AGENDA – Planning Commission Meeting

Planning Commissioner Bryan Chapman, Chair
Planning Commissioner Troy Cunningham, Vice Chair
Planning Commissioner Bryce Anderson
Planning Commissioner Audrey Barton
Planning Commissioner Ken Kilgore
Planning Commissioner Reed Ryan
Planning Commissioner Josh Wagstaff

CITY OF SARATOGA SPRINGS
Thursday, February 27, 2020 @ 6:00 pm
City of Saratoga Springs Council Chambers
1307 North Commerce Drive, Suite 200, Saratoga Springs, UT 84045

1. Pledge of Allegiance.

2. Roll Call.

3. Public Input: Time has been set aside for any person to express ideas, concerns, comments, questions, or issues that are not listed as a public hearing on the agenda. Comments are limited to three minutes.

4. Public Hearing: General Plan Amendment from Institutional (I) to Neighborhood Commercial (NC) and Rezone from Low Density Residential (R1-10) to Neighborhood Commercial (NC) for Ring Road, City initiated.

5. Public Hearing: Code Amendments, Title 19, Conditional Use Permits.

6. Public Hearing: Code Amendment, Title 18.06, Storm Water Regulations.

7. Approval of Minutes: February 13, 2019.

8. Reports of Action.

9. Commission Comments.

10. Director's Report.

11. Possible motion to enter into closed session for the purchase, exchange, or lease of property; pending or reasonably imminent litigation; the character, professional competence, or the physical or mental health of an individual; or the deployment of security personnel, devices, or systems.

12. Adjourn.

PLEASE NOTE: The order of items may be subject to change with the order of the planning commission chair. One or more members of the Commission may participate electronically via video or telephonic conferencing in this meeting.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Recorder at 801.766.9793 at least one day prior to the meeting.

SARATOGA SPRINGS
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Planning Commission Staff Report

Ring Road General Plan Amendment and Rezone
February 27, 2020
Public Hearing

Report Date:	February 20, 2020
Applicant:	City-Initiated
Owner:	City of Saratoga Springs, Patriot Ridge LLC, Calvin K Jacob Family, Corp of Pres Bishop Church of Jesus Christ of LDS
Location:	Ring Road
Major Street Access:	Ring Road and Redwood Road
Parcel Number(s) & Size:	59:002:0023, 8.01 acres; part of 59:002:0156, +/-2.85 acres; part of 59:002:0154, +/-6.96 acres; 59:002:0136, 2.52 acres; total +/- 20.34 acres
Land Use Designation:	Institutional
Parcel Zoning:	R1-10
Adjacent Zoning:	R1-10, RC, NC
Current Use of Parcels:	Fire Station, Undeveloped
Adjacent Uses:	Residential, Commercial, Undeveloped
Type of Action:	Legislative
Land Use Authority:	City Council
Future Routing:	City Council
Planner:	Rachel Day, Planner I

A. Executive Summary:

The City seeks to amend the General Plan land use map from Institutional to Neighborhood Commercial and rezone property from R1-10 to Neighborhood Commercial (NC) at Ring Road as shown on Exhibit 1. This request affects approximately 20.34 acres.

Recommendation:

Staff recommends the Planning Commission conduct a public hearing on the proposed General Plan amendment and rezone, take public comment, review and discuss the proposal, and choose from the options in Section H of this report. Options include recommendation of approval with or without modification, recommendation of denial, or continuation.

Rachel Day, Planner I
rday@saratogasprngscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x161 • 801-766-9794 fax

B. **Background:** The subject property is unplatted, contains a fire station on the City property, is otherwise undeveloped, and a desirous location for neighborhood commercial development. The applicant's objective is to amend the General Plan land use map and rezone the property to allow for commercial uses to complement the area.

C. **Specific Requests:**

- General Plan. The first request is to amend ~20.34 acres of the General Plan land use map from Institutional to Neighborhood Commercial. If approved, this change would then permit the applicant to request the applicable zone.

- Rezone. If the General Plan land use map is amended as proposed, the applicant requests a rezone of the aforementioned ~20.34 acres from R1-10 to Neighborhood Commercial.

D. **Process:**

Rezone and General Plan Amendment

The table in Section 19.13.04 outlines the process requirements of a Rezone and General Plan Amendment. A public hearing is required with the Planning Commission who then make a recommendation to the City Council. The City Council shall then either approve, continue, or deny the request at a public meeting.

E. **Community Review:** This item was noticed in the *Daily Herald* as a Planning Commission public hearing and a mailed notice sent to all property owners within 300 feet. As of the date of this report, no contact has been made with the City regarding the proposal. The notice has also been posted in the City building, www.saratogspringscity.com, and www.utah.gov/pmn/index.html.

F. **General Plan:** The land use designation of the parcels is Institutional and the request is to change it to Neighborhood Commercial. The applicant's request to change the zone from R1-10 to Neighborhood Commercial is consistent with the requested land use of Neighborhood Commercial.

The General Plan defines Neighborhood Commercial as:

> *Areas where small-scale neighborhood oriented commercial developments are to be located. These commercial developments are to provide goods and services that are used on a daily basis by the surrounding residents.*

Staff conclusion: ***complies****. The requested zone complies with the requested land use designation. The Neighborhood Commercial zone will be adjacent to existing residential and can provide goods and services to be used daily by surrounding residents.*

G. **Code Criteria:**

Rezones and General Plan amendments are legislative decisions. Therefore, the City Council has significant discretion when making a decision on such requests. Because of this legislative discretion, the Code criteria below are guidelines and are not binding.

Rezone and General Plan Amendment:

Section 19.13.04. requires the Planning Commission to hold a public hearing and make a recommendation to the City Council regarding rezones and General Plan amendments.

Staff finding: *complies*. *A Planning Commission public hearing is scheduled on February 27, 2020.*

19.17.03. Planning Commission and City Council Review.

1. The Planning Commission reviews the petition and makes a recommendation to the City Council within 30 days of the receipt of the petition. **Staff finding: consistent.**

2. The Planning Commission shall recommend adoption of proposed amendments only when it finds the proposed amendment furthers the purpose of the Saratoga Springs Land Use Element of the General Plan and this Title. **Staff finding: consistent.**

The Land Use Plan identifies desired land uses for all areas within the City of Saratoga Springs and provides a framework to guide future planning for the community – where people live, work, play, and shop. It supports a variety of land uses that can continue to make Saratoga Springs an attractive place to live and work, while preserving Saratoga Springs' small-town charm. Stable and peaceful single-family neighborhoods are the "building block" of the community, with a mix of smaller and denser residential units in appropriate locations to help diversify the housing stock. Employment areas accommodate a diverse array of businesses and support well-paying jobs.

3. The Planning Commission shall provide the notice and hold a public hearing as required by Utah Code. For an application which concerns a specific parcel of property, the City shall provide the notice required by Chapter 19.13 regarding a public hearing. **Staff finding: consistent.**

All required notices in compliance with State and local laws have been sent or posted informing the public of the Planning Commission public hearing.

19.17.04. Gradual Transition of Uses and Density.

It is the policy of the City Council, through exercising its zoning authority, to: (a) transition high intensity uses to help prevent the impacts of high density uses on low density areas; and (b) to limit inconsistent uses being located on adjacent parcels. The City Council may implement this policy using its zoning powers. Through amendments to the General Plan and the Zoning Map, the City Council intends to apply the following guidelines to implement this policy:

1. Residential lots, parcels, plats, or developments should not increase by more than 20% of density as compared to adjacent lots, zones, parcels, plats, or developments to enable a gradual change of density and uses. To appropriately transition, new lots should be equal to or larger than immediately adjacent existing platted lots.

2. Exceptions

a. The City should avoid allowing high intensity uses (e.g., commercial, industrial, multi-family structures, etc.) adjacent to lower intensity uses (e.g., single family, low density residential, etc.), however may allow these uses to be located adjacent to each other if appropriate transitions and buffers are in place. Appropriate buffers and transitions include a combination of roadways, landscaping, building orientation and facades, increased setbacks, open spaces, parks, and trails.

3. Despite these guidelines, the City Council recognizes that it will become necessary to allow high intensity next to low intensity uses in order to allow for the implementation of multiple zones in the City. The City Council should use their best efforts to limit inconsistent uses and zones being located on adjacent parcels and to mitigate inconsistent uses and zones through transitions and buffers.

