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04/20/2022 01:10 PM By: zjorgensen Fees: \$0.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: RIVERTON CITY
12830 S REDWOOD ROAD RIVERTON, UT 84065



NOTICE

To Whom It May Concern:

On March 11, 2022, the Riverton City Development Services Department issued a Zoning Ordinance Clarification Letter that is attached and hereby recorded against the below referenced property.

This notice and attached Zoning Clarification Letter document are being recorded against the following property:

Address: 12761 South 3600 West, Riverton UT 84065

Parcel ID#: 27-32-201-006-0000

Lot/Subdivision: Lot 1, On Point Properties Commercial Campus (portion)

Owner(s) as of Date of Recordation: On Point Properties, LLC

Any questions regarding this issue may be directed to the Riverton City Planning Department at 801-208-3141.



February 23, 2022

Zoning Ordinance Clarification

Site Address: 12761 S 3600 W, Riverton UT 84065
Parcel #27-32-201-002-0000

To Whom It May Concern:

The parcel identified above and located at 12761 South 3600 West in Riverton City, was rezoned on December 14, 2021 by the Riverton City Council, with the approved zoning as C-PO/EDHOV/SD (Professional Office with Elderly Housing Overlay and with Specific Development Designations). This is shown on the attached Exhibit "A", Ordinance #21-34. That action also limited residential density on the property to "6 (six) units per acre".

The Elderly Housing Overlay Zone in its adopted form at the time the property was rezoned did not include specific standards for development at six units per acre residential density. Therefore, Riverton City hereby stipulates that development of the property shall be under the standards and requirements of the RM-6 Zone as adopted at the time of rezone of the property, as well as all other applicable ordinances and standards as adopted at the time of development. The RM-6 zone is attached as Exhibit "B".

Should in the future the property be rezoned from the herein referenced zoning, this stipulation will be null and void, and development will be regulated by the approved zoning ordinances.

WITNESS, the hand of Jason Lethbridge, Development Services Director this 11 day of March, 2022.

Jason Lethbridge, Development Services Director, Riverton City

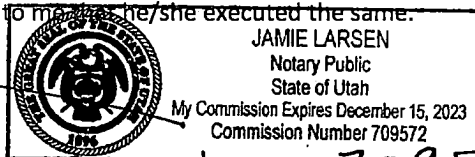
State of Utah
County of Salt Lake } ss.

On this 11 Day of MAR, 2022, personally appeared before me Jason Lethbridge

, the signer of the above instrument, who duly acknowledged to me that he/she executed the same.

Notary Public

Jamie Larsen



My Commission expires 12.15.2023 Residing at: Riverton # 709572

**RIVERTON CITY, UTAH
ORDINANCE NO. 21-34
(AMENDING ORDINANCE NO. 21-02)**

AN ORDINANCE REZONING 8.32 ACRES AT 12761 S 3600 W FROM C-PO & M-1 TO C-PO/EHOV/SD (PROFESSIONAL OFFICE WITH ELDERLY HOUSING OVERLAY WITH SPECIFIC DEVELOPMENT DESIGNATIONS), BEN OVESON REPRESENTING DEJ HOLDINGS, APPLICANT

WHEREAS, the Riverton City Planning Commission has received public input and made a recommendation regarding the above listed zoning amendment; and,

WHEREAS, the City Council has held a public hearing to consider said zoning amendment; and,

WHEREAS, the Riverton City Council has determined that it is in the best interest of the public to amend the Riverton City Zoning Map by rezoning approximately 8.32 acres located at 3600 West 12761 South from C-PO & M-1 to C-PO/EHOV/SD (Professional Office With Elderly Housing Overlay With Specific Development Designations), as described herein.

NOW THEREFORE, BE IT ORDAINED by the City Council of Riverton City, Utah as follows:

- Section 1. The Riverton City Zoning Map shall be, and hereby is, amended to reflect the following changes as shown in Exhibit "A", with amendments to the Specific Development Designations as originally approved on February 16, 2021 .
- Section 2. This ordinance shall take effect upon passage.

