

# River Heights City

---

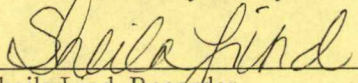
## RIVER HEIGHTS CITY PLANNING COMMISSION AGENDA

**Wednesday, August 3, 2016**

Notice is hereby given that the River Heights City Planning Commission will hold their regular meeting beginning at 7:00 p.m. in the River Heights City Office Building at 520 S 500 E.

- 7:00 p.m. Adoption of Prior Minutes
- 7:05 p.m. Discuss Code Revisions Regarding Fence Requirements
- 7:20 p.m. Discuss an Additional Commercial Zone
- 7:35 p.m. Discuss Sidewalk Ordinance Revisions
- 7:50 p.m. Discuss Home Occupation Business License/Conditional Use Permit
- 8:05 p.m. Moderate Income Housing Report Update
- 8:10 p.m. Adjourn

Posted this 28<sup>th</sup> day of July 2016

  
\_\_\_\_\_  
Sheila Lind, Recorder

In compliance with the American Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Sheila Lind, (435) 770-2061 at least 24 hours before the meeting.

# River Heights City

---

1 River Heights City Planning Commission  
2 Minutes of the Meeting  
3 August 3, 2016  
4

5 Present: Commission members: Mark Malmstrom, Chairman  
6 Nina Knowles  
7 Danny Petersen  
8 Cindy Schaub  
9 Jake Zollinger

10  
11 Mayor James Brackner  
12 Councilmember Blake Wright  
13 Recorder Sheila Lind  
14

15 Others Present: Bryan Cascio, Tony Johnson, Gayle Brackner, Diana  
16 Gara-Weiner  
17

18 Motions made during the Meeting  
19

20 Motion #1

21 Commissioner Zollinger moved to “approve the minutes of the July 6, 2016 Commission  
22 Meeting.” Commissioner Petersen seconded the motion, which carried with Knowles,  
23 Malmstrom, Petersen, Schaub and Zollinger in favor. No one opposed.  
24  
25

26 Proceedings of the Meeting  
27

28 The River Heights City Planning Commission met at 7:00 p.m. in the Ervin R. Crosbie  
29 Council Chambers on August 3, 2016.

30 Adoption of Prior Minutes: Minutes for the July 6, 2016 Planning Commission Meeting  
31 were reviewed.

32 **Commissioner Zollinger moved to “approve the minutes of the July 6, 2016  
33 Commission Meeting.” Commissioner Petersen seconded the motion, which carried with  
34 Knowles, Malmstrom, Petersen, Schaub and Zollinger in favor. No one opposed.**

35 Discuss Code Revisions Regarding Fence Requirements: Commissioner Malmstrom felt  
36 the city could make a reasonable compromise that wouldn’t cause any undue burdens to  
37 anyone. He read from proposed changes he made to the Hyde Park Ordinance definition of  
38 ‘Corner Lot Fences’ as an alternative. He also explained that PWD Nelson’s visibility concern



39 with a six-foot fence next to the drainage swale, could be solved by the city placing a four-foot  
40 fence on the swale property for about 10 feet. He asked for opinions. The Commissioners  
41 wanted to review and ponder on his suggestions until the next meeting.

42 Councilmember Wright asked if the verbiage only deals with corner lots. Commissioner  
43 Malmstrom explained that he added, "If the rear lot is adjacent to a public road the fence may  
44 not be built closer than one (1) foot from the sidewalk and the property owner is responsible to  
45 maintain the section between fence and sidewalk. Fences on rear yards must also conform to  
46 clear view calculations indicated above." He acknowledged that some may not agree with him,  
47 which is fine. He reiterated to come with suggestions to the next meeting.

48 Discuss an Additional Commercial Zone: Commissioner Schaub revised her  
49 *Neighborhood Commercial Zone* draft to *Historic Landmark Overlay Zone*. She gave copies to  
50 the Commissioners earlier so they had time to review it. She asked for comments.

51 Councilmember Wright asked if the zone would apply only to the property located at  
52 594 South 400 East. Commissioner Schaub affirmed, that is the intent. Mr. Wright suggested it  
53 could also apply to the Old Church, although the Council has plans to raise the building at some  
54 point. Tony Johnson explained that the Old Church would fall into a historic landmark very  
55 easily. Commissioner Petersen pointed out a building on Summerwild Avenue which is more  
56 than 50 years old. Commissioner Malmstrom felt if they are going to the effort to make the  
57 ordinance, they may as well make it work for all properties that fall into the description of  
58 'historic.' Mr. Wright agreed and pointed out that property owners would need to apply for the  
59 zone; their property wouldn't automatically be brought in if it contained a 50 year-old building.

