



**RIVERTON CITY  
PLANNING COMMISSION AGENDA  
THURSDAY, AUGUST 15, 2014**



NOTICE IS HEREBY GIVEN THAT THE RIVERTON CITY PLANNING COMMISSION WILL HOLD A PUBLIC MEETING AT **6:30 PM, THURSDAY, AUGUST 15, 2014** AT THE **RIVERTON CITY MUNICIPAL BUILDING, 12830 SOUTH 1700 WEST, RIVERTON UTAH.**  
ANY QUESTIONS, CALL 801-208-3141 OR 801-208-3130.



REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES AND/OR THE NEED FOR TRANSLATION SERVICES WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE, PLEASE CALL 801-208-3100.



**1. PUBLIC HEARING**

**A. ORDINANCE AMENDMENT, RIVERTON CITY ORDINANCE 18-150, SIGNS, AMENDMENTS PROPOSED BY RIVERTON CITY**

**2. DISCUSSION ITEMS (No public comment or questions will be taken on these items)**

**3. MINUTES**

**A. JULY 31, 2014**

**4. ADJOURNMENT**

**Item I.A**

**Sign Ordinance Amendments**

**RIVERTON CITY  
MEMORANDUM**

**TO: Planning Commission**

**FROM: Planning Department**

**DATE: August 15, 2014**

**SUBJECT: ORDINANCE AMENDMENT, RIVERTON CITY ORDINANCE 18-150, SIGNS, AMENDMENTS PROPOSED BY RIVERTON CITY.**

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**This application is a public hearing and legislative action item.**

*In rendering a decision the Planning Commission is serving a legislative function, decisions are based on reasonably debatable evidence.*

**PROPOSED MOTION(S)**

I move that the Planning Commission recommend APPROVAL of the proposed amendments the language regulating political signs in Riverton City Ordinance 18-150, Signs as described in Exhibit "A", with the following changes;

**BACKGROUND**

Riverton City is proposing several amendments to the existing ordinance regulating signs. The proposed changes are primarily to sections dealing with temporary and promotional signage, and have been formulated based on discussions and hearings with members of the community, including business owners, residents, and representatives of the sign industry. The proposed changes are included in the attached 'red line' copy of the sign ordinance, but will be described more generally in this report.

There are several changes proposed to the sections regarding promotional signage. Currently, the ordinance allows for a maximum display period of sixty (60) days per calendar year, and the proposed change would extend that period to ninety (90) days. This will allow greater exposure and flexibility for the business community in the display of promotional signs, while still maintaining a reasonable restriction of the total number of days allowed. Also, specific allowances are made for a "Grand Opening" period for new businesses, with display of a promotional sign package for up to forty-five (45) days. With flags, or 'blade' style promotional signs, which are produced typically in batches of three flags, the ordinance has been clarified to allow up to three (3) under a single permit, counting basically as one sign. Language has also been included requiring secure mounting and display of promotional signs.

One significant change to the ordinance that has been proposed is the requirement that community and civic signs be held to the same standards and requirements as promotional signage for businesses. This has not been the case under the current ordinance, and concerns have been raised as to why community events are allowed signage that is not permitted for businesses or other users. The proposed language would limit community and civic event signs to the same size limitations as other promotional signs.

For permanent signs, one proposed change is to limit the height of monument signs in the Commercial Downtown zone. Currently, the ordinance allows a maximum of eight (8) feet in height for monument signs, measured from the closest sidewalk. The visual impact of a sign of that height can be significant, and for Riverton's downtown area, the six (6) foot maximum height was felt to be more appropriate.

Allowances for on premise real estate development signs have been amended, allowing signage for developments of 25 lots or more. The current ordinance required a minimum of 100 lots to qualify for such signage. An amendment is also proposed limiting the area of signage allowed on awnings.

Currently the ordinance allows a maximum of 50% of an awning to include text or other signage. The proposed amendment would reduce that to 25%.

In addition to the proposed amendments, staff would like feedback from the Planning Commission on other concerns or issues with the current ordinance.

**ATTACHMENTS:**

The following items are attached for your review:

1. A copy of the current ordinance, showing 'red line' changes.

## **Chapter 18.150 SIGN REGULATION ORDINANCE**

Sections:

### Article I. General Provisions

- [18.150.010](#) Short title.
- [18.150.020](#) Purpose and scope of chapter.
- [18.150.030](#) Interpretation.
- [18.150.040](#) Definitions.

### Article II. Application of Regulations

- [18.150.050](#) Conformity of signs.
- [18.150.060](#) Construction standards.
- [18.150.070](#) Sign permit.
- [18.150.080](#) Fees.
- [18.150.090](#) Exempt signs for which no sign permit is required.

### Article III. Sign Requirements

- [18.150.100](#) General provisions.
- [18.150.110](#) Types of signs which are permitted, permitted only upon successful application for a conditional use permit, and signs which are not permitted in each zoning district – Sign standards.
- [18.150.120](#) Exceptions and qualifications for specific sign types.
- [18.150.130](#) Visual appearance of signage along major streets.
- [18.150.140](#) Prohibited signs.

### Article IV. Nonconforming Signs

- [18.150.150](#) Nonconforming signs.

### Article V. Enforcement and Appeals

- [18.150.160](#) Enforcement.

[18.150.170](#) Appeals.

## Article I. General Provisions

### **18.150.010 Short title.**

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This chapter shall be known as the Riverton City sign regulation ordinance. [Ord. 12-04 § 1 (Exh. A); Ord. 08-24 § 1 (Exh. A). Code 1997 § 12-320-101.]

### **18.150.020 Purpose and scope of chapter.**

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Because Riverton City is a large, diverse and rapidly expanding municipality, the city council finds that consistent sign control is necessary. The provisions of this chapter are made to establish reasonable, objective and constitutional time, place, and manner regulations for all signs in Riverton City which are visible to the public. Within those legal constraints, sign regulations adopted under this chapter are necessary to protect the general public health, safety, welfare, convenience, and aesthetics; to protect and enhance property values; and to protect and enhance the natural setting of the city. At the same time, this chapter is also intended to reasonably serve the public's need to be given helpful directions and to be informed of available products, businesses, and services. [Ord. 12-04 § 1 (Exh. A); Ord. 08-24 § 1 (Exh. A). Code 1997 § 12-320-102.]

### **18.150.030 Interpretation.**

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In interpreting and applying this chapter, the sign area requirements contained herein are declared to be the maximum allowable for the purpose set forth. The types of signs allowed by this chapter are fully described herein. Sign types not specifically set forth within this chapter are prohibited. This chapter shall not nullify more restrictive provisions of covenants, agreements, easements, deed restrictions, other ordinances, or laws, but shall prevail over such provisions which are less restrictive. [Ord. 12-04 § 1 (Exh. A); Ord. 08-24 § 1 (Exh. A). Code 1997 § 12-320-103.]

### **18.150.040 Definitions.**

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The terms, phrases, words and their derivatives shall have the meaning as stated and defined in this chapter unless the context indicates a contrary meaning. Terms defined in this title shall have the same meaning when used in this chapter. Where inconsistent with definitions in other provisions of this title, the definitions found in this chapter shall be applied to this chapter.

“Abandoned sign” is a sign that is left on property for a period of time in excess of 45 calendar days after the business or use that it advertises has moved to another location or ceased doing business.

“A-frame sign” is a freestanding, permanently permitted portable sign usually constructed of two separate sign faces attached at the top.

“Animated sign” is a sign with parts or sections which revolve or move or which has flashing or intermittent lights, but not including time and temperature signs or electronic signs.

“Awning sign” is a sign constructed of a framework that is mounted to a building or canopy. The framework is usually covered with a light fabric that may be translucent. The awning cover may contain advertising or identifying copy, graphics, or design and may be backlighted. Awnings used strictly as protective structures for windows and doors and having no sign copy or design are not signs and may display the building address only.

“Backlighted sign” is a sign with the light source positioned inside or behind the sign face, such as behind raised letters and awnings or inside sign cabinets, the lighting source of which is not itself visible to the observer.

“Banner” is any cloth, bunting, plastic, paper, or similar material used for temporary advertising which is attached to or appended from a building.

“Bench sign” is a sign that is applied to the back of a bench located at a bus stop designated by the Utah Transit Authority.

“Billboard sign” is a freestanding ground sign designed or intended to direct attention to a business, product, or service that is not sold, offered or existing on the property where the billboard is located.

“Changeable copy sign” is a sign on which the text or copy is changed manually or electronically.

“Conforming sign” is a sign that meets all provisions of this chapter.

“Construction sign” is a sign, on-premises or off-premises, which directs to, identifies or describes the development or construction of a use, building or buildings which are planned or currently underway located within the city boundaries.

“Copy” is the wording on the display surface of a sign.

“Directional sign” is a sign limited to directional messages such as one way, entrance and exit and has no advertising copy.

“Directory sign” means a variation of a monument or wall sign on which the names and locations of occupants or the use of a building or property is identified, but which does not include any advertising message.

“Electronic message sign” is a display consisting of an array of light sources, panels, or disks that are electronically activated.

“Extending sign” is a sign that projects more than 24 inches from a wall.

“Freestanding sign” is a sign that is self-supported by poles, pylons, or other structural supports mounted in the ground.

“Freeway-oriented sign” is an on-premises sign located on and providing advertising for a regional commercial site which is adjacent to a limited access highway or freeway.

“Illegal sign” is any sign that violates any provision of the Riverton City Code or is determined to not be a conforming sign.

“Illuminated or lighted sign” is a sign equipped with artificial lighting devices for the purpose of improving the sign’s visibility.

“Inflated sign” is any advertising device that is supported by heated or forced-air or lighter-than-air gases.

“Kiosk sign” is a structure with four sides or less upon which a subdivision, planned residential development, homebuilder, multifamily development or public service sign panel may be mounted.

“Low-maintenance sign” is a sign composed of sign materials that do not require frequent replacement, painting, or refurbishing as a result of exposure to the elements.

“Maintenance” means to repair, refurbish, repaint, or otherwise keep an existing billboard and its structure safe and in a state suitable for use, including signs destroyed or damaged by vandalism, an act of God, or casualty.

“Major pylon sign” is a freestanding sign, not more than 25 feet in height.

“Major street construction” means the repair or reconstruction of a street where access to adjacent properties is restricted for more than seven consecutive days.

“Minor pylon sign” is a freestanding sign, not more than 12 feet in height.



