

River Heights City

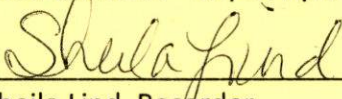
PLANNING COMMISSION AGENDA

Tuesday, April 27, 2021

Notice is hereby given that the River Heights Planning Commission will hold its regular meeting beginning at 6:30 p.m., anchored from the River Heights City Office Building at 520 S 500 E. Attendance can be in person or through Zoom.

- 6:30 p.m. Adoption of Previous Minutes and Agenda
- 6:35 p.m. Discuss Potential Historic Overlay Zone for Property Located at 660 E 400 S
- 7:00 p.m. Discuss Changes to the PUD Ordinance
- 8:00 p.m. Adjourn

Posted this 22nd day of April 2021



Sheila Lind, Recorder

To join the Zoom meeting:

<https://us02web.zoom.us/j/86953496038>
Dial: 1 669 900 6833, Meeting ID: 869 5349 6038

Attachments for this meeting and previous meeting minutes can be found on the State's Public Notice Website (pmn.utah.gov)

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

April 27, 2021

Present: Commission members: Levi Roberts, Chairman
Noel Cooley
Heather Lehnig
Lance Pitcher
Cindy Schaub
Councilmember Blake Wright
Recorder Sheila Lind

Others Present: See roll

Motions Made During the Meeting

Motion #1

Commissioner Pitcher moved to “approve the minutes of the April 13, 2021 Commission Meeting with corrections.” Commissioner Schaub seconded the motion, which carried with Cooley, Lehnig, Pitcher, Roberts and Schaub in favor. No one opposed.

Proceedings of the Meeting

The River Heights City Planning Commission met at 6:30 p.m. in the Ervin R. Crosbie Council Chambers on April 27, 2021.

Pledge of Allegiance: Commissioner Roberts led in the Pledge of Allegiance.

Adoption of Prior Minutes and Agenda: Minutes for the April 13, 2021 Planning Commission Meeting were reviewed with a few changes.

Commissioner Pitcher moved to “approve the minutes of the April 13, 2021 Commission Meeting with corrections.” Commissioner Schaub seconded the motion, which carried with Cooley, Lehnig, Pitcher, Roberts and Schaub in favor. No one opposed.

Discuss Potential Historic Overlay Zone for Property Located at 660 E 400 S: Commissioner Roberts explained there is currently an old building on the property that was built in 1959. The city has had a request from the property owner to have a beauty shop in the building.

Commissioner Schaub explained the amendments she made to the current Historic Landmark Overlay Zone ordinance. She asked what the significance of the building was. Tony Johnson explained, the age of the building and what it was historically used for will determine its significance. A person has been analyzing it for the historic register and thinks it will qualify. The building housed an office for a construction company that built significant buildings in the valley.

44 Commissioner Schaub said a beauty salon would be allowed at the property on 400 South
45 only. Commissioner Cooley reminded that whatever they allow in this building will also be allowed in
46 the Sinclair Gas Station, since they will both fall under the same overlay ordinance. Commissioner
47 Roberts suggested beauty shop be listed as a conditional use, rather than call out specific allowances
48 for one or the other locations. The same standards should apply to all properties in the historic zone.

49 Discussion was held on whether or not the building could be turned into a residence. They
50 felt it could be if there was enough acreage since it was in a residential zone. They discussed parking
51 and wanted to keep the six car limit. Commissioner Schaub asked what type of architectural standard
52 they want for the building. Commissioner Roberts felt they should require that the masonry of the
53 brick work be maintained.

54 Troy Wakefield informed the property is .16 acres.

55 Councilmember Gallup asked how many employees would be working at the salon.
56 Commissioner Roberts said they didn't know at this point. It will be regulated with a Conditional Use
57 Permit. Tony Johnson indicated they planned on his daughter and a friend.

58 Discussion was held on who would be the design review committee. It was determined that
59 the Planning Commission would review and recommend the project plan to the City Council for final
60 approval.

61 Commissioner Roberts suggested the city attorney review the code changes before they are
62 adopted.

63 Discuss Changes to the PUD Ordinance: Commissioner Roberts reminded the audience that
64 tonight's meeting was a work session between the commissioners. They are planning a public
65 hearing in the near future to hear comments from citizens.

