

TITLE 12-000 CHAPTER 1000

12-1000. OVERLAYS**12-1010. PLANNED UNIT DEVELOPMENT OVERLAY ZONE “P.U.D.”**

12-1010-1. Purpose. A Planned Unit Development (P.U.D.) is intended to replace the rigid requirements of conventional zoning with general appearance and livability guidelines allowing flexibility and innovation in site planning, building arrangement and land-use relationships, while simultaneously insuring substantial compliance with the intent and purpose of this Title and it allows a developer to:

1. Protect sensitive lands per 12-1070.
2. Preserve open space.
3. Encourage the efficient use of land.

12-1010-2. Conditional Uses.

1. Planned Unit Developments.

12-1010-3. Height, Area, Width and Yard Regulations. Minimum size is ten (10) acres per P.U.D, otherwise no restrictions, except that on the immediate periphery of the P.U.D. the height, area, width and yard requirements of the adjoining zone may be imposed as required by the Planning & Zoning Commission.

12-1010-4. General Requirements.

1. Any P.U.D. or portion thereof, unless otherwise approved by the Planning and Zoning Commission, shall adhere to the standards set forth by all existing City ordinances and the Condominium Ownership Act found in Utah Code Annotated Title 57, Chapter 8 (available at the Richmond City offices or on the internet at www.le.utah.gov/code).
2. No P.U.D. shall have an area of less than ten (10) acres.
 - a. Development of a smaller tract adjacent to an existing P.U.D. may be permitted if the proposed development conforms to and extends the original development as if the new area had been part of the original development.
 - b. The adjacent, smaller tract P.U.D. must be within the Richmond City limits.
 - c. Approval and adjustments to an adjacent, smaller tract P.U.D. must be made by the Richmond City Planning and Zoning Commission and the Richmond City Council.
3. The development shall be in single or corporate ownership at the time of the application, or the subject of an application filed jointly by all owners of the property.
 - a. One (1) individual shall be designated to represent all of the property owners if the application is filed jointly.
4. No piece of land shall be withdrawn from the P.U.D. without the consent of all the P.U.D. property developers and the Planning and Zoning Commission.

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5. The developer shall prepare and submit to the Planning and Zoning Commission, a development plan containing any special agreements, conveyances, easements, restrictions, conditions or covenants which shall govern the use, maintenance and continued protection of the P.U.D. and any of its common areas and facilities.

6. The Planning and Zoning Commission shall require such an arrangement of structures and open space within the P.U.D. as necessary to assure that adjacent properties shall not be adversely affected:

a. Density. The number of residential units permitted in the P.U.D. may exceed the number of units which would result from a conventional subdivision of the tract.

1) The allowable density shall be determined by the Richmond City Planning and Zoning Commission.

2) All types of residential housing units may be permitted within a P.U.D., including single-family and multiple-family units; however, in the case of multiple-family units separation distance requirements by City ordinance must be observed.

b. In no case shall total coverage by structures be greater than sixty (60) percent of the entire project area.

1) Total open space shall be no less than forty (40) percent of the entire project.

2) Usable open space for recreation activities shall not be less than ten (10) percent of the entire project area.

c. Around the boundaries of the project, building height, architecture and coverage shall be arranged to enhance the livability and attractiveness of the adjacent land uses.

1) The yard and height requirements of the adjacent zone may be required on the immediate periphery of the PUD.

7. Proposed building uses, building locations, lot area, width, yard and height regulations, and landscaping plans shall be determined acceptable through approval of the site development plan.

8. Construction limitation.

a. Upon approval of the preliminary plan, and in accordance therewith, the developer may survey and stake the lots, roads, and other proposed areas on the PUD site, but may not commence any further development activity until final approval.

1) The completion of survey and staking work shall in no way obligate any City official or officials.

b. No plats or plans shall be recorded in the Office of the County Recorder until final approval has been given to the P.U.D. plan and to all construction plans and specifications for facilities and improvements within the P.U.D.

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c. Construction shall proceed only in conformance with the approved development plan, construction plans, specifications, and any conditions attached by the Planning and Zoning Commission and/or the City Council.

9. All Planned Unit Developments (P.U.D.) shall comply with all applicable provisions of 12-2000 (Sub-divisions) provided:

- a. The Planning and Zoning Commission may vary the requirements of the subdivision ordinance if, in its judgment, such variance is necessary or desirable.
- b. The bonding requirements imposed by the applicable chapter of the subdivision portion of this Title shall apply to all facilities and improvements within a P.U.D. which are to be dedicated to public ownership or provided for the common use of residents and occupants.

10. Changes.

a. If required by engineering or other circumstances not foreseen at the time the final development plan was approved, changes in the location, siting, or character of buildings and structures may be authorized by the Council member over Planning & Zoning (or by joint action of two other Council members) and the City Engineer, providing such change does not increase the size of any building or structure by more than ten (10) percent, nor change the location of any building or structure more than ten (10) feet in any direction.

1) No changes beyond the minimum or maximum requirements set forth in this ordinance may be permitted without Council approval.

b. All other changes in the project, including changes in the site plan and in the development schedule must be approved by the Planning and Zoning Commission and ratified by the City Council.

12-1010-5. Administration.

1. Planned Unit Developments must be approved by the Planning and Zoning Commission and ratified by the Richmond City Council. P.U.D.'s of six (6) or more units, either per phase or total, shall require re-zoning per 12-800 prior to obtaining the approval as stated above.

2. It is required that a detailed review and approval of the P.U.D. plan by the Planning and Zoning Commission before a project can begin. P.U.D. approval shall be secured through the following procedure:

a. Pre-Application Conference. A pre-application conference shall be held with the Planning and Zoning Commission in order for the applicant:

- 1) To become acquainted with Planned Unit Development procedures and application requirements.
- 2) To acquaint the Planning and Zoning Commission with the property and development proposal.
- 3. Introductory Session. The applicant shall introduce to the Planning and Zoning

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Commission at a formal meeting the general concept of his development indicating objectives, goals, etc.

4. Application. The formal application for conditional use (five [5] units or less) or rezone (six [6] units or more) shall be made on the proper form supplied through the Richmond City Office.

a. With any application, the Planning and Zoning Commission may approve, modify and approve, or deny the proposal.

5. Preliminary Plan. The applicant shall submit a preliminary site plan to the Planning and Zoning Commission after approval of rezone or conditional use.

a. The preliminary site plan shall include, but not be limited to:

1) An explanation of all intended uses.

2) A preliminary plat as defined and described in the Richmond City Sub-division Ordinance.

3) An inventory of resource statement.

a) Such a statement shall describe and identify in writing, maps, or other methods as are necessary:

(1) All land included in the proposed P.U.D. area and all present land uses, including recreational and trails uses.

(2) An inventory of the present and potential energy, mineral, hydrological, and agricultural resources in the P.U.D. area.

(3) The land which shall best serve industrial, residential, commercial, recreational, public, and quasi-public land uses.

(4) Data concerning the size and distribution of the population to be served by the P.U.D.

(5) Sewer and water capabilities, soil types and composition, and a geologic analysis.

(6) Other items the Planning and Zoning Commission deem necessary.

(7) All undevelopable land as outlined in 12-800 - Sensitive Lands Overlay Zone.

