

SOUTH WEBER CITY PLANNING COMMISSION AGENDA

PUBLIC NOTICE is hereby given that the **Planning Commission of SOUTH WEBER CITY**, Utah, will meet in a **REGULAR** public meeting on **Thursday, September 14, 2017**, at the **South Weber City Council Chambers, 1600 East South Weber Drive**, commencing at **6:30 p.m.**

A WORK MEETING WILL BE HELD PRIOR TO THE REGULAR PLANNING COMMISSION MEETING AT 6:00 P.M. TO DISCUSS AGENDA ITEMS, CORRESPONDENCE, AND/OR FUTURE AGENDA ITEMS

THE AGENDA FOR THE REGULAR MEETING IS AS FOLLOWS:

- 6:30 P.M. Pledge of Allegiance
Approval of Meeting Minutes – Commissioner Walton
 - August 24, 2017
 Approval of Agenda
Declaration of Conflict of Interest
- 6:35 P.M. **Public Hearing on Ordinance Amendment:** 11.04 Improvement Requirements
- 6:50 P.M. Review I-84 Buffer/Trail Preservation Method Options
- 7:10 P.M. Discuss Potential Landscape Ordinance Amendments
- 7:30 P.M. Public Comments – Please keep public comments to 3 minutes or less per person
- 7:35 P.M. Planning Commissioner Comments (Johnson, Pitts, Walton, Grubb, Osborne)
- 7:45 P.M. Adjourn

THE UNDERSIGNED RECORDER FOR THE MUNICIPALITY OF SOUTH WEBER CITY HEREBY CERTIFIES THAT A COPY OF THE FOREGOING NOTICE WAS MAILED OR POSTED TO:

CITY OFFICE BUILDING
Utah Public Notice website
www.utah.gov/pmn

www.southwebercity.com
TO EACH MEMBER OF THE PLANNING COMMISSION

THOSE LISTED ON THE AGENDA

DATE: September 7, 2017

ELYSE GREINER, RECORDER

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, INDIVIDUALS NEEDING SPECIAL ACCOMMODATIONS DURING THIS MEETING SHOULD NOTIFY ELYSE GREINER, 1600 EAST SOUTH WEBER DRIVE, SOUTH WEBER, UTAH 84405 (801-479-3177) AT LEAST TWO DAYS PRIOR TO THE MEETING.

Agenda times are flexible and may be moved in order, sequence, and time to meet the needs of the Commission

SOUTH WEBER CITY PLANNING COMMISSION MEETING

DATE OF MEETING: 24 August 2017

TIME COMMENCED: 6:31 p.m.

PRESENT: COMMISSIONERS:

Tim Grubb
Debi Pitts
Rob Osborne
Wes Johnson
Taylor Walton (excused)

CITY PLANNER:

Barry Burton

CITY RECORDER:

Elyse Greiner

Transcriber: Minutes transcribed by Michelle Clark

A PUBLIC WORK MEETING was held at 6:00 p.m. to REVIEW AGENDA ITEMS

PLEDGE OF ALLEGIANCE: Commissioner Osborne

ATTENDEES: Shirley Edwards, Sam Crump, Paul Somers, Helen Smilanich, David Gowers, Daniel & Peggy Griffie, Kelly Ayliss, Mike Daybell, Lyn Daybell, Angie Petty, Dusty Petty, Kade Bingham, Mark Phipps, Kelly Trainor, Addison Collvins, and Zdenk Sorf.

APPROVAL OF MEETING MINUTES

- **August 10, 2017**

Commissioner Grubb moved to approve the meeting minutes of 10 August 2017 as amended. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Osborne, and Pitts voted yes. The motion carried.

APPROVAL OF THE AGENDA: Commissioner Grubb moved to approve the agenda as written. Commissioner Pitts seconded the motion. Commissioners Grubb, Johnson, Osborne, and Pitts voted yes. The motion carried.

DECLARATION OF CONFLICT OF INTEREST: (None)

Commissioner Grubb moved to open the public hearing. Commissioner Johnson seconded the motion. Commissioners Johnson, Osborne, Grubb, and Pitts voted yes. The motion carried.

