



**Planning Commission Meeting**  
**Thursday, September 10, 2015**  
**Meeting held at the Saratoga Springs City Offices**  
**1307 North Commerce Drive, Suite 200, Saratoga Springs**

**AGENDA**

One or more members of the Commission may participate electronically in this meeting.

**PLEASE NOTE: THE ORDER OF THE FOLLOWING ITEMS MAY BE SUBJECT TO CHANGE WITH THE ORDER OF THE PLANNING COMMISSION CHAIR.**

**Regular Session commencing at 6:30 P.M.**

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 on the agenda. Comments are limited to three minutes.
4. Public Hearing: Rezone for 400 North Redwood Road, Mike Carlton, applicant. **Continued from August 13th.**
5. Public Hearings: The Crossing Community Plan and Village Plan, Redwood Road and Market Street, Boyer Company, applicant. **To be Continued to September 24<sup>th</sup>.**
6. Public Hearing: General Plan Land Use Map Designation and Rezone from Low Density Residential and R-3 to Mixed Waterfront. Parcel 58:032:0142, north of Dalmore Meadows on Redwood Road.
7. Work Session: Code Amendments, View Protections, and Landscaping Enforcement.
8. Approval of Minutes:
  - i. August 27, 2015
9. Commission Comments.
10. Director's Report:
  - Council Actions
  - Applications and Approval
  - Upcoming Agendas
  - Other
11. Motion to enter into closed session for the purchase, exchange, or lease of property, pending or reasonably imminent litigation, the character, professional competence, the deployment of security personnel, devices or systems or the physical or mental health of an individual.
12. Adjourn.

\*Public comments are limited to three minutes. Please limit repetitive comments.

**Posted: 3<sup>rd</sup> day of September, 2015. /s/ Lori Yates, City Recorder**

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 766-9793 at least one day prior to the meeting.



Community Plan and Village Plan  
The Crossing  
Thursday, September 10, 2015  
Public Hearings

Report Date:	Thursday, September 3, 2015
Applicant:	The Boyer Company
Owner:	Suburban Land Reserve Inc. (SLR)
Location:	NW Corner of Pioneer Crossing and Redwood Road, to Market Street
Major Street Access:	Redwood Road and Pioneer Crossing Extension
Parcel Number(s) & Size:	58:035:0085, 68.787 acres
Parcel Zoning:	Planned Community (PC)
Adjacent Zoning:	PC
Current Use of Parcel:	Agriculture
Adjacent Uses:	Agriculture
Previous Meetings:	PC Work Session INSERT CC Work Session INSERT
Previous Approvals:	Annexation Agreement (2010) Rezone to PC zone (2010) City Center District Area Plan (2010)
Land Use Authority:	City Council
Future Routing:	City Council
Type of Actions:	Administrative
Author:	Kimber Gabryszak, Planning Director

**A. EXECUTIVE SUMMARY**

The applicants are requesting approval of a Community Plan and Village Plan pursuant to Section 19.26 of the Land Development Code (Code) and the City Center District Area Plan (DAP). The proposal allocates a maximum of 1,413,879 sq.ft. of non-residential development equaling ~653 Equivalent Residential Units (ERUs) to ~69 acres within the DAP.

The Community Plan allocates the DAP density to the ~69 acres, and lays out the broader guidelines for the development, while the Village Plan provides the density and standards specific to the first phase of development consisting of ~21 acres.

**Staff recommends that the Planning Commission conduct two public hearings, take public comment, review and discuss the proposed Community Plan (CP) and Phase 1 Village Plan (VP) , and vote to continue the public hearing to the September 24, 2015 meeting.** Alternatives are outlined in Section I of this report, and include forwarding a positive recommendation on either or both the CP and VP with changes as directed by the Commission, or forwarding a negative recommendation on either or both the CP and VP.

**B. BACKGROUND**

The City Center District Area Plan (DAP) was approved in 2010 following annexation of just under 3000 acres into the City. As part of the annexation agreement and DAP, the 2883 acres is approved and vested for 16,000 residential units and 10,000,000 square feet of non-residential density:

**Land Use Table**

Type of Land Use	Quantity
Residential Housing	16,000 Units
Non-residential Area	10 million sq. ft.
Equivalent Residential Units	20,620 Units

The DAP has also approved Place Types ranging in density from 5-75 dwelling units per acre:

Place Types	Dwelling Unit Density Range	Range of FAR *
Urban Center	14-75	0.39–2.34
Transit Oriented Development	8–75	1.25–2.4
Town Neighborhood	6–34	0.36–1.82
Business Park	0	0.39–0.93
Office Warehouse	0	0.39–0.93
Neighborhood Commercial	5–14	0.39–1.5
Regional Retail	0	0.36–0.47
Traditional Neighborhood	5 –32	0.47–1.04
Master Planned Subdivision	4–14	0.35–0.50
Resort/Hospitality	6–8	.36–.93

\* FAR = Floor Area Ratio

(Note: the complete DAP can be found by visiting [www.saratogaspringscity.com/planning](http://www.saratogaspringscity.com/planning) and clicking on “Master Plans” then “City Center District Area Plan.”)

While the DAP includes several conceptual scenarios for the distribution of various place types, both the DAP and Code allow the place type for individual developments to be identified and finalized at the time of Community Plan approval.

**C. SPECIFIC REQUESTS**

**Community Plan**

The Community Plan covers the whole of the ~69-acre project, and the applicants are proposing the Regional Retail place type for the entire Community Plan.

**Phase 1 Village Plan**

The Phase 1 VP covers the southeastern corner of the Community Plan and contains ~21 acres. Within this first VP, the applicants are proposing a maximum of ~195-199 ERUs, consisting of 420,000 - 431,000 sq.ft.. (The applicants will provide final numbers in their next resubmittal.) The VP is utilizing this square footage through a big-box anchor store as well as several smaller pads along both Pioneer Crossing and Redwood Road.

## D. PROCESS / HOW IT WORKS

Section 19.26 of the Code describes development in the PC zone, and the graphic to the right shows the hierarchy of the different plans:

1. For a large-scale planned community district, an overall governing document is first approved, known as the District Area Plan (Section 19.26.13).
  - *The City Center DAP was approved in 2010.*
2. A Community Plan is then proposed and approved (Sections 19.26.03-19.26.08). The Community Plan lays out the more specific guidelines for a sub-district within the DAP.
  - *The Crossing Community Plan will govern only the ~69 acre sub-district of the Crossing.*
3. Following and / or concurrently with the Community Plan, a Village Plan is proposed and approved (Sections 19.26.09 – 19.26.10). The Village Plan is the final stage in the Planned Community process before final plats, addressing such details specific to the sub-phase as open space, road networks, and lots for a sub-phase of the Community Plan.
  - *The applicants are currently proposing a VP for the southeastern portion (21 acres) of the Community Plan.*

The approval process for the CP and VP includes:

1. A public hearing and recommendation by the Planning Commission
2. A public hearing and final decision by the City Council (19.26 states that the process is per Section 19.17, which is Code amendments / rezones, and requires hearings with the Council.)

## E. COMMUNITY REVIEW

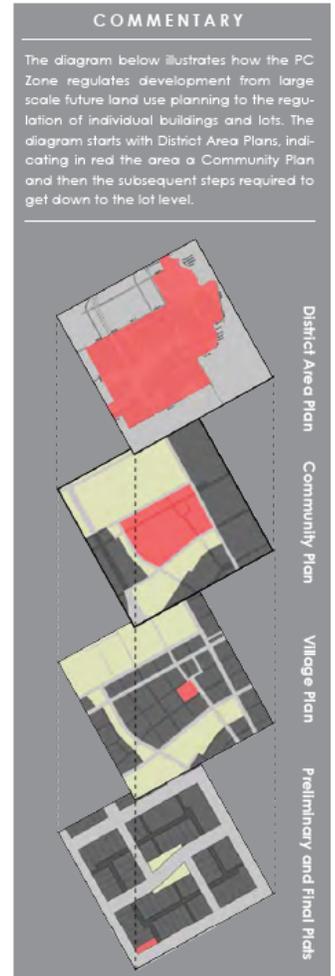
These items were noticed as public hearings in the *Daily Herald*; and mailed notice sent to all property owners within 300 feet. As of the date of this report, no public comment has been received.

Public hearings with the City Council have not yet been scheduled; these hearings will be scheduled and noticed following a recommendation by the Planning Commission.

## F. REVIEW

### Place Type

The Community Plan designates the entire ~69 acre Crossing development as Regional Retail, which is described in the DAP as follows:



**REGIONAL RETAIL**

Range of Average Dwelling Units/Acre	0 du/ac
Range of Average FAR	0.36–0.47
Range of Open Space	11 -14 %

**Open Space Types:**

- Plaza
- Entrance park
- Pocket park
- Special Use
- Greenway
- Parkway (Boulevard)
- Park lawns
- Connector trail

Regional retail includes an agglomeration of large and small scale retail buildings. Some office buildings can also be found in regional retail areas. The retail serves a community that extends beyond the neighborhoods to the entire region. Regional retail provides adequate parking for the businesses in close proximity to the stores and the customers arriving via automobile. Regional retail is located at major intersections of highways and arterials and along key transit corridors in the region. Housing is not included in this place type, however neighborhoods may be located adjacent to regional retail. Nearby residential can be connected to regional retail centers by a grid street network that is walkable.

**Density**

The Regional Retail Place Type does not have an identified maximum density in terms of ERUs, however has identified a Floor Area Ratio (FAR) range. FAR is a term that refers to the ratio of square footage to ground cover.

- A FAR of 1.0 means that a 1-story building could have a footprint covering the entire lot, or a 2 story building covering half of the lot.
- Example 1: A 10,000 sq.ft. lot with a FAR of 1.0:
  - 10,000 x 1.0, would equal 10,000 total maximum sq.ft. of development
  - Possibly a one-story building with a 10,000 sq.ft. footprint
  - Possibly 10-story building with a 1,000 sq.ft. footprint
- Example 2: A 10,000 sq.ft. lot with a FAR of 0.47:
  - 10,000 x 0.47, would equal 4,700 total maximum sq.ft. of development
  - Possibly a one-story 4,700 sq.ft. building
  - Possibly a 5-story building with a 940 sq.ft. footprint
  - Possibly a 10-story building with a 470 sq.ft. footprint

The DAP has limited the Regional Retail to a FAR of 0.36 to 0.47. Applied to the Crossing this results in:

- 69 acres x 43,560 sq.ft. = 3,005,640 sq.ft.
- FAR of 0.36 = 3,005,640 x 0.36 = 1,083,030, equivalent to ~500 ERUs
- FAR of 0.47 = 3,005,640 x 0.47 = 1,412,651 sq.ft., equivalent to ~652.5 ERUs
- The applicants are requesting a maximum of either 653.36 or 489 ERUs (typo in current plan, correct number provided at a later date), consisting entirely of non-residential uses.

**Uses**

The applicants have not identified specific uses, defaulting to the DAP language. Staff has requested a list of allowed and conditional categories in the CP, and a specific use list in the VP.

**Traffic and Infrastructure**

The applicants have not yet provided a traffic study or complete infrastructure plans. These plans still need to be reviewed by the City Engineer and found acceptable. (See Engineer’s report.)

## **Development Standards**

City Staff has been working with the applicants on the governing standards and principles of the project, which are contained in the CP and Phase 1 VP.

### *Community Plan*

The CP contains the general standards for the entire ~69 acre project. The applicants have proposed general compliance with the standards in Title 19 of the Code, specifically referencing the Regional Commercial (RC) zone, but have requested several exceptions. These exceptions are summarized below:

- Reduced landscaping as approved by the DAP
- Reduced front setbacks
- Increased height limits for office uses and a potential future movie theater
- Reduced parking ratios
- Modified fencing standards
- Increased lighting pole heights
- Modified landscaping planting standards
- Staff approvals of all future site plans
- Alternate architectural standards in lieu of the City's Design Standards
- Modified road cross sections

Standards that are missing or needed in the CP due to variation from City Code are:

- Community level pedestrian standards
- General sign standards

### *Village Plan*

The Phase 1 VP contains additional standards to implement the Community Plan on a particular sub-phase. While these topics were addressed at a higher level in the Community Plan, the information in the VP is more specific and applies only to the ~21 acres contained in the VP:

- Conceptual Lotting Plan
- Allocation of density
- Phasing Plan
- Village-specific pedestrian plan
- Architectural details / materials
- Landscaping
- Phasing
- Infrastructure and Utilities

## **Staff Review**

Staff has reviewed the CP and VP and provided several pages of redlines to the applicant. Generally summarized, these comments include direction to:

- Modify standards in CP and VP to ensure that general standards are in the CP and specific standards are in the VP.
- Provide appropriate detail to ensure predictability in future phases and site plans.
- Correct errors such as incorrect numbers, and percentages and acreages and densities that are inconsistent between the DAP, CP, and VP.
- Remove pages repeated in the CP and VP and ensure that correct pages are in correct plan.

More detail on the proposed development are found in the complete Crossing Community Plan and Phase 1 Village Plan drafts, at [www.saratogaspringscity.com/planning](http://www.saratogaspringscity.com/planning), under “pending applications”.

#### G. GENERAL PLAN

The General Plan Land Use map identifies this area as Planned Community, which states:

k. **Planned Community.** The Planned Community designation includes large-scale properties within the City which exceed 500 acres in size. This area is characterized by a mixture of land uses and housing types. It is subject to an overall Community Plan that contains a set of regulations and guidelines that apply to a defined geographic area. Required Village Plans contain regulations that apply to blocks of land and provide specific development standards, design guidelines, infrastructure plans and other elements as appropriate. Development in these areas shall contain landscaping and recreational features as per the City's Parks, Recreation, Trails, and Open Space Element of the General Plan.

The 2883 acre DAP was approved in 2010 in compliance with the General Plan and the intent of the Planned Community designation. The proposed Community Plan includes trail connections and parks in compliance with the related master plans, however more information is needed for pedestrian connectivity within the project and for overall transportation within and without the project.

#### H. CODE CRITERIA

The property is zoned PC, and is subject to the standards and requirements in Section 19.26 of the Code, and its several sub-sections. Staff has provided an initial review; note that the applicant is working on responding to the remaining items and will provide the Commission with an updated submittal at a later date.

##### 19.26.04 – Uses Permitted within a Planned Community District

- The application includes big box and general retail, office, and similar uses, which are permitted in the PC zone. The applicants will provide further clarity in the next resubmittal.

#### COMMUNITY PLAN CODE REQUIREMENTS

##### a) Section 19.26.06 – Guiding Standards of Community Plans

The standards for a Community Plan are below:

1. Development Type and Intensity. The allowed uses and the conceptual intensity of development in a Planned Community District shall be as established by the Community Plan.  
*Staff finding: complies. Subdivision plats and building permits will be reviewed for compliance with the Community Plan.*
2. Equivalent Residential Unit Transfers.  
*Staff finding: complies. The Community Plan states that no density will be transferred.*
3. Development Standards. Guiding development standards shall be established in the Community Plan.

**Staff finding: up for discussion.** The proposed CP references Title 19 of the City Code for standards, however contains requested exceptions from these standards. Staff has provided feedback on areas requiring additional detail and modifications to ensure adequate clarity in future applications of the standards.

4. Open Space Requirements.

**Staff finding: complies.** While the Code currently requires 30% open space for development in the Planned Community Zone, it allows DAPs to include a lower range. The City Center DAP is the governing document for the proposed Community Plan, and the proposed open space meets the standards and range of 11-14% as identified in the DAP for this place type.

5. No structure (excluding signs and entry features) may be closer than twenty feet to the peripheral property line of the Planned Community District boundaries.