PASSED AND APPROVED AS AMENDED by the City Council of Riverton, Utah, on this 14th day of December, 2021 by the following vote:

	YES	NO	
Councilmember Tish Buroker	<input type="checkbox"/>	<input type="checkbox"/>	<i>Excused</i>
Councilmember Tawnee McCay	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Councilmember Troy McDougal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Councilmember Sheldon Stewart	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Councilmember Claude Wells	<input checked="" type="checkbox"/>	<input type="checkbox"/>	



ATTEST:

Jamie Larsen

Jamie Larsen, Recorder

RIVERTON CITY

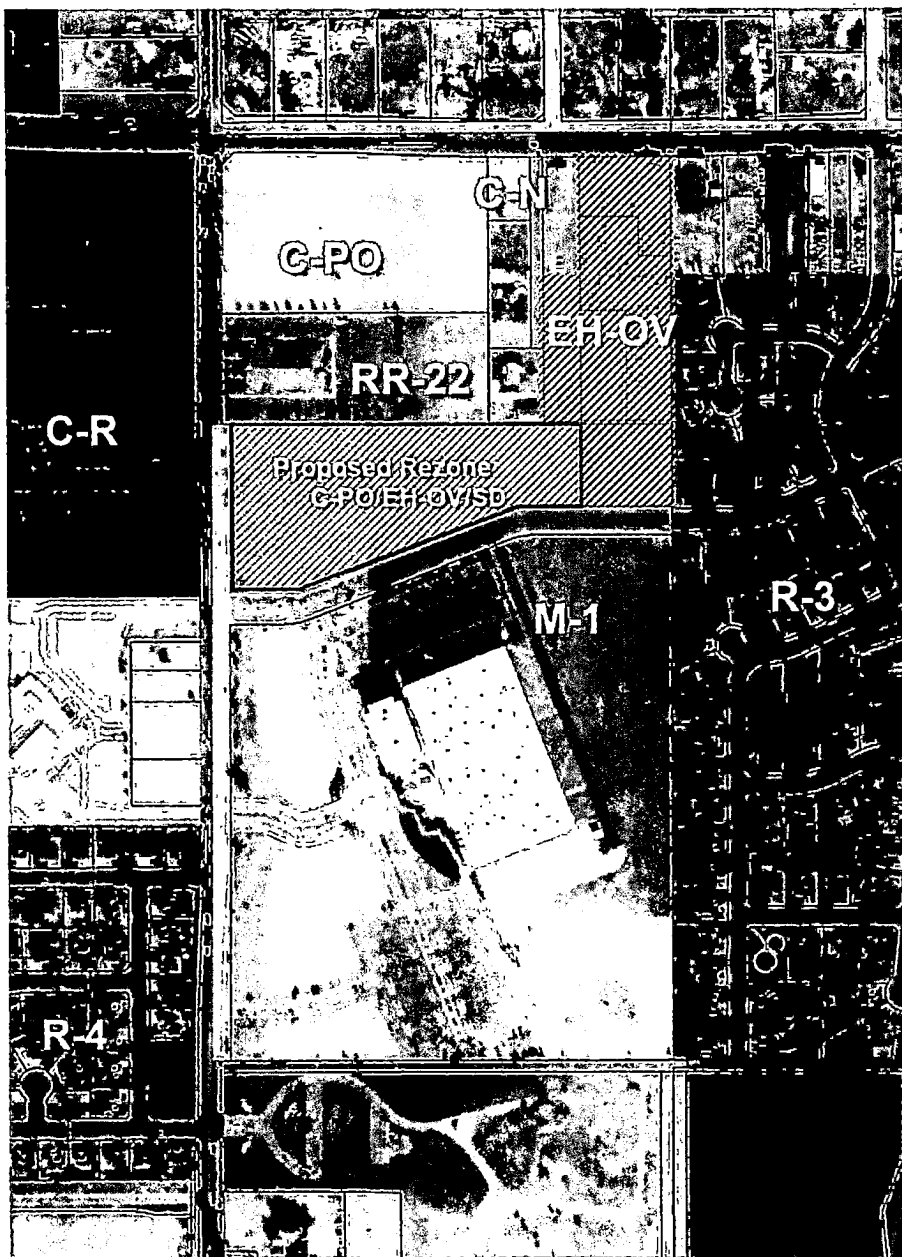
Trent Staggs

Trent Staggs, Mayor

Exhibit A

SPECIFIC DEVELOPMENT DESIGNATIONS

1. Density shall be limited to 6 (six) units per acre.
2. The project shall be age restricted in compliance with all applicable laws to minimum of 80% at 55 or older.
3. Units shall not front onto Water Street, and no individual driveway access onto Water Street shall be allowed.



