

# River Heights City

---

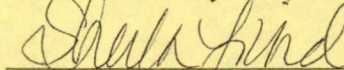
## RIVER HEIGHTS CITY PLANNING COMMISSION AGENDA

**Wednesday, July 6, 2016**

Notice is hereby given that the River Heights City Planning Commission will hold their regular meeting beginning at 7:00 p.m. in the River Heights City Office Building at 520 S 500 E.

- 7:00 p.m. Adoption of Prior Minutes
- 7:05 p.m. Discuss Code Revisions Regarding Fence Requirements
- 7:20 p.m. Discuss an Additional Commercial Zone
- 7:40 p.m. Discuss Sidewalk Ordinance Revisions
- 7:55 p.m. Assign the Moderate Income Housing Report
- 8:00 p.m. Adjourn

Posted this 30<sup>th</sup> day of June 2016



Sheila Lind, Recorder

In compliance with the American Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Sheila Lind, (435) 770-2061 at least 24 hours before the meeting.

# River Heights City

---

## River Heights City Planning Commission

### Minutes of the Meeting

July 6, 2016

1  
2  
3  
4  
5 Present: Commission members: Mark Malmstrom, Chairman  
6 Nina Knowles  
7 Danny Petersen  
8 Cindy Schaub

9  
10 Recorder Sheila Lind  
11 Public Works Director Clayton Nelson  
12 Councilmember Dixie Wilson

13  
14 Excused Councilmember Blake Wright  
15 Commissioner Jake Zollinger

16  
17 Others Present: Nichole Wood, Bill Hanover, Jason and Nichole Ellis  
18 Family, Nate and Erin Bunderson Family, Tony  
19 Johnson, Brian and Britney Cascio  
20

### Motions made During the Meeting

#### Motion #1

21  
22  
23  
24 Commissioner Petersen moved to “approve the minutes of the June 15, 2016  
25 Commission Meeting.” Commissioner Schaub seconded the motion, which carried with  
26 Knowles, Malmstrom, Petersen, Schaub and Zollinger in favor. Zollinger was absent. No one  
27 opposed.  
28

### Proceedings of the Meeting

29  
30  
31  
32 The River Heights City Planning Commission met at 7:00 p.m. in the Ervin R. Crosbie  
33 Council Chambers on July 6, 2016.

34 Adoption of Prior Minutes: Minutes for the June 15, 2016 Planning Commission  
35 Meeting were reviewed.

36 **Commissioner Petersen moved to “approve the minutes of the June 15, 2016**  
37 **Commission Meeting.” Commissioner Schaub seconded the motion, which carried with**

38 **Knowles, Malmstrom, Petersen, Schaub and Zollinger in favor. Zollinger was absent. No one**  
39 **opposed.**

40 Discuss Code Revisions Regarding Fence Requirements: Commissioner Malmstrom  
41 reminded that Jason Ellis and Nate Bunderson came forward with a proposal to change the  
42 ordinance on fencing back yards along a street. The Commissioners had an assignment to look  
43 around River Heights and come up with some opinions. Mr. Malmstrom had visited West  
44 Jordan and drove along a busy road with a hodge-podge of 6 foot fences, placed about a foot  
45 off the sidewalks. He thought it looked all right.

46 Commissioner Schaub showed photo copies of street fencing she doesn't like, which  
47 were solid and made of the same material. Commissioner Malmstrom pointed out this type  
48 feels like a tunnel. There was also no setback from the sidewalk.

49 PWD Nelson said it's not about looks as much as it is about safety. If there are children  
50 in an unfenced yard, they could run out from behind a neighbor's fenced yard and not be seen.  
51 The Ellis property is next to the retention swale/open space where kids will likely play. He  
52 recommended leaving the code at four feet, but if its decided to allow six foot fences, he  
53 suggested requiring it to be see through. He discussed some different types of fences with  
54 spaces. Or, it could be a four-foot fence with open slats on the top.

