

PLANNING COMMISSION AGENDA

Notice is hereby given that the Draper City Planning Commission will hold a Regular Meeting, at 5:30 p.m., on Thursday, April 10, 2014 in the City Council Chambers at 1020 East Pioneer Road.

The Agenda will be as follows: (Times listed on the agenda are approximate and may be accelerated or subject to change)

5:30 p.m. Dinner

Study Meeting: 6:15 p.m., City Council Chambers on the 1st floor

Study Business Items

Business Meeting: 6:30 p.m., City Council Chambers on the 1st floor

***Citizen Comments:** To be considerate of everyone attending the meeting and to more closely follow the published agenda times, public hearing comments will be limited to three minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the City Recorder prior to noon the day before the meeting.*

- 1. Public Hearing:** On the request of Bryon Prince, representing Ivory Development for approval of a Zoning Map Amendment changing the zoning designation from RA1 (Residential Agriculture) to R3 (Residential) with a Development Agreement on 3.16 acres at 491 E. Kimballs Lane. The application is otherwise known as the ***Kimballs Lane Zone Change and Development Agreement Request***, Application 131211-491E. Staff contact is Dennis Workman at 801-576-6522 or email Dennis.Workman@draper.ut.us. **This item was continued from the March 27, 2014 meeting.**
- 2. Public Hearing:** On the request of Draper City for approval of a Zoning Text Amendment to the Draper City Municipal Code Sections 9-26-080(A) and 9-26-090(D) increasing the allowance of electronic message centers in certain areas of the city. This application is otherwise known as the ***City Initiated Electronic Signs Zoning Text Amendment Request***, Application #140328-1020E. Staff contact is Dan Boles at 801-576-6335 or Dan.Boles@draper.ut.us.
- 3. Public Hearing:** On the request of Draper City for approval of Text Amendment allowing the addition of two new residential zoning categories (R4 and R5). The application is otherwise known as the ***City Initiated Zoning Categories (R4 and R5) Text Amendment Request***, Application #140319-1020E. Staff contact is Dennis Workman at 801-576-6522 or email Dennis.Workman@draper.ut.us.

Any person adversely affected by a decision of the Planning Commission regarding the transfer, issuance or denial of a conditional use permit may appeal such decision to the City Council by filing written notice of appeal stating the grounds therefore within fourteen (14) days from the date of such final determination.

Times listed above are approximate. Items may be held earlier or later than listed. For inquiries, please call the Planning Department, at 576-6502. In compliance with the American's with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Rachelle Conner, Draper City Recorder, 576-6502, at least 3 days prior to meeting.

4. **Staff Reports**
 - a) Discussion Items
 - b) Administrative Reviews
 - c) Other Items

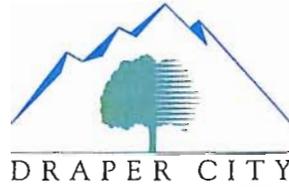
 5. **Adjournment**
-

SALT LAKE COUNTY/UTAH COUNTY, STATE OF UTAH

I, the City Recorder of Draper City, certify that copies of the agenda for the **Planning Commission** meeting to be held **Thursday, April 10, 2014**, were posted on the Draper City Bulletin Board, Draper City website www.draper.ut.us, the Utah Public Meeting Notice website at www.utah.gov/pmn, and sent by facsimile to The Salt Lake Tribune, and The Deseret News.

City Seal

Rachelle Conner, MMC, City Recorder
Draper City, State of Utah



Development Review Committee

1020 East Pioneer Road
Draper, UT 84020
(801) 576-6539

STAFF REPORT

March 28, 2014

To: Planning Commission
Business Date: April 10, 2014

From: Development Review Committee
Prepared by Dennis Workman, Planner II

Re: Kimballs Lane Zone Change and Development Agreement

Application No.: 131211-491E
Applicant: Bryon Prince with Ivory Homes
Location: 491 E. Kimballs Lane
Zoning: RA1
Parcel Size: 3.92 acres
Request: Zone change from RA1 to R3 with a Development Agreement

BACKGROUND

This is a request for a rezone from RA1 to R3 on approximately four acres located on the north side of Kimballs Lane, north of Juan Diego High School. The subject property abuts the Cranberry Hills subdivision on its south boundary; the applicant considers the anticipated subdivision to be an extension of the Cranberry Hills subdivision, and will be calling it *Cranberry Hills No. 18 P.U.D.* From that standpoint, R3 zoning makes sense because the Cranberry Hills subdivision is zoned R3. The applicant intends to subdivide the property into 11 single-family building lots, with lots as small as 9,000 square feet, and an average size of approximately 10,000 square feet. The minimum lot size in the R3 zone, however, is 13,000 square feet. The applicant therefore wishes to combine this rezone request with a development agreement that would allow minimum lot size to be 9,000 square feet. This staff report will review the requested rezone/development agreement and the monetary consideration the applicant is proposing.

General Plan and Zoning. The land use plan designates this property Medium Density Residential, which has a density range of 2-4 dwelling units per acre. As such, the land use plan supports a rezone to R3, which carries a density of up to three units per acre. R3 zoning sets minimum lot size at 13,000 square feet, yet the applicant desires to subdivide into lot sizes as small as 9,000 square feet. It is for this reason that the applicant is proposing to enter into a development agreement with the city.

Criteria For Approval. The criteria for review and potential approval of a Zoning Map Amendment request is found in Section 9-5-060(e) of the Draper City Municipal Code. This section depicts the standard of review for such requests as:

- (e) Approval Standards. A decision to amend the text of this Title or the zoning map is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. However, in making an amendment, the City Council should consider the following factors:



- (1) Whether the proposed amendment is consistent with goals, objectives and policies of the City's General Plan;
- (2) Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
- (3) Whether the proposed amendment is consistent with the standards of any applicable overlay zone.
- (4) The extent to which the proposed amendment may adversely affect adjacent property; and
- (5) The adequacy of facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.

Development Agreement Proposal. As contained in the draft development agreement that accompanies this staff report, Ivory Homes proposes to develop the subject 3.92 acres into 11 lots, with a minimum lot size of 9,000 square feet. The proposal also includes setbacks of 20 feet on the front, rear and street side corner, and ten feet on a regular side. (Standard R3 setbacks are 25 feet on the front, 25 feet on street side corner, 20 feet on rear, and 10 feet on side.) As consideration for allowing the property to develop according to these relaxed standards, Ivory proposes to pay the city the sum of \$60,507. This amount is tied to the per-lot park improvement costs of the developed portion of Cranberry Hills. It is essentially payment in lieu of dedicating land to the city for purposes of a park. It is in addition to all required park impact fees. Accepting this payment is essentially how the original 17 phases of Cranberry Hill subdivision were developed. As shown in exhibit D, this money would be earmarked for park improvements to parks within the area.

There are four exhibits that accompany this staff report. **Exhibit A** is the draft development agreement, **Exhibit B** is the legal description of the 3.92 acres under question, **Exhibit C** shows the city engineer's calculations of the per-lot park improvement costs of the 380 lots of the Cranberry Hills subdivision (the 17 phases already developed), and **Exhibit D** shows specific park improvements at Cranberry Park and Honeybee Park that the money would be earmarked for. The total cost of these improvements (\$60,507) is what the applicant is proposing as consideration. (For the city to take money in exchange for giving higher density runs afoul of the purpose of a development agreement, as money alone should not be a bargaining chip. Therefore, it is important to note that the money represents specific park improvements.)

City Engineer. In a memo dated March 17, 2014, Brien Maxfield states:

We have reviewed the subject zone map amendment application and recommend approval. In accordance with the provisions of Section 9-5-060(e) of the Draper City Municipal Code (DCMC), we speak primarily to the adequacy of facilities and services intended to serve the subject property. In making an amendment, the City Council should consider the following factors. Accordingly, the following comments are recommended for your consideration:

1. *The adequacy of facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection;*

Other than noted below, we are not aware of any inadequacies of the facilities intended to serve this property.

- a. Connectivity with this parcel is not an issue. Although through residential streets, it has adequate access to 300 East.

- b. There are public storm drainage facilities along High Berry Lane, north of the subject parcel block. An engineering evaluation of the fronting storm drain system will be required to determine the potential to connect the site to this system to convey detained storm water flows. Additional information will be required at the subdivision application to determine the actual drainage requirements.
- c. Sanitary sewer facilities will be provided by South Valley Sewer District. Any site plan application will require a commitment to serve from the Sewer District that facilities are adequate to provide service for the proposed uses.
- d. Culinary water service is provided by Draper City. For single family residential uses there are adequate water pressure and supply from High Berry Lane. Fire flow adequacy for high density or other uses shall be determined by the applicant at the subdivision approval process.

Fire Marshal. Don Buckley with the Unified Fire Authority has no concerns at this time, but will want to review at subdivision and building permit stages.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission send a positive recommendation to the City Council regarding the Kimballs Lane Zone Change/Development Agreement, application 131211-491E, based on the following findings:

1. That there are adequate facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.
2. That a 9,000 square foot lot is consistent with lot sizes in the Cranberry Hills subdivision; in fact, the five lots that abut the subject property on the north are all less than 9,000 square feet.
3. That the consideration being proposed for the development agreement is based on the city engineer's recommendation, which is tied to the per-lot park improvement cost of each of the 380 lots in the Cranberry Hills subdivision.
4. That improving Cranberry and Honeybee Parks, as per the list of improvements shown on Exhibit D, would be a sizeable benefit to Draper City, especially to park patrons residing in the area.
5. That the minimum lot size of 9,000 square feet is reasonable, considering that staff has been directed to bring a text change proposal to the Planning Commission and City Council that would provide for single family lots to go down to 8,000 square feet.
6. That should the R5 zoning category be approved, a rezone to R5 may possibly be approved on the subject property, thus enabling Ivory to subdivide according to their proposed concept plan without entering into a development agreement with the city.

