



**Planning Commission Meeting  
Thursday, August 25, 2016  
City Hall Council Chambers  
5249 S. South Pointe Dr. Washington Terrace City  
801-393-8681**

1. **ROLL CALL** **6:00 p.m.**
  
2. **PLEDGE OF ALLEGIANCE**
  
3. **WELCOME**
  
4. **RECURRING BUSINESS**
  - 4.1 **MOTION: APPROVAL OF AGENDA**  
Any point of order or issue regarding items on the Agenda or the order of the agenda need to be addressed here prior to the approval of the agenda.
  
  - 4.2 **MOTION: APPROVAL OF MINUTES FOR APRIL 28, 2016**
  
5. **SPECIAL ORDER**  
Special orders will proceed as follows: Chair introduction of item, staff/applicant presentation, questions by commission, Chair opens public hearing, citizen input; Chair closes public hearing, then commission final discussion.
  - 5.1 **PUBLIC HEARING: TO RECEIVE COMMENT ON AMENDING CHAPTERS 10 AND 17 OF THE MUNICIPAL CODE RELATING TO ALLOWING FOR ROAD CLASSIFICATION AND LIMITED ACCESS FACILITIES AS WELL AS LANDSCAPING REQUIREMENTS FOR ARTERIAL AND COLLECTIVE ROADS**
  
  - 5.2 **PUBLIC HEARING: TO RECEIVE COMMENT ON AMENDING SECTION 17.12.050 RELATING TO SIDE YARD SETBACK REQUIREMENTS IN R-1-6 ZONE**
  
  - 5.3 **PUBLIC HEARING: TO RECEIVE COMMENT ON APPLICATION FOR A 2 LOT SUBDIVISION AND SITE PLAN DESIGN LOCATED AT THE PROPERTY OF 286 WEST 5600 SOUTH FILED BY JACOB ROSSER**
  
6. **NEW BUSINESS**
  - 6.1 **MOTION: APPROVAL OF SITE PLAN AND 2 LOT SUBDIVISION TO**

In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 395-8283

**CERTIFICATE OF POSTING**

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in three public places within the City of Washington Terrace City limits and faxed to the *Standard Examiner* at least 24 hours prior to the meeting.  
Amy Rodriguez, Washington Terrace City Recorder

**BE LOCATED AT 286 WEST 5600 SOUTH**

**6.2 MOTION/ORDINANCE 16-05: RECOMMENDATION TO APPROVE ORDINANCE 16-05 ADOPTING SECTION 10.18.010 ALLOWING FOR ROAD CLASSIFICATION AND LIMITED ACCESS FACILITIES AND SECTION 17.44.205 RELATING TO LANDSCAPING REQUIREMENTS FOR ARTERIAL AND COLLECTIVE ROADS**

**6.3 MOTION/ORDINANCE 16-06: RECOMMENDATION TO APPROVE ORDINANCE 16-06 AMENDING SECTION 17.12.050 OF THE MUNICIPAL CODE RELATING TO SIDE YARD SETBACK REQUIREMENTS IN R-1-6 ZONE**

**7. UPDATE COMMISSION ON CURRENT DEVELOPMENT PROJECTS AND ZONING ISSUES**

**8. UPCOMING EVENTS**

September 5<sup>th</sup>: Labor Day

September 6<sup>th</sup>: City Council Meeting 6:00 p.m.

September 29th: Planning Commission Meeting (Tentative)

**9. MOTION: ADJOURN THE MEETING**

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Amy Rodriguez, Washington Terrace City Recorder

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# City of Washington Terrace

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Minutes of a Regular Planning Commission Meeting held on  
Thursday, April 28, 2016  
City Hall, 5249 South 400 East, Washington Terrace City,  
County of Weber, State of Utah

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## **PLANNING COMMISSION AND STAFF MEMBERS PRESENT**

11 Chairman Wallace Reynolds  
12 Commissioner Larry Weir  
13 Commissioner Darren Williams- Absent  
14 Commissioner Dan Johnson- Absent  
15 Commissioner T.R. Morgan  
16 Commissioner Charles Allen  
17 Vice- Chair Scott Larsen – Excused  
18 Chief Building Inspector Jeff Monroe  
19 City Recorder Amy Rodriguez  
20 City Attorney Bill Morris  
21  
22  
23

## **Others Present**

24 Blake Jumper, Loren Spainhower, Brad Larson, Bob Beelek  
25  
26

### **1. ROLL CALL**

6:00 p.m.

