



**RIVERTON CITY
PLANNING COMMISSION AGENDA
THURSDAY, JUNE 27, 2013**



NOTICE IS HEREBY GIVEN THAT THE RIVERTON CITY PLANNING COMMISSION WILL HOLD A WORK SESSION AT 6:30 PM, THURSDAY, JUNE 27, 2013 AT THE RIVERTON CITY MUNICIPAL BUILDING, 12830 SOUTH 1700 WEST, RIVERTON UTAH.
ANY QUESTIONS, CALL 801-208-3141 OR 801-208-3130.



REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE, PLEASE CALL 801-208-3100.



1. PUBLIC HEARING

- A. 13-4006, REZONE RINDLISHBACH PROPERTY REZONE, 37.11 ACRES, 2542 WEST 11800 SOUTH, PROPOSED REZONE FROM R-3 TO R-4, IVORY HOMES, APPLICANT**
- B. CONDITIONAL USE PERMIT FOR LOTS ON A PRIVATE LANE, PROPOSED DEVELOPMENT OF 7 LOTS ON A PRIVATE LANE, PROPERTY LOCATED AT 13249 SOUTH IN THE RR-22 ZONE, BOYD BROWN, APPLICANT**
- C. 13-2015, CONDITIONAL USE PERMIT FOR LOTS ON A PRIVATE LANE, PROPOSED DEVELOPMENT OF 1 LOT ON A PRIVATE LANE, PROPERTY LOCATED AT 12064 S 3600 W IN THE R-4 ZONE, RANDY BOWLER, APPLICANT**
- D. ORDINANCE AMENDMENT, PROPOSED AMENDMENT TO RIVERTON CITY ORDINANCE 18.135.040.6.A, NEW RESIDENTIAL CONSTRUCTION (EXTERIOR MATERIALS), ADDRESSING THE REQUIRED EXTERIOR MATERIALS AND PROPORTIONS, AMENDMENTS PROPOSED BY RIVERTON CITY**

2. MINUTES

- A. MAY 9, 2013**
- B. MAY 23, 2013**

3. ADJOURNMENT

Item I.A

Ivory Rezone

**RIVERTON CITY
MEMORANDUM**

TO: Planning Commission

FROM: Planning Department

DATE: June 27, 2013

SUBJECT: REZONE RINDLISBACH PROPERTY REZONE, 37.11 ACRES, 2542 WEST 11800 SOUTH, PROPOSED REZONE FROM R-3 TO R-4, IVORY HOMES, APPLICANT

PL NO.: 13-4006 – RINDLISBACH PROPERTY REZONE

This application is a public hearing and legislative action item.

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

PROPOSED MOTION(S)

I move that the Planning Commission recommend APPROVAL of application # PL 13-4006 rezoning 37.11 acres located at approximately 2542 West 11800 South from R-3 (Residential 1/3 acre lots) to R-4 (Residential 1/4 acre lots).

BACKGROUND

Ivory Homes has submitted a rezone application for 37.11 acres located at approximately 2542 West 11800 South. The property is currently zoned R-3, which requires a minimum lot size of 1/3 acre lots. The surrounding property to the north and east is also zoned R-3, but is separated from this property by Midas Creek to the north and a canal to the east. The property to the south, across 11800 South is zoned a mix of RR-22 and R-4. The property to the west, across 2700 West, is in South Jordan City, and is zoned for single family lots.

Ivory Homes has requested a rezone of this property to R-4, which would allow for a minimum lot size of 10,000 square feet. Riverton City's Land Use Map of the General Plan lists the property as Low Density Residential, which recommends a minimum lot size of 14,000 square feet. The Planning Commission has recently forwarded a recommended amendment to the General Plan Land Use Map which included this property, with a recommendation that this property be designated for Medium Density, to allow for 1/4 acres lots, Medium High Density, which allows up to 5-8 units per acre, and an area of commercial at the intersection. The City Council has not yet taken action on the proposed amendments.

As stated above, this property is bordered on the west and south by major roadways. The north boundary is the Midas Creek Channel, and the west is a canal and associated right-of-way. As such, with the exception of three homes on 11800 South, there are no residential lots or development that are directly adjacent to the project area. It should be noted that while there has been significant comment and concern expressed by the public regarding the perceived differences in quality and value of property between 1/3 and 1/4 acre lots, there no quantifiable differences in quality or value between the two densities. Riverton City's requirements and standards are identical in the R-3 and R-4 zones, with the exception of lot size and lot width. Home size and quality tend to be consistent within a development regardless of lot size, and the relative difference in number of lots does not create significant additional impacts to roads, schools, or other infrastructure. Establishing property value is a very fluid and complex calculation, and the assumption that development of lots similar in use but smaller than those adjacent to a project will negatively impact surrounding property values is simply not accurate. The R-4 zone is consistent with the development pattern of this area, and with the surrounding properties and neighborhoods. Directly to the south of this property there is a neighborhood zoned for and developed

primarily at ¼ acre lots, with ½ acre lots surrounding it. There are developments throughout Riverton City where, either by zoning or by design of the subdivision, there are lots ranging from ¼ to 1/3 acre in size intermingled, and those projects have and will continue to function as cohesive neighborhoods.

In addition, while Riverton City has an obligation to insure that land uses are compatible with surrounding neighborhoods and properties, the City also has a compelling interest in meeting the needs of all of current and future citizens. This includes those who desire or prefer larger lots, as well as those who are interested in a slightly smaller lot. A rezone of this property to allow for lots of ¼ acre and larger will help to provide development that is consistent with all of the standards of the City, and that will help Riverton City meet the needs of a growing segment of the population that is looking the level of quality Riverton City requires of development on a ¼ acre lot.

It should be emphasized that this hearing is only to discuss the land use and zoning of the subject properties. Issues like fencing, road widths, etc will be addressed during the subdivision process which will follow at a later time.

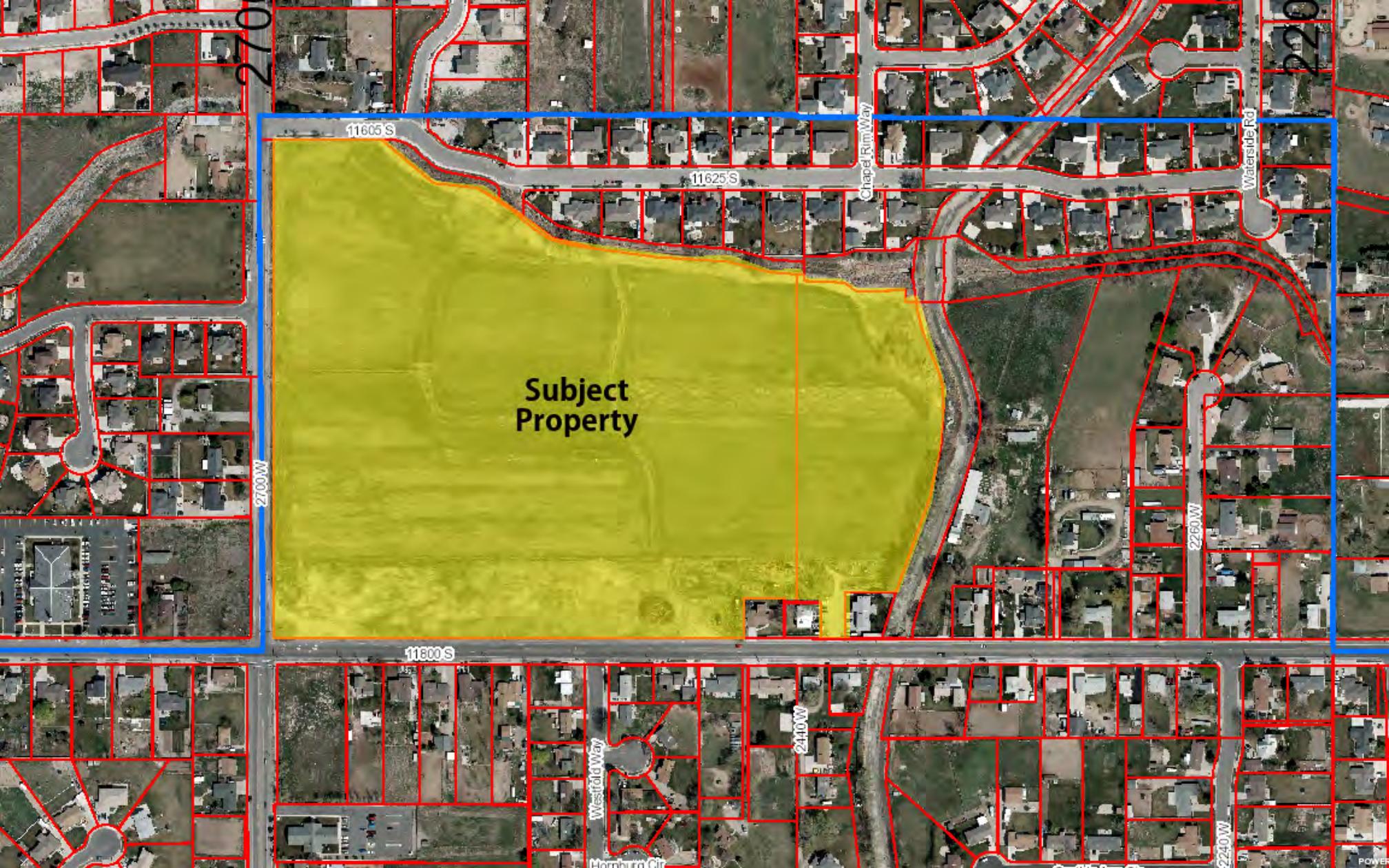
Riverton City's ordinance includes several items for consideration in a rezone, and the following checklist outlines those standards provided for review by the Planning Commission and City Council:

Zoning Ordinance Compliance Checklist	
Meets Criteria	Part 12-200-10 Amendments
Yes / No	1. The proposed amendment will place all property similarly situated into the same zoning classification or in complementary classifications. <i>The proposed R-4 zone is a classification that is complimentary with all of the surrounding properties. There are no properties with animal rights directly adjacent to this project.</i>
Yes / No	2. All uses permitted under the proposed zoning amendment are in the general public interest and not merely in the interest of an individual or small group. <i>The R-4 zone allows for single family residential use, which is in the general public interest.</i>
Yes / No	3. All uses permitted under the proposed zoning classification amendment will be appropriate in the area to be included in the proposed zoning amendment. <i>The uses permitted in the R-4 zone are appropriate to the property, which has access to all required services and infrastructure.</i>
Yes / No	4. The character of the neighborhood will not be adversely affected by any use permitted in the proposed zoning classification. <i>The introduction of single family lots under the R-4 zone will maintain the character of the neighborhood, with no adverse impacts to the surrounding properties.</i>
Yes / No	5. The proposed zoning amendment is consistent with the City's Master Plan. <i>The proposed amendment is consistent with the recommendation of the Planning Commission in the most recent review of the General Plan. That recommendation did include higher densities and a commercial designation on the property. However, designations in the General Plan represent the upper limit of densities contemplated on a property, and proposed development at a lower density may be considered consistent as reviewed by the Commission.</i>

ATTACHMENTS:

The following items are attached for your review:

1. A copy of the Rezone application.
2. An 8.5" x 11" copy of the Current Zoning Map
3. An 8.5" x 11" copy of the Possible Zoning Map
4. An 8.5" x 11" copy of the General Plan Designation
5. An 8.5" x 11" copy of the aerial view.



270

220

11605 S

11625 S

Chapel Rim Way

Waterside Rd

Subject
Property

27000 W

22600 W

11800 S

24100 W

Westford Way

Hornburg Cir

22400 W

POW

Difference From R-3 to R-4

	R-3	R-4
Minimum Lot Size	14,000 sf	10,000 sf
Minimum Lot Width	90 feet	80 feet
Front/Rear/Side Setbacks	25/25/ 10&8	SAME
Minimum Home Size	1200/1560	SAME
Building Standards	SAME	SAME

R-4



R-3



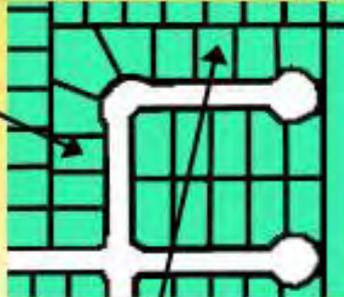




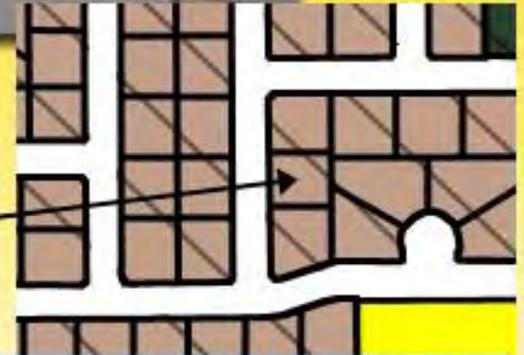




**7,000 Square
Foot Lot**



**10,000
Square
Foot Lot**



**7000
Square
Foot
Lots**



Item I.B

Brown Private Lane

**RIVERTON CITY
MEMORANDUM**

TO: Planning Commission

FROM: Development Review Committee

DATE: June 27, 2013

SUBJECT: CONDITONAL USE PERMIT, DEVELOPMENT OF 7 LOTS ON A PRIVATE LANE, 13249 SOUTH REDWOOD ROAD, RR-22 ZONE, BOYD BROWN, APPLICANT

PROPOSED MOTION:

I move the Planning Commission DENY the Conditional Use Permit to allow subdivision of property with access from a private lane on property located at 13249 South Redwood Road.

BACKGROUND:

Boyd Brown has submitted an application for development of 3.9 acres located at 13249 South Redwood Road. The property is zoned RR-22, as is all of the surrounding property. Mr. Brown is proposing subdivision of the property in seven (7) lots, with access to the lots from a private lane. Riverton City Ordinance requires Conditional Use Permit approval of a private lane development before a subdivision application can be processed.

Riverton City Ordinance 17.05.120 states the following in regulating development of private lanes;

(4) Private Streets and Rights-of-Way.

(a) Public Street Systems Encouraged. Public street systems shall be encouraged for access to all residential dwelling sites. However, the city recognizes that there are cases where it is impossible or impractical to develop the lot according to normal subdivision standards. In situations where insufficient land access exists for a public street system, a conditional use for a private lane or right-of-way may be approved by the planning commission.

(b) Subdivision for Lots on Private Lanes. Subdivisions on private lanes or rights-of-way may be developed in any residential zone where at least two of the following conditions exist (subsection (4)(b)(i) or (ii) of this section and subsection (4)(b)(iii) of this section). All subdivisions on private lanes shall submit the same materials that are required for standard subdivisions and shall be approved via the process for standard subdivisions.

(i) A lot of record which is preexisting and has no frontage or adequate property to construct a public street; or

(ii) It can be demonstrated by the applicant that the property cannot be physically subdivided with public streets, either now or in the foreseeable future; and

(iii) The development does not impede the necessary access from adjoining properties as required by the master transportation plan.

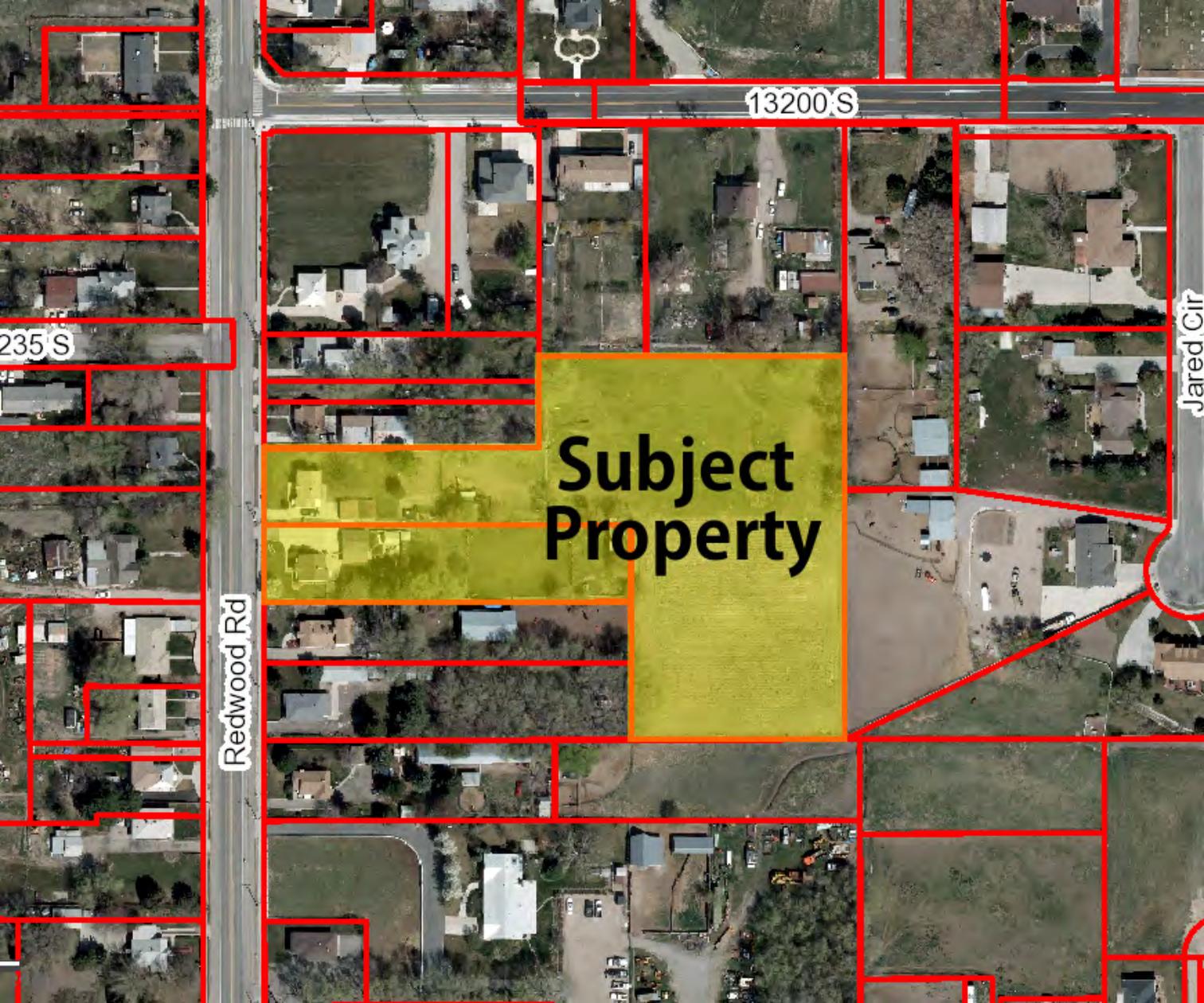
The property in question does front onto Redwood Road, with a total frontage width of 165.5 feet. The ordinance states that a private lane may be approved where insufficient land exists for a public street system. The property in question does have sufficient width to allow for a public street, with the primary difference being the resulting number of lots. Furthermore, section b.ii above lists conditions that must be met for a private lane development, one of which states that the applicant demonstrate that the property can be physically subdivided with public streets. The applicant has met with staff reviewing conceptually a layout of the property with a public right-of-way, and it does function and allow for development of the property. In addition, both Riverton City and UDOT desire to reduce the number of access points along major arterials such as Redwood Road, The development of private lanes in situations such as this where a public right-of-way is feasible may impede access to and from surrounding properties that are not part of the proposed development, and may force additional access points onto Redwood Road.

