



**RIVERTON CITY
PLANNING COMMISSION AGENDA - AMENDED
THURSDAY, OCTOBER 9, 2014**



NOTICE IS HEREBY GIVEN THAT THE RIVERTON CITY PLANNING COMMISSION WILL HOLD A PUBLIC MEETING AT **6:30 PM, THURSDAY, OCTOBER 9, 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, AMENDING ORDINANCE 18.85.060.5.A, ALLOWED MATERIALS ON THE LOWER COURSE OF A BUILDING IN THE COMMERCIAL REGIONAL ZONE TO INCLUDE GLASS, RIVERTON CITY, APPLICANT.**
- B. COMMERCIAL SITE PLAN, 14-8008, RIVERTON IHC EXPANSION, 3741 W 12600 S, COMMERCIAL REGIONAL ZONE, INTERMOUNTAIN HEALTH CARE, INC, APPLICANT.**
- C. MINOR SUBDIVISION, 14-1006, ONE LOT SUBDIVISION, 1.2 ACRES LOCATED AT 1637 W 13200 S, RR-22 ZONE, JILL COY, APPLICANT
AT THE REQUEST OF THE APPLICANT, THIS ITEM HAS BEEN WITHDRAWN AND WILL NOT BE HEARD AT THIS TIME. PUBLIC NOTICE WILL BE MADE IF THIS ITEM IS RESCHEDULED TO ANOTHER MEETING**

2. DECISION/ACTION ITEMS

- A. FINAL PLAT, 14-1004, MIDAS CROSSING SUBDIVISION PHASE 1, 11800 S 2700 W. 11 LOTS, R-4-SD ZONE, IVORY HOMES, APPLICANT.**

3. MINUTES

- A. AUGUST 8, 2014**

4. ADJOURNMENT

**RIVERTON CITY
MEMORANDUM**

TO: Planning Commission

FROM: Planning Department

DATE: October 9, 2014

SUBJECT: ORDINANCE AMENDMENT, PROPOSED AMENDMENT TO SECTION 18.85.060.5. EXTERIOR SURFACES, IN THE COMMERCIAL REGIONAL ZONE, ALLOWING GLASS AS AN EXTERIOR MATERIAL IN THE LOWER WALL, PROPOSED BY RIVERTON CITY

PROPOSED MOTION

I move the Planning Commission recommend APPROVAL of the amendment to Section 18.85.060.5, Exterior Surfaces, to read as follows:

- (a) Protected Lower Wall. The lower wall shall be at least one-third the height of the first story. This lower portion of the wall may consist of brick, tile, stone, glass, or decorative concrete.

BACKGROUND:

Riverton City has had for quite some time in its architectural standards a requirement that the lower portion of the wall in commercial zones consist of masonry such as brick or stone, and that glass extending down to ground level is restricted to entryways and entry features only. This standard has been consistently applied throughout the commercial development in the City. Several years ago, the City amended the ordinance to better define what constituted an 'entryway', and to extend the potential for utilization of glass within such areas to up to twenty (20) percent of a building's façade.

With the recently increased pace of commercial development in Riverton City, and the relatively architectural impact of this issue on building designs, staff is proposing an amendment to this section to remove the restriction on glass as a lower wall material. Used in the right context and design, glass extending to ground level is not in and of itself a negative feature, as the ordinance has implied. The design standards and architectural look that has become the expectation for Riverton City can be maintained, while allowing additional flexibility in design for building facades. With the anticipated commercial development along the Bangerter Highway and Mountain View Corridor, this amendment will accommodate a wider diversity of building types and designs, allowing the Planning Commission and City Council discretion in approving building architecture that may include glass in the lower wall areas. The amendment as proposed at this time would only apply to the Commercial Regional Zone.

Staff is recommending approval of the ordinance amendments as outlined above.

Chapter 18.85

REGIONAL COMMERCIAL (C-R) ZONE

18.85.060 Architectural standards.

(5) Exterior Surfaces.

(a) Protected Lower Wall. The lower wall shall be at least one-third the height of the first story. This lower portion of the wall may consist of brick, tile, stone, glass, or decorative concrete. ~~Entries and entryway features that extend to the floor may be excluded from this requirement as approved by the planning commission and city council. Approved entries or entryway features that extend to the floor may not constitute more than 20 percent of the length of the elevation.~~

(b) Upper Wall Materials. The remaining portions of the exterior building may consist of glass, brick, stucco, and stone. Fiber-cement siding, metal accents, and wood and simulated wood products may be utilized where appropriate to the use and the surrounding development.

(c) Color Palette. Exterior wall surfaces shall not include fluorescent colors. [Ord. 11-18 § 1; Ord. 5-20-03; Ord. 8-17-99-1 § 1 (Exh. A). Code 1997 § 12-280-030.]

**RIVERTON CITY
MEMORANDUM**

TO: Planning Commission

FROM: Development Review Committee

DATE: October 9, 2014

SUBJECT: COMMERCIAL SITE PLAN, 14-8008, RIVERTON HOSPITAL EXPANSION,
3741 W 12600 S, C-R ZONE, INTERMOUNTAIN HEALTH CARE, INC ,
APPLICANT

PL NO.: 14-8008 – RIVERTON HOSPITAL EXPANSION

PROPOSED MOTION:

I move that the Planning Commission recommend APPROVAL of the Riverton Hospital Expansion site plan, application number PL-14-8008, located at 3741 W 12600 S, with the following conditions:

1. Storm drainage systems and accommodation comply with Riverton City standards and ordinances, and with the recommendations of the Riverton City Engineering Division.
2. An interim storm drainage and erosion control plan and an access management plan be approved by the City prior to any construction or grading on the site.
3. The site and structures comply with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.
4. Lighting, both on the building and in the site shall be designed and installed to minimize impacts to the surrounding properties.
5. Any and all rooftop mechanical equipment shall be fully screened from view from the roadway and surrounding properties.

BACKGROUND:

Intermountain Health Care has submitted application for Commercial Site Plan approval for an expansion to the existing hospital site and buildings. The existing project area is approximately 56 acres located at the southeast corner of the Bangerter Highway and 12600 South intersection. The property is zoned Commercial Regional.

The approval of the original site plan for the hospital complex included designations of areas for future expansion. The applicant has submitted plans for a major expansion of the existing hospital, extending a new wing from the north side of the building. The expansion will consist of approximately 115,000 square feet within four stories, and will house a mix of hospital and medical office space.

The original site plan was laid out with areas for expansion of the parking lot, and this site plan includes development of all of that additional space within the ring road. The existing parking areas contain almost 1,000 stalls, and the expansion would add almost 400 more. The ordinance allows for calculation to be made for overlap of parking between the various uses within

the buildings, and based on the calculated parking needs, the existing plus proposed parking meets Riverton City's standards and ordinances. The site will still comply with the required landscaping area.

Architecturally, the expansion will be consistent with the existing buildings, in both form and in materials, while creating a distinctive look for the new construction. The exterior materials are almost exclusively brick, with style and coloring consistent with the existing buildings. The expansion will be adjacent to the existing glass stairwell feature on the front of the building, and will maintain that feature as part of the entry. The first floor wall, recessed in under the second story overhang, will be predominantly glass, with some columns incorporated into the design.

The proposed expansion also includes additions to existing mechanical and utility structures at the rear of the site, which will mimic the architecture and materials of those buildings.

The site and structures have been reviewed by Riverton City staff, and, with the suggested conditions above, are in compliance with Riverton City's standards and ordinances. Additional material will be presented at the upcoming meeting.

ATTACHMENTS:

The following items are attached for your review:

1. A copy of the Site Plan application
2. A copy of the Zoning Map
3. A copy of the Aerial Views
4. A copy of the Site Plan and Landscape Plans.
5. A copy of the building elevations



