide a material and color board for review and recommendation by the Design Review Committee (DRC). Twenty percent of all street-facing sides of primary and accessory buildings shall be finished with masonry. For the purposes of this section, masonry shall include brick stone or fiber cement board (or similar material) but shall not include stucco or similar products. Calculation of minimum percentage shall not include entry feature columns.
 - i. **Exterior Building Materials – Density Bonus:** An increase of masonry materials (applied to street-facing building sides) from 20% to 50% may receive a 10% density bonus, and an increase to 75% may receive a 20% density bonus.
 - ii. **Application of Exterior Brick or Rock Materials:** To achieve the appearance of masonry as a structural component of the architecture, exterior masonry materials shall extend beyond any exterior wall corner by a depth of at least 24 inches onto the adjoining (perpendicular) wall elevation. This requirement shall also apply to non-masonry exterior materials, such that transitions of materials do not occur at building corners. The uniform application of buildings materials at corners shall extend vertically up to the roof eaves.
- e. **Fencing Materials:** Perimeter fencing around the proposed PRD development shall be required, except along boundaries where buildings are proposed to front onto streets. All perimeter fencing shall be uniform in design.
 - i. **Fencing Materials – Density Bonus:** A density bonus of up to 10% may be granted for the use of upgraded fencing materials such as architecturally designed brick or masonry, vinyl with wood texture in color and appearance, vinyl with brick or stone columns, composite, and open fencing such as vinyl rail or wrought iron used in conjunction with landscaping, or comparable materials (as approved by the Land Use Authority).
- f. **Open Space – Density Bonus[MOU5]:** The following criteria are required to

be met when granting a density bonus for additional open space beyond the required base open space:

- a. The open space shall be held in common via public ownership or by a homeowner's association with a permanent open space easement;
 - b. The open space shall be large enough for the use of all residents of the project and their guests, or the general public. Such spaces shall include improvements such as playgrounds, pathways, pavilions, play courts, ball fields, as well as informal spaces which encourage the use and enjoyment of the open space;
 - c. The specific amenities shall be identified with the Concept Plan at the time of rezone application as the standard for preliminary and final plat landscape plan submittals. Amenities and other improvements shall be described in a development agreement for the site, or based on the approval of public meeting minutes showing the proposed amenities; and
 - d. A density bonus of up to 20% may be granted for the provision of additional open space beyond the required minimum as outlined in Section 28-7-5(13) of this Chapter. A one percent density bonus may be granted for each additional one percent of open space provided above the minimum required open space for the development.
- 20) The Land Use Authority shall [MOU6] require the preservation, maintenance, and ownership of all open space through one, or a combination of the following:
- a. Dedication of the land as a public park or parkway system;
 - b. Dedication of the land as permanent open space on the recorded plat;
 - c. Granting the City a permanent open space easement on the private open spaces to guarantee that the open space remain perpetually in recreation use, with ownership and maintenance being the responsibility of a homeowner's association.
 - d. Following the approval of the Final Subdivision Plat, and prior to the bond release, a homeowners association or community association shall be formed by the recordation and declarations providing for the collection of fees to maintain the common area(s). The association shall establish Codes, Covenants and Restrictions (CC&R's). The CC&R's shall include a no-sunset clause for the permanent obligation to irrigate and maintain the common area(s); or
 - e. Through compliance with the provisions of the Condominium Ownership Act and the Community Association Act as outlined in Title 57 of the Utah Code (as amended), which provides for the payment of common expenses for the upkeep of common areas and facilities.
 - f. In the event the common open space and other facilities are not maintained in a manner consistent with the approved final PRD plan, the City may at its option cause such maintenance to be performed and assess the costs to the affected property owners or responsible association.
- 21) Following final plat PRD approval, any substantial changes in use, or

arrangement of lots, blocks, and building tracts, or any changes in the provision or type of common open spaces must be resubmitted for final plat review and approval by the Land Use Authority.