“Monument sign” is a freestanding identification, advertising or business sign which is supported by a base which is equal to or greater than the width of the sign and is mounted permanently in the ground.

“Nameplate sign” is a wall sign indicating the name and/or occupation of a person or persons residing on the premises or legally occupying the premises, or indicating a home occupation legally existing on the premises.

“Neighborhood entryway sign” is a permanent sign used to identify the main entrance(s) of a neighborhood, which is incorporated into an approved wall or fence.

“Noncommercial sign” is any structure, housing, sign, device, figure, statuary, painting, display, message, placard or other contrivance, which is designed, constructed, created, engineered, intended or used to provide data or information that does not do any of the following:

- (1) Advertise a product or service for profit or for a business purpose;
- (2) Propose a commercial transaction; or
- (3) Relate solely to economic interests.

“Off-premises sign” is a sign indicating the availability of goods or services at a location other than the location of the sign.

“On-premises sign” is a sign located on the property that it serves.

“Pedestal sign” is a portable sign supported by a column or columns and a base.

“Pole sign” is a freestanding sign which is supported by a pole or poles mounted permanently to the ground.

“Political sign” is any sign that supports the candidacy of any candidate for public office or conveys a message relating to any other political issue.

“Portable reader sign” is a reader sign that is mounted on a portable framework and intended for temporary use.

“Portable sign” is any sign which is prominently displayed to identify, advertise, direct, or promote any person, product, company, entity or service, and which is movable in nature such as A-frames, pedestals, signs on vehicles, banners attached to freestanding poles, or similar signs which are not permanently installed in the ground.

“Projecting sign” is a sign that is attached to and projects from a building, pole or other support.

“Promotional sign” is a temporary device such as banners, streamers, flags, balloons, pennants, searchlights, and inflated signs.

“Reader sign” is a changeable copy display that allows for the manual or electrical changing of the copy or text.

“Roof sign” is a sign which is supported wholly or in part by and which projects over a roof.

“Sculptured sign” is a free-form or three-dimensional sign that has a depth greater than two feet.

“Sign” means materials placed or constructed, or light projected, that (1) conveys a message or image and (2) is used to inform or attract the attention of the public. Some examples of signs are materials or lights meeting the definition of the preceding sentence and which are commonly referred to as signs, placards, A-boards, posters, billboards, murals, diagrams, banners, flags, or projected slides, images or holograms, and also includes the structure, supports, lighting system attachments, and other features of the sign. The scope of the term “sign” does not depend on the content of the message or image conveyed.

“Sign alteration” is the changing or rearranging of any structural part, sign face, enclosure, lighting, coloring, copy (except on reader signs), graphics, component, or location of a sign.

“Sign area” is the portion of a sign used for display purposes, excluding the frame and supports. Only one side of a double-faced sign (covering the same subject) shall be used for computing the sign area when the signs are parallel (no greater than two feet apart) or diverge from a common edge by an angle not greater than 30 degrees. For signs that do not have defined display areas, sign area shall be the area of the smallest rectangle or square that will frame the display.

“Sign clearance” is the height of the lower edge of the face of a freestanding sign from the finished grade.

“Sign density” is the concentration of signs in a given area, frontage, district, or lot. “Density,” as used in this chapter, will usually be defined in terms of numbers of signs per lot or frontage.

“Sign design” is the form, features, colors, and overall appearance of a sign structure.

“Sign development plan” is a comprehensive plan for all signs proposed for a development and may include a combination of site plans, architectural elevations, and written specifications which illustrate and describe proposed location, height, design, colors, and materials for such signs.

“Sign height” is the height of a sign measured from the elevation of the nearest sidewalk or, if there is no sidewalk, from the nearest curb or, if there is no curb, from the elevation of the nearest street paving surface.

“Sign location” is the position on a property where a sign is to be placed.

“Sign separation” is the horizontal distance between signs measured parallel with the street or curb.

“Sign setback” is the horizontal distance between the property line (front or side) and the closest edge of the sign structure.

“Snipe sign” is a sign for which a permit has not been obtained which is attached to a public utility pole, service pole, support for another sign, fence, tree, etc.

“Structural modification” is any change other than incidental repairs that would prolong the life of the supporting members of the sign.

“Suspended sign” is a sign that overhangs a pedestrian walkway beneath a canopy, eave, or awning.

“Temporary sign” is any exterior sign, banner, pennant, valance, or advertising display constructed of paper, cloth, canvas, light fabric, cardboard, wallboard, or other light materials, with or without light frames, intended to be displayed for a short period of time. Examples of temporary signs include but are not limited to A-frame signs, balloons, banners, garage/yard sale signs, real estate signs, or special event signs.

“Vehicle sign” is a sign or advertising device that is attached to, painted on, placed upon, or supported by any truck, trailer, boat, other vehicle, or portable structure conspicuously or regularly parked on- or off-premises expressly to attract attention to a business, product, or promotion. This definition does not apply to signs or lettering on public transit vehicles, taxis, or company vehicles operating during the normal course of business or parked in a legally designated on-site parking space at the location of the company owning the vehicle.

“Wall sign” is a sign that is painted on or affixed to a building wall and projects less than six inches from the wall. [Ord. 12-04 § 1 (Exh. A); Ord. 11-08 § 1(A); Ord. 08-24 § 1 (Exh. A). Code 1997 § 12-320-104.]

## Article II. Application of Regulations

### **18.150.050 Conformity of signs.**

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No sign shall be erected, constructed, reconstructed, located, relocated, placed, replaced, restored, extended, enlarged, modified, altered, or repaired except in conformity with this title. [Ord. 12-04 § 1 (Exh. A); Ord. 08-24 § 1 (Exh. A). Code 1997 § 12-321-101.]

### **18.150.060 Construction standards.**

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All sign construction and use shall comply with the International Building Code, the National Electrical Code, this chapter, and all federal, state and other applicable city regulations, including those concerning power line and other utility clearances. [Ord. 12-04 § 1 (Exh. A); Ord. 08-24 § 1 (Exh. A). Code 1997 § 12-321-102.]

### **18.150.070 Sign permit.**

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(1) Permit Required. A sign permit shall be required prior to the erection, construction, reconstruction, location, relocation, placement, replacement, restoration, extension, enlargement, modification, alteration, repair, or use of any sign within the city, unless designated as an exempt sign in RCC [18.150.090](#). Sign permits requiring review of the city council are not automatically approved. Signs installed without a permit or in violation of the terms of a permit shall render the sign and its owner subject to the enforcement provisions of this chapter.

(2) Issuance. The planning department is empowered to:

(a) Issue permits to erect, construct, reconstruct, locate, relocate, place, replace, restore, extend, enlarge, modify, alter, repair or use signs which conform to this chapter and are a part of a sign development plan which has received approval of the city council; and

(b) Determine that all sign applications conform to this chapter.

(3) Zoning District Approval. Before any sign permit shall be issued, the planning department shall review the sign application to determine compliance with the land use provisions of the respective zone in which the relevant sign is found or proposed to be located.

(4) City Council Approval. Before a sign permit may be issued, the following levels of review and approval shall be obtained:

(a) A sign development plan for all nonresidential developments must be approved by the city council. A sign development plan may be reviewed and approved as a part of the applicant's application for site plan approval;

(b) Revised sign development plans for existing developments must be approved by the city council where an existing sign is proposed to be relocated or undergo a material change to the height or width of the sign;

(c) A sign conditional use permit must be obtained where required by this chapter.

(5) City Staff Approval. All other sign permits may be approved by the planning department.

(6) Application Submittal. Permit applications for a temporary or permanent sign shall be made by submitting the following information to the planning department:

(a) Applications for Monument and Pole Signs.

(i) A site plan showing the relationship of the sign to buildings, other signs, and property lines and setbacks from public rights-of-way, intersections, easements and driveways;

(ii) Accurately dimensioned, scaled drawings showing height, color, dimensions, landscaping, sign composition, type of illumination, and how the sign will appear from the street;

(iii) Details of sign construction, including: electrical plan, foundation scheme, and value of the sign; and

(iv) Length of property street frontage.

(b) Applications for Wall Signs.

(i) Scaled drawings or accurate, scaled photos showing dimensions of both the building face and the sign, sign composition, and type of illumination;

(ii) An architectural elevation drawing of the sign on the building to show how the sign will appear from the street/parking area; and

(iii) Details of sign construction and attachment including an electrical plan, if applicable.

(c) Applications for Temporary Signs.

(i) Site plan showing the relationship of the sign(s) to buildings, property lines, and other signs; and setbacks from each public right-of-way, intersection, easement, and driveway existing and adjacent to the property on which the temporary sign is to be situated. The site plan does not need to be professionally drawn; and

(ii) Length of requested period for display.

(d) Applications for Bus Bench/Shelter Signs.

(i) Written approval from the property owner of the proposed location for the bus bench/shelter. The property owner's approval shall be required whether the bench/shelter is to be located on private property or within an adjacent street right-of-way;

(ii) A letter of approval from the Utah Transit Authority;

(iii) A site plan, vicinity map and specifications for bus bench/shelters, as well as any improvements needed for the particular site;

(iv) A signed contract with Riverton City for each bus bench/shelter sign located on public property; and

(v) A fee, in an amount established by resolution of the city council.

(e) Applications for Off-Premises Development and Private Directional Signs. Written consent from the owner of the property upon which the sign will be located.

(f) Applications for Kiosk Signs.

(i) Written approval from the property owner of the proposed location for the kiosk sign;

(ii) A letter of approval from UDOT, if applicable;

(iii) A kiosk location plan shall be prepared showing the site of each kiosk;

(iv) An approved kiosk location plan shall be resubmitted for approval every 12 months; and

(v) An annual fee, in an amount established by resolution of the city council.

(g) Additional Information Required for All Sign Permits.

- (i) Proof of current Riverton City business license, where applicable;
- (ii) Business address and phone number;
- (iii) Address of real property owner and phone number;
- (iv) General or electrical contractor license, phone number, and address; and
- (v) Estimated fair market value of the sign and its cost of manufacture or construction; and
- (vi) Property owner approval.

(7) Expiration of Permit.

(a) All sign permits shall expire 180 days following the date of issuance of the sign permit by the building safety division, unless the sign is fully constructed according to the plans submitted with the application for the sign permit.

