

Notice and Agenda

Work Meeting- Plain City General Plan-Moderate Income Housing 6PM

The Plain City Planning Commission will convene in a regular meeting Thursday, July 27, 2023, in Council Chambers at Plain City Hall - 4160 West 2200 North, which meeting shall begin at 7:00 pm. -This meeting will also be accessible via ZOOM.

The agenda shall be as follows:

Welcome:

Pledge of Allegiance:

Moment of Silence/Invocation:

7:00 PM – Regular Meeting

1. Roll Call-excuse
2. Opening Meeting Statement
3. Ex Parte communications or conflicts of interest to disclose
4. Public Comments for items not on the agenda
5. Approval of all Minutes for July 13, 2023
6. Technical Review Report:
7. Legislative Items:
 - Discussion/Motion: Extension on Freedom Estates Subdivision 1550 N 4560 W
 - Discussion/Motion: Detached Accessory Dwelling Unit Ordinance
8. Administrative Items:
9. Report from City Council: Commissioner Jenkins
10. Commission Comments:
11. Adjournment:

City Council Meeting: August 3- Commissioner Ortega

The City of Plain City in compliance with the Americans Disabilities Act provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Diane Hirschi at 801-731-4908 giving her at least twenty-four (24) hours' notice before the meeting.

The undersigned hereby certifies that a copy of the foregoing Notice and Agenda was posted at the Plain City Hall, Plain City website www.plaincityutah.org and the Utah Public Notice Website at www.utah.gov/pmn on July 25, 2023

Join Zoom Meeting

<https://us02web.zoom.us/j/89354682592>

Meeting ID: 893 5468 2592

+1 253 215 8782 US (Tacoma)

+1 669 900 6833 US (San Jose)

Tammy Folkman

Land Use Specialist

Plain City Commission
Work Meeting Minutes
July 13, 2023

Plain City Planning Commission met in a work meeting at City Hall on Thursday July 13, 2023, also accessible via ZOOM beginning at 6:00p.m.

Present: Chairman Faulkner
Commissioner Maw
Commissioner Jenkins
Commissioner Skeen
Commissioner Ortega
Commissioner Neil

Staff: Tammy Folkman, Dan Schuler-Zoom

Attendees: Kevin Jackson, Ken Jackson, Nate Reeve, Craig Jackson, Pat Burns

Zoom Attendees: Adams Family

Call to Order: Chairman Faulkner

The purpose of the work meeting was to discuss the Ken Jackson property (Pleasant Plains Ranch)
Development Agreement

Chairman Faulkner welcomed everyone to the work meeting and mentioned that the mayor was not able to attend tonight. She asked if everyone had a chance to look over everything and does everyone know what this meeting is about. She mentioned calling Craig Call, he knows the land use law very well. Chairman Faulkner asked him about the development agreement and he said there is a way to do an agreement before the zoning is changed, this will be something we talk about tonight there will be no decision tonight we will need to get our legal as well as others involved. Commissioner Ortega said the way he is understanding it, is that we don't even have an ability to do an overlay in this zone. Chairman Faulkner said we would do an agreement without it necessarily fitting. He feels we could get sued if we do a development agreement like this. He mentioned that we have held up other people's developments because it is not in the code, he said they can look at this and use this as precedence and we could get sued. Chairman Faulkner mentioned that is why she talked with Craig Call. She did say she brought up the fact that we have had other developers come to us and we have told them no based on the zoning and he said it shouldn't stop this one. Commissioner Neil mentioned that it could be the change in the Utah State Law that just recently happened. Chairman Faulkner did mention the state law 10-9-A-532 there are two subsections that are important 2-A-iii and 2-C. Commissioner Skeen was wondering if there are any amenities with this. Craig said the green spot on the map is where they propose putting a junior posse ground in, it is a 10-acre piece of ground and on the south end are the sewer ponds. Chairman Faulkner mentioned that the mayor mentioned he was interested in something like the Golden Spike Arena, she was wondering if he had mentioned anything to the Jacksons about this. Pat Burns said this will be for the FFA, posse and other youth groups that do shows at Weber County Fair grounds. Chairman Faulkner mentioned that usually overlays are 10% open space. Craig mentioned that Dixie Creek will be an open trail system. Mr. Reeve mentioned that their goal is to come in and have a zoning regulation that requires large lots and you have a large development like this, it is trying to find affordability for everyone. We are not trying to come in and put a ton of homes in. He said they are trying to put the smaller lots inside of the development, larger lots on the outside. Trail systems are very important, they would love to work with the city on what should and shouldn't be there. Commissioner Skeen mentioned the open space in the overlay ordinance is 33%. Craig has a new plat of their land. Commissioner Jenkins said there have been issues with open space in other developments where the open space is planned in later phases then it never happens or it happens in 10 years. Craig said they want the open space at the beginning to help sell their product. Mr. Reeve likes development agreements he does not want the integrity to change if this is to be solid. Commissioner Skeen's main questions were what would be in