### **2. PLEDGE OF ALLEGIANCE**

### **3. WELCOME**

### **4. RECURRING BUSINESS**

#### **4.1 MOTION: APPROVAL OF AGENDA**

Motion by Commissioner Morgan

Seconded by Commissioner Allen

to approve the agenda

Approved unanimously (4-0)

#### **4.2 MOTION: APPROVAL OF MINUTES FOR MARCH 31, 2016**

Motion by Commissioner Allen

Seconded by Commissioner Morgan

To approve the minutes of March 31, 2016

Approved unanimously (4-0)

### **5. SPECIAL ORDER**

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**5.1 PUBLIC HEARING: TO RECEIVE COMMENT IN SUPPORT AND  
OPPOSITION TO AMENDING MUNICIPAL CODE 17.28 RELATING TO  
COMMERCIAL ZONES**

**Motion by Commissioner Weir  
Seconded by Commissioner Morgan  
To open the Public Hearing on Amending  
Municipal Code 17.28 Relating to Commercial Zones  
Approved unanimously (4-0)**

**Chairman Reynolds opened the public hearing at 6:03 p.m.**

Morris stated that the commercial zones have not been reviewed for a while. The revisions have taken out outdated and repetitive descriptions. There were no public comments.

**Motion by Commissioner Morgan  
Seconded by Commissioner Weir  
To close the Public Hearing  
Approved unanimously (4-0)**

**Chairman Reynolds closed the public hearing at 6:04 p.m.**

**5.2 PUBLIC HEARING: TO RECEIVE COMMENT IN SUPPORT AND  
OPPOSITION TO THE ADOPTION OF CHAPTER 17.10 FOR IN-FILL  
DEVELOPMENT STANDARDS**

**Motion by Commissioner Morgan  
Seconded by Commissioner Weir  
To open the Public Hearing on the  
Adoption of Chapter 17.10 for In-Fill  
Development Standards  
Approved unanimously (4-0)**

**Chairman Reynolds opened the Public Hearing at 6:05 p.m.**

Morris stated that in-fill properties are properties that could help cultivate and contribute to the overall community but may not be developable under normal development requirements. Morris stated that models were taken from various cities that allow development for single family homes on a lot that otherwise does not conform. There were no public comments.

**Motion by Commissioner Weir  
Seconded by Commissioner Morgan  
To closed the Public Hearing  
Approved unanimously (4-0)**

96 Chairman Reynolds closed the Public Hearing at 6:06 p.m.  
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99 **6. NEW BUSINESS**

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101 **6.1 MOTION/ORDINANCE 16-03: RECOMMENDATION TO APPROVE**  
102 **ORDINANCE 16-03 AMENDING CHAPTER 17.28.050 USE**  
103 **REGULATIONS FOR COMMERCIAL ZONES**

104 Morris reviewed the ordinance page by page with the Commission. A “whereas” statement was  
105 placed in error and will be removed. Morris asked that the item be tabled so that he can read  
106 through suggestions given by the Commission and finalize the ordinance for recommendation.  
107 Commissioner Allen gave Morris a list of his comments to be integrated into the ordinance.  
108 Commissioner Morgan asked if any industries were going to be completely deleted from the  
109 ordinance. Morris stated that some industries were going to be taken out entirely, citing no need  
110 for high industrial industries within city limits.

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112 **Motion by Commissioner Morgan**  
113 **Seconded by Commissioner Weir**  
114 **To table the item until the next meeting**  
115 **Amending Chapter 17.28.050 Use Regulations**  
116 **For Commercial Zones**  
117 **Approved unanimously (4-0)**  
118

119 **6.2 DISCUSSION: PROPOSED ORDINANCE 16-04 REGARDING IN-FILL**  
120 **DEVELOPMENT STANDARDS**

121 Chairman Reynolds stated that the direction on infill properties is in line with discussions the  
122 Commission has had on the subject. Morris stated that it would be appropriate for Monroe to  
123 help him with zoning and parcel sizes. Monroe stated that the City is not making flag lots.  
124 Chairman Reynolds stated that a key consideration for multi-unit housing is that they are owner  
125 occupied.

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127 **Motion by Commissioner Weir**  
128 **Seconded by Commissioner Allen**  
129 **To table item to be brought back at a future meeting**  
130 **Approved unanimously (4-0)**  
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133 **6.3 PRESENTATION: DISCUSSION OF POTENTIAL LAND USE AND**  
134 **DEVELOPMENT FOR PLEASANT VALLEY RANCH**

135 Developers Blake Jumper, Loren Spainhower, Brad Larsen, and Bob Beelek presented to the  
136 Commission on the open property owned by Bruce Stephens on the southern border of  
137 Washington Terrace.