***** PUBLIC HEARING *****

Public Hearing on Rezone: for property located at 7482 S. Cornia Dr. (Parcel 13-174-0001), approx. 1.31 acres, be rezoned from the Highway Commercial Zone (C-H) to Light Industrial Zone (L-I) by applicant Shirley Edwards: Commissioner Osborne reminded those in attendance that this is a rezone request. Commissioner Grubb said there are permitted uses within the zone. He said this property is currently zoned C-H (Commercial Highway). He said the request is for L-I (Light Industrial).

Paula Summers said she is related to Jim & Georgi Collvins. They live at 7486 South Cornia Drive next door to the property being considered for the zoning change. She read a letter from Jim (see attached).

Shirley Edwards, 2220 N. 1450 E. Layton, said she is the one requesting the rezone and wants to reside on the property. She said there are State requirements that go with a tow yard. She would like to take care of the beauty and environment around this property.

Sam Crump, 1163 Hillfield Road Layton, said the industrial zoning is best for the use of this property. He feels proper landscaping can help. Shirley feels this is a great location for a tow yard. Sam said they do plan on residing on this property. He said the property next to them is beautiful and they want their property to be beautiful. Shirley said the tow yard will be set back. Sam said this is a vehicle holding place. Shirley said the vehicles are not stored more than 30 to 45 days.

Daniel Griffee, 7456 S. Cornia Drive, said he sold Jim and Georgi Collvins their home. He said Sure Steel keeps their property very nice. He is concerned about a tow yard scarring the city.

Kade Bingham, representing Sure Steel, said they are not opposed to rezoning. He said his concern is when we petitioned the city in 2009 to rezone their property, the city requested several things before the rezone was entertained. He said we had to present architectural renderings before the city approved the rezone. He said we also hired a geotechnical company. He then read the geotechnical report concerning the high groundwater levels. He said when they began construction of their building, they discovered water at 7' deep. He said there is a river that runs under their building. He said when they presented their plan, the Council was also really concerned about the look of the facility. He would suggest similar action prior to this rezone request. He cautioned about chemicals going into the ground with a tow yard.

Sam stated they did price a culvert that separates the chemicals from the water. Cade cautioned them about fencing because they have lost their chain link fence twice. Sam said they will be planting a lot of trees along that side.

Zdenk Sorf, representing Collvins, said he is a friend of the Collvins and he is concerned about the noise coming from this type of facility and will be an eye sore. He doesn't think this is a place for a tow yard. He said this will affect the Collvins organic lifestyle. He said the Collvins will lose their privacy.

Dusty Petty, 7692 Cornia Drive, said he lives down the street from the proposed location. He is concerned about the environmental impacts with possible contamination to the soil. He said in less than a mile there are two ponds that are fed by fresh water springs. He would suggest looking at the impact this may have on the area. He said the master plan has this property identified as commercial. He feels there are other places in the city that would be more appropriate for this type of business. He said the groundwater is high in this area. He is very concerned about leaching. He said according the city website this area is listed in the sensitive land area. He said whatever goes in there now could be there for a long time.

Angie Petty, 7692 Cornia Drive, said regardless of how well kept it is, she feels a chain link doesn't cut it. She said the requirement for this type of facility is a chain link fence with three layers of barb wire. She doesn't think we want this in the city. She is also concerned about groundwater. She said this is sensitive land and she is sensitive about this item. She requested not making a hasty decision. She said this will impact the city.

Addison Collvins, daughter to the Collvins, said her parents moved here from Colorado because of the environment. She would recommend not making a hasty decision.

Commissioner Johnson moved to close the public hearing. Commissioner Grubb seconded the motion. Commissioners Johnson, Osborne, Pitts, and Grubb voted yes. The motion carried.