Plain City Commission
Work Meeting Minutes
July 13, 2023

the open space and what would be in the first phase. Craig said there was about 330 acres that would be open space. Mr. Reeve is wondering if there is a recommendation from the commissioners that they would like to see integrated into the development agreement. Commissioner Maw mentioned that right now this does not fit into our overlay ordinance and he feels we can't go any further with this. Chairman Faulkner indicated that when she talked to Craig Call about the development agreement that it would supersede the overlay, future land use map and ordinance. She said if everyone is not comfortable with that, we don't have to go that way. Commissioner Maw was concerned that we would not be able to handle such high density. Chairman Faulkner feels the lots all need to have a 100-foot front. She mentioned a linear park and to keep the rail trail the same. Kevin said they were just going to tie into the rail trail not change it, it will also tie into the Willard Bay trail. Commissioner Ortega said there was mention of a small parking lot on the west side so people don't have to walk across the road, is that a possibility. He would also like something big enough to handle a demolition derby. There was mention of an amphitheater. Commissioner Jenkins was wondering if they have done an environmental study yet. Craig said they have done a preliminary geo tech study, preliminary environmental study and a wetlands study. He mentioned that the geo tech study people addressed the issue of not having basements. He would like to look at working with Plain City on commercial property on their land. Commissioner Neil mentioned having a little bit more commercial on the west side and on the east side have housing. He indicated that he appreciated them putting larger lots on the rail trail. There is a cul-de-sac that has acre lots with some RE-18.5 through it, he would like to see it more consistent. Craig would like to take all the feedback and take a month to work it into their plan and then come back and talk with the commissioners again. Chairman Faulkner would like to have Craig Call come in and do some training as well as our legal to help better understand this type of agreement, we can shoot for the second meeting in August but it may be later. Mr. Reeve said their goal is for the commissioners to work with them on lot sizing and by doing so they will provide X amount in return. He understands that they will need to do access, utilities and sewer expansion and water. Commissioner Maw encouraged them to be involved in the general plan. Commissioner Skeen is wondering if the southern line is Dixie Creek, someone indicated that it is Dixie Creek. He mentioned that the feedback from the general plan survey was that people would like to have larger lot sizes in our area.

At 6:55pm the meeting adjourned

Planning Commission Chair

Planning Commission Secretary

Plain City Commission
Minutes of Meeting
July 13, 2023

Plain City Planning Commission met in a regular meeting at City Hall on Thursday July 13, 2023, also accessible via ZOOM beginning at 7:00p.m.

Present: Chairman Faulkner
Commissioner Maw
Commissioner Jenkins
Commissioner Skeen
Commissioner Ortega
Commissioner Neil

Staff: Tammy Folkman, Dan Schuler-Zoom

Attendees: Tim & Hannah Rusch, Noel & Jeff Hadley, Amber & James Connors, Nicole Mavretic, Kim Chandanais, Megan Jackson, Curtis Crosby, Candace Baird, Robert Dodgen, Sheila & Shane Rusch, Chris & Robyn Jackson

Zoom Attendees: Adams Family

Welcome: Chairman Faulkner

Pledge of Allegiance: Commissioner Ortega

Moment of Silence/Invocation: Chairman Faulkner

1. Roll Call: Chairman Faulkner directed roll call. Commissioners Maw, Jenkins, Ortega, Skeen, Neil and Chairman Faulkner were all present.
2. Opening Statement: Chairman Faulkner
3. Ex Parte: Commissioner Maw had an email correspondence with Shawn and Erin Fowers about the detached accessory dwelling unit ordinance. Commissioner Ortega mentioned that he also talked with Erin Fowers and advised her to send an email about the detached accessory dwelling unit ordinance.
4. Public Comments: Candice Baird mentioned property they have at 3168 N North Plain City Road they have over 8 ½ acres and the neighbors have 3 ½ acres that they would like to have rezoned. She had it rezoned from agriculture to residential but they are having a hard time selling it because of the water issues. She would like to have it zoned commercial or multi use. Chairman Faulkner mentioned that they would need to apply for a zone change and come to a meeting when we open the general plan and talk about this. Commissioner Maw mentioned looking at the land use map and future land use map to see what they could do with their property. Curtis Crosby is the grandson of Candice, he said he was told to come here tonight and talk to the commissioners about rezoning the property. Chairman Faulkner said we really can't do anything without an application. Commissioner Maw also mentioned coming to technical review. Curtis indicated that the property is right under the power lines on North Plain City Road, he said it has been hard to sell as residential because of the power lines. Megan Jackson has called several times and talked with someone in the office, and has emailed Chairman Faulkner about this property as well. Chairman Faulkner said the best thing would be to come to a technical review. Commissioner Ortega said since this is public comments he was wondering if they could take a few minutes and tell the commissioners what it is they want to do with the property. Curtis said they have 8.5 acres along the power corridor on the north side, they