66 Commissioner Cooley explained the Estimated Density Calculations Chart he drafted.

67 Commissioner Schaub asked for clarifications on something that was said at the last meeting
68 concerning transportation. Commissioner Roberts explained his comment about there wouldn't be
69 much more traffic if they allowed a PUD because smaller lots and more open space or larger lots
70 figured about the same density. He also pointed out that smaller units tend to have less vehicles per
71 unit than larger homes.

72 Commissioner Cooley thought it was important to specify that multi-units need to be
73 structured further away from single family zones, which should help mitigate the impact. Similar
74 zoning should be adjacent to each other.

75 Commissioner Cooley felt the PUD code should be more general, with references to the
76 subdivision code, where it would spell out more specifics such as, parking and lot size.

77 Councilmember Wright said the subdivision ordinance would also address the design standards.
78 Commissioner Roberts pointed out there are not standards for smaller lots. Mr. Wright thought
79 these things would be negotiated during the PUD approval process.

80 Commissioner Cooley reminded everyone again that this PUD ordinance would pertain to
81 other open spaces in the city, not just Riverdale.

82 In regards to density calculations, Commissioner Roberts felt the common way to calculate is
83 to use the total number of acres divided by the number of units. This method is more straight
84 forward and easier to figure.

85 Commissioner Lehnig wondered if they were asking for more open space than the city
86 requires for city parks.

Commissioner Schaub didn't think a PUD zone was appropriate for River Heights.

Commissioner Cooley said there are certain types of development, which are a higher density, that would be really attractive in this community. He asked the difference between clustered single-family homes with open space and a regular single-family zone. Councilmember Wright explained a previous PUD application from a number of years ago, similar to one in Providence. He felt Riverdale lends itself to that kind of development because of the river space. Commissioner Roberts agreed that River Heights has this great asset that could be shared with the community. Commissioner Schaub felt fine about single homes having the only access to the river.

Commissioner Cooley said if a developer applied for the PUD, their plan would be reviewed, massaged, denied, etc.; the city would still have a lot of say. Commissioner Roberts said the market is changing and we would be putting our heads in the sand by not allowing smaller dwellings. Providing an opportunity for some diverse housing is a mechanism for following what is in the city's General Plan. Commissioner Schaub felt people who need smaller homes could go elsewhere. Mr. Roberts answered, this is taking away an opportunity by restriction. The PUD wouldn't be designed for high density. It would just allow a few smaller options for people in different life stages, or income levels.

Commissioner Cooley felt good about the PUD ordinance as drafted. It would allow about 6 units per acre. Mr. Roberts asked if this covered a 10% bonus for open space. Commissioner Lehnig said it was included if developers added a walking space, or other things. She explained the diversity that could be brought in by the PUD ordinance. They aren't saying row houses, or townhomes. She supported preservation of the river for the whole community.

Commissioner Cooley pointed out the property east of the Stake Center has Spring Creek, which could also be utilized as public open space. The underlying zoning would dictate the density. He liked the opportunity the PUD ordinance could bring to River Heights. Discussion was held on clear standards in the city code which would regulate PUD proposals.

Commissioner Schaub asked where there were some actual PUDs that she could look at. Commissioner Roberts cautioned that every city has different ordinances. Councilmember Wright said they can be designed however the city wants. They mentioned a 4-plex attached senior living development in North Logan, one by Bridger Park with a variety of living spaces and Cobblestone in Providence.

Commissioner Pitcher was interested in architectural design, rather than a square box look. He also suggested some larger lots in the mix. He wasn't opposed to a PUD, but was not in favor of high density. Commissioner Roberts reiterated that the overall density wouldn't be significantly higher. It's an option for open space and closer, smaller units. He suggested a level of flexibility in the density. Commissioner Cooley suggested 30% allowed for multi-family and PUDs only in 10 acres or more.

Commissioner Lehnig will specify a minimum of what would constitute open space. Commissioner Roberts felt smaller than ¼ acre is hard to maintain and isn't very usable. It could be linear, such as a trail.

Commissioners Cooley, Roberts and Lehnig were supportive of PUDs. Commissioner Pitcher liked certain things about all of it, including diversity, but was unsure about multi-family.

Mayor Rasmussen asked them to consider the needs of the city now and in the future. What is it developers will bring to help us with these needs? If park space is adequate, maybe more open space isn't needed. Perhaps a developer could donate a lot for another use or contribute to park land in another area of the city. Commissioner Lehnig will clarify this in the ordinance.