138 Mr. Jumper stated that he specializes in large parcels of ground, stating that the area is one of the  
139 prettiest development areas that he has worked with. The Project will be called Pleasant View  
140 Estates. He stated that their partnership is called Pleasant Valley Partnership.

141 Jumper displayed the proposed project zoning map, stating that they will concentrate on the east  
142 side of the property. He stated that the plan is to keep homes away from the hill on the east side

143 of the property, noting that they have plans to utilize the building that was once the restaurant as  
144 a type of community building.  
145 Mr. Jumper stated that he is unsure if they need to work with churches or the school district at  
146 this time. He stated that they have not gotten that far in the process, but they typically work with  
147 the School districts.  
148 Mr. Beelek stated that one of their goals is to have a progressive community. He stated that one  
149 of the goals is to make the city a “Wi-Fi city” or “fiber” city that would draw people to the area.  
150 Mr. Jumper presented potential home designs that the group envisions. Mr. Beelek stated that  
151 there will be a wide range of pricing differences. He stated that they do not plan to use siding and  
152 are only interested in high quality materials.  
153 Chairman Reynolds stated that he is concerned with traffic issues in the area, noting that there  
154 are only 3 approaches to the City. He asked if Mr. Stephens has discussed the toll road. Mr.  
155 Jumper stated that they are not involved with the toll road issue at all. Chairman Reynolds would  
156 like to know who the partners are in the development. He stated that he likes the idea of open  
157 space. Chairman Reynolds stated that there are sensitive land issues and would not like homes  
158 built in that area. Mr. Jumper stated that topographical work is being completed. Mr. Jumper  
159 stated that traffic studies are part of their process and safety issues are a high concern.  
160 Mr. Larsen stated that they are open to suggestions to incorporate new roads into Washington  
161 Terrace. Mr. Larsen stated that the cul-de-sacs comply with City ordinances. He stated that some  
162 lots will be 10,000-15,000 square feet. He stated that the lots will be smaller on the east side  
163 (6000-10000 square feet).  
164 Mr. Jumper stated that the City will be introduced with their partners during the preliminary  
165 phase. He stated that they are planning the first phase in 2017.

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167 **7. UPDATE COMMISSION ON CURRENT DEVELOPMENT PROJECTS AND**  
168 **ZONING ISSUES**

169 Monroe stated that there are no current development or projects.

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171 **8. UPCOMING EVENTS**

172 May 3<sup>rd</sup>: City Council Work Session 5:00 p.m.

173 May 3<sup>rd</sup> : City Council Meeting 6:00 p.m.

174 May 17<sup>th</sup>: City Council Work Session: 5:00 p.m.

175 May 17<sup>th</sup>: City Council Meeting 6:00 p.m.

176 May 26<sup>th</sup>: Planning Commission Meeting (Tentative)

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178 **9. MOTION: ADJOURN THE MEETING**

179 **Motion by Commissioner Morgan**

180 **Seconded by Commissioner Weir**

181 **To adjourn the meeting**

182 **Approved unanimously (4-0)**

183 **Time: 6:41 p.m.**

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186 \_\_\_\_\_  
**Date Approved**

\_\_\_\_\_  
**City Recorder**

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## Planning Commission Staff Report

Building & Planning

**Item:** Two (2) lot split of parcel #07-381-0002  
**Author:** Building & Planning Dept.  
**Subject:** Plat approval for Jacob Rosser/Developer at approximately 286 West 5600 South  
**Date:** August 25, 2016  
**Type of Item:** Public Hearing comments & Discussion/Action/recommendation

**Summary Recommendations:** To recommend approval to subdivide parcel #07-381-0002 to create a two (2) lot subdivision, the proposed split and request is by the owner Jacob Rosser/Developer.

### Description:

- A. **Topic:** to subdivide Parcel #07-381-0002 into two (2) lots. (see attached plat for details)
- B. **Background:** The property is located on the corner at approximately 286 West 5600 South. This lot is most likely and was a part of the original Phase but was never divided off of the existing current lot at 286 West 5600 South.

The following list is items the development has complied with.

- Zoning R-1-10 this is a permitted use and complies with Subdivision standards for a corner lot.
- The subdivision and lot split has been reviewed by this department for conforming to the Washington Terrace City Municipal Code,
- Complies with Setback requirements, lot sizes, frontage distances that are required.
- The developer has submitted his application and has paid for the application.
- This item has been advertized by public notice for a public hearing

C. **Staff recommendation:** Staff recommends approval

### Alternatives:

**A. Approve the Request:**

To recommend to the Washington Terrace City Council the approval of Jacob Rosser subdivision plat as presented.