Plain City Commission
Minutes of Meeting
July 13, 2023

feel it would be beneficial to be commercial. He mentioned they might do storage units. Commissioner Neil indicated that they need to make sure when requesting a rezone that they get the right zone C1, C2, C3. Curtis asked what zone storage units fall under? It would be conditional use in C2, C3. Commissioner Maw said the future land use map shows that there is a mix of medium residential and parks. He mentioned that the best use along that corridor would be trails.

5. Approval of Minutes for June 8, 2023

Commissioner Jenkins motioned to approve meeting minutes for June 8, 2023. Commissioner Maw seconded the motion. Commissioners Maw, Jenkins, Skeen, Ortega, Neil and Chairman Faulkner voted aye. The motion carried.

6. Technical Review Report: none at this time

7. Legislative Items:

Discussion/Motion: Public Hearing on proposed amendment concerning Assisted Living Facility for Elderly Persons/ Residential Treatment Facility for persons with a disability

Commissioner Jenkins motioned to open public hearing for Assisted Living Facility for Elderly Persons/ Residential Treatment Facility for Persons with a Disability. Commissioner Neil seconded the motion. Commissioners Maw, Jenkins, Skeen, Ortega, Neil and Chairman Faulkner voted aye. The motion carried.

There were no comments at this time.

Commissioner Skeen motioned to close public hearing for Assisted Living Facility for Elderly Persons/ Residential Treatment Facility for Persons with a Disability. Commissioner Jenkins seconded the motion. Commissioners Maw, Jenkins, Skeen, Ortega, Neil and Chairman Faulkner voted aye. The motion carried.

Commissioner Jenkins made a motion to recommend approval to city council for the Assisted Living Facility for Elderly Persons/ Residential Treatment Facility for Persons with a Disability. Commissioner Neil seconded the motion. Commissioners Maw, Jenkins, Skeen, Ortega, Neil and Chairman Faulkner voted aye. The motion carried.

Discussion/Motion: Public Hearing to add Nonresidential Treatment Facilities to Plain City Code.

Commissioner Skeen motioned to open public hearing to add Nonresidential Treatment Facilities to Plain City Code. Commissioner Jenkins seconded the motion. Commissioners Maw, Jenkins, Ortega, Skeen, Neil and Chairman Faulkner voted aye. The motion carried.

There were no comments at this time.

Commissioner Neil motioned to close public hearing to add Nonresidential Treatment Facilities to Plain City Code. Commissioner Skeen seconded the motion. Commissioners Maw, Jenkins, Ortega, Skeen, Neil and Chairman Faulkner voted aye. The motion carried.

Chairman Faulkner was wondering about #5 *A nonresidential treatment facility shall not be located within seven hundred feet (700') from any of the following facilities, measured in a straight line between the nearest property lines of each facility:* she is wondering if #5 and #5 (g) *A nonresidential treatment facility,* are the same thing? Commissioner Maw is thinking it says you can't have two nonresidential facilities by each other.

Plain City Commission
Minutes of Meeting
July 13, 2023

Commissioner Maw made a motion to recommend approval to city council for the Nonresidential Treatment Facility. Commissioner Jenkins seconded the motion. Commissioners Maw, Jenkins, Skeen, Ortega, Neil and Chairman Faulkner voted aye. The motion carried.

Discussion/Motion: Public Hearing to amend Commercial Zone Ordinance

Commissioner Jenkins motioned to open public hearing to amend the Commercial Zone Ordinance. Commissioner Skeen seconded the motion. Commissioners Skeen, Maw, Jenkins, Ortega, Neil and Chairman Faulkner voted aye. The motion carried.

There were no comments at this time.

Commissioner Maw motioned to close public hearing to amend the Commercial Zone Ordinance. Commissioner Neil seconded the motion. Commissioners Skeen, Maw, Jenkins, Ortega, Neil and Chairman Faulkner voted aye. The motion carried.