4) A circulation capacity statement concerning roads, trails, walks, etc.

a) This statement shall describe to the Planning and Zoning Commission:

(1) That the proposed circulation patterns are adequate for the volume of use expected at all phases of the development.

(2) That pedestrian traffic is safe, separate, and functional.

5) If a Home Owners Association (HOA) is to be established, a preliminary copy of the HOA By-laws shall be provided.

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6. Final Plan.

a. After receiving Planning and Zoning Commission approval of the preliminary plan, the developer shall, within one (1) year, submit a final plan including, but not limited to, the final draft of all that is listed in the preliminary plan and a final plat as defined and described in the sub-division portion of this ordinance.

b. Additional information may be required at the discretion of the Planning and Zoning Commission.

c. The Planning and Zoning Commission may extend the one (1) year time limit for just cause.

d. Final ratification shall be the responsibility of the Richmond City Council who reserves the right to seek additional information and require additional revisions at their discretion.

12-1010-6. Site Plan. The general site plan required as part of the final plan may require but not be limited to the following items:

1. Sketches and graphic displays, drawn to scale, depicting:

a. The use or uses, dimensions, heights, sketch elevations, and locations of proposed structures.

1) Building type in terms of appropriateness to density, site relationship and bulk.

2) Building design in terms of orientation, spacing, materials, color and texture, storage, signage, and lighting.

3) Architectural drawings and sketches outlining the general design and character of the proposed uses, the physical relationship of the uses, and any grading plans.

b. The location, height, and size of proposed signage, lighting, and advertising devices.

c. Functional open space in terms of optimum preservation of natural features including trees, drainage areas, recreation, views, density relief, convenience, and function.

d. Dimensions and locations of areas to be reserved and developed for vehicular and pedestrian circulation, parking, public uses such as schools and playgrounds, landscaping, and other open spaces.

e. Landscaping, fencing, and screening as part of a landscape plan showing existing and proposed tree, grass, shrubbery, and all other plantings for the entire site to be developed.

f. All un-developable land as outlined in 12-800 dealing with sensitive lands.

g. Trails and footpaths that exist within the development area and/or are illustrated in the Richmond City General Plan.

2. Any pertinent written information, including residential density, coverage, and

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open space characteristics, as may be necessary to determine that the contemplated arrangement of buildings and uses make it desirable to apply regulations and requirements differing from those ordinarily applicable under the standard development ordinance of the City.

12-1010-7. Open Space.

1. Functional and aesthetic bodies of open space are an essential part of a P.U.D.
2. Total open space must equal forty (40) percent of the entire project area.
3. A minimum of ten (10) percent of the entire project area must be useable open space for recreation.
4. The Planning and Zoning Commission may determine whether all or a part of stream areas, bodies of water, and slopes may or may not be included as usable open space.
 - a. In making this determination, the Planning and Zoning Commission shall be guided by the following factors:
 - 1) The relationship of these areas to other areas, structures, and uses within the planned unit.
 - 2) The degree to which these areas contribute to the quality, livability, and aesthetics of the P.U.D.
5. Common park areas are encouraged and may be counted as part of the required open space within a P.U.D. provided they meet the following requirements:
 - a. They are to be used and are suitable for scenic, landscaping, or recreational purposes.
 - b. They are on land which is accessible and available to all occupants of dwelling units for whose use the common park area is intended.
6. Preservation, maintenance, and ownership of open spaces within the development shall be accomplished by:
 - a. Dedication of land as a public park or parkway system, provided that such dedication is acceptable to the City Council, or
 - b. Granting to the City a permanent open space easement on and over the said open spaces to guarantee that they remain perpetually in recreational use, with ownership and maintenance being the responsibility of an Owners Association established with articles of association and bylaws which are satisfactory to the Planning and Zoning Commission, or
 - c. Jointly owned land or facilities in a Planned Unit Development must comply as though belonging to a condominium per Title 57, Chapter 8, or
 - d. The developer may retain ownership and responsibility for maintenance of the designated open space, and shall commit himself/herself through written agreement with all parties who subsequently acquire ownership of property within the P.U.D..

12-1010-8. Development in Phases and Time of Approval.

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1. If the Planned Unit Development is to be developed in phases, each phase shall be of such size, composition, and arrangement that its construction, marketing, and operation is feasible as a unit independent of any subsequent phases.

a. Final approval shall be given only to one (1) phase at a time provided that preliminary approval of the entire P.U.D. has been given by the Planning and Zoning Commission and the Richmond City Council.

2. No construction of any kind shall begin in the second or subsequent phases until sixty-five (65) percent of the total development of the preceding phase has been substantially completed.

3. The applicant must begin and substantially complete the development of the planned unit or any phase thereof within two (2) years from the time of its final approval.

4. If the applicant does not begin and substantially complete the planned unit, or any phase thereof, within the time limits imposed, the Planning and Zoning Commission, shall review the planned unit or phase thereof and may recommend that the time for completion be extended, that approval be revoked, or that the approved plan be amended.

a. The Planning and Zoning Commission may act to impose such recommendations, with or without modification.

12-1010-9. Post Development Alterations. Any change in use, density, or design must first be approved by the Planning and Zoning Commission and ratified by the City Council.

12-1010-10. Fees.

1. Any and all persons filing plats with the County Recorder shall first have paid all fees required.

2. In addition, persons filing plats shall pay the Richmond City Office prior to recording, any fee established by separate ordinance applicable to plats, engineering, or associated requirements.

12-1020. PLANNED INDUSTRIAL COMMERCIAL OVERLAY ZONE. "PIC"

12-1020-1. Purpose.

1. The purpose of the Planned Industrial Commercial (PIC) zone is to encourage imaginative and effective utilization of land through greater flexibility in zoning considerations, consolidation of open spaces, clustering of buildings, and the integration of compatible land uses.

2. The Planned Industrial Commercial (PIC) zone is intended to provide an exclusive environment for the establishment of quality research laboratories, non-polluting light manufacturing uses, commercial uses, and professional office uses providing integrated and complimentary development in a park-type setting.

a. The zone is more restrictive than the conventional manufacturing zone in order to provide buildings which have architectural excellence, grounds which have adequate landscaping and trees, and land uses which do not create air, light or noise pollution.

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- b. The zone is intended to be located on the fringe areas of the City on open, readily developed land.
 - c. The zone should always be located adjacent to major streets and other transportation areas.
 - d. The zone must be suitable for development/expansion of infrastructure to include water and sewer service.
 - e. The zone is to be characterized by attractively designed buildings and off-street parking lots situated among spacious lawns, shrubs, and trees which give a "park-like" appearance.
 - f. Due to the planned integration of these uses, businesses that cause air or noise pollution are strictly prohibited.
 - g. The PIC zone should be applied only to large parcels of property where land use relationships can be planned, where an assurance can be made that adequate room for the various uses is provided, and where proper buffers are provided between the complimentary but not always compatible land uses.
3. In order to accomplish the purposes and objectives of the zone, the following regulations shall apply in a Planned Industrial Commercial (PIC) Zone.

12-1020-2. Standards for Planned Industrial Commercial Developments.

