Exhibit “A”

Chapter 18.155
FENCES

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18.155.010 Title.

This chapter shall be known as the Riverton City fencing ordinance, and may be so cited and pleaded. [Ord. 10-3-00-1 § 1 (Exh. A). Code 1997 § 12-360-005.]

18.155.020 Purpose.

(1) Promote property security, privacy and architectural compatibility.

(2) Promote vehicular and pedestrian safety through safe fence placement and height to allow proper visibility standards. [Ord. 10-3-00-1 § 1 (Exh. A). Code 1997 § 12-360-010.]

18.155.030 Definitions.

The term “fence” shall include any sight obscuring, tangible barrier, an obstruction of any material, which creates a solid line and serves as an obstacle a line of obstacles, ~~lattice work,~~ screening material, or wall, ~~hedge, or continuous growth of vegetative material~~ installed with the purpose of or having the effect of preventing passage or view across the fence line. The term “fence” shall not include a hedge row or other continuous growth of vegetative material. A fence which is not sight obscuring but uses vegetative material to create a sight obscuring fence shall not meet the definition

of a fence under the Riverton City Municipal Code. [Ord. 10-3-00-1 § 1 (Exh. A). Code 1997 § 12-360-015.]

18.155.040 Residential fencing.

(1) Rear and/or Side Yard Setback. It shall be prohibited to construct, maintain or cause a fence to be constructed along a rear and/or side yard(s) exceeding six feet in height except as described herein.

(2) Front Yard Setback. Fencing shall not be permitted greater than three feet high within the first 20 feet inside any front property line, subject to the following exception;

(a) Fencing of a height greater than 3 feet may be installed in front of schools, public, and quasi-public buildings when necessary for the safety restraint of the occupants thereof; provided said fencing does not interfere with the line of sight necessary for vehicles to safely enter or exit the property where fencing may be installed, or any neighboring property. Approval of fencing at a greater height under this subsection (2) (a) requires a finding by the Planning Commission that the safety restraint of the occupants of the subject building is necessary because the building site is adjacent to an arterial street.[Ord. 09-14 § 1(A); Ord. 12-7-04-1 § 1 (Exh. A); Ord. 10-3-00-1 § 1 (Exh. A). Code 1997 § 12-360-020.]

18.155.050 Corner lot.

(1) Corner Lot Setbacks. Fencing on corner lots shall not exceed three feet in height within a 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).

(2) Obstructions. No plant material, monument signs, nor any other obstruction will be permitted above three feet 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).

(3) Corner Lot Exceptions. The maximum fence height shall not exceed three feet to a minimum 10-foot setback where a fence is located adjacent to an existing driveway on an adjoining lot if the adjoining driveway is within 15 feet of the fence. Fence height shall not exceed three feet to a minimum 20-foot setback where a driveway accesses a garage or other parking area from the street side yard. [Ord. 10-11 § 1; Ord. 10-3-00-1 § 1 (Exh. A). Code 1997 § 12-360-025.]

18.155.060 Exceptions for lots fronting on major streets.

For purposes of this chapter, “major streets” shall be defined as:

Redwood Road

12600 South

13400 South

11800 South

3600 West

2700 West

1300 West

(1) Major Streets. Fences, walls, hedges or screening material adjacent to major streets may be eight feet high to provide additional privacy and reduce the noise from the street. This includes fencing within the front setback for lots with frontage on major streets. No fence, wall, etc., shall be allowed to exceed three feet in height within 10 feet of any driveway or property access point. Fencing must comply with all applicable requirements of this chapter, including RCC 18.155.070(7), which requires all fencing taller than six feet to be engineered and meet Riverton City engineering department approval.

(2) Bangerter Highway. Property owners abutting Bangerter highway may erect a fence to a height not exceeding 10 feet on the property line adjacent to the highway right-of-way. All fences along the highway must meet collector street fencing standards and shall be approved by the planning commission. [Ord. 09-14 § 1(B); Ord. 10-3-00-1 § 1 (Exh. A). Code 1997 § 12-360-030.]

18.155.070 Fencing material permitted/not permitted.

Barbed wire, razor ribbon and similar fencing material shall be prohibited in all zones except agricultural, manufacturing and certain commercial zones which must be approved by the city council. The use of barbed wire, razor ribbon and similar fencing material shall conform to the following restrictions:

(1) Standards for Barbed Wire or Similar Material. Barbed wire, razor ribbon or similar material shall be pulled straight and not rolled or coiled.

(2) Standards for Barbed Wire or Similar Material. When straight strands of barbed wire and similar material are used on top of fences or walls, the total fence height shall not exceed seven feet. The barbed wire or similar material shall not be less than six feet from the ground and shall not consist of more than three strands.

(3) Setback. In nonresidential commercial zones, barbed wire, razor ribbon or similar material shall not be used within the 20-foot front setback, nor along any common lot line with a residential zone or a residential development.

(4) Electrically Charged Fences. It shall be unlawful for any person to erect or cause to be erected or to maintain any device on a fence with an electrical charge except in zones with animal rights where large or medium animals (as defined in RCC 18.20.110) are currently on the property. Electrically charged fences must be removed within 30 days of the time when animals no longer live on the property. No electrically charged fences will be permitted between noncompatible uses, nor along any public rights-of-way.

(5) Prohibited Materials. Materials prohibited in all zones: grape stakes (or similar), plastic materials other than vinyl. Chain link fencing with slats will not be permitted within the front setback nor along any street.

(6) Construction Sites. Temporary construction fencing shall be installed along boundaries or where required, to contain blowing refuse prior to the start of building construction as recommended by the city engineering department. The construction fence shall remain in place until the final bond release or until 90 percent of the lots are

built on (see Chapter 17.15 RCC). Temporary fences for uses other than construction shall be subject to city planning staff approval.

(7) Engineering Fencing. All fences taller than six feet must be engineered and meet Riverton City engineering department approval. [Ord. 10-3-00-1 § 1 (Exh. A). Code 1997 § 12-360-035.]

18.155.080 Non Compatible Zones.

(1) Noncompatible Zones. A solid core decorative concrete fence with a minimum height of six feet shall be required between noncompatible zones. Both sides of the fence shall receive equal treatment with respect to pattern, color, etc. Hollow, foam core, fiberglass/concrete mix, or other alternative fence types are not permitted. However, the City may allow alternative fencing based on City approved future land use plans. ~~Non-compatible zoning includes commercial/industrial adjacent to residential, multi-family residential adjacent to single-family residential, zoning with large/medium animal rights adjacent to zoning without such animal rights, and may include other zoning as determined by the Planning Commission~~.