**B. Deny the Request:**

The Planning Commission can deny the applicants request

**C. Continue the Item:**

The Planning Commission could table the item to a later meeting, for action at that time and by giving direction of concerns to staff and developer.

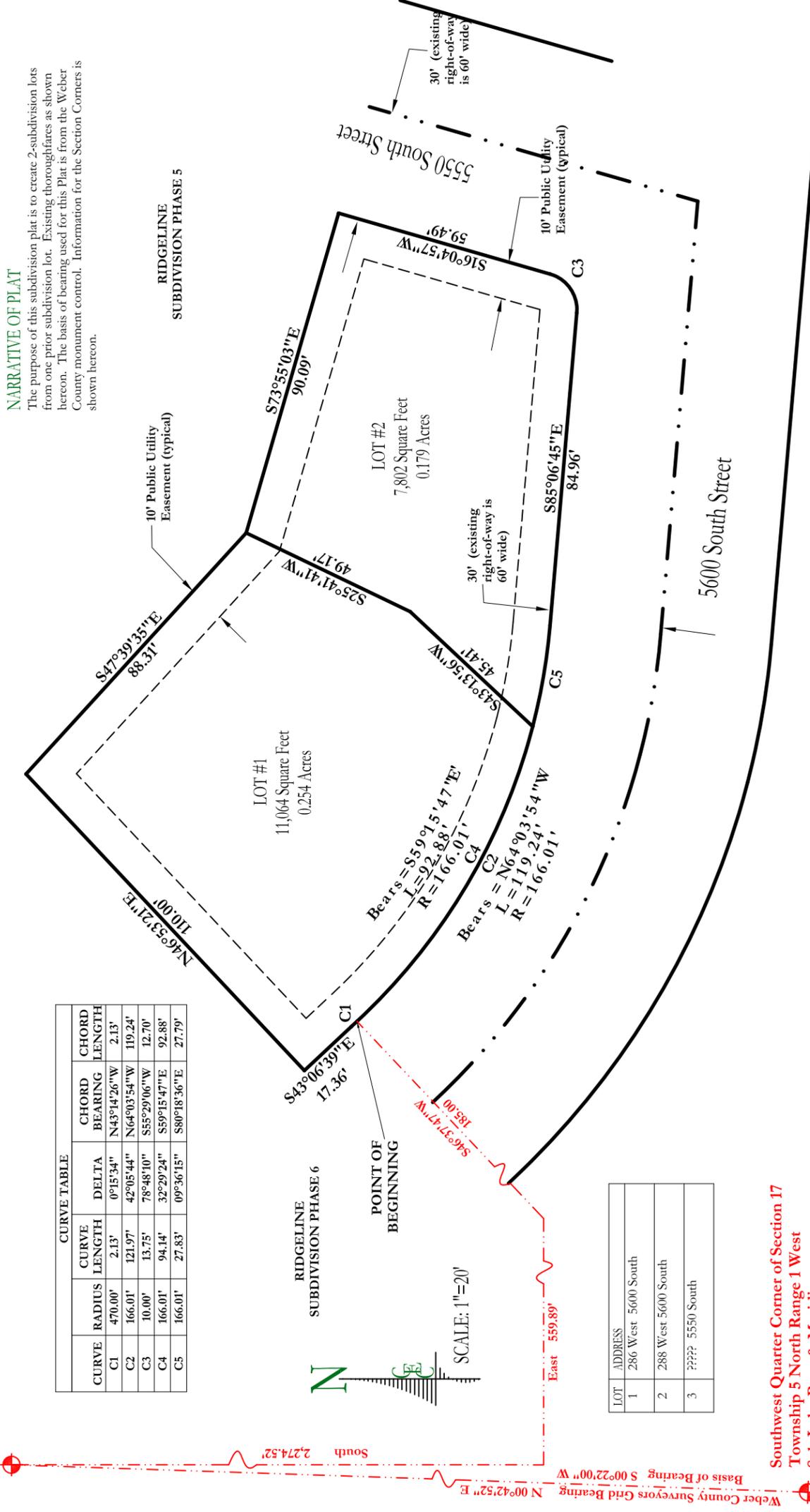
# JACOB ROSSER FAMILY SUBDIVISION - NOT TO BE RECORDED