- a. The area within this twenty foot area is to be used as a buffer strip and may be counted toward open space requirements, but shall not include required back yards or building set back areas.
- b. The City Council may grant a waiver to the requirement set forth in this Subsection upon a finding that the buffer requirement will result in the creation of non-functional or non-useable open space area and will be detrimental to the provision of useful and functional open space within the Project.

**Staff finding: complies.** The applicants are installing a 30' buffer along Redwood Road per the City's road standards and specifications. This is in addition to required setbacks.

**b) 19.26.07 – Contents of Community Plans**

The items summarized below are required to be part of a Community Plan:

1. Legal Description. **Provided**
2. Use Map. **Provided**
3. Buildout Allocation. **Provided but needs modification**
4. Open Space Plan. **Provided**
5. Guiding Principles. **Partially provided; need additional information and modification**
5. Utility Capacities. **Provided**
6. Conceptual Plans. Other elements as appropriate - conceptual grading, wildlife mitigation, open space management, hazardous materials remediation, fire protection. **Provided**
8. Additional Elements.
  - a. responses to existing physical characteristics of the site. **Provided**
  - b. findings statement. **Not provided**
  - c. environmental issues. **Provided**
  - d. means to ensure compliance with standards in Community Plan. **Provided**
9. Application and Fees. **Provided**

**c) 19.26.05 – Adoption and Amendment of Community Plans**

The criteria for adoption of a Community Plan are below:

- a. is consistent with the goals, objectives, and policies of the General Plan, with particular emphasis placed upon those policies related to community identity, distinctive qualities in communities and

neighborhoods, diversity of housing, integration of uses, pedestrian and transit design, and environmental protection;

**Staff finding: is not yet fully consistent.** See Section G of this report for general consistency; additional standards and clarifications are needed to ensure appropriate pedestrian and transit design.

- b. does not exceed the number of equivalent residential units and square footage of nonresidential uses of the General Plan;

**Staff finding: does not yet comply.** The General Plan does not identify ERUs or square footage, however the DAP identifies a maximum FAR. The project must be modified to comply with the permissible FAR range.

- c. contains sufficient standards to guide the creation of innovative design that responds to unique conditions;

**Staff finding: does not yet comply.** The proposed standards are incomplete and require further modification.

- d. is compatible with surrounding development and properly integrates land uses and infrastructure with adjacent properties;

**Staff finding: complies.** Adjacent property is undeveloped, and is also governed by the same DAP as the proposed development. Infrastructure needs for future development have been taken into account in the planning of this site.

- e. includes adequate provisions for utilities, services, roadway networks, and emergency vehicle access; and public safety service demands will not exceed the capacity of existing and planned systems without adequate mitigation;

**Staff finding: does not yet comply.** See Engineering Report.

- f. is consistent with the guiding standards listed in Section 19.26.06; and

**Staff finding: does not yet comply.** See analysis in subsection H.a) above.

- g. contains the required elements as dictated in Section 19.26.07.

**Staff finding: does not yet comply.** The application is missing a findings statement, and several items require modification.

#### **VILLAGE PLAN CODE REQUIREMENTS**

##### **d) 19.26.03.2 – Additional Village Plan Requirements**

Additional requirements for a Village Plan are summarized below:

- a. A detailed traffic study – Not yet **Provided. See Engineering Report.**
- b. A map and analysis of backbone infrastructure systems - **Provided.**
- c. Detailed architectural requirements and restrictions - **Provided but needs modification.**
- d. If applicable, details regarding the creation of an owners' association, master association, design review committee, or other governing body. - **Provided.**

##### **e) 19.26.09 – Village Plan Approval**

The criteria for a Village Plan approval are summarized below:

- a. is consistent with the adopted Community Plan;  
**Staff finding: does not yet comply.** *The Village Plan may be inconsistent with the allowed densities and FAR in the CP, and accurate numbers are needed to verify consistency.*
- b. does not exceed the total number of equivalent residential units dictated in the adopted Community Plan;  
**Staff finding: does not yet comply.** *The proposed FAR has not been provided, and the maximum ERUs does not match the CP. Modification is necessary.*
- c. for an individual phase, does not exceed the total number of equivalent residential units dictated in the adopted Community Plan unless transferred per the provisions of the Community Plan;  
**Staff finding: does not yet comply.** *The FAR has not been provided, and the ERUs may not be consistent with the CP. Modification is necessary.*
- d. is consistent with the utility, infrastructure, and circulation plans of the Community Plan; includes adequately sized utilities, services, and roadway networks to meet demands; and mitigates the fair-share of off-site impacts;  
**Staff finding: does not yet comply.** *See Engineering Report.*
- e. properly integrates utility, infrastructure, open spaces, pedestrian and bicycle systems, and amenities with adjacent properties; and  
**Staff finding: does not yet comply.** *Pedestrian plans and bicycle lane/trail cross sections have not yet been provided, and more information is needed.*
- f. contains the required elements as dictated in Section 19.26.10.  
**Staff finding: in process.** *See below. Nearly all required topics have been included, and remaining topics and modifications are being prepared by the applicant.*

#### **19.26.10 – Contents of a Village Plan**

The required contents of a Village Plan are summarized below:

1. Legal Description - **Provided**
2. Detailed Use Map - **Provided**
3. Detailed Buildout Allocation – **Provided but needs modification**
4. Detailed Development Standards – **Provided but needs modification**
5. Design Guidelines – **Provided but needs modification**
6. Owners’ / Governing Associations - **Provided**
7. Phasing Plan - **Provided**
8. Lotting Map - **Provided**
9. Landscaping Plan – **Provided but needs modification**
10. Utility Plan - **Provided**
11. Vehicular Plan - **Provided**
12. Pedestrian and Bicycle Plan – **Partially provided and needs modification**
13. Additional Detailed Plans. Other elements as necessary (grading plans, storm water drainage plans, wildlife mitigation plans, open space management plans, sensitive lands protection plans, hazardous materials remediation plans, and fire protection plans) - **Provided**
14. Site Characteristics - **Provided**
15. Findings Statement – **Not provided**

- 16. Mitigation Plans. (Protection and mitigation of significant environmental issues) - **Provided**
- 17. Offsite Utilities - **Provided**
- 18. Development Agreement – **Pending (draft being edited by staff)**

**I. Recommendation:**

Staff recommends that the Planning Commission conduct two public hearings, take public comment, review and discuss the proposed CP and VP, and vote to continue the public hearing to the next meeting.

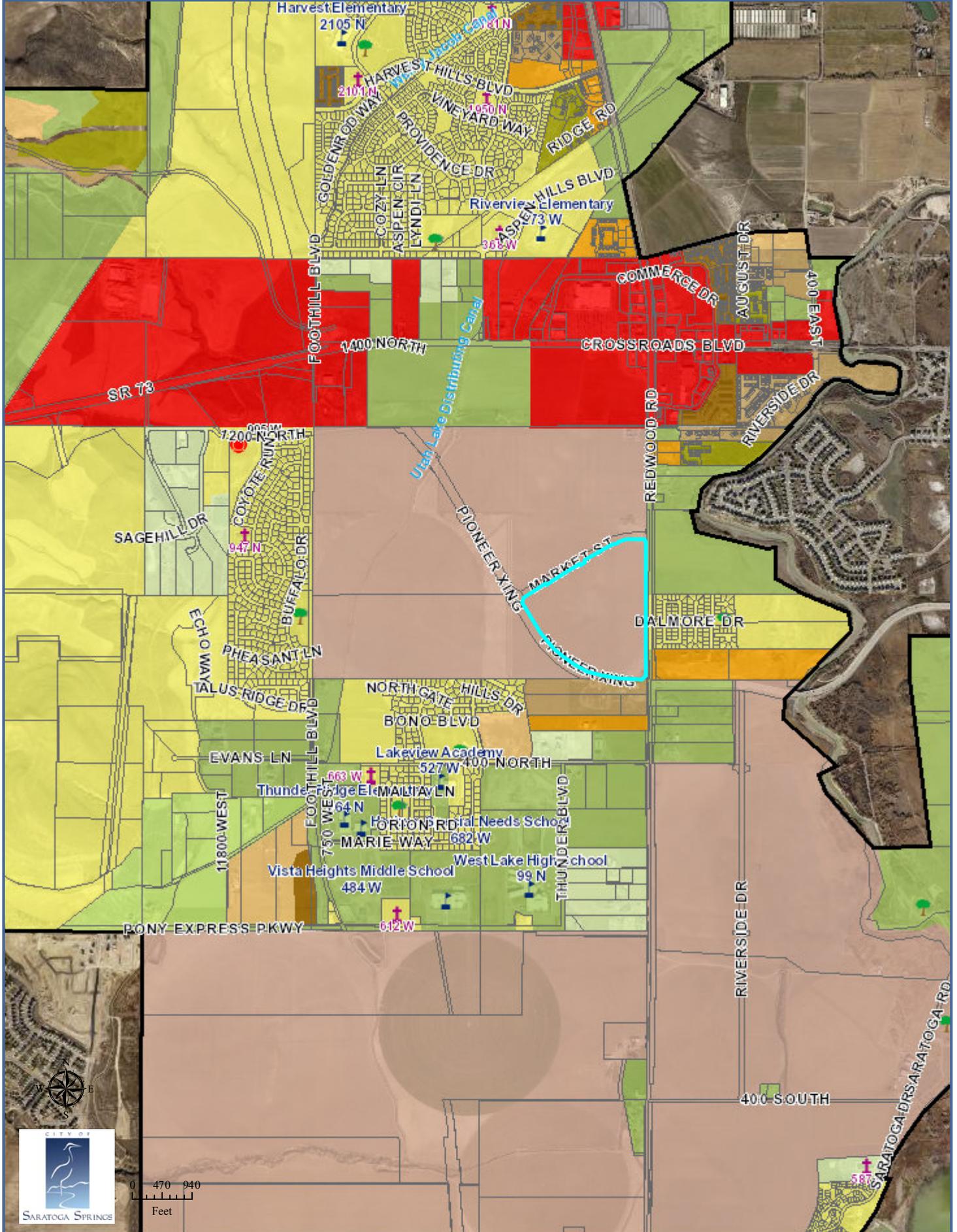
“I move to **continue** the Crossing Community Plan and Village Plan to the September 24<sup>th</sup>, 2015 meeting with direction to the applicant and Staff on information and / or changes needed to render a decision, as follows:

- 1. Changes identified by Staff shall be incorporated.
- 2. Missing and incomplete items shall be provided.
- 3. Hard copies of the modified plans provided to the Commission at least one full week prior to the September 24<sup>th</sup> meeting.
- 4. Other: \_\_\_\_\_
- 5. Other: \_\_\_\_\_
- 6. Other: \_\_\_\_\_

**J. Attachments:**

- A. Location & Zone Map (page 11)
- B. District Area Plan Regional Retail Information (page 12)
- C. Community Plan Layout as of 8/17/2015 (page 13)
- D. Village Plan Layout as of 8/1/2015 (page 14)
- E. City Engineer’s Report dated 9/3/2015 (pages 15-17)
- F. Full Community Plan: [www.saratogaspringscity.com/planning](http://www.saratogaspringscity.com/planning), under “Pending Applications”
- G. Full Village Plan: [www.saratogaspringscity.com/planning](http://www.saratogaspringscity.com/planning), under “Pending Applications”

# The Crossing Location & Zone



# SARATOGA SPRINGS CITY CENTER DISTRICT AREA PLAN

## PLANNING CRITERIA AND GUIDELINES

### REGIONAL RETAIL

Range of Average Dwelling Units/Acre	0 du/ac
Range of Average FAR	0.36–0.47
Range of Open Space	11 -14 %

Open Space Types:

- Plaza
- Entrance park
- Pocket park
- Special Use
- Greenway
- Parkway (Boulevard)
- Park lawns
- Connector trail

*The “ingredients” that make up Regional Retail:*

### Commercial



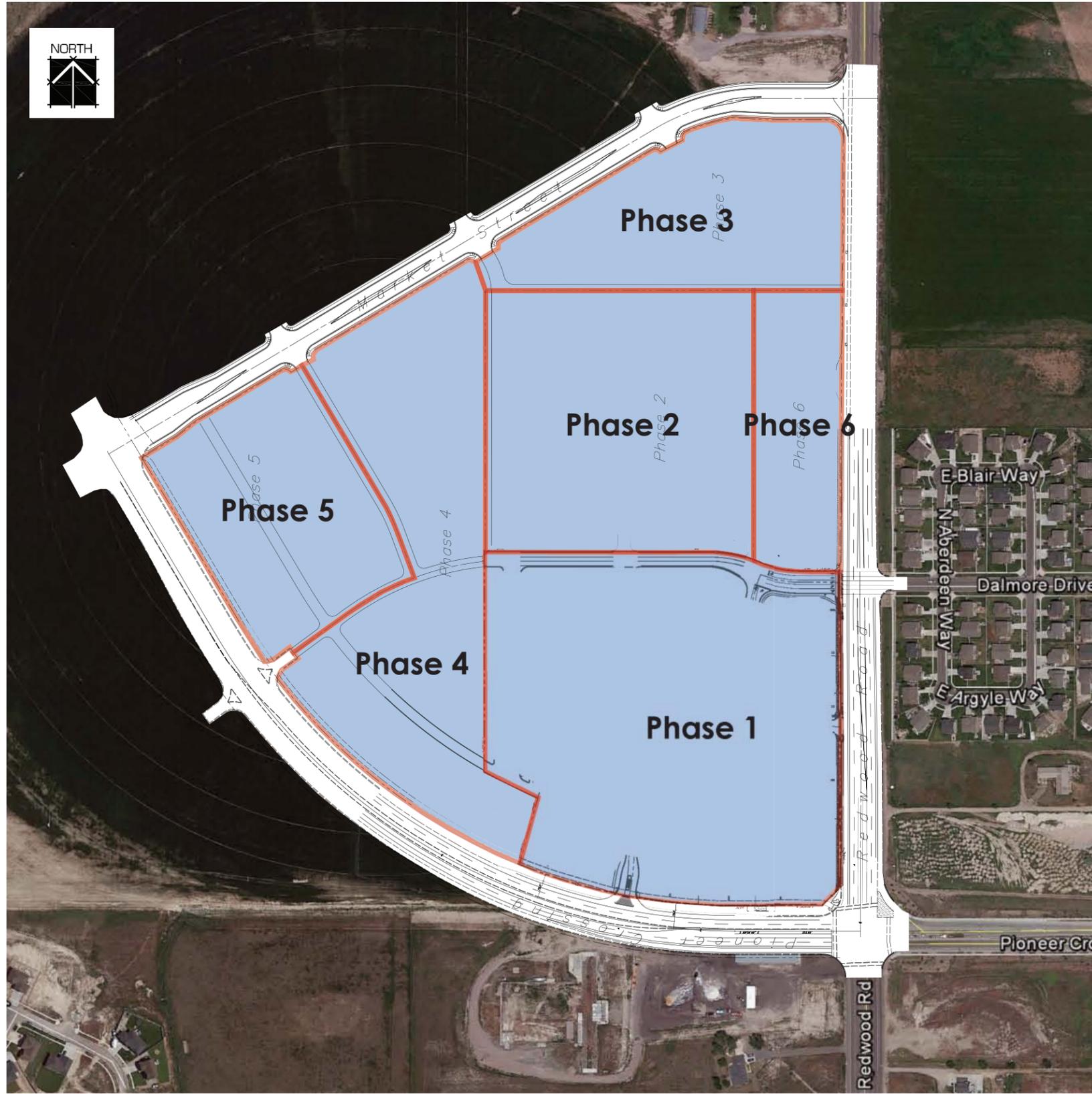
### Streets



### Open Space



Regional retail includes an agglomeration of large and small scale retail buildings. Some office buildings can also be found in regional retail areas. The retail serves a community that extends beyond the neighborhoods to the entire region. Regional retail provides adequate parking for the businesses in close proximity to the stores and the customers arriving via automobile. Regional retail is located at major intersections of highways and arterials and along key transit corridors in the region. Housing is not included in this place type, however neighborhoods may be located adjacent to regional retail. Nearby residential can be connected to regional retail centers by a grid street network that is walkable.