Staff finding: consistent. *The approved General Plan identifies Neighborhood Commercial adjacent to Low Density Residential. As stated above, with many zones implemented in the City, commercial next to residential maybe necessary at times. The location of the subject parcels is very conducive to neighborhood commercial development as opposed to this area a location of residential development.*

19.17.05. Consideration of General Plan, Ordinance, or Zoning Map Amendment.

The Planning Commission and City Council shall consider, but not be bound by, the following criteria when deciding whether to recommend or grant a General Plan, ordinance, or zoning map amendment:

1. The proposed change will conform to the Land Use Element and other provisions of the General Plan. **Staff finding: consistent, if approved.**

The changes proposed are compatible with the surrounding land uses.

2. The proposed change will not decrease or otherwise adversely affect the health, safety, convenience, morals, or general welfare of the public. **Staff finding: complies.**

No adverse consequences are anticipated by the changing of the land use designations and zones. Neighborhood Commercial is considered an appropriate use adjacent to residential areas.

3. The proposed change will more fully carry out the general purposes and intent of this Title and any other ordinance of the City. **Staff finding: complies.**

The purpose of Title 19 is to preserve and promote the health, safety, morals, convenience, order, fiscal welfare, and the general welfare of the City, its present and future inhabitants, and the public generally. The proposed development complies with Title 19.

4. In balancing the interest of the petitioner with the interest of the public, community interests will be better served by making the proposed change. **Staff finding: complies.**

The proposal of the applicant in regards to the Neighborhood Commercial zone can serve as a small-scale commercial area for surrounding residents.

5. Any other reason that, subject to legislative discretion of the City Council, could advance the general welfare.

H. Recommendation and Alternatives:

Staff recommends the Planning Commission conduct a public hearing, take public input, discuss the application, provide feedback on the concept plan and choose from the following options.

Option 1 – Staff Recommendation: positive

I move to forward to the City Council a **positive** recommendation regarding the Ring Road General Plan land use map amendment and rezone generally at Ring Road and Redwood Road as outlined in Exhibit 1 with the findings and conditions in the staff report dated February 20, 2020:

Findings

1. The General Plan amendment will not result in a decrease in public health, safety, and welfare as outlined in the findings for approval in Section G of this report, which section is hereby incorporated by reference, herein.
2. The Rezone is consistent with Chapter 19.17 of the Code, as articulated in the findings for approval in Section G of this report, which section is incorporated by reference, herein.

Conditions

1. The Ring Road General Plan land use map amendment and rezone is recommended as shown in the attachment to the Staff report in Exhibit 1.
2. All other Code requirements shall be met.
3. Any other conditions or changes as articulated by the Planning Commission.

Alternative 1 – Continuance

The Planning Commission may also choose to continue the item. "I move to **continue** the Ring Road General Plan land use map amendment and rezone to another meeting on [DATE], with direction to the applicant and Staff on information and/or changes needed to render a decision, as follows:

1. _____
2. _____

Alternative 2 – Negative Recommendation

The Planning Commission may also choose to forward a negative recommendation to the City Council regarding the application. "I move to forward a negative recommendation to the City Council regarding the Ring Road General Plan land use map amendment and rezone with the findings below:

1. The Ring Road General Plan land use map amendment and rezone is not consistent with the General Plan, as articulated by the Planning Commission: _____, and/or,
2. The Ring Road General Plan land use map amendment and rezone is not consistent with Chapter 19.17 of the Code, as articulated by the Planning Commission: _____.

J. Exhibits:

1. Location of Ring Road
2. General Plan land use map
3. Zoning map

Exhibit 1

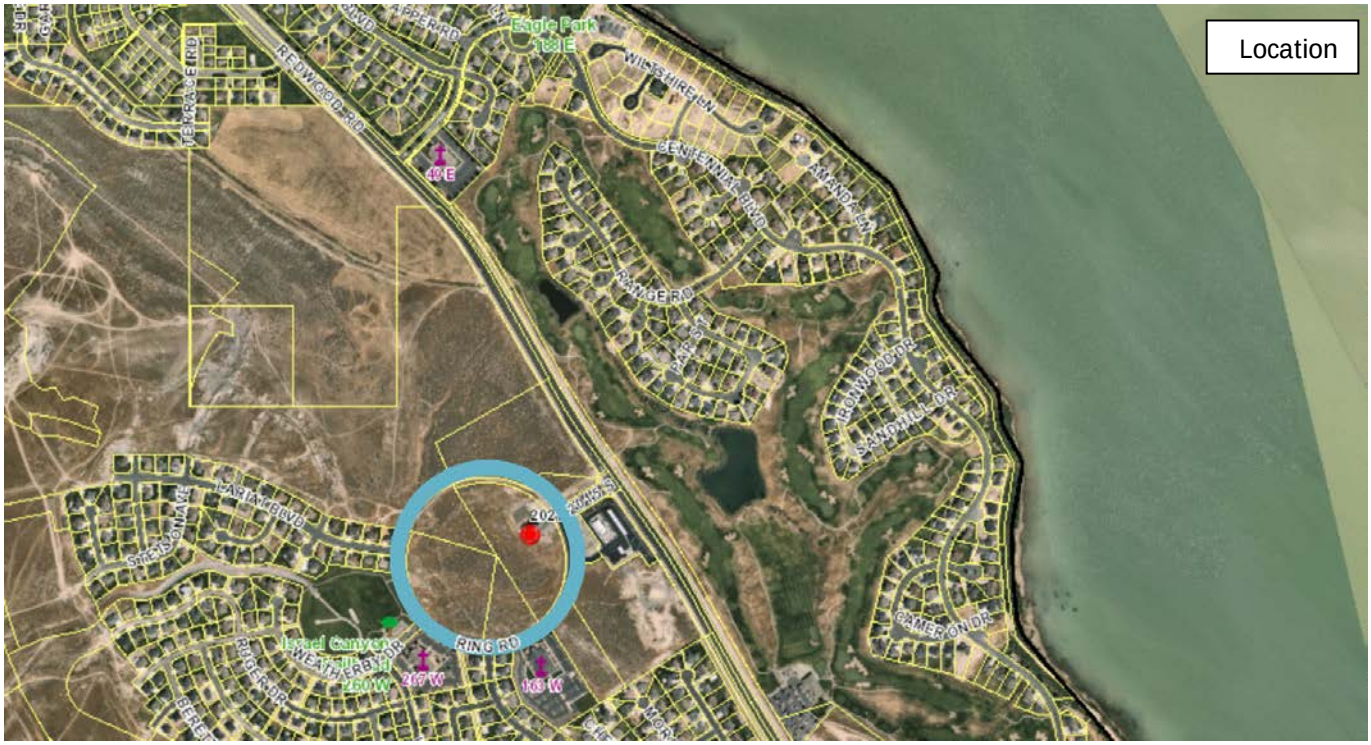
Location
Eagle Park
REDWOOD RD
WILTSHIRE LN
CENTENNIAL BLVD
AMANDA LN
RANGE RD
IRONWOOD DR
SANDHILL DR
CAMERON DR
RING RD
Israel Canyon
WEATHERBY DR
ROGER DR
SANTA ROSA AVE
SANTA ROSA BLVD
49 E
202
260 W
207 W
163 W

Exhibit 2

General Plan Land Use Map
Eagle Park
188 E
REDWOOD RD
TERRACE RD
WILTSHIRE LN
CENTENNIAL BLVD
AMANDA LN
RANGE RD
PAR ST
IRONWOOD DR
SANDHILL DR
Low Density
Residential
Regional
Commercial
Developed
Open Space
LARIAT BLVD
STETSON AVE
Institutional
Developed
Open Space
Israel Canyon
RING RD
WEATHERBIRD DR
260 W
267 W
Neighborhood
Commercial
RUGER DR
BERETTA DR
REMINGTON
CHESTNUT
MORGAN
CAMERON DR
Regional
Commercial
Medium

Exhibit 3

Zone Map
TRAPPER RD
Eagle Park
188 E
WILTSHIRE LN
REDWOOD RD
TERRACE RD
40 E
CENTENNIAL BLVD
AMANDA LN
RANGE RD
PAR ST
R1-10
RC
IRONWOOD DR
SANDHILL DR
LARIAT BLVD
STETSON AVE
202
201 S
RC
CAMERON DR
Israel Canyon
RING RD
WEATHERBIRD DR
260 W
267 W
NC
163 W
RUGER DR
BERETTA

SARATOGA SPRINGS PLANNING

PLANNING COMMISSION
Staff Report

Code Amendment
Various Chapters or Sections in Title 19
February 27, 2020
Public Hearing

Report Date:	February 20, 2020
Applicant:	City Initiated
Previous Meeting:	City Council Special Session 1/23/20, Planning Commission Work Session 2/3/20
Land Use Authority:	City Council
Future Routing:	City Council
Author:	David Stroud, Planning Director

A. Executive Summary:

The Saratoga Springs City Council held a Special Meeting on January 23, 2020 and approved initiating proceedings pursuant to Utah Code § 10-9a-509(1)(a)(ii)(B), to remove Conditional Uses within all zoning designations from Title 19. Prior to the special meeting, City Staff was already in the process of amending the Use Table in Title 19 of City Code by removing certain conditional uses, designating other conditional uses as permitted uses, and retaining a few conditional uses in various zones. Now, because of the Pending Ordinance, City Staff has a clear policy direction to take to the Planning Commission for a recommendation to the City Council for final adoption.