(2) Exception to subsection (1). If a property under development:

(a) is situated within, and surrounded by, a region which is designated as medium density residential under the Riverton City General Plan; and

(b) is adjacent to property which is zoned as rural residential, agricultural, or is otherwise permitted to keep agricultural animals such as (without limitation) horses, cows, goats, sheep or pigs on one or more borders of the property under development; however,

(c) no agricultural animals are found on adjacent property at the time a developer of said property under development has filed a complete application to subdivide or obtain a building permit, and no evidence exists to demonstrate any agricultural animals occupied adjacent property for 6 months prior the filing of a complete application to subdivide or obtain a building permit; then

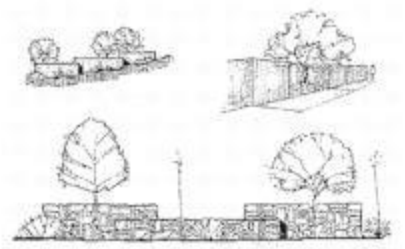
(d) the fencing standard found within this section shall not apply, but only to the extent agricultural animals are not found adjacent to any particular border of the property under development as described in subsection (2) of this section.

(3) Fencing Height. Fencing shall be a minimum of eight (8) feet in height between commercial/industrial zones and residential zoning of any type.. [Ord. 10-3-00-1 § 1 (Exh. A). Code 1997 § 12-360-040.]

18.155.090 Perimeter Fencing.

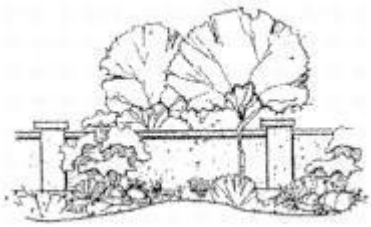
~~(1) Developments with Lots Not Fronting Exterior Public Streets. Fences surrounding developments having no individual lots that front on an exterior public street shall have a solid core decorative concrete fence or wall in the front setback area to a height of six feet, except that such fence shall be reduced to three feet at driveway entrances in the same manner as required for intersections. Hollow, foam core, fiberglass/concrete mix, or other alternative fence types are not permitted. Both sides of the fence shall receive equal treatment with respect to pattern, color, etc.. Fencing for all subdivisions shall meet all ordinances as outlined in this section and it Chapter 17.15 RCC.~~

~~(2) Visual Monotony. Fencing along public streets greater than 40 feet in unbroken length shall be designed to increase shadow patterns, provide interesting visual effects and reduce apparent mass, placing one of these elements every 20 feet of fencing structure. See Figure 18.155.090(1).~~



~~**Figure 18.155.090(1)**~~
~~**Example of Wall Variations**~~

~~(3) Vegetation. Where a new wall or fence would create a continuous surface greater than 20 feet in length, it shall also be softened visually with landscaping including trees, shrubs and vine plantings. See Figure 18.155.090(2).~~



~~**Figure 18.155.090(2)**~~
~~**Vegetation Around Walls**~~

~~(4) Street Landscaping. Landscaping required for commercial and manufacturing developments, and any required street trees, shall be located on the street side of the fence structure. [Amended during 2011 recodification; Ord. 10-3-00-1 § 1 (Exh. A). Code 1997 § 12-360-045.]~~

18.155.100 Fences for recreational use.

(1) Height Restrictions. On interior, side and rear property lines, fence type uses such as tennis court enclosures, sport courts, covered jacuzzis, ball diamond backstops, etc., may be erected to a height greater than six feet, but shall not exceed a height of 18 feet and must meet accessory structure setback requirements. All fences taller than eight feet shall require a conditional use permit.

(2) Approval. All pools, jacuzzis and fencing around pools and jacuzzis must be approved by city planning staff.

(3) Swimming Pools and Uncovered Jacuzzis.

(a) Pool Location. Swimming pools shall not occupy any front yard nor shall the edge of the pool be located any closer than five feet from any fence.

(b) Fencing Around Pool. A fence six feet in height shall be required to enclose all pools but shall not be within five feet of the pool edge. Fencing must meet city planning staff approval.

(c) Fences Previously Built. Fences constructed and approved by the city prior to the adoption of the ordinance codified in this chapter and compliant with the ordinance in affect at the time of construction shall be considered legal pre-existing fencing. ~~a nominal six-foot fence; provided, that the measured fence height is not less than five feet six inches and that such conditions are not dangerous to life or safety.~~

(d) Hand- and Footholds. Fences around swimming pools and jacuzzis shall not be constructed in a manner as to provide hand- or footholds for climbing.

(e) Gates. Self-locking gates and/or entrances shall be used if openings are provided in pool walls or fences. All pedestrian gates will be self-closing and self-latching and open outwards from the pool if no interior barrier is installed. Gate latches shall not be less than 54 inches above finished grade, and shall not require a key to exit from inside the enclosure. [Ord. 10-3-00-1 § 1 (Exh. A). Code 1997 § 12-360-050.]

18.155.110 Fence within a fence.

(1) Parallel Fencing. It shall be prohibited to construct, cause to be constructed or maintain a fence running parallel within 10 feet of another fence, except where fencing is adjacent to property with large/medium animal and/or agricultural rights. In such situation, it shall be the responsibility of the respective property owners to maintain any space created between the fences to City standards. Such fencing shall meet any and all applicable standards of ~~this section. (2)~~ the Riverton Municipal Code; however one of the two parallel fences may consist of barb wire if it is necessary to prohibit agricultural animals lawfully located upon property from coming into contact with another fence. In such instances, barb wire fencing cannot be located within 3 feet of any other fencing.

(2) Existing Fencing. Private property owners of residential lots whose backyards are adjacent to roads with existing wrought iron fencing, where wrought iron fencing is not permitted to be removed, may install a fence parallel to the existing fence within 10 feet after receiving staff approval, but shall be responsible for maintenance of any space created between the fences.

~~(3) Vegetation. A hedge or other plantings will be permitted adjacent to a fence for screening if consistent with all aspects of this chapter~~

. [Ord. 10-3-00-1 § 1 (Exh. A). Code 1997 § 12-360-055.]