1. The minimum size for any proposal shall be ten (10) acres.
2. Each lot or parcel of land in the PIC zone shall abut on a public street.
3. Internal traffic circulation must be provided.
4. Access to arterial streets shall be limited.
5. The uses of a PIC must be of a type and so located as to exercise no undue detrimental influence upon surrounding properties.
6. No buildings greater than thirty five (35) feet in height shall be allowed.
7. Yard setback, frontage, and width shall meet the same requirements contained in the applicable commercial, industrial, and manufacturing section of the Richmond City zoning ordinance.
8. Adequate parking shall be provided.
9. Along arterial and collector streets, parking shall be located to the side and rear of buildings, allowing buildings to front the street.
10. Signing shall meet the requirements of 12-700.
11. Twenty (20) percent of the PIC site shall be landscaped.
12. The PIC shall be fully served by adequate water and sewer service meeting the latest engineering standards for such infrastructure.

12-1020-3. Applicable Zones.

1. The PIC Overlay Zone may be applied to lands currently zoned Agriculture, Commercial, or Manufacturing.
2. Any proposed PIC project shall meet the intent of the Richmond City General Plan.

12-1020-4. Planned Industrial Commercial Development Approval Process. A five step procedure is prescribed for the approval of a PIC development.

1. Pre-Application Conference shall be held with the Planning and Zoning Commission in order for the applicant:

- a. To become acquainted with the PIC procedures and application requirements.
- b. To acquaint the Planning and Zoning Commission with his/her the property involved and development proposal.

2. Preliminary Plan. The applicant shall introduce to the Planning and Zoning Commission at a formal meeting the general concept of the development indicating objectives, goals, etc.

a. A preliminary plan of the proposed development shall be provided and include the following information:

- 1) A land use plan designating which land areas are devoted to the following general land-use categories: manufacturing, light industrial; office, business, research; retail commercial; and public facilities.
- 2) Proposed vehicular and pedestrian circulation (including driveways, streets, and sidewalks).
- 3) General locations of all buildings and structures.
- 4) General locations of all parking areas.
- 5) General locations of all landscaped areas, including designating areas planted with grass, ground covers, shrubs, and trees.
- 6) A schematic utility plan showing the manner in which sewage disposal and water are to be provided to the site, including the point from which said services are to be extended.
- 7) Topographic maps of the entire site, including contour intervals no greater than five (5) feet.
- 8) Schematic elevations or descriptions of typical buildings proposed for the site, including an indication of the types of materials to be used on elevations and facades.
- 9) A preliminary subdivision plat, if the site is being divided for sale, showing a general layout of all proposed lots.
- 10) A phasing plan, if applicable, indicating generally where the initial development shall occur and in what manner phasing may proceed.

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3. Application. The developer shall submit a formal application (that includes the preliminary plan) for a rezone, on the proper form supplied through the Richmond City Office a minimum of ninety (90) days prior to anticipated starting date of construction; incomplete site plans shall not be accepted.

a. Site plans are initially submitted to the Richmond City Planning and Zoning Commission which shall recommend appropriate action to the Richmond City Council for final approval.

1) With any application, the Planning and Zoning Commission may approve, modify and approve, or deny the proposal.

a) The Planning and Zoning Commission shall recommend approval or denial to the Richmond City Council within seventy-five (75) days of receipt of the application.

b. The Richmond City Council shall hold a public hearing on the application and approve or deny the application within forty-five (45) days of the public hearing.

1) All appeals shall be made to the Richmond City Board of Adjustments/Appeals Judge within thirty (30) days of receipt of the written finding of the Richmond City Council.

c. Approval of a PIC rezone and preliminary plan shall require the following findings:

1) That the proposed development conforms to the purposes and objectives of the PIC zone as set forth in 12-1020, and with all other provisions of the PIC zone.

2) That the proposed development shall create no detriment to adjacent property nor to the general area in which it is to be located; that it shall be in substantial harmony with the character of existing development in the area; and that appropriate buffers and screening be provided to assure separation of potentially incompatible uses within and at the periphery of the project.

a) The Planning and Zoning Commission and the City Council may impose such conditions on a preliminary plan as it may be deemed appropriate to meet the purposes and objectives of this Chapter.

4. Final Plan.

a. Prior to the construction of any building or structure in the PIC zone, a project plan shall be submitted and approved.

b. Said project plan shall be drawn to scale and, in addition to the information required in this section, shall contain the architectural design of proposed signs per 12-700.

c. Said plans may be submitted in units or phases for any portions of the PIC zone which can independently meet the requirements and standards of the PIC zone and other applicable zoning standards.

d. Any failure to submit a project plan within two (2) years of the approval of the preliminary plan by the Richmond City Council shall terminate all proceedings and render the preliminary project plan null and void.

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- e. The Planning and Zoning Commission shall, in the process of project plan approval, pay particular attention to assuring that the quality of landscaping designated in the landscaping plan is at least equal to that established by the landscaping plan approved as an element of the preliminary project plan.
- f. The Planning and Zoning Commission shall also assure that the appearance, quality, and durability of architectural materials used on the exterior elevations of all buildings shall be consistent with the purposes and objectives of the PIC zone, and shall be compatible with the general character of other buildings in the same PIC development.
- g. Sixty five (65) percent of the current project phase under construction (building structures and their accompanying required landscaping) shall be complete prior to the beginning of another phase.
5. Project Plan Requirements will consist of a site plan of the specific building area and shall be required to include the following information:
- a. Twenty four (24) by thirty six (36) inch sheets to a standard engineer's or architect's scale.
 - b. Legal description of the property.
 - c. Dimensions of existing and proposed property lines.
 - d. Distance from buildings to property lines.
 - e. Square footage of the footprint of all proposed structures.
 - f. Use of proposed structures.
 - g. Location of all fire hydrants.
 - h. Trash storage container location, size, and how enclosed.
 - i. Twelve (12) foot public utility easements along all property lines.
 - j. Location of existing easements or rights-of-way.
 - k. Location of power, telephone, and cable facilities, including poles, anchors, transformers, and connection pedestals.
 - l. Areas devoted to public or open space use.
 - m. Parking plan information, including:
 - 1) Parking space count.
 - 2) Parking space dimensions, including back up area.
 - 3) Ingress and egress.
 - 4) Parking for persons with disabilities.
 - n. Landscaping plan information, including:

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- 1) Location of landscaped area, showing existing and proposed landscaping.
 - 2) Types and sizes of existing and proposed landscaping materials.
 - 3) Percent of landscaping.
 - 4) Location and type of proposed and existing walls, hedges or fences.
 - 5) Proposed and existing sprinkler/irrigation system.
- o. Building design plan information, including:
- 1) Exterior elevations of proposed buildings, indicating roofing materials, type of construction, exterior materials and colors.
- p. Conceptual sign plans.
- q. Traffic flow plan information, including:
- 1) Direction of traffic flow through project.
 - 2) Location and width of proposed and existing ingress and egress.
 - 3) Evidence of Utah Department of Transportation access approval (if applicable).
 - 4) Proposed street layout and design, including street cross section showing thickness of materials, widths of curb, gutter, sidewalk, and rights-of-way in keeping with the current edition of the Richmond City Manual of Design and Construction Standards.
- r. Utility plan information, including:
- 1) Location of water, sewer mains, laterals, power lines and utilities, gas lines and utilities, telephone utilities and connections.
 - 2) A utility site plan for layout and design of new electrical facilities.
- s. Drainage plan information, including:
- 1) Location of existing and proposed storm drain structures.
 - 2) Proposed drainage system.
 - 3) Location of irrigation pipes, ditches, canals, waterways and detention basins.
 - 4) Detailed drainage plans with calculations based on a ten (10) year storm event, including total impervious surface area, drainage flows from roofs or parking structures.
- a) Sump details, storm sewer profiles and construction drawings shall be submitted in conjunction with a final project plan but shall not be required for a preliminary project plan.
- 5) The developer shall provide a means for drainage of storm water from all impervious surfaces in the development.