RECOMMENDATION:

Staff recommends that the Planning Commission conduct a public hearing, take public comment, discuss the proposed amendments, and choose from the options in Section G of this report. Options include forwarding a positive recommendation to the City Council with or without modifications, continuing the amendments to a future meeting, or a negative recommendation to the City Council.

B. Specific Request:

Staff has gone through the Land Use tables and changed the designation for all the Conditional Uses by either removing them, changing them to permitted uses, or changing them to permitted uses that will have associated standards and considerations. Superscript #4 indicates that additional standards are required. A summary of the proposed changes is below and specific text amendments are attached.

David Stroud, AICP, Planning Director
dstroud@saratogaspringscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x 107 • 801-766-9794 fax

Drive-thru:

- Added a definition for drive-thru and added drive-thru to the non-residential use table. The benefit of having it as a separate use is to specify which zones will allow drive-thru's. Drive-thru's may be found at banks, restaurants, pharmacies, car washes, etc.
- Establish stacking requirements related to drive-thru's.
- Establish development standards for drive-thru's.

Hotel/Motel:

- Modify the definitions and distinguish between interior vs exterior access.
- Remove motels from the use table and the parking table.
- Establish development standards for hotels.

Conditional Uses:

- Eliminate Conditional Uses by either removing them or changing them to permitted uses with or without development standards and considerations.
- Superscript #4 indicates additional development standards for uses. Many of the uses that were conditional uses are now permitted uses.
- Residential zones:
    - Limit Bed and Breakfast to the A and RA-5 zone and come back with proposed standards.
    - Remove cemetery and add it to the Institutional/Civic (IC) zone.
    - Remove child care center from residential zones; it is allowed in some commercial zones.
    - Remove Dairy as we do not anticipate any new dairies with all of the development entitlements that have been granted throughout the City.
    - Remove Educational center; it is allowed in some commercial zones.
    - Change several uses from conditional to permitted and permitted with standards.
    - The following uses are proposed to be permitted uses with development standards and considerations.
        - Kennel, private
        - Public and private utility building or facility
        - Public Building or Facilities (City Owned)
        - Riding Arena (Commercial)
        - School, Private and Quasi-Public
- Commercial zones:
    - Remove "Animal Hospital Large/Large Veterinary Office"; it is allowed in the A and RA-5 zones.
    - Add "drive-thru"
    - Change several uses from conditional to permitted and permitted with standards.
    - The following uses are proposed to be permitted uses with development standards and considerations.
        - Automobile Rental & Leasing Agency
        - Automobile Repair, Major
        - Automobile Repair, Minor
        - Automobile Sales

David Stroud, AICP, Planning Director
dstroud@saratogaspringscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x 107 • 801-766-9794 fax

- Automobile, Boat, All-Terrain Vehicle (ATV), Motorcycle, Recreation Vehicle, Sales & Service
- Car Wash (self service)
- Child Care Center
- Drive thru - standards are proposed for review
- Hotels – standards are proposed for review
- Non-Depository Institutions
- Pawn Shop
- Preschool
- Public & private utility building or facility
- Reception Centers
- Refueling Station, Public
- Refueling Station, Private
- Retail, Tobacco Specialty Store
- Sexually Oriented Businesses
- Storage, Self-Storage, or Mini Storage Units
  - Spacing requirements are proposed for review. The Planning Commission may choose to recommend a spacing requirement or leave it as is.
- Storage, Outdoor
- Storage, Vehicle

Conditional Use Permit Chapter:

This section will be left in the code to govern existing conditional uses that will become non-conforming conditional uses.

C. Process:

Section 19.17.03 of the Code outlines the process and criteria for an amendment:

a. The Planning Commission shall review the petition and make its recommendation to the City Council within thirty days of the receipt of the petition.

Complies*. There is no application as this is City initiated and has been presented for a recommendation to the City Council.*

b. The Planning Commission shall recommend adoption of proposed amendments only where it finds the proposed amendment furthers the purpose of the Saratoga Springs Land Use Element of the General Plan and that changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.

Complies. *Please see Sections E and F of this report.*

c. The Planning Commission and City Council shall provide the notice and hold a public hearing as required by the Utah Code. For an application which concerns a specific parcel of property, the City shall provide the notice required by Chapter 19.13 for a public hearing.

Complies. *Please see Section D of this report.*

d. For an application which does not concern a specific parcel of property, the City shall provide the notice required for a public hearing except that notice is not required to

David Stroud, AICP, Planning Director
dstroud@saratogaspringscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x 107 • 801-766-9794 fax

be sent to property owners directly affected by the application or to property owners within 300 feet of the property included in the application.

Complies. *Please see Section D of this report.*

D. Community Review:

This item was noticed in the Daily Herald as a Planning Commission public hearing. As of the date of this report, no public input has been received. The notice has also been posted in the City building, www.saratogspringscity.com, and www.utah.gov/pmn/index.html.

E. General Plan:

Land Use Element – General Goals

The General Plan has stated goals of responsible growth management, orderly and efficient development that is compatible with both the natural and built environment, establishment of a strong community identity in the City of Saratoga Springs, and implementation of ordinances and guidelines to assure quality of development.

Staff conclusion: consistent. *The proposed changes will still ensure quality of development, maintain community identity, ensure quality development through the maintenance of high standards, and require mitigation of impacts to existing/proposed development.*

F. Code Criteria:

Code amendments are a legislative decision and grants the City Council significant discretion when considering changes to the Code.

The criteria for an ordinance (Code) change are outlined below and act as guidance to the Council and to the Commission in making a recommendation. Note that the criteria is not binding.

19.17.04 Consideration of General Plan, Ordinance, or Zoning Map Amendment

The Planning Commission and City Council shall consider, but not be bound by, the following criteria when deciding whether to recommend or grant a general plan, ordinance, or zoning map amendment:

1. The proposed change will conform to the Land Use Element and other provisions of the General Plan;
   Consistent*. See Section E of this report.*

2. the proposed change will not decrease nor otherwise adversely affect the health, safety, convenience, morals, or general welfare of the public;
   Consistent. *The amendments will not adversely affect the health and welfare of the general public.*

3. the proposed change will more fully carry out the general purposes and intent of this Title and any other ordinance of the City; and
   Consistent. *The stated purposes of the Code are found in section 19.01.04:*

David Stroud, AICP, Planning Director
dstroud@saratogaspringscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x 107 • 801-766-9794 fax

1. The purpose of this Title, and for which reason it is deemed necessary, and for which it is designed and enacted, is to preserve and promote the health, safety, morals, convenience, order, fiscal welfare, and the general welfare of the City, its present and future inhabitants, and the public generally, and in particular to:
    a. encourage and facilitate the orderly growth and expansion of the City;
    b. secure economy in governmental expenditures;
    c. provide adequate light, air, and privacy to meet the ordinary or common requirements of happy, convenient, and comfortable living of the municipality's inhabitants, and to foster a wholesome social environment;
    d. enhance the economic well-being of the municipality and its inhabitants;
    e. facilitate adequate provisions for transportation, water, sewer, schools, parks, recreation, storm drains, and other public requirements;
    f. prevent the overcrowding of land, the undue concentration of population, and promote environmentally friendly open space;
    g. stabilize and conserve property values;
    h. encourage the development of an attractive and beautiful community; and
    i. promote the development of the City of Saratoga Springs in accordance with the Land Use Element of the General Plan.