(b) Permits issued for bus bench/shelter signs and off-premises development signs are valid for only one calendar year. A change in the text of the sign on the bus bench/shelter sign or a substitution of benches/shelters shall not require the issuance of a new permit, if the bus bench/shelter is placed in the same location as originally permitted. [Ord. 12-04 § 1 (Exh. A); Ord. 08-24 § 1 (Exh. A). Code 1997 § 12-321-103.]

**18.150.080 Fees.**

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Fees as established by resolution of the city council shall be paid at the time of the issuance of the sign permit. [Ord. 12-04 § 1 (Exh. A); Ord. 08-24 § 1 (Exh. A). Code 1997 § 12-321-104.]

**18.150.090 Exempt signs for which no sign permit is required.**

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The following types of signs are exempt from the permit requirements of this chapter, but shall be in compliance with all other applicable provisions:

(1) On-Premises Development or Construction Signs. Two on-premises development or construction signs per street frontage of at least 100 feet, each no larger than 32-64 square feet in area and not exceeding eight-ten feet in height and which comply with the same size, location, spacing and display period standards as an off-premises development sign, may be placed on real property on which new subdivisions or homes are being constructed. The permitted number of on-premises development or construction signs located on real property

shall not increase with the participation of multiple developers or builders participating in the development project. These signs must be removed once ~~95 percent~~all lots of~~within~~ the development ~~has~~have received a city certificate of occupancy.

(2) On-Premises Real Estate Sign – Small Lots. Lots with less than 200 feet of frontage on a street may display one on-premises sign per lot; provided, that the sign is securely attached to the ground; advertises only that the home on the lot is for sale or rent, including signs titled “For Rent,” “For Sale,” “Open House,” “For Lease,” or similar signs; is no larger than eight square feet in area; and does not exceed six feet in height. “Open house” signs may only be displayed for the duration of the open house or eight consecutive hours, whichever is less, and shall be removed within 30 minutes after the conclusion of the advertised “open house.”

(3) On-Premises Real Estate Sign – Large Lots. Notwithstanding the number limit in subsection (2) of this section, lots with 200 or more feet of frontage on a street may display two on-premises signs per lot, which are no larger than 16 square feet in area. The other provisions of subsection (2) of this section shall apply.

(4) Temporary Real Estate Directional Signs. Temporary real estate directional signs located to direct a potential customer to real property for sale or lease. The size of the sign shall not exceed four square feet and shall be placed at the entrance to the subdivision in which the subject property is located. The sign shall not be located within any public right-of-way, including park strip between curb and sidewalk, and shall be subject to the following:

(a) Directional signs to a residence shall be limited to one on-premises and three off-premises signs. If a realtor has more than one house open for inspection in a single development, off-premises signs are limited to four for the entire development;

(b) The signs are permitted only during daylight hours and when the realtor or seller or an agent is in attendance at the property for sale or lease; and

(c) The directional signs shall be a minimum of 25 feet from any other freestanding sign and outside the clear vision area at street intersections.

(5) Noncommercial Signs. Noncommercial signs, not exceeding eight square feet in size, located on private property with the owner’s permission. Noncommercial signage referring to a specific event must be removed 15 days after the event has occurred. Anywhere a display, structure or sign is permitted by this chapter, a noncommercial message may be placed on such display, structure or sign.



(6) Temporary Use On-Premises Sign. One 32-square-foot, temporary use on-premises sign placed in connection with a Christmas tree lot, fireworks stand or other temporary use that is approved and licensed by the city.

(7) Vacant Property Signs. Signs on undeveloped or vacant property including “No Dumping” or “No Trespassing” signs, provided the sign is eight square feet or less in area.

(8) Nameplates. A nameplate sign, provided the sign is no larger than two square feet in area.

(9) Directional Signs. Service or directional signs or signs located only on private property and not exceeding four square feet in area, which serve to designate the location or direction to any use or structure on the premises such as signs titled “Entrance,” “Exit,” “Parking,” “Restrooms,” “No Smoking,” or “Delivery.”

(10) Public Necessity or Regulatory Signs. Public necessity or regulatory signs which warn or inform as required by law, if erected by or on behalf of public agencies.

(11) Window Signs. Window signs, including posters, messages or displays painted or mounted on the interior side of a window; provided, that no more than 50 percent of the total window area on which the sign is located is covered.

(12) Garage/Yard Sale Signs. Temporary home production or garage sale signs on private property in residential zones; provided, that sign is no larger than four square feet in area.

(13) Public/Quasi-Public Signs. Flags, banners or pennants of governments, public agencies or institutions.

(14) Civic and Nonprofit Events. Signs which announce events, activities, or celebrations sponsored by, or conducted in conjunction with, Riverton City, Salt Lake County or the state of Utah. While no permit is required, such signs shall comply with the requirements and provisions of this chapter, including section RCC 18.150.120 (12).

(15) Interior Signs. Interior signs or signs used within buildings and not intentionally positioned to be visible from the outside.

(16) Temporary Banners and Freestanding Signs Placed During Holiday Periods. In addition to the display periods specified in RCC [18.150.120\(12\)\(b\)](#), a business may display one banner, securely attached to the building facade, and one freestanding sign during the holiday periods specified below. Freestanding holiday signs shall not be larger than 24 square feet in size. The sign may be erected in front of the business on private

property and shall be securely attached to the ground. The holiday periods during which temporary banners and freestanding signs may be displayed are as follows:

(a) Presidents' Day. Four days before the date of the holiday, on the holiday and one calendar day after the holiday;

(b) Dr. Martin Luther King, Jr. Day. Four calendar days before the date of the holiday, on the holiday and one calendar day after the holiday;

(c) Memorial Day. Four days before the date of the holiday, on the holiday and one calendar day after the holiday;

(d) Independence Day. June 30th through July 3rd, and July 5th;

(e) Pioneer Day. July 20th through July 23rd, and July 25th;

(f) Labor Day. Four calendar days before the date of the holiday, on the holiday and one calendar day after the holiday;

(g) Columbus Day. Four calendar days before the date of the holiday, on the holiday and one calendar day after the holiday;

(h) Veterans' Day. Four calendar days before the date of the holiday, on the holiday and one calendar day after the holiday;

(i) Thanksgiving. One calendar day before the date of the holiday, on the holiday and four calendar days after the holiday; and

(j) Christmas/Hanukkah/New Year's Day. December 15th through January 2nd.

(17) Art. Art or art forms that do not contain or imply any commercial message.

(18) Temporary Signs During Road Construction. Temporary signs displayed during periods of major road construction, as described by RCC [18.150.120](#)(13), or any successor section.

(19) Handheld Signs. Commercial handheld signs; provided, that each is no larger than six square feet in size, is displayed only during daylight hours, and is subject to the limitations of RCC [18.150.140](#)(2).

(20) New Building Construction – Temporary Signs. Shall be approved for 30 days before the estimated date of certificate of occupancy, and last until 14 days after the certificate of occupancy is issued; normal temporary sign ordinances apply.

(21) Political Signs. Political signs may be displayed without permit and are allowed; provided, that the signs are not erected in such a manner as to constitute a roof sign, are not located on property in a way that constitutes a safety or visibility problem and are not erected on utility poles, street signs or in public rights-of-way. Political signs lawfully erected without a sign permit must be located on private property with the property owner's consent and shall not be located within the city right-of-way or on any city-owned property or structure. All other provisions of this chapter shall continue to apply to political signs. Any sign placed in public right-of-way is subject to removal by city staff. When signs are removed for this reason, the responsible party shall be notified of the reason for the removal and the location. The sign will be made available for five calendar days to be picked up. After that time, the confiscated sign will be destroyed. [Ord. 12-04 § 1 (Exh. A); Ord. 08-24 § 1 (Exh. A). Code 1997 § 12-321-105.]

### **Article III. Sign Requirements**

#### **18.150.100 General provisions.**

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The following provisions shall apply to all signs:

(1) Minimum Side Yard Setback. Signs shall not be constructed in or project into any required side yard in any zone. Where no side yard is required, signs shall not be located closer than five feet from the property line.

(2) Maintenance. Signs, sign structures, and the areas around sign bases shall be kept in good repair and maintained in a safe and attractive condition. This includes the replacement of defective parts, repainting, cleaning and other acts for proper maintenance. The ground space within a radius of five feet from the base of any sign shall be kept free and clear of all weeds, trash and flammable material. "Sign maintenance" does not mean altering a sign in any way without a sign permit.

(3) Repair of Building Facade. Any building facade from which a sign is removed or on which a sign is repaired, changed or replaced shall be repaired, if damaged, within 30 calendar days of removing the sign from the building.

(4) Highway Frontage. Limited access highway frontage shall not be considered frontage for purposes of this chapter.

(5) Clear Vision Zone. Any sign located in a clear vision area shall maintain required clearances as specified in this section. All signs shall be located a minimum of five feet from all property lines. For traffic safety, signs exceeding three feet in height shall not be located within the triangular area formed by street curb lines (or where curb lines would exist) and a line connecting them at points 40 feet from intersection of street curb lines (or where curb lines would exist). A sign shall not be erected within 10 feet of any drive aisle or point of access to a street.

(6) Minimum Clearance of Signs. Where pedestrian traffic is anticipated near a sign, minimum clearance of not less than 10 feet shall be maintained from the bottom edge of a projecting sign, suspended sign, pole sign, billboard or any similar sign to the final grade beneath the sign. The minimum clearance for signs near driveways or parking areas shall be 14 feet. Signs shall be located not less than six feet horizontally or 12 feet vertically from overhead electrical conductors. The term "overhead conductors" as used in this subsection means any electrical conductor, either bare or insulated, installed above the ground, except such conductors as are enclosed in iron pipe or other material covering of equal strength.

(7) Construction. All signs shall be constructed of durable, low-maintenance materials. The area around all freestanding signs shall be landscaped. All wiring and similar components shall be concealed.

(8) Illumination. External or internal lighting or backlighting shall be allowed for illuminated signs.

(9) Urban Design Standards. All signs shall be designed and constructed in accordance with the following guidelines:

(a) Signs shall be designed to incorporate colors, materials, and architectural design that are compatible with the development that they serve. The supports or base of signs shall complement the overall design scheme or shall be enclosed with architectural coverings;

(b) Sign locations should be integrated with other elements on the site and the adjacent streetscape:

(i) Signs shall not be located so as to obscure signs on adjacent sites;

(ii) Signs shall not be placed in an area that can confuse motorists and pedestrians and cause potential safety hazards;

(iii) Traffic directional signs should be placed to promote safe and efficient traffic flow; and

(iv) Signs should be oriented to promote readability and serve their intended function; and

(c) Although landscaping may not initially appear to obscure a sign, it may significantly reduce or eliminate the sign's effectiveness unless taken into account in the planning stage. Signs should be placed so they are not obscured by landscaping when it has reached full maturity. [Ord. 12-04 § 1 (Exh. A); Ord. 08-24 § 1 (Exh. A). Code 1997 § 12-322-101.]