******* PUBLIC HEARING CLOSED *******

Commissioner Johnson said the city has a lot of land at the west end of the city that may be a better use for this type of facility. Commissioner Grubb said the problem with that is that the city hasn't identified that area for light industrial on the master plan. He feels commercial is the use for that area. Commissioner Osborne said the options include: deny, table, or approve with a development agreement. He is in favor of tabling until more information can be researched. Commissioner Grubb said this property is on the edge of zones and he has always felt there is no line as to where one zone starts and one zone ends. He does like the precedent set with Sure Steel. He would suggest tabling and allow time to work through the conditions. Commissioner Osborne said he isn't sure the development agreement we would want will be the same as what the property owners want. Commissioner Osborne asked Shirley if they have another facility. Shirley said they have Morris Towing at 3055 N. 750 E. in Layton. Sam estimated this tow yard would have twenty vehicles. Commissioner Osborne said a development agreement doesn't guarantee rezone. Commissioner Johnson said we need to look at environmental impacts. Cade discussed the gas line that runs along the property. Barry recommended a sketch plan review process prior to coming back to the Planning Commission.

Commissioner Grubb moved to table the rezone request for property located at 7482 S. Cornia Dr. (Parcel 13-174- 0001), approx. 1.31 acres, be rezoned from the Highway Commercial Zone (C-H) to Light Industrial Zone (L-I) by applicant Shirley Edward subject to the following:

- 1. Applicant going thru Sketch Plan Review**
- 2. Applicant and city staff will work together on creating a development agreement**

Commissioner Johnson seconded the motion. Commissioners Johnson, Osborne, and Pitts voted yes. The motion carried.

Possible Follow-Up Discussion from August 15, 2017 Joint Meeting with City Council (Discussed in work session)

PUBLIC COMMENTS: (None)

Helen Smilanich, Georgi Collvin’s mother, said she would not want to live next to a tow yard.

David Gowers, 1364 E. South Weber Drive, recently put an offer on property in South Weber at 1540 Canyon Drive. He said the lot is just under acre. He would like to know if the frontage is large enough to form a planned dwelling group. It would fit in the section for conditional use in the Residential Moderate (R-M) Zone 10.7D.

ADJOURNED: Commissioner Grubb moved to adjourn the Planning Commission meeting at 7:46 p.m. Commissioner Pitts seconded the motion. Commissioners Pitts, Grubb, Johnson, and Osborne voted yes. The motion carried.

APPROVED: _____ Date

Chairperson: Rob Osborne

Transcriber: Michelle Clark

Attest: _____
City Recorder: Elyse Greiner

SOUTH WEBER CITY PLANNING COMMISSION MEETING WORK MEETING

DATE OF MEETING: 24 August 2017

TIME COMMENCED: 6:02 p.m.

PRESENT: COMMISSIONERS:

Tim Grubb
Debi Pitts
Rob Osborne
Wes Johnson
Taylor Walton (excused)

CITY PLANNER:

Barry Burton

CITY RECORDER:

Elyse Greiner

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES: Shirley Edwards, Sam Crump.

Public Hearing on Rezone: for property located at 7482 S. Cornia Dr. (Parcel 13-174-0001), approx. 1.31 acres, be rezoned from the Highway Commercial Zone (C-H) to Light Industrial Zone (L-I) by applicant Shirley Edwards: Commissioner Osborne said he noticed on the application that it states the only justification for changing the zoning is because of the neighboring property. Commissioner Grubb discussed the visibility of this property and stated it isn't good for commercial highway. Discussion took place regarding whether or not curb and gutter should be required. Commissioner Osborne said this is a rezone request. He said once the site plan comes in, he would be looking at requiring curb and gutter, removal of the house and out buildings, parked and landscaped, the vehicles parking area should be paved, proper drainage, privacy fence all the way around the tow yard, proper lighting, hours of operation, all need to be considered with a conditional use permit. It was stated the owner of the property can live on the property in an L-I zone. Barry said this is a light industrial zone request. He read Section 10.5L.4 Permitted uses include: accessory buildings and uses, agriculture, business and professional service, commercial storage, construction and contracting yards and buildings, dwelling, single-family, only when in the same structure as the business or commercial use and when occupied by the owner/operator or employee employed on the premises, experimental research and testing laboratories, manufacturing of food products, printing, lithography and/or publishing stages.