   Consistent. *The proposed amendment will provide a streamlined development review process both benefiting the City, developers, and the public.*

4. in balancing the interest of the petitioner with the interest of the public, community interests will be better served by making the proposed change. ***Consistent.*** *The amendments will provide additional clarity and effectiveness of the Code and better enhance the consistency in development review.*

G. Recommendation / Options:

Option 1 – Positive Recommendation

The Planning Commission may choose to forward a **positive** recommendation on all or some of the amendment to the Code Sections listed in the motion, as proposed or with modifications:

Motion: "Based upon the evidence and explanations received today, I move to forward a **positive** recommendation to the City council for the proposed amendment to Title 19 with the findings and conditions in the staff report dated February 27, 2020:"

Findings:

1. The amendments are consistent with Section 19.17.04.1, General Plan, as outlined in Sections E and F of this report and incorporated herein by reference.
2. The amendments are consistent with Section 19.17.04.2 as outlined in Section F of this report and incorporated herein by reference.

David Stroud, AICP, Planning Director
dstroud@saratogaspringscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x 107 • 801-766-9794 fax

3. The amendments are consistent with Section 19.17.04.3 as outlined in Section F of this report and incorporated herein by reference.
4. The amendments are consistent with Section 19.17.04.4 as outlined in Section F of this report, and incorporated herein by reference.

Conditions:

1. The amendments shall be edited as directed by the Commission:
   a. _____
   b. _____

Option 2 – Continuance

Vote to **continue** all or some of the Code amendments to the next meeting, with specific feedback and direction to Staff on changes needed to render a decision.

Motion: "I move to continue the amendments to Title 19 to the [DATE] Planning Commission meeting with the following direction on additional information needed and/or changes to the draft:

a. _____
b. _____

Option 3 – Negative Recommendation

Vote to forward a **negative** recommendation to the City Council for all or some of the proposed Code amendments.

Motion: "Based upon the evidence and explanations received today, I move to forward a **negative** recommendation to the City Council for the proposed amendments to all or some of the Title 19 amendments with the Findings below:

Findings

1. The amendments do not comply with Section 19.17.04, sub paragraphs 1, 2, 3, and/or 4, as articulated by the Planning Commission:
   _____
2. _____
3. _____

H. Exhibits:

A. Draft Amendments

David Stroud, AICP, Planning Director
dstroud@saratogaspringscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x 107 • 801-766-9794 fax

DRAFT AMENDMENTS

19.02.02. Definitions.

"Drive-thru" means a use that provides services through a window or machine without the driver leaving the vehicle.

"Hotel" means a building containing guest rooms with only interior access in which lodging is provided for compensation. ~~to transient or permanent guests or both.~~
"Motel" means a building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for automobile travelers and having a parking space adjacent to a sleeping room with exterior access, which includes automobile courts, tourist courts with more than one building, and motor lodges. Motels are prohibited in the City.

~~**"Restaurant, Casual"** means an establishment:~~
~~a. where foods or beverages are prepared for consumption that occurs in the building, on the premises, within a motor vehicle parked on the premises, or off-premises; and~~
~~b. whose operation includes one or more of the following characteristics:~~
~~i. food or beverages are served to the occupants of a motor vehicle (e.g., drive-thru window or drive in); and~~
~~ii. food and beverages are usually served over a general service counter whether or not there is a seating area within the restaurant.~~

"Restaurant, Takeout~~Deli~~" means a shop, store, or business no larger than 2,000 square feet with limited onsite seating and ~~a~~ more than 50% of business typically consisting of take-out. ~~, without a drive-thru window.~~

Restaurant~~, Sit Down~~" means an establishment that provides, as a principal use, foods and beverages prepared for consumption primarily on premise and may include a take-out or curbside service so long as such is not the principal use of the establishment. ~~within or without the establishment with no drive-up or drive-thru window or drive-in and whose operation includes the following characteristics:~~
~~a. customers are customarily served their food or beverage by a restaurant employee at the same table or counter at which said items are consumed; and a restaurant employee customarily clears the table of trash and food; and~~
~~b. take-out service may be provided so long as it is not the principal business of the establishment and no drive-up or drive-thru window, or drive-in, is utilized.~~

"Stacking" means an area provided for vehicles waiting to go through a drive-thru lane.

David Stroud, AICP, Planning Director
dstroud@saratogaspringscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x 107 • 801-766-9794 fax

Chapter 19.04. Establishment of Land Use Zones and Official Map.

Sections:

19.04.01. Purpose.
19.04.02. Land Use Zones and Classification Established.
19.04.03. Application of Land Use Zone Regulations.
19.04.04. Official Zoning Map.
19.04.05. Land Use Zone Boundary Interpretation.
19.04.06. Purpose and Intent of Agricultural & Residential Zones.
19.04.07. Land Use Regulations, Agricultural & Residential Zones.
19.04.08. Permitted ~~and Conditional~~ Uses, Agricultural & Residential Zones.
19.04.09. Purpose and Intent of Non-Residential and Mixed Use Zones.
19.04.10. Land Use Regulations, Non-Residential and Mixed Use Zones.
19.04.11. Permitted ~~and Conditional~~ Uses, Non-Residential and Mixed Use Zones.
19.04.12. Mixed Waterfront Zone.
19.04.13 Mixed Residential Zone.

19.04.08. Permitted ~~and Conditional~~ Uses, Agricultural & Residential Zones.

The following table lists the Permitted ~~and Conditional~~ uses for the Residential Zones in the City of Saratoga Springs. Empty boxes mean that the use is prohibited in that zone. Uses not listed are also prohibited.

	A	RA-5	RR	R1-40	R1-20	R1-10	R1-9	R2-8	R3-6	MF-10	MF-14	MF-18	MR[2]~~**~~
Agriculture	P	P	P										
Animal Hospital, Large/Large Veterinary Office	P	P											
Apiary (see §§ 19.05.08)	P	P	P	P	P	P	P	P	P	P	P	P	P
Bed and Breakfast	P~~C~~	P~~C~~	P~~C~~	P~~C~~	P~~C~~	~~C~~	~~C~~	~~C~~					
Cannabis Production Establishments as defined by Utah Code	P												
~~Cemetery~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	
Chickens (see §§ 19.05.05 and 19.05.06)	P	P	P	P	P	P	P	P					
~~Child Care Center~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~
Church	P	P	P	P	P	P	P	P	P	P	P	P	P
~~Dairy~~	~~C~~	~~P~~											
Dwelling, Accessory Unit~~***~~[3]													

David Stroud, AICP, Planning Director
dstroud@saratogaspringscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x 107 • 801-766-9794 fax

	A	RA-5	RR	R1-40	R1-20	R1-10	R1-9	R2-8	R3-6	MF-10	MF-14	MF-18	MR[2]**
Dwelling, Multi-Family										P	P	P	P
Dwelling, Single Family	P	P	P	P	P	P	P	P	P	P	P	P	P
Dwelling, Three-Family									P	P	P	P	P
Dwelling, Two-Family								P	P	P	P	P	P
~~Educational Center~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~
Equestrian Center	P~~C~~	P~~C~~											
Farm Animals (see Section 19.05.05)	P	P	P										
Farmer's Market	P~~C~~	P~~C~~	P~~C~~										~~C~~
~~Golf Course~~	~~P~~	~~P~~	~~P~~	~~P~~	~~C~~	~~C~~	~~C~~	~~C~~					~~C~~
Home Occupations	See §19.08	See §19.08	See §19.08	See §19.08	See §19.08	See §19.08	See §19.08	See §19.08	See §19.08	See §19.08	See §19.08	See §19.08	See §19.08
Kennel, Private	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~										
Livestock Auction Yard	P~~C~~	~~C~~											
Plant and Tree Nursery	P	P~~C~~	P~~C~~										
Preschool			~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~
Production of Fruit and Crops	P	P	P	P	P	P	P	P	P	P	P	P	P
Public and private utility building or facility	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~
Public Building or Facilities (City Owned)	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~
Public Parks, playgrounds, recreation areas, or other park improvements*[1]	P	P	P	P	P	P	P	P	P	P	P	P	P
Refueling Station, Private	P												
Residential Facilities for Elderly Persons	P~~C~~	P~~C~~	P~~C~~	P~~C~~	P~~C~~	P~~C~~	P~~C~~	P~~C~~	P~~C~~	P~~C~~	P~~C~~	P~~C~~	P~~C~~
Residential Facilities for Persons with a	P	P	P	P	P	P	P	P	P	P	P	P	P

