CITY OF WEST HAVEN

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NOTICE OF PUBLIC HEARING TO CONSIDER AN ORDINANCE UPDATING THE WEST HAVEN SITE PLAN AND DESIGN REVIEW REQUIREMENTS

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PUBLIC HEARING: The Planning Commission of West Haven City, Utah will hold a **Public Hearing** on the **23rd Day of February, 2022** in the Commission Chambers at 4150 South 3900 West, West Haven, Utah at the hour of **6:00 PM** or as soon thereafter as possible, to consider an ordinance updating the West Haven site plan and design review requirements. All interested persons shall be given an opportunity to be heard. Public comments will be accepted in person or digitally via zoom https://us06web.zoom.us/j/82759630692

Published by order of the West Haven City Planning Commission. In compliance with the Americans with disabilities act, individuals needing special accommodations including auxiliary communicative aids and serviced during the meeting should notify the City Recorder at 801-731-4519 at least 48 hours in advance.

City of West Haven
By: Charis Sully, Deputy Recorder

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE WEST HAVEN CITY STANDARDS FOR SITE PLAN AND DESIGN REVIEW; AND PROVIDING AN EFFECTIVE DATE FOR THESE CHANGES.

Section 1 – Recitals

WHEREAS, the City of West Haven ("City") is a municipal corporation duly organized and existing under the laws of Utah; and

WHEREAS, the City Council finds that in conformance with UC §10-3-702, the governing body of the City may pass any ordinance to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition authorized by the laws of the State of Utah or any other provision of law; and,

WHEREAS, the City Council wishes to have ordinances in place that facilitate the design of certain buildings in a manner that will be a benefit to the City; and

WHEREAS, the City Council finds that architectural styles and building material usage in the construction industry fluctuate over time; and

WHEREAS, due to those fluctuations, as well as changes related to drought conditions in Utah, it becomes necessary to periodically evaluate the building design review ordinances; and

WHEREAS, the City has drafted an ordinance which takes into account construction industry trends and fluctuations, as well as drought conditions; and

WHEREAS, the City Council finds it is in the best interest of the public to adopt these updated design review and site plan criteria.

NOW THEREFORE, BE IT ORDAINED by the City of West Haven that the following portions of the West Haven City Zoning Code are amended as follows:

A. All of Chapter 54, titled "Design Review" is repealed and replaced with the revised Chapter 54 "Site Plan and Design Review", attached hereto as Exhibit A

Section 2 – Prior Ordinances and Resolutions

That the above changes, where they may have been taken from prior City Ordinances and Resolutions, are listed here for centralization and convenience; and that the body and substance of those prior Ordinances and Resolutions, with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

Section 3 – Repealer of Conflicting Enactments

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All orders, ordinances and resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts thereof, which conflict with this Ordinance are, for such conflict, repealed, except that this repeal will not be construed to revive any act, order or resolution, or part.

Section 4 – Savings Clause

If any provision of this Ordinance be held or deemed invalid, inoperative or unenforceable, such will render no other provision or provisions invalid, inoperative or unenforceable to any extent whatsoever, this Ordinance being deemed the separate independent and severable act of the City Council of West Haven City.

Section 5 – Date of Effect

This Ordinance shall be effective as of the date of signing and after being published or posted as required by law.

DATED the ____ day of March, 2022

WEST HAVEN CITY

_____

Rob Vanderwood
Mayor

ATTEST:

_____

Emily Green, City Recorder

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EXHIBIT A

CHAPTER 54 SITE PLAN AND DESIGN REVIEW

54.02 Purpose
54.04 Application – Review and Approval
54.06 Exceptions
54.08 Standards of Review
54.10 Design Requirements
54.12 Agreement For Improvements
54.14 Time Limitations On Approval
54.16 Modification

54.02 Purpose

The purpose and intent of this ordinance is to ensure that the general design, layout and appearance of buildings and structures are compatible with their surroundings and aid the orderly and harmonious development of West Haven City.