MODEL MOTION

Sample Motion for Negative Recommendation. "I move we forward a positive recommendation to the City Council regarding the Kimballs Lane Zone Change/Development Agreement by Bryon Prince, application 131211-491E, based on the findings listed in the staff report dated March 28, 2014, and the following additional findings:"

1. List additional findings, if any.

Sample Motion for Positive Recommendation. "I move we forward a negative recommendation to the City Council regarding the Kimballs Lane Zone Change/Development Agreement, application 131211-

491E, based on the following findings:”

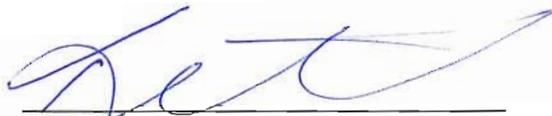
1. List all findings.

DEVELOPMENT REVIEW COMMITTEE ACKNOWLEDGEMENT

We, the undersigned, as duly appointed members of the Draper City Development Review Committee, do acknowledge that the application which provides the subject for this staff report has been reviewed by the Committee and has been found to be appropriate for review by the Draper City Planning Commission and/or City Council.



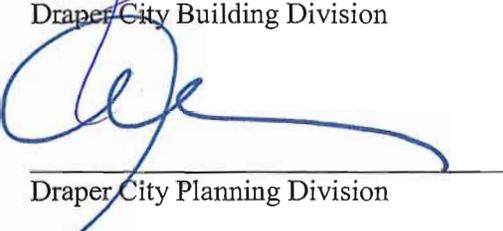
Draper City Engineering Division



Draper City Building Division



Draper City Operations Division



Draper City Planning Division

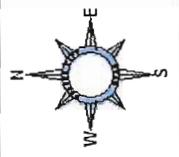


Unified Fire Authority



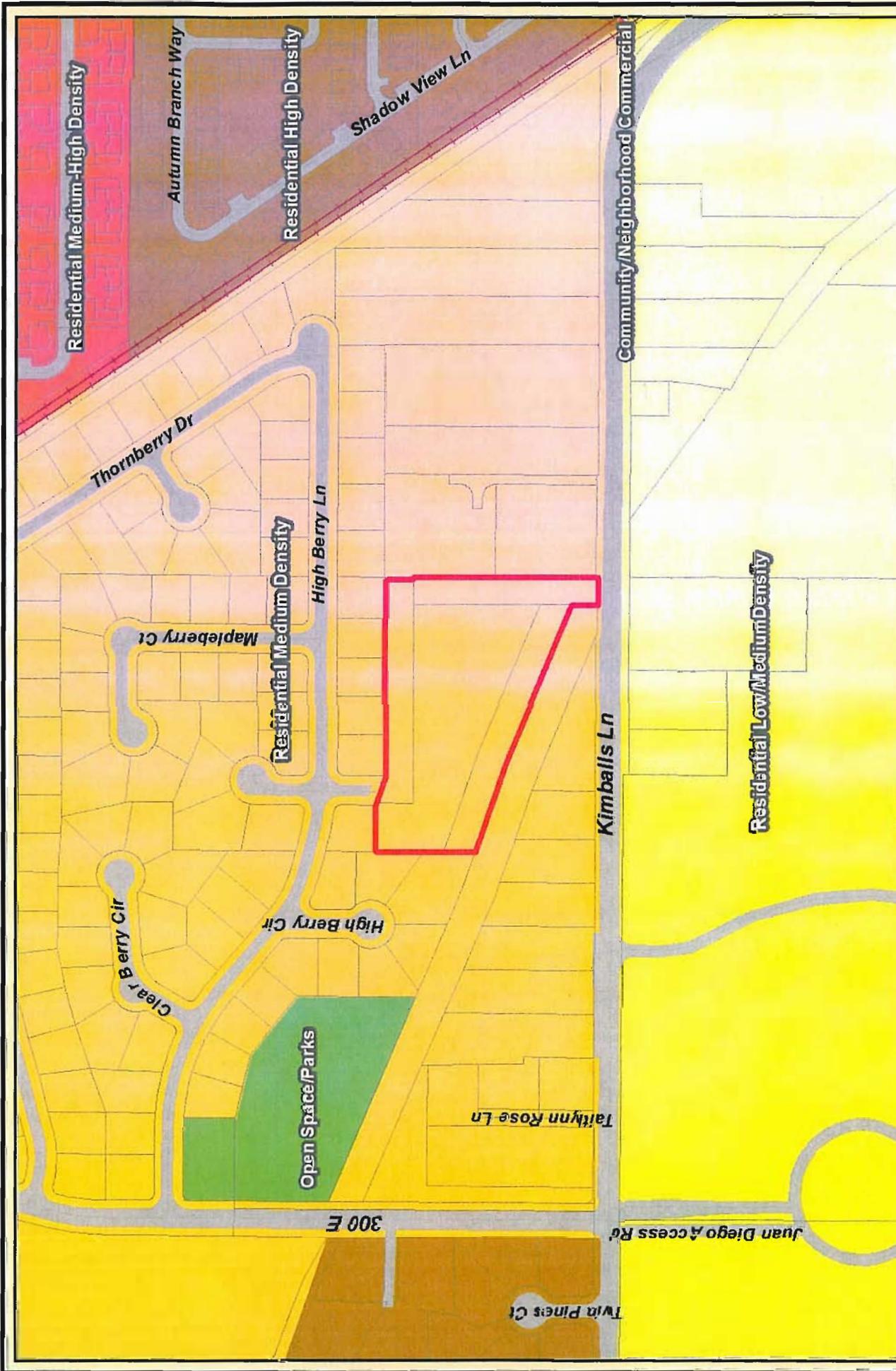
Draper City Legal Counsel





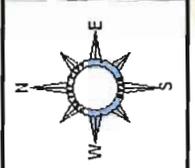
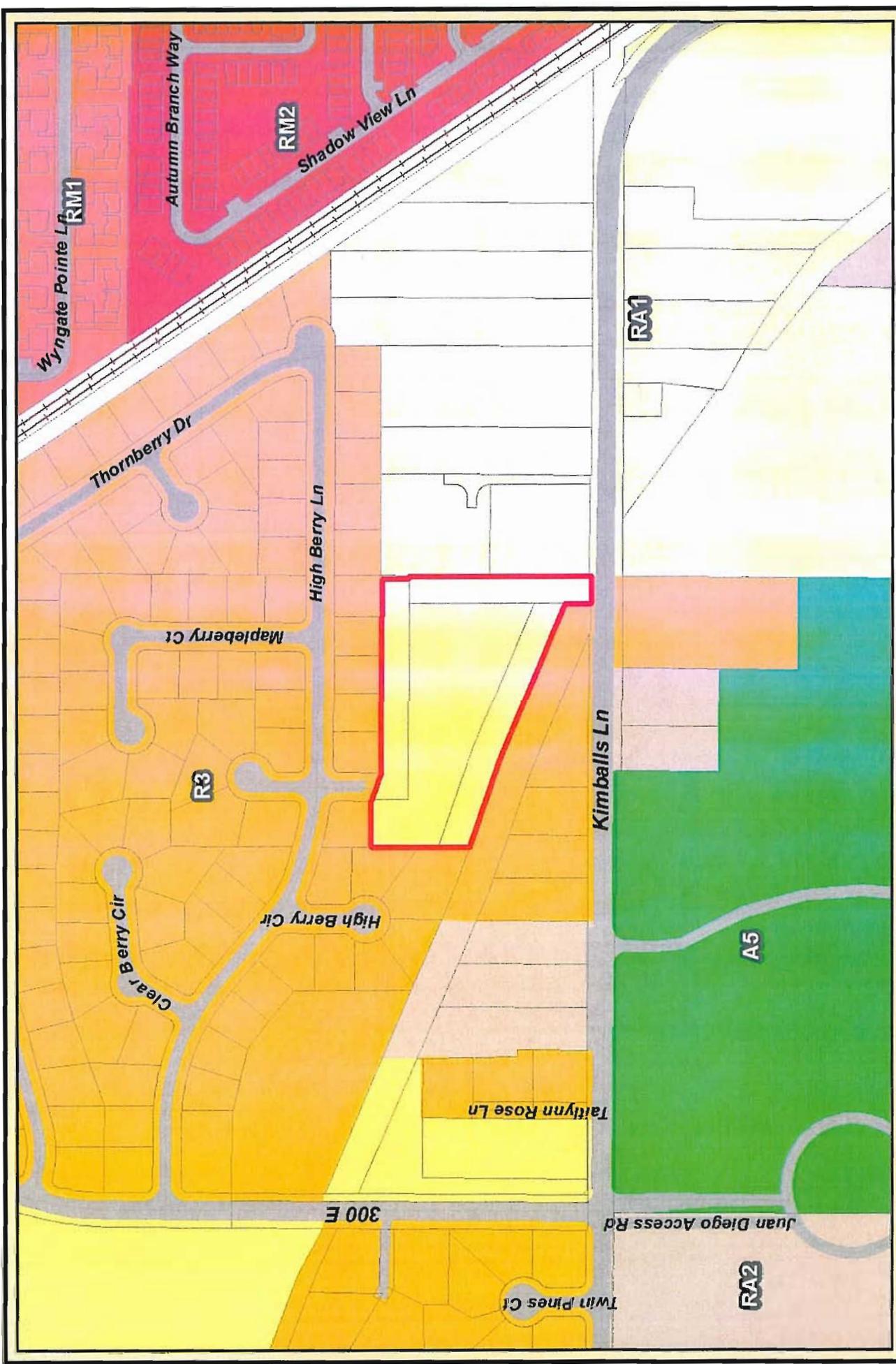
Aerial Map for Kimballs Lane Zone Change/Development Agreement





Land Use Map for Kimballs Lane Zone Change/Development Agreement





Zoning Map for Kimballs Lane Zone Change/Development Agreement



EXHIBIT A

CRANBERRY HILLS 18
PLANNED UNIT DEVELOPMENT AGREEMENT
DRAFT

THIS AGREEMENT is made and entered into as of the _____ day of _____, _____, by and between Draper City, a municipal corporation of the State of Utah, ("City"), and Ivory Development, LLC, ("Developer"), sometimes referred to jointly as "Parties."