## USES



Future Phases - Regional Retail

Permitted and conditional uses per City of Saratoga Springs District Area Plan - Regional Retail:

*Regional retail includes an agglomeration of large and small scale retail buildings. Some office buildings can also be found in regional retail areas. The retail serves a community that extends beyond the neighborhoods to the entire region. Regional retail provides adequate parking for the businesses in close proximity to the stores and the customers arriving via automobile. Regional retail is located at major intersections of highways and arterials and along key transit corridors in the region. Housing is not included in this place type, however neighborhoods may be located adjacent to regional retail. Nearby residential can be connected to regional retail centers by a grid street network that is walkable.*

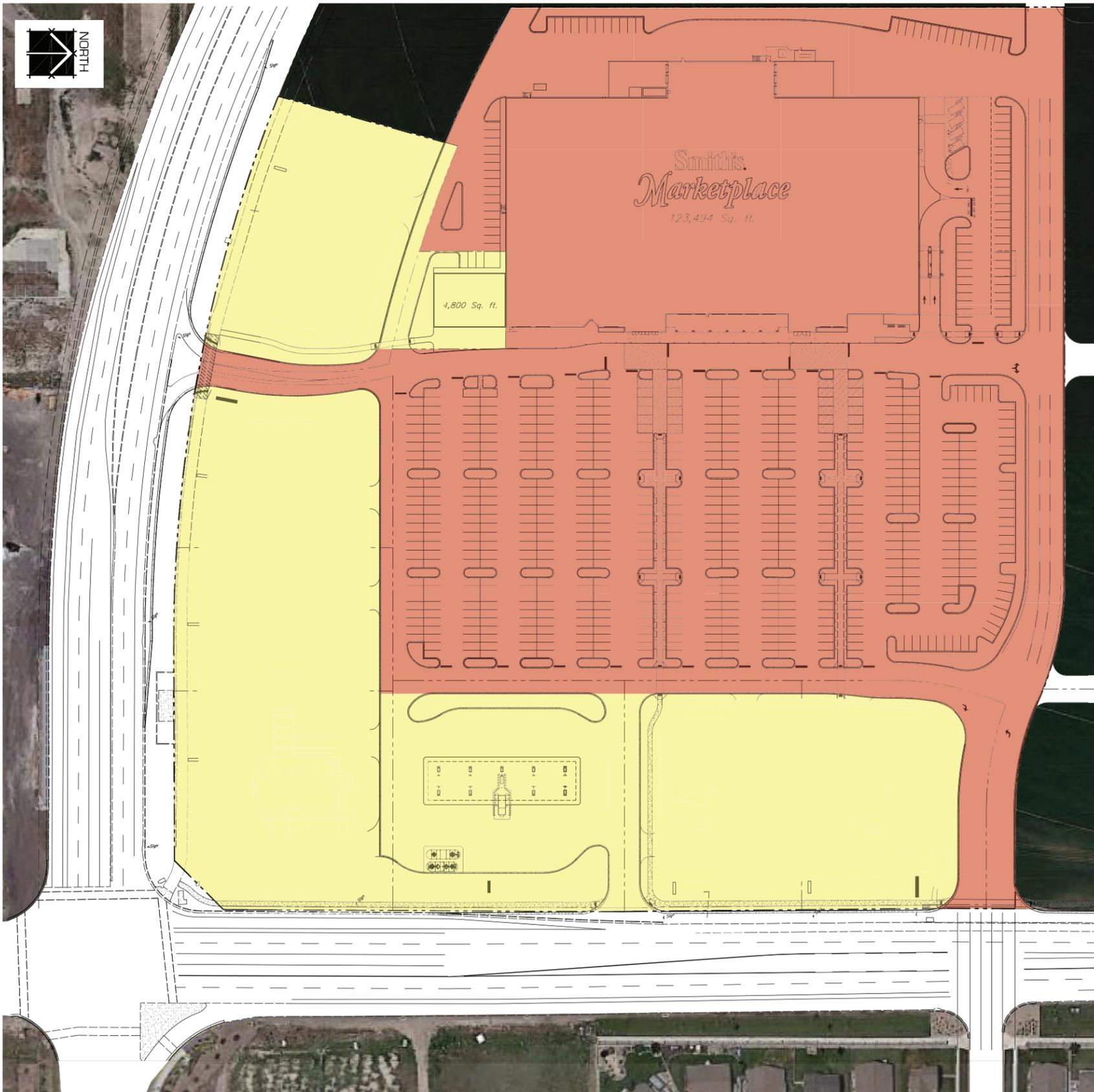


SARATOGA SPRINGS



**BOYER**

the crossing - community plan



## REGIONAL RETAIL USES

- Anchor Retail
- Retail / Restaurant

Other permitted and conditional uses per City of Saratoga Springs District Area Plan - Regional Retail:

*Regional retail includes an agglomeration of large and small scale retail buildings. Some office buildings can also be found in regional retail areas. The retail serves a community that extends beyond the neighborhoods to the entire region. Regional retail provides adequate parking for the businesses in close proximity to the stores and the customers arriving via automobile. Regional retail is located at major intersections of highways and arterials and along key transit corridors in the region. Housing is not included in this place type, however neighborhoods may be located adjacent to regional retail. Nearby residential can be connected to regional retail centers by a grid street network that is walkable.*



SARATOGA SPRINGS



**BOYER**

the crossing - village plan

# City Council Staff Report

**Author:** Jeremy D. Lapin, City Engineer  
**Subject:** The Crossing  
**Date:** September 10, 2015  
**Type of Item:** Community and Village Plan



## Description:

**A. Topic:** The Applicant has submitted a community and village plan application. Staff has reviewed the submittals and provides the following recommendations.

## B. Background:

*Applicant:* The Boyer Company  
*Request:* Community and Village Plan Approval  
*Location:* Northwest corner of Pioneer Crossing and Redwood Rd.  
*Acreage:* Community Plan 68.821 acres and 653 ERU's; Village Plan #1 20.5 acres and 194 ERU's

**C. Recommendation:** Staff recommends the continuation of the community and village plan so that the applicant can incorporate the following into the Community and Village Plan

- 1) A traffic impact study (TIS) that meets the minimum requirements as outlined in the City's Transportation Master Plan.
- 2) A transportation plan for the entire community plan area with specific road or access types and cross sections and standards specified for each.
- 3) Pedestrian plan that identifies routes from north to south and east to west in the project. The pedestrian plan should have specific trail types/names and cross sections and standards specified for each type.
- 4) Clarification on how much open space is required for the Community Plan as per the District Area Plan as well as how much of that open space will be provided as part of "regional" open space provided independent of each village plan versus what will be provided with each village plan.
- 5) Utility Master Plans for the Project that identify the utility impacts of the project and identify how these needs will be met both for Village Plan 1 and for the Community Plan area. These plans shall be consistent with the City's Masterplans.

- 6) A drainage plan that includes a narrative to clarify how the drainage will be handled whether it will be a regional system or individual systems. The drainage plan needs to also illustrate how Stormwater will be treated to meet City standards prior to discharge.
- 7) A sanitary sewer plan that is consistent with the City's Master Plan as well as provides capacity for future phases within the community plan as well as for future areas to the west that may need to drain through project.

**D. Conditions:** Staff recommends the following conditions for the approval of the Community and Village Plan

- 8) The developer shall comply with all UDOT access permitting requirements. A permit for all points of access along Redwood Road shall be obtained from UDOT prior to final plat approval. Redwood Road is a Category 4 roadway and as such all access points, signalized or other, must meet UDOT's standards for that roadway classification. Developer shall complete the half-width improvements along Redwood Road (Principal Arterial) as per the City's Transportation Master Plan (TMP) and Engineering standards and specifications.
- 9) While the existing utility systems (culinary water, pressurized irrigation, storm drain and sewer) currently have adequate capacity for the City's current rate of growth, the adoption of the community plan does not represent a reservation of capacity in any of the systems. Capacity is available on a first come, first serve basis and final verification of system capacity will need to be determined prior to the recordation of plats. At the time of plat recordation, Developer shall be responsible for the installation and dedication to City of all onsite and offsite improvements sufficient for the development of Developers' Property in accordance with the current City regulations. While the anticipated improvements required for the entire Property are set out in the community plan, that is only the City's best estimate at this time as to the required improvements and is not intended to be an exhaustive list. The required improvements for each plat shall be determined by the City Engineer at the time of plat submittal and shall primarily be based on the exhibits in the Community plan but may be adjusted in accordance with current City regulations.
- 10) Park strips less than 9' in width shall only be planted with trees appropriate for narrow areas and that will not damage the sidewalk as they grow.
- 11) Open Space areas that will be maintained by the City must be designed in accordance with City Standards and the City's Engineering Standards and Specifications.

- 12) Developer shall prepare and submit signed easements for all public facilities not located in the public right-of-way. Sewer and storm drains shall be provided with a minimum of 20' wide easements and water and irrigation lines a minimum of 10' wide easements centered on the facility. Utility lines may not be closer than 10' apart from each other or from any structure. Developer shall provide 12' paved access roads and 20' wide access easements to any location where access is required outside the ROW such as sewer or storm drain manholes. Utility mains outside of the ROW shall be located in common or dedicated open space acres and shall not be located in private lots and must be a minimum of 20' from any building or structure.
- 13) All street lighting and any other lighting proposed to be dedicated to and maintained by the City shall comply with the current City standards and specifications. All lighting shall be full-cutoff style and meet all other City and IESNA standards.
- 14) Project shall comply with all ADA standards and requirements.
- 15) Secondary and Culinary Water Rights must be secured from or dedicated to the City with each plat proposed for recordation compliant with current City Code. Prior to acceptance of water rights proposed for dedication, the City shall evaluate the rights proposed for conveyance and may refuse to accept any right that it determines to be insufficient in annual quantity or rate of flow or has not been approved for change to municipal purposes within the City or has not been approved for diversion from City-owned waterworks by the State Engineer.
- 16) All sites shall have separate metered culinary and secondary laterals.
- 17) The full access from Pioneer Crossing including sidewalks and the entire Redwood Road frontage and access roads are to be constructed with phase 1.



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**General Plan Amendment and Rezone  
Chui Property  
September 15, 2015  
Public Hearing**

Report Date:	Tuesday, September 8, 2015
Applicant:	n/a, City Initiated
Owner (if different):	Patricia and Richard Chiu
Location:	Redwood Road and Jordan River, north of Dalmore Meadows
Major Street Access:	Redwood
Parcel Number(s) and size:	58:032:0142, 45.078855 acres
General Plan Designation:	Low Density Residential
Zone:	Agriculture (A)
Adjacent Zoning:	A, R-3
Current Use:	Vacant
Adjacent Uses:	Residential, Vacant
Previous Meetings:	None
Type of Action:	Legislative
Land Use Authority:	City Council
Future Routing:	City Council
Planner:	Kimber Gabryszak

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**A. Executive Summary:**

This City initiated General Plan amendment is to change the designation of a ~45 acre parcel from Low Density Residential to Mixed Waterfront. The City proposes to rezone the property from Agriculture to Mixed Waterfront concurrently with the General Plan amendment.

**Staff Recommendation:**

Staff recommends that the City Council conduct a public hearing and take public comment on the Rezone and GP Amendment, and consider taking action on the Rezone and GP Amendment to the City Council. Options for the Rezone and GP amendment include approval, denial, or continuance, and are outlined in Section H of this report.

**B. BACKGROUND:** The purposed of the original Mixed Lakeshore zone was to enable development that takes advantage of the recreational and scenic qualities of Utah Lake. The City is in the process of amending this zone to permit its application along the Jordan River as well as Utah Lake, as both Utah Lake and Jordan River offer similar amenities. The amended zone will be called "Mixed Waterfront", and all properties in the City currently designated Mixed Lakeshore on the Future Land Use Map will be renamed. Additionally, the City has proposed amending the designation for the first property on the Jordan River to Mixed Waterfront, and rezone the property at the same time.

The Planning Commission will hold a hearing on September 10, 2015. As their hearing will take place after this report, Staff will provide a report of action prior to the Council hearing.

- C. SPECIFIC REQUEST:** The City proposes to change the General Plan designation of this ~45 acre parcel from Low Density Residential to Mixed Waterfront, and concurrently rezone the property from Agriculture to Mixed Waterfront. As this is a City initiated change, no concept plan is required.

Information on the allowed and conditional uses in the Mixed Waterfront zone, as well as the currently proposed standards under review by the City Council, are included as Exhibits 2 and 3.

**D. PROCESS**

**General Plan Amendment and Rezone**

Section 19.17.03 of the City Code outlines the requirements for a rezone and General Plan amendment requiring all rezoning application to be reviewed by the City Council after receiving a formal recommendation from the Planning Commission. An application for a rezone request shall follow the approved City format. Rezones are subject to the provisions of Chapter 19.13, Development Review Processes.

The development review process for rezone approval involves a formal review of the request by the Planning Commission in a public hearing, with a formal recommendation forwarded to the City Council. The City Council will then hold a public hearing and formally approve or deny the rezone request.

**Development Plan**

Section 19.17.02 of the Code also states *"Petitions for changes to the City's Zoning Map to all land use zones shall be accompanied by an application for Concept Plan Review or Master Development Agreement approval pursuant to Chapter 19.13 of this Code."*

There is no petition for this change, so no concept plan or Master Development Agreement is required.

**E. COMMUNITY REVIEW:**

The rezone and GP portions of this application have been noticed as a public hearing in the *Daily Herald*, and mailed notice sent to all property owners within 300 feet at least 10 days prior to this meeting. As of the date of this report, no public input has been received.

The property owner was also provided with a letter outlining the proposed change, including permitted and conditional uses in both the current and proposed zones, and other related development standards.

**F. GENERAL PLAN:**

The site is currently designated as Low Density Residential on the adopted Future Land Use Map. The City proposes an amendment to Mixed Waterfront, to further the General Plan's goal of taking advantage of the scenic and recreational qualities of Utah Lake and the Jordan River. The property is located along the Jordan River, and its proximity between Redwood Road, Pioneer Crossing, and SR 73 makes the location appropriate for a mixed medium-density residential development including limited commercial uses.

**G. CODE CRITERIA:**

Rezoning and General Plan amendments are legislative decisions; therefore the Council has significant discretion when making a decision on such requests.

The Code criteria below are provided as guidelines, however are not binding requirements.

### **Rezone and General Plan Amendments**

Section 19.17.04 outlines the requirements for both a rezone and a General Plan amendment, and states:

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.** *The application is consistent with the goals of the General Plan as outlined in Section F of the staff 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 proposal enables development to enable more residents to benefit from proximity to the Jordan River.*
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.** *This will be the first rezone in the City to a Mixed Waterfront type zone, which will enable the goals of that Land Use Designation to be more fully realized.*
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.** *Enabling development in the Mixed Waterfront zone will benefit the public by providing development that provides more access and utilization of the Jordan River.*

### **H. Recommendation and Alternatives:**

Staff recommends that the Planning Commission conduct a public hearing on the General Plan Amendment and Rezone, take public comment, discuss the proposal, and then choose from the options outlined below:

#### **Option 1, Positive Recommendations**

*(Staff supports this option)*

“I move to forward positive recommendation to the City Council for the General Plan Amendment and Rezone of the ~45.08 acre parcel 58:032:0142, from Low Density Residential and Agriculture to Mixed Waterfront, as identified in Exhibit 1, with the Findings below:”

Findings

1. The General Plan amendment will not result in a decrease in public health, safety, and welfare as outlined in Section F of this report, which section is hereby incorporated by reference.
2. The rezone is consistent with Section 19.17.04 of the Code, as articulated in Section G of this report, which section is hereby incorporated by reference.