18.155.120 Elevation differential.

(1) Change in Elevation. Fences, walls, or hedges located along a property line separating two lots where there is a difference in the grade of two feet or greater shall ~~erected to the maximum height permitted on the side with the lower elevation. Minimum height on the side with a higher elevation is three feet. In cases where the fence is within 20 feet of an adjacent driveway, fencing must meet engineering department approval.~~be approved by the Planning Manager prior to installation, and may require Engineering Department review and approval.

(2) Fence Height. Fence height shall be measured on the exterior side of the enclosure from the top of the foundation to a line five feet from the fence.

(3) Varying Grade. In varying grade situations, the average height of the majority of the fence shall be deemed the overall fence height.

(4) Berms. For residential development, all fencing on berms must remain in accordance to all ordinances with the height measurement being taken from original elevations. [Ord. 10-3-00-1 § 1 (Exh. A). Code 1997 § 12-360-060.]

18.155.130 Retaining walls.

(1) Engineer Approval. Retaining walls greater than four feet in height must have a stamped approval from a Utah-registered and licensed engineer. [Ord. 10-3-00-1 § 1 (Exh. A). Code 1997 § 12-360-065.]

18.155.140 Fences on public rights-of-way.

No fence approved under this chapter shall be erected which extends beyond the property line without the issuance of a permit by the city planning department.

Approval of a fence on the public right-of-way shall be subject to the following conditions:

(1) Sidewalks and Fire Hydrants. No fence shall be erected, maintained or caused to be erected within one foot of an existing or future sidewalk or within a three-foot radius of a fire hydrant.

(2) Public Rights-of-Way. The city shall retain the right to remove any fence on the public right-of-way for any purpose it deems necessary. Removal and replacement shall be at the sole expense of the property owner.

(3) Maintenance. Maintenance of the area between the sidewalk and the property line shall be the sole responsibility of the property owner.

(4) Mow Strips. All new developments required by the city council to install fencing along major arterials must have a concrete mow strip installed beneath the fence, no less than four inches in width. [Ord. 10-3-00-1 § 1 (Exh. A). Code 1997 § 12-360-075.]

18.155.150 Fences required in specific areas.

(1) Fences Required by the State. Fences required by state law to surround or enclose public utility installations, public schools or other public buildings shall be exempt from these height restrictions but shall meet other pertinent state and local requirements.

(2) Collector/Arterial Street Fencing. Fencing along collector and arterial streets as defined by Riverton City shall consist of a minimum six (6) feet high decorative solid core concrete fencing. Hollow, foam core, fiberglass/concrete mix, or other alternative fence types are not permitted. Both sides of the fence shall receive equal treatment with respect to pattern, color, etc. ~~(2) Lots Adjacent to Residential Zones. An eight-foot-high solid fence shall be required between all commercial and industrial zones having a common lot line with a residential zone of any type. A six-foot-high solid fence shall be required between multiple-family or planned development zones having a common lot line with a single-family residential zone but shall be reduced to three feet in height inside the front yard setback area and shall meet all other aspects of this chapter.~~

(3) Irrigation Access. No fence shall be permitted to obstruct a weir or irrigation access unless permitted by the water master of the respective ditch or canal.

(4) Irrigation Fencing. For new or amended development, fencing along ditches, canals or other irrigation lines shall be of ~~a solid visual material~~ decorative solid core concrete fencing. Hollow, foam core, or other alternative fence types are not permitted. [Ord. 10-3-00-1 § 1 (Exh. A). Code 1997 § 12-360-080.]

18.155.160 Modification of required fences on major roadways.

It shall be prohibited to remove, replace, or physically alter any existing fence along a collector or arterial roadway as categorized by the city which the city has required and/or specified by location, height, type or material, either by ordinance or as a condition of approval of a development, except as follows:

(1) Fences required by the city are classified by category:

(a) Category III. Solid masonry (brick, stone, etc.), stucco, pre-cast concrete, cinder block, and similar materials.

(b) Category II. Solid vinyl, vinyl with masonry columns, pre-cast vinyl panels, and similar materials.

(c) Category I. Wood, chain link, chain link with slats, wrought iron, etc.

(2) A fence required by the city may be repaired or replaced as it was approved, or it may be replaced with a fence type from a higher category. For example, a wood fence (Category I) may be rebuilt as a wood fence, or it may be replaced with a fence type from either Category II or III. A precast concrete panel fence (Category III) may only be rebuilt as approved, as it is in the highest category.

(3) A request to replace or rebuild a fence required by the city must be submitted in writing to and approved by the planning manager. The planning manager may, at his discretion, submit the request to the city council for approval.

(4) Approval is not required for minor or emergency repairs, provided they do not alter the character or material of the fence. [Ord. 2-13-07-1 § 1 (Exh. A); Ord. 10-3-00-1 § 1 (Exh. A). Code 1997 § 12-360-085.]

18.155.170 Fences not otherwise identified.

The planning commission shall review all requests for any type of fence not specifically identified in this chapter and may approve said fence if, in the opinion of the commission, the fence does not impair the intent and purpose of this chapter. [Ord. 10-3-00-1 § 1 (Exh. A). Code 1997 § 12-360-090.]

18.155.180 Violation – Fines.

Violations of this chapter shall be punishable as a class C misdemeanor. [Amended during 2011 recodification; Ord. 10-3-00-1 § 1 (Exh. A). Code 1997 § 12-360-095.]