12600 South

Bangerter Highway

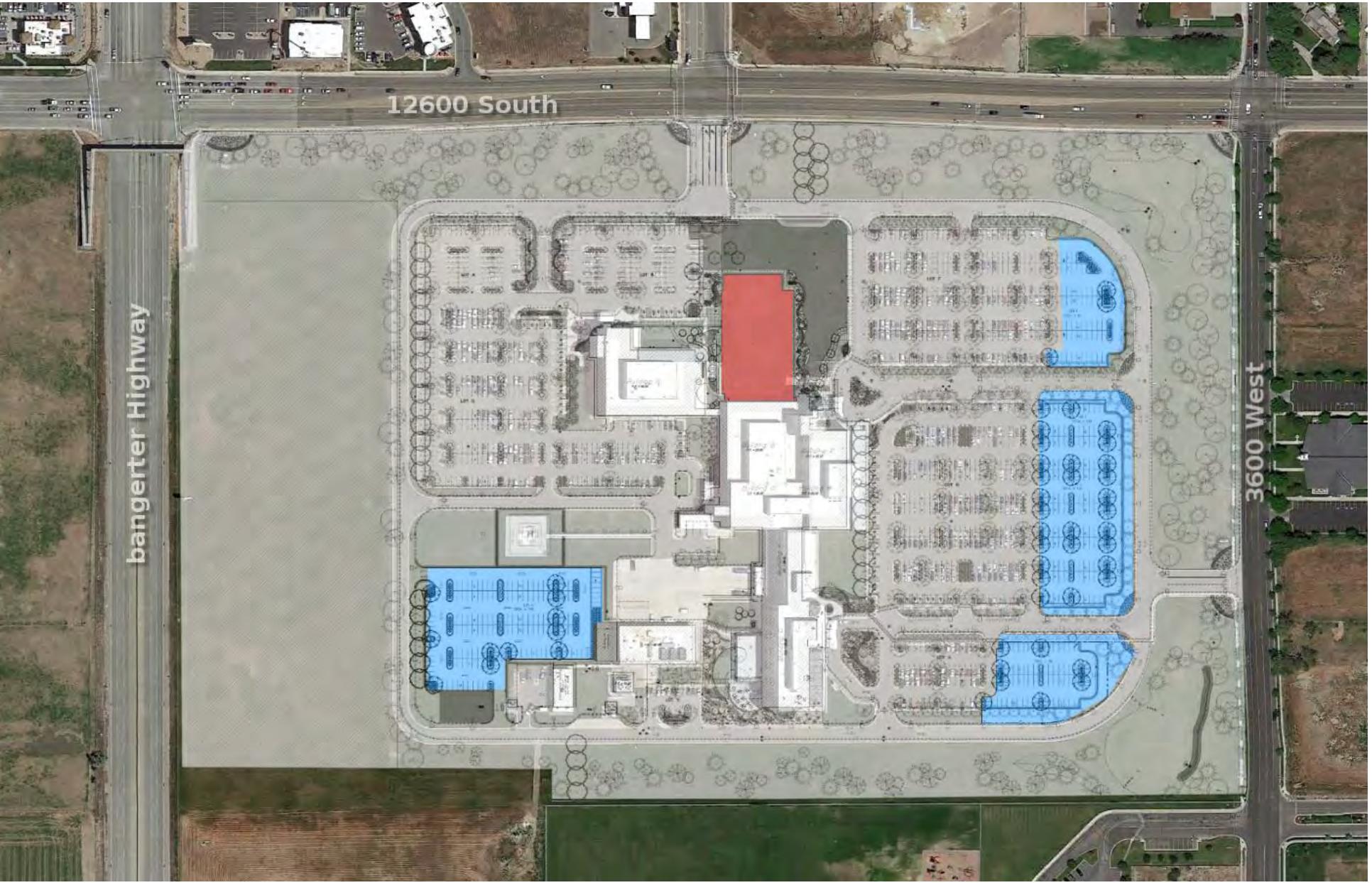
3600 West



12600 South

bangerter Highway

3600 West



12600 South

Bangerter Highway

3600 West

BANGERTER HIGHWAY

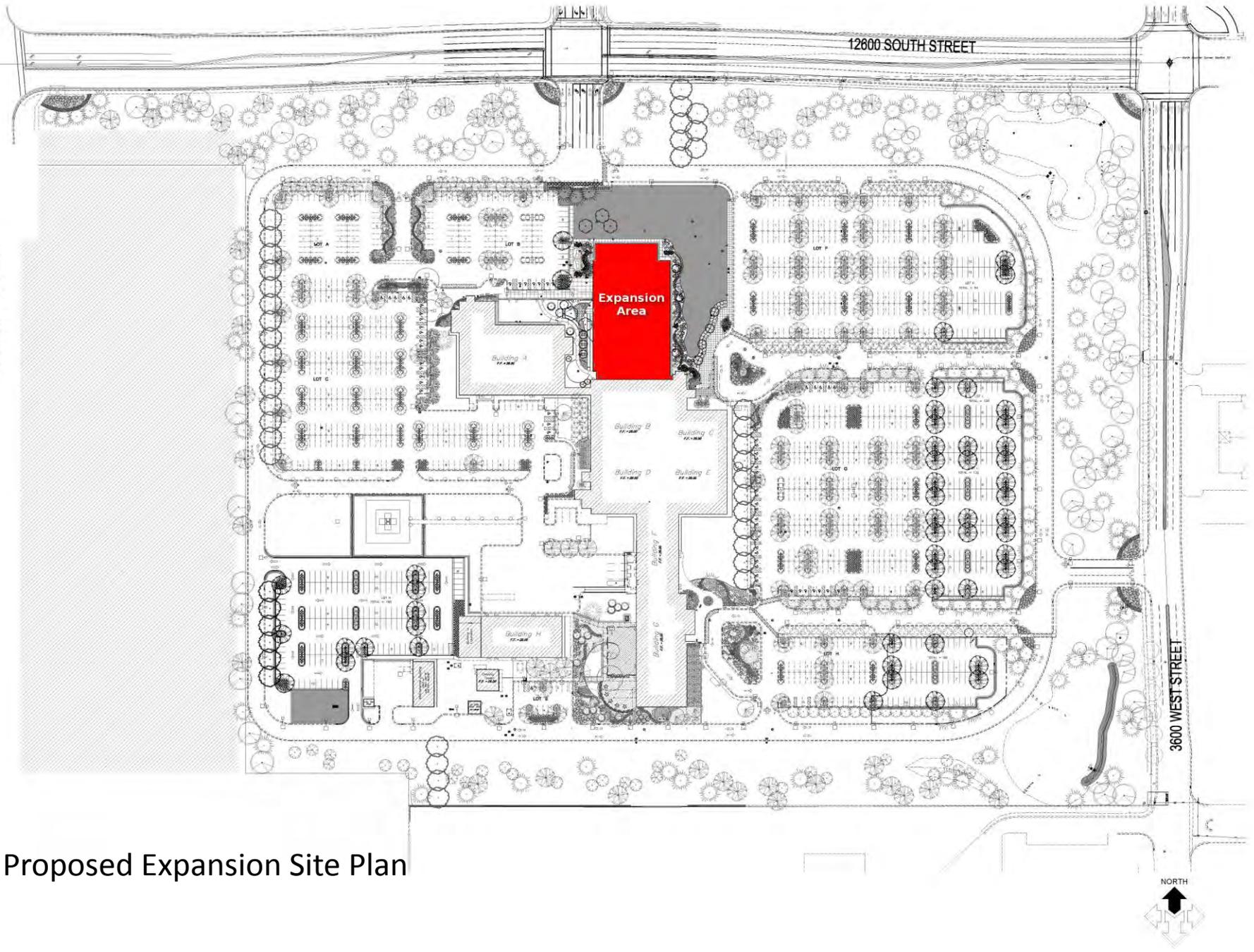
12600 SOUTH STREET

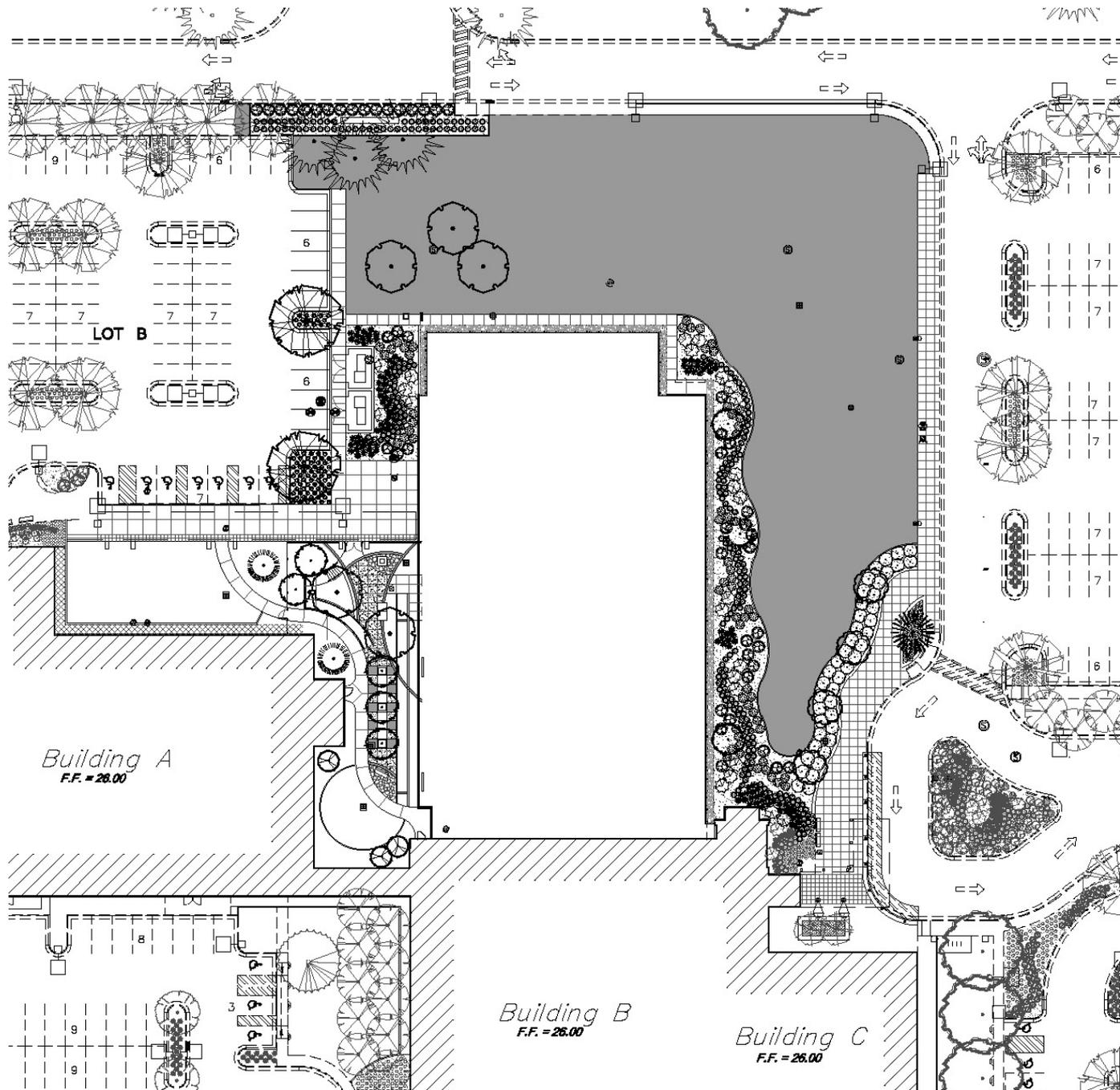
Expansion Area

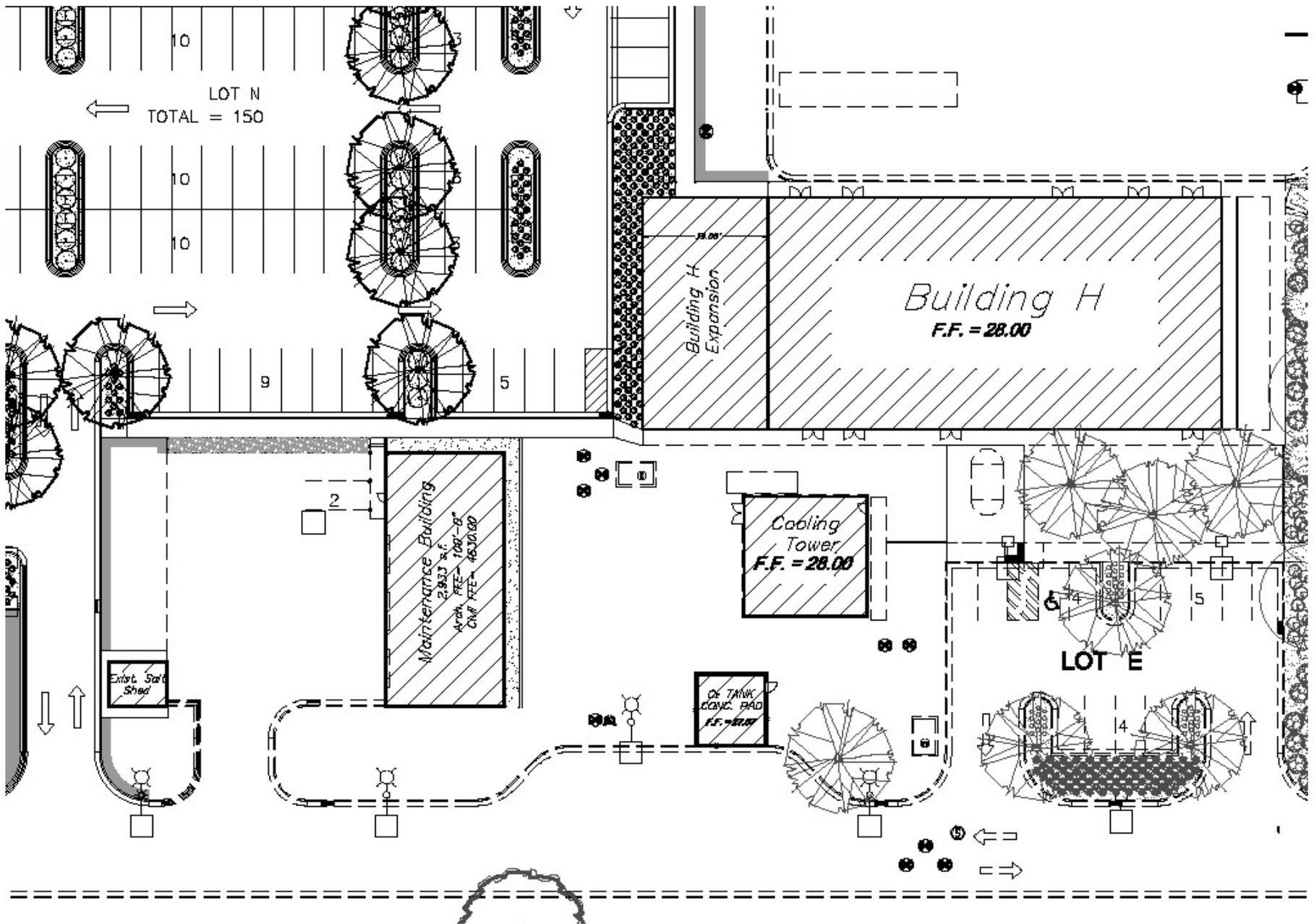
3600 WEST STREET

Proposed Expansion Site Plan

NORTH



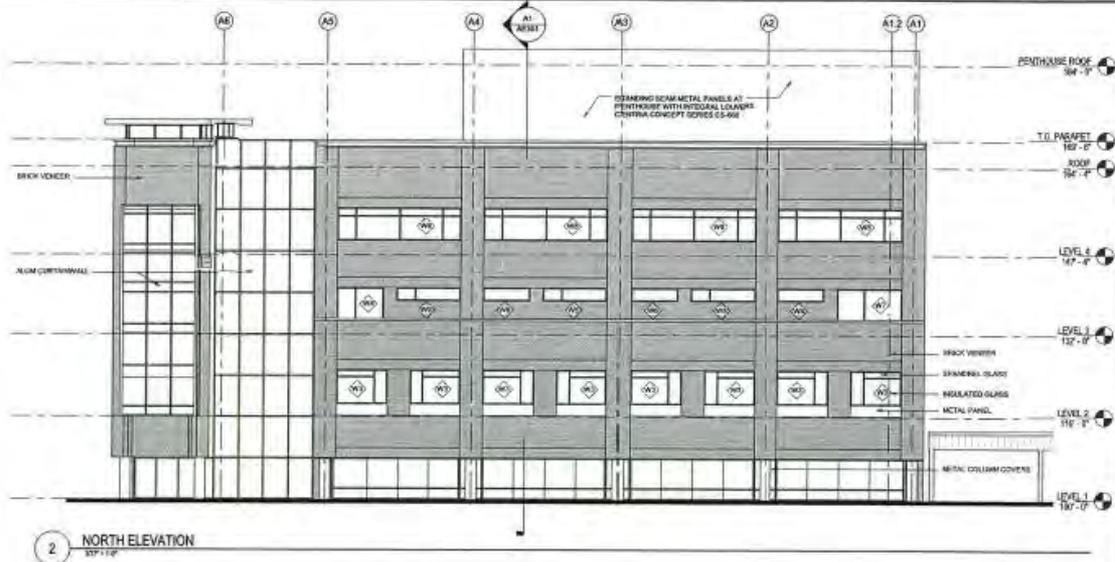




Expansion Architectural View



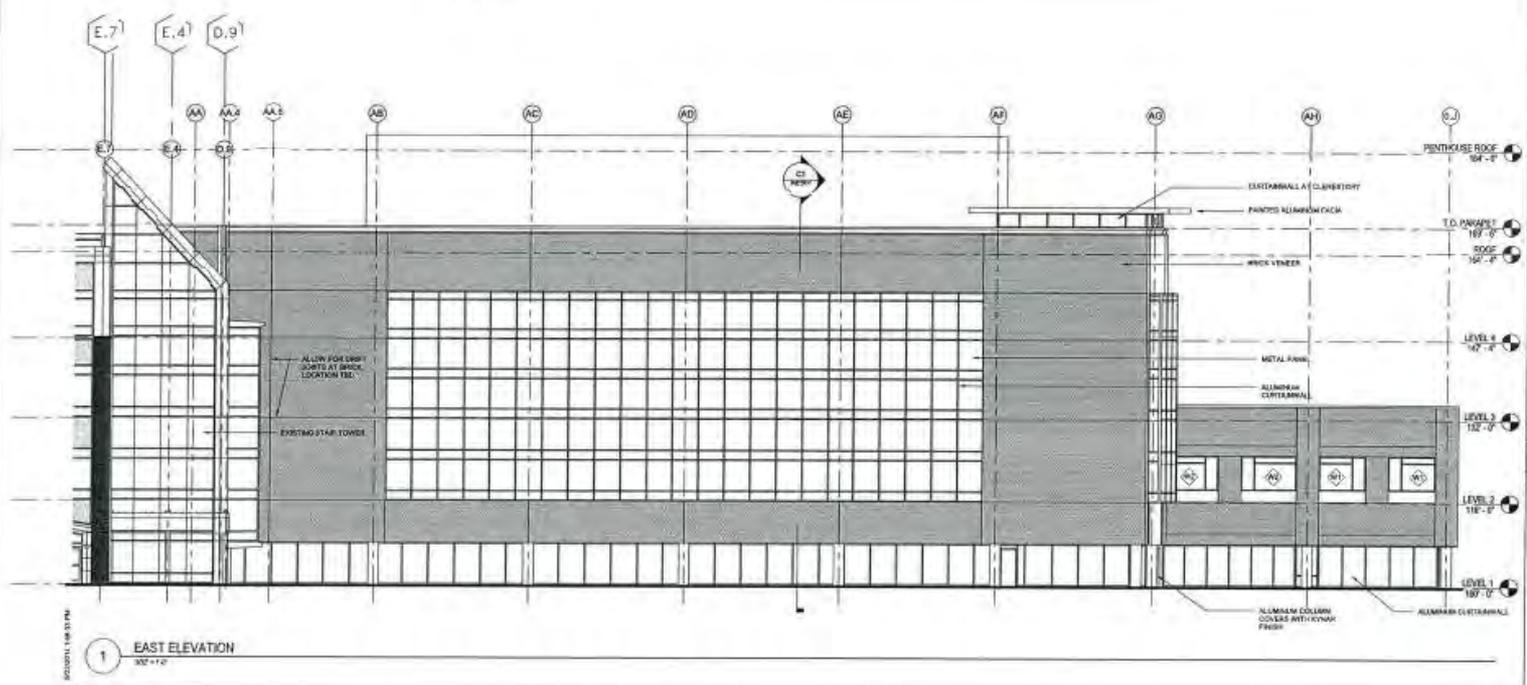




SHEET NOTE

1. BRICK GLASS ON THE EAST/EAST NORTH
 ELEVATION AS "VIEW GLASS"
 WWW.VIEWGLASS.COM
 CONTACT: JEFF WESTEN (800.301.8118)
 JEFF.WESTEN@VIEWGLASS.COM

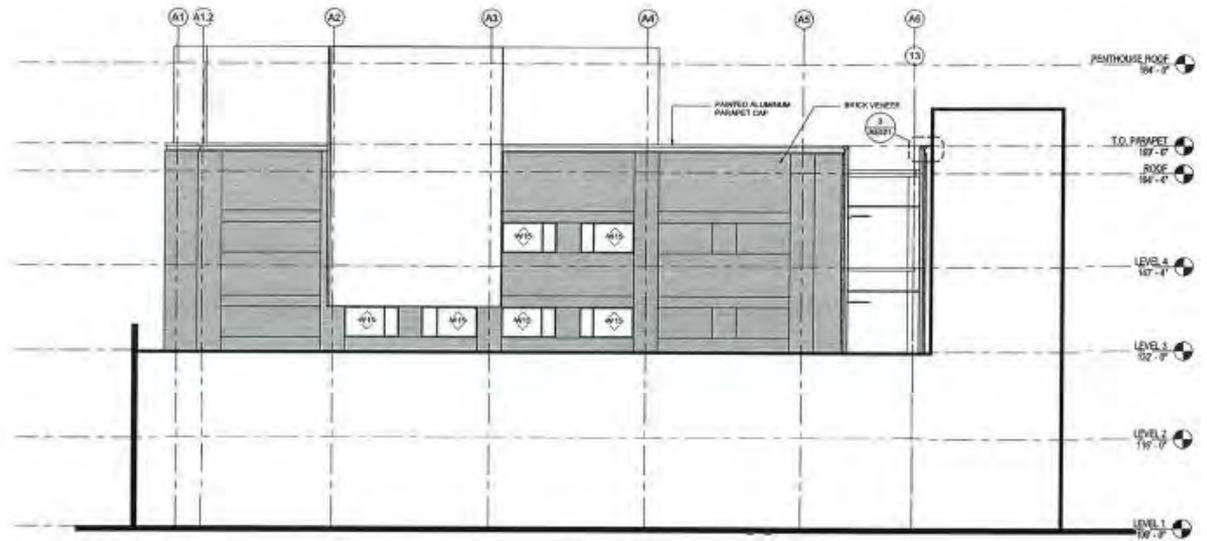
KEYNOTE



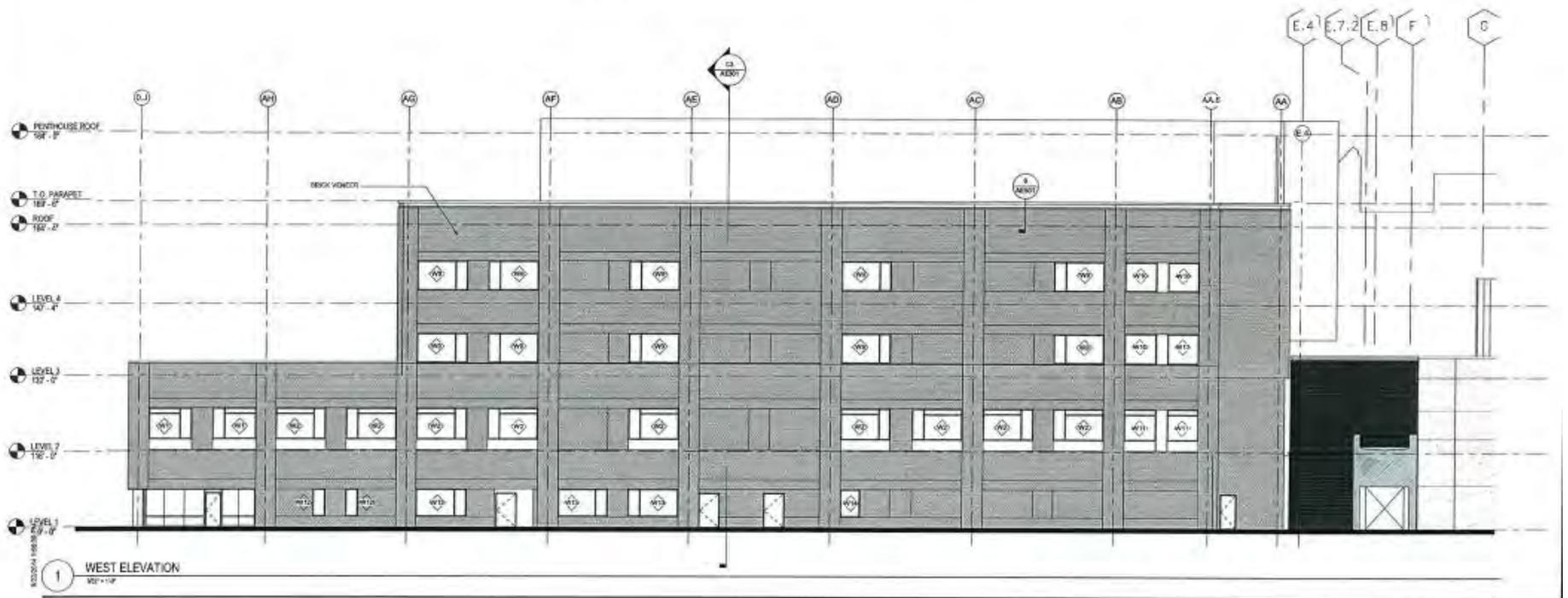
FLOOR PLAN LEGEND

KEY PLAN

SECTION 1.08 21 PM



2 SOUTH ELEVATION
102'-11 1/2"



1 WEST ELEVATION
102'-11 1/2"

This item has been pulled from the agenda and the application rescinded at the request of the applicant.