#### **Option 2, Continuance**

"I move to **continue** the rezone and General Plan amendment to another meeting, with direction to Staff on information and / or changes needed to render a decision, as follows:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

**Option 3, Negative Recommendation**

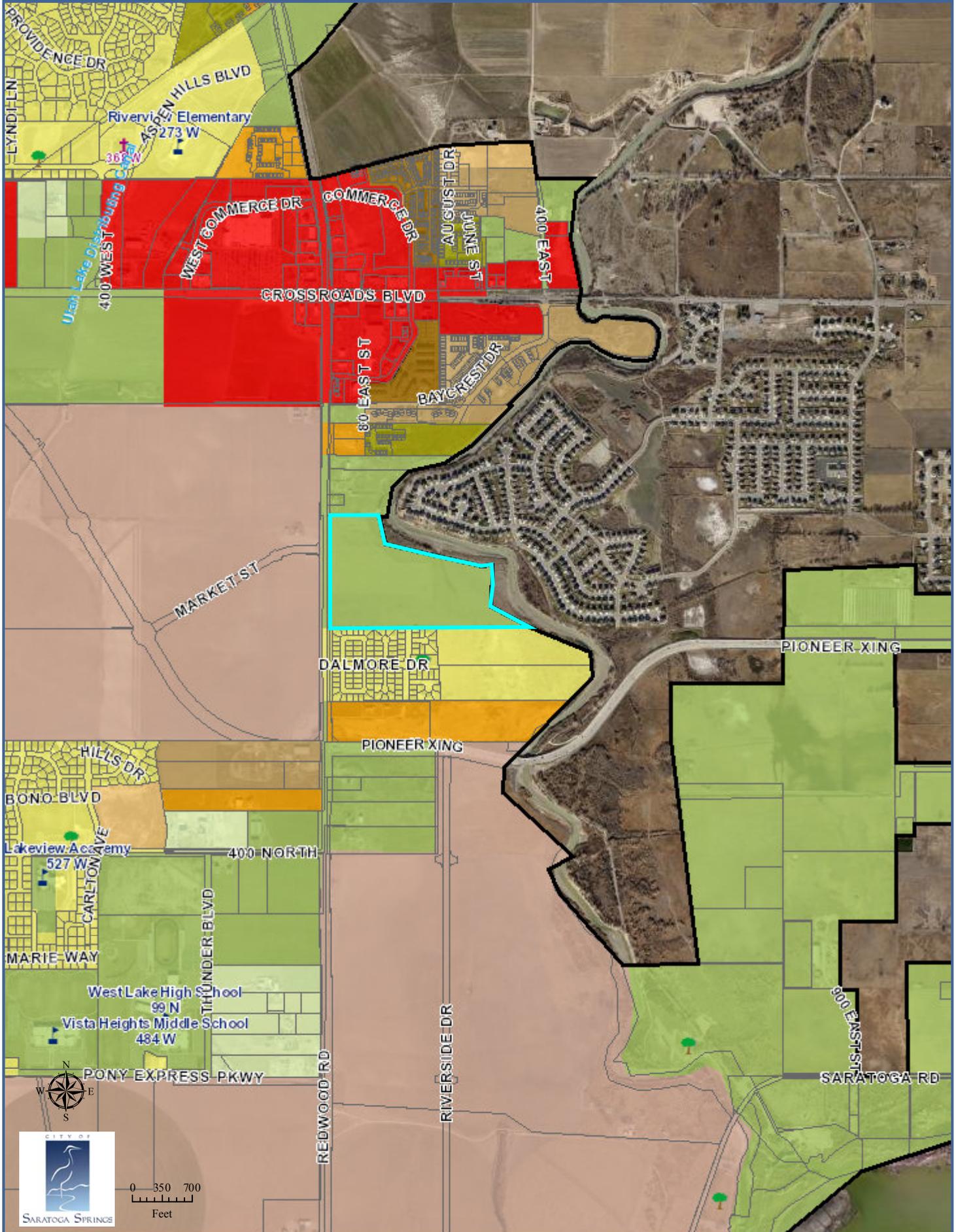
"I move to forward a negative recommendation to the City Council for the General Plan Amendment and Rezone of the ~45.08 acre parcel 58:032:0142, from Low Density Residential and Agriculture to Mixed Waterfront, as identified in Exhibit 1, with the Findings below:

1. The General Plan amendment will result in a decrease in public health, safety, and welfare as articulated by the Commission: \_\_\_\_\_, and/or
2. The rezone is not consistent with Section 19.17.04 of the Code, subsection \_\_\_\_\_, as articulated by the Commission: \_\_\_\_\_.

**I. Exhibits:**

1. Property to be Rezoned – Location Map & Current Zone (page 5)
2. Mixed Waterfront Zone Uses (pages 6-9)
3. Mixed Waterfront Zone, proposed General Plan & Zone (pages 10-13)

# Chiu Property Location & Zone - Rezone MW



# Chiu Property Location & Zone - Rezone MW

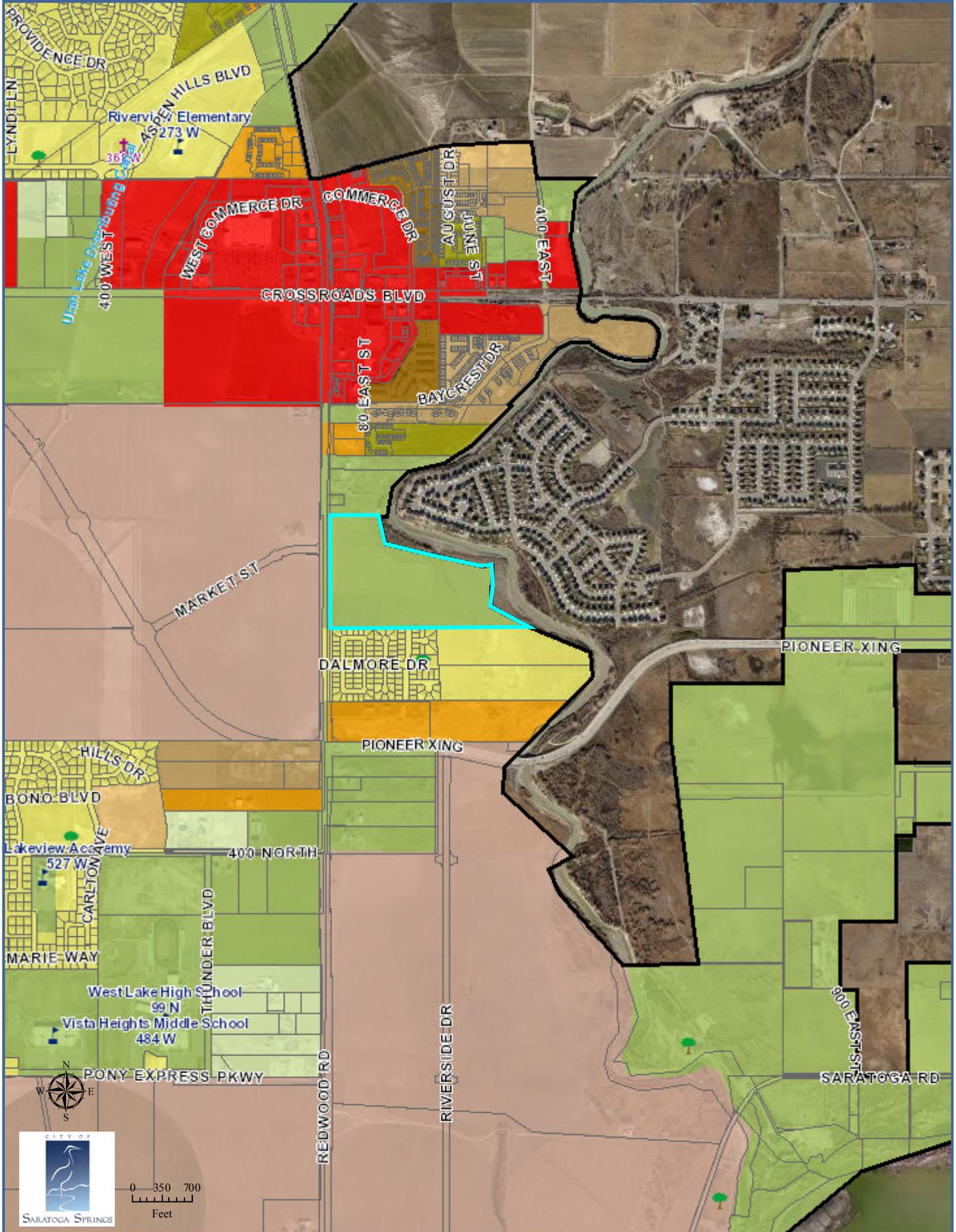


Exhibit 2  
Mixed Waterfront Uses  
(Currently labeled ML,  
to be relabeled MW)

through a Site Plan review according to the requirements within the Land Development Code.

**3. Permitted and Conditional Uses by Zone-Commercial:**

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

**P= Permitted C= Conditional**

	NC	MU	RC*	OW	I	ML	BP	IC	PSBL
Alcoholic Beverage, Package Agency					C				
Alcoholic Beverage, State Liquor Store					C				
Animal Hospital, Large/Large Veterinary Office	C	C	P	P					
Animal Hospital, Small/Small Veterinary Office	C	C	P	P					
Arts & Crafts Sales	C	P	P			P			
Automobile Refueling Station		C	C	C	C				
Automobile Rental & Leasing Agency			C	C	P		C <sup>A</sup>		
Automobile Repair, Major				C	C				
Automobile Repair, Minor			C**	C	C		C <sup>E</sup>		
Automobile Sales			C**		C				
Automobile, Boat, All-Terrain Vehicle (ATV), Motorcycle, Recreation Vehicle, Sales & Service			C**	C	P				
Bakery, Commercial				C	C				
Bakery, Retail	P	P	P			P	C		
Bed and Breakfast		C				C			
Bookstore	P	P	P			P	P <sup>AC<sup>E</sup></sup>		
Building Material Sales (with outdoor storage)			C**	C	P				
Building Material Sales (without outdoor storage)			C	C	C				
Bus Lot									P
Car Wash (full service)			C				C <sup>A</sup>		
Car Wash (self service)			C**	C	C				
	NC	MU	RC*	OW	I	ML	BP	IC	PSBL

	NC	MU	RC*	OW	I	ML	BP	IC	PSBL
Child Care Center	C	C	C			C <sup>A</sup>	C <sup>A</sup>		
Churches	C	C				C		C	
Commercial & industrial laundries				C	P				
Commercial Recreation		C	C	C	C	P			
Commuter/Light Rail Station			P	P	P		C	C	
Contract construction services establishments				C	P				
Contract Services Office				P	P				
Convenience Store		C	P	C			C <sup>E</sup>		
Convenience Store/Fast Food Combination			C**				C <sup>E</sup>		
Copy Center	C	P	P	C			C <sup>A</sup>		
Crematory/Embalming Facility				C	C				
Dry Cleaners	C	P	P				C <sup>E/A</sup>		
Dwelling, Above commercial		P	C			P			
Dwelling, Multi-Family		P				P			
Dwelling, Single-Family		P				P			
Dwelling, Three-Family		P				P			
Dwelling, Two-Family		P				P			
Educational Center	C	C	C	C			C	P	
Electronic Media Rental & Sales		C	P						
Electronic Sales & Repair		C	P				C <sup>A</sup>		
Equipment Sales & Services			C		P				
Financial Institution		P	P				P <sup>A</sup>		
Fitness Center (5,000 sq. ft. or less)	P	P	P	P		P	P <sup>A</sup>		
Fitness Center( 5,001 sq. ft. or larger)	C	C	C	C			C <sup>A</sup>		
Floral Sales	P	P	P			P	P <sup>A</sup>		
Fueling Station									P
Fueling Station, Cardlock Facility									P
Funeral Home	C	C	C						
Grocery Store		C	P			P			
Hair Salon	P	P	P			P			
	NC	MU	RC*	OW	I	ML	BP	IC	PSBL

	NC	MU	RC*	OW	I	ML	BP	IC	PSBL
Hardware & Home Improvement Retail		C	P						
Home Occupations	See §19.08	See §19.08	See §19.08	See §19.08					
Hospital			P				C	P	
Hotels			C	C	C	C	C		
Ice Cream Parlor	P	P	P			P	C <sup>A</sup>		
Impound Yard					C				
Kennel, Commercial			C	C	P				
Laundromat			C	C	C				
Library		P	P					P	
Light Manufacturing				C	C		C		
Marina						P			
Mining					C				
Mixed Use		P				P			
Neighborhood Grocery Store		P				P			
Motels			C	C	C	C			
Non-Depository Institutions			C						
Office, High Intensity				P	C		C		
Office, Medical and Health Care	C	C	P				P	P	
Office, Professional	C	P	P	P	C	P	P		
Pawn Shop				C	C				
Personal Service Establishment	C	C		C		C	C <sup>A</sup>		
Plant & Tree Nursery	C		C	C	P				
Postal Center	C	C	P	C			P <sup>A</sup>	P	
Preschool	C	C	C			C <sup>A</sup>	C <sup>A</sup>		
Printing, lithography & publishing establishments				C	C		P		
Public & private utility building or facility			C	C	C	C		C	C
Public Building or Facilities (City Owned)	P	P	P	P	P	P	P	P	
Reception Centers	C	C	P			P	C		
Recreation Center			C		C	C			
Recreation Rentals			P			P			
	NC	MU	RC*	OW	I	ML	BP	IC	PSBL

	NC	MU	RC*	OW	I	ML	BP	IC	PSBL
Recreational Vehicle Sales			C**						
Recycling Facilities					C				
Research & Development			C	C	C		P	P	
Residential facilities for elderly persons		C				C			
Residential Facilities for Persons with a Disability		C				C			
Restaurant, Casual			P	C		C <sup>E</sup>	C <sup>E</sup>		
Restaurant, Deli	P	P	P			P	C <sup>A</sup>		
Restaurant, Sit Down	P	P	P	P		P	P <sup>E</sup>		
Retail Sales	P	P	P	P		P	C <sup>A</sup>		
Retail, Big Box			C						
Retail, Specialty	P	P	P	P		P			
Retail, Tobacco Specialty Store				C	C				
School, Public									
School, Trade or Vocational				P	P		P	P	
Sexually Oriented Businesses					P				
Shooting Range, indoor or outdoor				C	C				
Storage, Self-Storage, or Mini Storage Units				C	C				
Storage, Outdoor					C				
Storage, Vehicle					C				
Tattoo Parlor					C				
Temporary Sales Trailer		T							
Theater			C			C			
Transit-Oriented Development (TOD)		P				P	C		
	NC	MU	RC*	OW	I	ML	BP	IC	PSBL

<sup>A</sup> The noted Uses shall be allowed in the listed zones as an ancillary use only.

<sup>E</sup> The noted Uses shall be allowed in the listed zones as an edge use only.

\*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 Use approval.