Possible Follow-Up Discussion from August 15, 2017 Joint Meeting with City Council:

Commissioner Osborne asked if anyone has anything they would like to discuss from this meeting. Commissioner Johnson said they didn't really have much for the Planning Commission but they did discuss Lester Drive. He said there are three parcels affected by the Lester Drive connection to the west. He said we also discussed the posse grounds. He said it is such a quick decision will little input. He said a meeting was held last Friday with the Posse Grounds Committee to discuss possible locations. Barry said the City Council did make a motion to

protect the area along I-84 as much as possible. He said they made a decision on Old Fort Road as well. Commissioner Grubb said it is now in the City Council's hands. Barry said no one seemed to consider what they can sell the existing posse grounds. Commissioner Osborne said the posse grounds is a sensitive issue and has emotional attachment.

ADJOURNED: 6:00 p.m.

APPROVED:

Chairperson: Rob Osborne

Date

Transcriber: Michelle Clark

Attest:

City Recorder: Elyse Greiner

DRAFT

11.04 Improvement Requirements

- 11.04.010 Conformance Required
- 11.04.020 General Requirements
- 11.04.030 Adequate Public Improvements
- 11.04.040 Streets, Easements And Numbers
- 11.04.050 Blocks
- 11.04.060 Lots
- 11.04.070 Parks, School Sites, Other Public Places
- 11.04.080 Underground Utilities, Water Lines And Sanitary Sewer
- 11.04.090 Storm Drainage
- 11.04.100 Curb, Gutter, Sidewalks And Asphalt Paving
- 11.04.110 Monuments
- 11.04.120 Street Signs
- 11.04.130 Fencing
- 11.04.140 Street Lighting

11.04.010 Conformance Required

All public works constructed pursuant to this title are to be governed by the adopted standards, specifications, drawings, documents, master plans, etc., for design and installation of public works in the city. A copy of all adopted city standards and master plans are on file in the city recorder's office.

Adopted by Ord. 95-7 04/11/1995 on 4/12/1995

11.04.020 General Requirements

- A. Scope: The subdivider shall improve or agree to improve all streets, pedestrian ways or easements in the subdivision and on streets which abut or serve as access to the subdivision. In addition, the subdivider shall be responsible for extending all utilities to the subdivision if they are not already adjacent to or on the site. All improvements shall be completed in accordance with city standards as currently adopted by the city council and under the inspection of the city engineer. Any existing public improvements on or adjacent to the property for proposed developments shall be brought up to the current city standards.

B. Geotechnical Conditions:

1. Soils Report Required: The subdivider shall provide a report of geotechnical conditions based upon adequate test borings and excavations, prepared by a licensed civil engineer specializing in soil mechanics and registered by the state. This shall be required prior to preliminary approval of any subdivision plan.
2. Sensitive Lands Soils Report: In areas that qualify as sensitive lands as defined by the sensitive lands ordinance (SWMC 10.14) or in other special circumstances the city may also require a slope stability analysis, a geologic hazards study, and/or a fault study in addition to or as part of the soils report.
3. Additional Soils Reports: If the soils report indicates the presence of critically expansive soils, high water table or other soils problems which, if not corrected, would lead to structural defects of the proposed buildings, damage to the buildings

from the water or premature deterioration of the public improvements, a soils investigation of each lot in the subdivision may be required by the city.

C. Corrective Action: The soils investigation shall recommend corrective action intended to prevent damage to the proposed structure or public improvements. The fact that a soils report has been prepared shall be noted on the final plat. A copy of the soils report shall be attached to the preliminary plan application. A soils report shall be required for each subdivision, unless sufficient evidence is presented to the city and at the discretion of the city engineer this requirement can be waived or simplified.

B-D. Finalized Construction Drawings: All improvements shall require the submission of finalized construction drawings at the time of final plan submittal. Finalized construction drawings shall include, but not necessarily be limited to, plans, profiles and details. All finalized construction drawings shall be prepared, stamped and certified by a licensed civil engineer. Calculations documenting design and which verify compliance with existing design standards shall accompany all submittals.