**RIVERTON CITY
MEMORANDUM**

TO: Planning Commission

FROM: Development Review Committee

DATE: October 9, 2014

SUBJECT: FINAL PLAT APPROVAL, MIDAS CROSSING PHASE 1, 11800 SOUTH 2700 WEST, 30 LOTS, IVORY DEVELOPMENT, LLC., APPLICANT.

PL NO.: 14-1004 – MIDAS CROSSING PHASE 1 FINAL PLAT

PROPOSED MOTION:

I move that the Planning Commission recommend APPROVAL of the Midas Crossing Phase 1 Final Plat, application number PL-14-1004, located at approximately 11800 South 2700 West with the following conditions:

1. This phase of the subdivision comply with the overall requirements of the approved preliminary plat, including the SD designations relating to lot size requirements.
2. Any and all required fencing be installed prior to the issuance of building permits for this phase.
3. Storm drainage systems and accommodation comply with Riverton City standards and ordinances, and with the recommendations of the Riverton City Engineering Division.
4. An interim storm drainage and erosion control plan and an access management plan be approved by the City prior to any construction or grading on the site.
5. The site and structures comply with any and all applicable Riverton City standards and ordinances, including staff review requirements and the International Building and Fire Codes.

BACKGROUND:

Ivory Development, LLC, has submitted an application for Final Plat approval for the Midas Crossing Phase 1. The application is for 30 lots within the Midas Crossing development, located at approximately 11800 South 2700 West. That development is zoned R-4-SD, with the 'SD' designation requiring a mix of 1/3 and 1/4 acre lots.

This is the first phase of development within this subdivision, and is on east side of the overall development area. Staff has reviewed the subdivision and finds it in compliance with the technical requirements of Riverton City's standards and ordinances.