David Stroud, AICP, Planning Director
dstroud@saratogaspringscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x 107 • 801-766-9794 fax

	A	RA-5	RR	R1-40	R1-20	R1-10	R1-9	R2-8	R3-6	MF-10	MF-14	MF-18	MR[2]~~**~~
Disability													
Riding Arena (Commercial)	P[4]~~C~~	P[4]~~C~~	~~C~~										
Riding Arena (Private)	P	P	P										
School, Charter	P	P	P	P	P	P	P	P	P	P	P	P	P
School, Private and Quasi-Public	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]	P[4]	P[4]	P[4]	P[4]	P[4]	P[4]	P[4]	P[4]
School, Public	P	P	P	P	P	P	P	P	P	P	P	P	P
Stables	P	P	p~~C~~										
Temporary Sales Trailer	P	P	P	P	P	P	P	P	P	P	P	P	P
	A	**RA-5**	**RR**	**R1-40**	**R1-20**	**R1-10**	**R1-9**	**R2-8**	**R3-6**	**MF-10**	**MF-14**	**MF-18**	**MR**

P = Permitted ~~**C = Conditional**~~

~~*~~[1] A neighborhood meeting is required for all public parks, public playgrounds, public recreation areas, or other public park improvements prior to new construction. City staff will notify residents within the subdivision or neighborhood area prior to any meeting. Any proposal for a regional park within the City will also be required to go Through a Site Plan review according to the requirements within the Land Development Code.

~~**~~[2] In addition to those support commercial uses listed in this table, the MR or MU zone allows as Permitted ~~and Conditional~~ Uses those listed in the Neighborhood Commercial Zone (NC) in 19.04.11.

~~***~~ [3] Permitted if approved as part of a Community Plan in the Planned Community Zone.

[4] Additional Standards as provided in other sections of this Title 19; see a City Planner for more details

19.04.11. Permitted ~~and Conditional~~ Uses, Non-Residential and Mixed Use Zones.

The following table lists the Permitted ~~and Conditional~~ uses for the Nonresidential Zones in the City of Saratoga Springs. Empty boxes mean that the use is prohibited in that zone. Uses not listed are also prohibited.

P= Permitted ~~**C= Conditional**~~

	NC	CC	RC~~*~~[1]	MU	OW	I	MW	BP	IC	PSBL
Alcoholic Beverage, State Liquor Store			P							
~~Animal Hospital, Large/Large Veterinary Office~~			~~C~~		~~C~~					
Animal Hospital, Small/Small Veterinary Office	P~~C~~	P	P	P~~C~~	P					
Arts & Crafts Sales	P~~C~~	P	P	P			P			
Automobile Rental & Leasing Agency~~, 10 or fewer total vehicles~~		~~C~~	P[4]~~C~~		P[4]~~C~~	P[4]		~~C~~[4]		

David Stroud, AICP, Planning Director
dstroud@saratogaspringscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x 107 • 801-766-9794 fax

	NC	CC	RC~~*~~[1]	MU	OW	I	MW	BP	IC	PSBL
~~Automobile Rental & Leasing Agency, more than 10 total vehicles~~			~~C~~		~~C~~	~~P~~		~~C~~[A]		
Automobile Repair, Major					~~C~~	P[4]~~C~~				
Automobile Repair, Minor			P[4]~~C~~		P[4]~~C~~	P[4]~~C~~		~~C~~[E]		
Automobile Sales			P[4]~~C~~		P[4]	P[4]~~C~~				
Automobile, Boat, All-Terrain Vehicle (ATV), Motorcycle, Recreation Vehicle, Sales & Service			P[4]~~C~~		P[4]~~C~~	P[4]				
Bakery, Commercial					P~~C~~	P~~C~~				
Bakery, Retail	P	P	P	P	P	P	P	P[A]~~C~~		
Bed and Breakfast				P~~C~~			P~~C~~			
Bookstore	P	P	P	P			P	P[A]~~C~~[E]		
Building Material Sales (with outdoor storage)			~~C~~		~~C~~	P				
Building Material Sales (without outdoor storage)			P~~C~~		P~~C~~	P~~C~~				
Bus Lot										P
Cannabis Production Establishments as defined by Utah Code						P				
Car Wash (full service)		P[4]~~C~~	P[4]~~C~~					~~C~~[A]		
Car Wash (self service)		~~C~~	P[4]~~C~~		P[4]~~C~~	P[4]~~C~~				
Child Care Center	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~			~~C~~P[4][A]	~~C~~P[4][A]	P[4]	
Churches	P~~C~~	P~~C~~	P~~C~~	P~~C~~			P~~C~~		P	
Commercial & industrial laundries					~~C~~	P				
Commercial Recreation		P~~C~~	P~~C~~	P~~C~~	P~~C~~	~~C~~	P			
Commuter/Light Rail Station	P~~C~~	P~~C~~	P	P~~C~~	P	P	P ~~C~~	P~~C~~	P~~C~~	
Contractor construction services establishments					P~~C~~	P				
Contractor Services Office					P	P				
Convenience Store		P~~C~~	P	P~~C~~	P~~C~~			~~C~~P[E]		

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dstroud@saratogaspringscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x 107 • 801-766-9794 fax

	NC	CC	RC~~*~~[1]	MU	OW	I	MW	BP	IC	PSBL
Convenience Store/Fast Food Combination		P	P~~C~~		P			~~C~~P[E]		
Copy Center	P~~C~~	P	P	P	P~~C~~			P~~C~~[A]		
Crematory/Embalming Facility					~~C~~	P~~C~~				
Drive-thru		P[4]	P[4]	P[4]	P[4]	P[4]			P[4]	
Dry Cleaners	P~~C~~	P	P	P				~~C~~P[E/A]		
Dwelling, Above commercial		~~C~~	P~~C~~	P			P			
Dwelling, Live/Work				P			P			
Dwelling, Multi-Family				P			P			
Dwelling, Single-Family				P			P			
Dwelling, Three-Family				P			P			
Dwelling, Two-Family				P			P			
Educational Center	P~~C~~	P~~C~~	P~~C~~	P~~C~~	P~~C~~			P~~C~~	P	
Electronic Media Rental & Sales		P	P	P~~C~~						
Electronic Sales & Repair			P	P~~C~~				P~~C~~[A]		
Equipment Sales & Services			P~~C~~			P				
Financial Institution	P	P	P	P				P[A]		
Fitness Center (5,000 sq. ft. or less)	P	P	P	P	P		P	P[A]		
Fitness Center(5,001 sq. ft. or larger)	~~C~~	~~C~~	P~~C~~	P~~C~~	P~~C~~			~~C~~P[A]		
Floral Sales	P	P	P	P			P	P[A]		
Funeral Home ~~(5,000 sq. ft. or less)~~	~~C~~	P~~C~~	P~~C~~	P~~C~~					P	
~~Funeral Home (larger than 5,000 sq. ft.)~~	~~C~~		~~C~~	~~C~~						
Golf Course									P	
Grocery Store		P	P	P~~C~~			P			
~~Hair Salon~~	~~P~~	~~P~~	~~P~~	~~P~~			~~P~~			
Hardware & Home Improvement Retail			P	~~C~~						
Home Occupations	~~See §19.08~~		See §19.08	See §19.08	~~See §19.08~~	~~See §19.08~~	See §19.08	~~See §19.08~~	~~See §19.08~~	~~See §19.08~~
Hospital		~~C~~	P					~~C~~	~~P~~	

David Stroud, AICP, Planning Director
dstroud@saratogaspringscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x 107 • 801-766-9794 fax