131 Mayor Rasmussen commended the Commission for doing a great job.

132 They will discuss the changes one more time at their next meeting and then hold a hearing on
133 May 25. Commissioner Roberts would like to discuss appropriate areas for the PUD in the General
134 Plan at the next meeting, if there's time.

135 Councilmember Wright pointed out the Todd Weston property (600 South 700 East) is just
136 over 5 acres. The Lois Weston parcels (600 E 700 S) are less than 5 acres, unless added to the church
137 property. He asked them to consider this as they think about the acreage limit for a PUD.

138 The meeting adjourned at 8:25 p.m.

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Sheila Lind, Recorder

Levi Roberts, Commission Chair

Please print your name on the roll.

Dana Thompson + boy

Jerry L. Pence

RONALD & TERESA BROOKS

Trey Wakefield

Katherine Ruggieri

Ginny Johnson

MIKE NELSON

Juth Ann Nelson

JIM BRACKNER

Leslie Howell

Tony Johnson

Janet Humphreys
Matthews

Dorrie Barnes Dorrie Barnes

Rita Minkler

Vern Fielding

Jianne Rhotor + dog

Bob Ellis

Sharlie Gallup, council member

Electronically Present

Brian Walker

Mayor Todd Rasmussen

Boyd Humphreys

Noel's 4/26/2021 Estimated density calculations

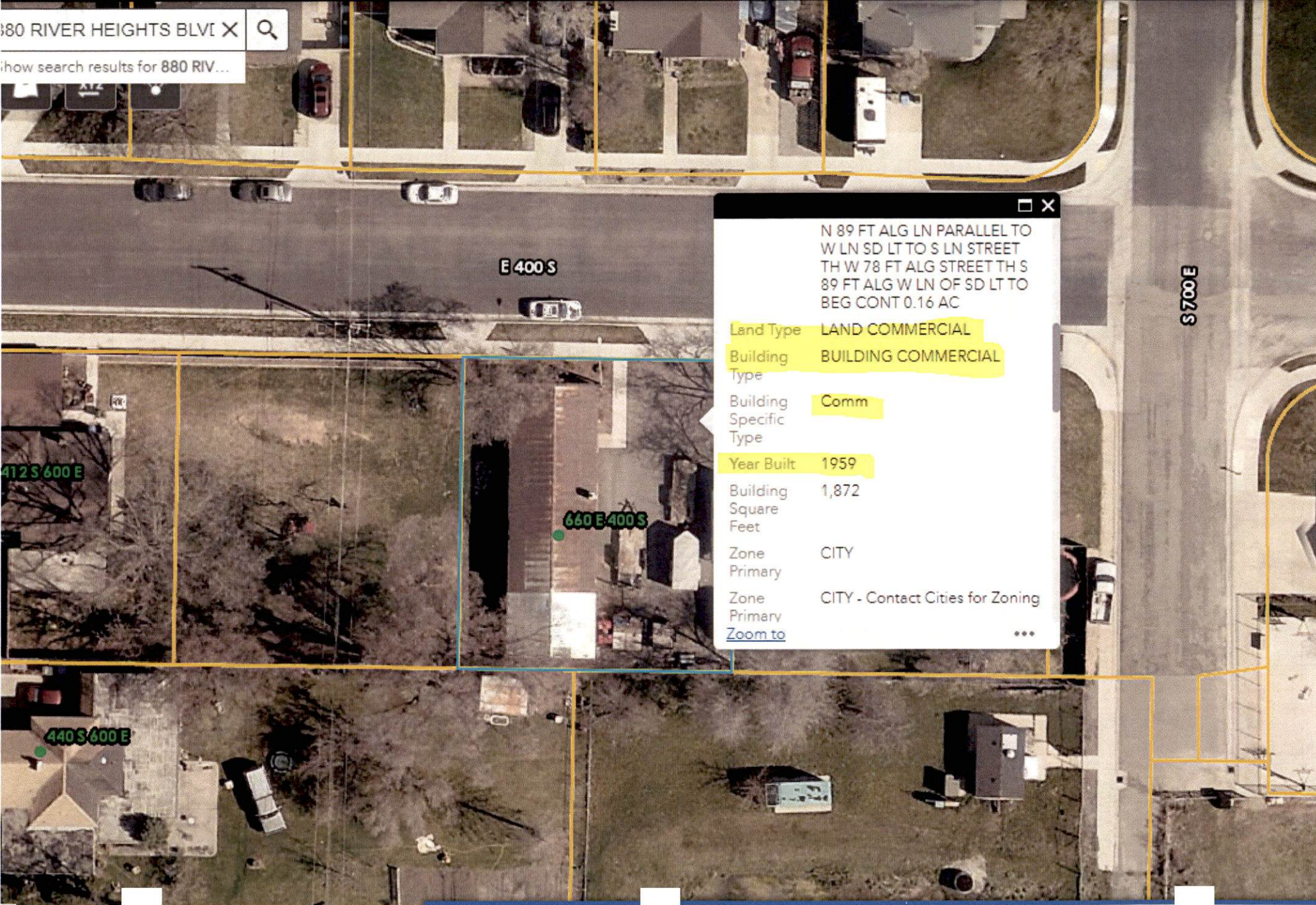
There are two ways to look at ways to calculate the density. One is calculate it by taking out both the open space and the estimate road infrastructure and then use the remaining acreage to calculate the density. The other is to just take out the open space and calculate the density with remaining density but knowing the there will still be the roads taken out of the remaining acreage. I have used 25% open space as recommended by Heather last meeting.