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- a) Site development and landscaping shall be used to optimize retention of water "on-site" as much as reasonably possible as determined by the Planning and Zoning Commission.
- b) Any plans for "off-site" transfer of storm water run-off must be approved by written agreement with the entity accepting the run-off.
- t. Grading plan information, including:
 - 1) Detailed grading plans showing topography at no greater than two (2) foot contour intervals, retaining walls, and methods used to drain surface water away from structures and adjoining properties.
 - 2) Driveway locations showing two (2) percent minimum grade up from street to structure.
- u. Traffic study, if requested by the Planning and Zoning Commission.
- v. Other information reasonably required to determine whether the proposed project complies with applicable requirements of the Richmond City Code.
- w. Yard lights and security lights must have concealed light source and not extend beyond the property or project into the night sky.

12-1020-5. Project Plan Approval Process.

- 1. The developer shall submit the proposed Project Plan to the Richmond City Planning and Zoning Commission, at their regularly scheduled meeting time, for review.
 - a. The Planning and Zoning Commission shall recommend approval or denial to the City Council within forty-five (45) days of submission.
- 2. The Richmond City Council shall review the findings of the Planning and Zoning Commission at their subsequent regularly scheduled meeting time and approve or deny the proposed Project Plan.

CHAPTER 12-1030. MULTIPLE-FAMILY DWELLING UNIT OVERLAY. "MF"

12-1030-1. Purpose. To provide appropriate locations for multiple housing throughout the residential zones and still maintain the basic semi-rural characteristics and density of the zone.

12-1030-2. Permitted Uses.

- 1. Multiple Dwelling Units as permitted by the underlying zone.
- 2. Residential facilities for elderly persons whether or not deemed a formal assisted living facility.
- 3. Residential facilities for persons with disabilities per Title 10, Chapter 9a, Section 516.

12-1030-3. Conditional Uses.

- 1. Group Dwelling.

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2. Elder Living Centers.
3. Nursing Homes aka Assisted Living Facility.

12-1030-4. Regulations.

1. One (1) Multiple-family Dwelling per city block.
 - a. Exception.
 - 1) Multiple building apartment complexes may be allowed by the Planning & Zoning Commission and the City Council but said complex must be on one Property Tax Identification location.
 - 2) Accessory apartments as covered in the provisions of 12-1030-7.
 2. Each multiple-family dwelling configuration shall be constructed on a separate lot, except as permitted under conditional use.
 - a. There shall be a minimum of two thousand (2,000) feet between lots as measured by following the shortest route of vehicular travel along public thoroughfares, from the nearest point on the boundary line of the property on which a multiple-family dwelling is proposed to the nearest point on the boundary line of any other parcel or lot on which a multiple-family dwelling exists or is proposed for construction.
 3. Each family dwelling unit shall contain a minimum of six hundred (600) square feet of living area for one (1) bedroom apartments, nine hundred (900) square feet for two (2) bedroom apartments, and one-thousand two hundred (1,200) square feet for three (3) bedroom apartments.
 4. The building shall be designed to pass building codes of the City, County, and State.
 - a. Review plans shall be drawn and submitted to the Planning and Zoning Commission in architects or engineers scale and must show utilities, property lines (including adjacent properties on all sides), direction of drainage, existing surface features, topography at five (5) foot intervals minimum, parking, roads, curbs, sidewalks, landscaping, building floor plans, and building elevations.
 5. The building shall be designed to compliment the neighborhood.
 6. Parking must be located in the rear or off surface street side of the building with no more than two (2) access roads.
 - a. Access roads may be no wider than twelve (12) feet when not adjacent to parking.
 - b. Off-street parking shall be provided for at least two and one-half (2 2) times as many automobiles as there are units.
 - c. Parking stalls shall have painted lines and shall be nine (9) feet wide and twenty (20) feet in depth.
 - d. Drive lanes adjacent to parking stalls shall be (24) twenty-four feet wide.

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- e. Parking shall be located with the same setbacks as required for structures.
- f. All driveways and parking shall be paved with asphalt or an equivalent hard surface, and have sidewalks leading to each unit.
7. All construction, repair, and maintenance of buildings, recreational areas, parking lots, and landscapes shall be the responsibility of the owner of the multiple family dwelling.
8. Storage units, storage areas, and refuse containers must be enclosed and screened from view from the frontage street and adjacent lots.
9. Yard lights and security lights must have concealed light source, and direct illumination must not extend beyond the property nor project into the night sky.
10. Each multiple-family dwelling lot shall provide for and include recreation facilities and sufficient landscaping which will occupy an area equal to or greater than forty percent of the total required lot area for each unit on which the development is located.
11. Landscaping may include the planting of flora, sculpting or otherwise shaping of the soils, utilization of natural materials to establish specific proportions or designs, xeriscaping, use of drought-tolerant gardens, and the utilization of artificial substances that can and must be maintained.
 - a. These provisions are to be required so as to enhance the use of the lot for residential living and shall be subject to adjustment by the Planning and Zoning Commission, within its discretion, in order to meet the stated purpose.
12. The Planning and Zoning Commission and/or City Council may address and include such other regulations as are deemed appropriate given the location of a particular lot and the specific circumstances relating to it.

12-1030-5. Height Regulations. No building shall exceed thirty-five (35) feet in height.

12-1030-6. Area, Width, and Yard Regulations.

1. Area of the lot shall be as required in the zone wherein it is located, plus two-thousand (2,000) square feet for the first unit and three-thousand (3,000) square feet for each additional unit.
2. Frontage width shall conform to the underlying zone requirements, but not less than one-hundred (100) feet minimum.
3. Setback shall be thirty (30) feet.
4. Side yard setback shall be twenty (20) and twenty-five (25) feet to adjacent property, or ten (10) and thirty (30) feet to adjacent property, in addition to any parking or driveway.
5. Rear yard shall be thirty (30) feet in addition to any parking or driveway.

12-1030-7. Accessory Apartments.

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1. Per 12-1030-4.1.a.2) an exception to the preceding applies to the establishment of a single additional apartment provision within or permanently attached to a private residence for the purpose of providing care and shelter to a direct relative through either blood or marriage to the owning and occupying resident.

a. Commonly referred to as an “accessory” or “mother-in-law apartment,” such space must adhere to the following provisions:

1) When remodeling takes place to provide such accommodations, it is required that the owner of the residence obtain a building permit through the currently established procedures at the time of the remodel.

a) The purpose of this requirement is to ensure that any adjustments/additions/modifications to electrical, water, or sewer facilities adhere to code and do not present any type of a current or conceivable future hazard, no matter how inadvertent.

b) Access to the apartment must include a minimum of two ingress-egress routes for the safety of the occupant(s), only one of which may pass through a garage area.

c) Any remodeling incurred in this process must be accomplished in such a manner as to present a continued outward appearance of a single-family residence with the basic structure.

(1) Outside access doors into the accessory addition must be either on the side or rear of the residence.