Private lanes, while often desirable to potential residents, also present challenges both to those residents and to the City. Public right-of-way allows the City to better provide services to residential users, and to maintain pedestrian and vehicular access to and from the properties. It is for this reason that the ordinance provides for private lanes primarily when it is "impossible or impractical" to develop a public street. It is understandable that the developer would like to maximize the lot yield of this property. However, in this situation, a public right-of-way is both possible and practical based on the standards outlined above, and staff therefore staff is recommending DENIAL of this Conditional Use Permit application.

ATTACHMENTS:

The following items are attached for your review:

1. A copy of the Conditional Use Permit application
2. An 8½"x11" copy of the Zoning Map
3. An 8½"x11" copy of the Aerial View(s)
4. The proposed site layout.



13200 S

235 S

Redwood Rd

Jared Cir

**Subject
Property**

13150 S

C-N

P/OS

13200 S

13235 S

RR-22

Jared Cir

Redwood Rd

Haven Meadow Ln

13400 S

Hamilton Dr

Oak River Ct

5 W

STOCKING SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 34
TOWNSHIP 3 SOUTH, RANGE 1 WEST SALT LAKE BASE AND MERIDIAN
RIVERTON, SALT LAKE COUNTY, UTAH

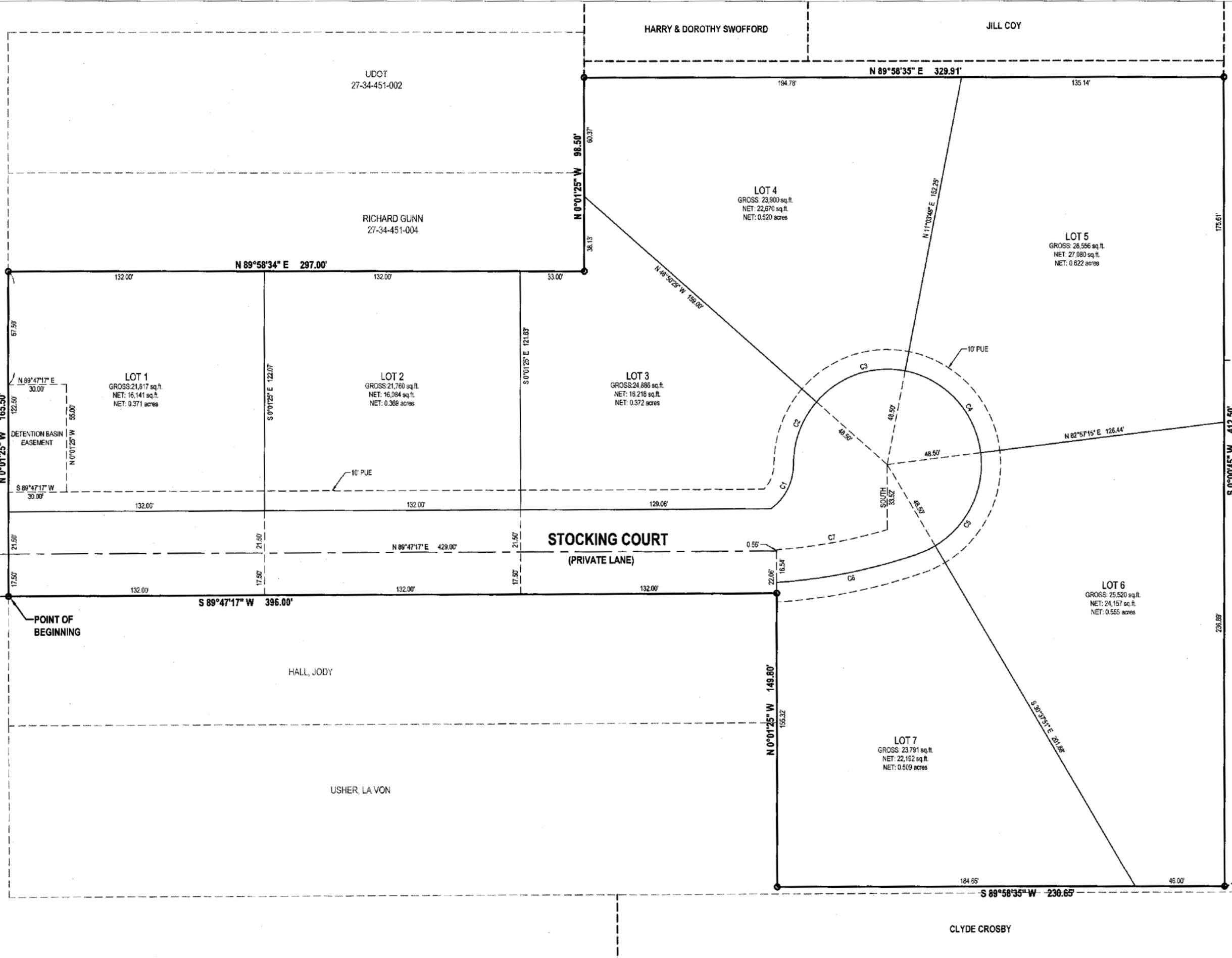
CENTER
SECTION 34
T3S, R1W
SLB&M
(FOUND BRASS CAP)

N 0°01'25" W
263.70' (MEASURED)

REDWOOD ROAD
(PUBLIC STREET)

815.50'

SOUTH QUARTER CORNER
SECTION 34
T3S, R1W
SLB&M
(FOUND BRASS CAP)



JERRY SHIMER

SCHEEL ESTATES SUBDIVISION

DEVELOPER
BOYD BROWN
1214 EAST WILMINGTON AVE
SALT LAKE CITY, UT 84106
801-281-2200

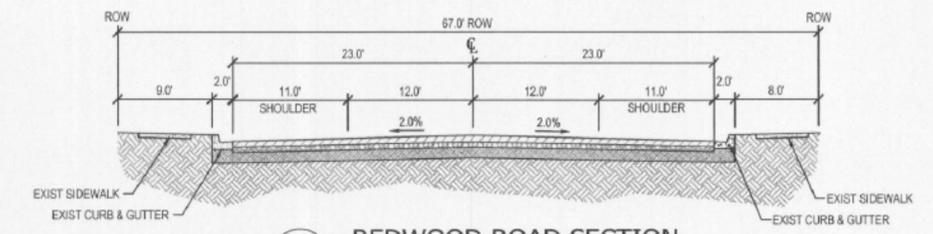


CALL BLUESTAKES
@ 1-800-662-4111 AT LEAST 48
HOURS PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.

BENCHMARK

FOUND BRASS CAP
SOUTH QUARTER CORNER SECTION 34,
TOWNSHIP 3 SOUTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN

ELEVATION = 4452.65

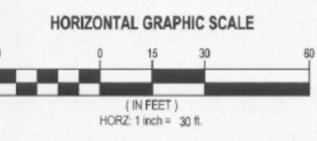


A REDWOOD ROAD SECTION
Scale: NTS



LEGEND

- SECTION CORNER
- EXIST MONUMENT
- PRO MONUMENT
- EXIST REBAR AND CAP
- SET ENSIGN REBAR AND CAP
- EXIST SIGN
- PRO SIGN
- EXIST BUILDING
- EXISTING CURB AND GUTTER
- PROPOSED CURB AND GUTTER
- EXIST DITCH FLOW LINE
- EXIST FENCE
- PRO FENCE
- EXIST EDGE OF ASPHALT
- PRO EDGE OF ASPHALT



Item I.C

Bowler Private Lane

**RIVERTON CITY
MEMORANDUM**

TO: Planning Commission

FROM: Development Review Committee

DATE: June 27, 2013

SUBJECT: CONDITONAL USE PERMIT, PROPOSED DEVELOPMENT OF 1 LOT ON A PRIVATE LANE, PROPERTY LOCATED AT 12064 S 3600 W IN THE R-4 ZONE, RANDY BOWLER, APPLICANT

PROPOSED MOTION:

I move the Planning Commission APPROVE the Conditional Use Permit to allow subdivision of one lot with access from a private lane on property located at 12064 S 3600 W, with the following conditions;

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

BACKGROUND:

Randy Bowler has submitted application for a Conditional Use Permit for development of one lot to be accessed by a private lane. The property is located within the recently approved Royal Farms Subdivision, and was shown as part of the proposed layout during the approval process. A condition was placed on the subdivision that the lot receive Conditional Use Permit approval prior to recordation of the plat.

Riverton City Ordinance 17.05.120 states the following in regulating development of private lanes;

(4) Private Streets and Rights-of-Way.

(a) Public Street Systems Encouraged. Public street systems shall be encouraged for access to all residential dwelling sites. However, the city recognizes that there are cases where it is impossible or impractical to develop the lot according to normal subdivision standards. In situations where insufficient land access exists for a public street system, a conditional use for a private lane or right-of-way may be approved by the planning commission.

(b) Subdivision for Lots on Private Lanes. Subdivisions on private lanes or rights-of-way may be developed in any residential zone where at least two of the following conditions exist (subsection (4)(b)(i) or (ii) of this section and subsection (4)(b)(iii) of this section). All subdivisions on private lanes shall submit the same materials that are required for standard subdivisions and shall be approved via the process for standard subdivisions.