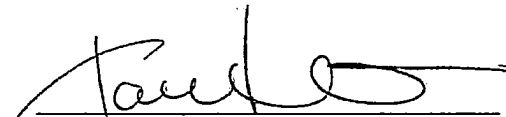
CERTIFICATE OF POSTING

I, Jamie Larsen, the duly appointed and acting Recorder for Riverton City hereby
Certify that the foregoing Ordinance No. 21-34 was adopted by the Riverton City Council on the
14th day of December 2021 and that after its passage copies were posted at the
following locations:

1. City Hall
2. Riverton Library
3. Riverton City Website

Dated this 14th day of December 2021.





Jamie Larsen, Recorder

**Chapter 18.45
RM-6 RESIDENTIAL ZONE**

Sections:

- 18.45.010 Purpose.**
- 18.45.020 Permitted uses.**
- 18.45.030 Conditional uses.**
- 18.45.040 Permitted accessory uses.**
- 18.45.050 Area requirements.**
- 18.45.060 Private yard requirements.**
- 18.45.070 Frontage requirements.**
- 18.45.080 Setback requirements.**
- 18.45.090 Square footage of dwelling units.**
- 18.45.100 Building height.**
- 18.45.110 Development standards.**
- 18.45.120 Parking and access.**
- 18.45.130 Trash storage.**
- 18.45.140 Vehicle storage.**
- 18.45.150 Standards for open space.**
- 18.45.160 Fencing.**
- 18.45.170 Swimming pools.**
- 18.45.180 Individual dwelling lot standards.**

18.45.010 Purpose.

To provide areas of medium residential density with the opportunity for varied housing styles and neighborhood character, with a maximum density of six dwelling units per gross acre. [Ord. 18-21 § 1 (Exh. A); Ord. 07-08 § 1. Code 1997 § 12-250-005.]

18.45.020 Permitted uses.

- (1) Condos or townhomes (attached or detached) as part of a residential planned development.
- (2) Single-family units.
- (3) Parks and open spaces (public).
- (4) Household pets (two maximum). [Ord. 18-21 § 1 (Exh. A); Ord. 07-08 § 1. Code 1997 § 12-250-010.]

18.45.030 Conditional uses.

- (1) Golf course (public or private) as part of a planned development.
- (2) Independent senior citizen housing.
- (3) Other compatible uses, not elsewhere specified, approved by the city council after recommendation by the planning commission. [Ord. 18-21 § 1 (Exh. A); Ord. 07-08 § 1. Code 1997 § 12-250-015.]

18.45.040 Permitted accessory uses.

- (1) Accessory Buildings. Detached garages, sheds, and any building on a foundation with a maximum one story or 15 feet in height.
- (2) Recreation Facilities. Basketball and tennis courts, other sports facilities, gazebos and pavilions, and pools and jacuzzis, subject to this chapter.
- (3) Community Facilities. Club houses, common meeting rooms, pool houses, etc., subject to the same setback, height requirements, and architectural standards of this chapter as apply to dwelling units. [Ord. 18-21 § 1 (Exh. A); Ord. 07-08 § 1. Code 1997 § 12-250-020.]

18.45.050 Area requirements.

- (1) Parcel Size. Each application pursuant to this chapter shall be for a site of not less than one and a half acres and not more than 15 acres. The city council may approve zoning and development under the RM-6 zone on parcels of at least one-half acre where such parcels have frontage onto a major street and where such use is in compliance with the Riverton City general plan and with the surrounding properties. For purposes of this section, "major streets" shall be defined as Redwood Road, 12600 South, 13400 South, 3600 West, 2700 West, or 1300 West.
- (2) Percent Open Space. Each HOA managed development in the RM-6 zone shall have a minimum of 30 percent of the site reserved for common open space. [Ord. 18-21 § 1 (Exh. A); Ord. 17-09 § 1 (Exh. A); Ord. 14-13 § 1; Ord. 07-08 § 1. Code 1997 § 12-250-025.]

18.45.060 Private yard requirements.

A minimum of 500 square feet of private yard space per unit shall be required in the RM-6 zone.

[Ord. 18-21 § 1 (Exh. A); Ord. 07-08 § 1. Code 1997 § 12-250-030.]

18.45.070 Frontage requirements.

No more than six units per 200 feet of frontage shall be allowed. [Ord. 18-21 § 1 (Exh. A); Ord. 07-08 § 1. Code 1997 § 12-250-035.]