2) The owner of the residence will be responsible for providing adequate parking space, within the provisions of this ordinance, for the additional family members vehicle(s), not to exceed two (2) additional of any type or combination of types of vehicles.

2. Conditions.

a. A Conditional Use Permit following established procedures through the Planning & Zoning Commission and the City Council is required prior to the issuance of the Building Permit.

1) The apartment will be a separate housekeeping unit that can be isolated within the original residential dwelling.

2) Only one accessory apartment is to be established within or as part of an original residential dwelling.

3) The owner(s) of the residence in which the accessory apartment exists must occupy at least one of the apartments in the dwelling, except for bona fide temporary absences.

a) It is recognized that some owners may be required to spend time in assignments necessitating them to reside outside of Richmond for prolonged periods of time and such factor(s) will be considered by the Planning & Zoning Commission and the City Council prior to revocation of the Conditional Use Permit.

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(1) It is the responsibility of the owner(s) to notify Richmond City should such an event be planned or occur as soon as said owner(s) have confirmed the need for temporary re-location.

(2) A vacation does not fall into this category nor require notice to Richmond City.

b) A non-family care-giver is authorized to reside within the residence/accessory apartment as required.

4) The Conditional Use Permit applies only to the owner(s) of the basic residential dwelling and is not transferable to another owner or owners.

a) Revocation of the Conditional Use Permit is automatic upon the sale of the property and does not require additional notice or procedural processes.

3. Use of accessory apartment following vacating by the original family inhabitant.

a) The Conditional Use Permit expires immediately upon the permanent removal of the original family inhabitant of the accessory apartment.

b) The owner(s) may elect to rent the space to non-family members; however, the owner(s) must follow the current established protocol to appear before the Planning & Zoning Commission and the City Council to obtain a new Conditional Use Permit and obtain any type of license as may be required at the time by Richmond City.

(1) Conditional Use Permits for non-family rental use of an accessory apartment must be renewed annually based upon the issuance date of the Conditional Use Permit.

4. Sale of property containing an accessory apartment.

a) The Conditional Use Permit for an accessory apartment will immediately expire upon the sale, abandonment or foreclosure of the residence per 12-1030-7.2.a.4)a).

b) Should a new owner(s) desire to utilize the accessory apartment as a non-family rental unit, the owner(s) must comply with 12-1030-7.3.b) and 12-1030-7.3.b)(1) above.

5. For purposes of distance separation between Multiple Family Units, an accessory apartment will not be counted as a Multiple Family Unit when determining additional Multiple Family Unit locations.

CHAPTER 12-1040. MOBILE HOME COURT OVERLAY ALSO KNOWN AS TRAILER PARK OVERLAY.

12-1040-1. Purpose. The purpose of this overlay is to provide a reasonable opportunity for housing of a moderate cost to residents while seeking to maintain a semi-rural atmosphere within Richmond City.

12-1040-2. Proximity Restrictions. For location purposes, a Mobile Home Court aka Trailer Park falls into the same density category as a Multiple Family Unit per 12-1030-2.1 and 2.

12-1040-3. Requirements.

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1. The minimum area for a Mobile Home Court aka Trailer Park shall be five (5) acres.
2. Streets.
 - a. Each mobile home space shall front on an improved paved street.
 - 1) Each street within the court shall be within a minimum right-of-way of thirty (30) feet.
 - 2) Within the thirty-foot right-of-way, there shall also be a three (3) foot sidewalk or pedestrian right-of-way.
 - b. The owner of the Mobile Home Court aka Trailer Park shall be responsible for all street maintenance within the Mobile Home Court aka Trailer Park.
3. Minimum Home Space Size.
 - a. Individual mobile home lot spaces shall have a minimum size of forty (40) feet in width with a minimum area of four thousand (4,000) square feet.
4. Access.
 - a. All Mobile Home Courts aka Trailer Parks shall be designed for safe and convenient movement of traffic into and out of the court, with minimization of marginal friction with free movement of traffic on adjacent streets.
 - 1) All vehicular traffic into and out of the Mobile Home Court aka Trailer Park shall be through such designated entrances and exits.
5. Buffer Strip.
 - a. Each Mobile Home Court aka Trailer Park shall have a buffer strip around the perimeter of the court of a minimum of four (4) feet in width on those sides of the Mobile Home Court aka Trailer Park bounding upon a public street.

12-1040-4. Site Standards.

1. No mobile home nor any other structure shall be placed or erected closer to the mobile home space line than eight (8) feet on the sides, with a total of twenty-six (26) feet in setback requirements for both sides, nor within ten (10) feet of the rear mobile home space line or within fifteen (15) feet of the front mobile home space line with a total of thirty (30) feet in combined setbacks for the front and rear.
 - a. Awnings or other open structures may extend into the setback areas provided, however, that there will be a minimum of ten (10) feet between such open structures on adjacent lots.
 - b. Further provided, however, that roof projections, overhangs, rain gutters, and air conditioners may project to the extent of eighteen (12) inches into any required set-back area.
2. Spaces at internal street intersections within the Mobile Home Court aka Trailer Park shall be on appropriately wider lots in order to provide adequate site distance for safety at intersections.

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12-1040-5. Utilities. Mobile Home Court aka Trailer Park utilities shall be in accordance with the following:

1. Street lighting shall be installed which may be overhead or low-level; provided, however, that the source of light shall not be visible beyond the Mobile Home Court aka Trailer Park boundaries and all lights shall be reflected onto the street or pedestrian ways and avoiding light pollution.
2. Each mobile home space shall be provided with an approved type 115-230 volt service.
3. Each mobile home space shall be connected to a central water and sewer system.
 - a. No individual water or sewage disposal system shall be permitted in any mobile home.
4. All utility distribution and collection systems including those for water, sewer, electricity, telephone, gas, and television cables shall be underground.
 - a. There shall be a single meter for the Mobile Home Court aka Trailer Park for water and sewer lines, and the Mobile Home Court aka Trailer Park owner shall be responsible to the city for all water and sewer services provided to the park.
5. The Mobile Home Court aka Trailer Park owner shall be responsible for the maintenance of all utility lines within the Mobile Home Court aka Trailer Park including specifically water and sewer lines from the property line inward, with the exception of sewer laterals which shall be the responsibility of the owner until the lateral physically enters the Richmond City sewer main.
6. The Mobile Home Court aka Trailer Park owner shall be responsible to install sewer and water lines from the nearest feasible point on the existing city water and sewer lines unless this requirement is specifically waived by the Planning Commission and City Council.

12-1040-6. Driveways and Parking Spaces. Each mobile home space shall have a driveway with a minimum depth of twenty (20) feet. Automobile parking spaces shall be a minimum of nine (9) feet in width and there shall be two automobile parking spaces per mobile home space.

12-1040-7. Foundation and Tie-down. Each mobile home shall be placed on a foundation or tied down in accordance with current Building Code or other regulatory requirements.

12-1040-8. Drainage.

1. Storm drainage facilities shall be so constructed as to protect residents of the Mobile Home Court aka Trailer Court as well as adjacent property owners.
2. Such facilities must be of sufficient capacity to insure rapid drainage and prevent the accumulation of stagnant pools of water in or adjacent to the development.

12-1040-9. Utility Easements.