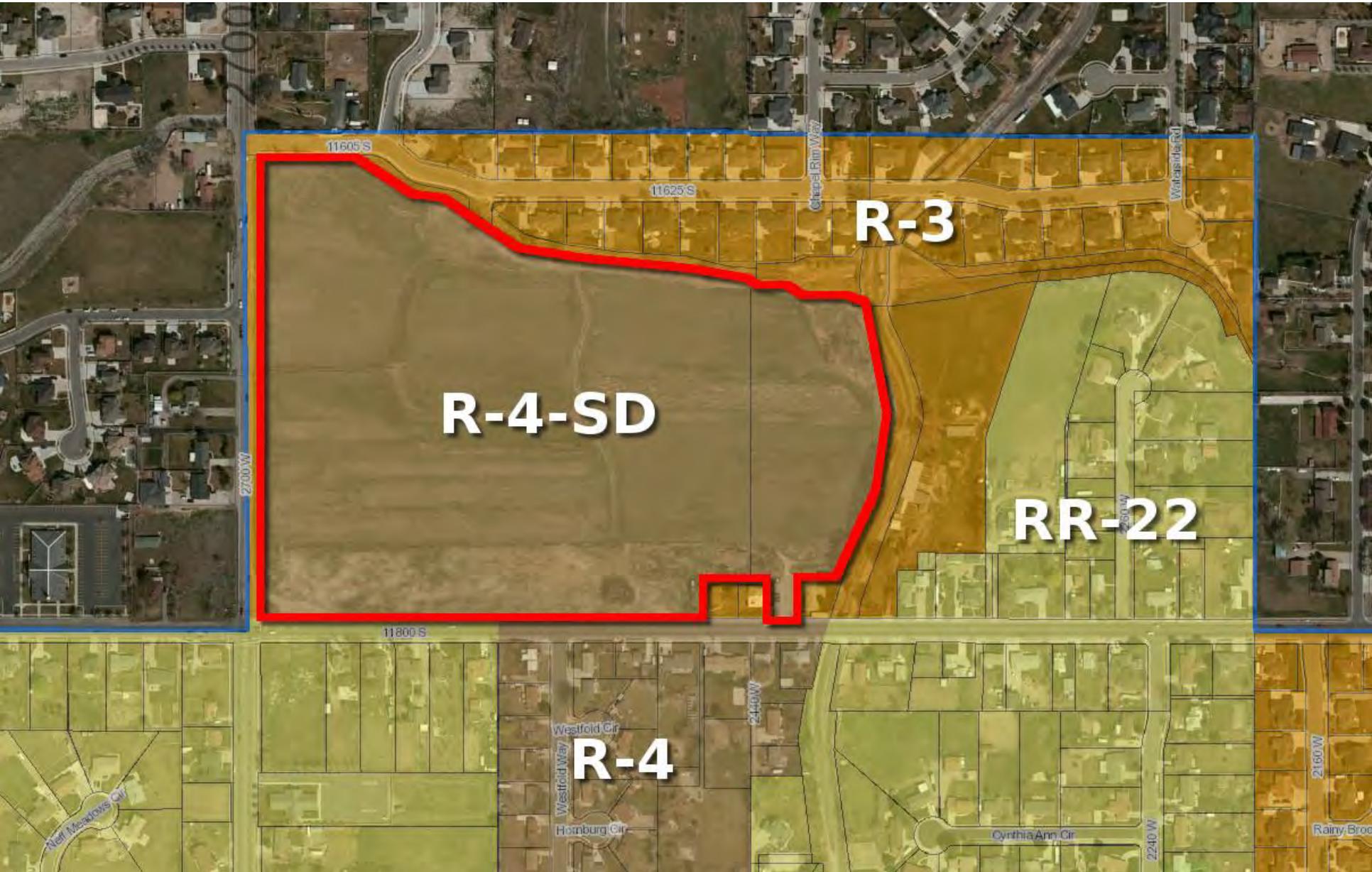
The overall development approval included requirements for solid masonry fencing on all perimeters of the project. Phase 1 includes the required fencing for its perimeters, and also complies with the requirement for 1/3 acre lots along the north and east boundary lines. This phase also includes a storm water pond at the northeast corner of the property.

Staff is recommending APPROVAL of this Final Site Plan application, with the conditions outlined above.

ATTACHMENTS:

The following items are attached for your review:

1. A copy of the Site Plan application
2. An 8½"x11" copy of the Zoning Map
3. An 8 ½ "x11" copy of the Aerial Views
4. An 11"x17" copy of the Site Plan and Landscape Plans.
5. An 11"x17" copy of the building elevations