E. Certification Of Civil Engineer: Construction drawings submitted for final approval which have not been stamped and certified by a licensed civil engineer shall not be accepted by the city.

C-F. Commencement Of Work: No work on improvements shall be commenced until finalized construction drawings have been approved by the city, final approval of the subdivision plan has been issued by the city council, ~~escrow funds secured and proof provided to the city,~~ and a preconstruction meeting held with the city engineer and other applicable entities. The developer shall complete required ~~landscaping or infrastructure~~ improvements prior to recordation of the plat unless the developer has secured escrow funds to guarantee said improvements.

G. Preconstruction Meeting:

1. Attendance: A preconstruction meeting shall be held prior to construction of any improvements within the proposed subdivision. Those to be invited to the preconstruction meeting shall include the subdivider and/or his agent, subdividers engineer and/or surveyor, contractor, representatives of the city and all utility companies, improvement districts, special service districts, etc.
2. Construction Drawings Provided: A copy of the approved construction drawings shall be available at the preconstruction meeting and shall be maintained on site during construction of all improvements for inspection.

H. Prevention Of Blowing Dust And Soil: Due to the nuisance and health hazard which can be caused to the community, the developer shall make every effort to prevent dust, sand and soil from blowing or becoming airborne and being carried off the development's site. This shall be handled by the developer's stormwater pollution prevention plan (SWPPP). Adequate escrow funds will be held throughout the duration of construction and only released after the disturbed soils have been stabilized over the entire site.

D-I. Improvements Required Prior To Building Permit: Before the issuance of any building permits, the final plat must be recorded and the following improvements must be completed, inspected and approved by the city:

1. Utilities: Water, secondary water, sewer, and storm drain utilities must be completed in their entirety including all main lines, laterals, structures, and other related facilities as required. All other utilities must be installed that are located in

the streets as well as any conduit lines for other utility companies that must be installed across the streets from parkway to parkway.

2. Detention Basins: Detention Basins must be graded and all related structures in place to render the detention basin operational and functional. Top soil, sod and sprinklers may be installed later, but must be installed prior to Conditional Acceptance. Proper BMP's must be installed and maintained until these surface improvements are installed.

2.3. Streets: Streets graded with road base and all curb and gutter in place. All street signs shall be installed.

3. Streetlights: All streetlights shall be installed and functioning.

4. Parks And Public Open Space: Parks and public open space, including detention basins, shall be completed with all landscaping, irrigation, and other improvements required in accordance with the approved improvement plans.

5. Fencing: Fencing as required between zones shall be completed.

6. Exception: In the event there are extenuating circumstances that prohibit the completion of the above items, the developer may request an exception to be granted. The building official shall investigate said circumstances and may approve an exception to allow a building permit up to a four-way inspection.

E.J. Occupancy; Conditions For Granting: Occupancy may be granted after the street pavement is complete and the sidewalk along the frontage (including the side yard of corner lots) of the lot requesting the certificate of occupancy is installed, only be granted when all required improvements are in place, with the exception of sidewalk. Complete installation of sidewalk shall be required for each lot requesting certificate of occupancy.

F. Line And Grade: Improvements shall be installed to permanent line and grade and to the satisfaction of the city engineer and in accordance with the city standards adopted by the city council.

G.A. Geotechnical Conditions:

1. Soils Report Required: The subdivider shall provide a report of geotechnical conditions based upon adequate test borings and excavations, prepared by a licensed civil engineer specializing in soil mechanics and registered by the state. This shall be required prior to preliminary approval of any subdivision plan.

2.1. Sensitive Lands Soils Report: In areas that qualify as sensitive lands as defined by the sensitive lands ordinance (SWMC 10.14) or in other special circumstances the city may also require a slope stability analysis, a geologic hazards study, and/or a fault study in addition to or as part of the soils report.