RECITALS:

- A. Developer has heretofore made application to the city for approval of Developer's project as a planned unit development.
- B. Developer also has pending a zone amendment application for purposes of amending the zoning of the property subject to this Agreement to R-3.
- C. Developer's project is to be known as Cranberry Hill No. 18 P.U.D. ("Project"), a 11 lot subdivision consisting of 2.8 units per acre with a minimum of 9,000 square foot lots and the following proposed setbacks:
 - (i) Front 20 Feet
 - (ii) Rear 20 Feet
 - (iii) Side 10 Feet
 - (iv) Side (street side corner) 20 Feet
- D. Developer's real property subject to the Project is more particularly described in Exhibit B attached hereto and incorporated by this reference.
- E. The Project is not currently a part of the Cranberry Hill P.U.D. which was granted RM zoning approval on September 1, 1992 and Preliminary Plat approval on March 4, 1993.
- F. Developer desires to amend the zoning of the property subject to the Project to provide flexibility in density and setbacks given the unique geometry of the property to be included in the Project.
- G. City staff has recommended to Developer that the Cranberry Hills Development within the City be extended to include Developer's proposed development.
- H. City is amenable to extending the existing Cranberry Hill P.U.D. to include the Project, and to allow flexibility in density, setbacks and otherwise to facilitate the development of the Project.

AGREEMENT:

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. Development Requirements.

Subject to the City's approval of the extension of the Cranberry Hill P.U.D., together with all necessary zoning changes, entitlements and approvals, and subject to the terms and conditions of this Agreement, Developer shall proceed with the Project as follows:

a. Compliance with City Ordinances and Development Requirements. The Project shall be developed in accordance with the ordinances and development requirements of the City governing planned unit developments. All required plats, drawings and other supporting documents for the Project, and each phase thereof, shall be prepared and submitted to the City for its review and approval.

(i) The Developer shall pay to the City all required park impact fees and, in addition, the sum of \$ 60,507 as a fee in-lieu of dedicating land to the City for purposes of a park. The amount has been determined by the Parties to be equivalent to, and consistent with, the value of dedicated parkland based on the Cranberry Hill P.U.D. Subdivision RM zoning and plat approvals model.

b. Dedication or Donation. Prior to or simultaneously with recording of the final plat for the Project, or any phase thereof, at the office of the Salt Lake County Recorder, the Developer agrees to dedicate, transfer or donate to the City all required easements for the purpose of constructing, installing, operating and maintaining public utilities and improvements of every nature and kind as determined necessary by the City.

2. Construction Standards and Requirements.

All Construction shall be conducted and completed in accordance with the ordinances and development standards of the City. All required improvements for the Project shall be constructed in accordance with the City's construction standards and/or plans specifically approved for this project and all required Public improvements and easements shall be dedicated to the City. Prior to commencing any construction or development of any building, structures or other work or improvements within the Project, the Developer shall secure any and all permits which may be required by the City or any other governmental entity having jurisdiction over the work. The Developer shall construct, or cause to be constructed, all improvements for the Project in conformity with all applicable federal, state and/or local laws, rules and regulations.

3. Payment of Fees.

The Developer shall pay all required fees to the City in a timely manner pertaining to the Project or any portion thereof.

4. City Obligations.

Subject to the Developer complying with all of the City's Ordinances, rules, regulations and the provisions of this Agreement, the City agrees to:

a. Provide standard municipal services to the Project including police and fire protection, subject to payment of all fees and charges charged or levied therefor by the City.

5. Assignment.

The Developer shall not assign this Agreement or any rights or interests herein without the prior written consent of the City.

6. Notice.

Any notices, requests and demands required or desired to be given hereunder shall be in writing and shall be served personally upon the party for whom intended, or if mailed, by certified mail, return receipt requested, postage prepaid, to such party at its address shown below:

To the Developer:

Ivory Development, LLC. Attn: Bryon Prince
978 Woodoak Lane
Salt Lake City, Utah 84117

To City:

Draper City Attn: City Manager
1020 Pioneer Rd
Draper, UT 84020

Any party may change its address for notice by giving written notice to the other party in accordance with provisions of this Section.

7. Attorneys' Fees.

In the event of any lawsuit between the parties hereto arising out or relating to this Agreement, or any of the documents provided for herein, the prevailing party or parties shall be entitled, in addition to the remedies and damages, if any, awarded in such proceeding, to recover reasonable attorneys' fees and costs.

8. Integration.

This Agreement, together with the exhibits hereto, integrates all of the terms and conditions pertaining to the subject matter hereof and supersedes all prior negotiations, representations, promises, inducements or previous agreements between the parties hereto with respect to the subject matter hereof. Any amendments hereto must be in writing and signed by the perspective parties hereto.

9. Headings.

The headings contained in this Agreement are intended for convenience only and are in no way to be used to construe or limit the text herein.

10. Binding Effect.

This Agreement shall inure to the benefit of, and be binding upon the parties hereto and their respective heirs, representatives, officers, agents, employees, successors and assigns (if any assignments are allowed as provided hereinabove).

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of the day and year first hereinabove written.

“CITY”

Draper City

By: _____

Mayor

Attest:

City Recorder

“DEVELOPER”

By: _____

Title: _____

EXHIBIT B

A portion of the SE1/4 of Section 19, Township 3 South, Range 1 East, Salt Lake Base & Meridian, located in Draper, Utah, more particularly described as follows: Beginning at the intersection of the northerly line of the East Jordan Canal and the westerly line of Lot 1, MORGAN ACRES Subdivision, according to the Official Plat thereof on file in the Office of the Salt Lake County Recorder, said point being located N89°50'00"E along the Section line 1,329.39 feet and North 58.07 feet from the South ¼ Corner of Section 19, T3S, R1E, S.L.B.& M.; thence N67°24'00"W along the northerly line of said Canal 64.52 feet to the westerly line of that Real Property described in Deed Book 7310 Page 1585 of the Official Records of Salt Lake County; thence N0°08'30"E along said deed 65.58 feet; thence N67°24'00"W along said deed 326.60 feet; thence N71°00'00"W along said deed and extension thereof 221.09 feet to the easterly line of Lot 1506, CRANBERRY HILL No. 15 P.U.D. according to the Official Plat thereof on file in the Office of the Salt Lake County Recorder; thence N0°01'33"W (plat: N0°08'30"E along said Plat 144.48 feet to the southwest corner of Lot 1728, CRANBERRY HILL No. 17 P.U.D.; thence along said Plat the following 3 (three) courses and distances: N89°58'27"E (plat: S89°51'30"E) 96.00 feet; thence S71°04'54"E (plat: S70°54'51"E) 63.44 feet; thence N89°49'57"E (plat: East) 404.69 feet to the northeast corner of Deed Book 7307 Page 308; thence S0°30'43"E along said deed 61.10 feet to the north line of said Deed Book 7310 Page 1585; thence N89°50'00"E along said deed 8.37 feet to the westerly line of Lot 2, of said MORGAN ACRES Subdivision, thence S0°04'00"E (plat: S0°06'23"E) 351.92 feet to the point of beginning.

Contains: 3.92+/- acres

EXHIBIT D

Cranberry Hills - Potential Park Improvement Cost Estimate

March 2014

Site Amenities	Unit Price	Unit	Cranberry Park		Honeybee Park	
			Qty	Cost Est	Qty	Cost Est
Tree (<i>typ. 15/acre</i>)	\$300.00	Each	10	\$3,000	20	\$6,000
Picnic Shelter	\$11,000.00	Each	1	\$11,000	1	\$11,000
Sidewalks (<i>typ. 2,500sf/acre</i>)	\$5.00	S.F.	0	\$0	2000	\$10,000
Drinking Fountains	\$3,800.00	Each	0	\$0	1	\$3,800
Waterline	\$15.00	L.F.	0	\$0	100	\$1,500
Picnic Table w/ Pad	\$3,500.00	Each	0	\$0	1	\$3,500
TOTAL CONSTRUCTION ESTIMATE				\$14,000		\$35,800
Design/Administration @ 10% of Project Costs				\$910		\$2,327
Contingency @ 15% of Project Costs				\$2,100		\$5,370
TOTAL ESTIMATED PROJECT COST				\$17,010		\$43,497
GRAND TOTAL ESTIMATED PROJECT COST						\$60,507



Development Review Committee

1020 East Pioneer Road
Draper, UT 84020
(801) 576-6539

STAFF REPORT

March 28, 2014

To: Draper City Planning Commission
Business Date: April 10, 2014

From: Development Review Committee

Prepared By: Dan Boles, AICP, Senior Planner
Planning Division
Community Development Department

Re: Electronic Signs – Zoning Text Amendment Request

Application No.: 140328-1020E

Applicant: Draper City

Request: Request for approval of a Zoning Text Amendment regarding an increased allowance of electronic message centers in certain areas of the city.