(i) A lot of record which is preexisting and has no frontage or adequate property to construct a public street; or

(ii) It can be demonstrated by the applicant that the property cannot be physically subdivided with public streets, either now or in the foreseeable future; and

(iii) The development does not impede the necessary access from adjoining properties as required by the master transportation plan.

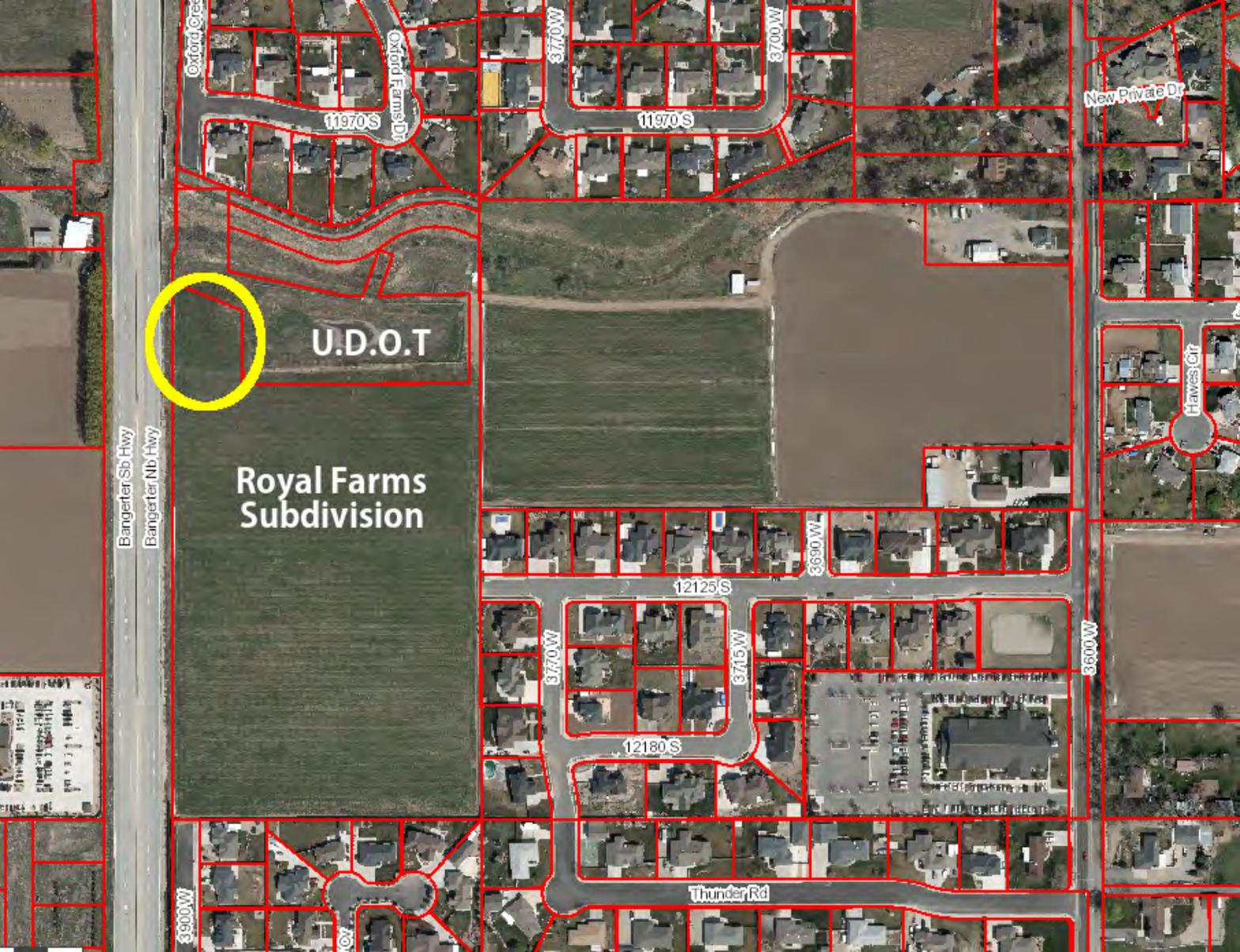
In this situation, the subject property is between the Bangerter Highway right-of-way on the west, and on the north and east by a detention pond owned by U.D.O.T. This left an isolated corner of property within the subdivision that did not have adequate frontage to the proposed public right-of-way. Development of this property as a single lot with public street frontage would have resulted in a lot approaching 1 acre in size, in a zone that does not allow for animal rights. Based on the standards outlined above, the size and situation of the property did not allow it to be reasonably subdivided under the current zoning with access to the back of the property from a public street. In addition, no access to other properties is being impeded by the use of a private lane. In this situation, the private lane will function as more as a driveway to the rear property than as a private alternative to a public right-of-way.

The Fire Department has reviewed the private lane, including the proposed turn around and finds it to meet the applicable standards of the International Fire Code. Staff is recommending approval of this Conditional Use Permit.

ATTACHMENTS:

The following items are attached for your review:

1. An 8½"x11" copy of the Aerial View(s)
2. The proposed site layout.



U.D.O.T

Royal Farms
Subdivision

Bangerter Sb Hwy
Bangerter Nb Hwy

3900 W

Oxford Cir

Oxford Farms Dr

11970 S

3700 W

11970 S

3700 W

New Private Dr

Hawes Cir

3600 W

12125 S

3690 W

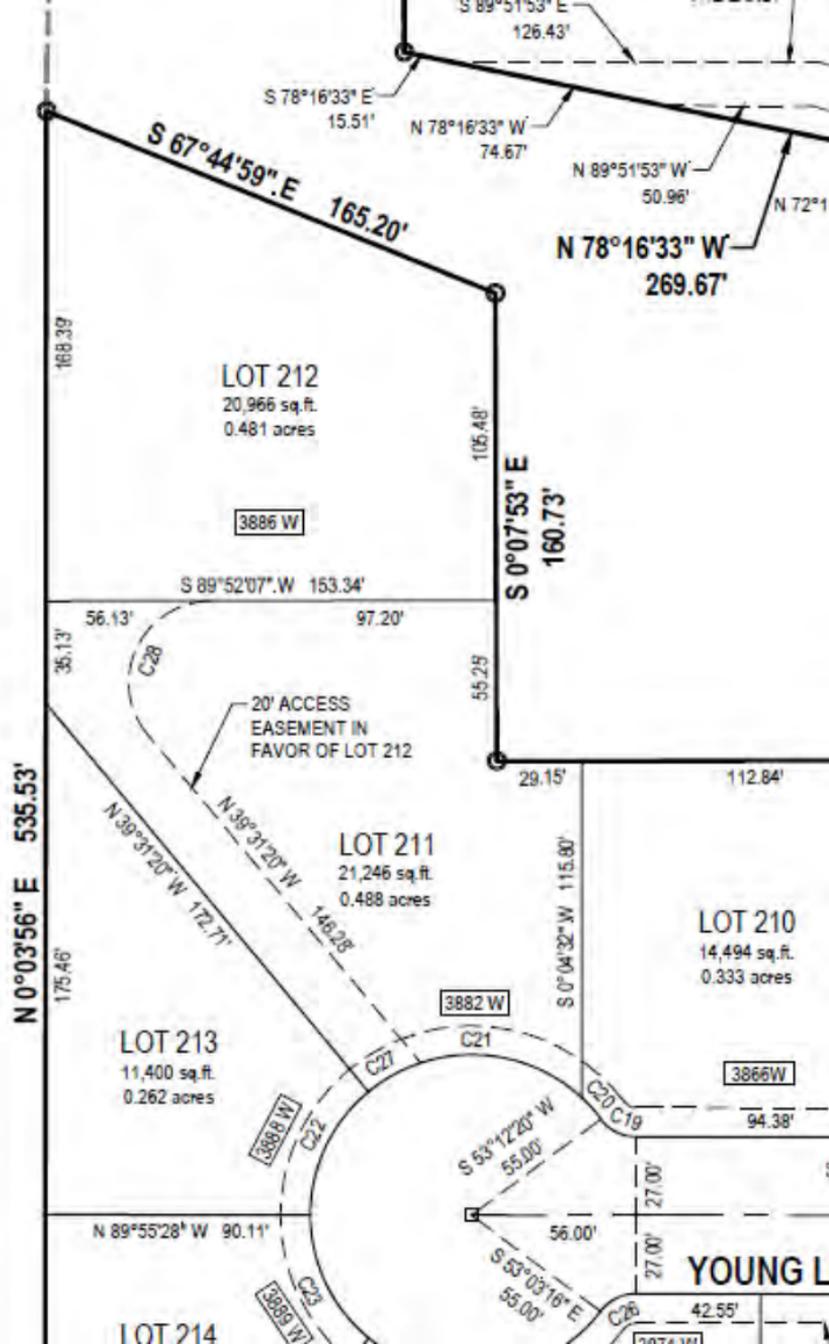
3700 W

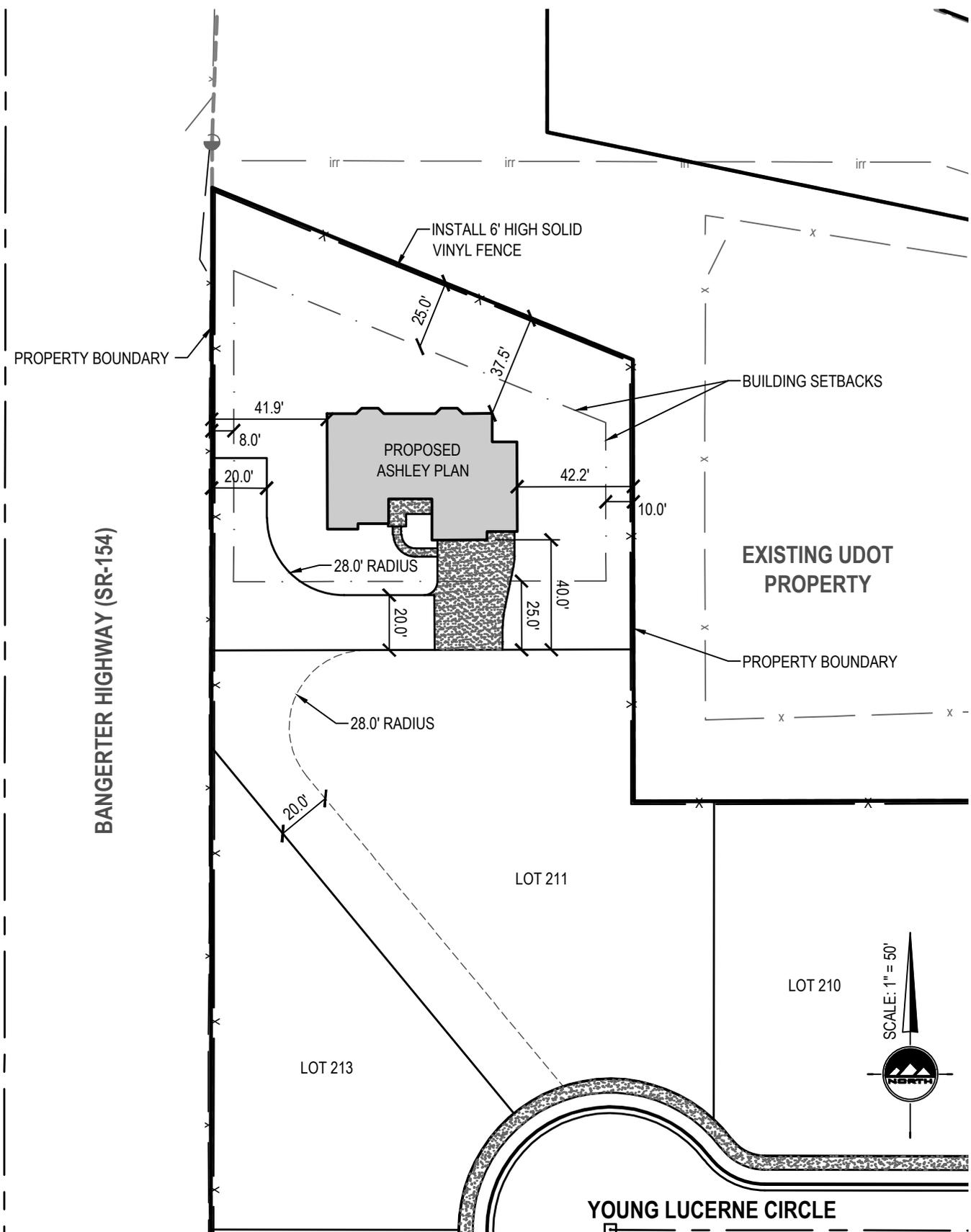
3715 W

12180 S

Thunder Rd

BANGERTEER HIGHWAY





<p>PROJECT # 5509 DATE 5/22/13</p> <p>EX-1</p> <p>FILE:</p>	<p>ASHLEY PLAN</p> <p>LOT 212 ROYAL FARMS SUBDIVISION</p> <p>RIVERTON, UTAH</p>	<p>FOR:</p> <p>BOWLER DEVELOPMENT</p> <p>P.O. BOX 2111</p> <p>WEST JORDAN, UTAH 84084</p> <p>801-562-9292</p> <p>801-562-2934</p>	<p>45 W. 10000 S. Ste 500</p> <p>Sandy, UT 84070</p> <p>Phone: 801.255.0529</p> <p>Fax: 801.255.4449</p> <p>www.ensignutah.com</p>	
--	--	---	--	---

Item I.D

Exterior Materials Ordinance

**RIVERTON CITY
MEMORANDUM**

TO: Planning Commission

FROM: Development Review Committee

DATE: June 27, 2013

**SUBJECT: ORDINANCE AMENDMENT, PROPOSED AMENDMENT TO RIVERTON CITY
ORDINANCE 18.135.040.6.A, NEW RESIDENTIAL CONSTRUCTION
(EXTERIOR MATERIALS), ADDRESSING THE REQUIRED EXTERIOR
MATERIALS AND PROPORTIONS, AMENDMENTS PROPOSED BY
RIVERTON CITY**

PROPOSED MOTION:

I move the Planning Commission the proposed amendment to Riverton City Ordinance 18.135.040.6.A, New Residential Construction, to the July 11, 2013 Planning Commission Meeting.

BACKGROUND:

Regulation of allowed building materials is typical of cities, and most have a required proportion of materials. Riverton City Ordinance 18.135.040.6.A, which regulates exterior materials on new residential construction, states the following;

(a) The exterior design and materials of all dwellings must be of sufficient quality, durability, and resistance to the elements to satisfy the purpose of this title and the International Building Code. Exterior materials shall be limited to brick, concrete, glass, steel, aluminum, vinyl, tile, stone, stucco, wood or any other material allowed by the International Building Code. Brick, tile, stone, or stucco is required on the exterior walls of all residential buildings, the location and placement of such materials being left to the discretion of the builder or owner. The minimum required amount of brick, tile, stone, stucco, glass or combination thereof (measured in square feet) is the number of feet of the foundation perimeter of the dwelling, including garage, multiplied by four. New materials that have the quality, look, desirability and resistance to the elements comparable to brick, tile, stone, or stucco may be approved by the Riverton building department upon application to the department and upon a showing by the applicant that the proposed material satisfies the purpose of this title.

There have been several questions raised relative to this ordinance. The first has to do with the placement of required materials on a home. The current ordinance allows the location and placement of required materials at the discretion of the builder or owner. While this is appropriate, it has resulted in situations where a builder or owner has proposed adding brick or stone to the back of a home solely to meet the minimum required amount of material listed in the ordinance. Material added this way is typically not visible, and may not even be

aesthetically consistent with the look of the home.

The second question is with the allowed materials. The ordinance lists the required materials as 'brick, tile, stone, stucco, glass, or combination thereof', and states that 'new materials that have the quality, look, desirability, and resistance to the elements comparable to brick, tile, stone, or stucco' may be used. Staff is seeing an increased use of fiber cement siding, or 'hardi-board', in residential homes. While this is a permitted material, the question has been raised as to whether this material can be used in place of brick stone to meet the minimum requirements of the ordinance.

Staff would like feedback from the Planning Commission, as well as the public involved, on these questions. Additional materials will be presented at the hearing, and staff is recommending the item then be continued to the July 11th meeting, where a draft ordinance will be presented to the Commission.

Item II.A

Minutes

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48

**RIVERTON CITY PLANNING COMMISSION
MEETING MINUTES**

May 9, 2013

The Riverton City Planning Commission convened at 6:30 p.m. in the Riverton City Civic Center at 12830 South 1700 West, Riverton, Utah.

Planning Commission Members:

Staff:

**Larry Brown
Cade Bryant
Dennis Hansen
Kent Hartley
Brian Russell**

Andrew Aagard, City Planner

Commissioner Dennis Hansen led the Pledge of Allegiance. Commissioner Kent Hartley called the meeting to order.

I. PUBLIC HEARINGS

- A. **13-2009, CONDITIONAL USE PERMIT. HOMES ON A PRIVATE LANE, 1527 WEST 11745 SOUTH. RR-22 ZONE. ARGYLE HOMES, APPLICANT.**

Mr. Andrew Aagard, City Planner, stated that Argyle Homes has requested a conditional use permit allowing them to construct three single-family homes on three existing parcels, to be accessed via a private lane rather than a public street. The parcels are zoned RR-22 and, except for a large barn on parcel 1, are vacant. Properties to the north, which are also zoned RR-22, are used for single family homes. Properties to the west are zoned RR-22 and Neighborhood Commercial. A canal runs along the east side of the properties with R-3 zoned properties on the other side. And south of the subject parcels is vacant land zoned RR-22. Mr. Aagard noted that the applicant is not subdividing the property or creating any new lots. The three homes will be constructed on parcels that already exist. A lot line adjustment will be necessary, however, to allow each parcel frontage onto the access lane.

The private lane would extend south from 11745 South along the eastern edge of the properties, ending in a cul-de-sac turnaround and providing access to parcel 3. Although City ordinance encourages the use of public streets for access to all residential dwelling sites, there are cases where a public street would be either impractical or impossible to develop the lot according to normal subdivision standards. In situations where insufficient land access exists for a public street system, a conditional use for a private lane or right-of-way may be approved by the Planning Commission. According to Riverton City's subdivision ordinance, a private lane may be appropriate if 1) a preexisting lot has no frontage or inadequate property on which to construct a public street or 2) an applicant can demonstrate that the property cannot be subdivided with public streets either now or in the foreseeable future. Moreover, a private lane may not impede the necessary access to adjoining properties as required by the master transportation plan.

1 An aerial photograph of the subject parcels was displayed. Mr. Aagard noted that staff
2 recommends requiring the applicant to prepare an amended subdivision plat for City approval
3 prior to any construction on the parcels. Although the applicant will not be subdividing the
4 properties, adjustments to the existing Medallion Cove subdivision boundaries and the
5 dedication of a right-of-way to the City will be necessary. Mr. Aagard reviewed the other
6 conditions recommended by staff.