Commissioner Jenkins is wondering if there was talk about revisiting this once a year. Chairman Faulkner indicated that we talked about if someone came in and it was something that was not listed, we could determine if we wanted to open it and add it.

Commissioner Maw motioned that we recommend to city council the amended Commercial Zone Ordinance. Commissioner Skeen seconded the motion. Commissioners Skeen, Maw, Jenkins, Ortega, Neil and Chairman Faulkner voted aye. The motion carried.

Discussion/Motion: Lot line adjustment for Jeffrey and Lara Noel Hadley approx. 2140 N 4425 W

Noel Hadley said they purchased the acre next to them and now they have 2 acres, they would like to have the house they live in on a 1/3 acre and have the remaining lot on the rest of the land. It is zoned RE-15. She would like to build on the bigger property and use the existing home as a rental. It will stay two lots.

Commissioner Jenkins motioned to approve the lot line adjustment for Jeffrey and Lara Noel Hadley approx. 2140 N 4425 W Commissioner Neil seconded the motion. Commissioners Skeen, Maw, Jenkins, Ortega, Neil and Chairman Faulkner voted aye. The motion carried.

Discussion/Motion: Site plan application for Online Business/Bin Store 2414 N 4350 W Nicole Mavretic

Nicole will not be changing anything at the existing building. This will be an online store as well as a bin store. People will come into the store. She doesn't expect many people at one time. They have three employees. Commissioner Maw was wondering if the building inspector has looked at this property. Chris Jackson the owner of the building did say the unit has been looked at a number of times. Commissioner Jenkins is wondering about parking. Mr. Jackson said there is plenty of parking.

Commissioner Neil motioned to approve the site plan application for Online Business/Bin Store 2414 N 4350 W Nicole Mavretic Commissioner Skeen seconded the motion. Commissioners Skeen, Maw, Jenkins, Ortega, Neil and Chairman Faulkner voted aye. The motion carried.

Discussion/Motion: Site plan application for Rocky Mountain Exteriors 2414 N 4350 W Hunter Campbell

Mr. Jackson mentioned that Hunter Campbell is just using this office space for an office. Mrs. Jackson indicated that we have the wrong address on the agenda.

Plain City Commission
Minutes of Meeting
July 13, 2023

Commissioner Skeen motioned to approve the site plan application for Rocky Mountain Exteriors 2414 N 4350 W Hunter Campbell. Commissioner Jenkins seconded the motion. Commissioners Skeen, Maw, Jenkins, Ortega, Neil and Chairman Faulkner voted aye. The motion carried.

Discussion/Motion: Set Public Hearing to amend the Zoning Ordinance regarding Site Development Standards on August 10, 2023

Commissioner Jenkins motioned to set a public hearing to amend the Zoning Ordinance regarding Site Development Standards for August 10, 2023. Commissioner Neil seconded the motion. Commissioners Skeen, Maw, Jenkins, Ortega, Neil and Chairman Faulkner voted aye. The motion carried.

Discussion/Motion: Regarding Detached Accessory Dwelling Unit Ordinance

Commissioner Maw mentioned the letter from the Mr. and Mrs. Fowers about the height of the detached accessory dwelling. Commissioner Neil mentioned taking out the 90% height of the main building and just have 25 feet. Commissioner Maw feels we don't want the accessory building to dominate everything else, he didn't want it to look out of place. Commissioner Neil indicated that the mayor would like all accessory buildings the same. Chairman Faulkner would like to encourage people not to build on the top of an accessory building. Commissioner Jenkins would be comfortable with 25 feet across the board for all accessory buildings. In our code 10-8-5 (b) *No dwelling shall be erected to a height less than ten feet (10'), and no accessory building in a residential zone shall be erected to a height greater than twenty-five feet (25'). (Ord., 11-14-1974).* Commissioner Ortega would like to make sure the accessory building height ordinance is 25 feet and then put it in the detached accessory unit ordinance as a reference so they are both the same. Commissioner Jenkins would like to put the accessory building height in the site development standards as well.

Commissioner Skeen made a motioned to table Detached Accessory Dwelling Unit Ordinance. Commissioner Neil seconded the motion. Commissioners Skeen, Maw, Jenkins, Ortega, Neil and Chairman Faulkner voted aye. The motion carried.

8. Administrative Items:

9. Report from City Council: Chairman Faulkner

Chairman Faulkner mentioned that a person came from Weber County and talk about the elections and what they do to keep our voting safe. The City Council also approved an interlocal agreement for the ambulance service. They approved the new budget with some money set aside for planning commission to go to trainings.