SUMMARY

This application is a request for approval of a Zoning Text Amendment that would affect the sign code, specifically as it pertains to electronic message centers. Currently, the code allows electronic message centers to those businesses that qualify for a tower sign or have 100,000 ft² of floor area. The proposed text, if approved, would open up the possibility for an electronic message center to any business that qualifies for a monument sign along certain corridors within the city and with certain parameters.

BACKGROUND

Draper City started as a farming community and stayed that way for many years. It has been within the past approximately 20 years that the City has seen a great surge of growth growing from 7,200 people in 1990 to approximately 43,000 at the 2010 census. With that growth in population has come a strong growth in commercial development and the City has attempted to create appropriate development patterns throughout in order to give the City a cohesive feel. An essential element of that growth has been outdoor advertising.

The sign code (chapter 26 of the Draper City Municipal Code) was adopted in 1995. After enforcing that code for nine years, an overhaul of the sign code was made in 2004 and then again in 2010. Since 2010, a number of amendments have been made to the sign ordinance. One of those amendments was regarding electronic message centers as they are allowed in conjunction with tower signs in certain areas of the city. The City Council has recently requested that staff explore the possibility of extending the possibility of electronic signage to other areas of the City.



ANALYSIS

The proposed ordinance attached to this staff report as exhibit 'A' attempts to limit the areas that electronic message centers may occur. Staff recognizes that electronic message centers are becoming much more prominent in communities not only in the valley, but also throughout the country. Having the flexibility to change signage in an immediate manner can be an effective advertizing method. However, with such changes come risks and questions that need to be answered. Some of these questions include:

- How will electronic signs effect the safety of City streets?
- What kind of visual impact would this change have to the streetscape of Draper City?
- Are these types of signs which are usually associated with larger cities appropriate for Draper City?

With those questions in mind, staff has prepared an ordinance that attempts to mitigate the potential negative effects that an electronic sign may have on the community. Some of those include:

- Electronic message centers (EMC) are allowed only in the areas described in the text and shown on exhibit C.
- EMC's are allowed to be the full 24ft² signage area in the higher traffic areas while other areas may only utilize 50% of their allowed signage area as an EMC.
- They must be full color messages or images and prohibits the use of single color text and images.
- They are required to display static images for a period of eight seconds before transitioning.
- Flashing , animation or movement is prohibited.
- Signs shall be able to be automatically dimmed and shall not exceed 80% full brightness of the sign by day and 15% of full brightness by night.

With these measures in place, staff believes that the negative impacts of electronic message centers will be mitigated to a point that is acceptable to the general public while still providing that flexibility that is desired by the commercial sector.

Criteria For Approval. The criteria for review and potential approval of a Zoning Text Amendment request is found in Sections 9-5-060(e) of the Draper City Municipal Code. This section depicts the standard of review for such requests as:

- (e) Approval Standards. A decision to amend the text of this Title or the zoning map is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. However, in making an amendment, the City Council should consider the following factors:
 - (1) Whether the proposed amendment is consistent with goals, objectives and policies of the City's General Plan;
 - (2) Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
 - (3) Whether the proposed amendment is consistent with the standards of any applicable overlay zone.
 - (4) The extent to which the proposed amendment may adversely affect adjacent property; and
 - (5) The adequacy of facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.

REVIEWS

Planning Division Review. The Draper City Planning Division has completed their review of the Zoning Text Amendment submission and has issued a recommendation for approval for the request.

Noticing. Notice has been properly issued in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Zoning Text Amendment by Draper City, application 140328-1020E, based on the following findings:

1. The proposed amendment will help further the goals, objectives and policies of the City's General Plan, such as:
 - i. Encourage the establishment of a strong tax base by accommodating commercial and industrial development in appropriate areas.
 - ii. Nurture and support established businesses as well as new businesses.
 - iii. Support businesses in adapting to the constantly changing market as a result of new technologies and support those companies that are integral to the "new economy".
 - iv. Emphasize the retention and expansion of businesses in Draper and provide support mechanisms for small businesses in Draper.
2. The proposed amendment will not adversely affect properties and developments within the city.
3. The proposed amendment will serve promote public safety and provide protection from visual clutter.
4. The proposed amendment will protect community appearance.
5. The proposed amendment will serve to minimize light pollution, glare, visual obstructions, distraction, and traffic and safety hazards.
6. The proposed amendment will serve to enhance the economic strength of the City.
7. The proposed amendment will provide business owners the flexibility to have signs that meet the needs of the individual businesses.
8. That many of the objectives outlined in section 9-26 of the Draper City Municipal Code will be enhanced through the proposed changes, specifically:
 - i. to enhance the economic strength of the City;
 - ii. to provide for public convenience by directing persons to various activities and enterprises;
 - iii. to provide a reasonable system for controlling signs within the community;
 - iv. to provide business owners the flexibility to have signs that meet the needs of the individual businesses;

MODEL MOTIONS

Sample Motion for a Positive Recommendation – "I move we forward a positive recommendation to the City Council for the Electronic Signs Zoning Text Amendment Request by Draper City, application 140328-1020E, based on the findings and subject to the conditions listed in the Staff Report dated March 28, 2014 and as modified by the conditions below:"

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – "I move we forward a negative recommendation to the City Council for the Electronic Signs Zoning Text Amendment Request by Draper City, application

140328-1020E, based on the following findings:”

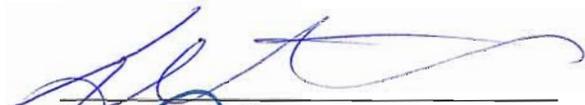
1. List any additional findings...

DEVELOPMENT REVIEW COMMITTEE ACKNOWLEDGEMENT

We, the undersigned, as duly appointed members of the Draper City Development Review Committee, do acknowledge that the application which provides the subject for this staff report has been reviewed by the Committee and has been found to be appropriate for review by the Draper City Planning Commission and/or City Council.



Draper City Engineering Division



Draper City Building Division



Draper City Operations Division



Draper City Planning Division



Unified Fire Authority



Draper City Legal Counsel

EXHIBIT A
PROPOSED TEXT AND MAPS

9-26-090(D)

D. Electronic Message Centers. Draper City has traditionally had a rural feel and has taken strides to preserve that character. As the City has grown, the need for wise growth patterns has been necessary. The need for wise growth applies to signage as well. As such, Draper City acknowledges that as technology progresses, certain areas of the City may benefit from the application of such technology. Therefore, the following shall apply to those businesses that qualify for monument and tower signs within certain areas of the City.

1. A business which qualifies for a monument or tower sign as described in this chapter may qualify for an electronic message center as part of the sign subject to the following:
 - i. The parcel on which the business sits shall abut or have direct access to those designated sections of 11400 S, State St., 12300 S, Pony Express Rd., Minuteman Dr., Bangerter Hwy, Bangerter Pkwy, or 13800 S. as depicted in Exhibit C to this chapter.
 - a. Areas labeled “EMC Sign Area ‘A’” on Exhibit C to this chapter may use the entire allowable sign face area for an electronic message center.
 - b. Areas labeled “EMC Sign Area ‘B’” on exhibit C to this chapter may use up to 50% of their allowed sign face area for an electronic message center.
 - ii. All electronic message centers are subject to the following standards:
 - a. Such signs shall display full color messages or images only and the use of single colored text and images is prohibited.
 - b. Such signs shall display static images for a period of eight seconds before transitioning to another static image.
 - c. Such signs shall transition images without the use of flashing, strobe, coruscation or similar distracting movement.
 - d. Such signs shall come equipped with automatic dimming or photocell technology which automatically adjusts the sign’s brightness with natural ambient light conditions which shall not exceed 80% of full brightness during the day and shall not exceed 15% of full brightness after dusk. These settings shall be subject to review at anytime by Draper City.
 - iii. Electronic Message Centers shall be prohibited within the Town Center (TC) zone.
 - iv. Businesses utilizing electronic message centers as described in this section shall not be allowed the use of temporary signage as described in section 9-26-080.
 - v. An electronic message sign may not have a pixel pitch less than 16 mm.
 - vi. Electronic message center monument signs must have a minimum 10 foot setback from any right-of-way regardless of which zone they are in.