55 Nate Bunderson was interested in knowing how much difference two feet would really  
56 make, in regards to safety.

57 Commissioner Knowles brought up, driving along 1000 West in Logan feels like a closed  
58 in corridor, although the fences are needed because of the busy road.

59 PWD Nelson informed that some of the yards on the north end of 1000 East will sit  
60 below the road, therefore, a six-foot fence may not be any higher than four feet above the  
61 road.

62 Commissioner Malmstrom said if he lived in a home with a back yard on a street he  
63 would want a six-foot fence for privacy. It makes the property more usable. He favors this if  
64 they can work through some safety issues.

65 Commissioner Knowles asked how deep their lots are. Bunderson's is about 100 feet  
66 and Ellis' is about 131 feet.

67 PWD Nelson pointed out that the south side of 600 South will be developed someday  
68 and could very well be the same situation of backyards facing the road and property owners  
69 wanting six foot fences.

70 Commissioner Schaub feels there was probably a lot of thought and a good reason why  
71 the four-foot fence rule was put in the ordinance, which makes her hesitant to change it.

72 Commissioner Malmstrom asked Recorder Lind to explain how the Mickelson's fence  
73 came to be six feet (on 600 South). Ms. Lind informed that, at the time, the city thought they  
74 didn't allow a six-foot fence along a road, but Ms. Mickelson found a loop hole in the wording,  
75 which allowed it. As a compromise with the city, she agreed to have the top foot lattice.

76 Commissioner Knowles asked Jason Ellis if they would be okay with adding slats along  
77 the top or do they want six feet of privacy. Mr. Ellis said they really want all privacy but would  
78 consider other options, if needed.

79 Commissioner Petersen felt the information brought to the Commission at the last  
80 meeting are things that are already in the River Heights ordinance. He understands the privacy  
81 issue they want. Nichole Ellis said they are mostly concerned about keeping their children safe  
82 in the backyard. Mr. Petersen suggested a four-foot fence with open slats up to six feet. He  
83 brought up some fences in his subdivision (Applebrook) that are safety issues and feels they  
84 should be removed.

85 Jason Ellis suggested posting a "children at play" sign at the end of his fence, just before  
86 the open area.

87 Commissioner Malmstrom listed the Commission's options as: 1) Do nothing, 2) Require  
88 a see-through six-foot fence, 3) Allow a six-foot fence with the top 2 feet slats, or 4) Allow a six-  
89 foot solid fence. He suggested writing up three sample changes and reviewing them. He hopes  
90 to see a balance between what the residents want and what the city desires.

91 Commissioner Petersen is concerned that once they put up a 6' fence, others will follow  
92 without getting a permit.

93 Nate Bunderson feels, the more restrictive the city makes the rules, the more people  
94 will install without asking. He'd like to see the city balance ideas that are reasonable.

95 Jason Ellis suggested wording it so there would be slats or open space above four-feet  
96 within a certain distance from a driveway, public way or wherever there could be a safety issue.  
97 He would be willing to install lattice on a four-foot fence since he is next to the city's open  
98 space and allow the Bundersons to build a six-foot fence.

99 Commissioner Malmstrom would rather drive through a corridor of fences, than a road  
100 of driveways coming onto a busy street.

101 Nate Bunderson agrees it's not very attractive to have a wall of fences, but some  
102 people's back yards are bad looking.

103 PWD Nelson stated, if a one-foot setback was required on a six-foot fence, there's a  
104 good chance the property owners won't maintain it. If the fence was four-feet, they would be  
105 more likely to take care of it, since they would be able to see it from their yard.

106 Commissioner Schaub brought up the idea of landscaping rather than a hard fence.

107 Commissioner Malmstrom volunteered to write up a few word change ideas to the  
108 code. He'll email it out to the Commission for their opinion. Commissioner Schaub would like  
109 Councilmember Wright to weigh in with his opinion since he is knowledgeable on these types of  
110 things. Nate Bunderson asked if he and Mr. Ellis could send some rewording ideas to him.  
111 Commissioner Malmstrom said he would welcome their ideas.