		Density Calculations based upon roads then open			Density Calculations based upon on open space		
		w/o 10%	w/10%	w/15%	w/o 10%	w/10%	w/15%
Number of acres =		10			10		
Est Percentage for road & sidewalks=		20%			20%		
Percentage of open space=		25%			25%		
Est acre after (Open space = 25%) =		8			7.5		
t acre after (Roads & sidewalk = 20%) =		6					
After rds. & open space (acre)		6			7.5		
7 units per acre		42.0	46.2	48.3	52.5	57.8	60.4
Equivalent sq ft/lot		6,223	5,657	5,411	6,223	5,657	5,411
6 units per acre		36.0	39.6	41.4	45.0	49.5	51.8
Equivalent sq ft/lot		7,260	6,600	6,313	7,260	6,600	6,313
5.6 units per acre		33.6	37.0	38.6	42.0	46.2	48.3
Equivalent sq ft/lot		7,779	7,071	6,764	7,779	7,071	6,764
5.44 units per acre		32.6	35.9	37.5	40.8	44.9	46.9
Equivalent sq ft/lot		8,007	7,279	6,963	8,007	7,279	6,963
4.6 units per acre		28.2	31.0	32.4	35.3	38.8	40.5
Equivalent sq ft/lot		9,268	8,426	8,059	9,268	8,426	8,059
3.63 units per acre		21.8	24.0	25.0	27.2	29.9	31.3
Equivalent sq ft/lot		12,000	10,909	10,435	12,000	10,909	10,435



880 RIVER HEIGHTS BLVD X

Show search results for 880 RIV...



E 400 S

S 700 E

412 S 600 E

660 E 400 S

440 S 600 E

N 89 FT ALG LN PARALLEL TO W LN SD LT TO S LN STREET TH W 78 FT ALG STREET TH S 89 FT ALG W LN OF SD LT TO BEG CONT 0.16 AC

Land Type	LAND COMMERCIAL
Building Type	BUILDING COMMERCIAL
Building Specific Type	Comm
Year Built	1959
Building Square Feet	1,872
Zone Primary	CITY
Zone Primary	CITY - Contact Cities for Zoning
Zoom to	...

request assistance from the city engineer for the reviewing of plans and setting of conditions prior to issuing a permit. (Ord., 1-22-2002)

10-11-5: EARTHQUAKE FAULT OVERLAY ZONE (OE)

- A. Plans and Engineering Data Requirements: No construction shall be permitted in any identified earthquake primary fault zone, landslide or motion sensitive soils area (OE) until adequate plans and engineering data are provided showing:
1. Where public facilities, occupancy facilities, large structures and sewer and water systems are to be constructed. Detailed geotechnical investigations may be required so as to accurately and specifically locate faults and/or landslide areas;
 2. Any sewer lines or disposal systems located beneath culinary water facilities; and
 3. Ground response maps identifying the areas most susceptible to ground motion.
- B. Zoning Administrator Approval: All plans submitted will require approval of the zoning administrator prior to a permit being granted. The zoning administrator may request assistance from the city engineer for the reviewing of plans and setting of conditions prior to issuing a permit. (Ord., 1-22-2002)

10-11-6: HISTORIC LANDMARK OVERLAY ZONES FOR PROPERTIES AT: 594 SOUTH 400 EAST, RIVER HEIGHTS, UT 84321, AND 400 SOUTH 660 EAST, RIVER HEIGHTS, UT 84321

- A. Declaration of Legislative Intent: It is the intent of the City of River Heights, the River Heights Planning Commission, and the River Heights City Council to establish a Historical Landmark Overlay Zone (HL) at properties known as: 594 South 400 East, River Heights, Utah 84321 and 400 South 660 East, River Heights, UT 84321. These sites are not to conflict with the atmosphere of the surrounding residential neighborhood nor bring about noxious or nuisance activities.