**18.150.110 Types of signs which are permitted, permitted only upon successful application for a conditional use permit, and signs which are not permitted in each zoning district – Sign standards.**

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(1) Signs permitted are designated with a "P"; signs permitted by conditional use only are designated with a "C." A sign which shows no designation is not permitted within the applicable zoning district.

Zoning District	Sign Type																							
	A-Frame Sign	Animated Sign	Awning Sign	Bench Sign	Changeable Copy Sign	Directional Sign	Directory Sign	Electronic/LED Sign	Freeway-Oriented Sign	Historic Marker	Inflated Display Sign	Kiosk Sign over 4 Feet in Height	Monument Sign 4 Feet or Less in Height	Nameplate Sign	Neighborhood Entryway Monument Sign	Neighborhood Entryway Sign	Off-Premises Development Sign	Pole Sign Minor	Pylon Sign Major	Sculptured Sign	Suspended Sign	Temporary Promotional Sign	Wall Sign	
A Zones						P				P			C	P			C							C
R-1 Zone						P				P			C	P	C	P	C							
RR-22 Zone						P				P			C	P	C	P	P							
R-2 Zone						P				P			C	P	C	P	C							
R-3 Zone				P		P				P			C	P	C	P	C							P
R-4 Zone				P		P				P			C	P	C	P	C							P
RM-8 Zone				P		P				P			C	P	C	P	C							P
RM-12 Zone				P		P				P			C	P	C	P	C							P
RM-18 Zone				P		P				P			C	P	C	P	C							P
C-G Zone	C		P	P	P	P		P		P	P		P	P			P	P			C	P	P	P
C-D Zone	C		P	P	P	P		P		P	P		P	P			P	P			C	P	P	P
C-R Zone	C		P	P	P	P		P	C	P	P		P	P			P	P			C	P	P	P
C-N Zone			P	P	P	P		P		P			P	P			P	P			C	P	P	P
M Zone				P	P	P		P		P			P	P			P	P			C	P	P	P
C-PO Zone	C			P	P	P		P		P			P	P			P	P			C	P	P	P
P-OS Zone	C				P	P		P		P			P	P			P	C						P

(2) Sign Standards.

SIGN TYPE	SIGN STANDARDS				
	Maximum Area(square feet)	Max. Height/Projection	Density	Spacing	Front Setback
A-frame signs*	10 s.f. per sign face with a maximum of two sign faces	Height: 4 feet	One per business	75 feet from any other sign	Signs must be within 20 feet of the primary entrance to the business
Animated signs	Integrated in the design of another approved sign and not to exceed 25% of the area of such sign	N/A	N/A	N/A	N/A
Awning signs*	Sign: 25% of the building facade Copy or design: <del>50</del> 25% of the awning area	Height: 5 feet Projection: 3 feet or less than 33% of window height	N/A	N/A	Awnings shall not project into any public R.O.W.
Bus bench/shelter signs*	Bench sign: 16 Shelter sign: 22	Bench sign height: 42 inches Shelter sign height: 6 feet, 0 inches	One at each UTA bus stop	500 feet from any other bench/shelter sign and 50 feet from any other freestanding sign except pole signs. There is no	A minimum distance between the front edge of the bench or shelter and the face of the adjacent curb of

				required separation between pole signs and bus bench/shelter signs.	48 inches on state roads and 24 inches on city streets
Changeable copy signs*	Integrated with another approved sign and not to exceed 30% of the area of such sign	N/A	N/A	N/A	N/A
Directional signs*	6	Height: 6 feet	See spacing	50 feet from any other freestanding sign	Public use directional signs may be located within public rights-of-way Other directional signs: 18 inches
Directory signs*	50	Height: 10 feet	One for each primary entrance into a commercial, industrial or office complex	N/A	10 feet
Electronic/LED	Integrated with another approved sign up	N/A	N/A	N/A	N/A



	to 50% of sign area				
<u>Flags / Blade Signs</u>	<u>N/A</u>	<u>Height: Maximum 15 feet</u>	<u>Allowed in groups of three (3).</u>	<u>25 feet from any other freestanding sign.</u>	<u>May not extend into or over any public right-of-way or parking area.</u>
Freeway-oriented signs*.**	950 For master planned developments having 5,000 l.f. or more of frontage on a freeway, not more than one sign may be up to 1,500 s.f., including the area of any shopping center logo	Height: 50 feet For master planned developments having 5,000 l.f. or more of frontage on a freeway, not more than one sign may be up to 72 feet in height	See spacing	One sign for each 1,000 feet of highway frontage	N/A
Historical markers*	8	Height: 6 feet	N/A	N/A	10 feet
Inflated sign display*	N/A	Height: 25 feet	One per commercial complex or one for each business not located in a commercial complex	200 feet from any other freestanding sign	In compliance with setbacks of the zone in which the sign is located.
Kiosk sign*	Overall kiosk	Height: 12 feet	N/A	300 feet from any	N/A

	sign: 12 feet x 4 feet 6 inches Sign Panels: 1 foot x 4 feet			other kiosk sign, 50 feet from any other freestanding sign	
Monument signs over 4 feet in height	50	Height: All monument signs shall sit on a base not less than 2 feet in height. The sign itself shall not exceed 6 feet. The cumulative height of a monument sign shall not exceed 8 feet. <u>In the C-D Zone, the maximum height shall be six (6) feet.</u>	One for sites having only one business For all other sites: as approved on a sign development plan	Not less than 100 feet from any other freestanding sign.	18 inches
Monument signs 4 feet or less in height	20	Height: 4 feet above grade or 6 feet above the elevation of the nearest sidewalk, whichever is greater	One for each agricultural sales or service business	N/A	20 feet
Neighborhood entryway monument sign*	20	Height: 4 feet above grade or 6 feet above the elevation of the nearest sidewalk, whichever is greater	2 per main entrance along collector and arterial streets for each planned development and subdivision	50 feet from any other monument sign, 100 feet from any other entrance or pole sign	20 feet
Neighborhood entryway sign*	20	Height: incorporated into a wall to assume the approved wall height	2 per main entrance along collector and arterial streets	50 feet from any other neighborhood entryway sign, 100 feet from any	10 feet, outside of clear vision area

				other monument or pole sign	
Off-premises development signs*	32	Height: 8 feet	One sign per <del>100</del> <u>25</u> residential units in a development. <u>maximum 2 signs.</u>	50 feet from any other freestanding sign or structure	18 inches
Pole signs*	80% of the street frontage of the lot upon which the sign will be located up to a maximum of 200 square feet	Height: 25 feet	One sign per nonresidential development which is developed on a site equal to or greater than 5 acres in size. One additional sign may be obtained for eligible nonresidential developments with frontage on 2 or more streets.	200 feet from any other pole sign, 150 feet from any monument sign, and 50 feet from any other freestanding sign except bus bench and bus shelter signs. There is no required separation between pole signs and bus bench/shelter signs.	18 inches
Pylon sign, minor	64	Height: 12 feet	Approved as an element of a sign development plan for an approved commercial development of at least 20 acres	Not less than 150 feet from any other freestanding sign within the same development	18 inches
Pylon sign, major	200	Height: 25 feet	Approved as an element of a sign	200 feet from any other pylon sign	18 inches

			development plan for an approved commercial development of at least 20 acres	or pole sign within the same development, 150 feet from any monument sign within the same development, and 75 feet from any other freestanding sign within the same development	
Sculptured signs	As approved by planning commission	Height: 8 feet above grade or 10 feet above the elevation of the nearest sidewalk, whichever is greater	N/A	N/A	10 feet
Suspended signs	4	N/A	N/A	N/A	N/A
Temporary promotional signs*	Wall banners: 30 s.f. Freestanding signs: 30 s.f.	Wall banners: N/A Freestanding sign height: 6 feet	Wall banners: One per business plus one additional banner for a business located in a building having a front face of 150 l.f. or more. Freestanding signs: One per business. Sign shall be securely	Wall banners: N/A Freestanding signs: 25 feet from any other freestanding sign	Wall banners shall be securely attached to the building facade. Freestanding signs: 18 inches Searchlights: 50 feet from the edge of any street pavement

			attached to the ground.		
Wall signs*	15% of facade for primary wall sign. Two secondary wall signs: up to 30 s.f. each.	Height: N/A Projection from building: not more than 18 inches.	<del>One for each business occupying a building</del> Allowed primary wall sign area may be divided into multiple signs.	N/A	N/A

\* This section is subject to exceptions and qualifications in RCC [18.150.120](#).

\*\* No more than one sign per development, with a minimum of 20 acres and 1,000 feet of contiguous frontage on a freeway required. In addition, a minimum of 300 feet between freeway signs, and a minimum separation of 100 feet from any other freestanding sign, is required.

[Ord. 12-04 § 1 (Exh. A); Ord. 11-08 §§ 1(C), (D); Ord. 09-05 §§ 1 – 3; Ord. 08-24 § 1 (Exh. A). Code 1997 § 12-322-102.]

**18.150.120 Exceptions and qualifications for specific sign types.**

(1) Awning Signs. Awning signs may be displayed, but striping shall not consist of more than one color (including black and white). The background shall not be considered design space.

(2) Bus Bench Signs and Bus Shelter Signs. Signs on bus benches and bus shelters are permitted, subject to the following conditions:

(a) Improvements. All street improvements (i.e., curb, gutter, and sidewalk) shall be in place prior to the installation of a bus bench or bus shelter.