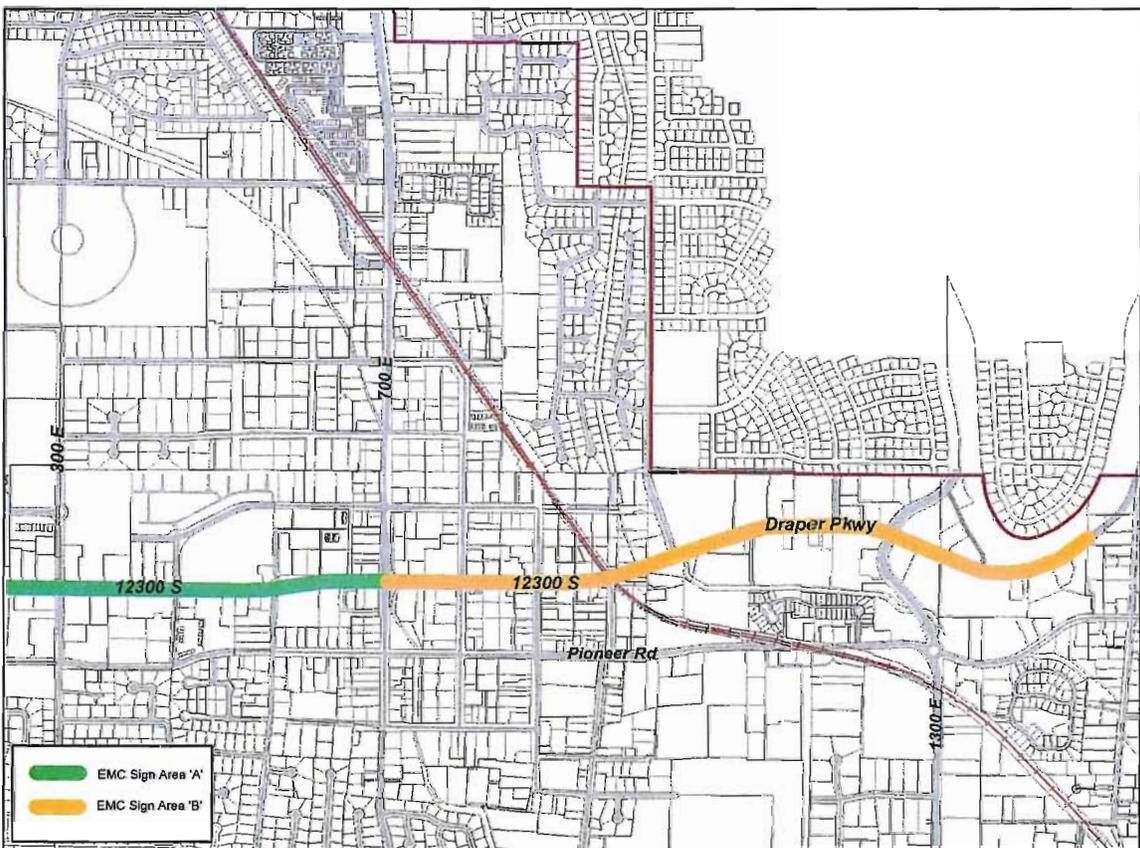
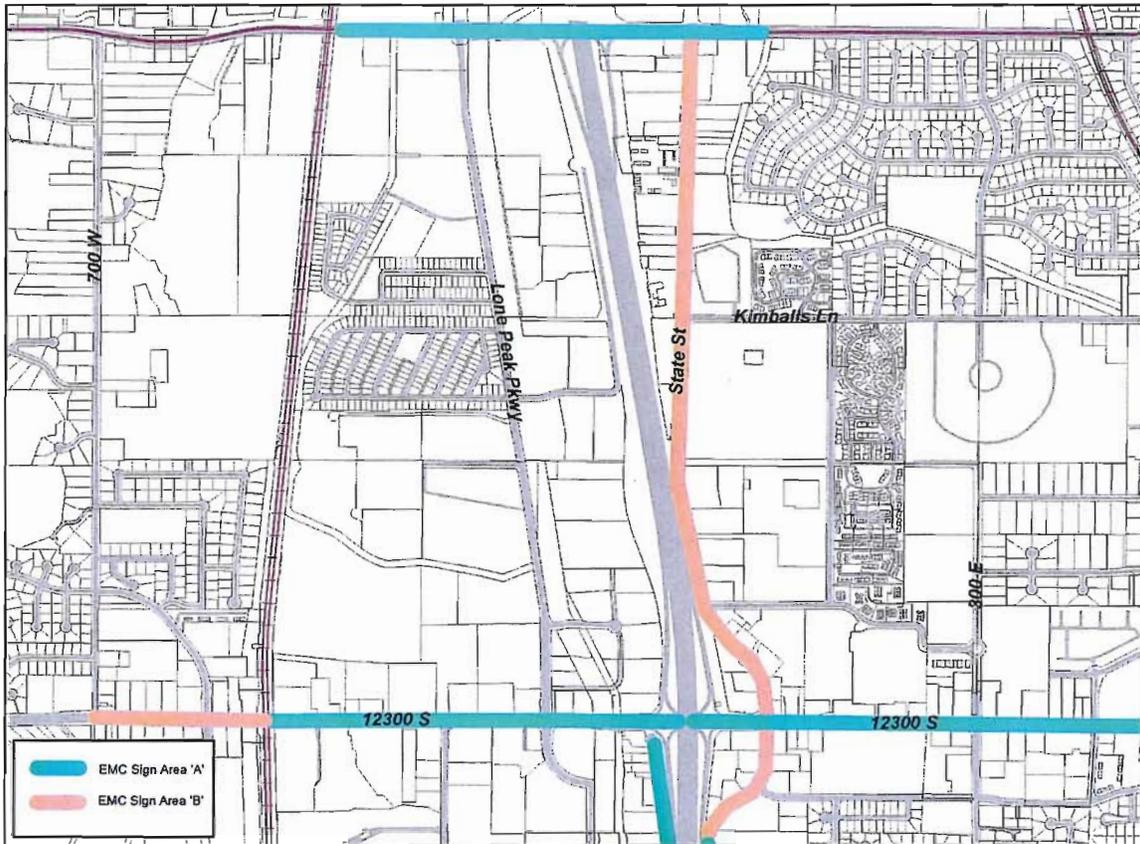
SECTION 9-26-080 TEMPORARY SIGNAGE. Temporary signage outlined in this Section are allowed subject to the filing of an application for and issuance of a Temporary Signage Permit, unless expressly exempted in this Section.

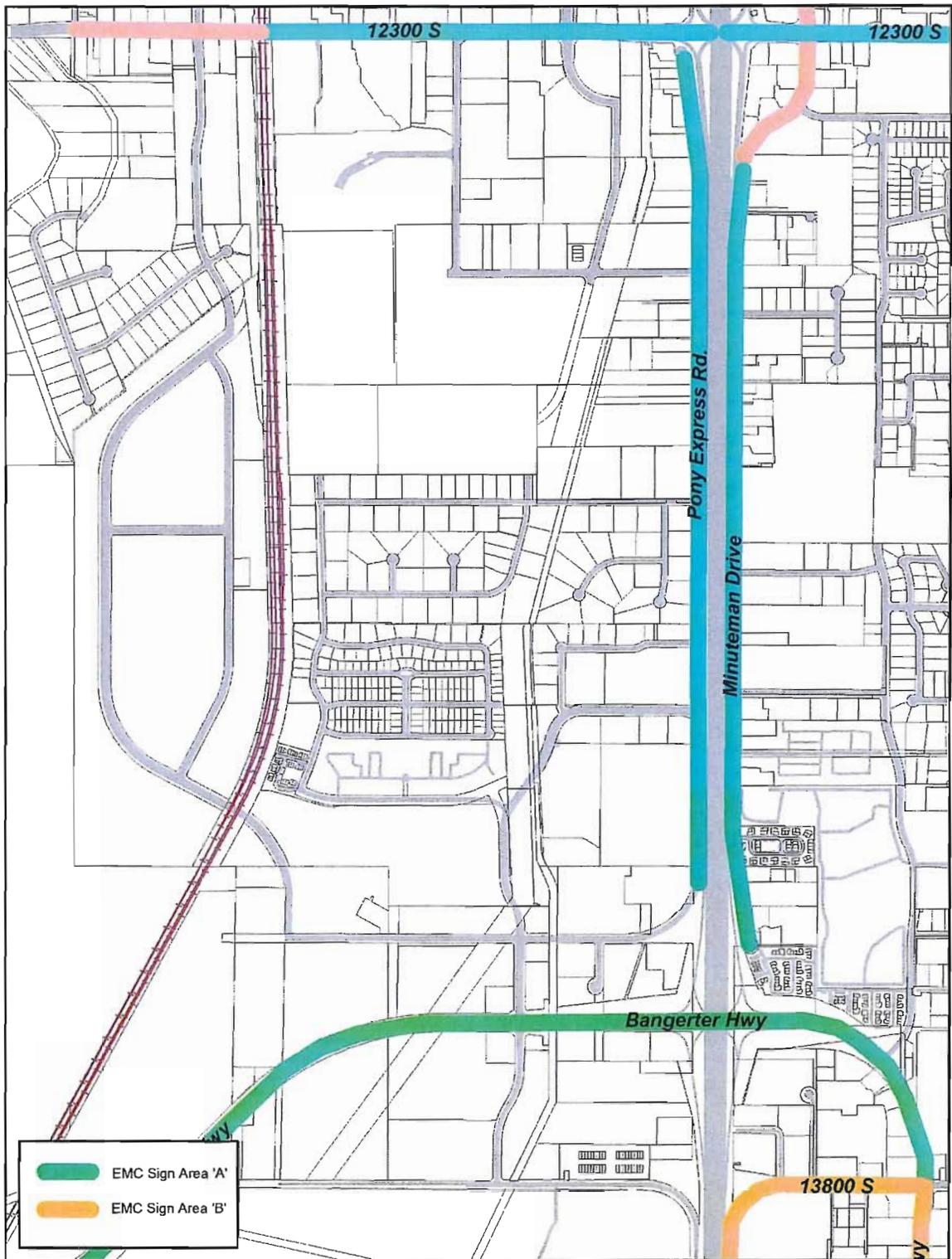
A. General Requirements. The following shall apply to all temporary signage as outlined herein:

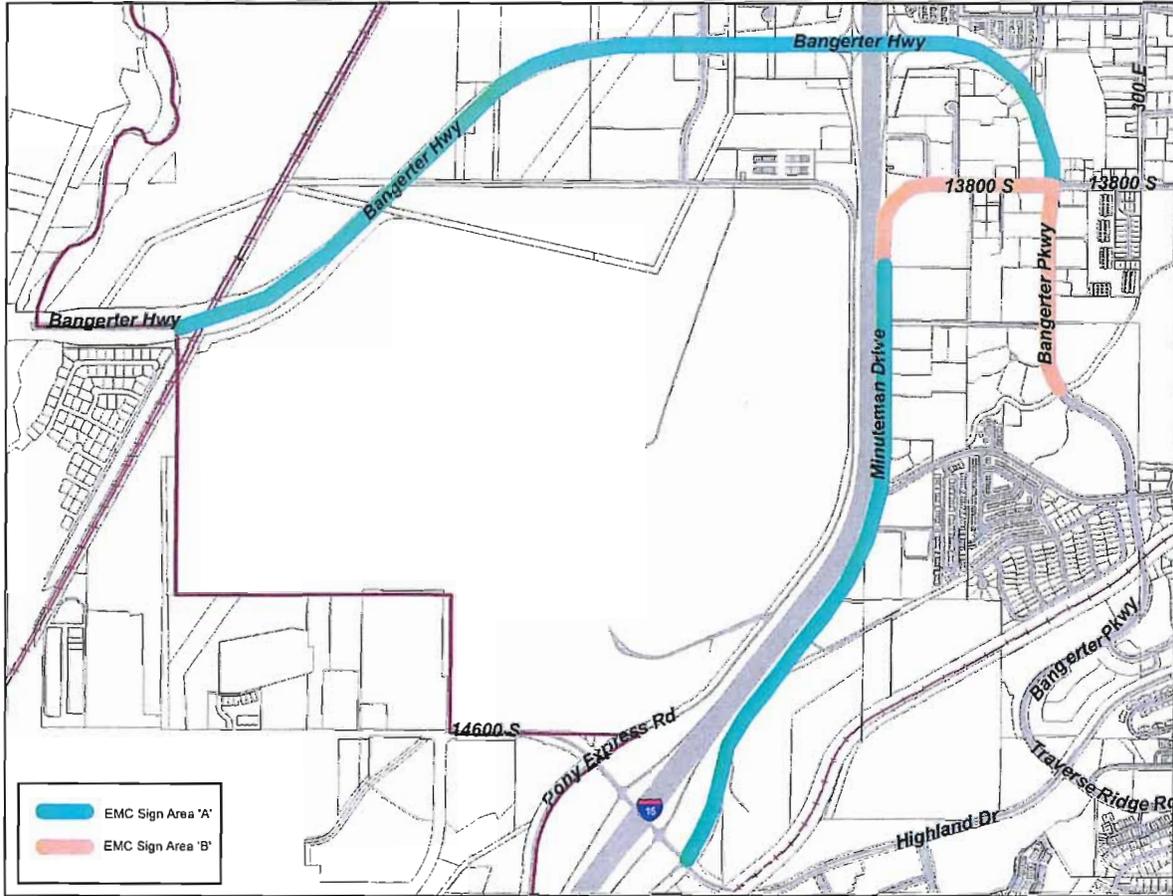
1. Such signs shall not be illuminated unless by way of permanently install indirect lighting sources.
2. Such signs shall not be placed in any public or private right-of-way, parkstrips, medians, or roundabouts.
3. Such signs shall not be placed so as to create a traffic hazard in a clear view area.
4. Such signs shall require application for an issuance of a Temporary Sign Permit prior to installing or erecting a temporary sign, unless expressly exempted in this Section.
5. All temporary signage must be set back beyond the farthest-most part of the permanent ground-mounted signage on the same property that fronts the same property line.

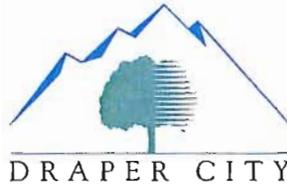
6. Businesses utilizing electronic message centers as provided within this chapter shall not be allowed the use of temporary signage as outlined within this section.

Exhibit 'C'









Development Review Committee

1020 East Pioneer Road
Draper, UT 84020
(801) 576-6539

STAFF REPORT

March 28, 2014

To: Planning Commission
Business Date: April 10, 2014

From: Development Review Committee
Prepared by Dennis Workman, Planner II

Re: City-Initiated Text Amendment to Add R4 and R5 Zoning Categories

Application No.: 140319-1020E

Applicant: Draper City

Request: To amend the text of the zoning ordinance by adding two new residential zoning categories

SUMMARY

For many years, Draper City has had five single family residential zoning categories. They are A5, requiring a minimum lot size of five acres; RA1, requiring a minimum lot size of 40,000 square feet; RH, requiring a minimum lot size of 40,000 square feet (reserved for the hillside, but seldom used); RA2, requiring a minimum lot size of 20,000 square feet; and R3, requiring a minimum lot size of 13,000 square feet. Due to changes in lifestyles and livelihoods over the years, there has been a growing demand for single-family lot size to be less than 13,000 square feet. Currently, the only way to achieve a smaller lot size for single-family housing is by development agreement, or by rezoning to a multi-family zone district that allows—with conditional use permit—single family dwelling lots as small as 8,000 square feet. An example of the latter method is the Galena Grove subdivision on 700 West. The property was re-zoned to RM1 (multifamily up to eight units per acre) so that a 10,000 square foot minimum lot size single-family subdivision could be achieved. The project developed accordingly. However, since development conditions cannot be placed on zoning, the developer could have used his RM1 entitlement for a multi-family project, which would be inappropriate for the area. Adopting R4 and R5 zoning categories would provide for single-family lot sizes of 10,000 and 8,000 square feet, respectively, and would cancel out the option for multi-family.

Criteria For Approval. The criteria for review and approval of a text amendment request to the zoning code are found in Subsection 9-5-060(e) of the Draper City Municipal Code. They are as follows:

- (e) Approval Standards. A decision to amend the text of this Title or the zoning map is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. However, in making an amendment, the City Council should consider the following factors:
 - (1) Whether the proposed amendment is consistent with goals, objectives and policies of the City's General Plan;



- (2) Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
- (3) Whether the proposed amendment is consistent with the standards of any applicable overlay zone.
- (4) The extent to which the proposed amendment may adversely affect adjacent property; and
- (5) The adequacy of facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.

General Plan. The R4 and R5 residential zoning categories have been anticipated for years. In 1999, the City Council adopted the current General Plan. In the Land Use section of that document, R4 is listed under the Medium Density land use category (2-4 du/ac), and both R4 and R5 are listed under the Medium-High Density land use category (4-8 du/ac). To adopt these two hard zoning categories into the zoning ordinance was almost a matter of time, given that their inclusion in the city's 15 year- old General Plan conceived of the need for them at some point in the future.

Proposed Changes to the Zoning Ordinance. Staff proposes the following amendments be made to the DCMC, as explained below and as shown on the three exhibits that accompany this staff report.

1. **Exhibit A** shows the proposed changes to Table 9-10-1 of the DCMC, *Permitted and Conditional Uses Allowed in Residential Zones*. The R4 and R5 zone categories have been added, and their permitted and conditional uses are proposed to be the same as for the R3 zone. Table 9-10-3, *Development Standards in Residential Zones*, contains the most significant feature of the proposed text change, which is that R4 zoning would provide for single-family lots as small as 10,000 square feet, and R5 zoning would provide for single-family lots as small as 8,000 square feet. In other words, R4 allows four units per acre and R5 allows five units per acre. Other standards, such as minimum setbacks and lot widths, are also shown. In addition, the minimum square footage for a single-family dwelling in the RM1 and RM2 zones—allowed only with a CUP—changes from 10,000 to 6,000 square feet for RM1, and from 8,000 to 4,000 square feet for RM2.
2. **Exhibit B** shows the proposed changes to Chapter 9-8 of the DCMC, *Zone Establishment*. If the new zones are adopted, Chapter 9-8 would need to change to not only add them to the list of zoning categories, but also to include a section stating their general purpose.
3. **Exhibit C** contains a proposal to add a new subsection of code that would ensure that all single-family dwellings in the RM1 and RM2 zones—6,000 square foot lot minimum and 4,000 square foot lot minimum respectively—meet specific design guidelines. The intent is to discourage these types of subdivisions from being visually uninteresting, such as Inauguration and Sunset Station, and encourage them to have the charm and visual appeal of projects such as Wheadon Preserve.

Legal Review. Legal Counsel has reviewed the proposed changes and recommends approval.