60 Discussion was held on the Old Church currently being used for storage, which wouldn't  
61 be allowed under the historic zone. Commissioner Petersen stated the current use wouldn't  
62 have to stop, unless the city desired the building to qualify for the new zone.

63 Councilmember Wright brought up a few discussion points pertaining to the draft:

64 D. At the end of the first paragraph it states if the structure is destroyed, the property  
65 would revert back to the surrounding zone. Mr. Wright wondered if they wanted it to go back  
66 to the underlying zone. This is something they will think about.

67 E. In regards to 'Examples are as noted, but not limited to the following:' He suggested  
68 adding another column to the zoning chart, which would address the uses that would be  
69 allowed in the overlay zone. Or, verbiage could be added, explaining how uses could be added  
70 to the list.

71 G.2. He felt clarification could be made on who the 'decision making body' is. He  
72 believes it would be the Planning Commission. The city currently doesn't have historic district  
73 design standards. The city could get some or remove this language.

74 H. He asked Commissioner Schaub if she foresees the plans going through a review  
75 process. She affirmed. Mr. Wright pointed out there is a site plan review process in 10-8-2 (the  
76 commercial review) which she could reference.



77 J.1. Regarding setback requirements, he pointed out that existing historic buildings  
78 would already have a setback. Commissioner Malmstrom brought up that the ordinance allows  
79 for a 20% addition to the building. Mr. Wright posed the question of whether they should  
80 conform to the residential or commercial setbacks, then realized, in most cases the building  
81 would be located in a residential zone. He suggested their setbacks comply with the adjacent  
82 zone they are underlying in.

83 L.3. He suggested comparing this section to the city's current code on landscaping,  
84 parking, sidewalks, street trees and site triangles for plantings.

85 N.1. He recommended allowing a four-foot fence (rather than 3 foot) in the front yard  
86 since this is what is allowed in the rest of the city.

87 N.2. He'd like to have further discussion on the decorative masonry wall to discourage it  
88 from being too bold and encourage it to be more attractive.

89 O. He wasn't sure who the 'plan review committee' would be. They'll discuss it later.  
90 Commissioner Schaub asked if they should change the number of cars allowed at a time  
91 from four. They discussed other options on how to address it.

92 P. 2. The 'zoning administrator' should be replaced by the 'city.'

93 Q. In regards to the discouragement of high-contrasting colors; he pointed out that  
94 some contrasting colors might look good together, which would make it okay in some cases.

95 Commissioner Schaub informed that when she talked to the Logan Planner, he wasn't  
96 very specific on commercial overlay zones.

97 Councilmember Wright suggested he and Commissioner Schaub meet to discuss a few  
98 more minor changes.

99 Councilmember Wright asked Tony Johnson and Bryan Cascio if they felt okay about the  
100 direction the historic zone is heading. Mr. Johnson felt additions to historic buildings should be  
101 more regulated. Councilmember Wright suggesting adding verbiage that would require an  
102 addition to match the character of the existing historic structure.

103 Discuss Sidewalk Ordinance Revisions: Commissioner Malmstrom summarized the last  
104 discussion which revolved around the idea that residents would pay half the cost of sidewalk if  
105 they requested it. If it's a city project, perhaps the city should be responsible. Mayor Brackner  
106 feels if there is a mutual understanding between the city and property owner about the need  
107 for a sidewalk, the cost should be shared. If the city imposes a sidewalk, he feels the city should  
108 be responsible. Councilmember Wright feels this same way and believes this was the general  
109 feeling of the Council when they asked the Commission to look at it.

110 In looking ahead at possible situations, Commissioner Malmstrom asked what would  
111 happen if a property owner had a big project on their property; would the city pay half? Mayor  
112 Brackner agreed the city needs to be protected in case the roles were reversed. This situation  
113 needs to be considered to prevent a loop hole in the ordinance.



114 Mayor Brackner reviewed; whenever there is a replacement it would be shared 50/50.  
115 New sidewalks due to a city project, would be paid for by the city.