28-7-14 Streets, Circulation, and Parking

- 1) Streets must be public. The design of public streets within a PRD shall follow City standards for width of right-of-way and construction as outlined in Title 25 and Title 26 of this Code and the Development Guidelines and Design Standards.
- 2) The Land Use Authority may approve alternative street designs. Locations of private ROWs will be negotiated with the city during the development review and approval process.
 - a. Shared private access may be approved according to 28-7-5(7).
 - b. The Land Use Authority may allow a reduced width public right-of-way with no less than 26 feet of asphalt and a street cross section approved by the City Engineer, including minimum three-foot park strips and four-foot sidewalks as outlined in the City's Engineering Standards. The following items are stipulated for this type of street:
 - i. No on-street parking is allowed and must be strictly enforced by the HOA.
 - ii. Guest parking stalls, owned and maintained by the HOA, shall be dispersed throughout the development; and
 - iii. Sidewalk and park strip are required along both sides of all public streets. Sidewalk is not required along rear-loading garages and therefore may be limited to one side of the street in unusual scenarios that necessitate an unavoidable configuration of units front-to-rear, only as approved by the City Engineer.
- 3) Points of primary vehicular access to a PRD shall be designed to provide smooth traffic flow with controlled turning movements and minimum hazards to vehicular, pedestrian, and bicycle traffic. Points of intersection between internal and external circulation systems shall be so arranged that both systems function in a safe and efficient manner.
- 4) The required off-street parking shall be distributed throughout the PRD and provide reasonable access to all residential structures within the project.

28-7-15 PRD Review Process

A PRD is reviewed in a three-step process - conceptual plan review and overlay zoning, preliminary plan review, and final plan review.

- 1) Subdivision approval may be considered concurrent with the PRD review and approval process. Subdivision review shall follow all subdivision standards as outlined in Title 26 of this Code and the development standards and design guidelines.

28-7-16 Conceptual PRD Plan Approval and PRD Overlay

- 1) Conceptual PRD plan review examines the PRD concept plan with respect to such items as density, including the number, type, and location of dwelling units; parking and circulation; adequacy of services; and the impact of the proposed

PRD on surrounding areas.

- 2) Concurrent with any request to rezone property to the PRD overlay zone, a conceptual PRD plan shall be submitted to, and reviewed by, the Land Use Authority. The Land Use Authority shall hold a public hearing to review the proposed rezone and conceptual PRD plan in accordance with Section 28-1-4 of this Code.
- 3) Conceptual approval and PRD overlay zoning will only be granted when there is a reasonable certainty that the PRD will fulfill the requirements of the General Plan, City Code, and the City Development Guidelines and Design Standards.
- 4) The conceptual plan shall be reviewed by the Land Use Authority and considered for approval as outlined above, and shall contain the following information:
 - a. A legal description;
 - b. Lot configuration;
 - c. Concept landscape plan with proposed open space amenities;
 - d. Concept building type elevations or perspectives;
 - e. Street configuration;
 - f. Existing utilities; and
 - g. Proposed storm drain, water, and sewer systems.
- 5) Approval of a conceptual PRD plan shall require the following findings:
 - a. That the proposed development is consistent with the density standards of the General Plan;
 - b. That the proposed development will provide a more pleasant and attractive living environment than a conventional residential development established under the provisions of the underlying residential zoning district;
 - c. That the proposed development creates no detriment to adjacent properties nor to the general area in which it is located; and that it will be in substantial harmony with the character of existing development in the area;
 - d. That the PRD project will provide more efficient use of the land and more usable open space than a conventional development permitted by the underlying zoning district;
 - e. That any variations allowed from the development standards of the underlying zoning district will not create increased hazards to the health, safety, or general welfare of the residents of the proposed PRD or adjacent areas; and
 - f. That the application of a density bonus of up to 50% will be compensated by better site design and by increased amenities.