54.04 Application - Review and Approval

1. All proposals in commercial or manufacturing zones shall be subject to the provisions of this Chapter.

2. Regardless of the zone underlying the land use, the following uses, including any accessory uses thereto, shall be subject to the provisions of this Chapter:
    a. Multi-family dwellings
    b. Public and quasi-public uses

3. The following shall be submitted as part of all applications for projects subject to the provisions of this Chapter, further details of which are found in this Chapter:
    a. A preliminary site plan containing the following:
        i. Building locations and elevations. Elevations shall show:
            1. Building materials and colors
            2. Elevation drawings shall also contain a table showing ratio and percentages of each material/color.
        ii. Landscaping
        iii. Parking
        iv. Signage
    b. Once the applicant has received approval of their preliminary site plan from the Planning Commission, they shall proceed to prepare civil drawings and shall present those to the Planning Commission to receive approval of the final site plan.

4. All applications for site plan approval shall be reviewed and approved by the Planning Commission, with the following exceptions:
    a. After first being presented to and receiving a recommendation from the Planning Commission, the City Council shall review and may approve, deny or approve with conditions site plans for all buildings or combination of buildings which total over 40,000 square feet on a single parcel.
    b. After first being presented to and receiving a recommendation from the Planning Commission, the City Council shall review and may approve, deny or approve with conditions any requests for building materials not otherwise considered as a primary or secondary material by this Chapter.
    c. The Planning Commission shall determine whether the proposed architectural and site development plans submitted are consistent with this Chapter and with the general objectives of this Ordinance and shall give or withhold approval accordingly. Denial may be appealed to the City Council

5. No building, occupancy or other land use permit shall be issued until the proposed project has received approval under the terms of this Chapter.

54.06 Exceptions

Projects subject to conditional use and/or planned unit development approval shall have site plan and design review incorporated into such review. Such projects shall be required to meet the requirements of this Chapter.

54.08 Standards of Review

The Planning Commission shall consider the following matters, and others when applicable, in their review of applications and where the plan is found deficient the plan design shall be amended or conditions imposed to mitigate such deficiencies when considering:

1. **Traffic Safety and Circulation**
    a. Does the site plan comply with the West Haven City Engineering Design Standards & Specifications related to traffic ingress, egress and internal circulation?
    b. A traffic study may be required, if in the opinion of the Planning Commission, with input from the City Engineer, such would be necessary.

2. **Parking:** Does the site plan comply with West Haven City ordinances regarding design, location and number of parking stalls required?

3. **Signage:** Does the proposed signage meet the requirements of the West Haven City sign ordinance?

4. **Landscaping**
    a. The following landscaping shall be provided in each project subject to the provisions of this Chapter
        1. Front Yard: a minimum of 15’ front yard landscaping shall be required.

2. Side/Rear Yards: There shall be a minimum of five feet (5') of landscaping between parking areas and side or rear property lines (except between commercial uses where said landscaping is not visible from areas of public access) and a minimum of five feet (5') of landscaping between an access driveway and a side or rear property line unless said driveway is to be used for common access by an adjacent lot.
3. Parking Are Landscaping: Landscaping within all parking and driveway areas shall comprise a minimum five percent (5%) of the total square footage of those areas and shall be placed within those parking areas to break up the mass of asphalt.

b. Where possible, developers are encouraged to preserve existing, healthy trees.
c. Developers are encouraged to take current drought and other environmental conditions into account when preparing a landscaping plan.
d. Landscape plans shall include a minimum of three items from the following list:
    1. Trees
    2. Decorative rock and boulders
    3. Shrubs
    4. Groundcover
    5. Grass (artificial or other)

5. **Building/Site Layout**
    a. All buildings shall be designed with breaks in the façade. This may be accomplished through a change in building materials, actual breaks in the façade, a mix of roofline projections.
    b. All mechanical equipment shall be screened so as to not be seen from any public right of way adjacent to the project.
    c. Developers are encouraged to keep in mind visual compatibility with existing development when preparing the site layout and architectural elevations of proposed buildings.
    d. Buildings which are located within 100’ of the centerline of the following roads shall be designed so it appears the front of the building faces the street, regardless of how the building is actually oriented:
        1. 2550 South
        2. Midland Drive
        3. 4000 South
        4. 3500 West
        5. 1900 West
        6. 2100 South/Wilson Lane
        7. 1800 South

6. **Engineering Standards.** Does the site plan comply with the West Haven City Engineering Design Standards and Specifications related to utility easements, drainage and other engineering requirements?

7. **Governing Documents.** Is the site subject to a Master Development Agreement or any conditions or agreements related to the property?