1. Landscaped utility easements may be provided for each mobile home space.

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- a. Such easements, where provided, shall not be less than ten (10) feet in width.
2. No permanent structure other than pedestrian ways, benches, recreational facilities, picnic areas, and lighting systems shall be located within such utility easements and permitted structures shall be located so as not to impede maintenance of the underground utilities.
3. All utilities shall be located within such easements, if provided, or in easements adjacent to the street pavements or buffer areas as set out in 12-1040-3.5 above.

12-1040-10. Recreation Facilities.

1. A total area equal to the 10% of the Mobile Home Court aka Trailer Court shall be developed and set aside for recreational purposes.
2. No mobile home space, required buffer strip, street right-of-way, storage area, utility site, or utility easement shall be counted as recreation area in meeting this requirement.

CHAPTER 12-1050. COMMERCIAL-RESIDENTIAL MULTI-USE OVERLAY.

12-1050-1. Purpose. To provide an option, as land becomes more densely utilized, for an effective establishment of compatible small businesses and multiple family units at a single site.

12-1050-2. Waiver. In this instance only, the distance rule for Multiple Family Unit per 12-1030-2.1 and 2 of this ordinance may be waived by the Richmond City Planning & Zoning Commission as ratified by the Richmond City Council if the commercial aspect is more compatible within the otherwise prohibited multiple residence distance zone.

12-1050-3. General Design.

1. A structure allowed under the provisions of this overlay will consist of a first-floor commercial business design and a second floor residential housing space with a maximum building height of thirty-five (35) feet.
 - a. The number of businesses and residential spaces will be determined based upon the size of the lot being considered, the compatibility of the businesses with the underlying zone, meeting parking requirement needs as outlined in this ordinance, and the population density of that portion of Richmond City.
 - b. The front set-back must be a minimum of ten (10) feet from the property line.
 - c. Side set-back from neighboring property lines must be a minimum of twenty-five (25) feet from the most outward point of the structure.
2. Parking for both business and residential purpose will be computed separately, and the combination of a single parking space for both purposes will not be allowed.
 - a. Business parking will be calculated at one parking space, street or parking lot provision, per 150 square feet of business space.
 - b. Residential parking will be calculated at two parking spaces per residential unit.

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c. Should either sub-surface or terrace parking be established, it is mandatory that where the traffic enters the parking area or leaves it onto a street, road, or highway, there will be a minimum ten-foot flat portion without any visual interference to the front or either side prior to the inside edge of the public sidewalk.

12-1050-4. Lighting. All external lighting will be downward directed to prevent establishing an annoyance to residential units, whether they are part of the overlay or adjoining.

12-1050-5. Signs.

1. All signs must conform to the provisions of Chapter 12-700.
2. With the exception of signs controlling vehicular traffic or otherwise providing safety information to the public, all signs related to the commercial aspect of this overlay must be flush with the side of the structure.
3. Illuminated signs must have the illumination source above or within the sign per Chapter 12-700 of this ordinance.

12-1050-6. Development Plan Procedure. Site design guidelines are established to promote development that is compatible with nearby properties, neighborhood character, and natural features, to minimize pedestrian and vehicular conflict, to promote street life and activity, to reinforce public spaces, to promote public safety, and to visually enhance development.

1. Procedures.

- a. Site design guidelines shall be applied through the site plan review process.
 - b. Site plans shall be submitted to Richmond City for review. The review process shall proceed as follows:
 - 1) The developer shall submit complete site plans to Richmond City a minimum of ninety (90) days prior to anticipated starting date of construction.
 - a) Incomplete site plans shall not be accepted.
 - 2) Richmond City shall notify the developer of approval or rejection of site plan within seventy-five (75) days after submission of the site plan.
 - 3) Site plans are initially submitted to the Richmond City Planning and Zoning Commission.
 - a) The Planning and Zoning Commission shall then recommend action to the Richmond City Council for final approval.
 - 4) All appeals shall be made to the Richmond City Board of Adjustments/Appeals Judge within thirty (30) days of receipt of the written finding of the Richmond City Council.
2. Site Plan Requirements. Site plan approval is required prior to issuance of a building permit for any proposed construction or issuance of a zoning certificate for any proposed use.

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a. Required information. All site plans shall be drawn to scale and contain the following information, unless otherwise specifically waived by Richmond City Land Use Authority in writing:

- 1) A vicinity map, to include locations of any public streets, railroads, major streams or rivers, sensitive lands and other major features within one hundred-fifty (150) feet of the site.
- 2) Boundaries and dimensions shown graphically, along with written legal description of the property.
- 3) Present and proposed topography of the site and adjacent areas within ten (10) feet by contour line of no more than five (5) feet, and directional arrows showing proposed flow of stormwater runoff from the site.
- 4) The location of existing and proposed structures, with height and gross floor area noted.
- 5) Elevation views of all proposed buildings and structures, with building materials and proposed colors noted.
- 6) Phasing plans, where applicable.
- 7) Location of existing and proposed curb cuts, alleys, off-street parking and loading spaces, and walkways.
- 8) Location of all existing and proposed water and sewer facilities and storm drainage systems.
- 9) Existing and proposed public streets and rights-of-way, easements, or other reservations of land on the site.
- 10) Location and method of screening of outdoor trash storage areas.
- 11) Location and size of all proposed signs per 12-700.
- 12) Location and height of all proposed lighting facilities.

3. Building and Site Design Guidelines.

- a. The guidelines established in this Section are for the purpose of promoting quality development that is attractive, convenient, and compatible with surrounding uses.
- b. These guidelines are intended to be general in nature and not to restrict creativity, variety, or innovation and Richmond City's expectation is that these guidelines be adhered to.
- c. Building placement shall reinforce the street wall, maximize natural surveillance and visibility, enhance the character of the surrounding area and facilitate pedestrian access and circulation.
- d. Parking area location shall be located to the side or rear of the principal building or use served.

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1) Underground or terrace parking may be utilized subject to detailed engineering and approval by the City Engineer or designated authority.

e. Architectural plan should encourage the use of a variety of architectural features and building materials to give each building or group of buildings a distinct character.

4. Lighting Guidelines.

a. All roads, driveways, sidewalks, parking lots, and other common areas and facilities shall be sufficiently illuminated to insure the security of property and the safety of persons using such roads, driveways, sidewalks, parking lots, and other common areas and facilities.

b. No spotlight or floodlight shall be installed in any way which will permit the direct rays of such a light to penetrate into any adjoining residential zone or onto any adjoining property used for residential purposes or into the night sky.

c. Lights shall not constitute a traffic hazard.

1) No light, sign, or other advertising structure shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision; or at any location where, by reason of position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device; or which makes use of the words “stop”, “look”, “danger” or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic.

5. Site layout and guidelines.

a. Building arrangement should be such that when multiple buildings are proposed for a site, care should be taken to provide maximum feasible street exposure for all buildings.

b. Loading, delivery, and service bays should be oriented away from existing residences and public streets and not interfere with the parking of residential vehicles.

c. Drive-through facilities are not deemed compatible with the intent of this overlay.

12-1060. MODERATE INCOME HOUSING OVERLAY.

12-1060-1. PURPOSE.

1. To provide increases in opportunities for the development of moderate income housing within Richmond City by encouraging infill development as outlined in the Moderate Income Housing portion of the Richmond City General Plan.

2. Per the definition of Moderate Income Housing found within this Title, the Cache County moderate income level is recommended by the State of Utah to be used by Richmond City in determining whether or not housing is affordable.