7
8 Commissioner Russell noted that it is unclear whether the property for the private lane is
9 owned by the applicant or by the canal company. Mr. Aagard did not know. Commissioner
10 Russell also pointed out that there appear to be some concrete walls near the barn. He
11 recommended requiring all permanent structures be removed or approved through variance.
12 In response to a question from Commissioner Russell, Mr. Aagard indicated that there is a
13 significant swale on the property from Midas Creek, but he does not believe it has been
14 designated a wetlands area.

15
16 Commissioner Hartley opened the public hearing.

17
18 Mr. Blaine Walker, who owns the parcel south of the subject property, stated that there are
19 some drainage issues with the property. He pointed out a ditch that goes under the road and
20 ties into the street. He does not object to the proposed development, but asks that the
21 boundary lines be correctly established.

22
23 Mr. Ken Angus, who lives on 11745 South, indicated that 11745 South is only 28 feet wide
24 where it adjoins Redwood Road. Cars parked along the shoulders make it difficult to get
25 through. He asked the Commission to limit the private lane to the three proposed homes.
26 Mr. Angus also asked that the barn be limited to private use only. He also noted that the
27 irrigation ditch that crossed the property has been filled in, causing flooding to some area
28 homes. Mr. Angus has asked the City to redig the ditch or to install a culvert to address the
29 drainage issues.

30
31 Mr. Paul Riches, who lives directly west of the barn, agreed with Mr. Angus. His property will
32 not drain; instead, a pond develops because of the lack of drainage. He also expressed his
33 concern that the barn will be used commercially.

34
35 Mr. Gary White, who owns the five acres directly west of the subject property, asked that the
36 area be master planned. He is concerned that development of the three subject parcels will
37 cut off further development to the east. He is concerned about access to the sewer.

38
39 Mr. Ken Olson, one of the applicants, addressed the Commission. He believes the private
40 lane will fit it well with the neighborhood. He emphasized that he does not intend to use the
41 barn for commercial use. If a variance is required, he will request one from the Board of
42 Adjustments. Mr. Olson also indicated that he is having some trouble getting title insurance
43 for the property along the canal, but he is confident he can get the deed clarified. He will
44 work with the neighbors to address drainage and flooding issues.
45

1 The Commissioners and the audience discussed the locations of fire hydrants in the area.
2 Mr. Aagard stated that the Unified Fire Authority and the City have both reviewed the plan
3 and made official recommendations, but he is unsure whether a flow test was conducted.
4

5 There were no other public comments. Commissioner Hartley closed the public hearing.
6

7 Commissioner Russell asked again about the canal easement. Mr. Aagard explained that the
8 property ownership and easements are currently unclear, but the City is working on the issue.
9 A Commissioner expressed concern about approving a private lane before the applicant has
10 clear title to the property. Commissioner Hansen noted that the applicant must have clear
11 title to the property before he can record an amended plat, as required by condition number
12 one.
13

14 **Commissioner Hansen moved to APPROVE the Conditional Use Permit that would**
15 **allow Argyle Homes to construct three homes on a private lane located at 1527 West**
16 **11745 South, with the following conditions:**
17

- 18 **1. An amended plat shall be approved and recorded for this project, addressing**
19 **the proposed property line adjustments and the dedication of right-of-way to**
20 **the City on 11745 South;**
- 21
- 22 **2. The applicant shall obtain all pertinent building permits related to the**
23 **construction of new homes;**
- 24
- 25 **3. The private lane shall be paved with either concrete or asphalt as per**
26 **Riverton City and the Unified Fire Authority for private lanes;**
- 27
- 28 **4. A fire hydrant shall be installed as per the Unified Fire Authority**
29 **recommendations;**
- 30
- 31 **5. Only three (3) homes may be constructed on this private lane;**
- 32
- 33 **6. The barn on "Parcel 1" will likely be located in the front or side yard of the**
34 **home that will be constructed on this lot, therefore, the applicant must apply**
35 **for a variance of accessory structure location with the Board of Adjustment**
36 **or remove the structure;**
- 37
- 38 **7. The site and structures comply with any and all applicable Riverton City**
39 **standards and ordinances, including the International Building and Fire**
40 **Codes;**
- 41
- 42 **8. Drainage for the canal shall be resolved prior to issuance of building permits.**

43
44 **Commissioner Brown seconded the motion. Vote on motion: Brian Russell – Aye;**
45 **Dennis Hansen – Aye; Kent Hartley – Aye; Cade Bryant – Aye; Larry Brown – Aye. The**
46 **motion passed unanimously.**
47

1 B. **13-2010**, CONDITIONAL USE PERMIT. HOME ON A PRIVATE LANE, 1946
2 WEST 13400 SOUTH. R-3 ZONE. EAGLE POINT HOMES, APPLICANT.
3

4 Mr. Aagard indicated that the applicant would like to construct a single-family home on an
5 existing parcel. The property, which is zoned R-3, is adjoined by properties zoned R-4 and
6 RR-22 on the east. Property to the north is also zoned R-3. The subject property will not be
7 subdivided. The subject property includes an existing compacted-gravel lane, which is used
8 by two separate properties. Both Riverton City ordinance and the International Fire Code
9 require a paved surface for all new construction. The applicant will be required to install a
10 minimum of twenty feet of pavement from the public right-of-way back to the driveway of the
11 new home, with a turnaround as required by the International Fire Code. The applicant will
12 not be required to pave the entire length of the lane. The Fire Marshal reviewed the
13 application, but did not require installation of a hydrant.
14

15 Commissioner Hartley opened the public hearing.
16

17 Mr. Albert Freeman indicated that he has an easement up the north side of the subject
18 property. He wanted to make sure the City was aware of it.
19

20 Mr. Trey Baldwin, applicant, clarified that the easement is on the north side of the house. He
21 is unsure of the reason for the easement and asked how to eliminate it. Mr. Aagard indicated
22 that it is an access easement. Mr. Baldwin thought he was going to have to pave only
23 sixteen feet of the lane. Mr. Aagard explained that the code requires twenty feet of paving
24 with a turnaround area at the end. He also explained how to remove the easement.
25

26 There were no other public comments. Commissioner Hartley closed the public hearing.\

27
28 The Commissioners clarified that the applicant must pave only twenty feet of the lane, even
29 though it is forty feet wide. An audience member made an extended comment off
30 microphone.
31

32 **Commissioner Russell moved to APPROVE the Conditional Use Permit to allow Eagle**
33 **Point Homes to construct one (1) home on a private lane located at 1946 West 13400**
34 **South, with the following conditions:**
35

- 36 1. **The applicant shall obtain all pertinent building permits related to the**
37 **construction of a new home;**
38
- 39 2. **The private lane shall be paved with either concrete or asphalt to a minimum**
40 **of twenty (20) feet from the public right-of-way to the driveway of the new**
41 **home with appropriate turn-around space, as per Riverton City and the**
42 **Unified Fire Authority regulations;**
43
- 44 3. **Utility connections shall be approved by the Riverton City Public Works**
45 **Department prior to construction;**
46

1 **4. The site and structures shall comply with any and all applicable Riverton City**
2 **standards and ordinances, including the International Building and Fire**
3 **Codes.**

4
5 **Commissioner Brown seconded the motion. Vote on motion: Brian Russell – Aye;**
6 **Dennis Hansen – Aye; Kent Hartley – Aye; Cade Bryant – Aye; Larry Brown – Aye. The**
7 **motion passed unanimously.**

8
9 Mr. Aagard asked the Commissioners to notify the City about upcoming vacations.

10
11 **II. ADJOURNMENT**

12
13 The meeting adjourned at approximately 7:10 p.m.
14

Item II.B

Minutes

1 RIVERTON CITY PLANNING COMMISSION
2 MEETING MINUTES

3
4 May 23, 2013

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

8
9 Planning Commission Members:

Staff:

10
11 Larry Brown
12 Cade Bryant
13 Kent Hartley
14 Taylor Morrill
15 Brian Russell

Andrew Aagard, City Planner
Gordon Miner, City Engineer
Ryan Carter, City Attorney

16
17 Commissioner Larry Brown led the Pledge of Allegiance. Commissioner Brian Russell
18 called the meeting to order.

19
20 I. PUBLIC HEARINGS

- 21
22 A. **13-1006**, ROYAL FARMS PRELIMINARY AND FINAL PLAT SUBDIVISION. 78
23 LOT SUBDIVISION LOCATED AT APPROXIMATELY 12064 SOUTH 3600
24 WEST, R-4 SD ZONE. BOWLER PROPERTIES L.C., APPLICANT.

25
26 Mr. Andrew Aagard, City Planner, stated that the applicant has applied to subdivide
27 approximately 34 acres located at 12064 South 3600 West into 78 single-family residential
28 lots. An aerial view of the property was displayed.

29
30 The subject property, which is vacant agricultural land, is zoned R4-SD (Residential 10,000
31 square foot lots, Specific Development). Property to the north is zoned both R-3, which is
32 used for single family homes, and CPO, which houses the UDOT storm water management
33 pond. Property to the south is zoned R-3 and property to the east is zoned RR-22. To the
34 west is the Bangarter Highway, with property zoned CPO beyond.

35
36 The applicant would like to subdivide the property into lots ranging in size from 10,000 to
37 16,000 square feet. The Riverton City Council recently rezoned the property to R4-SD, which
38 places the following conditions on the development:

- 39
40
- 41 • The development is limited to a maximum of 78 lots.
 - 42 • All lots adjacent to the southern property line shall be at least 14,000 square feet.
 - 43 • A maximum of 40 lots shall be smaller than 12,000 square feet.
 - 44 • A minimum of 30 lots shall be at least 14,000 square feet.
 - 45 • All lots shall conform to the minimum building standards of the R-3 zone.