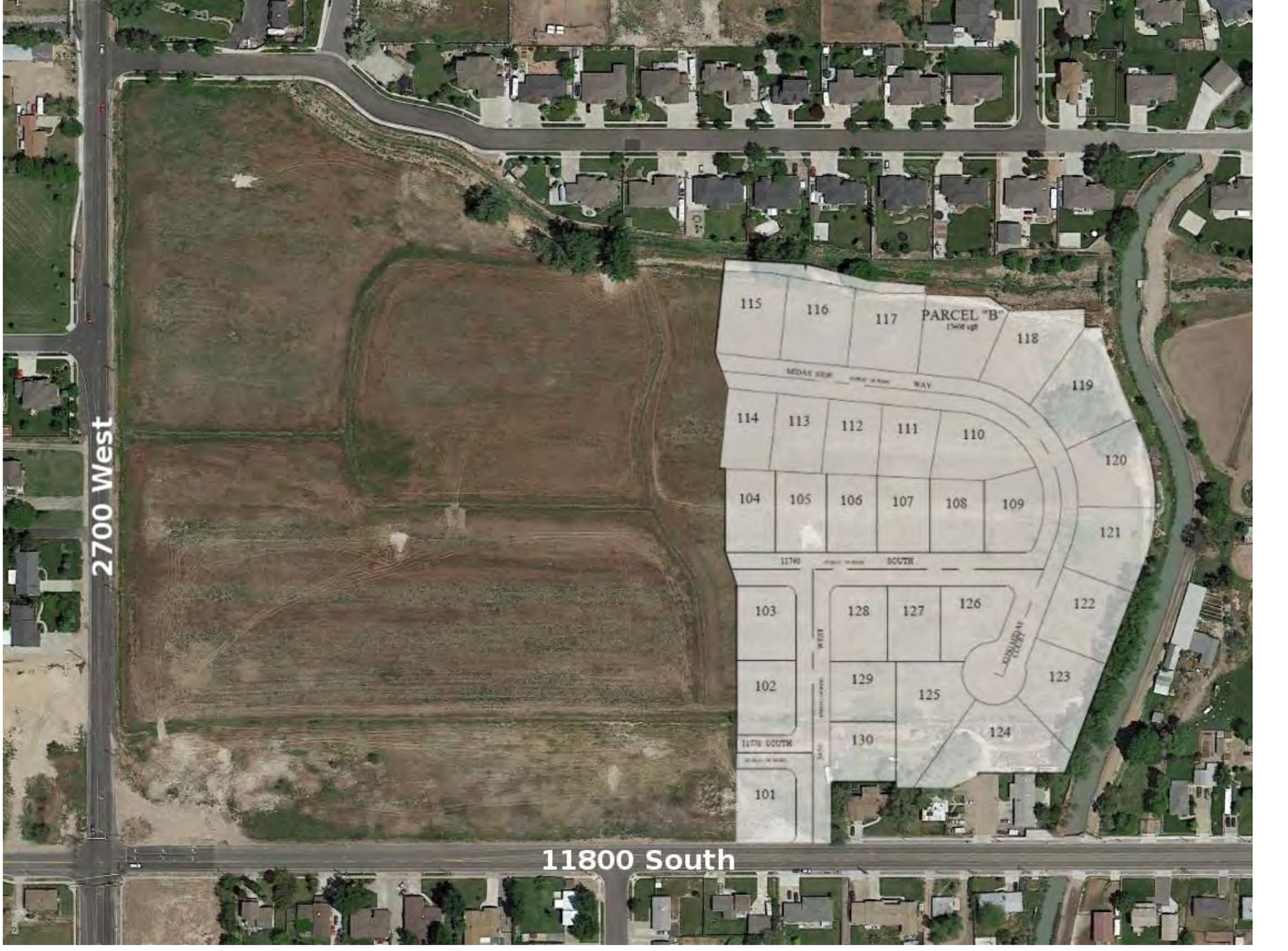


R-4-SD

R-3

RR-22

R-4



2700 West

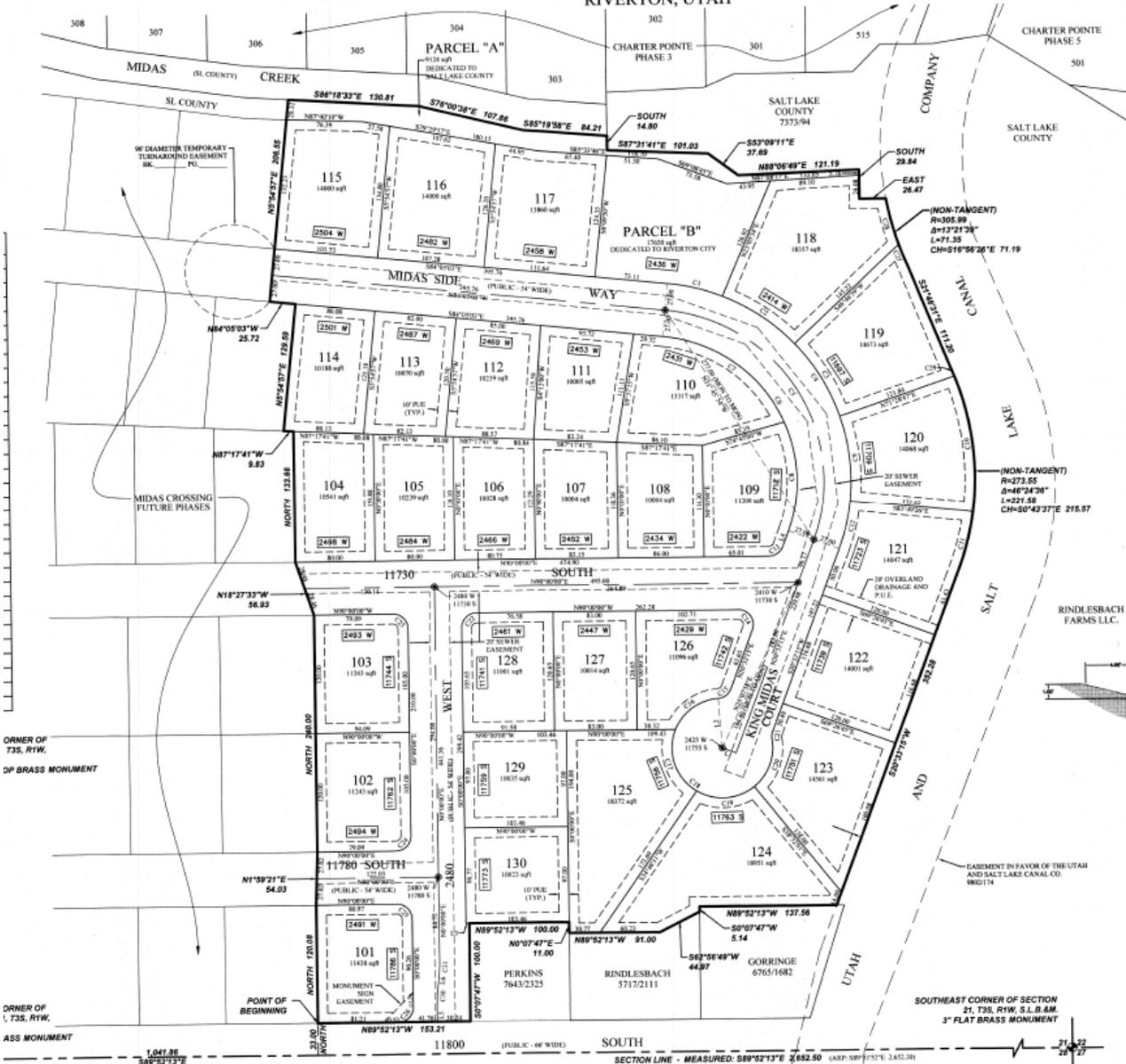
11800 South



MIDAS CROSSING

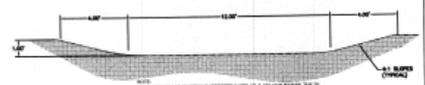
PHASE 1

A PORTION OF THE SE1/4 OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 1 WEST,
SALT LAKE BASE & MERIDIAN
RIVERTON, UTAH



GENERAL NOTES:

- POTENTIAL PURCHASERS OF PROPERTY LEGALLY DESCRIBED BY THIS PLAT ARE ADVISED TO FAMILIARIZE THEMSELVES WITH ALL NOTES, LOT INFORMATION, EASEMENTS AND OTHER FURTHER INFORMATION CONTAINED WITH THIS PLAT AND ALSO WITH ANY CONVEYING CONDITIONS AND RESTRICTIONS RECORD DOCUMENTS RECORDED AGAINST LAND LEGALLY DESCRIBED BY THIS PLAT. FAILURE TO ADHERE TO THESE NOTES, EASEMENTS, COVENANTS OR OTHER DOCUMENTS RECORDED AGAINST THE LAND COULD RESULT IN FINANCIAL LOSSES TO OR CHANGES IN EXPECTED PROPERTY USE OF THE PROPERTY OWNER. PROPERTY OWNERS AND PURCHASERS ARE RESPONSIBLE TO REVIEW AND TAKE COMPLIANCE WITH ALL NOTES, EASEMENTS, COVENANTS, AND OTHER RECORDED DOCUMENTS RELATED TO THIS PLAT. AS CURRENTLY EXISTING OR AS MAY FROM TIME TO TIME BE CHANGED AND/OR AMENDED.
- UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS (PRE-IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND INCLUDING THE RIGHT OF REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE FILE. THE UTILITY MAY REQUEST THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE FILE AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURE BE PLACED WITHIN THE PUB OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE PUB WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES FACILITIES IN THE FILE.
- SHALLOW SEWER DEPTH CONTRACTOR SHALL VERIFY SEWER LATERAL DEPTH AND SET FOR FOUNDATION ELEVATIONS TO PROVE ADEQUATE FALL INTO SEWER LATERAL. BUILDINGS WITH A BASEMENT MAY NOT HAVE SEWER SERVICE AVAILABLE FOR BASEMENT.
- THE PROPERTIES SHOWN HEREON LIE WITHIN ZONE X AREAS DETERMINED TO BE OUTSIDE THE 2% ANNUAL CHANCE FLOODPLAIN AND ZONE AE (BASE FLOOD ELEVATIONS DETERMINED ACCORDING TO FEMA FEDERAL EMERGENCY MANAGEMENT AGENCY 1% A.M. FLOOD INSURANCE RATE MAP), MAY BE PROHIBITED, EFFECTIVE DATE: SEPTEMBER 15, 2009. BUILDING STRUCTURES IN PROHIBITED CITY JURISDICTION: FRONT - 2' SIDE - 4" CONCRETE STREET SIDEWALK GARAGE SIDE REAR - 2'
- ALL FILED PUBLIC UTILITY EASEMENTS INCLUDE A FRAUDULENT EASEMENT (D.E.) IN FAVOR OF RIVERTON CITY.
- A GEOTECHNICAL REPORT HAS BEEN PREPARED BY AGC FOR MIDAS CROSSING PHASE 1 SUBDIVISION. THIS INFORMATION IS ON FILE AT THE RIVERTON CITY PUBLIC WORKS OFFICE AND ALSO AT THE OFFICE OF AGC.
- MONUMENT SIGN EASEMENT ON LOT 101 IS IN FAVOR OF THE MIDAS CROSSING HOME OWNERS ASSOCIATION.
- STREET MONUMENT TO BE SET.
- AS BEARER AND CAP FOCUS DRILL TO BE SET AT ALL LOT CORNERS. LEAD PLAS TO BE SET IN THE TOP BACK OF CURB ON THE PROJECTION OF SIDE LOT LINES.



OVERLAIN DRAINAGE SWALE DETAIL

QUESTAR GAS NOTE

QUESTAR APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE A GUARANTEE, APPROVAL OR COMPLETMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET IN THE OWNER'S DECLARATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION, PLEASE CONTACT QUESTAR'S RIGHT-OF-WAY DEPARTMENT AT 1-888-244-8533.