18.155.190 Figures.

Figure A

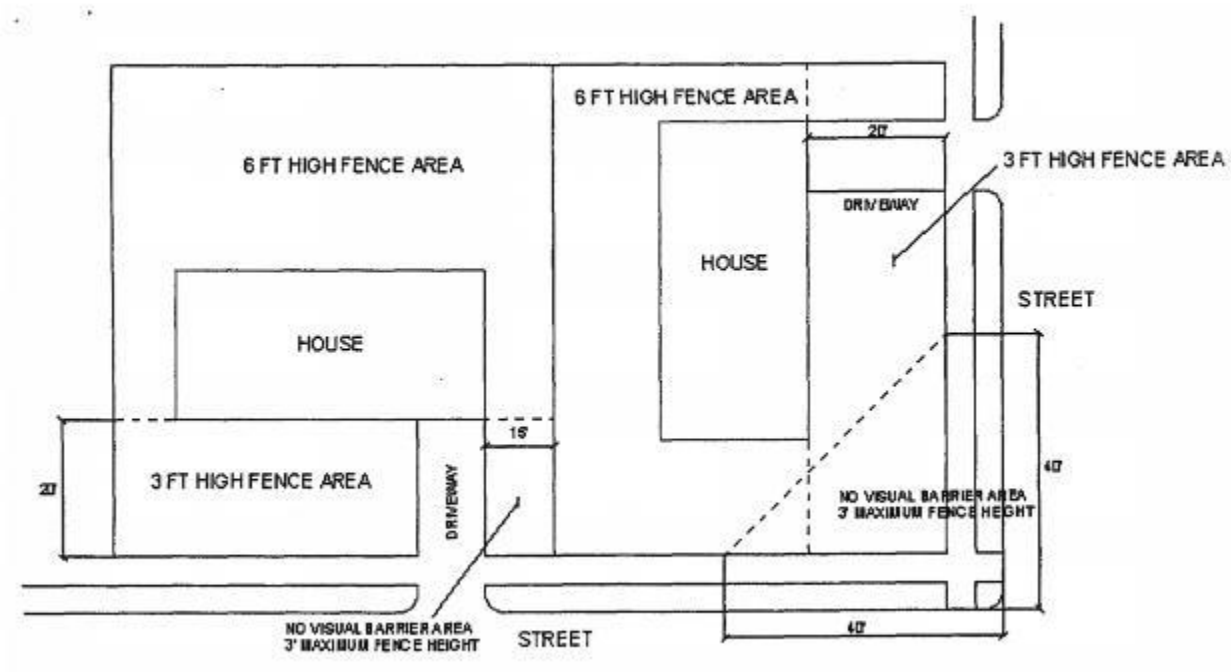
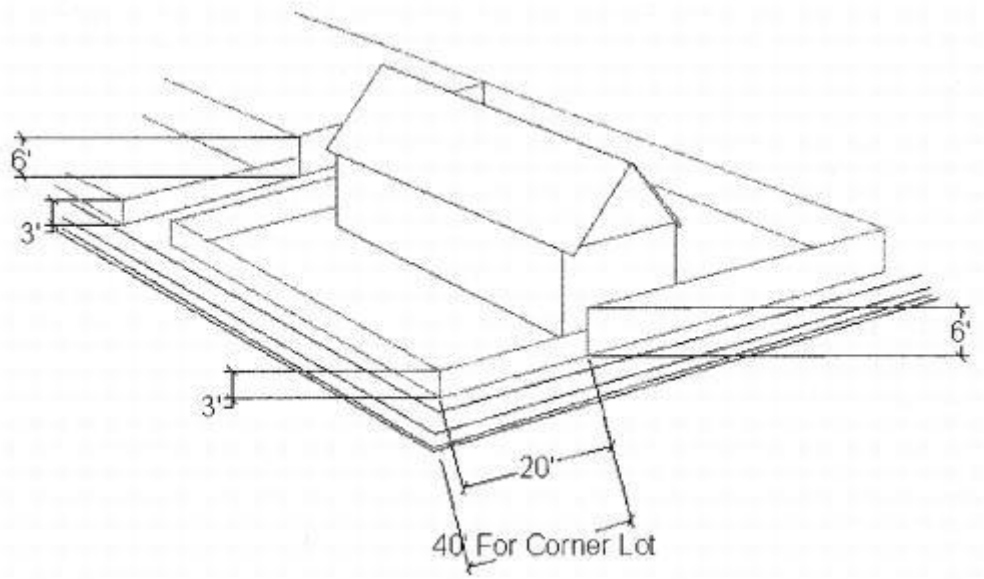


Figure B



[Ord. 10-3-00-1 § 1 (Exh. A). Code 1997 § 12-360-095.]

Section 18.05.030

Definition of terms.

Definitions

18.05.030 Definition of terms.

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this title:

"Noncompatible use of land" or "Noncompatible zone" means a use of land or zone that is determined to be, or of potentially being in conflict with, or of adverse impact to, adjoining parcels. Adjoining uses which differ in activity, intensity and utilization, or which are contrary to harmonious uses may be determined as noncompatible at the discretion of the planning commission, and shall include without limitation:

(1) the shared border between any residential zone, other than rural residential zone, and
(a) a rural residential zone,
(b) an agricultural zone,
(c) any commercial zone
(d) any professional office zone;
(2) the shared border between any commercial zone and any non-commercial zone;
(3) the shared border between any planned community zone and any other zone.
(4) the shared border between any industrial zone and any other zone.

Subdivision Ordinance

17.10.010 (k) Preliminary Plat

17.15.020 (c) Lots

17.15.030.13 Permanent Improvements

~~recommendation of the planning commission~~compliant with Section 18.155.080 of the Riverton City Land Use Code.

(l) North arrow, scale, date, name of project, and sheet number shown on each sheet of the plans (i.e., one of five sheets).

(m) A tentative plan for providing street lighting in the subdivision.

(n) A review copy of proposed protective covenants.

(o) Compliance with existing zoning and conformance with the city's general plan including the transportation and future land use elements.

(p) A preliminary storm drainage study and plan by which the subdivider proposes to handle stormwater drainage for an event with a 10-year return interval.

(q) The proposed layout, dimension and numbering of all lots.

(r) Proposed construction of permanent fencing along appropriate subdivision boundaries where adjacent to incompatible uses or canal easements in conformance with the guidelines provided in this title and staff recommendations.

(s) The proposed methods of providing all secondary water systems relating to the properties, including a full consideration of all runoff water conditions and any adjacent canal weirs that will need access provided.

(t) Traffic analyses and studies as determined by the development review committee or planning department staff.

(u) Plan showing any required landscaping and/or park strip tree planting.

(v) Special attention for entries from an arterial into the proposed subdivision shall consist of landscaping and/or formal entry signs or some form of demarcation as to the entry of that subdivision.

(w) If the site requires substantial cutting, clearing, grading, or other earthmoving operations in the construction of improvements, the applicant shall include a soil erosion and sedimentation control plan prepared by a registered civil engineer.

(x) Copies of any agreements with adjacent property owners relevant to the proposed subdivision.

(y) Evidence of how the subdivision provides linkages and/or connections to surrounding neighborhoods for vehicles and pedestrians, including, but not limited to, the use of stub streets, trails, pedestrian walkways or other paths.

(z) A comprehensive geotechnical and soils report prepared by a qualified engineer based upon adequate test boring or excavations shall be submitted in accordance with the Riverton City Standard Specifications and Plans Manual.

(aa) Satisfactory evidence that all utilities and services will be available for the subdivision and the utilities and easements therefor have been reviewed by the utility companies.