10. Commission Comments:

Commissioner Neil feels that getting back together in August on the Jackson property may be to soon, he is thinking maybe September or October. Commissioner Maw had a conversation with legal about the disparagement agreements, legal said those agreements should say you can't talk in a negative manner online about whatever service that was provided. He said it does not mean if there are issues on your building that you can't report it to the city building inspector or public works. This is not supposed to be in this type of agreement. It just means you can't say anything bad about the contractor on social media. Legal did question if this was ethical. Legal will look into the state law to see if people can do this type of agreement and to let us know if we as a city can do anything about it. Chairman Faulkner is concerned about the tall weeds on the property at the four way stop by the elementary, she is wondering if something can be done about it. Dan our public works director indicated he does ask people to cut them, he will make sure they get cut.

Plain City Commission
Minutes of Meeting
July 13, 2023

11. Adjournment

Commissioner Jenkins moved to adjourn the meeting. Commissioner Skeen seconded the motion. Vote: Commissioners Skeen, Maw, Ortega, Jenkins, Neil and Chairman Faulkner voted aye. Motion carried.

Meeting ended at 8:07pm

City Council: July 20– Commissioner Jenkins

2023

<u>SKEEN</u>	<u>JENKINS</u>	<u>ORTEGA</u>	<u>MAW</u>	<u>NEIL</u>	<u>FAULKNER</u>
JAN 5	JAN 19	FEB 2	FEB 16	MAR 2	MAR 16
APR 6	APR 20	MAY 4	MAY 18	JUN 1	JUN 15
JUL 6	JUL 20	AUG 3	AUG 17	SEP 7	SEP 21
OCT 5	OCT 19	NOV 2	NOV 16	DEC 7	DEC 21

If you are unable to attend on your assigned night, please make sure someone goes in your place

Planning Commission Chair

Planning Commission Secretary



July 20, 2023

To Whom It May Concern:

RE: Freedom Estates Subdivision – 1550 North 4560 West

I am writing to request an extension of the recording of the final plat for the Freedom Estates subdivision. Due to the change in the housing market, we have delayed the development of the subdivision. We are watching the market and the demand for lots in Plain City and will start the development within the next year.

Please advise if this is something that can be granted.

Respectfully,

Jan Checketts
801-668-8956
jan@cksrvs.com

Meeting Minutes

May 26, 2022

7. Legislative Items:

Discussion/Motion: Preliminary-Freedom Estates approximately 4550 W 1500 N -Lots 5

Jan Checketts would like to know what more she needs to get done so she can get preliminary approval for Freedom Estates. Commissioner Maw indicated that Freedom Estates fits the general plan. Commission Chair Faulkner had some questions on the will serve letters that Jan was able to answer.

Commissioner Neil moved to grant preliminary approval for Freedom Estates approx. 4550 W 1500 N -Lots 5
Commissioner Maw seconded the motion. Commissioner Maw, Ortega, Jenkins, Neil and Commission Chair
Faulkner voted aye. The motion carried.

July 14, 2022

Discussion/Motion: Final approval for Freedom Estates approx. 4550 W 1500 N 5 lots

Chairman Faulkner asked if anyone had any questions for Jan Checketts about Freedom Estates, Commissioner Maw asked if the addresses had all been revised, Jan said everything had been updated.

Commissioner Maw motioned to recommend final approval for Freedom Estates approx. 4550 W 1500 N
Commissioner Skeen seconded the motion. Commissioners Skeen, Maw, Ortega and Chairman Faulkner
voted aye. The motion carried.

CHAPTER 21 DETACHED ACCESSORY DWELLING UNITS

SECTION:

10-21-1: Purpose and Intent

10-21-2: Use Regulations

10-21-3: General Regulations

10-21-4: Submission of Application

10-21-1: PURPOSE AND INTENT:

A. The purpose and intent of Detached Accessory Dwelling Units (DADUs) is to integrate moderate-income housing opportunities with reasonable limitations to minimize the impact on neighboring properties, and to promote the health, safety, and welfare of the property owners and residents.

B. Requests for DADUs must be approved by staff prior to the issuance of a building permit (see section 4 below). (Ord. 2022-10, 7-21-2022, eff. 7-21-2022)

10-21-2: USE REGULATIONS:

A. Definition: for purposes of this code, defined as a subordinate dwelling, which has its own kitchen, living/sleeping area, and sanitation facilities and that is:

1. A detached structure; or
2. Above or behind a detached garage, associated with a single-family dwelling.

B. ~~Zones Allowed: properties already zoned as A-1, A-2, RE-40, RE-30, RE-20, RE-18.5, and RE-15. A detached DADU shall not be permitted on any lot smaller than twenty-one thousand seven hundred and eighty (21,780) square feet.~~ **Minimum lot size (18,500) square feet.**

C. Not Intended for Sale: DADUs shall not be sold separately from the primary dwelling unit. Neither the primary dwelling unit **nor** DADU shall be rented on a transient basis (periods less than thirty (30) days).