This declaration is *not* to replace the current Residential zoning for the buildings located at 594 South 400 East, River Heights, Utah 84321 and 400 South 660 East, River Heights, UT 84321, but to allow an additional layering of zoning for the enhancement of a historical landmark within City limits.

Residential zoning regulations supersede any additional Historical Landmark Zoning amendments created herein.

- B. 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. We recognize the importance of these significant landmarks and desire to provide a process to allow restoration and practical reuse while minimizing impacts to adjacent properties and avoiding the process of demolition and reconstruction.

The Historical Landmark Overlay Zone (HL) designation is further intended for light commercial development that will relate to the residential neighborhood and will be compatible with residential character or historic value in nature.

C. **Applicability:** This overlay zone may be applied in any zoning district if **each** of the following criteria is 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 the River Heights City Council ("City Council") 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 existing criteria without variances, vacating right-of-way, purchasing adjacent property, or removing portions of the existing building.

D. **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 which is currently Residential. ***(FYI, County shows as Commercial Building, same as old Gas Station)***

This Historical Landmark Zone is to be maintained in harmony with amenities of adjacent residential development and 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.

E. **Permitted Uses:** There are no permitted uses for the Historic Landmark (HL) Overlay Zone.

F. Conditional Uses: All uses will be conditional uses and must be compatible with the general characteristics of the Historical Land (HL) Overlay Zone. These Conditional Uses will run with the land and will be extinguished upon abandonment of the use of the Historical Landmark Overlay (HL) zoning, or, upon the property reverting to the surrounding zoning district. A conditional use permit will not be granted until site improvements and exterior building improvements (see R below) are completed.

G. Allowed Uses:

1. Antique store and sales
2. Art Gallery and sales
3. Bicycle Repair
4. Book, stationary, office supply store, copy store
5. Candy Making Shop
6. Computer goods, services, and repair
7. Electrical appliance repair (light)
8. Florist shop/ Garden Shop
9. Gift store, and/or Handicraft store
10. Jewelry design, fabrication, and sales
11. Locksmith Shop
12. Museum
13. Music Store (Instructional/Sales)
14. Personal Custom Services, Tailor, Milliner, etc.
15. Photography studio/Film processing/ Camera Shop
16. 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.)
17. Seasonal sales (Christmas Trees) and services, when permitted by the property owner, not to exceed three (3) 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.
18. Shoe Repair Shop
19. Wedding Consultant
20. Yoga, Aerobic and Dance Studio (2-2019, 5-28-19)
21. Barber Shop, Beauty Shop, or Manicure/Pedicure Shop

Uses will be strictly prohibited next to a residential zone that involve open storage of merchandise or equipment, trade or industry that is offensive or a nuisance by reason of the emission of odor, smoke, gas, vibration or noise, obstructive lighting or uses.

H. Uses Not Permitted:

1. Agricultural Manufacturing

2. Animal Shelter, Kennel, Veterinary services, animal husbandry
3. ~~Barber Shop, Beauty Shop, or Manicure/Pedicure Shop~~
4. Bed and Breakfast Inn
5. Body Art
6. Brew Pub/Liquor Sales
7. Car Wash
8. Clothing or Apparel Store
9. Correctional Facility
10. Department Store or Discount Store
11. Drama Studio, Theater
12. Drug Stores/ Pharmaceuticals
13. Dry Cleaner or Laundromat
14. Entertainment, Dancehall, or Night Club
15. Furniture or Appliance Store
16. Garage
17. Gas Station, functional
18. General Manufacturing (Assembly, production, sales)
19. General Vehicle/ OHV/ Trailer/ Watercraft Repair or services
20. Grocery Store, Convenience Store
21. Gun or Archery Sales, Service, or repair
22. Massage, Reducing Service (2-2019, 5-28-19)
23. Hotel/Motel, Lodging, Shelter
24. Human Care Services (Foster Home, Elderly Care, Daycare for Children, Preschool)
25. Machine Shop or Welding Shop
26. Medical Services/Facilities/ Hospital
27. Mortuary
28. Parking Facilities
29. Pawn Shop
30. Plumbing Sales or Service
31. Produce Stand
32. Radio or TV Transmission Station or Amateur Radio Facility
33. Recreational Facility (Sports and Leisure time activities)
34. Religious Meeting Facility
35. Restaurant, Cafeteria, Fast Food, Mobile Food Truck
36. School
37. Self Service Storage Facility
38. Sexually Orientated Business
39. Storage and Warehousing
40. Tobacco Sales
41. Transportation Services
42. Vehicle Sales, Vehicle Parts Sales, Vehicle Repair Service, Tire Sales
43. Wholesale Sales or Service
44. Wrecking/Salvage Yard