18.45.080 Setback requirements.

(1) **Front Yard Setback.** The minimum setback shall be 15 feet from the top back of curb which abuts an internal public or private road if no sidewalk exists, or 15 feet from back of sidewalk if a sidewalk is installed. The setback for an attached garage is 20 feet from the top back of curb which abuts an internal public or private road if no sidewalk exists, or 20 feet from back of sidewalk if a sidewalk is installed.

(2) **Side Yard Setback.** All buildings shall have a setback of 10 feet from property line. Where a side yard is located contiguous with a public street the side yard setback shall not be less than 25 feet. Where a side yard is adjacent to a property line shared with an incompatible zone (single-family residential, commercial, or as determined by the planning commission and city council), the side yard setback shall be 25 feet, with an additional one foot of setback for every foot in building height over 25 feet. Detached units sharing a common driveway may have a setback of 10 feet between buildings.

(3) **Rear Yard Setback.** All buildings shall have a rear setback of 25 feet from any property line, or from another building should the rear setback be internal to a project. The setback may include both private yard and common open space. Where a rear yard is adjacent to a property line shared with an incompatible zone (single-family residential, commercial, or as determined by the planning commission and city council), the rear yard setback shall be 25 feet, with an additional one foot of setback for every foot in building height over 25 feet.

(4) **Parking areas** shall have a setback of 10 feet from any property line. Adjacent to a single-family residential zone, a minimum of seven feet depth of landscaping shall be installed along that property line.

(5) **Accessory Buildings and Uses.**

(a) There shall be a five-foot minimum setback from the side and rear property lines to the foundation. If the accessory building is located within 20 feet of a dwelling or main building on an adjoining lot, it shall be constructed of fire-resistant materials that provide a one-hour or greater fire rating.

(b) Accessory buildings shall be set at least 15 feet back of the front plane of the home and a minimum of 10 feet from any dwelling unit.

(c) Accessory buildings or uses shall not encroach upon any easement or right-of-way.

(d) Accessory buildings shall be of quality design and workmanship to match the integrity and materials of the homes. Similar and/or complementary materials to those on the main structure shall be used on the accessory structure. Exterior materials may not include metal, particle board, plywood or other similar materials. [Ord. 18-30 § 1 (Exh. A); Ord. 18-21 § 1 (Exh. A); Ord. 17-09 § 1 (Exh. A); Ord. 07-08 § 1. Code 1997 § 12-250-040.]

18.45.090 Square footage of dwelling units.

A minimum of 1,200 square feet main level living area, exclusive of garage or basement area, shall be required for all dwelling units, whether attached or detached. [Ord. 18-21 § 1 (Exh. A); Ord. 07-08 § 1. Code 1997 § 12-250-045.]

18.45.100 Building height.

The maximum height for all buildings and structures in RM-6 zone shall be no more than 35 feet or two and one-half stories. Accessory buildings shall be a maximum of 20 feet in height. [Ord. 18-21 § 1 (Exh. A); Ord. 07-08 § 1. Code 1997 § 12-250-050.]

18.45.110 Development standards.

(1) Exterior Materials. Brick, tile, stone, or fiber-cement siding is required on the front exterior walls of all residential buildings and the street side(s) of a corner lot and units with facades adjacent to a street. The minimum required amount of brick, tile, stone, fiber-cement siding, or combination thereof (measured in square feet) is 20 percent of the facade on which it is required. Vinyl, aluminum, or other metal siding products are not permitted.

(2) Attached Units. Dwelling units may be clustered in common wall construction. Such units may have no more than two walls in common with other dwelling units, not including units situated above other dwelling units. Such developments shall be limited to a maximum of three attached units. [Ord. 18-30 § 1 (Exh. A); Ord. 07-08 § 1. Code 1997 § 12-250-055.]

18.45.120 Parking and access.

The following requirements shall be followed when planning parking for multifamily or condominium projects:

(1) Number and Width of Driveways. Two driveways shall be used for each 200 feet of parcel frontage or fraction thereof. Each driveway shall have a minimum width of 24 feet and a maximum width of 40 feet exclusive of turnout areas to allow access to a garage or side yard.

(2) Restrictions on Corner Lots. On any corner lot, no driveway shall be closer than 30 feet to the point of intersection as measured at the property line.