(bb) The subdivider shall comply with all other applicable federal, state, and local laws and regulations and shall provide evidence of such compliance if requested by the city.

(8) Complete Preliminary Plat. A preliminary plat application shall not be deemed complete until all submittals are accepted by the planning department and the planning director together with the city engineer have agreed that the application is complete. At such point, the city staff shall have four weeks to bring the application before DRC for review and redline the drawings to ensure compliance with the ordinances and specifications.

(3) Side Property Lines. Side lines of lots shall be at approximately right angles to the street line, or radial to the street line.

(4) Corner Lots. Corner lots for residential use should be platted 10 percent larger than interior lots in order to facilitate conformance with the required street setback for both streets.

(5) City Limit Lines. A lot shall not be divided by a city limit line. Each property boundary line shall be made a lot line.

(6) Property Remnants. Remnants of property shall not be left in the subdivision which do not conform to lot requirements or are not required or suitable for common open space, private utility, public purpose, or other purpose approved by the city council.

(7) Double Frontage Lots. Residential lots shall not be allowed to front onto arterial and collector streets. Where lots double front on an arterial or collector street, as determined by the master transportation plan, the following requirements shall apply:

(a) Curb, Gutter and Sidewalk. Curb, gutter and sidewalk shall be installed the length of the property to Riverton City standards as specified in the Riverton City Standard Specifications and Plans Manual. Sidewalks shall be five feet in width and are encouraged to be meandered.

(b) Park Strip. There shall be a 20-foot setback from the back of curb to the wall or fence. This setback shall include a landscaped park strip with a five-foot sidewalk. Where a meandering sidewalk is used, all points of the sidewalk shall be placed a minimum of five feet from the back of curb.

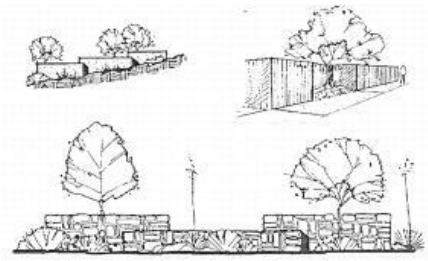
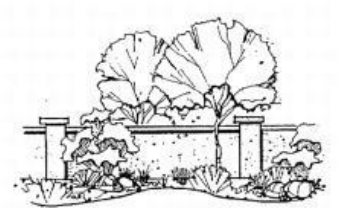


Figure 17.15.020(1)
Examples of Wall Variation

(c) Collector Street Fencing. Collector street fencing shall be installed along the arterial or collector street. Collector street fencing shall be ~~in form of solid visual barrier, constructed of stone, brick, or decorative concrete simulating stone or brick. Walls and fences greater than 40 feet in unbroken length shall be designed to increase shadow patterns, provide interesting visual effects and reduce apparent mass. Walls and fences on slopes should follow the terrain. See Figure 17.15.020(1).~~

~~(d) Vegetation. Where a new wall or fence would create a continuous surface greater than 20 feet in length, it should also be softened visually with generous landscaping including trees, shrubs and vine plantings. See Figure 17.15.020(2).~~



~~**Figure 17.15.020(2)**~~
~~**Landscaping Around Walls**~~

~~[Amended during 2011 recodification; Ord. 8-17-99-1 § 1 (Exh. A); Ord. 2-3-98-1 § 1 (Exh. A). Code 1997 § 12-325-030-B.]~~compliant with Section 18.155

17.15.030 Permanent improvements.

The subdivider of any land located in or platted as a subdivision shall, at his own expense, install the following improvements in compliance with preliminary and/or final plat approval and the specifications contained in the Riverton City Standard Specifications and Plans Manual.

(1) Water Systems.

(a) No subdivision shall be approved or allowed that does not connect onto an approved public water system with adequate capacity and pressure to supply the water needs of the proposed subdivision. The city engineer shall determine whether the water system is adequate in both capacity and pressure. If the water system is not adequate, the subdivider shall be required to improve the water system at his own cost to bring the water system up to an adequate level of capacity and pressure. The subdivider shall also install through the utility easement, at his own expense, all off-site water pipelines, equipment, and pump stations necessary to connect with and make available the existing water supply distribution system of the city. Service lines shall not be placed in driveway approaches. Stop and waste valves shall be in private property and shall not be placed in park strips. The bonding provisions of RCC 17.10.030 shall apply to this section.

(b) The subdivider shall install water lines to make the supply of water available to each lot within the subdivision, including laterals to the utility easement of each lot. The location and size of water mains shall be approved by the city engineer. All water lines must be extended across the entire frontage of all existing streets and to the boundary of the subdivision on all existing or proposed city streets.

(c) Existing mains must be relocated if in conflict with proposed subdivision.

(d) The subdivider shall pay to the city a per acre charge for the development of off-site capital storm drainage facilities as required by Chapter 18.205 RCC, Impact Fees.

(2) Secondary Water Shares. The subdividers shall install a secondary water system sufficient to meet the outside watering needs of each lot within the subdivision. The city engineer shall determine whether the designed secondary water system is adequate in both capacity and pressure. The secondary water system shall meet all requirements and specifications as shall be recommended by the Riverton City Standard

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maximum of one driveway access shall be permitted per lot unless the driveway being installed is a circular drive or the second driveway is more than 25 feet from the main driveway, exclusive of arterial and major collector streets.

(9) Park Strips. All public rights-of-way shall have a park strip of a minimum of six feet wide and be planted with one-and-one-half-inch caliper trees every 30 feet on center in conformance with Riverton City's master streetscape plan and Riverton's approved recommended tree species list. Or the developer shall guarantee a minimum of two trees for every new home built, to be placed in the front yard, within 30 days that an issuance permit for occupancy of a new home is granted. Where fronting on arterial or collector streets, park strips shall be a minimum of five feet in width within a 20-foot landscaped setback as set forth in RCC 17.15.020(7).

(10) Irrigation Water. All gravity flow ditches through which water will continue to flow within or adjoining a subdivision after its completion, whether to serve as irrigation water and/or waste flow to or from any adjacent property, shall be piped and shall be approved by the city engineer. Irrigation ditches which do not carry irrigation water and/or waste flow may be abandoned. Also, a letter of approval from the ditch company must be submitted to the city for ditch enclosures.

(11) Fire Hydrants. Fire hydrants shall be installed as required. Such fire hydrants shall be of the type, size, and number as required by the Riverton City Standard Specifications and Plans Manual and installed in such locations as approved by the city engineer. A fire hydrant shall be placed at the end of every cul-de-sac.