116 Councilmember Wright pointed out that in new development the developer is  
117 responsible to install the sidewalk. He wondered, if the property owner wanted to do some  
118 improvement to their property, would the city want to consider some requests on a case by  
119 case basis. Commissioner Malmstrom felt the city should have the right to refuse.

120 Mayor Brackner asked if there would be a problem with a zig-zag sidewalk.  
121 Councilmember Wright said it would need to comply with city standards. When we are dealing  
122 with existing sidewalk, there may need to be concessions made. He stated it's difficult for them  
123 to address every situation that may happen, which is covered in the last sentence of 7-2.

124 Commissioner Malmstrom asked, if a resident ruins the sidewalk by the type of trees  
125 they plant in the landscape strip, should the city pay half for replacement. Councilmember  
126 Wright explained that the city has contributed in the past to keep the sidewalks safe and to not  
127 be liable in some cases.

128 Commissioner Zollinger volunteered to rework section 7-2 to incorporate the topics  
129 discussed.

130 Discuss Home Occupation Business License/Conditional Use Permit: Commissioner  
131 Malmstrom explained the situation for discussion was, if someone has been granted a home  
132 occupation license and then moves out of River Heights, should they be able to rent part of  
133 their home to tenants and continue to run their business from that home, when they no longer  
134 live there? He asked the commissioners if they were concerned enough about this to take  
135 action.

136 Councilmember Wright explained the situation in question is a preschool that is being  
137 run out of a property owner's basement, in which they no longer reside. A council member  
138 brought this up because she doesn't feel this is the intent of the ordinance. She asked that the  
139 ordinance be revisited to address this.

140 Commissioner Malmstrom asked how this situation was a problem. Mayor Brackner  
141 suggested there isn't anything in the ordinance that would disallow the property owner to do  
142 this same thing again. He also said a 'home occupation' says the owner lives in the home. Mr.  
143 Malmstrom suggested when a Conditional Use Permit is approved, one of the conditions could  
144 be that when the person moves the CUP is no longer valid.

145 Bryan Cascio feels the ordinance doesn't have a clear definition of 'living' at a property.  
146 A person may own it, but live in it on the weekend

147 Commissioner Wright said the home occupation occurs while the owners live in the  
148 home. Commissioner Malmstrom feels this could easily be addressed in the ordinance and  
149 volunteered to revise the Home Occupation definition in 3-1-3.



150 Moderate Income Housing Report Update: Commissioner Knowles had some questions  
151 for Councilmember Wright, which they plan to discuss on the side. It won't take much to get  
152 the report finished up.

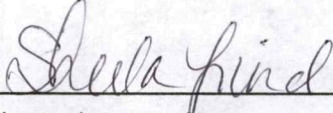
153 The meeting adjourned at 8:15 p.m.

154

155

156

157

  
\_\_\_\_\_  
Sheila Lind, Recorder

158

159

160

  
\_\_\_\_\_  
Mark Malmstrom, Chairman



Mark Malmstrom

6:12 PM (2 hours ago)

to me, Cindy, Cindy, Danny, Jake, Nina, Blake

All,

Sorry for the delay in getting this out. Hopefully you can glance at this before our meeting tonight. The fence height issue is a balancing act between public health, welfare, and safety versus the rights of individual property owners to have some control over their property and to use it in a manner beneficial to them without unduly infringing upon the rights or safety of the public. I believe that we can have a reasonable compromise that will not unduly burden anyone. I have taken the wording of the Hyde Park ordinance and changed it to meet our specific needs. I welcome any adjustments that will improve the proposed change or reasonable discussion to consider another alternative.

**Corner Lot Fences.** *Any owner of a corner lot desiring to fence the same must designate at the time of obtaining a building permit for construction of a dwelling the front yard and side yard of said lot. Any fence constructed on said owner's lot cannot exceed (6') feet in height, and may be constructed (1') from the side yard property line of said lot or one (1) foot from the sidewalk, if the sidewalk is placed within the property. This space must be improved and maintained by the homeowner; so long as a forty (40') feet clear view of intersecting streets is maintained. The clear view is calculated as a triangular area, forty (40') feet from the street intersection right of way lines. Along the rear lot lines, if the adjoining property has a drive approach or curb-cut within ten (10') feet of the property line, no obstruction, that would obstruct the view of drivers, shall be placed within a triangular area formed by said property line and street right-of-way and connecting them at points ten (10') feet from the intersection of these lines. If the rear lot is adjacent to a public road the fence may not be built closer than one (1') from the sidewalk and the property owner is responsible to maintain the section between fence and sidewalk. Fences on rear yards must also conform to clear view calculations indicated above.*

Clayten was concerned about a 6' fence adjacent to the drainage swale. This issue could be addressed by the City building a 4' fence approximately 10' long to improve visibility of vehicles, pedestrians, and children playing in the area.