112 Commissioner Malmstrom pointed out the next meeting should be on July 20, but  
113 unfortunately there will be a number of people missing so they probably won't meet again until  
114 the first Wednesday in August.

115 Commissioner Knowles asked if the property owners would be willing to leave some  
116 space between their fence and the sidewalk. Jason Ellis said they would be willing to leave one  
117 foot.

118 Discuss an Additional Commercial Zone: Commissioner Schaub said she explained the  
119 gas station zoning situation in River Heights to the senior planner at Logan City. He felt a  
120 community commercial zone would be appropriate. This zone has the most restrictions  
121 possible. She presented a seven-page draft of a 'neighborhood commercial zone' that the  
122 Commission could start from. She read through and discussed parts of it. She handed out  
123 copies of Logan's Historic Landmark Overlay Zone. She would like to incorporate some of this  
124 information into the rough draft. She has tried to make it as restrictive as possible. She  
125 suggested the Commission read through it and suggest changes. She is interested in allowing  
126 some low-impact businesses that wouldn't be obnoxious to the neighborhood. Commissioner  
127 Malmstrom was grateful for all her work on this. The Commissioners will spend some time  
128 reviewing it and discuss it at their next meeting.

129 Discuss Sidewalk Ordinance Revisions: Commissioner Malmstrom asked PWD Nelson to  
130 explain his opinion regarding charging property owners a portion of new sidewalk costs. Mr.  
131 Nelson feels when the city has a capital project that requires new sidewalk, the city should pay  
132 the bill. If the property owner requests new or replacement sidewalk then the cost should be  
133 shared 50/50.

134 Brian Cascio brought up the lack of sidewalk sections on 700 South. He heard it was  
135 because some property owners refused to pay so they didn't get one. He is also interested in  
136 why there are three stop signs at a 3-way intersection, rather than allowing traffic to flow along  
137 700 South, although he realizes this could cause a speeding problem. PWD Nelson pointed out  
138 that it is against the law to use stop signs to control speed and maybe they could remove two of  
139 the stop signs. However, he wonders if doing so would create a problem since drivers are now  
140 used to the current situation.

141 Commissioner Malmstrom agreed that if the city initiates a sidewalk project, the city  
142 should pay, if the property owner initiates it, they pay their share. Commissioner Schaub felt  
143 the city should pay for the 700 South Sidewalk Project. She is in favor of installing it from 100  
144 East to 600 East. PWD Nelson stated they are looking at 100 East to 400 East right now (at an  
145 estimated cost of \$90,000). They would leave current sidewalks that meet road elevation and  
146 are in good enough shape.

147 Recorder Lind pointed out, over the last 20 years, there hasn't been a property owner  
148 that has refused to pay, causing the city to leave sections undone. The case of 700 South  
149 happened many years ago.

150 The Commissioners were interested in Councilmember Wright's opinion.  
151 Brittany Cascio asked the cost of a standard sidewalk. She was told the current price  
152 was about \$25/square foot.

153 Bill Hanover asked for clarification on who owns the sidewalk. He was told the city owns  
154 it, but the property owners take care of it.

155 Assign the Moderate Income Housing Report Update: Commissioner Petersen was  
156 involved in this report a few years ago and feels it is ridiculous. Recorder Lind explained the  
157 report and the process of getting it up to date. Commissioner Knowles offered to do it.

158 For the next meeting Commissioner Malmstrom will have a code revision draft  
159 regarding fences. All will weigh in on the Neighborhood Commercial Zone draft.  
160 Councilmember Wright's input will be used for sidewalk ordinance discussion and  
161 Commissioner Knowles will work on the Moderate Income Housing Report.

162 The meeting adjourned at 8:20 p.m.

163

164

165

166

---

Sheila Lind, Recorder

167

168

---

169 Mark Malmstrom, Chairman

"Sample"

## Chapter 17.26: Historic Landmark (HL) Overlay Zone

### §17.26.010. Purpose

The Historic Landmark (HL) Overlay Zone is intended to support the revitalization and productive reuse of structures and sites that hold historic, architectural, or cultural value, and which would otherwise be underutilized, dilapidated, or even demolished because the original use has become functionally obsolete. This Chapter recognizes the importance of these significant landmarks and provides a process to allow restoration and practical reuse while minimizing impacts to adjacent properties and avoiding the process of demolition and reconstruction.