(b) Location. Bus bench/shelter signs shall be located behind the sidewalk, private property side, and only at bus stops designated by the Utah Transit Authority (UTA); provided, that: (i) a physical barrier exists behind the sidewalk which prevents the placement of a bench or shelter at that location; or (ii) the property owner refuses to grant approval for the placement of the bench or shelter behind the sidewalk; and (iii) there is adequate depth in the park strip so that the bus bench or bus shelter will not encroach on the sidewalk and there is a minimum distance between the front edge of the bench or shelter and the

face of the adjacent curb of 48 inches on state roads and 24 inches on city streets. Any person requesting approval to locate a bus bench or bus shelter in a street right-of-way shall first submit written documentation from the property owner that approval to locate the sign behind the sidewalk has been refused. Nonetheless, bus bench signs and bus shelter signs shall not be located in clear vision areas at intersections and shall not obstruct sidewalks, roadways or other locations where the signs may pose a hazard to motorists or pedestrians. Benches installed by UTA which carry no message may be located within a public right-of-way; however, bus benches or bus shelters proposed to be located adjacent to state roads shall comply with all applicable state provisions governing the location and site development standards for such benches or shelters.

(c) Signs in Bus Shelters. Only one double-sided sign is permitted in a bus shelter. This sign shall be placed inside the shelter and shall be securely attached to the opposite wall of the shelter that faces oncoming traffic. Signs shall not be placed on the bench that is located inside the shelter.

(d) Construction and Materials. The following provisions shall govern the construction and materials for bus benches and bus shelters:

(i) Bus bench backs and seats shall be constructed of metal, fiberglass, or rigid plastic/vinyl materials and shall be kept in good repair. Bench legs shall be constructed of reinforced concrete. The design and materials of bus shelters shall be approved by the city prior to issuing permits.

(ii) A concrete pad shall be required for all bus benches and bus shelters. The minimum pad size for bus benches shall be four feet by six feet and the minimum pad size for a bus shelter shall be two feet wider than the width of the shelter and two feet longer than the length of the shelter. Additional space should also be designed for persons in wheelchairs and/or to provide additional waiting area for bus patrons.

(iii) The minimum pad area for a bus bench or bus shelter may include part of a sidewalk. However, no bus bench or bus shelter shall infringe upon or obstruct any sidewalk, other pedestrian path, or driveway without adding paving which meets passage standards established by the Americans with Disabilities Act (ADA).

(iv) Bus benches and bus shelters shall be securely fastened to the concrete pad. Upon removal of a bench or shelter, the concrete pad shall be repaired by the owner of the bench or shelter, including removal of attachment bolts and repair of all holes in the concrete pad.

(e) Insurance. For any bus bench or bus shelter sign, the company or person responsible for the bus bench or shelter sign shall enter into an agreement with Riverton City which must be approved by the city attorney. This agreement will require, among other things, that the company or person responsible for the bus bench or bus shelter sign provide to the city proof of liability insurance in the minimum amount of \$1,000,000, name Riverton City as an additional insured, and indemnify and hold harmless Riverton City from any and all injuries and defense costs arising from the placement or use of the bus bench or bus shelter sign.

(f) Permit. A sign permit shall be required for each bus bench sign and bus shelter sign, pursuant to RCC [18.150.070](#).

(g) Approval. Once an applicant has obtained approval for the location of the bus bench/shelter sign, the approval shall continue as long as the permit is maintained or until the property owner withdraws the approval in writing.

### (3) Directional Signs.

(a) Off-premises private directional signs are permissible only in cases where, due to its unusual location, a business is not easily seen from or is not located near a street.

(b) Private directional signs shall contain only the name or logo of an establishment or directions such as “parking,” “drive-thru,” or “exit.”

(4) Freeway-Oriented Signs. Freeway-oriented signs shall be designed with architecture and materials consistent with the approved site and structures. A minimum of the lower one-fourth of the height of the sign shall consist of masonry such as brick, or stone with color and material to match approved building architecture of the site.

(5) Historical Monuments and Markers. Monuments or markers designating historic sites may be constructed in all zones with planning commission approval. Historic monuments and markers shall be constructed of masonry or noncorrodible metal materials or other materials as approved by the planning commission.

(6) Home Occupation Signs. Home occupation nameplate signs shall be limited to one unanimated, nonilluminated wall sign for each street upon which the dwelling fronts. The sign shall not have an area greater than four square feet, except on arterial and collector streets, where signage shall not have an area greater than eight square feet. Minimal mailbox identification is permitted.

(7) Inflated Sign Displays.

(a) Display Period. Inflated signs may be displayed for no longer than 14 consecutive days per calendar quarter and no longer than 30 days during a grand opening.

(b) Safety. Inflated signs shall be placed upon and securely tethered to the ground, and shall be located in a manner that they shall not obstruct the use of public rights-of-way or otherwise constitute a safety hazard. Flammable gases shall not be utilized for inflated signs. Use of flammable gases shall constitute a hazard, subject to the immediate removal provisions of Article V of this chapter.

(8) Monument Signs.

(a) Height. The height of a monument sign may vary depending on the grading of landscaping upon which the sign is located. However, the combined height of the sign plus any landscape berming shall not exceed eight feet above the elevation of the nearest sidewalk. In order for this result to occur, the entire frontage of the site which the sign serves, not just the sign location, must have berming incorporated into the landscape design.

(b) Construction. A monument sign shall be constructed of brick or masonry materials which match the buildings identified by the monument sign, and shall be designed to be harmonious with the building architecture. Copy of individual monument signs in these zones shall consist only of the name and address of the occupant.

(9) Off-Premises Development Signs.

(a) Sign Density Interpretation. The density standard of one sign per ~~400-25~~ residential units shall mean the following: one sign is allowed for a development with up to ~~400-25~~ residential units, an additional sign is allowed for a development with between ~~401-26~~ and ~~200-50~~ residential units, and so forth , with a maximum of three (3) signs. a third sign is allowed for a development with between 201 and 300 residential units, and so forth.

(b) Illumination. Off-premises construction or development signs shall not be illuminated.

(10) Pole Signs. Notwithstanding the density standards for pole signs listed in RCC [18.150.110](#), the owner or lessee of a pad site contained within a nonresidential development for which a sign development plan has been approved shall not be permitted to have a pole sign upon the pad site solely by reason of the frontage, unless



the pole sign was approved as part of the sign development plan. Pole signs shall be located as close to the midpoint of a lot or development as possible.

(11) Temporary Signs.

(a) All temporary signs shall be securely attached to a building or to the ground.

(b) There shall be no specific spacing requirement between freestanding temporary signs and other temporary or permanent signs. However, signs shall be placed as far apart as possible in order to provide equal visibility for all signs.

(c) Except for the signs permitted by subsection (13) of this section, no sign shall be located within a street right-of-way or within clear vision areas at intersections of streets or intersections of streets and driveways.

(12) Promotional Signs.

(a) Promotional signs include banners, pennants, streamers, flags, and searchlights, but do not include portable signs.

(b) Display Period. A temporary sign permit may be issued for promotional signage and is valid for a period not to exceed 30 consecutive calendar days; however, no such permit may be issued for the same property or business more than four times during any calendar year or for longer than ~~60-90~~ total days. A minimum of 14 days shall elapse between each display period.

(c) Searchlights. Searchlights shall be directed upward at an angle of at least 45 degrees and operated only between dusk and 11:59 p.m.

(d) Temporary Promotional Signs in P-O Zones. The use of a temporary promotional sign in P-O zones shall be limited to one temporary promotional sign at any given time regardless of the number of businesses occupying the building(s) on the individual parcel.

(e) Grand Opening Signage. Businesses shall be allowed display of temporary promotional signage for a period of 45 days beginning no more than ten (10) days prior to the projected opening date. Businesses are allowed one (1) banner sign and up to three (3) other promotional signs, in compliance with the provisions of this chapter.

(13) Use of Temporary Signs During Periods of Major Street Construction.

(a) Portable signs may be placed in the public right-of-way to mark points of ingress and egress. Such signs may include the message "Business Access Only," an arrow directing patrons to a driveway and the name or logo of the business.

(b) The maximum display period for temporary signs used during periods of major street construction shall only be for the duration of the construction period. Such signs shall be removed within 10 business days after construction in front of the affected business is completed.

(c) Businesses may qualify for these exceptions only if major construction is materially impairing the primary access to the business.

(14) Wall Signs in Professional Office Zones. Wall signs in professional office zones shall consist only of the name of the occupant of the building.

(15) Neighborhood Entryway Signs.

(a) If neighborhood entryway signs are utilized, the maximum number of signs on each side of an entry point shall be one sign.

(b) All neighborhood entryway signs shall be architecturally compatible with on-site signs, structures and streetscape walls.

(c) Changeable copy, illumination, pan channel letters, cabinet, and painted signs are prohibited. [Ord. 12-04 § 1 (Exh. A); Ord. 11-08 § 1(B); Ord. 08-24 § 1 (Exh. A). Code 1997 § 12-322-103.]

**18.150.130 Visual appearance of signage along major streets.**

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All signage along major streets shall be of a similar type and appearance to create an impression that is consistent with the visual character of Riverton City. [Ord. 12-04 § 1 (Exh. A); Ord. 08-24 § 1 (Exh. A). Code 1997 § 12-322-104.]

**18.150.140 Prohibited signs.**

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The following signs are prohibited:

(1) Portable Signs. Movable or portable signs and signs not permanently installed in the ground or on a pole or building, except as specifically allowed by this chapter.

(2) Signs on Public Property. Signs located on public property; within street rights-of-way, including sidewalks; or those attached to any structure or appurtenance on public property; however, the following signs may be displayed on public property subject to the provisions of this chapter:

(a) Public necessity signs, traffic regulatory signs, and directional signs related to public uses and facilities installed by a governmental agency;

(b) Temporary signs, placed during major street construction as described in RCC [18.150.120](#)(13);

(c) Handheld signs, no larger than six square feet in size, displayed by individuals on traditional public fora, including public sidewalks, in such a way that the sign does not unreasonably impede or inhibit pedestrian and other traffic on or over the public property; impede or inhibit ingress or egress to buildings or other areas which must be accessed from or over the public property; or, subject to constitutionally protected rights, create a hazard, or which unreasonably restricts the lawful use of the public property by others; and

(d) Bus bench and bus shelter signs for which a valid permit has been obtained.

(3) Bus Bench/Shelter Signs, Without a Permit. Bus benches and bus shelters with signs which have not been approved pursuant to the provisions of this chapter.

(4) Home Occupation Signs. Home occupation signs except for nameplate signs.

(5) Signs Which Distract. Signs which simulate or imitate in size, coloring, lettering or design any traffic sign or signal, or use the words "STOP," "YIELD," "DANGER," or any other words, phrases, symbols or characters in such a way as to interfere with, mislead or confuse drivers.

(6) Portable reader signs.