(12) Street Signs. The subdivider shall furnish and install all necessary street marker and traffic control signs as defined by the Manual of Uniform Traffic Control Devices and approved by the city engineer and city council.

(13) Fencing. ~~A permanent metal chain link, masonry, or other nonclimbable fence other than wood and not less than six feet in height shall be installed along all boundaries with properties adjacent to the subdivision where adjacent uses are found to be incompatible by the planning commission~~Perimeter fencing compliant with Section 18.155.090 shall be installed~~.~~ In addition, temporary construction fencing ~~shall~~ may be ~~installed~~ required along boundaries or where required to contain blowing refuse prior to the start of building construction as recommended by the city engineer.~~ The construction fence shall remain in place until the final bond release or until 90 percent of the lots are built on~~. Upon installation and acceptance of the permanent fence by the city, individual property owners shall assume full responsibility for maintenance of fences or portions of fences constructed upon their property and shall hold the city harmless for any and all defects of workmanship, maintenance, repair, and liabilities of any nature arising from the construction or intended use of said fences. In situations where a temporary construction fence and a nonclimbable permanent fence coincide, the nonclimbable permanent fence shall take the place of the temporary construction fence and shall be constructed prior to the beginning of home construction within the subdivision. Where necessary, collector and arterial street fencing shall also be installed as per RCC ~~17.15.020~~18.155.150(2)~~(7)~~.

(14) Staking of Lots. Survey stakes shall be placed at both front and back lot corners to completely identify the lot boundaries on site. Back lot corners shall be marked with a metal pipe or rod driven into the ground, and front lot corners shall be identified with permanent plugs in the sidewalk or back of the curb. All lot corners must be in place

Site Plan Ordinance

18.215.030 (5) Buffering Screening Requirements

throughout the park to provide a unifying landscape theme. Details for these areas shall be submitted with the landscape plan.

(g) Other Landscaping Regulations. In cases where a building(s) is set back from any street, and parking is contained in the front or the side of a building(s), a landscaped strip of no less than 10 feet wide shall be placed between the sidewalk and the parking lot. Trees as approved by the city shall be placed in the strip and spaced at no less than 30-foot intervals.

(4) Parking Lot and Street Lighting. All parking lot light fixtures shall be installed to prevent light glare from adversely affecting adjacent properties. Pole-mounted fixtures are required. Lighting of all pedestrian pathways is recommended.

Lighting will be judged as to how adequately it meets its intended purpose. Design and location of standards and fixtures shall be specified on the site development drawings. Intensities shall be controlled so that neighboring areas will not be adversely affected by glare or excessive direct light. All street lights and interior parking lot lights shall meet the adopted Riverton City design standards for lighting, and the adopted Street Lighting Policy within the Riverton City Standards and Specifications Manual.

(5) Buffering/Screening Requirements. Any commercial lot that abuts a residential or agricultural use shall be effectively screened by a combination of a wall, fencing, and landscaping of acceptable design. Fencing shall comply with section 18.155, Fencing, including section 18.155.080, Noncompatible Zones, of that ordinance. ~~No chain link or wood fences are permitted as buffering or screening between commercial and residential. Masonry and solid white vinyl are suggested types of fences, and, as circumstances require, one or the other may be required. Required walls or fences shall not be less than six feet in height, unless a wall or fence of a different height is required by the city council in consideration, by recommendation of the planning commission, as part of site plan review. Landscaped berms with sufficient trees may be reduced to four to five feet depending on specific adjacent uses~~. Such wall, fence and landscaping shall be maintained in good condition with no advertising thereon. All developments shall have a minimum number of both deciduous and evergreen trees to provide for shade and visual relief.

(6) Access Requirements.

(a) Access onto a Public Street. Access onto public rights-of-way shall not be closer than 100 feet from an intersection, nor another driveway on the same side of the street. When a parcel has less than 200 feet of frontage on a public right-of-way, then all necessary efforts shall be made to work collaboratively with adjacent property owners to share a common ingress and egress straddling the common property line.

(b) Access Dimensions. For each commercial lot, access shall be provided and shall meet the following requirements: each roadway shall not be more than 40 feet in width, measured at right angles to the centerline of the driveway, except as increased by permissible curb return radii. The entire flare of any return radii shall fall within the right-of-way.

(c) Interconnection. All parking and other vehicular use areas shall be interconnected with adjacent properties in order to allow maximum off-street vehicular circulation.

(d) Acceleration and Deceleration Lanes. Acceleration and deceleration lanes shall be required on major arterials when deemed necessary by the city engineer.

Single Family Residential Zones

18.20.080 R-1, Fencing between non Compatible Zones

18.25.080, RR-22, Fencing between non Compatible Zones

18.30.080, R-2, Fencing between non Compatible Zones

18.35.080, R-3. Fencing between non Compatible Zones

18.40.080, R-4. Fencing between non Compatible Zones

shall be determined by the fire chief or designee. [Amended during 2011 recodification; Ord. 8-17-99-1 § 1 (Exh. A). Code 1997 § 12-215-035.]

18.20.080 Fencing between noncompatible zones.

Fencing between noncompatible zones shall comply with Section 18.155.080 of the Riverton City Land Use Code. ~~All properties adjacent to or abutting zones which are not rural residential or agricultural in nature shall install fencing of sufficient quality, able to withstand an impact from large animals. Fencing may also be required by the planning commission or city council for other potential noncompatible uses.~~ [Ord. 8-17-99-1 § 1 (Exh. A). Code 1997 § 12-215-040.]

18.20.090 Automobile access.

All automobile access shall be through the front setback only. [Ord. 8-17-99-1 § 1 (Exh. A). Code 1997 § 12-215-045.]

18.20.100 Landscaping.

Whenever a residential dwelling is constructed, landscaping shall be installed in the front yard within one year from the date of the occupancy of the building. Landscaped areas shall consist of an effective combination of trees, ground cover, and shrubbery. All unpaved areas not utilized for access or parking shall be landscaped in a similar manner. All landscaping shall be maintained in a neat and orderly fashion. [Ord. 8-17-99-1 § 1 (Exh. A). Code 1997 § 12-215-050.]

18.20.110 Farm animals.

(1) Minimum Requirements. The minimum lot size to keep and own farm animals shall be a minimum of one-half of an acre lot. Residential lots zoned R-1 and RR-22, that are not at least one-half acre, are excluded from owning or keeping farm animals.