The Planning Commission reserves the right to deny any Conditional Use permit, not listed herein, which is deemed detrimental to the safety and health of the citizens of River Heights, Utah. The Planning Commission may impose conditions that may mitigate concerns of adjacent residents.

- I. Classification of New and Unlisted Uses; Procedure (Title 10, Chapter 12, B): Should the Zoning Administrator and the Building Inspector determine that a type or form of land use which an applicant is seeking to locate in the city does not appear as a permitted or conditional use, he or she shall refer the request to the Planning Commission which shall determine the appropriate classification as follows:
1. Should the Planning Commission determine that the new or unlisted use for all intents and purposes, is listed under another name or category, they shall so inform the Zoning Administrator and/or Building Inspector to proceed accordingly; or
 2. The Planning Commission shall gather facts concerning the nature of the use, types of activities, impacts, etc., and shall transmit its findings and recommendations to the Mayor and City Council, who shall amend the land use chart. (Ord., 1-22-2002)
- J. Hours of Operation: Use of the building *open to the public* shall be limited to: Seven (7) o'clock a.m. until ten (10) o'clock p.m., Monday through Sunday.
(Do we want to put a different hour of operation for the 400 So 660 East site ???)
- K. Additions and Site Development Requirements: Any site development, including proposed additions to the existing historic site, building or structure shall be reviewed by the City Council as part of their design review process and shall comply with the following requirements:
1. Any addition shall not exceed 25% of the existing structure's building footprint.
 2. Owner/Applicant to follow Site Plan Review procedures as outlined in City Code 10-8-2, (Ord., 1-22-2002)
 3. The structure in the Historic Overlay Zone must adhere to:
 - a. Existing Residential **Setback, Height, and Fencing** regulations (City Code 10-12-2, A, Table 2)
 - b. Existing Outdoor **Lighting** regulations, (City Code 9-3)
 - c. Existing **Signs** ordinances, (City Code 10-16)
- L. Design Review and Approval: 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. It is the responsibility of the City Council to approve or disapprove such zone change and design review.
- M. Residential Uses: The business owner/tenant/manager is allowed to reside in the structure if the structure meets the definition of a single -family residential dwelling unit and is located on a lot at least 8,000 square feet in size.

The building located at 594 South 400 East, River Heights, Utah 84321 may be occupied as a single-family dwelling in the event the Historical Landmark Overlay (HL) zone is terminated.

The building located at 400 South 660 East, River Heights, Utah 84321 may not be occupied as a single-family dwelling in the event the Historical Landmark Overlay (HL) zone is terminated.

N. Other Requirements

1. Uses Within Building: All uses established in the Historic Landmark (HL) Overlay Zone, including storage, shall be conducted entirely within a fully enclosed building
2. Landscaping: The following landscaping provisions shall apply in the Historical Landmark (HL) Overlay 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 City Council as to type, size and amount of landscaping.
 - b. Plantings: Plantings in front setbacks may not impede the vision of traffic.
 - c. 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.
3. The yards around the building shall be kept free of junk, debris, refuse, weeds, and other flammable material.

O. Trash and Storage

1. 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.
2. Daily trash materials must be stored within an enclosed building or within an enclosure surrounded by a fence not less than four feet (4') in height within the required setbacks and not visible from any public right of way.

P. Walls, Fences and Screening

1. 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

must have a visual/noise barrier (masonry wall or landscaping) that completely surrounds the equipment and extends at least one foot (1'foot) above the equipment.

2. 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.

Q. Parking

1. No more than six (6) vehicles may be on the premises at one time.
2. All parking spaces shall be paved with asphaltic cement or concrete and shall have paved access from a public street.