12-1060-2. ESTABLISHMENT.

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1. Utah Code Annotated Title 10, Chapter 9a, Section 403 requires municipalities to establish a General Plan, one component of which is to deal with Moderate Income Housing within the municipality.

a. The Moderate Income Housing plan is to provide a realistic opportunity to meet current and estimated future needs to provide reasonable opportunities to allow persons with moderate incomes to benefit from and fully participate in all aspects of neighborhood and community life.

b. In keeping with these directions, the Planning and Zoning Commission and the City Council will consult the recommendations of the Moderate Income Housing section of the Richmond City General Plan (2013 and subsequent editions) relative to Moderate Income Housing.

12-1060-3. BIENNIAL REVIEW AND REPORT.

1. Utah Code Annotated Title 10, Chapter 9a, Section 408 requires that the legislative body of each city shall biennially:

a. Review the moderate income housing plan element of the General Plan and its implementation; and

b. Prepare a report setting forth the findings of the review.

2. Each report shall include a description of:

a. Efforts made by the city to reduce, mitigate, or eliminate local regulatory barriers to moderate income housing;

b. Actions taken by the city to encourage preservation of existing moderate income housing and development of new moderate income housing.

c. Progress made within the city to provide moderate income housing, as measured by permits issued for new units of moderate income housing.

d. Efforts made by the city to coordinate moderate income housing plans and actions with neighboring municipalities.

3. The Richmond City Council will send a copy of the report to the Department of Workforce Services and the Bear River Association of Governments on each even-numbered year.

12-1060-4. DENSITY BONUS PROGRAM FOR MODERATE INCOME HOUSING.

1. For each on-site moderate income housing unit provided, a developer shall be permitted to build one (1) additional market-rate unit on site and to create a legal lot for such unit, up to a maximum of 20% increase in total dwelling units.

2. The Density Bonus Program for Moderate Income Housing applies to all agricultural and residential zones.

3. The Density Bonus Program for Moderate Income Housing may be applied to development projects that include a minimum of ten (10) parcels.

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12-1060-5. INFILL DEVELOPMENT FOR MODERATE INCOME HOUSING.

1. Infill refers to development that takes place on land within built-up areas that has been passed over during previous development phases and has remained vacant.
2. Infill development occurs in areas that are already served by public facilities (e.g., sewer, water, schools, police, fire). Infill development reduces development costs by reducing costs, therefore creating an opportunity to develop moderate income housing.

12-1060-6. INFILL DEVELOPMENT SUPPORT.

1. Richmond City shall support moderate income housing through the following actions and conditions.
2. Richmond City shall make available to developers a list of potential infill development parcels.
 - a. This list shall include persons owning land within the cities existing infrastructure that are stalling to subdivide or develop their land for the purpose of providing moderate income housing.
3. Richmond City shall allow some flexibility to existing zoning ordinances to facilitate infill development for moderate income housing on parcels which cannot be developed under existing zoning criteria.
 - a. Flexibility options may include:
 - 1) Zero lot line housing with shared wall or detached.
 - 2) Shared driveways.
 - 3) Zoning density increases.
 4. Infill development housing shall be designed to reinforce and compliment existing housing architecture and street-scape.
 - a. This includes details such as:
 - 1) Garage placement at the side of rear of structure.
 - 2) Use of exterior construction materials that are similar to and compliment existing neighborhood housing,
 - 3) Use of exterior design features that are similar to and compliment existing neighborhood housing (i.e., front porch).
 - 4) Use of landscaping, fences, and windowless walls to maintain privacy on lots developed with reduced setback and/or zero lot lines.
 5. Infill development housing design architecture and site plans shall be presented to the Richmond City Planning and Zoning Commission and City Council for approval.

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6. Infill development shall be sold or rented to families who qualify under the current definition of having a moderate income for Richmond City.
7. Under no circumstances can infill efforts violate either fire or building codes.

12-1070. SENSITIVE LANDS REGULATIONS OVERLAY.**12-1070-1. OVERVIEW**

1. The primary intent of the regulations included in this Chapter is to restrict development in environmentally sensitive areas.
2. This is done by requiring open space on steep slopes, sensitive soils, geologic hazard areas, wetlands, rivers and streams, water recharge areas, wellhead protection zones, and wildlife corridors.
3. The intent is that these regulations shall encourage expanses of open space where slope, flood plain, and other sensitive land issues are present and the clustering of development, while still allowing a reasonable use of property.

12-1070-2. DEVELOPMENT REQUIREMENTS.

1. The Sensitive Area Overlay Zone is identified on the accompanying maps found in Appendix A of Title 12-000.
 - a. The maps show FEMA Flood Plain, “No Build” areas due to steep slopes, and Drinking Water Source Protection areas and require that the following analysis be conducted to determine the exact boundaries of the sensitive areas.
 - b. The maps do not, in and of themselves, define the sensitive areas.
 - c. All new development within the Sensitive Area Overlay Zone shall address the following items.
2. Sensitive lands requirements apply to all agricultural, residential, commercial, and manufacturing zones and associated overlays and will include:
 - a. Steep slopes.
 - b. Unstable soils.
 - c. Jurisdictional wetlands.
 - d. Geologic hazards.
 - e. Natural floodplains, drainage systems, and canals.
 - f. Water recharge areas.
 - g. Vegetation.
 - h. Wildlife corridors.

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- i. Existing and planned trail systems
 - j. Wellhead protection zones.
3. No homes, buildings, or other structures, streets, or drives shall be erected or built on areas classified as “No-Build”, except for those required for public improvements and facilities such as: power poles, pump houses, reservoirs, regulator stations, etc.
- a. No-Build areas shall not be included in allowable zoning density calculations.
 - c. No-Build areas shall include the following:
 - 1) Jurisdictional wetlands.
 - 2) Slopes greater than thirty (30) percent.
 - 3) Areas within one-hundred seventy-five (175) feet of an active fault.
 - 4) Active floodplains.
 - 5) Unstable soils.
 - 6) Water recharge areas.
 - 7) Wellhead protection zones.

12-1070-3. SENSITIVE LANDS ANALYSIS REQUIREMENTS. Any applicant for any development approval must produce a sensitive lands analysis performed by qualified professionals that identifies and delineates all of the following features and conditions and the following studies, reports, and plans shall be required on all developments except as provided for in 12-1070-4.

- 1. Slope / Topographic Map shall include:
 - a. Slope analysis based on a certified boundary survey and depict contours at an interval of five (5) feet or less, mapping the development site’s slopes in the following categories:
 - 1) greater than fifteen (15) percent but less than or equal to thirty (30) percent;
 - 2) greater than thirty (30) percent.
- 2. Soils Map shall include:
 - a. Unstable soils analysis showing any potentially unstable soils within the development site.
- 3. Wetlands Map shall include:
 - a. A map locating all jurisdictional wetlands and stream corridors within the development site.
- 4. Geology Map shall include:
 - a. Geologic hazard analysis that maps all active (normal) faults within the development site with a one-hundred seventy-five foot (175') buffer on each side of the fault.