A PART OF THE SOUTHWEST QUARTER OF SECTION 17,  
TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN  
WASHINGTON TERRACE CITY

AUGUST 2016

West Quarter Corner of Section 17  
Township 5 North Range 1 West  
Salt Lake Base & Meridian

CURVE TABLE					
CURVE	RADIUS	CHORD LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	470.00'	2.13'	0°15'34"	N43°14'26"W	2.13'
C2	166.01'	121.97'	42°05'44"	N64°03'54"W	119.24'
C3	10.00'	13.75'	78°48'10"	S55°29'06"W	12.70'
C4	166.01'	94.14'	32°29'24"	S59°15'47"E	92.88'
C5	166.01'	27.83'	09°36'15"	S80°18'36"E	27.79'



## SURVEYORS CERTIFICATE

I, Dick N. Mechem, do hereby certify that I am a registered land surveyor, and that I hold license number 155649, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have directed a survey of the tract of land as shown on this plat as described below and that the referenced markers shown on this plat are located as indicated and are sufficient to retrace or restore this survey, that the information shown herein is sufficient to accurately establish that lateral boundaries of the below described tract of real property and of each of the lots, located on said tract.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Dick N. Mechem - License No. 155649

## BOUNDARY DESCRIPTION

Being a part of the Southwest Quarter of Section 17, Township 5 North, Range 1 West, Salt Lake Base and Meridian, and described as follows:

Beginning at a Point 2,274.52 feet South and 559.89 feet East and N46°37'47"E 185.00 feet from the West Quarter Corner of Section 17, Township 5 North, Range 1 West, Salt Lake Base and Meridian and running:

Thence N43°14'26"W 2.13 feet; Thence N43°06'39"W 17.36 feet; Thence N46°53'21"E 110.00 feet; Thence S47°39'35"E 88.31 feet; Thence 73°55'03"E 90.09 feet; Thence S16°04'57"W 34.43 feet; Thence to the right 13.75 feet along the arc of a curve having a radius of 10.00 feet whose long chord bears S55°29'06"W 13.70 feet; Thence S85°06'45"E 84.96 feet; Thence to the right 121.97 feet along the arc of a curve having a radius 166.01 feet whose long chord bears N64°03'54"W 119.24 feet; to the Point of Beginning.

Contains: 18,866 Sq. Ft. or 0.433 Acres

## OWNERS DEDICATION

The Owners above described tract of land, having caused same to be subdivided into lots, hereby set apart and subdivide the same tract into lots as shown on this plat, hereafter known as the **JACOB ROSSER FAMILY SUBDIVISION**, and do hereby dedicate for the public use all those portions of said tract of land designated as public utility easements forever, for the public access and public utility use, and warrant, defend and save the Washington Terrace City harmless against any encumbrances on the dedicated easements which interfere with the City's use, operation, and maintenance of the said easement.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Owners: \_\_\_\_\_  
Jacob E. Rosser  
Nichole Rosser

## ACKNOWLEDGMENT

State of Utah  
County of Weber  
On the \_\_\_\_\_ day of \_\_\_\_\_, 2016, personally appeared before me, who duly sworn, did say that they are the said owners of record and that the foregoing "Owners Dedication" was signed freely and voluntarily, and for the purposes therein expressed.

Notary Public  
Stamp

Drawing date: 11 August 2016

## NOTES

1. A 10.0 foot public utility easement along the frontage, rear and side of each lot as shown by the dashed lines. All easements to be used for irrigation, water lines, storm drainage, sanitary sewer, electrical power, communication lines and other public utilities.

## NARRATIVE OF PLAT

The purpose of this subdivision plat is to create 2-subdivision lots from one prior subdivision lot. Existing thoroughfares as shown hereon. The basis of bearing used for this Plat is from the Weber County monument control. Information for the Section Corners is shown hereon.

## RIDGELINE SUBDIVISION PHASE 5

**CIVIL ENGINEERING CONSULTANTS, PLLC.**  
5141 SOUTH 1500 WEST  
RIVERDALE, UTAH 84405  
PHONE: 801.866.0550  
FAX: 801.866.0551

**MtnWest Surveying & Mapping, Inc.**  
1825 W. 4400 S. PO Box 207  
Roy, Utah 84067

**WASHINGTON TERRACE CITY PLANNING COMMISSION**  
Approved by the Washington Terrace City Planning Commission on this \_\_\_\_\_ day of \_\_\_\_\_, 2016.  
Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2016.  
Planning Commission Chairman