	NC	CC	RC~~*~~[1]	MU	OW	I	MW	BP	IC	PSBL
Hotels			P[4]~~C~~	P[4]	~~C~~	~~C~~	P[4]~~C~~	P[4]~~C~~		
Ice Cream Parlor	P	P	P	P			P	~~C~~P[A]		
Impound Yard						P~~C~~				
Kennel, Commercial			P~~C~~		~~C~~	P				
Laundromat	P	P~~C~~	P~~C~~	P	P~~C~~	~~C~~				
Library		P	P	P					P	
Light Manufacturing					P~~C~~	P~~C~~		~~C~~		
Marina							P			
~~Mining~~						~~C~~				
Motels			~~C~~		~~C~~	~~C~~	~~C~~			
Neighborhood Grocery Store	P	P		P			P			
Non-Depository Institutions			P[4]~~C~~							
Office, High Intensity					P	P~~C~~		P~~C~~		
Office, Medical and Health Care	~~C~~	P	P	P~~C~~				P	~~C~~[A]	
Office, Professional	~~C~~	P	P	P	P	~~C~~	P	P		
Public Parks, playgrounds, recreation areas, or other park improvements	P	P	P	P	P	P	P	P	P	P
Pawn Shop					P[4]~~C~~	P[4]~~C~~				
Personal Service Establishment	P~~C~~	P~~C~~	P~~C~~	P~~C~~	P~~C~~		P~~C~~	~~C~~P[A]		
Plant & Tree Nursery	~~C~~	P~~C~~	P~~C~~		~~C~~	P				
Postal Center	P~~C~~	P~~C~~	P	P~~C~~	P~~C~~			P[A]	P	
Preschool	~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~			~~C~~P[4A]	~~C~~P[4A]		
Printing, lithography & publishing establishments					P~~C~~	P~~C~~		P		
Public & private utility building or facility			P[4]~~C~~		P[4]~~C~~	P[4]~~C~~	P[4]~~C~~		P[4]~~C~~	P[4]~~C~~
Public Building or Facilities (City Owned)	P	P	P	P	P	P	P	P	P	
Reception Centers		P~~C~~	P	P~~C~~			P	P~~C~~		
Recreation Center		P	P~~C~~		P	~~C~~	P~~C~~			
Recreation Rentals			P			P	P			
~~Recreational Vehicle Sales~~			~~C~~							

David Stroud, AICP, Planning Director
dstroud@saratogaspringscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x 107 • 801-766-9794 fax

	NC	CC	RC~~*~~[1]	MU	OW	I	MW	BP	IC	PSBL
Recycling Facilities						P~~C~~				
Refueling Station, Public		P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~				
Refueling Station, Private	~~C~~	P[4]~~C~~	P[4]	P[4]	P[4]	P[4]	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~	P[4]~~C~~
Research & Development		~~C~~	~~C~~		P~~C~~	P~~C~~		P	~~C~~P[A]	
Residential facilities for elderly persons				P~~C~~			P~~C~~			
Residential Facilities for Persons with a Disability				P~~C~~			P~~C~~			
~~Restaurant, Casual~~		~~P~~	~~P~~		~~C~~		~~C[E]~~	~~C[E]~~		
Restaurant, Takeout ~~Deli~~	P	P	P	P	P		P	~~C~~P[A]		
Restaurant~~, Sit Down~~	P	P	P	P	P		P	P[A/E]		
Retail Sales	P	P	P	P	P		P	~~C~~P[A]		
Retail, Big Box			P~~C~~							
Retail, Specialty	P	P	P	P	P		P			
Retail, Tobacco Specialty Store					~~C~~	P[4]~~C~~				
School, Public	P	P	P	P	P	P	P	P	P	P
School, Trade or Vocational					P	P		P	P	
Sexually Oriented Businesses						P[4]				
Shooting Range, indoor ~~or outdoor~~			P		P~~C~~	P~~C~~				
Storage, Self-Storage, or Mini Storage Units					P[4]~~C~~	P[4]~~C~~				
Storage, Outdoor						P[4]~~C~~				
Storage, Vehicle						P[4]~~C~~				
Tattoo Shop ~~Parlor~~			P		P	~~C~~				
Temporary Sales Trailer				T						
Temporary Use Trailer, Portable, Prefabricated or Manufactured Building										
Theater		P~~C~~	P~~C~~							
Transit-Oriented Development (TOD)		P	P	P			P	P~~C~~		

David Stroud, AICP, Planning Director
dstroud@saratogaspringscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x 107 • 801-766-9794 fax

	NC	CC	RC*[1]	MU	OW	I	MW	BP	IC	PSBL

[A] The noted Uses shall be allowed in the listed zones as an ancillary use only.
[E] The noted Uses shall be allowed in the listed zones as an edge use only. See §19.05.
*[1]As an ancillary component of the identified Permitted and Conditional Uses, employers may offer Child Care Center services for their employees. The provision of such services shall require Conditional UseCity approval.
[4]Additional Standards as provided in other sections of this Title 19; see a City Planner for more details.

19.05.16. Special Standards and Considerations Governing Particular Uses.

1. **Hotels.**
   a. No hotel shall be located within 500 feet of an existing school or public or private park as measured from the hotel building to the property boundary of the school or public or private park.
   b. No hotel shall be located within 300 feet of an existing residentially- zoned property as measured from the hotel building to the property boundary of the nearest residential zone (excluding Mixed Use and Mixed Waterfront zones).
   c. Travel trailers, campers, and other similar recreational vehicles shall not be occupied on the premises of a hotel facility or used in any way to provide additional accommodations for the hotel occupants.
   d. The site plan shall be designed to allow for visibility from the public right-of-way for police officers in patrol vehicles. The City of Saratoga Springs Police Department shall provide recommendations regarding the security of the site.
   e. Applications shall include a security management plan that outlines how the hotel will address potential criminal activities at the site. The security management plan shall include the following:
      i. Outdoor lighting to remove "hiding places". Lighting for safety and security shall be provided for all areas of the site that are not covered by a building, including all walkways and trash storage areas.
      ii. Building entrance monitoring.
      iii. Surveillance system that, at a minimum, covers the parking lot and registration areas.
2. **Kennel, Private**
   a. Outside runs or areas shall be a minimum of 300 feet from any dwelling other than the dwelling of the owner and the run or yard area shall be enclosed with a 6-foot sight obscuring fence.
   b. The structure(s) housing the animals shall be large enough to accommodate all animals and shall comply with the City noise and nuisance regulations in Title 10.
   c. Should the City receive complaints regarding the noise levels of the private kennel, the property owner shall retain the services of a qualified acoustical engineer if necessary to demonstrate compliance with Title 10.
3. **Storage, Self Storage, or Mini Storage Units**
   a. May not be located within half a mile of existing storage units.
   b. OR the recommendation may be to leave as is.

19.09.10. Required Minimum Parking.

David Stroud, AICP, Planning Director
dstroud@saratogaspringscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x 107 • 801-766-9794 fax

The table below indicates the minimum requirement for each use; unless otherwise identified, in no case may the minimums be exceeded by more than 25%.

Use	Parking Requirement
~~Animal Hospital, Large/Large Veterinary Office~~	~~4 stalls per 1000 sq. ft.~~
Contractor Construction Services Establishments	4 stalls per 1000 sq. ft.
Drive-thru**	bank or financial institution (including ATMs): minimum 3 stacking spaces per lane food or beverage facility: minimum 5 stacking spaces
~~Hair Salon~~	~~4 stalls per 1000 sq. ft.~~
~~Mining~~	~~1.5 stalls per person employed on highest employee shift.~~
~~Motels~~	~~2 stalls per motel room, plus 1 space per 3 seats of meeting space~~
~~Recreational Vehicle Sales~~	~~See Automobile, Boat, All-Terrain Vehicle (ATV), Motorcycle, Recreation Vehicle, Sales & Service.~~
~~Restaurant, Casual~~	~~1 stall per 100 sq. ft.~~
Restaurant, ~~Deli~~Takeout	5 stalls per 1000 sq. ft.
Restaurant~~, Sit Down~~	1 stall per 100 sq. ft.
Shooting Range, Indoor~~ or Outdoor~~	1 stall per shooting lane, plus 4 stalls per 1000 sq. ft. of office/retail space.
Tattoo ~~Parlor~~Shop	4 stalls per 1000 sq. ft.

* Tandem parking spaces within a garage will only be counted as one parking space for residential uses.