(2) Keeping of Farm Animals. No agricultural animals or fowl shall be kept within 40 feet of any residential dwelling. No structure for the keeping of agricultural animals or fowl shall be constructed or maintained within 40 feet of a residential dwelling.

(3) Standards for Farm Animal Use.

(a) Large animals may be kept at a ratio of two animals for each one-half acre of lot size; or

(b) Medium animals may be kept at a ratio of five animals for each one-half acre of lot size; or

(c) Small animals may be kept at a ratio of 20 animals for each one-half acre of lot size.

(d) Partially enclosed (and roofed) structures may be provided and maintained for all animals. Such structures shall be sited at the rear of the main dwelling and at least 40 feet from any dwelling unit, and comply with all other setback and yard regulations of the zone district and shall also comply with requirements outlined by the Salt Lake Valley health department.

(e) All types of pigs are strictly prohibited within the Riverton City limits.

(4) Large Farm Animals. Large farm animals shall include, but are not limited to, the following:

(a) Cow.

Multi Family Residential Zones

18.45.160 RM-6, Fencing

18.50.160 RM-8, Fencing

18.53.160 RM-8-D, Fencing

18.57.160 RM-14-D, Fencing

(4) Landscaping Quality. All landscaping shall be of sufficient quality, durability and survivability. Landscaping and open spaces shall be watered by a pressurized irrigation system installed to meet the watering needs of all flora.

(5) Amenities. Amenities such as club houses, swimming pools, tot lots, and other play equipment may be included in the open space requirement, provided they are commonly owned and maintained. Structural amenities such as a club house shall be consistent with the standards of this chapter and shall be approved as part of the site plan approval process for the development. [Amended during 2011 recodification; Ord. 07-08 § 1. Code 1997 § 12-250-075.]

18.45.160 Fencing.

(1) Collector Street Fencing. All residential subdivisions that have properties adjacent to or abutting onto a collector or arterial residential street shall have decorative fencing, in compliance with Chapter 18.155 RCC.

(2) Incompatible Land Uses. All properties adjacent to or abutting a single-family residential or commercial zone shall install ~~decorative masonry fencing of at a minimum of six feet in height.~~fencing compliant with Section 18.155.080 of the Riverton City Land Use Code.

(3) Height Requirements. No wall or fence higher than six feet shall be erected or maintained in any private rear yard nor shall any wall, fence, opaque hedge, or screening material be erected or maintained in any required front yard in excess of three feet in height. Except that any fence erected within 10 feet of any driveway and exceeding two feet in height shall be of visually nonobstructive material and shall be used to provide a safe distance for pedestrian and street traffic.

(4) Corner Lots. No wall, fence, opaque hedge, or screening material in excess of two feet shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points equal to the required setback lines. [Amended during 2011 recodification; Ord. 07-08 § 1. Code 1997 § 12-250-080.]

18.45.170 Swimming pools.

Any private swimming pool not completely enclosed within a building having solid walls shall be set back at least five feet from all property lines, and any public swimming pool not completely enclosed within a building having solid walls shall be set back at least 10 feet from all property lines. Any swimming pool shall be completely surrounded by a nonaccessible wall or fence having a height of at least six feet in which there shall be no openings larger than 36 square inches except for gates which shall be equipped with self-closing and self-latching devices, with latches placed a minimum of four feet above finished grade of the fence. [Ord. 07-08 § 1. Code 1997 § 12-250-085.]

(v) In no case will trees of less than one-inch caliper be accepted.

(c) Irrigation. All areas shall be watered by an installed irrigation system.

(5) Open Space Guarantees. Within all areas where condominium ownership is established in the RM-8 zone, adequate assurance in a form approved by the city attorney shall be provided for permanent retention and maintenance of all open space and areas of common ownership. A building permit shall not be issued until all required guarantees have been reviewed by the planning commission and approved by the city council. Such open space guarantees could include easements to the city for perpetual use as open space.

(6) Landscaping Guarantees. Whenever a residential dwelling is constructed, landscaping in the form of lawn, trees, or other plantings or landscape features, except for areas covered by walls, driveways, and other structures, shall be installed before issuing a certificate of occupancy, unless weather forces the developer to bond with the city for the landscaping for a maximum period of six months.

All landscaping shall be of sufficient quality, durability and survivability. Landscaping and open spaces shall be watered by a pressurized irrigation system installed to meet the watering needs of all flora.

(7) Tot Lots. Tot lots, including jungle gyms and other play equipment, shall be provided as part of the open space requirements at a ratio of one tot lot per 100 one-bedroom apartments, or 50 two-bedroom apartments, with a minimum of one tot lot per development. An exception to this requirement may be granted where the subject development is specifically set aside for senior citizens or elderly persons. Play equipment type and placement must be proposed and reviewed as part of the overall site plan. [Amended during 2011 recodification; Ord. 3-22-06-1 § 1 (Exh. A); Ord. 8-17-99-1 § 1 (Exh. A). Code 1997 § 12-240-075.]

18.50.160 Fencing.

(1) Collector Street Fencing. All residential subdivisions that have properties adjacent to, or abutting onto, a collector or arterial residential street shall have decorative fencing, in compliance with Chapter 18.155 RCC.

(2) Incompatible Land Uses. All properties adjacent to or abutting a single-family residential or commercial zone shall install fencing compliant with Section 18.155.080 of the Riverton City Land Use Code. ~~All properties adjacent to or abutting a residential or agricultural zone shall install decorative masonry fencing at a minimum of six feet in height~~. Fencing for properties adjacent to other uses may also be required by the planning commission or city council.

(3) Height Requirements. No wall or fence higher than six feet shall be erected or maintained in any private rear yard nor shall any wall, fence, opaque hedge, or screening material be erected or maintained in any required front yard in excess of three feet in height. Except that any fence erected within 10 feet of any driveway and exceeding two feet in height shall be of visually nonobstructive material and shall be used to provide a safe distance for pedestrian and street traffic.

(4) Corner Lots. No wall, fence, opaque hedge, or screening material in excess of two feet shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at point equal to the required setback lines.

(4) Trees. All areas shall have a minimum number of both deciduous and evergreen trees to provide for shade and to provide visual relief and a source of rural atmosphere.

The following shall be required:

(a) A minimum of 15 trees per acre shall be planted and maintained within the project, with tree type, placement, and caliper as approved by Riverton City.