46 Mr. Aagard displayed a graphic showing the distribution of the lot sizes, noting that the
47 proposed subdivision meets the configuration requirements. Properties along the southern
48 boundary of the subdivision are all larger than 14,000 square feet or one-third acre. A few

1 lots adjacent to the UDOT pond and the Midas Creek drainage are also larger than 14,000
2 square feet. All lots smaller than 12,000 square feet are near the center of the proposed
3 development. Thirty-six lots in the subdivision are larger than 14,000 square feet and 32 lots
4 are smaller than 12,000 square feet. The remaining lots are larger than 12,000 square feet
5 but smaller than 14,000 square feet.

6
7 He noted that two separate applications are before the Planning Commission. The first is for
8 preliminary plat approval, in which the entire subdivision is considered and approved. The
9 second application is for final plat approval of the phasing plan, including phases 1, 2, and 3.

10
11 The subdivision would be accessed from 3600 West, 3690 West, and 12125 South. The two
12 stub streets at Oxford Farms and at Buffer Way will not be connecting and will remain
13 permanently closed.

14
15 Lot 212, which is in the northwestern corner of the subdivision, would be accessed via a
16 private drive, which requires a conditional use permit. The applicant has applied for such a
17 permit.

18
19 Parcel A is the Midas Creek drainage and it will be dedicated to and maintained by the City.
20 The parcel also includes the storm water management pond that will accommodate any
21 drainage generated by the development. A 15-foot asphalt path will be constructed between
22 lots 120 and 201 to provide maintenance access to the storm water pond and Midas Creek.
23 Staff recommends requiring that this path be fenced on the west and east sides with a solid
24 vinyl fence installed in a six-inch concrete footing or mow strip. The developer also plans to
25 construct an asphalt trail connecting into the existing trail from the Oxford Farms Subdivision
26 and at the Merced Subdivision stub.

27
28 Mr. Aagard displayed the phasing and fencing plan for the development. The northern
29 portion of the development will have a six-foot solid vinyl fence. A six-foot precast masonry
30 fence will be constructed along the Bangerter Highway and along 3600 West as required by
31 ordinance.

32
33 Riverton City Water Department, Unified Fire Authority, and Riverton City Engineering
34 Division have all reviewed the proposed subdivision and recommend approval. The Planning
35 Department recommends approval with the conditions outlined in the staff report. Mr. Aagard
36 reminded the Commissioners to consider both applications: the preliminary plat and the final
37 plat applications for phases 1, 2, and 3.

38
39 Mr. Gordon Miner from the City Engineering Department noted that several of the drawings
40 have not been finalized, so he recommended a condition requiring the applicant to meet all
41 engineering and design redlines. Mr. Miner also stated that the drainage is still under review,
42 so he asked that an irrigation master planned be required. He also indicated that traffic
43 calming measures, such as a choker, are being considered.

44
45 Commissioner Russell opened the public hearing. He indicated that Commissioner Kent
46 Hartley had joined the meeting and would assume his Chair position.

47

1 Mr. Jim Allfrey, who lives just north of the proposed development, is concerned about
2 maintenance of the existing trail and property. He pointed out that people dump material into
3 the creek. He would like to see the entire phase connect in and be cleaned up. Mr. Allfrey
4 also asked that an eight-foot masonry fence be installed along Bangerter in lieu of a sound
5 wall.

6
7 In response to a question from Commissioner Russell, Mr. Aagard indicated that he is
8 unaware of what UDOT's fencing requirements are. Mr. Ryan Carter, City Attorney, stated
9 that UDOT may install sound walls where it sees fit to do so, but it cannot prevent the City
10 from requiring installation of an eight-foot masonry fence along the highway. He also noted
11 that City ordinances require that fencing be installed at the beginning of a subdivision plat,
12 which in this case, would be phase by phase.

13
14 Mr. Tim Maines requested installation of traffic calming measures at the subdivision
15 entrances to the south and east.

16
17 Ms. Kelly Anderson also expressed concern about traffic calming. She lives on Thunder
18 Road, and she is worried that if traffic calming measures are put on the other streets, people
19 will use Thunder Road to go faster.

20
21 Mr. Randy Bowler, applicant, addressed the Commission. He stated that he is working with
22 the City regarding traffic calming measures and he has offered to install some stop signs. He
23 also indicated that UDOT does not intend to install a sound wall along Bangerter. He plans to
24 install a six-foot masonry fence along the highway, which is what the City ordinance requires.

25
26 Mr. Carter clarified that City ordinance limits fences along Bangerter to less than ten feet.
27 The Planning Commission could require the developer to install a fence taller than six feet, as
28 long as it is shorter than ten feet.

29
30 Mr. Bowler also plans to complete the existing Midas Creek trail, providing a full connection
31 between the subdivisions. He noted that the neighbors have asked that the creek area be left
32 in its natural state. He also clarified that the fences will be installed phase by phase.

33
34 There were no other public comments. Commissioner Hartley closed the public hearing.

35
36 Mr. Carter indicated that Thunder Road is part of an existing subdivision. The developer
37 does not have the ability or the authority to go beyond the boundary of his own development.
38 The City, though, may modify the road if it thinks it is necessary given the increased traffic
39 caused by the new subdivision. He also noted that the County controls and maintains Midas
40 Creek.

41
42 Commissioner Russell stated that he thinks the fence along Bangerter should be at least
43 eight-feet high.

44
45 **Commissioner Brown moved to recommend APPROVAL of PL-13-1006, Royal Farms**
46 **preliminary plat subdivision and PL-13-1010, Royal Farms final plat subdivision of**

1 **phases 1, 2, and 3, located at approximately 3600 West 12064 South, with the following**
2 **conditions:**

- 3
- 4 **1. Storm drainage systems, installation, and easements shall comply with**
5 **Engineering Department requirements and standards;**
- 6
- 7 **2. Any and all irrigation ditches on or adjacent to the property shall be piped**
8 **and/or moved, with size and design of any proposed ditch or pipes such**
9 **matching the existing system;**
- 10
- 11 **3. The subdivision shall comply with any and all applicable Riverton City**
12 **standards and ordinances, including the International Building and Fire**
13 **Codes;**
- 14
- 15 **4. Phase 2 plat shall not be recorded until lots 211 and 212 shall either be**
16 **combined into one lot or a conditional use permit be obtained authorizing the**
17 **private drive to lot 212 across 211;**
- 18
- 19 **5. The applicant shall install a six foot solid vinyl fence into a six inch wide**
20 **concrete footing or mow strip the entire length of the east and west sides of**
21 **the 15 foot access path to parcel A;**
- 22
- 23 **6. The applicant shall meet all engineering red line requirements;**
- 24
- 25 **7. Establishment of a before and after irrigation master plan;**
- 26
- 27 **8. Traffic calming as staff recommends;**
- 28
- 29 **9. The applicant shall install an eight-foot masonry fence along Bangerter**
30 **Highway.**

31
32 **Commissioner Russell seconded the motion. Vote on motion: Brian Russell – Aye;**
33 **Kent Hartley – Aye; Cade Bryant – Aye; Taylor Morrill – Aye; Larry Brown – Aye. The**
34 **motion passed unanimously.**

- 35
- 36 **B. 12-8006, AMENDED SITE PLAN, BUILDING MATERIALS, AND ARCHITECTURE.**
37 **BURT BROTHERS TIRES, 13728 SOUTH REDWOOD ROAD. FINAL**
38 **COMMERCIAL SITE PLAN. C-G ZONE. HOWARD KENT, APPLICANT.**

39
40 Mr. Agard indicated that the applicant would like to amend a previously-approved site plan.
41 In December 2012, an original site plan was approved for the construction of a retail tire store
42 located at 13728 South Redwood Road. Once construction began, the applicant asked to
43 reduce the amount of stone on the building exterior by removing vertical elements on the
44 front and rear of the building. Because the materials of the building are part of the review by
45 the Planning Commission and City Council, the change requested by the applicant requires
46 amendment of the original approval. Mr. Agard displayed a rendering of the building as

1 approved by the Planning Commission and City Council. He then displayed a revised
2 rendering as proposed.

3
4 The elements the applicant wants to remove were specifically added during the City's review
5 and approval process to bring the building into compliance with the City's standards and
6 expectations for commercial structures. Those elements bring additional stone into the upper
7 portion of the building and add variation to both the wall section and to the roofline. The Burt
8 Brothers building is the first building in the commercial site, which will ultimately include
9 several more commercial buildings as well as office space. Accordingly, the building will
10 establish the architectural look for the complex. The Burt Brothers building is at the
11 intersection of Bangerter Highway and Redwood Road, and it will be highly visible at the
12 entry to Riverton City.

13
14 Staff recommends denial of the amended site plan. The architectural elements in question
15 are important to the building. They maintain the standards and expectations of Riverton City
16 and will impact the architectural standards for other buildings on the site. The applicant was
17 fully involved in the pre-approval review process, and he was aware of the City's design
18 requirements. He was also involved in the approval process with the Planning Commission
19 and City Council and had an opportunity then to comment on the proposed architecture. The
20 proposed amendment eliminating architectural elements and materials is not in the best
21 interests of the City or the overall commercial project.

22
23 Commissioner Hartley opened the public hearing.

24
25 There were no public comments. Commissioner Hartley closed the public hearing.

26
27 In response to a Commissioner's question, Mr. Aagard explained that the applicant wants to
28 remove the stone to allow him greater flexibility with respect to sign placement on the
29 building. Mr. Aagard also pointed out that the City's sign ordinance would not allow that
30 many signs on the building anyway.