## GENERAL PLAN

h. **Mixed Waterfront.** The Mixed Waterfront designation guides development patterns at key locations along the Utah Lake shoreline and Jordan River. This designation accommodates a wide range of land-uses so long as those land-uses are combined and arranged to create destination-oriented developments that take full advantage of the scenic and recreational opportunities that their lakeshore and riverfront locations provide. Appropriate mixtures of land-uses would include retail, residential, and/or resort properties. Low Density Residential, Medium Density Residential, and Neighborhood Commercial land uses would be considered appropriate for this land use designation. A mix of 80% residential and 20% commercial use in the Mixed Waterfront designation is the goal. The City will review each proposal on an individual basis to determine an acceptable ratio for the residential and commercial components.

Given the broad range of land-uses that will be included in this area, a sense of consistency, place and arrival will be established with the integration of stylized architecture and proper site design. Developments in the Mixed Waterfront area will be required to maintain and enhance public access to the lakeshore and riverfront and associated facilities (trails, beaches, boardwalks).

Developments in these areas shall contain landscaping and recreational features as per the City's Parks, Recreation, Trails, and Open Space Element of the General Plan. In this land use designation, it is estimated that a typical acre of land may contain 10 equivalent residential units (ERU's).

## CODE

### 19.04.25. Mixed Waterfront (MW).

#### 1. Purpose and Intent.

- a. The purpose of the Mixed Waterfront (MW) Land Use Zone is to allow for a wide range of land uses so long as those land uses are combined and arranged to create destination-oriented developments that take full advantage of the scenic and recreational opportunities that their lakeshore and riverside locations provide. Appropriate mixtures of land uses include retail, residential, and resort properties.
- b. Low Density Residential, Medium Density Residential, and Neighborhood Commercial land uses, as listed in the tables in Section 19.04.07, are considered appropriate uses for this zone. The goal is to accomplish a mix of 80% residential land area and 20% commercial land area in this zone, and no development containing less than 20% commercial land area will be considered.
- c. This land use zone recognizes that in order for the City to be a well-rounded community, many different housing styles, types, and sizes should be permitted. Residential densities in this zone shall not exceed 14 ERUs per acre.
- d. Other important characteristics that must be addressed in this land use zone include neighborhood services and facilities, social gathering places, attractive landscaping, convenient access to public areas along the lakeshore, appropriately-placed parking, a sense of personal safety, well-maintained housing, and attractive parks.
- e. Certain land uses have been identified as either ancillary uses or edge uses only.

2. **Permitted Uses.** The uses identified in 19.04.07.3 as Permitted Uses in the Mixed Waterfront Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.3 as Conditional Uses in the Mixed Waterfront (MW) Zone, with some uses identified in that section limited to edge or ancillary use only.

#### 4. Minimum Development Size and Lot Sizes.

- a. The minimum size requirement for development in this zone is one acre.
- b. Lots within a one acre or larger development may be created based upon an approved Master Development Plan contained in a Master Development Agreement.

- c. All developments in this zone are required to develop a Master Development Plan that includes maps and descriptions of how the entire property is anticipated to develop (see Chapters 19.12, 19.13, and 19.14) and to enter into a Master Development Agreement.
- d. The minimum lot size for single family dwellings is 5,000 square feet. For multi-family structures where each unit is separately owned, the minimum lot size shall be based on each building rather than each individual unit.
- e. Home Occupations may require a minimum lot size greater than 5,000 square feet based on the requirements of Chapter 19.08. Each Home Occupation will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use.
- f. Schools, churches or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:
  - 1. the maximum number individuals using the building at one time;
  - 2. the number of required off-street parking required in this Title;
  - 3. traffic and transportation concerns;
  - 4. compatibility with adjacent uses;
  - 5. adverse impacts on adjacent uses; and
  - 6. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc).
- g. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in Title 19, including Chapters 19.13, 19.14, and 19.15, as the basis for setting site-by-site requirements.

**5. Setbacks and Yard Requirements.**

- a. Setbacks and yard requirements describe the amount of space required between buildings and property lines.
- b. All primary buildings in this zone are required to maintain minimum setbacks as follows:
  - i. Front: Twenty-five feet.
    - 1. For single family structures or multi-family structures, the front plane of the home may encroach by up to ten feet into the required setback, if the garage is set back an increased distance from the required setback in an equal amount to the front plane's encroachment. For example, if the setback for the front plane is 20 feet, the setback for the garage must be 30 feet. Likewise, if the setback for the front plane is 22 feet, the setback of the garage must be at least 28 feet.
    - 2. An unenclosed front entry or porch may encroach up to five feet into the twenty-five-foot front setback. This encroachment may be combined with a reduced setback for the front plane (accompanied by an increased setback to the garage) but in no case shall the front plane and porch combined be set back less than 20 feet.
  - ii. Sides:
    - 1. single family structures: 5/10 feet (minimum/combined);
    - 2. multi-family and non-residential structures: 5 feet to property line or 10 feet between structures, whichever is greater.
  - iii. Rear: 15 feet
- c. Corner Lots:
  - i. There shall be a minimum setback on corner lots as follows:
    - 1. Front: 20 feet
    - 2. Side abutting street: 15 feet
  - ii. The front setback and the side setback abutting the street can be reversed, but in no case shall the two setbacks be less than 20 and 15 feet.
- d. All accessory structures in this zone are subject to the standards identified in Section 19.05.

- e. Accessory structures requiring a building permit shall be set back a minimum of 5 feet from rear and interior side property lines, and shall not be placed within any front or street-side yard area..
  - f. There shall be a five foot minimum separation between all sides of the accessory buildings and any other structure in this zone.
6. **Minimum Lot Width.** For single family homes, the minimum lot width shall be no less than 40 feet. For multi-family structures where each unit is separately owned, the minimum lot width shall be based on each building rather than each individual unit.
7. **Minimum Lot Frontage.** For single family homes, the minimum lot frontage shall be no less than 35 feet. All other uses in this zone shall have at least 100 feet of frontage along a public or private street. For multi-family structures where each dwelling is separately owned, the minimum lot frontage shall be based on each building rather than each individual unit.
8. **Maximum Height of Structures.** No structure in this zone shall exceed 40 feet in height.
9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is 50%. For multi-family units where each dwelling is separately owned, the maximum lot coverage shall be based on each building rather than each individual unit.
10. **Minimum Dwelling Size.** Every dwelling unit in this zone shall contain a minimum of 1,000 square feet of living space above grade.
11. **Development Standards.** The following development standards shall apply to this zone:
- a. **Architectural Review.** The Urban Design Committee shall review the Site Plan and building elevations and offer recommendations for architectural design of buildings and structures to assure compatibility with adjacent development and the vision of the Land Use Element of the General Plan and with the City's policies and regulations concerning architecture and design.
  - b. **Landscaping Buffers.** For multi-family and non-residential structures, Front yards and other yard areas facing a public street shall have a landscaped area of not less than 15 linear feet. There shall be a minimum of 10 feet of landscaping between parking areas and side and rear property lines adjacent to agricultural and residential land uses. (See Chapter 19.09, Off-street Parking Requirements.)
  - c. **Commercial Uses.**
    - i. No commercial use may be placed within 200 feet of single family development existing at the time of commercial development.
    - ii. The majority of commercial uses shall be located adjacent to the waterfront. Where the main access road to the development also intersects with an arterial, a minority of the commercial development may be located at this intersection.
  - d. **Density Transition.** Where development abuts existing single-family development, similar low densities shall be placed adjacent to the existing development, which may then transition to higher densities as distance from existing development increases.
  - e. **Access.** Primary access to a Mixed Waterfront development shall not occur on local roads through existing single-family residential neighborhoods, and shall occur on collector or arterial roads.
12. **Open Space and Landscaping Requirement.** There shall be a minimum requirement of 25% of the total residential project area to be installed as open space for either public or common space not reserved in individual lots, and a minimum requirement of 25% of the total commercial project area to be installed as landscaping. Open space shall meet the definition in Section 19.02.02. If the open space is common space, the developer shall record a public access easement at plat recordation. Credit towards meeting minimum open space requirements may be given for sensitive lands as provided for in subsection (13) below.

13. **Sensitive Lands.**
  - a. Sensitive lands shall not be included in the base acreage when calculating the number of units permitted in any development and no development credit shall be given for sensitive lands.
  - b. All sensitive lands shall be placed in protected open space.
  - c. Sensitive lands may be used for credit towards meeting the minimum open space requirements. However, no more than fifty percent of the required open space area shall be comprised of sensitive lands.
  
14. **Timing of Open Space and Landscaping Installation.** All open space and landscaping shall be completed in accordance with the approved Site Plan or Plat Approval and shall be installed prior to the issuance of a Certificate of Occupancy for any building. A Performance and Warranty Bond will be required in accordance with Section 19.12.05. The Planning Director may approve exceptions where weather conditions prohibit the completion of approved and required improvements in accordance with Section 19.06.05. . It shall be the responsibility of the property owner to maintain all approved open space and landscaping in accordance with the approved Site Plan and in compliance with the requirements of Chapter 19.06, Landscaping and Fencing.
  
15. **Trash Storage.** All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference.



## Planning Commission Memorandum

**Author:** Kimber Gabryszak, AICP  
**Memo Date:** Thursday, September 3, 2015  
**Meeting Date:** Thursday, September 10, 2015  
**Re:** Work Session on Code Amendments

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### Contents and Discussion:

- 19.05 – merge & edit sales trailer sections
- 19.06 –
  - Reorganize landscaping chapter for clarity in single-family application and code enforcement
  - Amend single-family landscaping standards to address large lots and bare ground
  - Remove requirement for mulch beneath trees and shrubs
  - Clarify sight triangle standards

### Recommendation

Staff recommends that the Planning Commission discuss the proposed Code amendments, and give feedback on the amendments in preparation for a public hearing on September 24<sup>th</sup>, 2015.

### Exhibits

1. 19.05 – sales trailers working
2. 19.05 – sales trailers clean
3. 19.06 – landscaping & sight triangle working
4. 19.06 – landscaping & sight triangle clean

**19.05 – MERGING TWO SALES TRAILER SECTIONS**

**19.05.02. General Supplemental Regulations.**

\* \* \* \* \*

19. **Model Homes.** Model homes may be constructed in approved and recorded residential subdivisions when water, power, and sewer services are available to the site. Sites for model homes must also have improved, all-weather, vehicular access as approved by the City Engineer. Model homes may not be occupied as a dwelling until a permanent Certificate of Occupancy has been issued by the City.

~~20. **Temporary Sales Trailers.** The following regulations shall pertain to all Temporary Sales Trailers:~~

- ~~a. the trailer shall be located within an approved and recorded subdivision area for which the trailer is selling homes or lots. Sales trailers that are off site from the project area are prohibited;~~
- ~~b. water, power, and sewer services shall be available to service the trailer. Such trailers must have bathroom facilities within the trailer that are accessible to the public and any employees that may work in the trailer;~~
- ~~c. the trailer must be in compliance with the accessibility regulations in Chapter 19.09 and as approved by the City Building official;~~
- ~~d. the trailer must receive a building permit from the City and must also have an approved landscape plan and off street parking area. Compliance with this provision will be reviewed and approved by planning staff prior to building permit issuance. At the time of building permit issuance a bond shall be posted in the amount of \$3,000.00 to guarantee appropriate removal and clean up of the site;~~
- ~~e. no trailer will be allowed to be located in any subdivision project for a period of time in excess of twelve months. Trailers shall be removed within thirty days of the expiration of the occupancy permit. A one time extension of up to twelve months may be approved by City staff. A request for an extension must be made prior to the end of the initial twelve month period;~~
- ~~f. a signage plan shall be submitted with any application for a temporary sales trailer and must be in compliance with the City's ordinances governing signs; and~~
- ~~g. failure to comply with any of the conditions of a temporary sales trailer permit shall be considered justification for the revocation of such a permit by City Staff.~~

\* \* \* \* \*

**19.05.14. Temporary Subdivision Sales Trailers.**

1. One temporary sales trailer may be granted per preliminary or final plat so long as it complies with the standards in this Section 19.05.14. Failure to comply with any of the standards herein shall be considered justification for the revocation of the permit by City Staff. An applicant must receive a permit for a subdivision sales trailer from the Planning Director, who is designated as the land use authority, and a building permit from the Building Official. Any of the standards below do not

replace or limit any building or fire codes adopted by the City. In the event of a conflict, the more restrictive standard shall apply. The following are the specific land use standards for a temporary subdivision sales trailer:

- a. ~~The trailer must be is~~ located in a subdivision of not less than five acres ~~in total acreage~~. The trailer shall be located within an approved and recorded subdivision area for which the trailer is selling homes or lots. <sup>[1]</sup>
- b. Trailers that are off-site from the project area are prohibited;
- c. Trailers are not permitted in subdivisions which also have an operational model home.
- d. ~~The trailer must be~~ located at least 200 feet from any existing dwelling outside of the subdivision measured along street lines;
  - ~~and issued a subdivision sales office permit.~~
- e. ~~A permit for a subdivision sales trailer may be issued by the Planning Director and Building Department at any time after recording of the subdivision;~~
  - e.a. ~~the trailer shall be located within an approved and recorded subdivision area for which the trailer is selling homes or lots. Sales trailers that are off site from the project area are prohibited;~~
  - e.b. ~~Water, power, and sewer services shall be available to service the trailer. Such tTrailers that are accessible to the public or any employee must have bathroom facilities within the trailer that are accessible to the public and any employees that may work in the trailer;~~
  - e.c. ~~The trailer must be in compliance with the accessibility regulations in Chapter 19.09 and as approved by the City Building official;~~
  - e.d. ~~The trailer must receive a building permit from the City and must also have an approved landscape plan and off-street parking area. Compliance with this provision will be reviewed and approved by planning staff prior to building permit issuance.~~
  - e.e. ~~At the time of building permit issuance, a bond shall be posted in the amount of \$3,000.00 to guarantee appropriate removal and clean-up of the site;~~
  - e.f. ~~No trailer will be allowed to be located in any subdivision project for a period of time in excess of twelve months.~~
    - i. ~~Within this twelve month period, tTrailers shall be removed within thirty days of the expiration of the occupancy permit, or after issuance of the final certificate of occupancy in the development, or after approved construction activity ceases, whichever is shorter.~~
    - ii. ~~A one-time extension of up to twelve months may be approved by City staff. A request for an extension must be made prior to the end of the initial twelve month period;~~
  - e.g. ~~A signage plan shall be submitted with any application for a temporary sales trailer and must be in compliance with the City's ordinances governing signs; and~~
  - e.h. ~~failure to comply with any of the conditions of a temporary sales trailer permit shall be considered justification for the revocation of such a permit by City Staff.~~
  - e.i. ~~For temporary subdivision sales trailer for which construction begins within 180 days of issuance of the permit, the permit shall become void one year following the date on which the permit was issued. The temporary trailer shall then be removed unless thirty days prior to the expiration of the one-year period, a request for an extension of time is made and granted by the Planning Director. In no case will more than one extension be granted, and such extension may not be more than one year. If construction does not begin within 180 days of issuance of the permit, the permit shall expire per the International Building Code.~~

j. ~~A temporary subdivision sales trailer shall be removed no later than 30 days after issuance of the final certificate of occupancy in the development or approved construction activity ceases.~~

**19.05 – MERGING TWO SALES TRAILER SECTIONS**

**19.05.02. General Supplemental Regulations.**

\* \* \* \* \*

19. **Model Homes.** Model homes may be constructed in approved and recorded residential subdivisions when water, power, and sewer services are available to the site. Sites for model homes must also have improved, all-weather, vehicular access as approved by the City Engineer. Model homes may not be occupied as a dwelling until a permanent Certificate of Occupancy has been issued by the City.