** Exception – the minimum for these uses may be exceeded by more than 25%.

19.09.11. Drive-thru Requirements

1. Each stacking space shall accommodate one vehicle and be no less than 20 feet in length from the point of service.
2. All drive-thru facilities must provide at a minimum 3 stacking spaces (60') per lane. See Table 19.09.10. for additional requirements by use.
3. Entrances and exits of drive-thru lanes shall be clearly marked to designate the direction of traffic flow.
4. A Final Traffic report shall be provided and approved to demonstrate how all queuing shall be contained within the property, business, or use and not affect the surrounding roads. Stacking shall be designed so that it does not have the potential to overflow onto the street or adjacent property, business, or use.
5. Landscaping shall be provided as described below:
    a. A three foot (3') wide raised median or planter between the drive-thru aisle and the parking

David Stroud, AICP, Planning Director
dstroud@saratogaspringscity.com
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801-766-9793 x 107 • 801-766-9794 fax

area.

b. All drive-thru lanes adjacent to public streets shall have landscaped strips of not less than ten feet in width placed between the sidewalk and the drive-thru lanes that contain a berm, hedge, or screen wall with a minimum height of three feet to minimize intrusion of lighting from headlights and other lighting from surrounding properties.

19.15.01 Purpose.

1. In General
   a. The purpose of this Chapter is to establish standards for the approval of conditional uses in the City. In accordance with Utah law, a conditional use shall be entitled to approval if reasonable conditions can be imposed to mitigate the reasonably anticipated detrimental impacts of the proposed conditional use in accordance with applicable standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied. The purpose of this Chapter is to establish the applicable standards for the imposition of reasonable conditions and the standards for which a conditional use may be granted or denied.
2. Discontinuation of Conditional Use Permits
   a. Effective DATE, it is the intent of the City Council to discontinue the use of Conditional Use Permits.
   b. This chapter shall remain a part of the Land Development Code solely for the purpose of governing uses that have nonconforming rights pursuant to existing, approved, and unexpired CUPs.

David Stroud, AICP, Planning Director
dstroud@saratogaspringscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x 107 • 801-766-9794 fax

MINUTES – Planning Commission

Thursday, February 13, 2020
City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

PLANNING COMMISSION MEETING MINUTES

Call to Order - 6:00 p.m. by Chairman Bryan Chapman

Present:

Commission Members: Bryan Chapman, Bryce Anderson, Audrey Barton, Troy Cunningham, Ken Kilgore, Reed Ryan, Josh Wagstaff.

Staff: Dave Stroud, Planning Director; Sarah Carroll, Senior Planner; Tippe Morlan, Senior Planner; Gina Grandpre, Planner II; Rachel Day, Planner I; Conrad Hafen, Assistant City Attorney; Gordon Miner, City Engineer; Nicolette Fike, Deputy Recorder.

Others: Pam and Neil Infanger, John Linton, Ivy and Michael Turnow, Brock Loomis, Mitch Vance, Sid Allsop, Richard

1. **Pledge of Allegiance -** led by David Johnson

2. **Roll Call** – A quorum was present

3. **Public Input**

Public Input Open by Chairman Bryan Chapman

Richard (?) came to hear the information about Fox Hollow.

Public Input Closed by Chairman Bryan Chapman

4. **Business Item: Site Plan for Pony Express Dental, located at 2253 S. Redwood Road, Vincent Design Group, applicant.**

Planner I Rachel Day presented the site plan which includes one building at 8,660 square feet with the dental office occupying the north end unit. Associated parking and landscaping complies with the minimum requirements of the zone.

Ivy Turnow and Michael Turnow with Triple S Land Development, LLC, were present for applicant. They noted they have opened dental offices in Eagle Mountain and Daybreak communities also.

Commissioner Kilgore

- Received confirmation from the applicant that they would comply with the conditions from City Staff.
- Received clarification about parking and condition 3 from Planner I Rachel Day that other tenants could only have uses that need 4/1000 stalls or less because the dental office required more.
- Received confirmation that park strip maintenance would be done by owners. Planner I Rachel Day advised the City would do maintenance along the trail and Redwood Road.

Commissioner Ryan

- Received advice from City Engineer Gordon Miner that a level 1 traffic study is done by UDOT. The trip generation memo indicates the need for that study. Any impacts will be discussed with the applicant for mitigation.
- Mentioned that during tournaments attendees may use this parking for overflow.

Motion made by Commissioner Kilgore to approve the proposed site plan of Pony Express Dental at 2253 South Talons Cove Drive in the RC zone with the findings and conditions in the staff report. Seconded by Commissioner Barton. Aye: Bryce Anderson, Audrey Barton, Bryan Chapman, Troy Cunningham, Ken Kilgore, Reed Ryan, Josh Wagstaff. Motion passed 7 - 0.

5. **Public Hearing: Rezone, and General Plan amendment for Fox Hollow neighborhoods 4 & 13 and Master Development Agreement amendment for neighborhoods 4, 12, 13. Chad Bessinger SCP Fox Hollow, applicant.**

Senior Planner Sarah Carroll presented the item. The amendment is to modify land uses and zoning in several neighborhoods with the development. The applicant is requesting that they retain 10 acres of commercial in neighborhood 4 and that it be zoned Community Commercial. This results in an increase of the R-1-10 PUD zoning, but they are not requesting an increase in units. They are proposing to stick with the 335 units that was previously approved, which results in a decrease in density from 9 units per acre to 7.59 units per acre. Neighborhood 13 is currently zoned R-1-10 Planned Unit Development and allows for 125 units at 6 units per acre. The application is proposing to replace this with 10.76 acres of Community Commercial zoning. The land use map would also be amended to match these requests. Neighborhood 4 is proposed to be amended from Regional Commercial and High Density Residential to 10 acres of Community Commercial with the remainder as High Density Residential. The land use map for Neighborhood 13 would be amended from Medium Density Residential to Community Commercial.

Brock Loomis and Mitch Vance were present as applicant.

Public Hearing Open by Chairman Bryan Chapman

Richard (?) Asked for clarification on the project.

Public Hearing Closed by Chairman Bryan Chapman

Commissioner Kilgore

- Asked if the request from the HOA that the small lots have full length driveways needed to be a condition. Planning Director Dave Stroud advised it could be added as a condition if the Planning Commission would like. Mitch Vance responded they would be glad to look at that.

A 5 min. break was taken to help a resident understand the item because he couldn't hear well.
Meeting resumed at 6:28.

Commissioner Cunningham

- In favor of moving the commercial.
- In favor of longer driveways.

Motion made by Commissioner Cunningham that the Planning Commission recommend to the City Council approval of the proposed Rezones and General Plan Amendments for Fox Hollow Neighborhoods 4, 12, and 13 as described in Section C of this report and as depicted in the attached exhibits, with the findings and conditions in the staff report. Adding a condition to review the driveways on the smaller lot homes. Seconded by Commissioner Kilgore. Aye: Bryce Anderson, Audrey Barton, Bryan Chapman, Troy Cunningham, Ken Kilgore, Reed Ryan, Josh Wagstaff. Motion passed 7 - 0.

6. **Public Hearing: Major Amendment for Jordan Promenade (Wander) Village Plan 1, located approximately Riverside Dr. and 400 South. Oakwood homes, applicant.**

Planning Director Dave Stroud presented the item. The applicant is requesting the ability to remove the meetinghouse site and replace with residential units. Overall unit count is still within the range of approval. Ability to remove or reduce the commercial node at Pony Express and Redwood Road. The owner is already working with a developer to bring a commercial site to this location. This commercial site is the reason for the next amendment. The developer anticipates relocating the removed commercial node just to the north and will be identified in a future village plan. They are also asking that Convenience Store and Refueling Station, Public, be added to the list of permitted uses. Refueling Station, Private, is proposed to be removed.

Sid Allsop with Oakwood Homes was present as applicant.

Public Hearing Open by Chairman Bryan Chapman

Pam and Neil Infanger felt a stoplight at 400 S. and Redwood Road is warranted. Even a Street light to illuminate the street sign would help. They had also been told that Saratoga Road structure in the area could not handle the traffic it was getting with all the new development. They had been told in the past that it could not be improved because of the water table.

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Public Hearing Closed by Chairman Bryan Chapman

City Engineer Gordon Miner responded to public comment. He noted that UDOT has done a traffic study and have warranted that a signal is needed at that intersection and it is under design. He will let Public Works Dept. know that there needs to be light there. The structure of the road will be taken into account as they work with that road in the future.