### §17.26.020. Applicability

This overlay zone may be applied in any zoning district if each of the following criteria are met:

1. The structure is at least fifty (50) years old.
2. The site or structure has been designated as a local or national historic landmark, or the structure is found by staff to have retained its integrity by the following characteristics:
  - a. Excellent example of type or style;
  - b. Unaltered or only minor alterations or additions;
  - c. Individually eligible for the National Register of Historic Places; or
  - d. Known for its historical significance.
3. The building, site, or structure would no longer be permitted under its current zoning designation with its present configuration including lot area, dimensional requirements or off-street parking requirements, and the building, site, or structure could not easily be retrofitted to comply with the existing criteria without variances, vacating right-of-way, purchasing adjacent property, or removing portions of the existing building.

### §17.26.030. Restrictions of Zone Overlay

Because the retention of a historic building is a substantial benefit to the community, the approval of this overlay zone shall be bound to the existing historic site or structure being adaptively reused. If the site or structure is removed or destroyed, the zoning of the property shall immediately revert to the surrounding zoning district.

### §17.26.040. Permitted Uses

In addition to the permitted uses in the underlying zoning district, buildings or structures within the Historical Landmark Overlay Zone may also contain the neighborhood serving commercial uses permitted in the Neighborhood Center Zone and as identified in Table 17.13.040.

↳ We do not have.

### §17.26.050. Additions and Site Development Requirements

Any site development, including proposed additions to the existing historic site, building or structure shall be reviewed as part of the Design Review process and shall comply with the following requirements:

1. Any addition shall not exceed 25% of the existing structure's building footprint;

## 17.26: Historic Landmark (HL) Overlay Zone

2. Site design shall meet the development standards of the Neighborhood Center (NC) zone. Building Frontage and Transparency requirements may be excluded if found by the decision making body to not be in compliance with the Historic District Design Standards;
3. Parking shall be determined through approval of an Alternative Parking Plan submitted as part of the Design Review process; and
4. Hours of Operation shall be determined during the Design Review process.

**§17.26.060. Design Review and Approval**

Pursuant to the approval of a Certificate of Appropriateness by the Historic Preservation Committee, proposals for this overlay zone shall be submitted as both a zone change and design review to be heard by the Planning Commission and Municipal Council.



NC-1 NEIGHBORHOOD COMMERCIAL ZONE

***ROUGH DRAFT***

A. DECLARATION OF LEGISLATIVE INTENT

It is the intent of the City of River Heights, the River Heights Planning Commission, and the River Heights Council to establish a Neighborhood Commercial Zone (NC-1) at 594 South 400 East, River Heights, Utah 84321 and which shall not conflict with the atmosphere of the surrounding residential area by noxious activities or by needlessly drawing traffic from outside the neighborhood.

The Neighborhood Commercial District designation is intended for a commercial development that will relate to the residential neighborhood and will be compatible with residential character or historic value in nature.

B. OBJECTIVES AND CHARACTERISTICS

The NC-1 Neighborhood Commercial Zone is to be established for the primary purpose of providing a location where a commercial establishment can be located where people who live in the surrounding neighborhood can obtain services conveniently. This zone is to be maintained in harmony with amenities of adjacent residential development.

To provide a functional setting with adequate roads, utilities, and other public facilities where day-to-day needs of the neighborhood are safely met.

To protect the surrounding residences from noise, lights, fumes, pests, overcrowding, heavy traffic, and other problems which may arise from an inharmonious mix of commercial and residential uses.

In order to accomplish the objective and purposes of this title and to promote the characteristics of this zone, the following regulations shall apply in the NC-1 Neighborhood Commercial Zone. (Ord \_\_\_\_\_)

C. INTENT:

It is the intent that the uses of this building be limited to "light" business entities with minimal traffic and noise impact upon the surrounding residential areas.