Mark Malmstrom

A. DECLARATION OF LEGISLATIVE INTENT

It is the intent of the City of River Heights, the River Heights Planning Commission, and the River Heights Council to establish a Historical Landmark Overlay Zone (HL) at 594 South 400 East, River Heights, Utah 84321 and which shall not conflict with the atmosphere of the surrounding residential area by noxious activities or by needlessly drawing traffic from outside the neighborhood.

B. PURPOSE

The Historic Landmark (HL) Overlay Zone is intended to support the revitalization and productive reuse of structures and sites that hold historic, architectural, or cultural value, and which would otherwise be underutilized, dilapidated, or even demolished because the original use has become functionally obsolete. This Chapter recognizes the importance of these significant landmarks and provides a process to allow restoration and practical reuse while minimizing impacts to adjacent properties and avoiding the process of demolition and reconstruction.

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

C. APPLICABILITY

This overlay zone may be applied in any zoning district if each of the following criteria are met:

1. The structure is at least fifty (50) years old.
2. The site or structure has been designated as a local or national historic landmark, or the structure is found by staff to have retained its integrity by the following characteristics:
  - a. Excellent example of type or style;
  - b. Unaltered or only minor alterations or additions;
  - c. Individually eligible for the National Register of Historic Places, or
  - d. Known for its historical significance.
3. The building site, or structure would no longer be permitted under its current zoning designation with its present configuration including lot area, dimensional requirements, or off-street parking requirements, and the building, site, or structure could not easily be retrofitted to comply with existing criteria without variances, vacating right-of-way, purchasing adjacent property, or removing portions of the existing building.

D. RESTRICTIONS OF ZONE OVERLAY

Because the retention of a historic building is a substantial benefit to the community, the approval of this overlay zone shall be bound to the existing historic site or structure being



adaptively reused. If the site or structure is removed or destroyed, the zoning of the property shall immediately revert to the surrounding zoning district.

This zone is to be maintained in harmony with amenities of adjacent residential development.

To protect the surrounding residences from noise, lights, fumes, pests, overcrowding, heavy traffic, and other problems which may arise from an inharmonious mix of commercial and residential uses.

D. PERMITTED USES:

There are no permitted uses for the Historic Landmark (HL) Overlay Zone.

E. CONDITIONAL USES:

All uses shall be conditional uses and must be compatible with the general characteristics of the Historical Land (HL) Overlay Zone.

Examples are as noted, but not limited to the following:

1. Photography studio/Film processing/ Camera Shop
2. Shoe Repair Shop
3. Book, stationary, office supply store, copy store
4. Computer goods and services.
5. Locksmith Shop
6. Electrical appliance repair (light).
7. Florist shop/ Garden Shop
8. Gift store, Handi-craft store, Art Object Sales, or Antique store sales.
9. Music Store (Instructional/Sales)
10. Professional/business offices. (A building for administrative, executive, professional, or similar organizations having only limited contact with the public, provided that no merchandise or merchandising services are sold on the premises, except such as are incidental or accessory to the principal use.)
11. Personal Custom Services, Tailor, Milliner, etc.
12. Seasonal sales (Christmas Trees) and services, when permitted by the property owner, not to exceed \_\_\_\_\_ months in any calendar year and the obtaining of a River Heights City Business License. All stands, booths and structures associated with the seasonal sales and services use shall be temporary and removable, not for public occupancy, and must be removed from the property at the completion of each year's seasonal use.

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



13. Hours of operation open to the public shall be:  
\_\_\_\_\_ o'clock (\_\_\_\_:00) A.M. until \_\_\_\_\_ o'clock (\_\_\_\_:00) P.M.  
during the months of \_\_\_\_\_, and  
\_\_\_\_\_ o'clock (\_\_\_\_:00) A.M. until \_\_\_\_\_ o'clock (\_\_\_\_:00) P.M.  
during the months of \_\_\_\_\_.

F. USES NOT PERMITTED:

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



- 40. Pawn Shop
- 41. Parking Facilities
- 42. Mortuary

The Planning Commission may impose conditions that may mitigate concerns of adjacent residents.