Commissioner Kilgore
- Asked about the refueling station. Planning Director Dave Stroud advised that the refueling station would not include fast food.
- Asked if Moderate income housing be included in this development. Sid Allsop responded that they have about 5-6 product types that would fit into a median income. It would come down to density, where they can have units at a lower cost.
- Received a little clarification on color for vinyl fences which the applicant replied to his knowledge they would be gray and white. It's up to the designer to allocate which colors go where.
- Asked if there was designated parking for the public park. Sid Allsop responded there would be a bridge across the spring and parking would be across that in the City regional park area.
- Asked if the Clear view triangle noted in the Community Plan matches the City Standard. Planning Director Dave Stroud advised that what is there is already approved in the Community Plan and not under review tonight. City Engineer Gordon Miner advised that he was comfortable with the ASHTO standard included in the Community Plan. It addresses a broader base of scenarios.

Commissioner Wagstaff
- Received clarification that they were only requesting eliminating this one meeting house area now.
- Received clarification that the commercial on south side was being reduced.
- Noted a bike trail on the north side of 400 S. and there is not a light on the north side of the intersection.

Commissioner Anderson
- Received clarification on the meeting house and how it affected open space. Planning Director Dave Stroud advised that it did not affect the Open Space on this plan.
- Noted Pony Express Parkway, when it comes in will alleviate traffic on 400 S. but timing may not be soon enough. Applicant responded that the timing should be on phase 2. City Engineer Gordon Miner noted that Public Works conducted a pre-proposal meeting with potential engineers to design that. It will just be a couple lengths of Pony Express, not the whole street.

Commissioner Barton
- Asked if a Signal on 400 S. and Redwood Road had been discussed before. She noted it is a very dark corner and hard to see in the dark when trying to get to Patriot Park for instance. City Engineer Gordon Miner advised that a Signal was being designed by UDOT. He noted, after research, there was a light at the point of curvature to the south currently. Public input noted it was not right on the corner and was not bright enough to illuminate the whole intersection.

Commissioner Cunningham
- Received clarification that the approval was to remove the meeting house in just this Village Plan. Planning Director Dave Stroud advised that this gives the flexibility to keep it open if the Church decides to bring a meeting house back in the area.
- He is ok with the refueling station change but is a little hesitant in seeing less commercial. Planning Director Stroud advised that the commercial will be more on the north side at the major intersection.

Commissioner Ryan
- Received clarification that with the commercial there is nothing there binding right now that we are giving up.

Motion made by Commissioner Anderson to forward a recommendation of approval regarding the Jordan Promenade Village Plan 1 amendments with the findings and conditions in the staff report. Seconded by Commissioner Ryan. Aye: Bryce Anderson, Audrey Barton, Bryan Chapman, Troy Cunningham, Ken Kilgore, Reed Ryan, Josh Wagstaff. Motion passed 7 - 0.

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7. **Public Hearing: Updates to the Standard Technical Specifications and Drawings Manual for the City of Saratoga Springs.**

City Engineer Gordon Miner presented the item. The proposed typical street section requires 85 feet of right-of-way, which provides the needed traffic volume capacity with minimal impact to new development particularly in the area of Saratoga road, where the City has the opportunity to widen the road at minimal cost to avoid costly property takings in the future.

Public Hearing Open by Chairman Bryan Chapman

Neil Infanger asked what the arterial size road looked like on Saratoga Rd.

City Engineer Gordon Miner advised this cross section would not proceed further south, access to a future park is yet to be determined. This would be from for 145 and north up to Pioneer Crossing only.

Public Hearing Closed by Chairman Bryan Chapman

Commissioner Anderson

- Received clarification that this would be from 145 and Saratoga Rd. and northward only. (Lehi's 2300 W.) In front of Loch Lomond would be the typical arterial East-West.

Motion made by Commissioner Kilgore to forward a positive recommendation to the City Council to add this standard drawing to the City's Standard Technical Specifications and Drawings. Seconded by Commissioner Cunningham. Aye: Bryce Anderson, Audrey Barton, Bryan Chapman, Troy Cunningham, Ken Kilgore, Reed Ryan, Josh Wagstaff. Motion passed 7 - 0.

8. **Work Session: Title 19 Code amendments – Conditional use Permits, City Initiated.**

Planning Director Dave Stroud presented the items for discussion. The City Council held a Special Meeting on January 23, 2020 and approved initiating proceedings pursuant to Utah Code § 10-9a-509(1)(a)(ii)(B), a proposed draft of an ordinance that removed Conditional Uses within all zoning designations from the Title 19 land use table in City Code.

Prior to the special meeting, City Staff was already in the process of drafting amendments to the Use Table in Title 19 by removing certain conditional uses, designating other conditional uses as permitted uses, and retaining a few conditional uses in various zones. Now, due to Pending Ordinance, City Staff has clear policy direction to remove conditional uses.

Staff has gone through the Land Use tables and changed the designation for all the Conditional Uses by either removing them, changing them to permitted uses, or changing them to permitted uses that will have associated standards. Superscript #4 indicates that additional standards will be proposed. Additional standards have not yet been drafted and will be presented to the Planning Commission at a later date.

Commissioner Kilgore asked if all Home Occupations would be staff review with this. He felt Class 3 would still be good to come to Planning Commission. He reviewed with staff where sexually oriented businesses were allowed and was advised it does have its own set of standards now.

Commissioner Cunningham liked the changes so far. He like having a distance standard for hotels and that they need a crime mitigation plan.

Commissioner Chapman asked why pawn shop was in industrial and Office Warehouse. Planning Director Dave Stroud advised that they have a store front and then need a warehouse in the back, which Office Warehouse would provide.

Commissioner Barton asked if there had been some research from other cities and the background for the changes. Economic Development Director David Johnson advised that they had done some research and looked at other cities. He had heard from developers that wanted to come here but felt the use table was restrictive and needed cleaned up. This will help with those situations.

Commissioner Ryan likes the changes so far and noted it's always hard to see the future. He would like to know what staff feels need to happen and if they felt this was on the right track. Economic Development Director David Johnson noted for some business that have looked at the City there may be impacts as to where they can go, but he feels as a whole this is in the right direction. Planner II Gina Grandpre advised that we are proposing these changes but there will always be something that comes up and tweaks to be made.

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Planner II Gina Grandpre noted that she gets calls for storage units which is a use that needs feedback also.

Commissioner Barton noted that as far as storage units, they all seem to be in the north but there needs to be a better balance in location. She felt location was very important for hotels with things like schools and homes.

Commissioner Wagstaff received clarification on the redlines in the staff report, e.g. Riding Arenas were Conditional, now they would just be Permitted in certain zones. He noted that the idea of hotels 300 ft. from residential is a good idea, but much of Redwood Road is within 300 ft. of residential and it would prohibit many locations. Planning Director Dave Stroud advised that the thinking is to determine distance from the actual building, not the lot line.

Commissioner Kilgore commented that storage units are needed and in demand. His felt aesthetics may help more than distance. If it's got a lot of trees or landscaping it can look good and not be as intrusive. He cited an example. Commissioner Anderson had similar thoughts but how do you say one type or brand is preferred and not another based on their design and architecture. You can't codify preference.

9. Approval of Minutes: January 23, 2020

Motion made by Commissioner Anderson to approve the minutes of January 23, 2020. Seconded by Commissioner Cunningham. Aye: Bryce Anderson, Audrey Barton, Bryan Chapman, Troy Cunningham, Ken Kilgore, Reed Ryan, Josh Wagstaff. Motion passed 7 - 0.

10. Reports of Action.
Planning Director Dave Stroud presented a Report of Action for Major Amendment for Jordan Promenade (Wander) Village Plan 1.

Motion made by Commissioner Barton to approve the Report of Action for Major Amendment for Jordan Promenade (Wander) Village Plan 1. Seconded by Commissioner Kilgore. Aye: Bryce Anderson, Audrey Barton, Bryan Chapman, Troy Cunningham, Ken Kilgore, Reed Ryan, Josh Wagstaff. Motion passed 7 - 0.

11. Commission Comments.
Commissioner Chapman noted that as he has been finishing his basement he was impressed with the Building Inspector and it reflected well on the City.

12. Director's Report. – Planning Director Dave Stroud advised of upcoming agenda items.

13. Possible motion to enter into closed session – No closed session was held.

14. Meeting Adjourned Without Objection at 7:58 p.m. by Chairman Bryan Chapman.

_____
Date of Approval

_____
Planning Commission Chair
Bryan Chapman

_____
Deputy City Recorder

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