R. Site Plan Review Required

1. Concurrent with any request to rezone property to the Historic Landmark (HL) Overlay Zone, a preliminary project plan shall be submitted for review and recommendation by the City Council. Said preliminary project plan shall be drawn to scale and shall contain the following information:
 - a. Location of all existing and proposed 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. All final plans must be approved by the City Council after a formal recommendation from the River Heights Planning Commission ("Commission"). It is the intent that the structure in the Historical Landmark Zone have a residential/historical appearance in nature.
3. Upon approval of a final site plan by the City Council, no building or uses of land other than those depicted on such plan shall be permitted.
4. Any failure to submit a final project plan within one (1) year from date of submission of the preliminary project plan shall terminate all proceedings and render the preliminary plan null and void.

5. All remodeling of the historical building must be completed within one (1) year from the date the final approval plan is signed by the City Council.

- S. 1. Building and Architectural Standards for property located at :594 South 400 East, River Heights, Utah 84321 shall be : The building shall have an architectural style and exterior finish similar to that of the original Sinclair Gas Station built in the 1950's.

In keeping with the "Sinclair Gas Station" theme, 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/white tones. Accent colors shall be green and red. Murals or super graphics shall be specifically approved. The City Council shall be the approval agency in determining architectural style.

2. Building and Architectural Standards for property located at: 400 South 660 East, River Heights, Utah 84321 shall be:

What type of architectural standards do we want?

- T. 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 totally destroyed by fire, flood, winds, or an act of God, the zoning of the property shall immediately revert to the surrounding zoning district.
- U. Reversionary Clause: Should the property become vacant nor used in compliance with the Historic Landmark (HL) Overlay Zone for a period of two (2) years or more, then the property shall automatically revert to the existing surrounding zoning without further notice.
- V. Supplementary Regulations: Uses within this zone shall also comply with the applicable requirements set forth in the provisions of the land use ordinance.

(5-2016, 9-27-16)

10-2-1: DEFINITIONS

Barber Shop, Beauty Shop, or Manicure/Pedicure Shop:

Barber shop: Men's hair stylist shop primarily engaged in cutting, trimming, and styling men's and boys' hair; and/or shaving and trimming men's beards.

Beauty Salon: Unisex styling shop primarily engaged in furnishing services in one or more of the following: (1) cutting, trimming, shampooing, coloring, waving, or styling hair; (2) providing facials; and (3) applying makeup (**except permanent makeup**). ???

Nail Salon: Primarily engaged in providing nail care services, such as manicures, pedicures, and nail extensions.

Title 10

Chapter 10

Residential Planned Unit Development

Section:

10-10-1 Intent

10-10-2 Use Regulations

10-10-3 Special Provisions

10-10-4 Requirements

10-10-1: Intent and Purpose

A Residential Planned unit development (R-PUD) is an overlay rezone. The purpose of a R-PUD in an overlay zone is to encourage imaginative and efficient utilization of land, to develop a sense of community, and to ensure compatibility with the surrounding neighborhoods and environment. These areas keep their base zoning, with that zoning's standards, conditions, and restrictions. Applicants apply for the overlay to be applied, allowing them to receive the density outlined herein in exchange for public amenities, all while retaining the original zoning of the property. This is accomplished by providing greater flexibility in the location of buildings on the land, the creation and consolidation of open spaces, and the clustering of dwelling units. These provisions are intended to create more attractive and more desirable environments within River Heights City. R-PUD incorporates a definite development theme which includes the elements of usable open spaces, diversity of lot design, amenities, a well-planned circulation system, and attractive entrances as part of the design. The combination of all these elements is necessary for the development of a R-PUD. Because of the substantial public advantages of a planned unit development, it is the intent of this overlay zone to allow development hereunder where tracts suitable in size, location and character for the uses and structures proposed are planned and developed as units for a unified and coordinated manner. In such circumstances, where municipal planning and private development may effectively proceed together, it is necessary and appropriate that there be requirements and regulations other than on a lot by lot or subdivision basis to provide flexibility and innovation in site planning and land use relationships while also ensuring substantial compliance with the intent, objectives and purposes of this title and the city's general plan.

10-10-2: Use Regulations

- A. An R-PUD may be applied on properties designated potential parcels of land located in River Heights.
- B. Minimum development site: The minimum total area for an R-PUD shall be 5 acres.
- C. Base Density: The base density of a PUD shall be based on the density of the underlying zone.
- D. The city council, upon recommendation of the planning commission, may determine the density bonus upon the city council's acceptance of the design options, as set forth below. The actual

bonus awarded for each incentive shall be reflective of the effort made by the developer to meet the intent of the incentive and shall be determined by the city council and not exceed 20%.

