



**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

	<p>be met when granting a density bonus for additional open space beyond the required base open space:</p> <ul style="list-style-type: none"> 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. <p>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:</p> <ul style="list-style-type: none"> 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. <p>21) Following final plat PRD approval, any substantial changes in use, or</p>
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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

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.
- 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;
 - 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>