D. PERMITTED USES:

There are no permitted uses for the NC-1 Neighborhood Commercial Zone.

E. CONDITIONAL USES:

All uses shall be conditional uses and must be compatible with the general characteristics of the NC-1 zone. Examples are as noted, but not limited to the following:

1. Photography studio/Film processing/ Camera Shop

2. Shoe Repair Shop
3. Book, stationary, office supply store, copy store
4. Computer goods and services.
5. Locksmith Shop
6. Electrical appliance repair (light).
7. Florist shop/ Garden Shop
8. Gift store, Handi-craft store, Art Object Sales, or Antique store sales.

Music Store (Instructional/Sales)

9. Professional/business offices. (A building for administrative, executive, professional, or similar organizations having only limited contact with the public, provided that no merchandise or merchandising services are sold on the premises, except such as are incidental or accessory to the principal use.)
10. Personal Custom Services, Tailor, Milliner, etc.
11. Seasonal sales (Christmas Trees) and services, when permitted by the property owner, not to exceed \_\_\_\_\_ months in any calendar year and the obtaining of a River Heights City Business License. All stands, booths and structures associated with the seasonal sales and services use shall be temporary and removable, not for public occupancy, and must be removed from the property at the completion of each year's seasonal use.

Uses will be strictly prohibited next to a residential zone that involve open storage of merchandise or equipment, trade or industry that is offensive by reason of the emission of odor, smoke, gas, vibration or noise, obstructive lighting or uses which open to the public before six o'clock (6:00) A.M. or after ten o'clock (10:00) P.M.

#### F. USES NOT PERMITTED:

1. Grocery Store, Convenience Store
2. General Manufacturing (Assembly, production, sales)
3. Agricultural Manufacturing
4. Wholesale Sales or Service
5. Storage and Warehousing
6. Self Service Storage Facility
7. Garage
8. Transportation Services
9. Medical Services/Facilities/ Hospital
10. Human Care Services (Foster Home, Elderly Care, Daycare for Children, Preschool)
11. School
12. Health, Exercise, Massage, Reducing Service

13. General Vehicle/ OHV/ Trailer/ Watercraft Repair or services
14. Machine Shop or Welding Shop
15. Wrecking/Salvage Yard
16. Vehicle Sales, Vehicle Parts Sales, Vehicle Repair Service, Tire Sales
17. Car Wash
18. Plumbing Sales or Service
19. Furniture or Appliance Store
20. Clothing or Apparel Store
21. Dry Cleaner or Laundromat
22. Department Store or Discount Store
23. Produce Stand
24. Sexually Orientated Business
25. Body Art
26. Religious Meeting Facility
27. Correctional Facility
28. Animal Shelter, Kennel, Veterinary services, animal husbandry
29. Brew Pub/Liquor Sales
30. Restaurant, Cafeteria, Fast Food, Mobile Food Truck
31. Hotel/Motel, Lodging, Shelter
32. Bed and Breakfast Inn
33. Recreational Facility (Sports and Leisure time activities)
34. Entertainment, Dancehall, or Night Club
35. Aerobic Studio, Dance Studio
36. Drama Studio, Theater
37. Drug Stores/ Pharmaceuticals
38. Barber Shop or Beauty Shop
39. Radio or TV Transmission Station or Amateur Radio Facility
40. Pawn Shop
41. Parking Facilities
42. Mortuary

The Planning Commission may impose conditions that may mitigate concerns of adjacent residents. (Ord\_\_\_\_\_ )

G. RESIDENTIAL USES

1. The business owner/manager may be allowed to reside in the structure if the structure meets the definition of a dwelling unit and is located on a lot at least 8,000 square feet in size.