28-7-17 PRD Design Review Committee

- 1) A PRD Design Review Committee shall be established by Clinton City if needed for projects over 10 units to the acre. The Committee shall be responsible for providing support and recommendations to the staff regarding basic design elements as presented in a preliminary PRD plan. The PRD Design Review Committee may also

make recommendations regarding density bonuses based on the design options outlined in Subsection 28-7-5(13)(a) of this Chapter.

- 2) The Development Staff shall select a group of up to five members who are professionals from among the fields of: architectural design, landscape architecture, urban design, architectural history, planning, and engineering.
 - a. There will be no regular meeting times of the PRD Design Review Committee. The Committee shall meet at such times and places and as often as necessary to review PRD applications with staff.
 - b. The PRD Design Review Committee, together with staff, shall review all design aspects of the preliminary PRD plan, landscaping plans, and building elevations.
 - c. If a density bonus is proposed, the PRD Design Review Committee, together with staff, shall determine an acceptable density bonus for the PRD project; the density bonus recommendation shall be forwarded to the Land Use Authority as for consideration.

28-7-18 Preliminary PRD Plat Approval

- 1) The preliminary PRD plat shall be reviewed and approved by the Land Use Authority as defined in Section 26-3-3 of this Code. Said preliminary PRD Plat shall contain the following information:
 - a. A complete and accurate legal description of the property which is the subject of the PRD. A preliminary title search showing legal ownership of the property. If the developer is not the property owner, written proof that said developer has sufficient legal claim on the property, and each parcel therein, or authority to represent its owners, must be provided to proceed with development plans;
 - b. Topographic maps of the entire site, including contour intervals no greater than two feet;
 - c. A tabulation of the total acreage of the site and the percentages thereof to be designated for various uses, i.e. parking, residential units, open space, streets, etc.;
 - d. Proposed circulation pattern including private driveways, public and private streets, and pedestrian and bicycle paths;
 - e. Parks, common open spaces, playgrounds, school sites, and other public or private recreation facilities and improvements proposed within the PRD;
 - f. General locations of all dwellings and other structures in the PRD, and an indication of proposed population densities and building densities (units per acre), including tables or graphs showing the percentages of each dwelling type proposed;
 - g. Proposed location of parking, ingress and egress;
 - h. A general landscaping plan showing what areas are to be landscaped and what types of plants and materials are contemplated;
 - i. Preliminary elevations or perspectives of all building types proposed within the

	<p>development;</p> <ul style="list-style-type: none"> j. Preliminary subdivision plat, if the site is being divided, showing a general layout of all proposed lots as outlined in Title 26 of this Code; k. A preliminary utility plan showing the manner in which adequate sewage disposal, storm drainage, and water services are to be provided, including the point from which said services are to be extended or connected; and <p>2) The Land Use Authority may impose such conditions on a preliminary PRD plan, as it may deem appropriate to meet the goals and objectives of this Chapter and the General Plan.</p> <p>28-7-19 Homeowner’s Association. A homeowner’s association (HOA) shall be established for every PRD. The HOA shall be established for the general maintenance, upkeep and enforcement of those areas held in common ownership.</p> <ul style="list-style-type: none"> 1) The HOA must maintain common areas and facilities in accordance with the approved final PRD plan and development agreement. The HOA must enforce any no-parking requirements. No deviation by the HOA from the approved final PRD plan shall be made without prior approval from the City Council. 2) Codes, covenants, and restrictions (CCRs) for the development must be approved by the city as part of the final PRD plan. Future members of the HOA or its governing board may not alter provisions of the CCRs in a way that would conflict with these ordinances or their intent. 3) CCRs shall specify and provide for enforcement that the majority of the units in a PRD are owner-occupied with specific provisions that no more than 50% of the units in a PRD shall be rental units. 4) Amendment Procedure: In the event the governing board of the development proposes an amendment to the CC&Rs, such amendment shall not be effective until it has been reviewed and formally approved by the City Council. This requirement is instituted to ensure that any modifications to the rental unit limitations or other substantive provisions of the CC&Rs are in congruence with the approved final PRD plan. 5) Submission for Approval: Proposed amendments to the CC&Rs must be submitted to the City Council in accordance with the procedure outlined within the CC&Rs, and shall be subject to the City Council's review and discretion for approval. <p>28-7-20 Final PRD Plan Approval</p> <ul style="list-style-type: none"> 1) After the approval of the preliminary PRD plat and prior to the construction of any building or structure in the PRD overlay zone, a final PRD plat shall be submitted and approved by the Land Use Authority as defined in Section 26-3-5. Said plans may be submitted in phases, provided each phase can exist as a separate project capable of independently meeting all of the requirements of this Chapter and of the underlying zoning district with which the PRD zone has been combined. The separate development of said phases shall not be detrimental to the PRD nor to the adjacent properties in the event that the remainder of the project is not completed.
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Said final PRD plan shall be drawn to scale and shall contain the following information:

- a. All of those requirements designated for submission with preliminary PRD plans;
 - b. A certified survey of the property showing any survey conflicts with adjoining properties, any discrepancies between the survey descriptions and existing fence lines, and overlaps with adjoining property descriptions;
 - c. Tabulations of all dwelling units to be constructed by types and number of bedrooms per unit;
 - d. Detailed development plan with completed dimensions showing precise locations of all buildings and structures, lot or parcel sizes and locations, designations of common open spaces and special use areas, detailed circulation pattern including proposed ownership and typical cross section of streets;
 - e. Final exterior design for all building types, presented as exterior perspectives or exterior elevations;
 - f. Detailed landscaping plans showing the types and sizes of all plant materials and their locations, decorative materials, recreation equipment, special effects, and sprinkler irrigation systems;
 - g. Dimensioned parking layout showing location of individual parking stalls and all areas of ingress or egress;
 - h. Detailed engineering plans showing site grading, street improvements, drainage, and public and private utility locations, and submission of engineering feasibility studies, stamped by a licensed professional engineer, if required by the City Engineer;
 - i. Fully executed declaration of covenants, conditions, and restrictions, together with open space easements and other bonds, guarantees, or agreements as required herein or, as approved by the Land Use Authority to meet the objectives of this Chapter. The bond will be 110% of all improvements both public and private. Including, but not limited to, all landscaping, playgrounds, pathways, fencing, and any other recreational amenity;
 - j. A time schedule for the completion of landscaping, parking, street improvements, and other improvements and amenities which are guaranteed by bonds or other securities; and
 - k. Any additional information required by the Development Guidelines and Design Standards.
- 2) Any failure to receive final PRD plat approval from the Land Use Authority within two years of the approval of the preliminary PRD plat shall terminate all proceedings and render the preliminary PRD plat unapproved.

Chapter 28-15 Residential, Multi-Family (R-M)

28-15-1 Purpose and Intent

The purpose of the R-M zone is to provide medium-density attached or detached dwelling units (townhomes, twin homes, small-lot single family) while providing usable, accessible open space and preserving the hometown feel of Clinton. This Chapter establishes the basic regulations for the development of residential buildings on individual lots in the R-M zone with the exception of any additional regulation or clarification that may be contained in other Chapters of this Title.

Table 15.4.1 establishes the general regulations for lot size setback, height, and bulk for residential uses in the R-M zone.

28-15-2 Permitted Uses

- 1) Agriculture
- 2) One, two, three, four, five, and six-family dwellings.
- 3) Public-owned and operated uses and facilities; public buildings; public parks and playgrounds.
- 4) Household Pets
- 5) Garages, Accessory Buildings, Sheds, and Carports, as defined in this Title, incidental to any permitted use.
- 6) Churches, Synagogues, and Temples
- 7) Cemetery
- 8) Sign. One nameplate or identification sign in accordance with the Clinton City Sign Ordinance.
- 9) Educational Institution (Elementary and Secondary, including associated grounds and athletic and other facilities)
- 10) Temporary on site storage containers for emergency construction or repair of residences, with the following stipulations:
 - a) Must be placed on a hard surface
 - b) Can only be present for 3 months out of a 12 month period.
- 11) Home Office

28-15-3 Conditional Uses

- 1) Golf Course
- 2) Public Utility Substations
- 3) Garages, Accessory Buildings, Sheds, and Carports, as defined in this Title, approved during site plan review and incidental to an approved conditional use.