1. If the detached accessory dwelling unit is a rental unit, a Home Occupation business license is required. (Ord. 2022-10, 7-21-2022, eff. 7-21-2022)

10-21-3: GENERAL REGULATIONS:

A. Owner Occupied: No DADU shall be created, established, or occupied unless the owner of the property occupies either a portion of the primary dwelling or a detached DADU on the same residential lot. For the purpose of this section, the term "owner occupied" shall be defined as full time residency within the home by the bona fide property owner(s) as shown on the Weber County tax assessment rolls, OR that possesses, as shown by a recorded deed, fifty (50) percent or more ownership in the property, OR that, in the case of ownership by a family trust, "owner occupied" refers to a trustor of the family trust that possesses fee title ownership.

B. Address: The primary dwelling unit and the DADU shall have the same address number, but shall refer to the DADU as unit B.

C. ~~Fire, Building, and Health Codes: An DADU shall comply with all building construction and fire codes in effect at the time the DADU is constructed, created or subsequently remodeled, including the obtaining of required building and other permits.~~ A DADU shall comply with all building construction and fire codes found in the current International Residential Code (IRC) at the time the DADU is constructed, created or subsequently remodeled, including the obtaining of required building and other permits.

D. Utility Meters: A single-family dwelling with a detached accessory dwelling shall have one (1) but no more than two (2) meters for water, gas, and electricity utility service, and each meter shall be in the property owner's name. In the case of septic systems, the applicant must demonstrate the system has sufficient capacity for another dwelling in accordance with County Health Department requirements. Water and sewer impact fees are required when adding an DADU.

E. Development Standards: DADUs shall meet the following height, size, and setback requirements:

1. Detached units shall be ~~limited to~~ one thousand (1,000) square feet
2. Detached units shall have a minimum separation from the primary dwelling of fourteen (14) feet. Rear and side setbacks are five (5) feet, and corner lot side setbacks are thirty (30) feet.

Minimum separation from primary dwelling	Fourteen (14) feet
Rear setback	Five (5) feet
Side setback	Five (5) feet
Corner lot side setback	Thirty (30) feet

F. Only one DADU per property.

3. Shall provide adequate off-street parking space on an approved surface. Additional driveways and curb-cuts are permitted where there is an improved road and shall not be on the same street as an existing driveway or curb-cut on the property unless they are at least fifty (50) feet apart and meet the minimum distance for a driveway from an intersection of thirty (30) feet.

4. Detached units shall be limited to ~~fifty percent~~ **twenty-five percent (25%)** of the rear yard. ~~and setback a minimum of fourteen (14) feet on sides and thirty (30) feet on rear.~~

5. A minimum of 50% of a ~~detached~~ DADU shall be located in the rear yard.

a. Rear yard shall mean an open space extending the full width of the lot, the depth of which is the minimum perpendicular distance between the rear lot line and the nearest point of the main building footprint. In the case of a corner lot, the rear yard may be opposite either street frontage. (Ord. 2022-10, 7-21-2022, eff. 7-21-2022)

6. Reference 10-8-5 (B) No dwelling shall be erected to a height less than ten feet (10') and no accessory building in a residential zone shall be erected to a height greater twenty-five feet (25').

10-21-4: SUBMISSION OF APPLICATION:

A. Required: An application for a Detached Accessory Dwelling Unit shall be submitted to the City. A concept plan including the following information shall be submitted with the application:

1. Proposed dimensions and location on the property;
2. Utility plan;
3. Off-street Parking for primary dwelling and DADU; and,
4. A description of architectural elevations and floor plans (bedrooms, bathrooms, etc.) demonstrating the general design of the DADU.

The diagram illustrates the setbacks and dimensions for two detached dwelling units, labeled 'ACCESSORY DWELLING' and 'PRIMARY DWELLING', situated on a lot adjacent to a 'STREET'.