**WASHINGTON TERRACE CITY COUNCIL**  
This is to certify that this plat and the dedication of this plat along with the vacation of all prior easements and the dedication of all new easements were duly approved and accepted by the City Council of Washington Terrace City, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.  
Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2016.  
Mayor  
City Recorder

**WASHINGTON TERRACE CITY ATTORNEY**  
I hereby certify that I have examined the foregoing plat and description and in my opinion it conforms with the City Ordinances thereto and now in force and effect.  
Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2016.  
Washington Terrace City Attorney

**WASHINGTON TERRACE CITY ENGINEER**  
This is to certify that the requirements of all applicable statutes and ordinances prerequisite to City Engineer's approval of the foregoing plat and dedications have been complied with.  
Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2016.  
Washington Terrace City Engineer

**WEBER COUNTY RECORDER**  
Entry No. \_\_\_\_\_ fee paid \_\_\_\_\_ filed for record and recorded \_\_\_\_\_ at \_\_\_\_\_ in book of official records page \_\_\_\_\_. Recorded for  
By: \_\_\_\_\_ County Recorder



## Planning Commission Staff Report

Building & Planning

**Author:** Planning Department  
**Subject:** Ordinance adopting Section 10.18.010 Allowing for Road Classification and Limited Access Facilities; Section 17.44.205 relating to Landscaping requirements for Arterial and Collective Roads  
**Date:** August 25, 2016  
**Type of Item:** Public Hearing Discussion and recommendation

**Summary Recommendations:** Recommend to adopt Ordinance 16-05, approving Section 10.18.010 and allowing for Road Classification and Limited Access Facilities and Section 17.44.205 landscaping requirements for arterial and collective roads.

### Description:

The purpose of Ordinance 10.18.010 is to limit residential driveways (or not allow driveways) on to certain roadways, as designated as a limited access facility. The roads for limited access will be identified by the City Council. Section 17.44.205, addresses landscaping requirements for these types of lots/properties that will back up onto a limited access road, Landscaping Section 17.44.205, will describe what type of buffering area which will deal with maintenance of park strip areas and sidewalks.

With the possible growth coming to the City, these ordinances allow the City to exercise certain powers for the safety and health and well-being with orderly growth and reduce impact to traffic flow.

**A. Department Review:** Staff recommends approval of the Ordinance.

### Alternatives:

**A. Approve the Request:**

To recommend to the Washington Terrace City Council the approval of Ordinance 16-05, Section 10.18.010 Section 17.44.205 as outlined

**B. Deny the Request:**

The Planning Commission can deny the applicants request

**C. Continue the Item:**

The Planning Commission could table the item to a later meeting, for action at that time and by giving direction of concerns to staff and developer.

**Impacts:** none

**WASHINGTON TERRACE CITY  
ORDINANCE 2016-\_\_**

**ROAD CLASSIFICATION, LIMITED ACCESS, AND LANDSCAPING**

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE,  
UTAH, ADOPTING SECTION 10.18.010 ALLOWING FOR ROAD  
CLASSIFICATION AND LIMITED ACCESS FACILITIES;  
ADOPTING SECTION 17.44.205 RELATING TO LANDSCAPING  
REQUIREMENTS FOR ARTERIAL AND COLLECTOR ROADS;  
SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Washington Terrace City (hereafter referred to as “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

**WHEREAS**, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 authorizes the City to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

**WHEREAS**, the City desires to permit individuals who seeks to operate a falconry as provided in the municipal code;

**WHEREAS**, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the City to regulate land use and development;

**WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on \_\_\_\_\_, 2016, to take public comment on this Ordinance, and subsequently gave its recommendation to \_\_\_\_\_ this Ordinance;

**WHEREAS**, the City Council received the recommendation from the Planning Commission and held its public meeting on \_\_\_\_\_, 2016, and desires to act on this Ordinance;

**NOW, THEREFORE**, be it ordained by the City Council of Washington Terrace City as follows:

**Section 1: Repealer.** Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

**Section 2: Adoption.** Section 10.18.010 and Section 17.44.205 are hereby adopted to read as follows:

**10.18.010. Road Classification and Limited Access.**

1. Classification. Subject to approval by the City Manager, the City Engineer may designate, establish, regulate, or alter the road classification, including but not limited to:
  - a. Arterial Roads.
  - b. Collector Roads.
  - c. Other Roads.
2. Definitions. The following definitions apply:

- a. “Limited access facility” is defined under Utah Code Annotated §72-1-102(11).
- b. “Highway authority” under Utah Code Annotated 72-6-117 means the City.
3. Limited Access Designation. Upon recommendation from the City Engineer, the City Council acting as the highway authority, may designate, establish, regulate, or alter, and maintain “limited-access facilities.” The following City roads are hereby designated as limited access facilities:
  - a. \_\_\_\_\_ between \_\_\_\_\_ and \_\_\_\_\_.
  - b. \_\_\_\_\_ between \_\_\_\_\_ and \_\_\_\_\_.
4. Limited Access Regulations. Any road designed as a limited access facility under this Section, shall be subject to all or part of the limitations set forth in Utah Code Annotated §72-6-117, as specified in the limited access designation. No residential driveway is permitted to access any road designated as a limited access facility.