(7) Obsolete or Abandoned Signs. Obsolete or abandoned signs or messages which identify services no longer provided on the premises. Conforming sign structures may remain on a site but all sign copy shall be removed and the sign shall be covered with a durable opaque material to prevent deterioration during the period in which the sign structure is unused.

(8) Flashing Signs. Signs with flashing or strobe-like lighting effects.

(9) Signs with Sound-Emitting Devices. Any sign equipped with any device which creates or amplifies sound.

- (10) Extending Signs. Signs that project more than 24 inches from a wall.
- (11) Signs in Clear Vision Zone. Signs located within the clear vision zone.
- (12) Snipe signs.
- (13) Vehicle signs.
- (14) Roof Signs. Any sign mounted on the top of, or roof of, any building or structure.
- (15) Any other sign not complying with the provisions of this chapter or any prior ordinance. [Ord. 12-04 § 1 (Exh. A); Ord. 08-24 § 1 (Exh. A). Code 1997 § 12-322-105.]

#### **Article IV. Nonconforming Signs**

##### **18.150.150 Nonconforming signs.**

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- (1) Legal Nonconforming Sign. Any sign lawfully erected prior to November 18, 2008, which exceeds the limitations of this chapter shall be deemed legal, but nonconforming, and may continue to exist until made conforming or abandoned. Legal nonconforming signs are an accessory structure to the principal structure or use on the lot and shall become illegal by the occurrence of the earliest of any of the following events:
  - (a) Any modification of the appearance of the sign, except for normal maintenance necessary to retain its original appearance;
  - (b) Removal of the sign, except for when done for purposes of normal maintenance, in which case the sign must be replaced within 14 calendar days after removal for maintenance;
  - (c) Destruction, remodeling, repair or other construction related to the sign or of the building having a business subject of advertising on said sign caused by deterioration, fire, calamity or other event, to an extent that the cost of said remodeling, repair or other construction work exceeds 50 percent of the original cost of said building or sign subject of such work;
  - (d) The sign or any support structure of the sign is allowed to deteriorate to a condition that the structure is rendered unusable and is not repaired or restored within six months after written notice to the property owner that the sign is unusable and the nonconforming sign will be lost if the sign is not repaired or restored within six months; or

(e) A change of an occupancy or classification of use is made and such change results in a higher intensity of use on the lot or in the building on which a legal nonconforming sign was located.

(2) Removal. Upon becoming nonconforming and illegal, any nonconforming sign shall immediately be removed or made to comply with all requirements of this chapter. Nonconforming signs which are not removed shall be subject to the enforcement provisions found in Article V of this chapter.

(3) Unlawful Signs. Any sign unlawfully erected prior to November 18, 2008, shall be deemed to be nonconforming and shall be immediately removed. [Ord. 12-04 § 1 (Exh. A); Ord. 08-24 § 1 (Exh. A). Code 1997 § 12-323-101.]

## **Article V. Enforcement and Appeals**

### **18.150.160 Enforcement.**

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(1) Supplemental Regulations. The provisions of this section apply specifically to signs and are intended to supplement the general enforcement provisions established throughout this chapter.

(2) Authority to Enforce. The planning department, or the code enforcement division or any designee of the mayor, shall have authority to enforce this chapter. In exercising this authority, the code enforcement division may institute any appropriate action to correct violations of this chapter. Enforcement actions may include civil abatement proceedings and other enforcement procedures as provided by law. Such actions include, but are not limited to, the following:

(a) Determine Conformance. Ascertain that all signs and the erection, construction, reconstruction, location, relocation, placement, replacement, extension, enlargement, modification, alteration, restoration, repair and use of all signs are in conformance with this chapter.

(b) Issue Citations and Complaints. Issue citations and/or commence civil complaints against violators of this chapter.

(c) Remove Signs. Remove any sign in accordance with this chapter.

(d) Confiscate Signs. Confiscate any signs that are removed under this section.

(3) Removal of Illegal Signs. Signs displayed contrary to the provisions of this chapter are subject to removal as set forth herein. The code enforcement division may remove signs as follows:

(a) Unsafe Signs or Signs in Disrepair. Any sign, including bus benches and shelters, that is in disrepair, unsafe, unstable, or otherwise creates a safety hazard shall be repaired or removed by the owner within 24 hours after being served with written notice by the city. Any sign, including bus benches and shelters, which is not repaired or removed within the 24-hour period shall be removed immediately without further notice to the owner.

(b) Signs on Public Property. Any sign illegally on public property, as described in RCC [18.150.140](#), shall be removed immediately without notice to the owner.

(c) Signs Without a Permit. Signs installed without a permit shall be removed immediately without notice to the owner and shall be assessed a penalty of \$100.00 or double the normal sign permit fee, whichever is greater, at the time the owner of the sign makes application for a sign permit.

(d) Withdrawal of Consent. If a property owner upon whose property a sign or bus bench or shelter is placed withdraws, in writing, his or her consent to the placement of the sign or bus bench or shelter, the sign or bus bench or shelter shall be removed within 30 calendar days of the date the property owner withdraws his or her consent. If the sign or bus bench or shelter is not removed within the above-described time period, the city may remove the sign or bus bench or shelter immediately without further notice to the owner.

(e) Abandoned Signs. Any abandoned sign may be removed within seven calendar days after the owner is served with written notice.

(f) Illegal Signs. Any sign in violation of this chapter may be removed immediately if the illegal sign is not brought into compliance within seven calendar days after the owner is served with written notice.

(g) Immediate Removal. Notwithstanding any provision in this chapter, any sign that creates an immediate safety hazard to persons or property may be removed or repaired immediately by the city, without notice to the owner.

(4) Service of Notice. Notice required under this section may be served by personal service, or mailing notice to the person, firm or corporation by certified mail. If service of notice is performed by mailing as provided in this section, the planning department or code enforcement division must also cause a copy of said notice to be posted on the sign installation for 10 days.

(5) Costs of Removal. The costs of removal of a sign by the city shall be borne by the owner of the sign and of the property on which it is located. Therefore, the city may bring any action for recovery allowed by law and may seek recovery of all costs, including attorney fees, incurred in bringing such an action.

(a) Confiscation and Destruction. After impounding a sign, the city shall make a reasonable effort to identify and contact the owner of the sign in order to notify them of the reason why the sign was impounded, the location where the sign may be retrieved if the owner wishes to do so, and the time period within which the sign must be retrieved. Notification may be provided in person or by U.S. Mail. After the owner is notified of the impoundment, the city shall store the sign for 14 calendar days. The person responsible for the sign may claim it only after paying an impound fee as established by resolution of the city council. If after 14 days the sign has not been claimed, it will be destroyed.

(6) Prosecution. Any violation of the provisions of this chapter is a class B misdemeanor and subject to criminal prosecution, regardless of whether notice for remediation or removal has been given. However, if the owner, lessee, or other person responsible for the display of the illegal sign has not removed the illegal sign or brought it into compliance with the provisions of this chapter by the end of the notice period, it is the duty of the planning department or code enforcement division to forward the information regarding the illegal sign to the city prosecutor for appropriate action. [Ord. 12-04 § 1 (Exh. A); Ord. 08-24 § 1 (Exh. A). Code 1997 § 12-324-101.]

### **18.150.170 Appeals.**

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Appeals of decisions implementing or interpreting the provisions of this chapter shall be made pursuant to the appeals provisions set forth in RCC 2.80.050. [Ord. 12-04 § 1 (Exh. A); Ord. 08-24 § 1 (Exh. A). Code 1997 § 12-324-102.]

**Item III.A**

**Minutes: July 31, 2014**



1 RIVERTON CITY PLANNING COMMISSION  
2 MEETING MINUTES

3  
4 July 31, 2014

5  
6 The Riverton City Planning Commission convened at 6:30 p.m. in the Riverton City  
7 Municipal Building, 12830 South 1700 West, Riverton, Utah.

8  
9 Planning Commission Members:

Staff:

10  
11 James Endrizzi  
12 Kent Hartley  
13 Brian Russell  
14 Dennis Hansen  
15 Scott Kochevar  
16 James Webb

Andrew Aagard, City Planner  
Casey Taylor, Deputy City Attorney  
Gordon Miner, City Engineer

17  
18 Commissioners Cade Bryant was excused from the meeting. It was noted that  
19 Commissioner Webb arrived late.

20  
21 Chair Brian Russell called the meeting to order. Commissioner Hartley led the Pledge  
22 of Allegiance.

23  
24 I. PUBLIC HEARING

25  
26 A. **ORDINANCE AMENDMENT**, RM-14-D, AMENDMENTS TO BUILDING SETBACK  
27 REQUIREMENTS AND COLLECTOR STREET FENCING STANDARDS, REVISIONS  
28 PROPOSED BY RIVERTON CITY.

29  
30 City Planner, Andrew Aagard, presented the staff report. He explained that Riverton City is  
31 proposing amendments to the existing RM-14-D Ordinance, which allows for multi-family  
32 development at a maximum density of 14 dwelling units per acre in Riverton City's downtown  
33 area. The ordinance was adopted with a standard multi-family development as a model,  
34 which included the assumption of front-loaded garages.

35  
36 Mr. Aagard explained that there is currently an application for the Planning Commission and  
37 City Council for approval in the downtown area, which is zoned RM-14-D, and for which the  
38 developer has proposed rear-loaded or alley-loaded garages. The current standards for  
39 building setbacks in the RM-14-D Zone do not allow for this model, in that an alley-loaded  
40 garage sits much closer to the internal roadway, than would a standard configuration. Under  
41 the right circumstances, this type of layout may be advantageous for the City to allow.  
42 Mr. Aagard read the first two amendments as proposed by staff. He stated that the proposed  
43 amendments will allow for a layout that includes rear-loaded garages. The reduced rear  
44 setback placing the garage to the alley will prevent parking outside the garages along the  
45 alley, which would otherwise block the drive.

46  
47 Mr. Aagard explained that the ordinance currently specifies solid masonry fencing on the  
48 subject property lines. However, as the downtown area develops, there may be situations

1 where more open fencing is desirable. Mr. Aagard then read the third proposed amendment,  
2 which addressed the matter.

3  
4 Chair Russell opened the public hearing. There were no public comments. Chair Russell  
5 closed the public hearing.

6  
7 Mr. Aagard responded to a question posed by Commissioner Hansen and noted that the  
8 current front setbacks are 20 feet, and the rear setbacks are 10 feet. There was additional  
9 discussion regarding the language of the proposed amendments.