- STREET:** Located at the top of the lot.
- Front Yard Setback:** A vertical line indicates a '30'-0" MINIMUM FRONT YARD SETBACK' from the street to the front of the primary dwelling.
- Side Yard Setback:**
 - Between the two dwellings: A horizontal dimension of '14'-0"' is shown.
 - Between the primary dwelling and the right lot boundary: A horizontal dimension of '14'-0"' is labeled 'SIDE YARD SETBACK'.
- Rear Yard Setback:**
 - For the accessory dwelling: A vertical dimension of '5'-0"' is labeled '5'-0" MINIMUM REAR YARD SETBACK'.
 - For the primary dwelling: A vertical dimension of '14'-0"' is shown, with a note 'MIN 50% MUST BE IN REAR YARD'.
- Other Dimensions:**
 - Horizontal distance from the left lot boundary to the front of the accessory dwelling: '30'-0"'.
 - A '5'-0" E YARD TBACK' is indicated on the far left.
 - Horizontal distance from the front of the accessory dwelling to the front of the primary dwelling: '50'-0"'.
 - A '5'-0" MINIMUM REAR YARD SETBACK' is also indicated for the accessory dwelling.

FIGURE 1: DETACHED ACCESSORY DWELLING UNITS EXAMPLE 1

FIGURE 1: DETACHED ACCESSORY DWELLING UNITS EXAMPLE 1

Figure 2. Detached Accessory Dwelling Units Development Standards Example 2

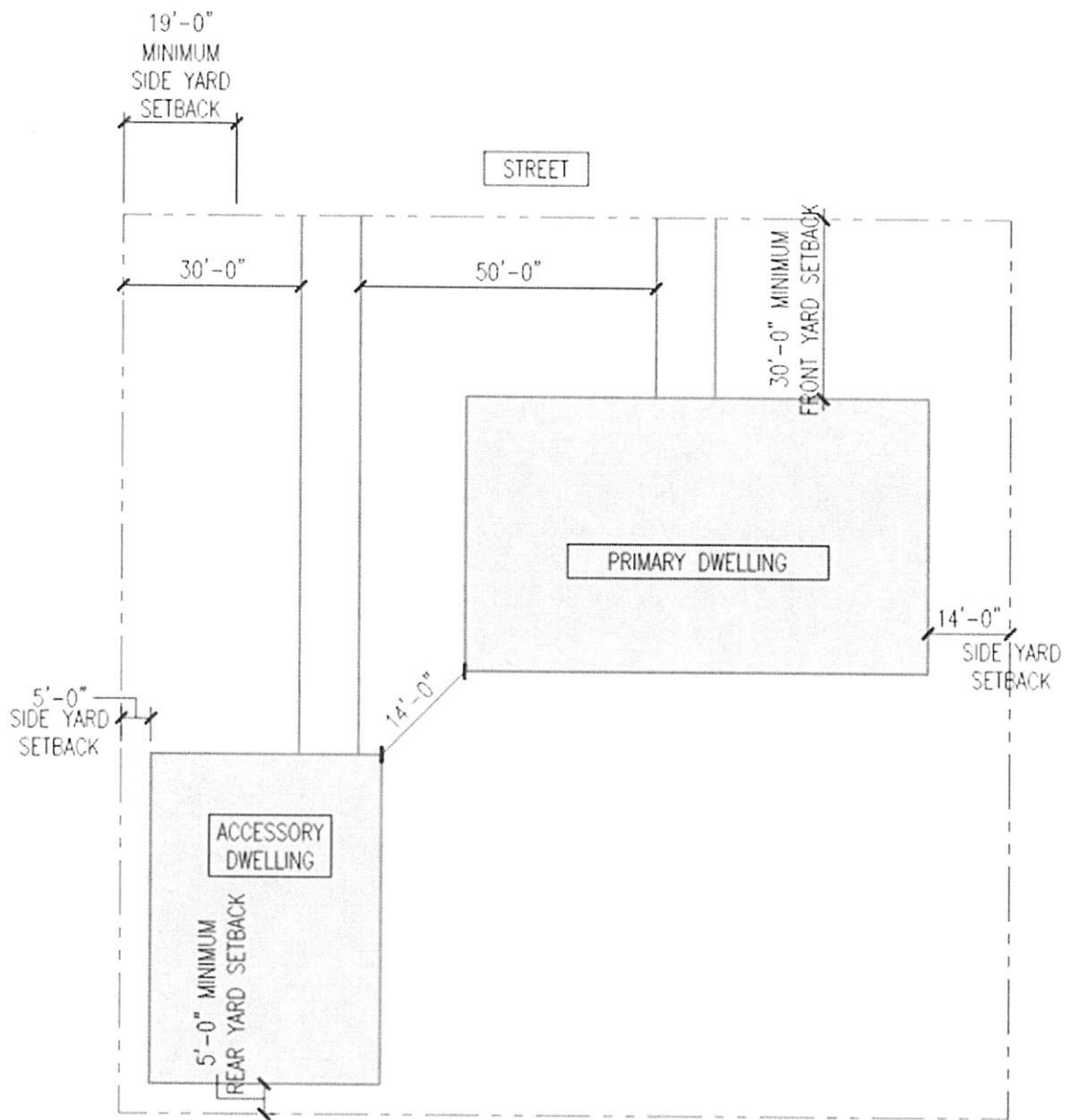
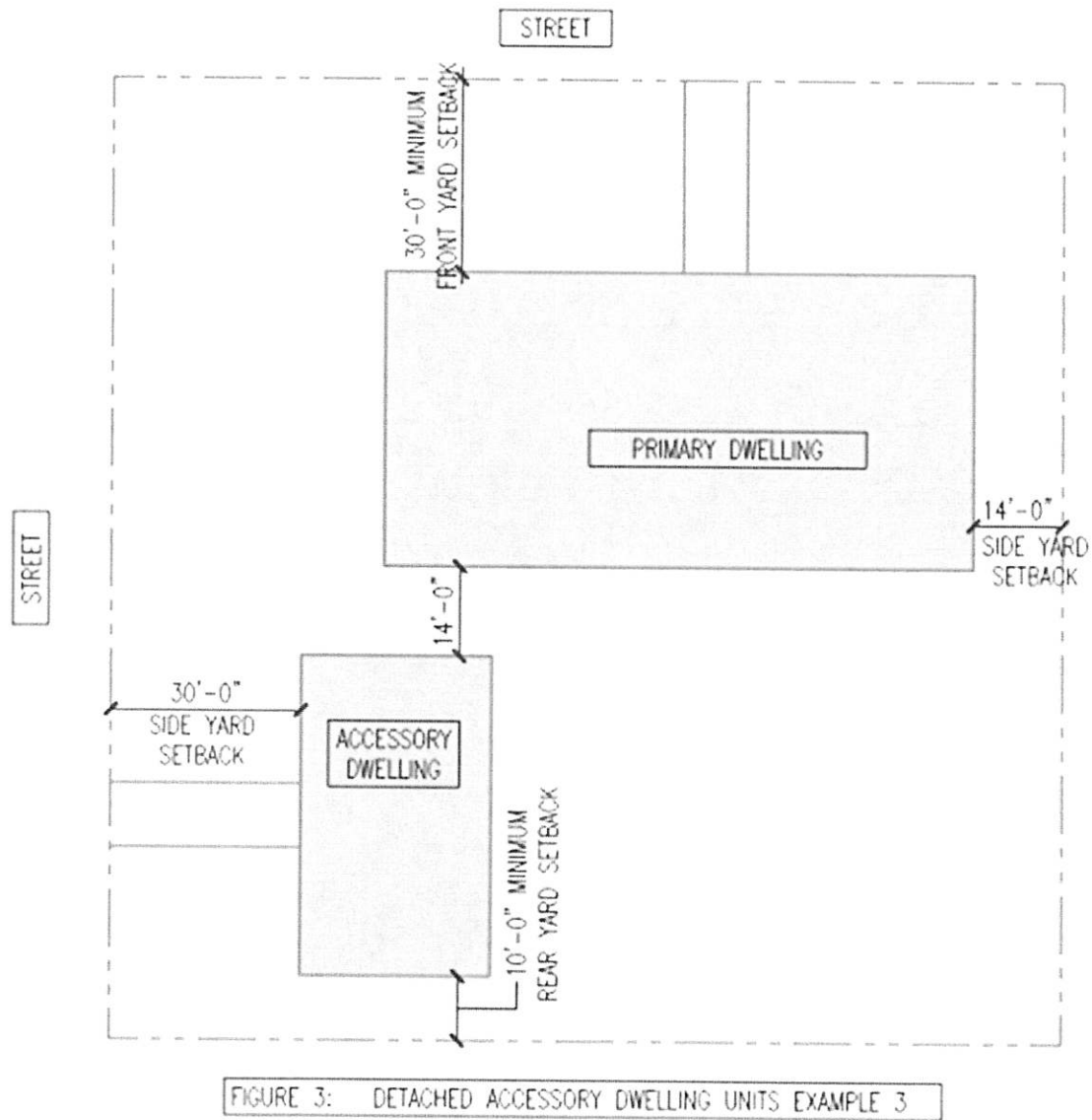


FIGURE 2: DETACHED ACCESSORY DWELLING UNITS EXAMPLE 2

Figure 3. Detached Accessory Dwelling Units Development Standards Example 3 (Corner Lot)



(Ord. 2022-10, 7-21-2022, eff. 7-21-2022)