54.10 Design Requirements

Design approval may include such other conditions consistent with the considerations of this Chapter as the Commission or Planning Director deem reasonable and necessary under the circumstances to carry out the intent of this Chapter. The following are conditions for various areas in West Haven.

1. **Building Materials**: New buildings shall be designed and constructed to meet the following criteria:
    a. Building exteriors shall be designed and constructed with primary and secondary building materials from the list of Building Materials in Subsection 3.
    b. The front elevation, as well as any other elevation which faces the street shall be constructed of a minimum of 60% primary materials, with a maximum of 40% secondary materials.
    c. Windows and doors shall be excluded from the calculation of exterior building material requirements.
        1. Non-functioning, decorative only windows may be included in the calculation of building materials.
    d. A maximum of six colors for the primary materials may be permitted.
    e. Secondary materials shall be of a complementary hue and shade to primary building materials. A maximum of four accent colors may be allowed for secondary materials.
    f. A minimum of fifteen percent (15%) of the front elevation, as well as any side or rear elevation which faces the street or major corridor, shall consist of upgraded architectural features as defined in Subsection 3.
        1. See below for those streets which constitute major corridors
    g. Non-primary elevations which do not face the street or major corridor shall consist of at least five percent (5%) upgraded architectural features as defined in Subsection 3.
        1. See below for those streets which constitute major corridors

2. **Major Corridor Requirements:** Projects which are adjacent to, or located within 400' of the centerline of 2100 South/Wilson Lane, 1800 South,1900 West, Midland Drive, 3500 West, 4000 South and 2550 South shall be subject to the following additional requirements:
    a. Any elevation which faces of which can be seen from the above-referenced roads shall be constructed of a minimum of 60% primary materials.

3. **Materials list and Architectural Features**
    a. Primary Materials: shall include but are not limited to:
        1. Architectural insulated metal panels
        2. Brick
        3. Concrete masonry unit (CMU), provided that it is textured to have the appearance of a different material.
        4. Glass
        5. Rock

6. Stone (may be natural or manufactured)
7. Fiber cement siding, if used in a craftsman style of architecture
8. Engineered wood siding, if used in a craftsman style of architecture

b. Secondary Materials: may include but shall not be limited to:
    1. Concrete
    2. Non-insulated corrugated and ribbed metal
    3. Fiber cement siding, if used in a non-craftsman architectural style
    4. Engineered wood siding, if used in a non-craftsman architectural style
    5. Stucco
    6. Tile
    7. Wood

c. Upgraded Architectural features: may include, but shall not be limited to:
    1. Alternating brick patterns
    2. Archways
    3. Awnings
    4. Bays
    5. Bonds
    6. Canopies
    7. Corbels
    8. Cornices
    9. Decorative art (must be permanent)
    10. Dormers
    11. Pillars
    12. Porte Cocheres
    13. Porches
    14. Porticos
    15. Shutters
    16. Timbers

d. Developers shall have a minimum of three different building materials, not including those which are considered upgraded architectural features.

e. Upon recommendation of the Planning Commission, the City Council may approve alternative materials if the Council makes specific findings that the requested material is comparable to or superior to a listed, approved material for the specific development or remodeling project proposed.

4. **Warranty**: All exterior materials shall be installed in a professional workmanlike manner and be guaranteed to be maintenance-free for at least ten (10) years. Finishes upon exterior materials shall be guaranteed maintenance-free for a minimum of five (5) years. Materials or finishes without such guarantees shall not be permitted. Guarantees shall be in writing from the manufacturer.

54.12 Agreement For Improvements

Prior to the issuance of any building permit, Developer shall enter into an escrow agreement with the City wherein security shall be provided for any on and off-site public improvements. Occupancy shall not occur until all improvements have either been installed or guaranteed for future installation.

54.14 Time Limitations On Approval

If construction of any development for which design approval has been granted has not commenced within twelve months from date of approval, the approval shall be deemed automatically revoked. Upon application, an extension of time may be granted by the Planning Commission, provided such application is made prior to the expiration/revocation of the initial approval.

54.16 Modification

Upon request of the applicant, modifications to the approved plan may be made by the Planning Commission, it is found that the modification will meet requirements of this Chapter. The Planning Commission may revoke or modify a design approval which does not conform to any requirement of the approved permit.

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