2. Single-family dwellings (lot size and density shall conform to the nearest residential zone . ( Ord \_\_\_\_\_)

H. LOTS, BUILDINGS, YARDS, AND OPEN SPACE:

1. The structure in the NC-1 zone must be placed on an approved building lot. The lot must contain a minimum of \_\_\_\_\_' of frontage, upon a publicly maintained street, and a minimum of \_\_\_\_\_ thousand square feet.
2. The setback requirements are as follows (in feet):
  - a. Front Yard from Lot Line: \_\_\_\_\_ feet or where a lot in the NC-1 Zone abuts a lot in any residential zone, there shall be provided a landscaped front yard equal to the residence on the abutting property, whichever is greater.
  - b. Side and Rear Yards: \_\_\_\_\_ feet on any boundary abutting residentially zoned property.
3. In order to accomplish the intention of the NC-1 Zone, structures in the NC-1 zone may not have a footprint which exceeds thirty percent (30%) of the lot size.
4. All approved projects shall meet any other requirements and restrictions relevant to the NC-1 zone found in chapter \_\_\_\_\_ of this title (Ord\_\_\_\_\_).

I. HEIGHT AND BUILDING SIZE REQUIREMENTS:

The heights and building size requirements within the NC-1 zone shall be as follows:

1. The maximum permissible height of any structure shall be \_\_\_\_\_ feet as determined by the currently adopted building construction codes of Cache County or by any future edition of these codes that may be adopted.
2. The floor area of an accessory storage structure (or the total area of a group of accessory structures shall not exceed the floor area of the main building on the lot.

J. OTHER REQUIREMENTS:

1. Signs: All signs erected in the NC-1 zone shall be in conformance with the sign provisions of chapter \_\_\_\_\_ of this title.
2. Uses Within Building: All uses established in the N-1 zone, including storage, shall be conducted entirely within a fully enclosed building.
3. Landscaping: The following landscaping provisions shall apply in the NC-1 zone:
  - a. Yards: The front and side yard areas adjacent to a public street, shall be maintained with suitable landscaping of plants, shrubs, trees, grass, and similar landscaping materials. The landscaping plan shall be approved by the planning commission as to type, size and amount of landscaping.

The yards around the building shall be kept free of junk, debris, refuse, weeds, and other flammable material.

b. **Parking Areas:** Parking areas shall be landscaped around the periphery and at the end of parking rows in accordance with the landscaping plan approved as part of the project plan approval procedure.

c. **Sidewalks:** A sidewalk of at least five feet (5') wide is required on all frontage abutting a public street. The sidewalk will be built to city specifications, will connect to adjacent sidewalks and will be separated from the required curb and gutter by a planter strip at least six feet (6') wide. If an adjacent property has a sidewalk or planter strip, the sidewalk and planter strip shall conform with that of the adjacent properties. The planter strip will contain trees at least six feet (6') feet in height and three inch (3") caliper or conform with the existing planter strips on adjacent properties. It will be the private property owner's responsibility to maintain the planter strip.

d. **Plantings:** Plantings in front setbacks may not impede the vision of traffic.

K. **TRASH AND STORAGE:** No trash, used materials, or wrecked or abandoned vehicles or equipment shall be stored upon the property. Outside storage of commercial goods or materials is expressly prohibited.

Daily trash materials must be stored within an enclosed building or within an enclosure surrounded by a fence not less than six feet (6') in height within the required setbacks and not visible from any public right of way (Ord. 1-22-2002).

Containers for trash storage of a size, type and quantity approved by the city shall be screened by a sight obscuring fence and maintained in a location approved by the planning commission in conjunction with approval of a project plan. The location shall be no closer than twenty five feet (25') from an adjacent property line.

L. **WALLS, FENCES AND SCREENING:**

1. No wall, fence or opaque hedge or screening material higher than thirty six inches (36") shall be maintained within a required front yard in an NC-1 zone.

2. A decorative masonry wall at least six feet (6') in height shall be erected along all property lines which lie immediately adjacent to any residential zone, except that alternative screening may be used, if jointly agreed to in writing by surrounding property owners which may include a landscape hedge of six feet (6') at a two (2) year maturity, wood fence or a combination of landscaping with chainlink with or without slats. In the case where there is a mutual agreement by adjoining property owners and approved by the planning commission or its designee, this requirement may be waived.