10  
11 **Commissioner Hansen moved that the Planning Commission recommend APPROVAL**  
12 **of the ordinance amendments to sections 18.57.170, Fencing, with the following**  
13 **amendments:**

14  
15 **Section 18.57.070 (1) shall include the following: "Where a unit includes rear loaded**  
16 **garages, the front setback shall be a minimum of 15 feet from top back of curb."**

17  
18 **Section 18.57.070 (3) shall include the following: "Where a unit includes rear loaded**  
19 **garages off internal roadways, the setback shall be a minimum of ten feet from edge of**  
20 **roadway."**

21  
22 **Section 18.57.170 (1) shall read as follows: All departments that have dwelling units**  
23 **adjacent to, or abutting onto, a collector or arterial street shall have decorative**  
24 **masonry collector street fencing, in compliance with Chapter 18.155 RCC *unless***  
25 ***otherwise approved by the City Council as part of the site plan approval process.***  
26 **(Amendment in italics.)**

27  
28 **Commissioner Kochevar seconded the motion. Vote on motion: Brian Russell – Aye;**  
29 **Dennis Hansen – Aye; Kent Hartley – Aye; James Endrizzi – Aye; Scott Kochevar –**  
30 **Aye. The motion passed unanimously. James Webb was not present for the vote.**

31  
32 **B. MULTI-FAMILY SITE PLAN, PLZ-14-8006, RIVERTON PEAKS MULTI-FAMILY**  
33 **DEVELOPMENT, 12700 SOUTH REDWOOD ROAD, RM-14-D ZONE, 88 UNITS,**  
34 **APPROXIMATELY 6.4 ACRES, NEWMAN CONSTRUCTION, APPLICANT.**

35  
36 Mr. Aagard presented the staff report and described the surrounding properties. To the  
37 north, the property is zoned Downtown Commercial. The property to the west is zoned  
38 Downtown and RM-8-D. The property to the east is zoned RR-22 and the property to the  
39 south is zoned RM-14-D. Mr. Aagard displayed the proposed site plan and noted that the  
40 units are predominantly townhome style with a mix of row-style units clustered around a  
41 common courtyard. The detached units will be part of the overall development and the yard  
42 areas will be included in the open space maintained by the homeowners' association (HOA.)  
43 Mr. Aagard explained that the detached units were included in the plan to preserve the  
44 single-family detached feel of the area as the homes across the street are similar in nature.

45  
46 In relation to the aforementioned ordinance amendments, the units all have rear-entry and  
47 rear-access garages. There will be one thoroughfare extending through the middle of the

1 project, which will be a privately maintained roadway, rather than a public street. Next,  
2 Mr. Aagard presented showing how the various types of units will be configured and  
3 distributed throughout the site. He noted that 1.9 acres will be open space, which is 30% of  
4 the site. With regard to parking, there will be 28 guest stalls and 164 garages for a total of  
5 192 parking stalls or 2.1 stalls per unit.

6  
7 Mr. Aagard described the proposed architectural plan, and noted that the RM-14-D Zone  
8 requires a minimum of 25% of the exterior to be either brick or stone. The building elevations  
9 and other pictures were then reviewed. Staff recommended approval with the conditions  
10 listed in the staff report.

11  
12 Commissioner Hansen asked if the previous ordinance amendments will affect this plan.  
13 Mr. Aagard responded affirmatively and stated that if the City Council were to ratify the  
14 previously made recommendation, the applicant may end up losing some units or having to  
15 do some redesign work. Commissioner Hansen asked about fencing requirements for the  
16 development. Mr. Aagard replied that there is a fencing requirement of eight-foot solid  
17 masonry at the south property line, which is adjacent to the hardware store. There is also a  
18 fencing requirement for the lots that are adjacent to Redwood Road. The typical collector  
19 street fencing requirement is for six-foot solid masonry fencing. However, one of the  
20 ordinance amendments that the Commission forwarded was that there be some discretion in  
21 that area as to what kind of fencing is installed.

22  
23 Chair Russell opened the public hearing.

24  
25 Ray Lopez spoke against rezoning commercial property to residential, and expressed  
26 concern that the City should exercise patience and wait for commercial activity to fill available  
27 space.

28  
29 *Stu Park commented, but his comments were not transmitted to the audio recording.*

30  
31 There were no further public comments. Chair Russell closed the public hearing.

32  
33 Chair Russell asked if there was a particular reason why the area was zoned RM-14-D, when  
34 a neighboring property is already zoned RM-8-D. Mr. Aagard explained that the main  
35 purpose of the proposed density is to bring rooftops to the downtown area, which is an area  
36 that is currently struggling commercially. Therefore, it is the City's intention to bring in more  
37 residents who will utilize Riverton City's downtown. The RM-14-D zone was the zone that the  
38 Riverton City Council felt was appropriate for this particular location. It was noted that the  
39 subject property is part of the RDA.

40  
41 Chair Russell remarked that there isn't much guest parking planned for the development. He  
42 suggested that whoever makes a motion should make special note that the reason the  
43 Commission requested the 10-foot setback from the edge of roadway was for parking  
44 availability specific to this site plan application. There was continued discussion regarding  
45 the wording of the motion and the appropriate amount of additional parking to be included as  
46 a condition of approval.

47

1 *Note: Commissioner Webb joined the meeting.*

2

3 Commissioner Webb asked if the applicant was present at the meeting and invited their input  
4 on a proposed solution.

5

6 *Note: The applicant responded to Commissioner Webb's inquiry, however, his comments*  
7 *were inaudible.*

8

9 Commissioner Kochevar pointed out that the ordinance states that guest parking shall be  
10 provided as approved by the City Council, as part of the site plan approval process. Chair  
11 Russell commented that he does not have any problems with the proposed project design;  
12 however, with high density housing comes additional traffic and parking needs.

13 Commissioner Webb asked Mr. Aagard to explain how the initial number of required parking  
14 spaces is determined in the ordinance. Mr. Aagard replied that the ordinance does not  
15 provide a minimum number of stalls, but states that the amount is left up to the City Council.

16

17 **Commissioner Hansen moved that the Planning Commission APPROVE the Riverton**  
18 **Peaks development, a multi-family site plan, to be located at 12700 South Redwood**  
19 **Road subject to following conditions:**

20

21 **1. Solid masonry fencing shall be installed along the south property lines at a**  
22 **minimum of eight (8) feet in height.**

23

24 **2. Building architecture comply with approved architectural drawings as well as**  
25 **the architectural requirements found in the RM-14-D zoning ordinance, including**  
26 **the requirement for twenty-five (25) percent of the exterior to be brick or stone.**

27

28 **3. Road and right-of-way improvements to Redwood Road comply with the**  
29 **standards and requirements of the Utah Department of Transportation and all**  
30 **UDOT permits required for that road shall be secured prior to construction.**

31

32 **4. Landscaping within the project boundaries comply with the approved**  
33 **landscaping plan, and be wholly maintained by the Home Owners Association or**  
34 **property owners.**

35

36 **5. The site and associated infrastructure shall comply with the requirements and**  
37 **standards of the Riverton City Engineering Department, and no construction**  
38 **shall commence until final technical approval has been granted based on**  
39 **required submittals.**

40

41 **6. The site and structures comply with any and all applicable Riverton City**  
42 **standards and ordinances, including the International Building and Fire Codes.**

43

44 **7. Increase by 50 percent the number of visitor parking stalls.**

45

1 **Commissioner Hartley seconded the motion. Vote on motion: Dennis Hansen – Aye;**  
2 **Kent Hartley – Aye; James Endrizzi – Aye; Scott Kochevar – Aye; James Webb – Aye.**  
3 **The motion passed unanimously.**  
4

5 **C. REZONE, PLZ-14-4007, PROPOSED REZONE OF 2.5 ACRES LOCATED AT 1925**  
6 **WEST PARK AVENUE FROM C-D-EHO (COMMERCIAL DOWNTOWN) TO RM-8-D**  
7 **(RESIDENTIAL MULTI-FAMILY, 8 UNITS PER ACRE MAX DENSITY), RIVERTON**  
8 **CENTER, LLC, APPLICANT.**  
9

10 Mr. Aagard presented the staff report and described the surrounding properties. The  
11 properties to the north and west are also zoned Downtown Commercial, and the property to  
12 the south is zoned R-4. The property to the east is zoned R-4, and there is a portion of  
13 property to the northeast that is zoned RM-8-D.  
14

15 The subject property has been zoned Commercial Downtown for many years and has had  
16 several commercial projects. The property's location and the adjacent single-family zoning,  
17 however, are not well suited for commercial development. Mr. Aagard stated that given the  
18 ongoing residential development of the properties northeast of this location, additional  
19 residential development of the property ground will be in character with the surrounding area.  
20 Furthermore, it will provide additional support to the existing commercial development of the  
21 downtown area. It was noted that a commercial application has not come forward on this  
22 property for at least 10 years. Staff recommended approval of the proposed rezone.  
23

24 Chair Russell opened the public hearing.  
25

26 An unidentified woman asked why the proposed location was selected and noted that it will  
27 still be next to a small portion of commercial. She was also concerned that residents will  
28 utilize their garages as storage space, rather than for parking cars, which would cause  
29 additional problems. She voiced her opposition to the project.  
30

31 Ray Lopez agreed that Park Avenue is currently a dead location as far as commercial  
32 development is concerned. However, he also felt that if the City waits long enough, the  
33 commercial development will eventually start to flow to the area. Mr. Lopez pointed out that  
34 once the commercial property is used for another purpose, it will never have the potential to  
35 be a commercial site ever again. While he was not opposed to owner occupied townhomes  
36 in the proposed location, he was of the opinion that the area still has commercial potential.  
37

38 Talmage Henz voiced his support for the proposed rezone.  
39

40 Sidney Bowen preferred residential to commercial, and stated that the existing townhomes  
41 have provided excellent neighbors.  
42

43 Brad Reynolds explained that they would be building exactly what is now built to the  
44 northeast. The units would be owner occupied, not rental units.  
45

46 Cecile Paige stated that she has lived in Riverton her entire life.  
47

1 Heather Henz voiced her support for the proposed rezone. Mrs. Henz requested that speed  
2 bumps or other considerations be made regarding the increased traffic flow that will occur in  
3 the neighborhood.

4  
5 Tom Curtain commented, but his comments were not transmitted to the recording.