3.1. Additional Soils Reports: If the soils report indicates the presence of critically expansive soils, high water table or other soils problems which, if not corrected, would lead to structural defects of the proposed buildings, damage to the buildings from the water or premature deterioration of the public improvements, a soils investigation of each lot in the subdivision may be required by the city.

4.1. Corrective Action: The soils investigation shall recommend corrective action intended to prevent damage to the proposed structure or public improvements. The fact that a soils report has been prepared shall be noted on the final plat. A copy of the soils report shall be attached to the preliminary plan application. A soils report shall be required for each subdivision, unless sufficient evidence is presented to the

~~city and at the discretion of the city engineer this requirement can be waived or simplified.~~

~~H. Prevention Of Blowing Dust And Soil: Due to the nuisance and health hazard which can be caused to the community, the developer shall make every effort to prevent dust, sand and soil from blowing or becoming airborne and being carried off the development's site. This shall be handled by the developer's stormwater pollution prevention plan (SWPPP). Adequate escrow funds will be held throughout the duration of construction and only released after the disturbed soils have been stabilized over the entire site.~~

~~I. Preconstruction Meeting:~~

- ~~1. Attendance: A preconstruction meeting shall be held prior to construction of any improvements within the proposed subdivision. Those to be invited to the preconstruction meeting shall include the subdivider and/or his agent, subdividers engineer and/or surveyor, contractor, representatives of the city and all utility companies, improvement districts, special service districts, etc.~~
- ~~2. Construction Drawings Provided: A copy of the approved construction drawings shall be available at the preconstruction meeting and shall be maintained on site during construction of all improvements for inspection.~~

~~J.K. Conditional Acceptance: Notwithstanding the fact that the land on which the improvements will be located is dedicated at the time of the recording of a plat, the city shall not be responsible for the improvements, their construction, and/or maintenance until after the one year guarantee period has expired and there is an official acceptance of the dedicated property and improvements by the city. To begin the one year guarantee period, the following is required:~~

- ~~1. Request: After all the required improvements are completed and the final plat has been recorded, the developer must request in writing that the subdivision be "conditionally accepted".~~
- ~~2. Inspection: The city engineer shall inspect the improvements and certify that they have been properly installed and they meet adopted city standards, and shall make recommendation for conditional acceptance to the city staff.~~
- ~~3. As Built Drawings: Reproducible as built drawings will be required prior to the final release of any contingency escrow funds.~~
- ~~3.4. Acceptance: The one year guarantee period shall begin upon the date of the conditional acceptance letter prepared by city staff.~~
- ~~4.5. As Built Drawings: Reproducible as built drawings will be required prior to the final release of any contingency escrow funds.~~
- ~~5.6. Improvements Required: All improvements on the approved improvement plans shall be complete in accordance with the currently adopted City Standards, which include but are not limited to all underground pipework and utilities, storm drain infrastructure, detention basins, curb and gutter, street pavement, sidewalks, and street signs. Curbs, gutters, sidewalks and asphalt paving shall be installed.~~
- ~~7. Street Lights: The developer is required to pay for all street lights required by the City Standards. Once power is installed, the developer shall notify the City. The Street Lights will be ordered by the City and installed by the Power Company. Once paid for, the developer is no longer responsible for the installation or the timing of the installation.~~

8. Street Seal Coat: The developer is required to pay for the street seal coat required by the City Standards. The City will be responsible for the installation of the seal coat. Once paid for, the developer is no longer responsible for the installation or the timing of the installation.

6.9. Repair And Maintenance Of Improvements: The developer agrees to make all repairs to and maintain the improvements and every part thereof in good working condition during the guarantee period without cost to the city.