28-15-4 Site Development Standards

Site development standards shall be in accordance with Table 15.4.1.

Table 15.4.1		NUMBER OF DWELLINGS					
MINIMUMS		1	2	3	4	5	6
Lot Area Square Feet		4,500 sf	7,500 sf	10,750 sf	14,500 sf	16,500 sf	21,500 sf
Lot Width		45 ft	75 ft	85 ft	85 ft	90 ft	100 ft
Yard Set-Backs	Front/driveway	22 ft	22 ft	22 ft	22 ft	22 ft	22 ft
	Side, Dwelling	8/10 ft	10 ft	10 ft	15 ft	15 ft	15 ft

	(interior)								
	Side, (exterior)	Major Streets	30 feet						
		Other Streets	20 feet						
	Rear	25 feet			30 feet				
	Garages, Accessory Buildings, Sheds, and Carports	Distances from the property lines will be evaluated during a site plan review as established in §28-3-10. Distances outlined above, for a dwelling, and in the “R” Zones for the type of structure will be used as a guide. Consideration for reducing distances during site plan review will be based upon mitigation proposed to reduce impact upon adjacent properties.							
Building Height	Minimum	1 story							
	Maximum	2 1/2 story (35 feet)							
	Accessory Building	Minimum 12 feet, Maximum 20 feet, Maximum 1 story							
Accessory Building Size	Shed	Minimum 6 feet, Maximum 16 feet, Maximum 1 story							
	Accessory Building	600 square feet maximum per unit.							
	Shed	200 square feet maximum individual structure per unit.							
Parking	Enclosed 2-car garage required for each residential unit. Guest parking standards in Chapter 28-4								
	Minimum 2-car garage dimension – 20 feet by 22 feet deep								

28-15-5 Building Design. Single-family residential and attached-unit buildings shall be limited to 2 1/2 stories (35 feet).

- a. Each attached-unit building shall include variation in color or shade of color and incorporate front façade articulation through the differentiation of individual units with placement of dormers, window variations and entry features. Additional articulation shall be achieved by:
 - i. Variations in the setback of the façade of the building by at least two feet between adjoining units; or
 - b) Horizontal or vertical shift in roofline of at least two feet at intervals not greater than two attached units with variations in roof pitch, overhangs and projections.
- 2) Rear elevations shall alternate in color or shade of color, include articulation in roofline, and avoid the appearance of a flat wall through two-foot shifts in walls of alternating units and minimum four-inch stucco or cement board wrap of all rear wall corners. Buildings with more than four attached units that back or front along the perimeter of the development visible to an outside street or trail must be a mixture of four-, five- or six-unit buildings that alternate in color or shade of

	<p>color. Buildings with five or six units may be used back-to-back in the interior of the development.</p> <p>28-15-6 Transition from Existing Single-Family Residential. Only detached single-family homes may be built next to off-site, existing dwellings in R-1-8, R-1-9, R-1-10, and R-1-15 zones, where there is no significant existing geographical or infrastructural buffer (e.g. highway, canal, waterway). Fencing alone does not apply as a buffer. In such cases, the following shall apply:</p> <ol style="list-style-type: none"> 1) Single-family lots must comprise 50% of the R-M development area. 2) The first layer of lots immediately abutting the existing R-1 zone must be sized at no less than 50% the minimum average square footage required by the R-1 zone. 3) Developer may use open space to replace the first layer, if the open space depth is at least one-half the minimum required lot depth of the adjacent R-1 zone.
<p>ADJOURNMENT</p>	<p>Councilmember Tyler moved to adjourn. Councilmember Searle seconded the motion. Councilmember’s Arave, Dougherty, Gray, Searle and Tyler voted in favor. The meeting adjourned at 9:02 pm.</p>