6  
7 There were no further public comments. Chair Russell closed the public hearing.

8  
9 Commissioner Hansen commented that he likes the proposed development and how it will  
10 benefit the community.

11  
12 **Commissioner Hansen moved that the Planning Commission recommend APPROVAL**  
13 **of the rezone application, rezoning 2.5 acres located at approximately 1925 West Park**  
14 **Avenue from C-D to RM-14-D. Commissioner Webb seconded the motion. Vote on**  
15 **motion: Dennis Hansen – Aye; Kent Hartley – Aye; James Endrizzi – Aye; Scott**  
16 **Kochevar – Aye; James Webb – Aye. The motion passed unanimously.**

17  
18 **D. PRELIMINARY SUBDIVISION PLAT, PLZ-14-2002, THE COTTAGES AT WESTERN**  
19 **SPRINGS, 4358 WEST 12900 SOUTH, 61 LOTS, R-4-SD ZONE, BRIGHTON**  
20 **HOMES, APPLICANT.**

21  
22  
23 Mr. Aagard presented the staff report and presented an aerial photo of the property. He  
24 described the zoning of the surrounding properties. He explained that in December 2013, the  
25 Riverton City Council approved a request by the applicant to rezone the subject property to  
26 R-4-SD. He noted that this zoning type has specific conditions attached to it that are not  
27 included in the standard R-4 zoning. Mr. Aagard presented the proposed subdivision plat,  
28 and noted that currently there are two existing access points. One of the accesses is off of  
29 Dutchman Lane, which is a public right-of-way. The other is from 12600 South. Two  
30 additional accesses are also planned for the future, one of which will be a canal to the east,  
31 as well as another access point off of Sunday Drive.

32  
33 The lot distribution and utility easements were reviewed. Mr. Aagard noted that building  
34 cannot take place on those easements. Therefore, Brighton Homes submitted a landscaping  
35 plan for those areas. The landscaping will entail foot trails and grass and will not include  
36 trees. The fencing for the R-4-SD zoning requires six foot solid vinyl fencing along the north  
37 and east property lines. There will also be six-foot solid masonry fencing along the north and  
38 west property lines. Mr. Aagard explained that the applicant is planning to phase the  
39 subdivision into two phases. Each phase will have a final plat review before the Planning  
40 Commission. Staff recommended approval of the proposed subdivision subject to the  
41 conditions set forth in the staff report.

42  
43 Chair Russell asked if Brighton Homes will be required to install all of the streets and access  
44 points as part of during Phase I, or if those projects will also be separated into phases. City  
45 Engineer, Gordon Miner, replied that the phasing plan was not part of the Engineering  
46 Department's approval process. He explained that every phase stands alone and that dead  
47 end streets will need to have temporary turnarounds. Commissioner Hansen remarked that

1 by this same assumption, none of the fencing would need to be done until Phase II, with the  
2 exception of the fencing on the south property line.

3  
4 Commissioner Webb asked if roads will be built across the existing easements where there  
5 are no existing structures. Mr. Aagard answered in the affirmative and noted that Rocky  
6 Mountain Power has issued an easement to build roads across the corridor. Commissioner  
7 Hansen asked if fencing will be allowed on the easement. Mr. Aagard replied that they will  
8 not allow the fencing because the corridor is under Rocky Mountain Power's ownership.  
9 Therefore, residential property owners will only be able to fence their property, which is up to  
10 the edge of the easement. Mr. Aagard further noted that the fencing is typically installed per  
11 phase.

12  
13 Commissioner Endrizzi reminded the Commission that this item is only the preliminary plat,  
14 and a final plat will be reviewed later. Mr. Miner added that the engineering review at the  
15 preliminary plat level is minimal and there is still a great deal of engineering work that needs  
16 to be done. After all of the necessary review has been completed, some lots may be  
17 determined to be unfeasible. Mr. Aagard stated that in some residential developments, a  
18 condition of approval has been that all required fencing should be installed during Phase I.

19  
20 Chair Russell opened the public hearing. There were no public comments. The public  
21 hearing was closed.

22  
23 **Commissioner Hartley moved that the Planning Commission recommend APPROVAL**  
24 **of Application Number 14-1002, The Cottages at Western Springs preliminary plat**  
25 **subdivision, located at approximately 4358 West 12900 South subject to the following**  
26 **conditions:**

- 27  
28 **1. Storm drainage systems and installation shall comply with the Engineering**  
29 **Department requirements and standards.**  
30  
31 **2. Any and all irrigation ditches associated with the property be addressed, with**  
32 **disposition of the irrigation systems approved by Riverton City and the proper**  
33 **irrigation company or users.**  
34  
35 **3. The subdivision shall comply with any and all applicable Riverton City standards**  
36 **and ordinances, including the International Building and Fire Codes.**  
37  
38 **4. Easements encumbering buildable space on lots 208, 209, 111 and 124 shall be**  
39 **vacated prior to plat recordation.**  
40  
41 **5. Landscaping in open space areas shall be installed as proposed on submitted**  
42 **landscape plans and shall be included in the final plat subdivision submittal.**  
43  
44 **6. Perimeter and fencing shall consist of a minimum of six (6) foot solid vinyl on**  
45 **the north and east property lines, with solid masonry along the south.**  
46

- 1       **7. Sunday Drive, in its entirety, shall be dedicated to Riverton City extending from**  
2       **the southern boundary line north to 12600 South.**
- 3
- 4       **8. Improvements to Sunday Drive shall be according to Riverton City Engineering**  
5       **Department requirements and standards and shall extend north to 12600 South.**
- 6
- 7       **9. All fencing be completed as part of Phase I.**
- 8
- 9       **10. Lot yield is not guaranteed with the preliminary plat.**

10  
11 **Commissioner Kochevar seconded the motion. Vote on motion: Dennis Hansen – Aye;**  
12 **Kent Hartley – Aye; James Endrizzi – Aye; Scott Kochevar – Aye; James Webb – Aye.**  
13 **The motion passed unanimously.**

14  
15 **E. SINGLE PHASE SUBDIVISION, PLZ-13-1014, RIVERTON SPRINGS, 13601 SOUTH**  
16 **1200 WEST (LOVER'S LANE), 15 LOTS, RR-22 ZONE, TODD DEMARETS,**  
17 **APPLICANT.**

18  
19 Mr. Aagard presented the staff report and displayed an aerial photo of the subject property.  
20 He explained that the properties located to the north, south and east are all zoned R-1, and  
21 the property to the west is zoned RR-22. The subdivision will gain access from Lover's Lane,  
22 which is a public right-of-way. The subdivision will also be laid out in such a way that River  
23 Springs Road will be placed along the northern boundary of the property, with lots along the  
24 south. A smaller street, Pond Hollow Road, will extend from River Springs Road and  
25 terminate in a stub on the southern property line. It will, therefore, serve as a future access if  
26 the properties to the south ever develop. A temporary turnaround will be installed at this  
27 location, per the standards set forth by the Fire Department. River Springs Road will  
28 terminate at the eastern end of the property in a cul-de-sac turnaround, which will measure  
29 100 feet.

30  
31 There are sensitive areas included in the proposed subdivision as well. At the center of the  
32 development there is a delineated wetland that will require a 25-foot buffer. It will be the  
33 responsibility of the development to maintain that area if maintenance is ever required.  
34 Improvements to Lover's Lane will be required in order bring in the existing road up to current  
35 codes for development access. Due to slope issues in the area, the improvements will be  
36 extensive and require an area greater than the typical 54-foot wide right-of-way. Parcels C  
37 and B will be included in the right-of-way as areas of cut and fill, as related to the construction  
38 of the improvements to Lover's Lane. Riverton City's Engineering Division will oversee and  
39 approve the plans for the construction improvements, due the unique circumstances involved.  
40 There is no fencing required as part of the subdivision approval, as all properties are zoned  
41 for large animals. All lots from the subdivision meet or exceed the RR-22 zone's  
42 requirements for lot width, lot frontage, and lot size.

43  
44 Commissioner Webb asked if the proposed subdivision was in the 100-year flood plain.  
45 Mr. Aagard explained that the matter has been addressed during the planning process. It  
46 was noted that the main issue is with ground water, rather than rain water. The conditions as



1 listed in the staff report were then reviewed, as well as findings contained in the geotechnical  
2 report.

3  
4 Chair Russell opened the public hearing. There were no public comments. Chair Russell  
5 closed the public hearing.

6  
7 **Commissioner Hartley moved that the Planning Commission recommend APPROVAL**  
8 **of Application Number 13-1014, the Riverton Springs Single-Phase Subdivision,**  
9 **located at approximately 13601 South Lover's Lane subject to the following**  
10 **conditions:**

- 11  
12 **1. The site and associated infrastructure shall comply with the requirements and**  
13 **standards of the Riverton City Engineering Division and shall not be forwarded**  
14 **to City Council until final technical approval has been granted based on required**  
15 **submittals.**
- 16  
17 **2. Any and all irrigation ditches associated with the property be addressed, with**  
18 **disposition of the irrigation systems approved by Riverton City and the proper**  
19 **irrigation company or users.**
- 20  
21 **3. The subdivision comply with any and all applicable Riverton City standards and**  
22 **ordinances, including the International Building and Fire Codes.**
- 23  
24 **4. All improvements to Lover's Lane shall be in accordance with any and all**  
25 **Riverton City Engineering Department standards and specifications.**
- 26  
27 **5. The applicant shall dedicate to Riverton City a right-of-way that conforms with**  
28 **all of Riverton City's standards, ordinances and specifications.**

29  
30 **Commissioner Webb seconded the motion. Vote on motion: Dennis Hansen – Aye;**  
31 **Kent Hartley – Aye; James Endrizzi – Aye; Scott Kochevar – Aye; James Webb – Aye.**  
32 **The motion passed unanimously.**

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17

**II. MINUTES**

**A. JUNE 26, 2014**

The minutes were reviewed and discussed. Chair Russell stated that since the time he assumed his position as Chair, he has not voted on a motion, unless there were only four other Commission Member present.

**Commissioner Hansen moved to approve the minutes for the June 26, 2014, Planning Commission meeting. Commissioner Endrizzi seconded the motion. Vote on motion: Dennis Hansen – Aye; Kent Hartley – Aye; James Endrizzi – Aye; Scott Kochevar – Aye; James Webb – Aye. The motion passed unanimously.**

**III. ADJOURNMENT**

The meeting adjourned at approximately 7:54 pm.