K.L. Final Acceptance: Notwithstanding the fact that the land on which the improvements will be located is dedicated at the time of the recording of a plat, the city shall not be responsible for the improvements, their construction, and/or maintenance until after the one year guarantee period has expired and there is an official acceptance of the dedicated property and improvements by the city. To receive final acceptance, the following is required:

1. Request: After the one year guarantee period has expired, the developer must request in writing that the subdivision receive "final acceptance" by the city council.
2. Inspection: The city engineer shall inspect the improvements and certify that they have been properly installed and they meet adopted city standards, and shall make recommendation for final acceptance to the city council.
3. Acceptance: Upon final acceptance by the city council, the city will assume full responsibility for ownership and maintenance of improvements.
4. Completion, Repair And Maintenance Of Improvements: The developer agrees to make all repairs to and maintain the improvements and every part thereof in good working condition, without cost to the city, until final acceptance is granted by the city council. ~~The developer shall install a seal coat to all roads prior to final acceptance. Seal coat may only be completed between May 1 and November 15.~~

L.M. General: The following sections of this chapter are general requirements of all subdivisions relating to streets, blocks, lots, easements and other public spaces, improvements, etc. Additional requirements for subdivisions shall also apply as outlined in other sections of this title.

Adopted by Ord. 95-7 04/11/1995 on 4/12/1995

Amended by Ord. 08-13 on 9/9/2008

Amended by Ord. 10-05 on 6/22/2010

Amended by Ord. 12-02 on 1/24/2012

Amended by Ord. 13-06 on 2/26/2013

Amended by Ord. 13-13 on 9/10/2013

11.04.140 Street Lighting

A. The subdivider shall be required to ~~pay for all~~install outdoor street lighting fixtures.

B. The placement and installation of street lighting shall be in accordance with adopted city standards.

C. The subdivider shall be required to get power installed into the subdivision and notify the City when power is available.

B-D. The City will be responsible to order the street lights, to be installed and maintained by the Power Company.

Adopted by Ord. 2002-01 on 1/22/2002

Article Q Visual Buffer Overlay Zone (V-B)

10.5Q.1 Purpose

10.5Q.2 Description of Area to be Preserved

10.5Q.3 Description of Area Overlay Zone is Allowed

10.5Q.4 Special Provisions

10.5Q.5 Requirements of Underlying Zone

10.5Q.1 Purpose

The purpose of this overlay zone is to promote and provide for the preservation of open space and natural vegetation important to reducing the visual and noise impacts of Interstate 84 on adjacent residential development. This overlay zone provides incentives to property owners to develop in a way that will accomplish these objectives. This overlay zone establishes special provisions apply only to those properties that receive this overlay designation and which override the applicable provisions of the underlying zone.

10.5Q.2 Description of Area to be Preserved

The open spaces to be preserved under the provisions of this article are those areas immediately adjacent to and on the south side of the Interstate 84 Right of Way from The Rocky Mountain Power Substation to 1100 East. This area will be between the I-84 Right of Way and the right of way for Old Fort Rd. as it is proposed and primarily land that contains native vegetation.

10.5Q.3 Description of Area Overlay Zone Allowed

With the Planning Commission recommendation and City Council approval, this overlay zone may be applied to land that lies adjacent to the south side of Interstate 84 between The Rocky Mountain Power substation and 1100 East and that is at least ten (10) acres in area.

10.5Q.4 Special Provisions

A. Density Increase and Transference:

The density of the development that would be allowed by the underlying zone within the area being preserved may be increased by 100% and all of the density thereby generated may be transferred to that part of the same property that is not being preserved, and to no other property.

B. Lot Size Adjustment:

The minimum lot size required in the underlying zone may be reduced by 10%.

C. Lot Width adjustment:

- The minimum lot width shall be eighty feet (80') with no other lot width restrictions.
- D. Minimum Side Yard Adjustment:
The minimum side yard shall be eight feet (8').

10.5Q.5 Requirements of Underlying Zone

All other provisions of the underlying zone not modified by this overlay zone remain in full force and effect.

DRAFT

ARTICLE P: RESIDENTIAL PATIO R-P:

To provide for areas in appropriate locations where residential neighborhoods of moderately high density may be established, maintained and protected. The regulations of this zone are designed to promote an intensively developed residential environment in a one building per lot suitable primarily for adult living.