\* \* \* \* \*

**19.05.14. Temporary Subdivision Sales Trailers.**

1. One temporary sales trailer may be granted per preliminary or final plat so long as it complies with the standards in this Section 19.05.14. Failure to comply with any of the standards herein shall be considered justification for the revocation of the permit by City Staff. An applicant must receive a permit for a subdivision sales trailer from the Planning Director, who is designated as the land use authority, and a building permit from the Building Official. Any of the standards below do not replace or limit any building or fire codes adopted by the City. In the event of a conflict, the more restrictive standard shall apply. The following are the specific land use standards for a temporary subdivision sales trailer:
  - a. The trailer must be located in a subdivision of not less than five acres in total acreage. The trailer shall be located within an approved and recorded subdivision area for which the trailer is selling homes or lots.
  - b. Trailers that are off-site from the project area are prohibited;
  - c. Trailers are not permitted in subdivisions which also have an operational model home.
  - d. The trailer must be located at least 200 feet from any existing dwelling outside of the subdivision measured along street lines;
  - e. Water, power, and sewer services shall be available to service the trailer. Trailers that are accessible to the public or any employee must have bathroom facilities within trailer;
  - f. The trailer must be in compliance with the accessibility regulations in Chapter 19.09 and as approved by the City Building official;
  - g. The trailer must have an approved landscape plan and off-street parking area. Compliance with this provision will be reviewed and approved by planning staff prior to permit issuance.
  - h. At the time of permit issuance, a bond shall be posted in the amount of \$3,000.00 to guarantee appropriate removal and clean-up of the site;
  - i. No trailer will be allowed to be located in any subdivision project for a period of time in excess of twelve months.
    - i. Within this twelve month period, trailers shall be removed within thirty days of the expiration of the occupancy permit, or after issuance of the final certificate of occupancy in the development, or after approved construction activity ceases, whichever is shorter.

- ii. A one-time extension of up to twelve months may be approved by City staff. A request for an extension must be made prior to the end of the initial twelve month period;
- j. A signage plan shall be submitted with any application and must be in compliance with the City's ordinances governing signs; and
- k. If construction does not begin within 180 days of issuance of the permit, the permit shall expire per the International Building Code.

Chapter 19.06. Landscaping and Fencing.

\* \* \* \* \*

19.06.06. Planting Standards and Design Requirements for Nonresidential and Common Open Space.

1. These planting standards are the minimum standards of landscaping that the City will accept towards meeting the landscaping required in this Chapter for nonresidential development and open spaces that are held in common or in Homeowner’s Association ownership in residential developments. Design requirements identify specific standards as they pertain to landscaping. The planting standards and design requirements shall be used in evaluation of any landscaping plan by the City Council.
  
2. The following are planting standards for required landscaping that shall be followed for all new development, with all caliper sizes measured no less than 12 inches above the root ball:
  - ~~a.~~ ~~Required trees are subject to the following standards:~~
  - ~~b.~~~~a.~~ **Required Trees.** Required trees are subject to the following standards:
    - i. **Deciduous Trees.** All deciduous trees shall have a minimum trunk size of two (2) inches in caliper.
    - ii. **Evergreen Trees.** All evergreen trees shall have a minimum size of 6 feet in height.
    - iii. **Tree base clearance.** ~~no rock shall be placed in~~ An area at the base of the plant tree a minimum of three feet in diameter equal in size to the predicted canopy of shrubs and trees at maturity and shall instead be covered with wood chips, mulch, bark, or other non-rock cover shall be kept free of rock and turf. In parking lot islands and other narrow strips of landscaping where strips of turf two feet or less in width would otherwise occur, this clear area may be reduced to two feet in diameter.
  - ~~e.~~~~b.~~ **Shrubs.** At least 25% of the required shrubs shall be a minimum of 5 gallons in size at time of installation; all other required shrubs shall be a minimum of 1 gallon in size.
  - ~~d.~~~~c.~~ **Turf.** No landscaping shall be composed of more than seventy percent turf.
  - ~~e.~~~~d.~~ **Drought Tolerant Plants.** Fifty percent of all trees and shrubs ~~species~~ shall be required to be drought tolerant species.
  - ~~f.~~~~e.~~ **Rock:** rock may be utilized up to the maximum percentage specified in Section 19.06.07, subject to the following requirements:
    - i. a minimum of two separate colors, and a minimum of two different sizes shall be used;
    - ii. rock shall provide contrasting color to pavement and other hard surfaces within the property, and all colors used shall be earth tones; ~~;~~ and
    - iii. ~~no rock shall be placed in an area at the base of the plant equal in size to the predicted canopy of shrubs and trees at maturity and shall instead be covered with wood chips, mulch, bark, or other non-rock cover.~~

~~g.f.~~ **Planting and Shrub Beds.** Planting and shrub beds may be used to satisfy up to the percentage of the total required landscaping as specified in the Section 19.06.07. In addition to the required plants in the chart, planting and shrub beds must meet the following requirements:

- i. high-quality weed barrier is used;
- ii. high quality materials such as wood chips, wood mulch, ground cover, decorative rock, landscaping rocks, or similar materials are used, and materials must be heavy enough to not blow away in the wind;
- iii. edging is used to separate lawns from beds, and all areas except residential must use concrete edging for durability;
- iv. drip lines are used for irrigation.

~~g.~~ **Artificial Turf.** Artificial turf is not permitted ~~in non-residential landscaping, and is not permitted in front or corner street side yards in residential development.~~

3. The following design requirements will be used when reviewing landscaping plans in the City of Saratoga Springs:

- a. **Selection of Plants.** Plants shall be selected for texture, form, color, pattern of growth, and adaptability to local conditions.
- b. **Evergreens.** Evergreens shall be incorporated into landscaped treatment of sites where screening and buffering are required.
- c. **Softening of Walls and Fences.** Plants shall be placed intermittently against long expanses of building walls, fences, and barriers to create a softening effect.
- d. **Planting and Shrub Beds.** Planting and shrub beds are encouraged to be used in order to conserve water. Planting and shrub beds shall meet the requirements in subsection 19.06.06(2)(g) above.
- e. **Water Conservation.** While irrigation systems are required for all landscaped areas, all systems shall be efficient in the use of water such as the installation of drip lines for shrubs and trees.
- f. **Energy Conservation.** Placement of plants shall be designed to reduce energy consumption. Deciduous trees are encouraged to be planted on the south and west sides of structures to provide shade over the structures in the summer months. Evergreens trees are encouraged to be planted on the north side of structures when feasible to dissipate the effects of winter winds.
- g. **Preservation of Existing Vegetation.** Where possible and appropriate, existing native vegetation must be incorporated into the landscape treatment of the proposed site.
- h. **Tree Preservation.** Existing mature evergreen trees of 16 feet in height or greater, and existing mature deciduous or decorative trees of more than four inches (4") in caliper, shall be identified on the landscape plan and preserved if possible.
  - i. If preservation is not possible, the required number of trees shall be increased by double the number of such trees removed.
  - ii. The replacement trees for evergreen trees shall be evergreens, and for deciduous shall be deciduous.
  - iii. Trees smaller than four inches in caliper that are removed shall be replaced on a one to one ratio.
  - iv. Replacement trees shall be in addition to the minimum tree requirements of this Chapter, and shall comply with minimum sizes as outlined in the Chapter.

- i. **Placement.** Whenever possible, landscaping shall be placed immediately adjacent to structures, particularly where proposed structures have large empty walls.
4. No trees shall be planted directly under or in close proximity to power lines, poles, or [utility](#) structures unless:
    - a. the City Council gives its approval;
    - b. the power company or owner of the power line gives written consent; and
    - c. the maximum height or width at maturity of the tree species planted is less than 5 feet to any pole, line, or structure.

4.5. Parking Lots.

- a. Parking areas have additional landscaping standards outlined in Chapter 19.09.

(Ord. 14-23)

**19.06.07. Amount of Required Landscaping.**

1. Portions of property that are not developed with structures, rights of ways, or parking areas shall be required to be landscaped [per the definition of Landscaping in Section 19.02](#) in all land use zones.
2. Single-family residential lots shall be required to landscape per Section 19.06.08.
3. The Multi-family, improved open space, and nonresidential development in the R-6, R-10, R-14, R-18, NC, MU, RC, OW, I, ML, BP, IC, PSBL Zones shall be required to adhere to the minimum landscaped standards contained in the table below.
4. The City Council shall have authority to adjust these standards as circumstances dictate.

Required Landscaped Area <sup>1</sup>	Minimum Deciduous Trees <sup>3</sup>	Minimum Evergreen Trees <sup>3</sup>	Minimum Shrubs	Minimum Percentage of Required Turf	Percentage of Required Planting and Shrub Beds
< than 1,000	1	1	7	0 % <sup>2</sup>	Up to 100%
1,001 - 3,000	3	1	10	0 % <sup>2</sup>	Up to 100%
3,001 - 5,000	5	2	13	0 % <sup>2</sup>	Up to 100%
5,001 - 7,000	5	3	14	35%	Not more than 65%
7,001 - 9,000	6	3	17	35%	Not more than 65%
9,001 - 11,000	6	4	19	35%	Not more than 65%
11,001 - 13,000	6	4	22	35%	Not more than 65%
13,001 - 15,000	7	5	25	35%	Not more than 65%
15,001>	7 + 1 per additional 3000 sq.ft.	5 + 1 per additional 3000 sq.ft.	25 + 1 per additional 3000 sq.ft.	25%	Not more than 75%

<sup>1</sup> Areas are measured in square feet. Parking lot landscaping islands may have different standards and are found in Chapter 19.09.

<sup>2</sup> The City Council may require a certain percentage of turf on a case-by-case basis.

<sup>3</sup> This number shall be increased per the requirements of Section 19.06.06 above.

(Ord. 14-23, Ord. 14-1)

**19.06.08. Additional Single Family Residential and Park Strip Landscaping Requirements.**

1. Single Family Residential Lots

- ~~2.~~b. All residential lots in all zones except A and RA-5, one-third acre in size and smaller shall have the front yards, and street-side yards for corner lots, landscaped within one year, and interior side and back yards within two years after (whichever is less restrictive):
  - ~~a.~~i. receiving a Certificate of Occupancy; or
  - ii. once ownership is established by the ~~current~~ initial owner.
- c. All residential lots larger than one-third acre must landscape a minimum of one-third acre.
  - i. The one-third acre may include structure footprints, driveways, parking areas, and other lot improvements that fall within a contiguous one-third acre area.
  - ii. Areas outside of the landscaped one-third acre may remain in a native state, ~~however~~ but shall be maintained in compliance with nuisance and fire requirements.
  - iii. That portion of the landscaping that falls within the front yard, and street-side yard for corner lots, shall be landscaped within one year, and that portion of landscaping within interior side and back yards shall be landscaped within two years after (whichever is less restrictive):
    - 1. receiving a Certificate of Occupancy; or
    - 2. once ownership is established by the initial owner.
- d. All landscaped areas shall be completely landscaped per the definition of Landscaping in Section 19.02, with the following exceptions:
  - i. Bare dirt, meaning ground with no planting, hardscape, rock, or other cover, may occur in limited quantities when in conjunction with gardens, trellis areas, and similar features.
  - ii. Trees and shrubs are permitted to have a ring of bare dirt around the trunk and beneath the drip line of the canopy.
- e. At least 25% of landscaping in front yards and corner street side yards shall consist of non-rock planter beds, shrubs and grasses, or other non-hardscape and non-rock landscaping.
- ~~b.~~f. Artificial turf is not permitted in front or corner street side yards.

3.2. Park strips.

- ~~e.~~g. Park strips shall be landscaped when the front yard is landscaped for a residential dwelling, or when site improvements are completed for a non-residential project, and shall thereafter be perpetually maintained by the property owner who abuts the park strip. Only the following shall be installed in park strips: turf, trees, shrubs or other plants, mulch, live plant vegetation (other than trees) below three feet in height, landscape rock, cobble, and removable pavers. When landscape rock, cobble, or pavers are used, at least thirty percent of each park strip shall contain plantings.

- d.h. Weeds, dead vegetation, fruit trees, fruit and vegetable gardens, gravel, asphalt, concrete, and large boulders are prohibited in park strips.
- e.i. Four foot wide concrete walkways are allowed in the park strip when the walkway lines up with the main walkway to the front door.

4.3. Parking Lots:

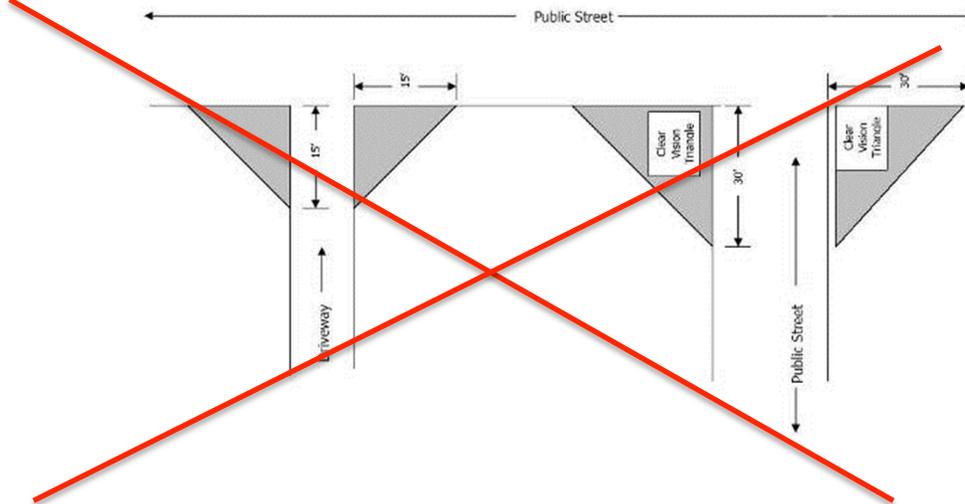
- f.j. ~~Parking areas have additional landscaping standards outlined in Chapter 19.09.~~