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- b. Water recharge area analysis that maps water recharge areas within the development site.
- 5. Hydrology Map shall include:
 - a. Hydrological features analysis showing hydrological features (i.e. streams, springs, and seeps), the one hundred (100) year flood plain as identified on Federal Emergency Management Agency (FEMA) floodplain maps, and canals within the development site.
- 6. Vegetative Cover Map shall include:
 - a. Vegetative cover analysis showing vegetative cover within the development site, including:
 - 1) deciduous trees.
 - 2) coniferous trees.
 - 3) large shrub masses.
 - 4) sagebrush grasslands.
 - 5) agricultural crops.
- 7. Wildlife Corridors Map shall include:
 - a. Wildlife corridors analysis showing wildlife corridors within the development site.
- 8. Trails Map shall include:
 - a. All trail corridors identified in the Richmond City General Plan.
 - b. Potential trail linkages to existing trail systems adjacent to the development site.
- 9. Erosion Control Plan shall include:
 - a. Provisions for the control of erosion, hillside slippage, and sedimentation.
 - b. Storm water pollution prevention plan that indicates the temporary and permanent control practices and measures which shall be implemented during all phases of clearing, grading, and construction.
 - 1) The plan shall comply with all State of Utah Division of Water Quality regulations applied under Phase I of the Utah Pollutant Discharge Elimination System (UPDES) storm water permitting requirements.

12-1070-4. WAIVER/MODIFICATION OF ANALYSIS AND STUDY REQUIREMENTS.

Based upon a preliminary assessment of the development proposal and a site field inspection, Richmond City may modify or waive any of the sensitive lands analysis requirements upon a determination that the information is not necessary for full and adequate analysis of the development or is sufficient at a reduced level of detail.

12-1070-5. SENSITIVE LANDS REGULATIONS. The following provisions shall apply to all delineated sensitive lands contained in the Sensitive Lands Overlay Zone.

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1. Slope Protection Regulations.

- a. It is the intent of these regulations to protect Richmond City's visual character and environmentally sensitive areas on hillsides and slopes.
- b. This shall be accomplished by minimizing the visual and environmental impacts of development through careful site planning that maintains the maximum amount of open space, protects existing vegetation, avoids sensitive natural areas, minimizes erosion, and locates structures in the least visually sensitive location.
- c. These regulations shall apply to all slopes in excess of fifteen percent (15%).

1) Prohibitions.

- a) No development shall be allowed on or within fifty feet (50') of slopes in excess of thirty percent (30%), areas subject to land sliding, and other high-hazard geological areas as determined by the soils report.

2) Graded and Filled Slopes.

- a) Cutting and filling to create additional or larger building sites shall be kept to a minimum and avoided to the maximum extent feasible.

(1) All proposed grading and filling shall be subject to review by Richmond City.

(2) Graded or filled slopes shall be limited to a 3:1 slope or less. All graded slopes shall be re-contoured to the natural, varied contour of surrounding terrain.

3) Benching or Terracing.

- a) Benching or terracing to provide additional or larger building sites is prohibited.

4) Retaining Walls.

(a) Use of retaining walls is encouraged to reduce the steepness of man-made slopes and provide planting pockets conducive to re-vegetation.

(b) The use, design, and construction of all retaining walls shall be subject to the approval of Richmond City based upon assessment of visual impact, compatibility with surrounding terrain and vegetation, and safety considerations.

5) Re-vegetation.

(a) Exposed slopes that are not formally landscaped shall be completely re-vegetated with native plant materials as approved by Richmond City.

(b) Slopes with high potential for erosion shall be stabilized with erosion control blanket until vegetation has stabilized the slope.

(c) Topsoil from any disturbed portion of a steep slope shall be preserved and utilized in re-vegetation.

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(d) Fill soil must be of a quality to support healthy plant growth.

2. Streets and Roads.

a. The grade of any street or road shall not exceed a grade of eight percent (8%) or as designated in the most current edition of Richmond City *Manual of Design and Construction Standards*.

3. Wetland and Stream Corridor Regulations.

a. Richmond City recognizes that wetlands and stream corridors provide important hydrological, biological, aesthetical, recreational, and educational functions.

1) The following requirements have been developed to promote, preserve and enhance these valuable resources and to protect them from adverse effects and potentially irreversible damage.

a) Jurisdiction.

(1) All significant wetlands and stream corridors in the Sensitive Lands Overlay Zone are regulated as provided herein and are subject to the jurisdiction of this Title 12-000.

b) Prohibited Activities.

(1) No person shall engage in any activity that shall disturb, remove, fill, dredge, clear, destroy or alter any area, including vegetation, within significant wetlands and significant stream corridors and their respective setbacks.

c) Boundary Delineations.

(1) Wetland and stream corridor delineations shall be performed by a qualified professional who has demonstrated experience necessary to conduct such delineations.

(a) All fees, costs and expenses associated with such delineations are borne by the applicant. Delineation of wetlands and stream corridors shall be subject to the approval of the U.S. Army Corps of Engineers.

(2) Boundary delineations shall be established using the latest edition of the *U.S. Army Corps of Engineers Wetland Delineation Manual*.

(3) Stream corridors shall be delineated at the ordinary high water mark.

d) Determination of Significance.

(1) A wetland delineation shall be found significant based upon the following criteria:

(a) Size.

[1] All wetlands that occupy a surface area greater than one-tenth (1/10) acre or are associated with permanent surface water are significant.

(b) Location.

[1] All wetlands that are adjacent to or contiguous with a stream corridor are significant.

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(2) All stream corridors are significant.

[1] Stream corridors shall not include canals and ditches which are commonly know as irrigation ditches and do not contribute to the preservation or enhancement of fisheries or wildlife.

e) Setbacks.

(1)The following setbacks are considered minimum distances:

(a) Setback from wetlands shall extend a minimum of fifty feet (50') outward from the delineated wetland edge or as determined by Richmond City.

(b) Setbacks from stream corridors shall extend a minimum of fifty feet (50') outward from the ordinary high water mark or outside boundary of the delineated riparian corridor, whichever is greater, or as determined by Richmond City.

(c) Setbacks from irrigation ditches and canals shall extend a minimum of twenty feet (20') from the ordinary high water mark or as determined by Richmond City.

f) Runoff Control.

(1) All projects adjacent to wetlands shall provide appropriate temporary and permanent runoff control to minimize sediment and other contaminants to the maximum extent feasible.

4. Active Floodplain Regulations.

a. The intent of these regulations is to minimize potential damage to development caused by flooding and to avoid negative affects on the watershed that may result from development within active floodplains.

b. Prohibited Floodplain Development.

1) No development adjacent to the Cub River shall be allowed within the one hundred (100) year floodplain as identified on the Federal Emergency Management Agency (FEMA) floodplain mapping.

a) Although currently outside of the current legal limits of Richmond City, the Cub River is specifically included for planning purposes as it is closely within the potential annexation area as designated by the City.

12-1070-6. ADMINISTRATION PROCESS.

1. All applicants for development (defined as including applications for subdivision, PUD, or other development permits) whose property has been identified as being within the Sensitive Lands Overlay Zone, shall be required to undertake an analysis of their property to identify sensitive environmental areas as defined in the above regulations.

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2. A proposed development shall conduct all sensitive lands mapping required in this ordinance during the preliminary plan design phase.
 - a. The developer shall provide a report to the Richmond City Planning and Zoning Commission and the Richmond City Council that includes all mapping information required in this ordinance, along with the proposed appropriate development and open space areas for the site unless exempted in keeping with 12-1070-4 above.
3. The development permit proposal shall then continue through the applicable development permitting process.