Noticing. Notice has been properly issued in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to the City Council regarding the proposed text amendment to add R4 and R5 residential zoning categories to Chapter 9-10 of

the DCMC, as requested by Draper City under application 140319-1020E.

This recommendation is based on the following findings:

1. That Subsection 9-5-060(e) allows and outlines the process for amending the text of the DCMC.
2. That the General Plan adopted in 1999 anticipated that these two zoning categories would be needed at some point in the future.
3. That existing developments with single family homes on lot sizes in the 5,000 to 10,000 square foot range (i.e. Cranberry Hill, Wheadon Preserve and Sunset at Draper Ridge II) are among the city's finest neighborhoods.
4. That unlike RM1 and RM2 which allow single family housing with a conditional use permit, R4 and R5 are strictly for single-family housing and do not open up the possibility for multi-family housing .
5. That with changing lifestyles and livelihoods, smaller lot sizes for single family homes are more practical and therefore in demand.
6. That a new subsection of code that requires specific design requirements for single-family dwellings in the RM1 and RM2 zones will foster visual interest and maintain high property values.

MODEL MOTIONS

Sample Motion for a Positive Recommendation. "I move we forward a positive recommendation to the City Council regarding the proposed text amendment to add R4 and R5 residential zoning categories to Chapter 9-10 of the DCMC, as requested by Draper City under application 140319-1020E, based on the findings listed in the staff report dated March 28, 2014.

Sample Motion for a Negative Recommendation. "I move we forward a negative recommendation to the City Council regarding the proposed text amendment to add R4 and R5 residential zoning categories to Chapter 9-10 of the DCMC, as requested by Draper City under application 140319-1020E, based on the following findings:"

1. List all findings.

DEVELOPMENT REVIEW COMMITTEE ACKNOWLEDGEMENT

We, the undersigned, as duly appointed members of the Draper City Development Review Committee, do acknowledge that the application which provides the subject for this staff report has been reviewed by the Committee and has been found to be appropriate for review by the Draper City Planning Commission and/or City Council.



Draper City Engineering Division



Draper City Building Division



Draper City Operations Division



Draper City Planning Division



Unified Fire Authority



Draper City Legal Counsel

EXHIBIT A

**Table 9-10-1
Permitted and Conditional Uses Allowed in Residential Zones**

Use	Zones							
	RA1	RA2	RH	R3	R4	R5	RM1	RM2
Agricultural Uses								
Agricultural business	C	NP	NP	NP	NP	NP	NP	NP
Agriculture	P	P	C	P	P	P	P	P
Animals and fowl for recreation and family food production (subject to Sections 9-27-050 and 9-27-055 of this Title)	P (one animal unit per ½ acre) C (more than one animal unit per ½ acre)	C	NP	NP	NP	NP	NP	NP
Animal specialties	C	NP	NP	NP	NP	NP	NP	NP
Residential Uses								
Day care, limited ²	C	C	C	C	C	C	C ⁴	NP
Dwelling, single-family ¹	P	P	P	P	P	P	C	C
Dwelling, single-family with accessory dwelling unit	See Chapter 9-31 of this Title							
Dwelling, two-family	NP	NP	NP	NP	NP	NP	P	P
Dwelling, multiple-family	NP	NP	NP	NP	NP	NP	P	P
Dwelling, temporary	P	P	P	P	P	P	P	P
Home Occupations ³	See Chapter 9-34 of this Title							
Pre-school, limited ²	C	C	C	C	C	C	C ⁴	NP
Residential facility for elderly persons	P	P	P	P	P	P	P	P
Residential facility for persons with a disability	P	P	P	P	P	P	P	P
Public and Civic Uses								
Cemetery	P	P	P	P	P	P	C	C
Charter schools	P	P	P	P	P	P	P	P
Church or place of worship	C	C	C	C	P	P	C	C
Convalescent care facility	NP	NP	NP	NP	NP	NP	C	C

1 See Chapter 9-30 of this Title for provisions for a Second Kitchen in a Single Family Dwelling

2 See Chapter 9-34 of this Title for applicable provisions

3 See Use Table regulations and specifications for Day Care, Limited and Pre-School Limited Home Occupations

4 In Detached Single-Family Dwellings Only

Table 9-10-1
Permitted and Conditional Uses Allowed in Residential Zones

Use	Zones							
	RA1	RA2	RH	R3	R4	R5	RM1	RM2
Public and Civic Uses								
Cultural service (only in a historic building)	See Chapter 9-33 of this Title							
Golf course	C	C	C	C	C	C	C	C
Government service	C	C	C	C	C	C	C	C
Higher education facility, private	NP	NP	NP	NP	NP	NP	NP	NP
Higher education facility, public	NP	NP	NP	NP	NP	NP	NP	NP
Park	C	C	C	C	C	C	C	C
Private school	C	NP	NP	NP	NP	NP	NP	NP
Public school	P	P	P	P	P	P	P	P
Trade / vocational school	NP	NP	NP	NP	NP	NP	NP	NP
Public utility substation	See Chapter 9-36 of this Title							
School, elementary, middle, or high	C	C	C	C	C	C	C	C
Utility, minor	P	P	P	P	P	P	P	P
Municipal Uses								
Franchise Municipal Use	C	C	C	C	C	C	C	C
Municipal Use	P	P	P	P	P	P	P	P
Commercial Uses								
Agricultural sales and service	C	C	NP	NP	NP	NP	NP	NP
Bed and breakfast inn	See Chapter 9-33 of this Title							
Temporary construction or model home office	See Chapter 9-40 of this Title							
Day Care, General	NP	NP	NP	NP	NP	NP	NP	NP
Kennel	C	NP	NP	NP	NP	NP	NP	NP
Office, general (only in a historic building)	See Chapter 9-33 of this Title							
Personal care service (only in a historic building)								
Personal instruction service (only in a historic building)								
Pre-school, general	C	NP	NP	NP	C	C	NP	NP

Table 9-10-1
Permitted and Conditional Uses Allowed in Residential Zones

Use	Zones							
	RA1	RA2	RH	R3	R4	R5	RM1	RM2
Commercial Uses (cont.)								
Reception Center (only in a historic building)	See Chapter 9-33 of this Title							
Restaurant, general (only in a historic building)								
Retail, general (antique store only in a historic building)								
Veterinary Service	C	NP	NP	NP	NP	NP	NP	NP
Wireless telecommunication facility	See Chapter 9-41 of this Title							

**Table 9-10-3
Development Standards in Residential Zones**

Development Standard	Zones							
	RA1	RA2	RH	R3	R4	R5	RM1	RM2
Lot Standards¹								
Minimum area, single-family dwelling	40,000 s.f.	20,000 s.f.	40,000 s.f.	13,000 s.f.	10,000 s.f.	8,000 s.f.	10,000 s.f.	8,000 s.f.
Minimum lot area, single-dwelling unit with accessory dwelling unit	40,000 s.f.	20,000 s.f.	40,000 s.f.	13,000 s.f.	N/A	N/A	12,000 s.f.	
Minimum area, two-family dwelling	40,000 s.f.	20,000 s.f.	40,000 s.f.	13,000 s.f.	NP	NP	10,000 s.f.	8,000 s.f.
Minimum project area, multiple-family dwelling	Not Permitted				NP	NP	1 acre	1 acre
Minimum area, townhouse dwelling	Not Permitted				NP	NP	1,000 s.f.	1,000 s.f.
Minimum area, other main buildings	40,000 s.f.	20,000 s.f.	40,000 s.f.	13,000 s.f.	10,000 s.f.	8,000 s.f.	N/A	N/A
Maximum lot depth (as a multiple of lot width at widest point)	4.0 to 1	3.0 to 1	4.0 to 1	2.0 to 1	2.0 to 1	2.0 to 1	5.0 to 1	5.0 to 1
Minimum lot frontage	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet	N/A	N/A
Minimum lot width ²	100 feet	90 feet	100 feet	80 feet	80 feet	70 feet	N/A	N/A
Building Standards								
Maximum dwelling unit density per acre	1 du/acre	2 du/acre	1 du/acre	3 du/acre	4 du/acre	5 du/acre	8 du/acre	12 du/acre
Maximum square footage of floor area at ground level (including garages) as a percentage of lot area	40%	40%	40%	40%	40%	40%	N/A	N/A
Maximum height, main building	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet
Maximum height, accessory buildings	See Section 9-27-120 (c) of this Title							

¹ Minimum required lot area on private right-of-way or access easement shall be net area, excluding any area of the lot located within a private right-of-way or access easement.

² Corner lots should be platted ten feet wider than interior lots of subdivisions to accommodate two front yards in accordance with Section 17-5-020 of Draper City Code.

**Table 9-10-3
Development Standards in Residential Zones**

Development Standard	Zones							
	RA1	RA2	RH	R3	R4	R5	RM1	RM2
Setback Standards - Front Yard³								
Main Buildings ⁴	30 feet	30 feet	30 feet	25 feet	25 feet	25 feet	N/A ⁵	N/A ⁵
Adjacent to existing or proposed minor collector street right-of-way as shown on the most recently amended version of the City's Official Street Map, except those in Section 9-27-140 of this Title	40 feet	40 feet	40 feet	35 feet	30 feet	30 feet	N/A ⁵	N/A ⁵
Accessory buildings	See Section 9-10-040(A) of this Title							
Swimming Pools	See Section 9-27-180 of this Title							
Setback Standards - Rear Yard								
Main Buildings	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	N/A ⁵	N/A ⁵
Adjacent to existing or proposed minor collector street right-of-way as shown on the most recently amended version of the City's Official Street Map, except those in Section 9-27-140 of this Title	30 feet	30 feet	30 feet	30 feet	25 feet	25 feet	N/A ⁵	N/A ⁵
Corner lots with rear yards that abut the side yard of another lot	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	N/A ⁵	N/A ⁵
Accessory buildings	See Section 9-10-040(A) of this Title							
Barns and stables	See Section 9-27-050 of this Title							
Swimming Pools	See Section 9-27-180 of this Title							

³ Except as modified by the provisions of Section 9-27-140 (Lots and Yards) of this Title.