(b) Tree types, placement, and caliper shall be designated in the approved project landscape plan.

(c) Irrigation. All areas shall be watered by an installed irrigation system.

(5) Landscaping Guarantees. Whenever a residential dwelling is constructed, landscaping in the form of lawn, trees, or other plantings or landscape features, except for areas covered by walls, driveways, and other structures, shall be installed before issuing a certificate of occupancy.

All landscaping shall be of sufficient quality, durability and survivability. Landscaping and open spaces shall be watered by a pressurized irrigation system installed to meet the watering needs of all flora.

(6) Amenities. Amenities within a development, such as a clubhouse, gazebo, pool, tot lot or play area, or similar amenities, must be proposed and approved as part of the overall site plan. The city council and planning commission may amend, add to, or otherwise modify proposed amenities or types of amenities, based on the size of the project, unit types, projected demographics and other considerations. [Ord. 12-10 § 1 (Exh. A).]

18.53.160 Fencing.

(1) Collector Street Fencing. All developments that have dwelling units adjacent to, or abutting onto, a collector or arterial street shall have decorative masonry collector street fencing, in compliance with Chapter 18.155 RCC.

(2) Incompatible Land Uses. Fencing between noncompatible zones shall comply with Section 18.155.080 of the Riverton City Land Use Code.~~All properties adjacent to or abutting a single-family residential or commercial zone shall install decorative masonry fencing at a minimum of six feet in height. However, the city council, upon recommendation from the planning commission, may allow for alternative fence type and height based on current and proposed future land use of adjacent properties.~~

(3) Height Requirements. No wall or fence higher than eight feet shall be erected or maintained in any private rear yard nor shall any wall, fence, opaque hedge, or screening material be erected or maintained in any required front yard in excess of three feet in height, except that any fence erected within 10 feet of any driveway and exceeding two feet in height shall be of visually nonobstructive material and shall be used to provide a safe distance for pedestrian and street traffic.

(4) Corner Lots. No wall, fence, opaque hedge, or screening material in excess of two feet shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at point equal to the required setback lines.

(5) Fencing Design. Required perimeter fencing shall be of a consistent design and type, with both internal and external sides of the fence similarly decorated and colored. [Ord. 12-10 § 1 (Exh. A).]

18.53.170 Swimming pools.

Any private swimming pool not completely enclosed within a building having solid walls shall be set back at least five feet from all property lines, and any public swimming pool not completely enclosed within a building having solid walls shall be set back at least 10 feet from all property lines. Any swimming pool shall be completely surrounded by a nonaccessible wall or fence having a height of at least six feet in which there shall be no openings larger than 36 square inches except for gates which shall be equipped with self-closing and self-latching devices, with latches placed a minimum of five feet above finished grade of the fence. [Ord. 12-10 § 1 (Exh. A).]

All landscaping shall be of sufficient quality, durability and survivability. Landscaping and open spaces shall be watered by a pressurized irrigation system installed to meet the watering needs of all flora.

(6) Amenities. Amenities within a development, such as a clubhouse, gazebo, pool, tot lot or play area, or similar amenities, must be proposed and approved as part of the overall site plan. The city council and planning commission may amend, add to, or otherwise modify proposed amenities or types of amenities, based on the size of the project, unit types, projected demographics and other considerations. [Ord. 14-17 § 1 (Exh. A); Ord. 14-02 § 1 (Exh. A).]

18.57.170 Fencing.

(1) Collector Street Fencing. All developments that have dwelling units adjacent to, or abutting onto, a collector or arterial street shall have decorative masonry collector street fencing, in compliance with Chapter 18.155 RCC unless otherwise approved by the city council as part of the site plan approval process.

(2) Incompatible Land Uses. Fencing between noncompatible zones shall comply with Section 18.155.080 of the Riverton City Land Use Code. ~~All properties adjacent to or abutting a single-family residential or commercial zone shall install decorative masonry fencing at a minimum of six feet in height. However, the city council, upon recommendation from the planning commission, may allow for alternative fence type and height based on current and proposed future land use of adjacent properties.~~

(3) Height Requirements. No wall or fence higher than eight feet shall be erected or maintained in any private rear yard nor shall any wall, fence, opaque hedge, or screening material be erected or maintained in any required front yard in excess of three feet in height, except that any fence erected within 10 feet of any driveway and exceeding two feet in height shall be of visually nonobstructive material and shall be used to provide a safe distance for pedestrian and street traffic.

(4) Corner Lots. No wall, fence, opaque hedge, or screening material in excess of two feet shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at a point equal to the required setback lines.

(5) Fencing Design. Required perimeter fencing shall be of a consistent design and type, with both internal and external sides of the fence similarly decorated and colored. [Ord. 14-17 § 1 (Exh. A); Ord. 14-02 § 1 (Exh. A).]

18.57.180 Swimming pools.

Any private swimming pool not completely enclosed within a building having solid walls shall be set back at least five feet from all property lines, and any public swimming pool not completely enclosed within a building having solid walls shall be set back at least 10 feet from all property lines. Any swimming pool shall be completely surrounded by a nonaccessible wall or fence having a height of at least six feet in which there shall be no openings larger than 36 square inches except for gates which shall be equipped with self-closing and self-latching devices, with latches placed a minimum of five feet above finished grade of the fence. [Ord. 14-17 § 1 (Exh. A); Ord. 14-02 § 1 (Exh. A).]

Planning Commission Record of Motion

Meeting Date: March 12, 2015

Item: Fencing Ordinance

Agenda Item# 1B

	Brian Russell	Dennis Hansen	~~Kent Hartley~~	Cade Bryant	James Endrizzi	Scott Kochevar	James Webb
Motion		✓					
Second					✓		

Motion(s): Motion # 1 (if multiple motions)

I move the Planning Commission recommend APPROVAL of the ordinance amendments to Sections 18.(20,25,30,35,40,45,50,43,57), Residential Development, 18.155, Fencing, 18.215, Site Plans, 18.135, General Provisions, and Title 17, Subdivision, as described herein, *with the following changes:*

Requiring clarification on the exception for fencing between non-compatible and compatible.

VOTE:

	Brian Russell	Dennis Hansen	~~Kent Hartley~~	Cade Bryant	James Endrizzi	Scott Kochevar	James Webb
AYE	✓	✓		✓	✓	✓	✓
NAY							
ABSTAIN							

☒ PASS

○ FAIL