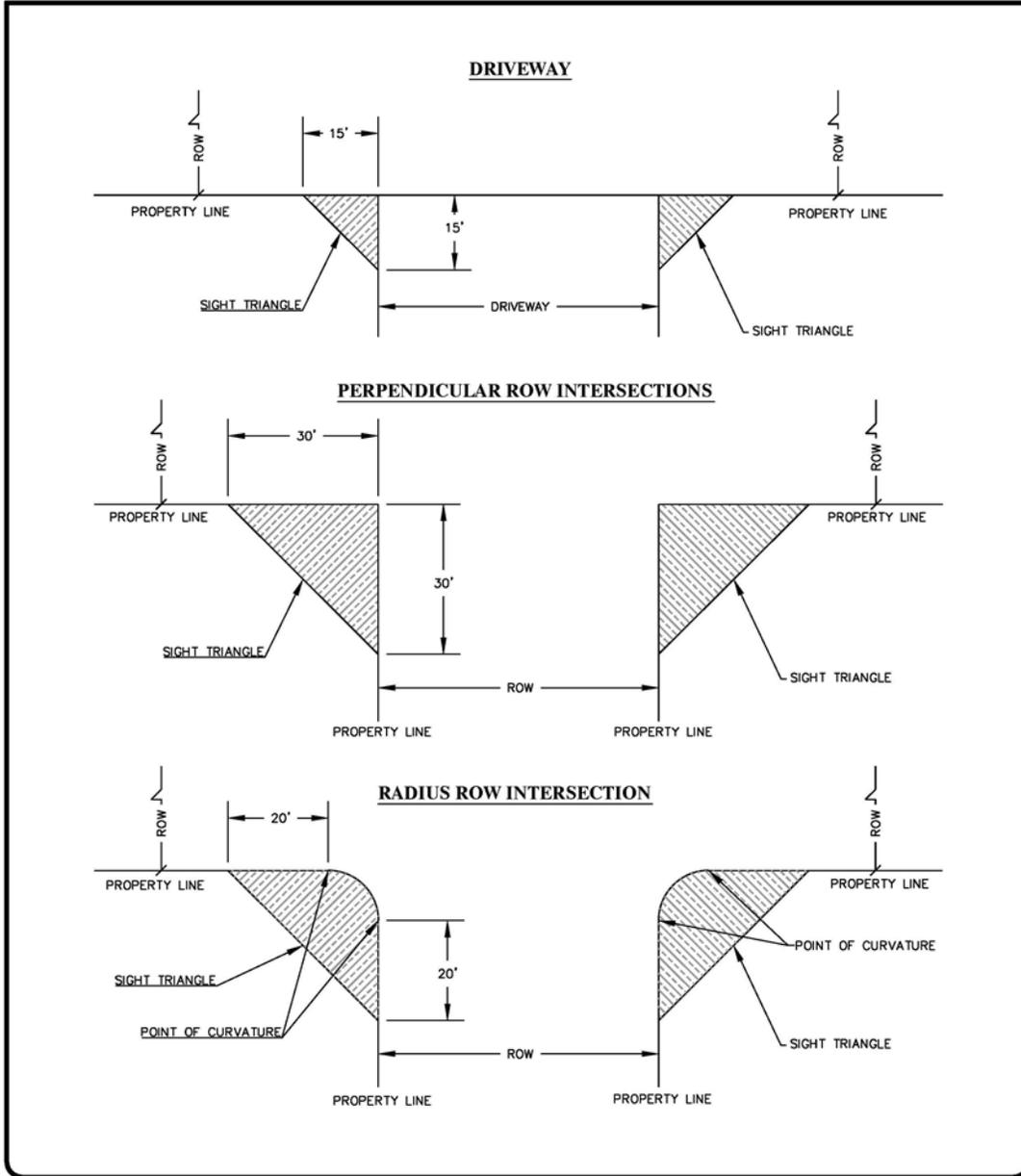
(Ord. 14-23)

**19.06.11. Clear Sight Triangle.**

At all intersections of streets, driveways, or sidewalks, all landscaping, berms, and fencing shall be limited to a height of not more than three feet, and the grade at such intersections shall not be bermed or raised, for a distance of twenty feet back from the point of curvature of curved ROWs and property lines or thirty feet back from the intersection of straight ROWs and property lines, whichever is greater, and fifteen feet back from edge of driveways to allow for clear sight as shown in the graphic below.

**Clear Sight Triangle:**





<b>SIGHT TRIANGLE</b>	DATE JULY 2014	REVISIONS			STANDARD DETAILS		
	DRAWING NAME:	REV	DATE		BY	COMMENTS	
	DRAWN BY: ETL					SIGHT TRIANGLE	
	CHECKED:    APPROVED:	<b>SARATOGA SPRINGS CITY</b> <small>1307 N. COMMERCIAL DR.          8350 SARATOGA SPRINGS, UT 84045          PHONE: 801-788-4783          FAX: 801-788-0754</small>					

(Ord. 14-23)

Chapter 19.06. Landscaping and Fencing.

\* \* \* \* \*

19.06.06. Planting Standards and Design Requirements for Nonresidential and Common Open Space.

1. These planting standards are the minimum standards of landscaping that the City will accept towards meeting the landscaping required in this Chapter for nonresidential development and open spaces that are held in common or in Homeowner’s Association ownership in residential developments.. Design requirements identify specific standards as they pertain to landscaping. The planting standards and design requirements shall be used in evaluation of any landscaping plan by the City Council.
2. The following are planting standards for required landscaping that shall be followed for all new development, with all caliper sizes measured no less than 12 inches above the root ball:
  - a. **Required Trees.** Required trees are subject to the following standards:
    - i. **Deciduous Trees.** All deciduous trees shall have a minimum trunk size of two (2) inches in caliper.
    - ii. **Evergreen Trees.** All evergreen trees shall have a minimum size of 6 feet in height.
    - iii. **Tree base clearance.** An area at the base of the tree a minimum of three feet in diameter shall be kept free of rock and turf. In parking lot islands and other narrow strips of landscaping where strips of turf two feet or less in width would otherwise occur, this clear area may be reduced to two feet in diameter.
  - b. **Shrubs.** At least 25% of the required shrubs shall be a minimum of 5 gallons in size at time of installation; all other required shrubs shall be a minimum of 1 gallon in size.
  - c. **Turf.** No landscaping shall be composed of more than seventy percent turf.
  - d. **Drought Tolerant Plants.** Fifty percent of all trees and shrubs shall be required to be drought tolerant species.
  - e. **Rock:** rock may be utilized up to the maximum percentage specified in Section 19.06.07, subject to the following requirements:
    - i. a minimum of two separate colors, and a minimum of two different sizes shall be used;
    - ii. rock shall provide contrasting color to pavement and other hard surfaces within the property, and all colors used shall be earth tones.
    - iii.
  - f. **Planting and Shrub Beds.** Planting and shrub beds may be used to satisfy up to the percentage of the total required landscaping as specified in the Section 19.06.07. In addition to the required plants in the chart, planting and shrub beds must meet the following requirements:
    - i. high-quality weed barrier is used;

- ii. high quality materials such as wood chips, wood mulch, ground cover, decorative rock, landscaping rocks, or similar materials are used, and materials must be heavy enough to not blow away in the wind;
      - iii. edging is used to separate lawns from beds, and all areas except residential must use concrete edging for durability;
      - iv. drip lines are used for irrigation.
    - g. **Artificial Turf.** Artificial turf is not permitted ..
3. The following design requirements will be used when reviewing landscaping plans in the City of Saratoga Springs:
- a. **Selection of Plants.** Plants shall be selected for texture, form, color, pattern of growth, and adaptability to local conditions.
  - b. **Evergreens.** Evergreens shall be incorporated into landscaped treatment of sites where screening and buffering are required.
  - c. **Softening of Walls and Fences.** Plants shall be placed intermittently against long expanses of building walls, fences, and barriers to create a softening effect.
  - d. **Planting and Shrub Beds.** Planting and shrub beds are encouraged to be used in order to conserve water. Planting and shrub beds shall meet the requirements in subsection 19.06.06(2)(g) above.
  - e. **Water Conservation.** While irrigation systems are required for all landscaped areas, all systems shall be efficient in the use of water such as the installation of drip lines for shrubs and trees.
  - f. **Energy Conservation.** Placement of plants shall be designed to reduce energy consumption. Deciduous trees are encouraged to be planted on the south and west sides of structures to provide shade over the structures in the summer months. Evergreens trees are encouraged to be planted on the north side of structures when feasible to dissipate the effects of winter winds.
  - g. **Preservation of Existing Vegetation.** Where possible and appropriate, existing native vegetation must be incorporated into the landscape treatment of the proposed site.
  - h. **Tree Preservation.** Existing mature evergreen trees of 16 feet in height or greater, and existing mature deciduous or decorative trees of more than four inches (4") in caliper, shall be identified on the landscape plan and preserved if possible.
    - i. If preservation is not possible, the required number of trees shall be increased by double the number of such trees removed.
    - ii. The replacement trees for evergreen trees shall be evergreens, and for deciduous shall be deciduous.
    - iii. Trees smaller than four inches in caliper that are removed shall be replaced on a one to one ratio.
    - iv. Replacement trees shall be in addition to the minimum tree requirements of this Chapter, and shall comply with minimum sizes as outlined in the Chapter.
  - i. **Placement.** Whenever possible, landscaping shall be placed immediately adjacent to structures, particularly where proposed structures have large empty walls.
4. No trees shall be planted directly under or in close proximity to power lines, poles, or utility structures unless:
- a. the City Council gives its approval;

- b. the power company or owner of the power line gives written consent; and
- c. the maximum height or width at maturity of the tree species planted is less than 5 feet to any pole, line, or structure.

5. Parking Lots.

- a. Parking areas have additional landscaping standards outlined in Chapter 19.09.

(Ord. 14-23)

**19.06.07. Amount of Required Landscaping.**

1. Portions of property that are not developed with structures, rights of ways, or parking areas shall be required to be landscaped per the definition of Landscaping in Section 19.02 in all land use zones.
2. Single-family residential lots shall be required to landscape per Section 19.06.08.
3. The Multi-family, improved open space, and nonresidential development in the R-6, R-10, R-14, R-18, NC, MU, RC, OW, I, ML, BP, IC, PSBL Zones shall be required to adhere to the minimum landscaped standards contained in the table below.
4. The City Council shall have authority to adjust these standards as circumstances dictate.

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1,001 - 3,000	3	1	10	0 % <sup>2</sup>	Up to 100%
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7,001 - 9,000	6	3	17	35%	Not more than 65%
9,001 - 11,000	6	4	19	35%	Not more than 65%
11,001 - 13,000	6	4	22	35%	Not more than 65%
13,001 - 15,000	7	5	25	35%	Not more than 65%
15,001>	7 + 1 per additional 3000 sq.ft.	5 + 1 per additional 3000 sq.ft.	25 + 1 per additional 3000 sq.ft.	25%	Not more than 75%

<sup>1</sup>Areas are measured in square feet. Parking lot landscaping islands may have different standards and are found in Chapter 19.09.

<sup>2</sup>The City Council may require a certain percentage of turf on a case-by-case basis.

<sup>3</sup>This number shall be increased per the requirements of Section 19.06.06 above.

(Ord. 14-23, Ord. 14-1)

**19.06.08. Single Family Residential and Park Strip Landscaping Requirements.**

1. Single Family Residential Lots

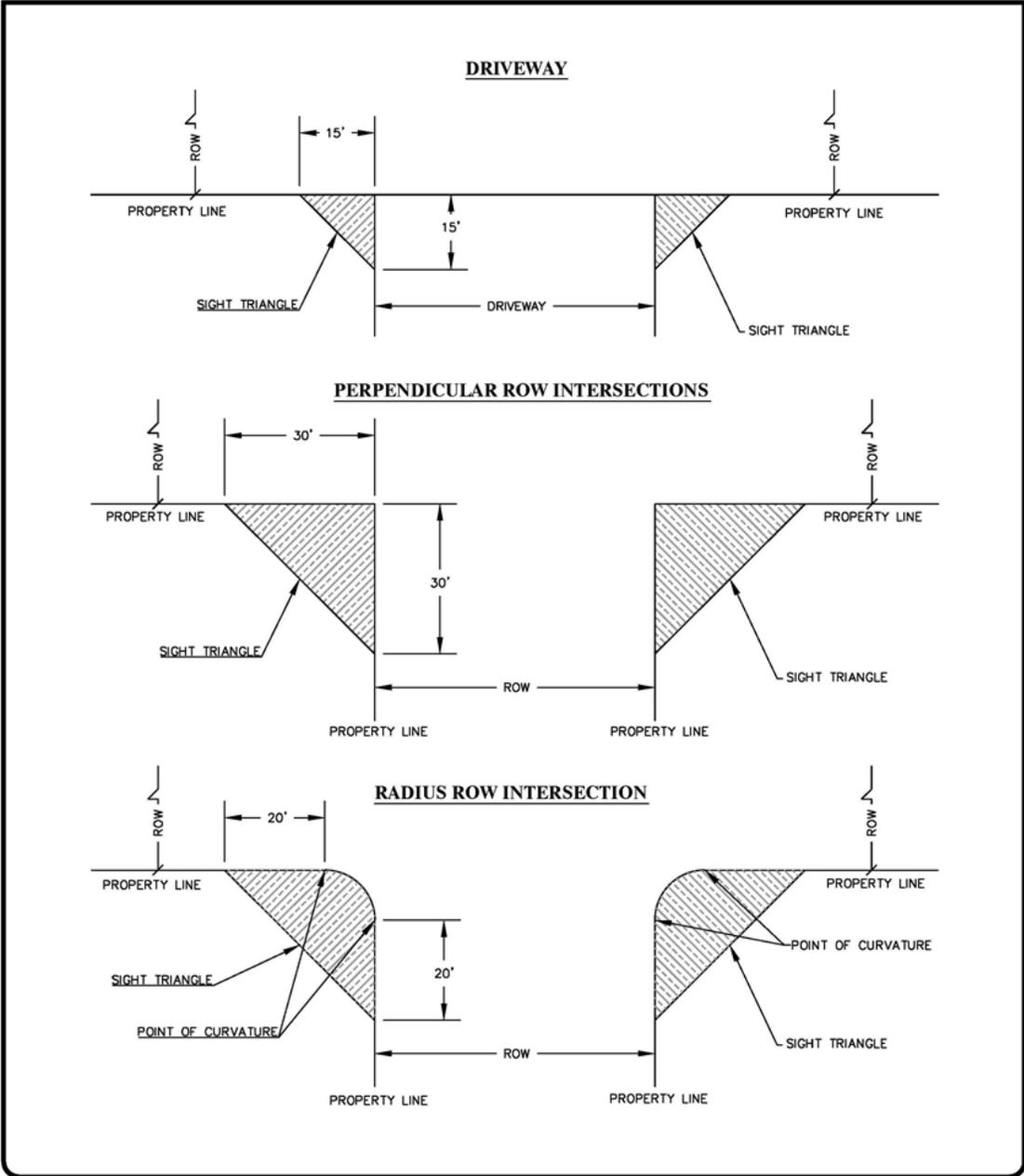
- a. All residential lots in all zones except A and RA-5, one-third acre in size and smaller shall have the front yards, and street-side yards for corner lots, landscaped within one year, and interior side and back yards within two years after (whichever is less restrictive):
    - i. receiving a Certificate of Occupancy; or
    - ii. once ownership is established by the initial owner.
  - b. All residential lots larger than one-third acre must landscape a minimum of one-third acre.
    - iii. The one-third acre may include structure footprints, driveways, parking areas, and other lot improvements that fall within a contiguous one-third acre area.
    - iv. Areas outside of the landscaped one-third acre may remain in a native state, but shall be maintained in compliance with nuisance and fire requirements.
    - v. That portion of the landscaping that falls within the front yard, and street-side yard for corner lots, shall be landscaped within one year, and that portion of landscaping within interior side and back yards shall be landscaped within two years after (whichever is less restrictive):
      - 1. receiving a Certificate of Occupancy; or
      - 2. once ownership is established by the initial owner.
  - c. All landscaped areas shall be completely landscaped per the definition of Landscaping in Section 19.02, with the following exceptions:
    - vi. Bare dirt, meaning ground with no planting, hardscape, rock, or other cover, may occur in limited quantities when in conjunction with gardens, trellis areas, and similar features.
    - vii. Trees and shrubs are permitted to have a ring of bare dirt around the trunk and beneath the drip line of the canopy.
  - d. At least 25% of landscaping in front yards and corner street side yards shall consist of non-rock planter beds, shrubs and grasses, or other non-hardscape and non-rock landscaping.
  - e. Artificial turf is not permitted in front or corner street side yards.
2. Park strips.
- a. Park strips shall be landscaped when the front yard is landscaped for a residential dwelling, or when site improvements are completed for a non-residential project, and shall thereafter be perpetually maintained by the property owner who abuts the park strip. Only the following shall be installed in park strips: turf, trees, shrubs or other plants, mulch, live plant vegetation (other than trees) below three feet in height, landscape rock, cobble, and removable pavers. When landscape rock, cobble, or pavers are used, at least thirty percent of each park strip shall contain plantings.
  - b. Weeds, dead vegetation, fruit trees, fruit and vegetable gardens, gravel, asphalt, concrete, and large boulders are prohibited in park strips.
  - c. Four foot wide concrete walkways are allowed in the park strip when the walkway lines up with the main walkway to the front door.