3. All mechanical equipment (i.e. air conditioners, fans, pumps, etc.) shall be located within, or on the side of the building, or on the roof with parapet walls. Any mechanical equipment located on the outside of the building within twenty-five feet (25') of the nearest residential use/dwelling must have a visual/noise barrier (masonry wall or landscaping) that completely surrounds the equipment and extends at least one foot (1')

Above the equipment, with the exception that any equipment located outside of the building must have the aforementioned visual noise barrier regardless of its distance from a residential use.

4. All areas not covered by buildings, off-street parking space or walks and drives shall be landscaped. All merchandise, equipment and other materials (except for seasonal items sold on a temporary basis such as nursery stock, Christmas trees) shall be stored within an enclosed building or shall be stored within an opaque or sight obscuring fence, wall or landscaping at least six feet (6') in heights. ( Ord\_\_\_\_.)

M. PARKING: No more than four (4) vehicles may be on the premises at one time.

Parking requirements for uses not specified will be recommended by the plan review committee at the time of review. The parking requirement approved by the planning commission will be based on comparable uses and Institute of Transportation Engineers national parking standard data.

All parking spaces shall be paved with asphaltic cement or concrete and shall be provided with paved access from a public street. Said spaces shall be provided with adequate drainage which shall not run across a public sidewalk or into an irrigation ditch. Parking spaces shall not be provided within a required front yard or side yard adjacent to a public street.

All off-street parking space shall be hard-surfaced.

N. SITE PLAN REVIEW REQUIRED

1. Concurrent with any request to rezone property to the NC-1 zone, a preliminary project plan shall be submitted for review and recommendation by the River Heights City planning commission, and the site plan review committee. Said preliminary project plan shall be drawn to scale and shall contain the following information:

a. Location of all existing and proposes buildings and structures on the site, including an indication of the proposed uses;

b. The location of all parking spaces, driveways, and points of vehicular ingress and egress;

c. A conceptual signing plan showing the location and size of typical signs;

d. A conceptual landscaping plan showing planting materials to be used together with the location of fences, walls, hedges, and decorative materials;

e. Preliminary elevations of the building showing the general appearance and types of exterior materials to be used.

2. Prior to the construction of any building or any structure in the NC-1 zone, a final project plan shall be submitted and approved. Said project plan must be drawn to scale and shall contain all required information designed on the application checklist. All final plans must be approved by the City Council, after a formal recommendation from the planning commission and the plan review committee. It is the intent of this chapter that the structures in the neighborhood commercial zone have a residential/historical appearance.

Upon approval of a final site plan by the Zoning Administrator, no building or uses of land other than those depicted on such plan shall be permitted.

3. Any failure to submit a final project plan within **two (2) years** of the approval of the preliminary project plan shall terminate all proceedings and render the preliminary plan null and void. (Ord \_\_\_\_\_)

#### O. BUILDING AND ARCHITECTURAL STANDARDS

The building shall have an architectural style and exterior finish similar to that of the original Sinclair Gas Station built in 1950.

Required exterior finishes shall be stucco, masonry, stone, or architectural grade metal siding. No building shall be finished with vinyl or metal siding only. Vinyl or metal siding may be used as an appropriate supplementary finish material in combination with masonry or stone. The base color shall be light tones or earth tones, avoiding all bright florescent or high contrasting colors. Accent colors shall be low contrast variation to the base color of the building. Murals or super graphics shall be specifically approved. The planning commission shall be the approval agency in determining architectural style. (Ord. 1-22-2002)

#### P. RESTRICTIONS OF ZONING:

Because of the retention and integrity of this building and being a substantial benefit to the community, the approval of this zone shall be bound to the existing site or structure being adaptively reused. If the site or structure is removed or destroyed, the zoning of the property shall immediately revert to the surrounding zoning district.

#### Q. SUPPLEMENTARY REGULATIONS

Uses within this zone shall also comply with the applicable requirements set forth in the provisions of the land use ordinance.