⁴ Except as modified by the provisions of Chapter 9-27-170(g) (Setback Measurement) of this Title

⁵ Setbacks between building units (i.e. 4-plex, 6-plex, etc.) as well as setbacks for all buildings (clubhouses, building units, etc.) from project boundaries shall be determined at site plan approval

**Table 9-10-3
Development Standards in Residential Zones**

Development Standard	Zones							
	RA1	RA2	RH	R3	R4	R5	RM1	RM2
Setback Standards – Side Yard								
Main buildings ⁴	12 feet	12 feet	12 feet	10 feet	8 feet	8 feet	N/A ⁵	N/A ⁵
Accessory buildings			See Section 9-10-040(A) of this Title					
Barns and stables			See Section 9-27-050 of this Title					
Swimming Pools			See Section 9-27-180 of this Title					

⁴ Except as modified by the provisions of Chapter 9-27-140(g) (Setback Measurement) of this Title

⁵ Setbacks between building units (i.e. 4-plex, 6-plex, etc.) as well as setbacks for all buildings (clubhouses, building units, etc.) from project boundaries shall be determined at site plan approval

**Table 9-10-3
Development Standards in Residential Zones**

Development Standard	Zones							
	RA1	RA2	RH	R3	R4	R5	RM1	RM2
Setback Standards – Side Yard								
Main buildings ⁴	12 feet	12 feet	12 feet	10 feet	8 feet	8 feet	N/A ⁵	N/A ⁵
Accessory buildings			See Section 9-10-040(A) of this Title					
Barns and stables			See Section 9-27-050 of this Title					
Swimming Pools			See Section 9-27-180 of this Title					

⁴ Except as modified by the provisions of Chapter 9-27-140(g) (Setback Measurement) of this Title

⁵ Setbacks between building units (i.e. 4-plex, 6-plex, etc.) as well as setbacks for all buildings (clubhouses, building units, etc.) from project boundaries shall be determined at site plan approval

EXHIBIT B

ARTICLE 3 - BASE ZONES

Chapter 9-08 ZONE ESTABLISHMENT

Sections:

<u>9-8-010</u>	<u>Zone Establishment</u>
<u>9-8-020</u>	<u>Purposes of Zones</u>
<u>9-8-030</u>	<u>Official Zoning Map</u>
<u>9-8-040</u>	<u>Interpretation of Zoning Boundaries</u>
<u>9-8-050</u>	<u>Clarification of Zoning</u>
<u>9-8-060</u>	<u>Newly Annexed Areas</u>

Section 9-8-010 Zone Establishment. In order to accomplish the purposes of the Draper General Plan and this Title, the following zones (or zoning districts), along with their accompanying abbreviations, are hereby established as follows:

- (a) Agricultural Zones.
 - A5 Agricultural
 - A2 Agricultural

- (b) Residential Zones
 - RA1 Residential Agricultural
 - RA2 Residential Agricultural
 - RH Single-Family Residential (Hillside)
 - R3 Single Family Residential
 - R4 Single Family Residential**
 - R5 Single Family Residential**
 - RM1 Multiple Family Residential
 - RM2 Multiple Family Residential

- (c) Commercial Zones.
 - CN Neighborhood Commercial
 - CC Community Commercial
 - CR Regional Commercial
 - CG General Commercial
 - CI Interchange Commercial
 - CBP Business/Manufacturing Park
 - CO1 Professional Office
 - CO2 Professional Office
 - CSD Commercial Special District
 - O-R Office Residential
 - TC Town Center
 - DC Destination Commercial
 - CS Commercial Services

- (d) Public Facility Zones.
 - PF Public Facility

OS	Open Space
PI	Public Institutional

(e) Manufacturing Zones.

M1	Light Manufacturing
M2	Major Manufacturing

(f) Special Purpose and Overlay Zones.

MPC	Master Planned Community
OSL	Sensitive Lands Overlay
OHD	Historic District Overlay
OMP	Master Plan Overlay

Section 9-8-020 Zone Purposes. In addition to the general purposes of this Title as set forth in Section 9-1-030 of this Title, the various zones each serve more specific purposes as set forth below.

(a) Agricultural Zones. Agricultural zones are established to preserve and protect agricultural lands and related activities, to permit activities normally and necessarily related to agricultural production, and to prohibit land uses that may undermine continued agricultural activity.

(1) The purpose of the A5 zone is to maintain the status of large tracts of agricultural land by allowing most commercial agricultural uses. Typical uses include farming, dairy, and cattle production.

(2) The purpose of the A2 zone is to allow a lifestyle that includes generally non-commercial agricultural uses on large lots. Typical uses include estate lots, non-commercial stables, and other equestrian facilities.

(b) Residential Zones. Residential zones are established to provide a wide range of residential land uses at various densities. These zones are intended to protect the stability of neighborhoods and to encourage, collectively, diverse types of desirable new residential development and to protect existing residential uses.

(1) The purpose of the RA1 and RA2 zones is to foster low density development with little impact on its surroundings and municipal services; to generally preserve the character of the City's semi-rural areas; and to promote and preserve conditions favorable to large-lot family life, including the keeping of limited numbers of animals and fowl. The predominant use in these zones is intended to be detached single family dwellings, protected from encroachment by commercial and industrial uses.

(2) The purpose of the RH zone is to allow large scale, master-planned residential development in foothill and mountainous areas. Developed areas are intended to consist of various types of clustered dwellings on relatively small lots, together with carefully limited commercial development. To achieve relatively low overall densities, developed areas are intended to be offset by large tracts of conservation land.

(3) The purpose of the R3 zone is to permit medium density residential development without special mitigation requirements. This zone is intended to provide incentives to foster residential development with little impact on its surroundings and on municipal services, and to generally preserve the semi-rural character called for in the Density Element of the General Plan.

(4) The purpose of the R4 and R5 zones is to permit medium- to medium-high density residential developments with single-family homes. These zones are intended to foster thriving and well-maintained neighborhoods that allow upscale single-family homes on smaller lots that require less maintenance and provide a balanced lifestyle.

(5) The purpose of the RM1 and RM2 zones is to permit well-designed apartments, townhomes, twinhomes, and condominiums at relatively high densities that are appropriately buffered from and compatible with surrounding land uses.

(6) (Repealed 04/08/2003-Ord 526)

(c) Commercial Zones. Commercial zones are established to provide areas where a combination of business, commercial, entertainment, office, and related activities may be established, maintained and protected. Commercial zones are intended to provide a suitable environment for those commercial and service uses which are vital to the economic base of the City.

(1) The purpose of the CN zone is to provide areas where convenience buying outlets, having small trade areas, may be established to serve surrounding residential neighborhoods. This zone is intended to promote a combination of retail and service facilities which, in character and scale, meet day-to-day needs of nearby residents.

(2) The purpose of the CC zone is to provide areas where commercial uses may be established which are generally oriented toward local residents rather than out-of-town patrons. Uses typical of this zone include planned retail and office development and limited medium-to-high density residential uses that can be harmoniously mixed with commercial development.

(3) The purpose of the CR zone is to provide areas where a combination of destination-oriented business, retail commercial, entertainment, and related uses may be established, maintained and protected to serve both residents and non-residents of the City. Typical uses in this zone include large-scale, master-planned commercial centers with outlying commercial pads, big-box stores, offices, and various types of high density residential uses.

(4) The purpose of the CG zone is to provide areas to accommodate commercial uses which are not within shopping centers of integrated design. This zone is intended to apply to existing "strip commercial" developments. The zone should not be used for new commercial development unless integrated shopping center development is not practical or desirable because of difficult size, shape, topography, or similar problems related to land otherwise deemed to be appropriate for commercial use. Typical uses in this zone include offices, retail stores, personal services, heavy commercial, and institutional uses.

EXHIBIT C

Section 9-10-065 Regulations for Single-Family Dwellings in RM1 and RM2 Zones.

Single-family dwellings in the RM1 and RM2 zones shall exhibit exceptional design qualities that provide visual interest and promote property values. This goal shall be achieved through exterior design that includes at least seven of the following architectural features:

1. Porch with support columns (6 foot minimum depth)
2. Portico entrance at front doorway
3. Pediment entrance with support or decorative columns or pillars
4. Accent shutters on windows
5. Moldings around windows (4 inch minimum width)
6. Flower box under windows
7. Decorative brackets under eaves
8. Exterior crown molding with eave returns
9. Brick, stone or synthetic stone calculated at 50% on front and side facades
10. Side or rear loaded garage
11. Stone or brick chimney accenting roofline
12. Roof gable with staggered shingle
13. Roof dormer
14. Board-and-batten look achieved through vertical fiber cement siding
15. Corner trim extending from the base to the roofline