31
32 **Commissioner Russell moved to recommend DENIAL of the Burt Brothers Tires**
33 **Amended Site Plan, located at 13728 South Redwood Road. Commissioner Brown**
34 **seconded the motion. Vote on motion: Brian Russell – Aye; Kent Hartley – Aye; Cade**
35 **Bryant – Aye; Taylor Morrill – Aye; Larry Brown – Aye. The motion passed**
36 **unanimously.**

37
38 C. **13-2012, CONDITIONAL USE PERMIT, ICE HAUS SNOW CONE STAND, 13400**
39 **SOUTH 3643 WEST. ERIK FISHER, APPLICANT.**

40
41 Mr. Aagard indicated that the applicant has applied for a conditional use permit to place a
42 shaved ice stand on a vacant parcel at the southwest corner of 13400 South 3600 West. The
43 property is zoned Regional Commercial, as are all of the surrounding properties, other than
44 the residential parcels on the northeast corner of the same intersection. The applicant would
45 like to place the stand in the parking area for a nearby fast food restaurant. The parking lot
46 was intended to be shared by the existing restaurant and a future commercial user of the

1 vacant parcel, so there would be ample parking even with the shaved ice stand. During the
2 months of June and July, there will also be a fireworks stand on the same parcel.

3
4 Riverton City ordinance limits temporary conditional use permit to six months. The Planning
5 Commission can renew the permit up to three times, but after that the applicant would have
6 to submit a new application.

7
8 Mr. Aagard noted that signs on the stand itself are permitted by the conditional use permit,
9 but any detached promotional signs would require a temporary sign permit. Moreover, the
10 Riverton City Building Department requires an electrical permit to ensure a safe electrical
11 connection to the concession stand from a code-compliant power supply outlet.

12
13 The stand would be well out of the sight triangle and would not impact the drive through traffic
14 at the restaurant. Arby's received a notice of the hearing, but has not commented on the
15 application.

16
17 Commissioner Hartley opened the public hearing.

18
19 There were no public comments. Commissioner Hartley closed the public hearing.\

20
21 **Commissioner Morrill moved to APPROVE the conditional use permit for Ice Haus**
22 **shaved ice stand located at the southwest corner of the intersection of 13400 South**
23 **3600 West, with the following conditions:**

- 24
25 **1. All customer parking related to the shaved ice business shall not impede or**
26 **block vehicle circulation lanes;**
27
28 **2. The conditional use permit expires exactly six months from the date the**
29 **Planning Commission approves it;**
30
31 **3. All temporary off-site detached promotional signs shall receive the required**
32 **sign permits from Riverton City before installation;**
33
34 **4. An electrical permit shall be obtained from the Riverton City Building**
35 **Department prior to any business being conducted at the concession stand.**

36
37 **Commissioner Russell seconded the motion. Vote on motion: Brian Russell – Aye;**
38 **Kent Hartley – Aye; Cade Bryant – Aye; Taylor Morrill – Aye; Larry Brown – Aye. The**
39 **motion passed unanimously.**

- 40
41 **D. ORDINANCE AMENDMENT, RIVERTON CITY ORDINANCE 17.20.010,**
42 **STREETS AND BRIDGES, ADDRESSING THE INSTALLATION OF**
43 **EMERGENCY VEHICLE ACCESS GATES. AMENDMENTS PROPOSED BY**
44 **RIVERTON CITY.**

45
46 Mr. Aagard stated that the City Council recently reviewed a request for installation of an
47 emergency vehicle gate on an existing right-of-way within Riverton City. As part of the review

1 process, the Riverton City Attorney determined that the City's current ordinance regulating
2 streets and public rights-of-way does not sufficiently address the question of emergency
3 vehicle gates on existing rights-of-way. The proposed amendment would add specific
4 language to the Streets and Bridges standards addressing the installation of an emergency
5 vehicle gate on a public right-of-way where that right-of-way terminates to an adjacent
6 municipality.

7
8 Commissioner Hartley opened the public hearing.

9
10 Mr. Cameron Francis, speaking on behalf of a group of 60 families living on Reeves Lane,
11 Meadowridge Circle, Woodview Place, and Lanton View Drive, supports the amendment. His
12 group would like to see an emergency vehicle gate constructed at the north end of Reeves
13 Lane.

14
15 There were no other public comments. Commissioner Hartley closed the public hearing.

16
17 Mr. Carter stated that the Reeves Lane area presented a unique situation and the
18 amendment was crafted to allow the City to appropriately regulate traffic in the area. He
19 emphasized that the City is not generally in favor of security gates, but, in this case, the City
20 felt it was appropriate.

21
22 **Commissioner Brown moved to recommend APPROVAL of the proposed amendments**
23 **to Riverton City Ordinance 17.20.010, as outlined in the attached Exhibit "A."**
24 **Commissioner Russell seconded the motion. Vote on motion: Brian Russell – Aye;**
25 **Kent Hartley – Aye; Cade Bryant – Aye; Taylor Morrill – Aye; Larry Brown – Aye. The**
26 **motion passed unanimously.**

27
28 Mr. Carter asked that agenda item F be considered before item E to allow a meeting attendee
29 to comment on the item. Commissioner Hartley agreed and item F was heard next.

30
31 **E. GROUNDWATER PROTECTION OVERLAY, ESTABLISHING A WELLHEAD**
32 **PROTECTION ZONE ASSOCIATED WITH AN EXISTING WELL AT 1050 WEST**
33 **12300 SOUTH. PROPOSED BY RIVERTON CITY.**

34
35 Mr. Aagard stated that the City has recently constructed a new well at approximately 1050
36 West 12300 South. As a result, the City wants to establish a wellhead protection zone
37 around the new well. The groundwater protection overlay ordinance regulates above- and
38 below-ground land use and construction that may impact the well and its source areas. The
39 zone would primarily affect specific types of commercial uses within the wellhead protection
40 area; it will not impact most residential property owners, and the restrictions are most
41 stringent in areas closest to the well site. The new well is currently surrounded by open
42 space.

43
44 The groundwater protection overlay zone regulates the storage and use of chemicals and
45 substances that may, if introduced into the groundwater, affect water quality from the well.
46 Commercial uses such as gas stations within the overlay zone would have additional
47 requirements for underground tanks to ensure that the groundwater is adequately protected.

1 Additionally, certain types of commercial uses would require a conditional use permit to
2 review compliance. The commercial property owners within the proposed wellhead
3 protection zone received notice of the zone and have been contacted to discuss the impact to
4 their properties. The ordinance allows storage and use of cleaning products and other
5 chemicals associated with commercial or office uses. It also allows storage and use of
6 chemicals such as pesticides and fertilizers used by home owners.

7
8 Mr. Carter indicated that the new well will provide water of the same quality as the water
9 provided by the Jordan Valley Water Conservancy District. The City must protect its water
10 supply to provide as much water as possible to its residents. He also indicated that the City
11 is considering other ways to protect its water supply.

12
13 Commissioner Hartley opened the public hearing.

14
15 There were no public comments. Commissioner Hartley closed the public hearing.

16
17 **Commissioner Morrill moved to recommend APPROVAL of the Groundwater**
18 **Protection Overlay Zone establishing a wellhead protection area for the existing well at**
19 **approximately 1050 West 12300 South as shown on Exhibit "A." Commissioner Brown**
20 **seconded the motion. Vote on motion: Brian Russell – Aye; Kent Hartley – Aye; Cade**
21 **Bryant – Aye; Taylor Morrill – Aye; Larry Brown – Aye. The motion passed**
22 **unanimously.**

23
24 F. **ORDINANCE AMENDMENT, RIVERTON CITY ORDINANCE 18.175, WIRELESS**
25 **TELECOMMUNICATION TOWERS. AMENDMENTS PROPOSED BY RIVERTON**
26 **CITY.**

27
28 Mr. Aagard stated that the City has an existing ordinance regulating telecommunications
29 towers. The proposed amendment would remove several sections from the ordinance to
30 bring it into compliance with City practices and policies. The ordinance currently limits
31 installation of a tower if another tower exists within a three mile radius and requires co-
32 location on existing towers. The proposed amendment allows exceptions where co-location
33 is not possible, and removes language that strictly requires a private tower owner to allow co-
34 location. The amendment would also remove standards addressed elsewhere in the City
35 Code, including business licensing, vandalism, and graffiti removal. The amendment would
36 also clarify that small satellite dishes for television, internet, and so forth, are not governed by
37 the ordinance. The amendment would not substantially change the development and
38 approval process for telecommunications towers.

39
40 Commissioner Hartley opened the public hearing.

41
42 Mr. Pete Simmons, who represents Verizon Wireless, supports the amendment since it will
43 facilitate co-location on a tower on Redwood Road.

44
45 There were no other public comments. Commissioner Hartley closed the public hearing.
46

1 In response to a question, Mr. Aagard indicated that proposed ordinance amendments are
2 published in local newspapers, the City's website, and the State's website for public notices.
3

4 **Commissioner Russell moved to recommend APPROVAL of the Wireless**
5 **Telecommunication Towers ordinance, amending Riverton City Ordinance 18.175.**
6 **Commissioner Brown seconded the motion. Vote on motion: Brian Russell – Aye;**
7 **Kent Hartley – Aye; Cade Bryant – Aye; Taylor Morrill – Aye; Larry Brown – Aye. The**
8 **motion passed unanimously.**
9

10 **II. MINUTES**

11
12 A. APRIL 25, 2013

13
14 **Commissioner Brown moved to approve the minutes of the April 25, 2013 meeting, as**
15 **amended. Commission Russell seconded the motion. Vote on motion: Brian Russell**
16 **– Aye; Kent Hartley – Aye; Cade Bryant – Aye; Taylor Morrill – Aye; Larry Brown – Aye.**
17 **The motion passed unanimously.**
18

19 **III. ADJOURNMENT**

20
21 The meeting adjourned at approximately 7:40 p.m.
22