**17.44.205. Landscape requirements for certain roads.**

1. Applicability. The following provisions shall govern lots in any zone where a lot has a rear yard backing onto or a side yard adjoining an arterial or collector street as classified by the city.
2. Buffer Required. In all new development, a strip of land directly adjacent to the right-of-way line of the arterial or collector street shall be set aside to provide a buffer to enhance the streetscape and mitigate the impacts of the arterial or collector street adjacent to the rear or side of a lot.
  - a. This buffer shall be identified on the recorded plat in one of the following ways:
    - i. As a landscape easement; or
    - ii. As property owned in common by an owners association.
  - b. The buffer shall be a minimum of five (5) feet in width.
  - c. When the buffer is located in the rear or side yard of a lot, the buffer shall be a maximum of ten (10) feet.
3. Landscaping. The following landscaping requirements apply:
  - a. Trees shall be located on twenty (20) foot centers within the buffer area. Any trees shall a variety as specified on the City’s recommended trees for park strips.
  - b. In the case where a lot is part of a and must face onto the arterial street, the required buffer and landscape theme shall be continued along the front of the lot.
  - c. A ground cover or high grade fabric shall be provided that is pervious and discourages weed growth.
  - d. A minimum of two (2) shrubs shall be provided between the required trees.
  - e. A six (6) foot solid or semi-private fence will be installed along the entire perimeter on the inside edge of the buffer area. For residential developments adjacent to Adams Avenue Parkway, a minimum eight (8) foot decorative masonry wall shall be installed along the entire perimeter on the inside edge of the landscape buffer area. The design of the masonry wall shall be consistent with the existing wall design as approved by the City Engineer.
  - f. Irrigation for the buffer area shall be provided either through a master meter or through separate irrigation systems provided from each lot along the edge of the buffer area.
  - g. The sidewalk and park strip shall be incorporated into the buffer area and may meander. Subject to any standards of the City or UDOT for state roads.
4. Installation and Maintenance. The following applies:
  - a. The developer shall be responsible for the installation of the buffer which shall be

- included in the financial guarantee for the development's improvements. All improvements under this section are subject to a one (1) year guarantee by the developer.
- b. Where an owners association is involved, the recorded declarations and covenants shall include a provision providing for the collection of fees to maintain the buffer area. Maintenance of the buffer area shall also include the maintenance of the sidewalk and park strip area.
  - c. Along major arterial roads and connecting collector roads that are linked to major entryways into the City, the City will have the option to assume responsibility for the maintenance and include a City entryway sign. In such a case, a one (1) year guarantee shall be required to cover the planted material and the irrigation system and drawings for the irrigation system must be submitted and approved by the City.



## Planning Commission Staff Report

Building & Planning

**Author:** Planning Department

**Subject:** Amending Chapter 17.12.050 relating to Residential Yard setbacks, Changing Minimum side yard setback requirements from property lines

**Date:** August 25, 2016

**Item:** Discussion/Action and Recommendation

### Summary Recommendations:

By motion to approve the Amendment to Ordinance Chapter 17.12.050 Residential yard setbacks which Changes the minimum setback requirements from property lines. The impact will be to the side yard setbacks in the R-1-6 zone only.

### Background:

Several new developments are coming into the city and the developers are attempting to try and bring a product that will be attractive for new buyers to purchase and will have curb appeal. The city has been approached and asked if the side yard setbacks could be reduced in the R-1-6 zone from 8 & 5 feet to 5 & 5 feet. By adopting this change the developers will be able to incorporate three (3) car garages on to the lot, which is trending at this time.

### Description:

**Amendment:** the highlighted area are the changes/new amendments and the strike through are the old ordinance that are being deleted.