#### G. ADDITIONS AND SITE DEVELOPMENT REQUIREMENTS

Any site development, including proposed additions to the existing historic site, building or structure shall be reviewed as part of the Design Review process and shall comply with the following requirements:

- 1. Any addition shall not exceed 25% of the existing structure's building footprint;
- 2. Site design shall meet the development standards of the Historic Landmark Overlay Zone. Building Frontage and Transparency requirements may be excluded if found by the decision making body to not be in compliance with the Historic District Design Standards;
- 3. Parking shall be determined through approval of an Alternative Parking Plan submitted as part of the Design Review process; and
- 4. Hours of Operation shall be determined during the Design Review Process.

#### H. DESIGN REVIEW AND APPROVAL

Proposals for this overlay zone shall be submitted as both a zone change and design review to be heard by the Planning Commission and Municipal Council.

#### I. RESIDENTIAL USES

- 1. The business owner/manager may be allowed to reside in the structure if the structure meets the definition of a dwelling unit and is located on a lot at least 8,000 square feet in size.
- 2. Single-family dwellings (lot size and density shall conform to the nearest residential zone . ( Ord \_\_\_\_\_ )

#### J. LOTS, BUILDINGS, YARDS, AND OPEN SPACE:

- 1. The structure in the Historic Overlay Zone must adhere to the following setbacks:
  - a. Front Yard from Lot Line: \_\_\_\_\_ feet or where a lot in the NC-1 Zone abuts a lot in any residential zone, there shall be provided a landscaped front yard equal to the residence on the abutting property, whichever is greater.
  - b. Side and Read Yards: \_\_\_\_\_ feet on any boundary abutting residentially zoned property.



K. HEIGHT AND BUILDING SIZE REQUIREMENTS:

The heights and building size requirements within the Historic Landmark (HL) Overlay Zone shall be as follows:

1. The maximum permissible height of any structure shall be \_\_\_\_\_ feet as determined by the currently adopted building construction codes of River Heights City or by any future edition of these codes that may be adopted.

L. OTHER REQUIREMENTS:

1. Signs: All signs erected in the Historic Landmark (HL) Overlay Zone shall be in conformance with the sign provisions of chapter \_\_\_\_\_ of this title.

2. Uses Within Building: All uses established in the Historic Landmark (HL) Overlay Zone, including storage, shall be conducted entirely within a fully enclosed building.

3. Landscaping: The following landscaping provisions shall apply in the Historical Landmark (HL) Overlay Zone:

a. Yards: The front and side yard areas adjacent to a public street, shall be maintained with suitable landscaping of plants, shrubs, trees, grass, and similar landscaping materials. The landscaping plan shall be approved by the planning commission as to type, size and amount of landscaping.

The yards around the building shall be kept free of junk, debris, refuse, weeds, and other flammable material.

b. Parking Areas: Parking areas shall be landscaped around the periphery and at the end of parking rows in accordance with the landscaping plan approved as part of the project plan approval procedure.

c. Sidewalks: A sidewalk of at least five feet (5') wide is required on all frontage abutting a public street. The sidewalk will be built to city specifications, will connect to adjacent sidewalks and will be separated from the required curb and gutter by a planter strip at least six feet (6') wide. If an adjacent property has a sidewalk or planter strip, the sidewalk and planter strip shall conform with that of the adjacent properties. The planter strip will contain trees at least six feet (6') feet in height and three inch (3") caliper or conform with the existing planter strips on adjacent properties. It will be the private property owner's responsibility to maintain the planter strip.

d. Plantings: Plantings in front setbacks may not impede the vision of traffic.

M. TRASH AND STORAGE: No trash, used materials, or wrecked or abandoned vehicles or equipment shall be stored upon the property. Outside storage of commercial goods or materials is expressly prohibited.



Daily trash materials must be stored within an enclosed building or within an enclosure surrounded by a fence not less than six feet (6') in height within the required setbacks and not visible from any public right of way (Ord. 1-22-2002).

Containers for trash storage of a size, type and quantity approved by the city shall be screened by a sight obscuring fence and maintained in a location approved by the planning commission in conjunction with approval of a project plan. The location shall be no closer than twenty five feet (25') from an adjacent property line.