EASEMENT APPROVAL

CENTURY LINK	DATE
ROCKY MOUNTAIN POWER	DATE
QUESTAR GAS	DATE
COMCAST	DATE

RIVERTON CITY WATER

APPROVED THIS _____ DAY OF _____ A.D., 20____ BY THE RIVERTON CITY WATER DEPT.
DIRECTOR, RIVERTON CITY WATER

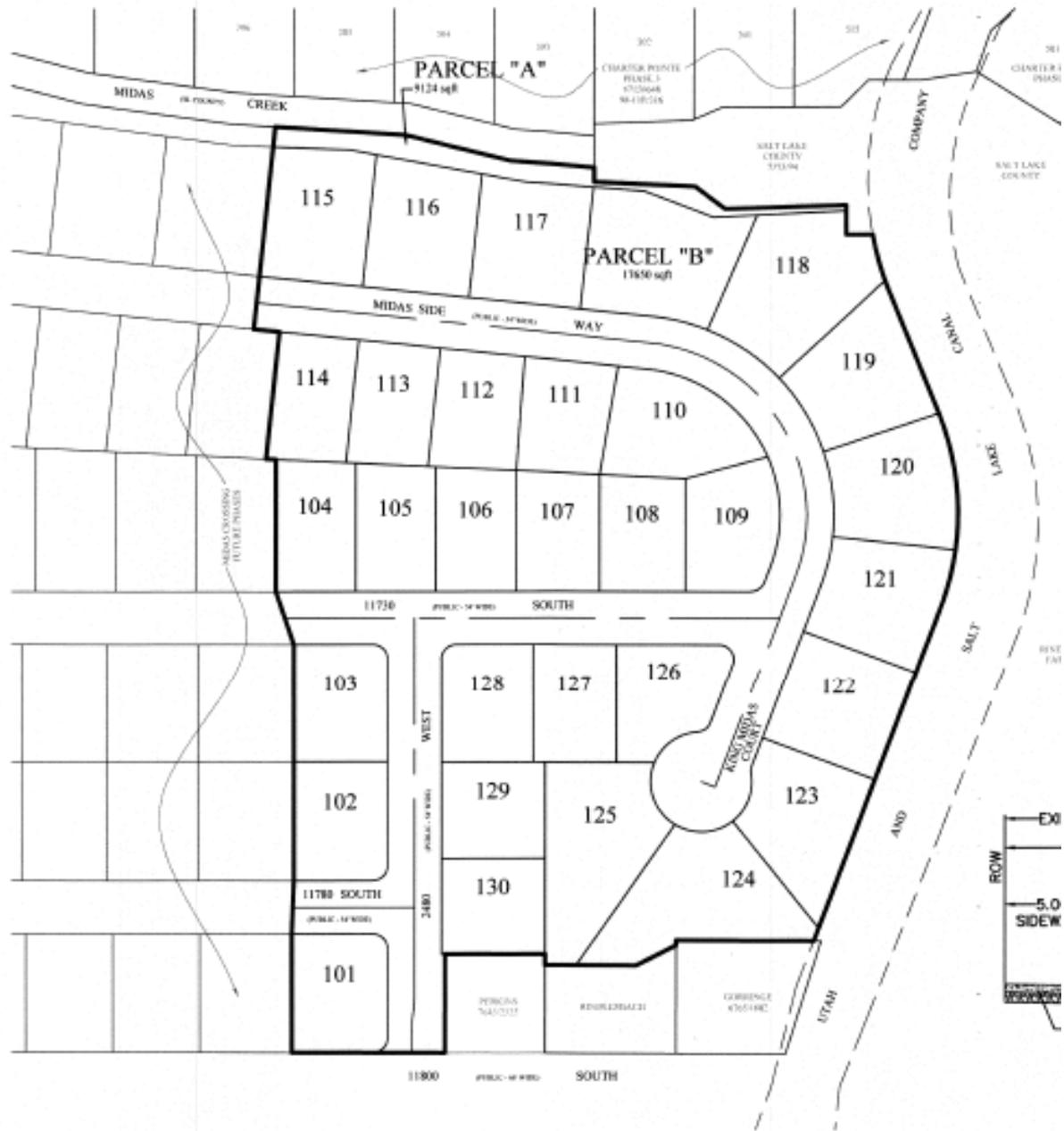
CORNER OF T3S, R1W, DP BRASS MONUMENT

DRMER OF T3S, R1W, ASS MONUMENT

SOUTHEAST CORNER OF SECTION 21, T3S, R1W, S.L.B. 6M, 3" FLAT BRASS MONUMENT

SECTION LINE - MEASURED: S89°52'13"E 2652.50 (C.A.P. 589°52'13"E 2652.50)





SITE MAP

1 RIVERTON CITY PLANNING COMMISSION
2 MEETING MINUTES

3
4 August 28, 2014

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

8
9 Planning Commission Members:

Staff:

10
11 Kent Hartley
12 Cade Bryant
13 Brian Russell
14 Dennis Hansen
15 James Webb

Andrew Aagard, City Planner
Casey Taylor, Deputy City Attorney

16
17 Commissioners James Endrizzi and Scott Kochevar were excused from the
18 meeting. It was noted the Commissioner Harley arrived late.

19
20 Chair Brian Russell called the meeting to order. Commissioner Hansen led the
21 Pledge of Allegiance.

22
23 I. PUBLIC HEARING

24
25 A. **CONDITIONAL USE PERMIT, 14-2015, WIRELESS COMMUNICATIONS**
26 TOWER, 5101 WEST 13400 SOUTH, P-OS ZONE, JARED WHITE,
27 REPRESENTING VERIZON WIRELESS, APPLICANT.

28
29 City Planner, Andrew Aagard, presented the staff report. He displayed aerial
30 photographs of the area for the proposed tower, which is adjacent to the Mountain View
31 Corridor, and south of the Monarch Meadows apartment complex. The zoning is P-OS,
32 Part Open Space. The areas to the north and south of the tower are SPR-M18 and
33 SPR-M12, meaning they are Residential Multi-Family spaces, with 18 and 12 units per
34 acre, respectively.

35
36 Mr. Aagard explained that the applicant originally wanted to locate the tower within the
37 existing water tank enclosure, however, the Riverton City Council determined that they
38 will no longer allow cell towers within secure areas for security reasons. The proposed
39 tower location is not within any secured enclosures. Mr. Aagard also explained that the
40 proposed location meets the required separation of 150% of the tower height from any
41 residential structure. The applicant proposed minor widening of the Rose Creek Trail,
42 which runs adjacent to the enclosure. This would be to provide access to the tower for
43 maintenance vehicles.

44
45 The applicant has proposed chain link fencing with barbed wire for the enclosure. City
46 Water Director, Scott Hill, prefers this type of fencing for visibility purposes, which is why

1 the City has utilized it for the water tank enclosure in the area. One of the conditions of
2 approval addresses this matter. If the Commission prefers a different type of fencing,
3 another condition can be added. Mr. Aagard explained that the applicant would have to
4 secure a lease agreement with the City, in addition to the conditional use permit, for
5 access and use of the property. This is reflected in the first condition of approval and
6 will be completed following the approval of this request.

7
8 Last, Mr. Aagard presented the Commission with additional maps and identified the
9 access point into the enclosure, which comes directly from the Mountain View Corridor.
10 He pointed out that there are additional towers in the area, such as light towers over the
11 park. Therefore, this tower would not be inappropriate for the site.

12
13 Chair Russell opened the public hearing. There were no public comments. Chair
14 Russell closed the public hearing.

15
16 Mr. Aagard assured the Commission that notice had been sent to the residents within
17 300 feet of the tower.

18
19 In response to a question from the Commission, it was established that access to this
20 enclosure is an existing UDOT granted access, and the Mountain View Corridor is a
21 State maintained highway. Therefore, UDOT would have control over regulating what
22 Verizon can do to access the tower. Riverton City also uses the Corridor to get
23 maintenance vehicles to the water facility. The surrounding property is owned by the
24 City and remains as open space rather than developed. It was noted that the
25 conditional use permit will not expire and the length of time Verizon will have access to
26 the tower will be determined by a Lease Agreement with the City.

27
28 **Commissioner Hansen moved that the Planning Commission APPROVE**
29 **Application Number PL-14-2015, a conditional use permit for a Verizon Wireless**
30 **communication tower located at 5101 West 13400 South, subject to the following**
31 **conditions:**

- 32
33 **1. A Ground Lease and Agreement with Riverton City shall be secured prior to**
34 **any construction.**
35
36 **2. The tower shall maintain a distance of 150% of its height from any**
37 **residential structure in existence at the time of construction.**
38
39 **3. The open space and trail surrounding the project area shall be finished to**
40 **Riverton City standards and specifications.**
41
42 **4. The site and structure shall comply with any and all applicable standards**
43 **and ordinances.**
44

1 **Commissioner Webb seconded the motion. Vote on motion: Brian Russell – Aye;**
2 **Dennis Hansen – Aye; James Webb – Aye; Cade Bryant – Aye. The motion**
3 **passed unanimously. Commissioner Hartley was not present for the vote.**

4
5 *Note: Commissioner Hartley joined the meeting.*

6
7 **B. CONDITIONAL USE PERMIT, 14-2016, PROPOSED DEVELOPMENT OF**
8 **TWO LOTS ON A PRIVATE LANE, 1865 WEST 11860 SOUTH, R-3 ZONE,**
9 **BRIDGER TAYLOR, APPLICANT.**

10
11 Mr. Aagard presented the staff report and stated that the applicant, Bridger Taylor, has
12 requested a conditional use permit to develop property with a private road rather than a
13 public street. He noted that private lanes are always approved with a conditional use
14 permit by the Planning Commission. The property is in the R-3 Zone, which is a
15 residential zone with 14,000 square-foot lots. The property to the north is zoned RR-22.
16 To the east are proposed zoned RMA and RR-22, to the south is R-4 zoning, and the
17 property to the east is zoned R-3.

18
19 Riverton City Ordinance 17.05.120 gives certain criteria in regard to developing on a
20 private road. If those criteria can be met, a private road is warranted. The three criteria
21 are:

- 22
23 1. *A lot of record that is preexisting and has no frontage or adequate property to*
24 *construct a public street.* – Mr. Aagard presented an aerial photograph of the
25 property, showing that there is only 25 to 30 feet of frontage. In order to
26 construct a public street the road would have to come through the property
27 and remove the two existing structures.
28
29 2. *It can be demonstrated by the applicant that the property cannot be physically*
30 *subdivided with public streets either now or in the foreseeable future.* – Mr.
31 Aagard pointed out that the existing structures limit the access to the lots to a
32 private lane.
33
34 3. *The development does not impede necessary access from adjoining*
35 *properties as required by the master transportation plan.* – Mr. Aagard
36 assured that this is the case with this private lane.
37

38 The application meets the three criteria outlined in the City Ordinance, making it a clear
39 cut case for a private road. Staff recommended approval of the request subject to the
40 three conditions listed in the staff report.