10-5P-2 PERMITTED USES:

Accessory uses and buildings

Agriculture

Dwellings, single, -family

Home occupations, except preschools and daycare

Pets, the keeping of household pets

10-5P-3 CONDITIONAL USES:

Conditions for approval shall be determined by the planning commission or as otherwise provided in [chapter 7](#) of this title.

Church (temporary churches held in open areas, tents or in temporary structures excluded).

Daycare centers and preschools, whether held within residence or in a separate facility.

Excavations of over two hundred (200) cubic yards, as allowed by section [10-6-2](#) of this title.

Golf courses, public or privately owned, whether or not operated as a business.

Group homes.

Public buildings and public utility buildings and uses.

Public parks and/or playground. Also privately owned playgrounds and recreational grounds or parks not operated as a business in whole or in part to which no admission charge is made.

Schools, public or privately owned.

Temporary businesses only in public parks, church properties or other public properties as approved by the planning commission and not to exceed ninety (90) days in length.

10-5P-4 BUILDING LOT REQUIREMENTS:

- A. Density: There shall be no more than ~~6.0~~ 4.0 dwelling units per acre contained within the boundaries of each phase of every development; except when previously completed phases of the same development have sufficiently low density so that the average is still no more than ~~6.0~~ 4.0 dwelling units per acre.
- B. Lot Area: There shall be a minimum of six thousand (6,000) square feet in each lot on which a single-family dwelling is located. Single-family dwellings shall each be located on a separate lot.
- C. Lot Width: Each lot shall have a minimum width of sixty-five feet (65').

10-5P-5 LOCATION OF STRUCTURES:

All buildings and structures shall be located as provided in [chapter 11](#) of this title and as follows:

Structures	Front Setback	Side Setback	Rear Setback
Dwellings	20 feet from all front lines	6 feet minimum for each side, except 20 feet minimum for side fronting on a street	10 feet
Other main buildings	30 feet from all front lot lines	20 feet minimum for each side	30 feet
Detached accessory buildings and garages	20 feet from all front lot lines	Same as for dwellings, except when the structure is at least 10 feet behind the main building or 10 feet behind a line extending from the rear corners of the main building to the side lot lines parallel to the rear lot line(s); the side and rear setbacks may be reduced to 1 foot; provided, that the structure must be at least 20 feet from main buildings on adjacent lots; and on corner lots the minimum setback for a side facing a street is 20 feet and minimum rear setback adjacent to a side lot line is 10 feet	

10-5P-6 MAXIMUM STRUCTURE HEIGHT:

Main, accessory and temporary buildings and structures are not to exceed twenty five feet (25').

10-5P-7 OFF STREET PARKING AND LOADING:

The provisions of [chapter 8](#) of this title shall apply and shall be in full force and effect in this zone, except in the case of a bona fide temporary use.

10-5P-8: PERMITTED SIGNS:

Class 1 signs shall be permitted. For home occupations, class 2 signs will be allowed in addition to class 1 signs. For public and institutional uses as allowed by conditional use permit, class 3 signs will be allowed in addition to class 1 signs.

10-5P-9 SPECIAL CONDITIONS:

Due to the higher residential densities permitted by this article, the following conditions are required in order to assure a quality livable environment:

- A. Minimum and Maximum Area: The minimum area that may be zoned RP shall be two (2) acres and the maximum area which may be zoned RP in any zone district shall be ~~ten (10)~~ [twenty \(20\)](#) acres.

10-5P-11 LANDSCAPING REQUIREMENTS:

- A. General Landscaping: At least fifteen percent (15%) of the total site shall be thoroughly landscaped, including an irrigation system to maintain such landscaping. Landscaping shall meet the requirements of [chapter 15](#) of this title. For use of exceptional design and materials, as determined by the planning commission, the landscaping may be reduced to ten percent (10%) of the total site.
- B. Bufferyard Landscaping: ~~Bufferyard A landscaping shall be required between the RP zone and all lower density residential zones and shall meet the requirements of [chapter 15](#) of this title.~~

Screening Fence: A fence of at least six feet (6') in height and that provides a visual screen shall be provided between the RP zone and all lower density residential zones.