(Ord. 14-23)

**19.06.11. Clear Sight Triangle.**

At all intersections of streets, driveways, or sidewalks, all landscaping, berms, and fencing shall be limited to a height of not more than three feet, and the grade at such intersections shall not be bermed or raised, for a distance of twenty feet back from the point of curvature of curved ROWs and property lines or thirty feet back from the intersection of straight ROWs and property lines, whichever is greater, and fifteen feet back from edge of driveways to allow for clear sight as shown in the graphic below.

**Clear Sight Triangle:**



**SIGHT TRIANGLE**

DATE JULY 2014	REVISIONS	
DRAWING NAME:	REV	DATE BY COMMENTS
DRAWN BY: ETL		
CHECKED:	APPROVED:	
<b>SARATOGA SPRINGS CITY</b> <small>1307 N. COMMERCIAL DR.          8000 SARATOGA SPRINGS, UT 84045          PHONE: 801-766-4790          FAX: 801-766-0794</small>		



STANDARD DETAILS
SIGHT TRIANGLE

(Ord. 14-23)

**City of Saratoga Springs**  
**Planning Commission Meeting**  
**August 27, 2015**

Regular Session held at the City of Saratoga Springs City Offices  
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

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**Planning Commission Minutes**

**Present:**

Commission Members: Kirk Wilkins, Sandra Steele, Hayden Williamson (electronically), David Funk, Ken Kilgore

Staff: Kimber Gabryszak, Kara Knighton, Jamie Baron, Kevin Thurman, Nicolette Fike

Others: Jason Axelgard

**Excused:** Jeff Cochran

**Call to Order** - 6:30 p.m. by Vice Chairman Kirk Wilkins

**Pledge of Allegiance** - led by Jason Axelgard

**Roll Call** ó A quorum was present

**Introductions** – Two new planners were introduced from the Planning Dept. Kara Knighton and Jamie Baron

**Public Input Open** by Vice Chairman Kirk Wilkins

Jason Axelgard is new to the city. He was frustrated that he had been cited for non-compliance. After speaking with the Chief he feels better but he feels there is a lot that is not done correctly. Different stories are given by different employees. He does like it out here. He feels the citation could have been handled differently. He feels the committee could look at the reasons behind problems first. He asks that the city please take a step back and take a look at things.

Kimber Gabryszak followed up and noted they have been talking about landscaping extensively. The Council is supportive of the direction they are going and in the meantime they are working with the code enforcement. Code enforcement does not have a system put in place quite yet for extensions and a tracking system. They are working on this and a system is being structured and it will hopefully offer consistency and fairness.

**Public Input Closed** by Vice Chairman Kirk Wilkins

Items 4 & 5 were discussed together.

**4. Public Hearing: Amendments to the General Plan for the Mixed Lakeshore Designation.**

**5. Public Hearing: Amendments to the City of Saratoga Springs Land Development Code.**

Kimber Gabryszak presented the amendments.

**CODE**

- 19.02 ó Definitions
  - Clean-up definition to avoid confusion, and replace graphics for side yards.
- Multiple Sections, removing Gateway references 19.02, 19.04, 19.15, 19.18, 19.23.
- 19.04 ó Land Use Zones
  - Change Mixed Lakeshore Designation to Mixed Waterfront. (see further discussion below)
- 19.05 ó Supplemental Regulations
  - Standards for Vehicle Sales including graphics.  
Kirk Wilkins asked about the height that was suggested for 10 ft.  
Kimber Gabryszak explained that it included everything like a stand.
- 19.06 ó Landscaping and Fencing
  - Definition of caliper measurement and planting standards.
  - Where fencing should drop to 3 ft. and a 15 ft. clear site triangle and graphics.

David Funk asked for clarification.

Kimber Gabryszak explained that it is only when there is a driveway that was next to a street side yard that they have to meet the clear site triangle. They changed the definition of the clear site triangle so there is safe visibility for drivers and it is measured from the back of the sidewalk.

Sandra Steele thought it might be clearer to say from the property line and not the right-of-way.

David Funk asked what would happen if there was no sidewalk then one is put in later on.

Kimber Gabryszak in that case it would be a nonconforming issue unless it was a clear safety issue.

David Funk clarified where the driveway is a little way off from the edge of the property so the measurement is from the driveway and not the edge of the property.

Kimber Gabryszak replied that is correct.

Sandra Steele commented that there are a lot of people who put in driveways up to the property line.

Kimber Gabryszak said one thing they talked about is how hard it is to get people to put the fence in the right place in the first place because they don't check with the requirements. There will still be situations where people are out of compliance, one situation would be where a fence was put up before a driveway. But if it is a health and safety issue they can require compliance if they feel it is necessary. This situation should result in the least amount of non-compliance.

Ken Kilgore asked about things like shrubbery that is put in the clear site triangle. In some cases that may be a worse situation.

Kimber Gabryszak replied that in the definition of the clear site triangle no vegetation over 3 feet is allowed to be planted.

- 19.12 ó Subdivisions
  - Process Delegations

Sandra Steele felt there was some contradiction. The language was adjusted slightly to include the clarification in subsection iii that if No Deviation was needed.

- 19.13 ó Specific Development Processes and Submittal Requirements.
- 19.14 ó Site Plan Application and Approval Process.
- 19.26 ó Planned Community District Use. (Change Mixed Lakeshore to Mixed Waterfront)

## GENERAL PLAN

- Change Mixed Lakeshore Designation to Mixed Waterfront
  - Change name to from Mixed Lakeshore to Mixed Waterfront to permit application along Jordan River as well as Utah Lake
  - Add several clarifications, and modify feathering and commercial location standards, and changing references.
  - Proposal includes higher density in interior of development, with density transition to match adjacent developed residential areas. They may want to consider rewording the majority of commercial uses shall be by the waterfront.

Sandra Steele understands the concern about the Council requiring 20% commercial but she is concerned about someone playing games with it.

Kimber Gabryszak said they could look at language in the business park zone as well where there is some master planning and phasing.

## **Public Hearing Open** by Vice Chairman Kirk Wilkins

No public comment

## **Public Hearing Closed** by Vice Chairman Kirk Wilkins

Sandra Steele wonders is 5 acres is enough for development in the Mixed Waterfront.

Kimber Gabryszak would be hesitant to put a minimum for the whole single building/multi-building because you are going to end up with multi-building regardless. She doesn't think it will be very effective. They do have the requirement for them to have a Master Development plan of how the entire property is anticipated to develop and they are recommending the 20% minimum commercial land area. If a property is not big enough to make that successful hopefully they will work with their neighbors and property owners to keep

them from selling off pieces. It doesn't make sense to have two separate categories. They are requiring a Master Development either way. She recommends they keep that 20% requirement in place.

Sandra Steele is concerned that a developer would split their property and it won't happen the way the city wants it too. That language leaves a few to many holes for developers to work around.

Kimber Gabryszak said the key would be to change the one acre to something like 10.

Kevin Thurman doesn't think we can restrict it totally just because they don't have enough acreage.

Ken Kilgore feels that just because they make it bigger won't change that a developer may try to get around it.

Kimber Gabryszak replied that the idea behind making it bigger is you end up with a more viable cohesive development, enough to have commercial and a large enough residential area to support it.

Sandra Steele likes the idea of a larger piece that you can master plan so you have room to put higher density, lower density and commercial. She doesn't think that any of the properties currently being considered are less than five acres.

Kevin Thurman thinks they will have to discuss it further; you can't restrict someone's use completely. You need to allow some use allowed. We could consider developing our own Master Plan for this area.

Sandra Steele thought we could we put some kind of language or a provision that if someone did a minor subdivision and had less than an acre lot they could still develop it. She is afraid if we leave it open we won't get what we want.

Kevin Thurman again suggested that there is nothing that prevents the city from making their own Master Plan in the area.

Kimber Gabryszak said they are doing research currently, it would be better to put it on hold rather than rewrite it on the fly. Let's take some time with it so we can try and have a much more comprehensive program.

David Funk did not have any additional comments other than he appreciates all the work that has gone into it.

Ken Kilgore asked about the Gateway designation, are we thinking of having any Gateway-type designation to any other areas of the city to make the first look at the city be nice.

Kimber Gabryszak responded that we are not currently looking at any other areas of the city. At Pioneer crossing once you get to Redwood road you are pretty much into the city and the District Area Plan. They are working with a developer there to try and have a grand sense of arrival to achieve the same purpose but there is not a lot of area left to try and achieve a new Gateway area.

Hayden Williamson refrained from commenting.

Kirk Wilkins asked about the removal of the Gateway area and certain uses within the area, would there still be protections against sexual businesses within commercial areas.

Kimber Gabryszak replied the only zone they are allowed is industrial and they have nothing zoned for that in the areas of the Gateway.

Kirk Wilkins asked what we are trying to accomplish with the change to Mixed Waterfront.

Kimber Gabryszak noted how the City is unique with a lot of natural scenic amenities. The city is trying to accomplish a vibrant Lakeshore Community where more than just those that live along the lake can take advantage of the area. They are trying to achieve a few locations along the lake where people can live but also be some small shops where people can benefit from the lake area. An example is the Denver River Walk. We are not there yet with this code but it is our goal to get there. There have been inquiries from developers along the lake but they went away when we told them they couldn't have the higher density. This would help with that.

Kirk Wilkins asked how it would affect the rights of the current property owners.

Kimber Gabryszak replied it doesn't change them much, their property is most likely zoned Agricultural or Low Density Residential and have the same rights as anyone else, and they could apply for a Rezone and General Plan amendment, anyone has the ability to apply for any of those zones. The existing area would just receive the new designation; they are not changing the zoning at this time.

Kirk Wilkins thanked Kimber Gabryszak for all her work on this and it will help everyone understand the code better.

**Motion made by Sandra Steele Based upon the evidence and explanations received today, I move to forward a positive recommendation to the City Council for the proposed amendments to the**

**General Plan and Code Sections [19.02, 19.04, 19.05, 19.06, 19.13, 19.15, 19.18, 19.26] with the Findings and Conditions in the Staff Report. Seconded by David Funk.**

**Kimber Gabryszak noted that section 19.23 needed to be added.**

**Sandra Steele accepted that and also amends it to include the conditions and changes in the Report of Action.**

**David Funk accepted the amendments.**

**Aye: Sandra Steele, David Funk, Hayden Williamson, Kirk Wilkins, Ken Kilgore. Motion passed 5 - 0.**

**6. Approval of Minutes:**

1. August 13, 2015.

**Motion made by David Funk to approve the minutes of August 13, 2015. Second by Sandra Steele. Aye: Sandra Steele, David Funk, Hayden Williamson, Ken Kilgore. Abstain: Kirk Wilkins. Motion passed.**

**7. Reports of Action.**

Mixed Lakeshore and Code Amendments were reviewed.

It was concluded that the motion did not include all that was intended or needed.

**Motion made by Sandra Steele that the Planning Commission Reconsider the Motion to approve the proposed amendments and General Plan Code sections that are listed in the Report of Action. Second made by David Funk. Aye: Sandra Steele, David Funk, Hayden Williamson, Kirk Wilkins, Ken Kilgore. Motion passed 5 - 0.**

**Motion made by Sandra Steele Based upon the evidence and explanations received today I move to forward a positive recommendation to the City Council for the proposed amendments to the General Plan and Code Sections [19.02, 19.04, 19.05, 19.06, 19.12, 19.13, 19.15, 19.18, 19.23, 19.26] with the Findings and Conditions in the Staff Report and in the Report of Action. Seconded by David Funk. Aye: Sandra Steele, David Funk, Hayden Williamson, Kirk Wilkins, Ken Kilgore. Motion passed 5 - 0.**

**Motion made by Ken Kilgore to adopt the Report of Action. Seconded by Sandra Steele. Aye: Sandra Steele, David Funk, Hayden Williamson, Kirk Wilkins, Ken Kilgore. Motion passed 5 - 0.**

**8. Commission Comments.**

Sandra Steele would like to welcome the new planning staff and she is glad to see someone with landscape and graphics experience.

Ken Kilgore read an article in an artist newsletter that talked about a building in West Jordan, a taco shop, the high school nearby wanted to teach the kids about public art and asked the shop if they could dress it up. It caused a big argument in the city because the graffiti was considered signage. The Latin community liked the look. The shop owner was fined. He appealed to the City Council who waived the fines but he had to put into process a new code amendment to separate the art/graffiti from signage. We are not quite that community but perhaps we need to look into that also.

Kimber Gabryszak responded that they will be bringing a complete re-write of the sign code, the distinction can become difficult we are hoping to be content neutral but would regulate time, place, and manner, size location and etc.

Kevin Thurman commented that a lot is determining what free speech is. Art is an area where there are more protections. We need to look into it and make sure there are clear definitions.

Sandra Steele said with the new Supreme Court ruling she suspects what they are seeing on Redwood Road with the red and white signs, if it's in the right location and the right size, which is what we will be seeing. It is perplexing.

David Funk received comments from citizens on the water bills and asked if the city had any comments.

Kevin Thurman responded that Spencer Kyle has been working on those. There has been a cap placed through August and they are working on putting the information on the web site. The intent was to ease into the rates but people are not going to delve into their bills so they really know what to expect next summer.

There may be some forgiveness. Sewer rates did increase also; those are based on culinary usage.

Sandra Steele would like to comment that she doesn't like her water bill going up but having lived in California this is pittance. They reduced the base rate per acre though and if you figure it over a year it evens out more.

Kirk Wilkins commented that in Utah a view is not deemed as a right of one's property and there isn't a current spite wall law, in the event that a neighbor planted very high trees that blocked another's view or enjoyment, has that been discussed with staff?

Kimber Gabryszak said it has been discussed briefly. It is on the list but not towards the top. Views are not a protected property right but if there is a health and safety issue it is something they could look into.

Kevin Thurman said they can do more research on it but when the state exercises eminent domain you can't be paid for loss of view. We can regulate aesthetics to a point but there would be a fine line. They cannot be sued for nuisance. They have ordinances that preserve some views. They really need to have direction from the legislative body to begin that process.

Kirk Wilkins feels one of the greatest assets of this city are the Lake Views and it can take away value of a person's property if their view was taken away. He hopes it can be looked into.

Sandra Steele brought up that with so many people putting in solar they may need to put in some solar protection ordinance. You would hate to spend so much on a solar system only to have a neighbor block it with trees. It may not apply to his situation but it is something to look at.

#### 9. Director's Report:

- Council Actions
  - They held two meetings on the 18<sup>th</sup> they approved Talus Ridge, Harbor Bay Church and Israel Canyon Stake. They held a special meeting on the 25<sup>th</sup> and put in an extension of the secondary water rate cap, election canvasses and Final plat for Harbor Bay Church.
- Applications and Approval
  - They have had a few new applications come in, an annexation near Loch Lomond, and resubmittals on most of their applications.
- Upcoming Agendas
  - Sept 10<sup>th</sup> will be looking at the 400 N. area, General Plan and Mixed use designation, and The Crossing.
- Other
  - They have received applications for the planning Commission vacancy and it has been passed to the Mayor.

#### 10. Motion to enter into closed session. – No Closed Session tonight.

**Meeting adjourned without objection by Vice Chairman Kirk Wilkins**

**Adjourn 8:16 p.m.**

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Date of Approval

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Planning Commission Chair  
Jeff Cochran

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Lori Yates, City Recorder