41
42 Chair Russell asked what the distance is between the furthest home and the cul-de-sac,
43 and if it would create a fire hazard. The exact distance wasn't established, but the
44 applicant assured staff and the Commission that the plan has been approved by the
45 Fire Department.
46

1 Chair Russell opened the public hearing. There were no public comments. Chair
2 Russell closed the public hearing.

3
4 The Commission will be presented with final subdivision approval in the future.

5
6 **Commissioner Hartley moved that the Planning Commission APPROVE**
7 **Application Number PL-14-2016, a conditional use permit to allow subdivision of**
8 **two lots with access from a private lane on property located at 1865 West 11860**
9 **South, subject to the following conditions:**

- 10
11 1. **The private lane shall be paved with either concrete or asphalt to a**
12 **minimum of twenty (20) feet from the public right-of-way to the driveway of**
13 **the new home with appropriate turn-around space, as per Riverton City and**
14 **the Unified Fire Authority regulations.**
15
16 2. **Utility connections shall be approved by the Riverton City Public Works**
17 **Department prior to construction.**
18
19 3. **The site and structures shall comply with any and all applicable Riverton**
20 **City standards and ordinances, including the International Building and**
21 **Fire Codes.**

22
23 **Commissioner Hansen seconded the motion. Vote on motion: Brian Russell –**
24 **Aye; Dennis Hansen – Aye; Kent Hartley – Aye; Cade Bryant – Aye; James Webb**
25 **– Aye. The motion passed unanimously.**

26
27 **C. ORDINANCE AMENDMENT, ALLOWING CHICKENS TO BE KEPT UNDER**
28 **'HOUSEHOLD PETS' IN ALL SINGLE FAMILY RESIDENTIAL ZONES,**
29 **REVISIONS PROPOSED BY RIVERTON CITY.**

30
31 Mr. Aagard presented the staff report and stated that the City Council has requested a
32 change to the City's residential zoning code with regard to household pets. The current
33 ordinance allows for a maximum of two household pets, which are defined as cats,
34 dogs, and chickens. The proposed amendment would be added to each single-family
35 residential zone with the following language:

36
37 *'Household pet (maximum two, may include a maximum six (6) chickens, no roosters*
38 *allowed.'*

39
40 The proposed amendment would allow all single-family residential lots to keep up to six
41 chickens on the property with no requirements for permitting or other separate licensing.
42 As the City has reviewed various methods and requirements adopted by other
43 jurisdictions, there have been concerns with the enforcement and permitting process
44 that many adopt. Under the category of household pets, all noise and nuisance
45 ordinances would still apply, but no other specific requirements would be in effect. Also,
46 lots that are one-half acre or larger and zoned for large animals, would still maintain the

1 rights specified in Riverton City Ordinance. Staff recommended approval of the
2 proposed amendments as outlined in the staff report.

3
4 Mr. Aagard explained that the current laws pertaining to chickens as household pets
5 has been uncertain, but the official stance has been against keeping chickens. The
6 proposed ordinance will provide more consistency, as well as set a limit to the number
7 of chickens allowed. Several concerns were expressed with enforcement of this
8 ordinance. Deputy City Attorney, Casey Taylor, explained that Salt Lake County Animal
9 Control does code enforcement for the City but they do not get involved until a
10 complaint is received. If the residents involved in the complaint received a citation, it
11 would go before the City for prosecution.

12
13 Chair Russell opened the public hearing.

14
15 Michael Johnson recalled a time when there were thousands of chickens in the City and
16 they were a great nuisance. He purposefully moved to a subdivision that only allowed
17 dogs and cats. Mr. Johnson also expressed concern for the mess that chickens create
18 and stated that they attract other animals such as rats, mice, and skunks.

19
20 Mr. Johnson stated that he was in attendance when this issue was discussed at the last
21 Council Meeting. During the meeting, he was informed that the Ordinance Officer
22 doesn't have the authority to go onto a property just to see if the ordinance is being
23 followed. The officer would need to obtain an official search warrant. This makes
24 regulation a hassle. Mr. Johnson was strongly opposed to the proposed ordinance
25 amendments.

26
27 Greg Hill spoke in support of the ordinance. He moved from West Jordan to Riverton
28 six years ago partially because he wanted to keep chickens. He currently lives on a .5-
29 acre lot with about 15 chicks, and one rooster. The hens and rooster are quiet and he
30 has not received any complaints about them. Mr. Hill also claimed that there have been
31 no issues with skunks or rats. There was only one, single instance a few years ago
32 when an unknown animal got into the coup and killed half the flock. There haven't been
33 any disturbances since then. Mr. Hill expressed his support for the proposed ordinance
34 amendments.

35
36 There were no further public comments. Chair Russell closed the public hearing.

37
38 Chair Russell expressed his concerns about the amendment. He was of the opinion
39 that the number of chickens allowed should be tied to the size of the property used to
40 serve them. Mr. Taylor noted that the reason the City wants to make this amendment
41 for a limit on chickens is because there has been some ambiguity regarding the subject.
42 Rather than encouraging residents to have an unlimited number of chickens, the
43 ordinance would regulate how many they can raise at any given time.

44
45 Mr. Aagard explained that the animal rights for zones such as R-1 and RR-22 are not
46 changing. These zones currently allow 20 chickens on lots of one-half acre or larger.

1 The proposed amendments would be an addition to the current limit, rather than
2 replacing it. For these zones, up to 26 chickens would be allowed on the property. The
3 Commission has the ability to make other recommendations if they feel that the motion
4 needs to be altered.

5
6 Several Commissioners expressed concerns about limiting the amendment to certain
7 zones. The issue could be tabled or passed to the City Council with recommended
8 changes. In response to an inquiry from Commissioner Webb, Mr. Aagard clarified that
9 the City decided to amend the ordinance due to suggestions received from one of the
10 Council Members from several of his constituents. The individuals would like to own
11 chickens and still follow the laws of the City.

12
13 **Commissioner Hansen moved that the Planning Commission TABLE the**
14 **proposed ordinance amendment in each residential zone, defining allowances for**
15 **'Household Pets', in order to incorporate changes such as the proposed**
16 **amendments only having an impact on R-3 zones or higher, and that they also**
17 **don't affect the existing animal rights in the RR-22 Zone. The motion died for lack**
18 **of a second.**

19
20 **Commissioner Bryant moved that the Planning Commission APPROVE the**
21 **ordinance amendments to sections in each residential zone defining allowances**
22 **for 'Household Pets', to include the following language:**

23
24 **(*) Household pets (maximum two, *may include a maximum of six (6)***
25 ***chickens, with no roosters allowed*).**

26
27 **Commissioner Hartley seconded the motion. Vote on motion: Brian Russell –**
28 **Nay; Dennis Hansen – Nay; Kent Hartley – Aye; Cade Bryant – Aye; James Webb**
29 **– Aye. The motion passed 3-to-2.**

30
31 **II. DISCUSSION ITEMS**

32
33 **A. INTERCONNECTIVITY DISCUSSION – BLAINE PAGE**

34
35 Blain Paige, a long-time City resident and former Commission Member, brought before
36 the Commission the issue of interconnectivity in the City.

37
38 Mr. Paige presented three maps showing examples of businesses where
39 interconnectivity was denied by a property owner. In these cases, a customer would
40 have to enter the main road to travel between businesses, which can become
41 dangerous. Mr. Paige also showed an example of a condominium complex suffering
42 with the same problem, where the residents are unable to access the businesses
43 directly adjacent to them because the parking lots do not connect. He noted that there
44 is a current ordinance in effect regarding interconnectivity. It, however, only encourages
45 a business or property owner to connect with another. Chair Russell and Mr. Taylor

1 both responded that while the Legal Department presses for interconnectivity, they
2 cannot enforce the matter.

3
4 Mr. Paige outlined the following four suggested goals in addressing the issue:

- 5
6 1. To strengthen the current ordinance by making interconnectivity a requirement
7 for all adjoining retail/wholesale businesses, and commercial businesses.
8
- 9 2. To fix some of the current issues, such as the ones presented in the maps he
10 provided.
11
- 12 3. He asked that the Commission make a recommendation to the City Council for a
13 moratorium on all proposed business construction.
14
- 15 4. Mr. Paige suggested immediate action be taken by the Planning Commission
16 with a motion to adopt the proposed suggestions, and recommend that the City
17 Council also grant approval of the proposed recommendations.
18

19 Mr. Paige presented a list of places where interconnectivity can be improved, as well as
20 a list of the pros and cons associated with making the adjustments. The Commission
21 expressed concern with making interconnectivity a blanket requirement, because there
22 are some cases where it would be unsafe or unnecessary. This is something that
23 should be considered on a case-by-case basis. Staff's position was to do everything
24 possible to provide interconnectivity and walkable areas between businesses. It was
25 stressed that the safety of residents is always a priority.
26

27 The Commission was unable to make a motion or recommendation at this time.
28 Mr. Taylor informed those in attendance that proper procedures need to be followed
29 prior to the Commission and Council taking formal action. The business owners need to
30 be given notice beforehand so that they can be given an opportunity to voice their
31 support or opposition. A formal request needs to first be made by the City's Planning
32 Department. The Commission agreed that this is an issue that should be discussed at a
33 future date.
34

35 **III. ADJOURNMENT**

36
37 The meeting adjourned at approximately 7:34 p.m.