### 17.12.050 Minimum Front Yard Setbacks.

The minimum yard setback requirements in the single-family residential zones are as follows:

R-1-10: Front Yard Setback: 30 ft. min. Rear Yard: 30 ft. min. Side Yard Dwelling: 8 ft. min. on one side, with total of 18 ft. min. on both sides

R-1-8 Front Yard Setback: 30 ft. min. Rear Yard: 30 ft. min. Side Yard Dwelling: 8 ft. min. on one side, with total of 18 ft. min. on both sides

R-1-6 Front Yard Setback: 25 ft. min. Rear Yard: 25 ft. min. Side Yard Dwelling: 5 ft. min. on each one side, with total of ~~13~~ 10 ft. min. on both sides

**Staff Recommendation:** recommends approval

### Alternatives:

#### A. Approve the Request:

To recommend to the Washington Terrace City Council the approval of amending section 17.12.050 Side Yard setbacks from 13 feet total to 10 feet total set backs.

#### B. Deny the Request:

The Planning Commission can deny the applicants request

#### C. Continue the Item:

The Planning Commission could table the item to a later meeting, for action at that time and by giving direction of concerns to staff and developer.

**WASHINGTON TERRACE CITY  
ORDINANCE 16-06**

**RESIDENTIAL YARD SETBACKS**

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE,  
UTAH, AMENDING SECTION 17.12.050 RELATING TO  
RESIDENTIAL YARD SETBACKS; MAKING TECHNICAL  
CHANGES; SEVERABILITY; AND PROVIDING AN EFFECTIVE  
DATE.**

**WHEREAS**, Washington Terrace City (hereafter referred to as “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

**WHEREAS**, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 authorizes the City to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

**WHEREAS**, the City desires to permit individuals who seeks to operate a falconry as provided in the municipal code;

**WHEREAS**, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the City to regulate land use and development;

**WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on August 25, 2016, to take public comment on this Ordinance, and subsequently gave its recommendation to \_\_\_\_\_ this Ordinance;

**WHEREAS**, the City Council received the recommendation from the Planning Commission and held its public meeting on September 6, 2016, and desires to act on this Ordinance;

**NOW, THEREFORE**, be it ordained by the City Council of Washington Terrace City as follows:

**Section 1: Repealer.** Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

**Section 2: Adoption and Amendment.** Section 17.12.050 is hereby amended to read as follows:

**17.12.050 Minimum Front Yard Setbacks.**

The minimum yard setback requirements in the single-family residential zones are as follows:

R-1-10	R-1-8	R-1-6
Front Yard Setback: 30 ft. min.	Front Yard Setback: 30 ft. min.	Front Yard Setback: 25 ft. min.
Rear Yard: 30 ft. min.	Rear Yard: 30 ft. min.	Rear Yard: 25 ft. min.
Side Yard Dwelling: 8 ft. min. on one side, with total of 18 ft. min. on both sides	Side Yard Dwelling: 8 ft. min. on one side, with total of 18 ft. min. on both sides	Side Yard Dwelling: 5 ft. min. on <u>each</u> one side, with total of <del>43</del> <u>10</u> ft. min. on both sides
Side Yard for other main building:	Side Yard for other main building:	Side Yard for other main building:

20 ft. min.

20 ft. min.

20 ft. min.

1. Accessory buildings. The rear and side yard setback for accessory buildings is 1 foot, except where an accessory building rears on side yard of adjacent corner lot the set back in 10 feet in the R-1-10 and R-1-8 Zones, and 5 feet in the R-1-6 Zone.
2. Side setback for private garage. A private garage and other accessory buildings if located at least 6 ft. to rear of main building shall be set back a minimum 1 foot. No private garage to be closer than 10 feet to a dwelling on adjacent lot.
3. Corner lots side yard adjacent to street. Dwelling and accessory building shall be set back 20 feet in the R-1-10 and R-1-8 Zones, and 15 feet in the R-1-6 Zone.

**Section 3: Severability.** If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

**Section 4: Effective date.** This Ordinance shall be effective immediately upon posting or publication after final passage.

ADOPTED AND APPROVED on this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
 MARK C. ALLEN, Mayor,  
 Washington Terrace City

ATTEST:

\_\_\_\_\_  
 AMY RODRIGUEZ, City Recorder

RECORDED this \_\_\_\_ day of \_\_\_\_\_, 2016.

PUBLISHED OR POSTED this \_\_\_\_ day of \_\_\_\_\_, 2016.

**CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING**

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal recorder of Washington Terrace City, hereby certify that foregoing Ordinance was duly passed and published, or posted at 1) \_\_\_\_\_ 2) \_\_\_\_\_ and 3) \_\_\_\_\_ on the above referenced dates.

\_\_\_\_\_  
 AMY RODRIGUEZ, City Recorder