N. WALLS, FENCES AND SCREENING:

1. No wall, fence or opaque hedge or screening material higher than thirty six inches (36") shall be maintained within a required front yard in an Historical Landmark (HL) Overlay Zone.
2. A decorative masonry wall at least six feet (6') in height shall be erected along all property lines which lie immediately adjacent to any residential zone, except that alternative screening may be used, if jointly agreed to in writing by surrounding property owners which may include a landscape hedge of six feet (6') at a two (2) year maturity, wood fence or a combination of landscaping with chainlink with or without slats. In the case where there is a mutual agreement by adjoining property owners and approved by the planning commission or its designee, this requirement may be waived.
3. All mechanical equipment (i.e. air conditioners, fans, pumps, etc.) shall be located within, or on the side of the building, or on the roof with parapet walls. Any mechanical equipment located on the outside of the building within twenty-five feet (25') of the nearest residential use/dwelling must have a visual/noise barrier (masonry wall or landscaping) that completely surrounds the equipment and extends at least one foot (1') Above the equipment, with the exception that any equipment located outside of the building must have the aforementioned visual noise barrier regardless of its distance from a residential use.
4. All areas not covered by buildings, off-street parking space or walks and drives shall be landscaped. All merchandise, equipment and other materials (except for seasonal items sold on a temporary basis such as nursery stock, Christmas trees) shall be stored within an enclosed building or shall be stored within an opaque or sight obscuring fence, wall or landscaping at least six feet (6') in heights. ( Ord\_\_\_\_.)

O. PARKING: No more than four (4) vehicles may be on the premises at one time.

Parking requirements for uses not specified will be recommended by the plan review committee at the time of review. The parking requirement approved by the planning commission will be based on comparable uses and Institute of Transportation Engineers national parking standard data.

All parking spaces shall be paved with asphaltic cement or concrete and shall be provided with paved access from a public street. Said spaces shall be provided with adequate drainage which shall not run across a public sidewalk or into an irrigation ditch. Parking



spaces shall not be provided within a required front yard or side yard adjacent to a public street.

All off-street parking space shall be hard-surfaced.

P. SITE PLAN REVIEW REQUIRED

1. Concurrent with any request to rezone property to the Historic Landmark (HL) Overlay Zone, a preliminary project plan shall be submitted for review and recommendation by the River Heights City planning commission, and the site plan review committee. Said preliminary project plan shall be drawn to scale and shall contain the following information:

- a. Location of all existing and proposed buildings and structures on the site, including an indication of the proposed uses;
- b. The location of all parking spaces, driveways, and points of vehicular ingress and egress;
- c. A conceptual signing plan showing the location and size of typical signs;
- d. A conceptual landscaping plan showing planting materials to be used together with the location of fences, walls, hedges, and decorative materials;
- e. Preliminary elevations of the building showing the general appearance and types of exterior materials to be used.

2. Prior to the construction of any building or any structure in the Historic Landmark (HL) Overlay Zone, a final project plan shall be submitted and approved. Said project plan must be drawn to scale and shall contain all required information designed on the application checklist. All final plans must be approved by the City Council, after a formal recommendation from the planning commission and the plan review committee. It is the intent of this chapter that the structures in the neighborhood commercial zone have a residential/historical appearance.

Upon approval of a final site plan by the Zoning Administrator, no building or uses of land other than those depicted on such plan shall be permitted.

3. Any failure to submit a final project plan within **two (2) years** of the approval of the preliminary project plan shall terminate all proceedings and render the preliminary plan null and void.

Q. BUILDING AND ARCHITECTURAL STANDARDS

The building shall have an architectural style and exterior finish similar to that of the original Sinclair Gas Station built in 1950.

Required exterior finishes shall be stucco, masonry, stone, or architectural grade metal siding. No building shall be finished with vinyl or metal siding only. Vinyl or metal siding may be used as an appropriate supplementary finish material in combination with masonry or stone. The base color shall be light tones or earth tones, avoiding all bright florescent or high contrasting colors. Accent colors shall be low contrast variation to the base color of the building. Murals or super graphics shall be specifically approved. The planning commission shall be the approval agency in determining architectural style. (Ord. 1-22-2002)

R. RESTRICTIONS OF ZONING:

Because of the retention and integrity of this building and being a substantial benefit to the community, the approval of this zone shall be bound to the existing site or structure being adaptively reused. If the site or structure is removed or destroyed, the zoning of the property shall immediately revert to the surrounding zoning district.

S. SUPPLEMENTARY REGULATIONS

Uses within this zone shall also comply with the applicable requirements set forth in the provisions of the land use ordinance.