1. Additional open space-up to a maximum 10% bonus

2. Pedestrian and bicycle circulation -up to maximum 5% bonus

- E. The design of public streets within a PUD shall follow the applicable city standards for width of right of way and construction. Generally, all streets within a PUD in a residential zone shall be public streets. Public streets shall not terminate in a dead end but shall terminate in a cul-de-sac with a minimum curb radius of forty-three feet (43').
- F. Within residential zones, PUDs should incorporate walking and biking trails and pathways for the use and enjoyment of residents. These trails and pathways may vary in width from five (5) to ten feet (10') depending on their intended use. Consideration shall be given for their connectivity or inclusion into the citywide network of trails identified in the city's general plan. Where appropriate, equal consideration for trails and pathways shall be given within nonresidential zones.
- G. Individual private parking stalls and parking structures shall avoid direct access to public streets classified as collector in the River Heights transportation master plan. Driveways serving three (3) units or more may be allowed to access such streets, provided they are located a minimum of three hundred feet (300') from another driveway, private street, or public street when measured from the centerline of the driveway to the centerline of another driveway or street.

10-10-3: SPECIAL PROVISIONS

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this title: Multiple-family dwellings (should not exceed four (4) units per structure) single-family that are conventional dwellings, or manufactured homes. (Ord., 1-22-2002)

10-10-4: Requirements

- A. **Minimum Area:** The minimum area that may be considered for a planned unit development shall be five (5) acres.
- B. Plats Required:** All planned unit developments shall require a preliminary plat and final plat.
- C. Application shall be accompanied by architectural drawings and sketches outlining the general design and character of the proposed uses and the physical relationship of the uses: The use or uses, dimensions, sketch elevations, and General locations of proposed dwellings and other structures.
- D. Dimensions and locations of areas to be reserved and developed for vehicular and pedestrian circulation, proposed parking, ingress, and egress. Proposed circulation pattern including private driveways, public and private streets, and pedestrian and bicycle paths.
- E. **Modifications and Conditions May be Imposed:** The planning commission and city council may impose modifications and conditions in consideration of factors, such as size and location, street capacities of the area, ingress and egress to adjoining streets, internal traffic, signs and lighting,

- building bulk and location, including residential density, coverage, and open space characteristics.
- 1. **Security of Performance:** The city council shall also require a reasonable security of performance to be provided by the developer to ensure the completion of site improvements, including, but not limited to, paving and landscaping. This security may be in cash deposit, bond, mortgage, or other security as reasonably deemed acceptable by the city council.
- 2. **Covenants:** The city council shall require such restrictive covenants, as negotiated with the homeowners' association, as are necessary to assure compliance with the approved final development plan, to be placed on record in the office of the county recorder by deed by the developer. (Ord., 1-22-2002)
- F. That the proponents intend to start construction within one (1) year of the approval of the project and any necessary zoning district change, and intend to complete said construction, or approved stages thereof, within four (4) years from the date construction begins.
- G. That the development is planned as one complex land use rather than as an aggregation of individual and unrelated buildings and uses.
- H. R-PUDs shall provide a minimum open area for residents and/or occupants of such development. Open space shall be land areas that are not occupied by buildings, structures, parking areas (including private driveways), streets or alleys. Said open space shall be devoted to landscaping, preservation of natural features, open pavilions, and recreational areas. Required "base" open space areas shall be contiguous, not a collection of remnants.
- I. Areas with natural features worthy of preservation, which are not buildable, such as canyons or slopes, ridgelines, wetlands, stream or creek corridors, utility corridors, wildlife habitat, geologically sensitive areas, and significant views and vistas. The base open space requirement for zones R-8 through R-12 will be 25% of developable land, with a minimum of quarter acre per acre set aside for open space.
- J. The open space should be large enough for the use of all residents of the project or the general public. Such spaces should include improvements such as playgrounds, pathways, pavilions, play courts, and areas of significant native vegetation.
- K. **Playground:** an area provided for children to play on. Each Playground must be designed for children twelve and younger. A playground must include features to appeal to children within the above age group including some of the following: slides, monkey bars, ladders, tunnels, climbers, bridges, ramps, platforms, etc. All playground equipment must be of commercial grade. Each playground must include a minimum of 6 features.
- L. A planting plan showing proposed tree and shrubbery plantings shall be prepared for the entire site to be developed.