(3) Restrictions of Driveways on Arterial and Collector Streets. No residential units in the RM-6 zone may front or access directly onto an arterial or collector street as defined by the city engineer.

(4) Minimum Number of Parking Spaces. Each unit, attached or detached, shall include an enclosed

garage of sufficient size for two cars. In addition, each unit shall have a minimum of two off-street parking spaces. Driveways on individual units may be counted as an off-street parking space only if there is a minimum driveway depth of 20 feet from back of sidewalk.

(5) **Internal Roadways.** Internal roadways shall include a minimum of 28 feet measured face of curb to face of curb, with high-backed curbs required. Sidewalks shall be installed on both sides of the roadway, but may be installed in an easement if the roadway is privately maintained. Park strips along the roadways are not required, but may be counted towards the common open space requirement if commonly maintained. All paved surfaces shall meet minimum standards of construction as specified in the Riverton City Standards and Specifications Manual. Internal roadways may be publicly or privately owned and maintained, as determined by the city council. Publicly owned and maintained rights-of-way may not be included in the area used for density calculations.

(6) **Other Requirements.** Parking in the RM-6 zone shall follow all other applicable parking regulations as listed in Chapter 18.145 RCC. [Ord. 18-21 § 1 (Exh. A); Ord. 07-08 § 1. Code 1997 § 12-250-060.]

18.45.130 Trash storage.

No trash receptacles shall be stored in an open area. All such receptacles must be screened from public streets and adjacent properties with a solid decorative masonry enclosure with solid gating, or must be stored within an enclosed building. Storage of commercial goods or materials is expressly prohibited. [Ord. 18-21 § 1 (Exh. A); Ord. 07-08 § 1. Code 1997 § 12-250-065.]

18.45.140 Vehicle storage.

(1) **RV Storage.** Common recreational vehicle storage areas or within common parking areas are prohibited in the RM-6 zone. [Ord. 18-21 § 1 (Exh. A); Ord. 07-08 § 1. Code 1997 § 12-250-070.]

18.45.150 Standards for open space.

Open space shall be maintained by the owner and shall meet the following minimum requirements:

(1) **Grading.** All areas shall be properly graded to cause no drainage problems to adjacent homes or other uses.

(2) **Turf.** All open space shall be sodded or seeded to provide a visually pleasing as well as functional space for appropriate activities.

(3) **Trees.** All areas shall have a minimum number of both deciduous and evergreen trees to provide for shade and to provide visual relief and a source of rural atmosphere. The following shall be required:

(a) A minimum of 20 trees per acre shall be planted and maintained.

(b) Irrigation. All areas shall be watered by an installed irrigation system.

(4) Landscaping Quality. All landscaping shall be of sufficient quality, durability and survivability. Landscaping and open spaces shall be watered by a pressurized irrigation system installed to meet the watering needs of all flora.

(5) Amenities. Amenities such as club houses, swimming pools, tot lots, and other play equipment may be included in the open space requirement, provided they are commonly owned and maintained. Structural amenities such as a club house shall be consistent with the standards of this chapter and shall be approved as part of the site plan approval process for the development. [Ord. 18-21 § 1 (Exh. A); amended during 2011 recodification; Ord. 07-08 § 1. Code 1997 § 12-250-075.]

18.45.160 Fencing.

(1) Collector Street Fencing. All residential subdivisions that have properties adjacent to or abutting onto a collector or arterial residential street shall have decorative fencing, in compliance with Chapter 18.155 RCC.

(2) Incompatible Land Uses. All properties adjacent to or abutting a single-family residential or commercial zone shall install fencing compliant with RCC 18.155.080.

(3) Height Requirements. No wall or fence higher than six feet shall be erected or maintained in any private rear yard, nor shall any wall, fence, opaque hedge, or screening material be erected or maintained in any required front yard in excess of three feet in height, except that any fence erected within 10 feet of any driveway and exceeding two feet in height shall be of visually nonobstructive material and shall be used to provide a safe distance for pedestrian and street traffic.

(4) Corner Lots. No wall, fence, opaque hedge, or screening material in excess of two feet shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points equal to the required setback lines. [Ord. 18-21 § 1 (Exh. A); Ord. 15-02 § 1 (Exh. A); amended during 2011 recodification; Ord. 07-08 § 1. Code 1997 § 12-250-080.]

18.45.170 Swimming pools.

Any private swimming pool not completely enclosed within a building having solid walls shall be set back at least five feet from all property lines, and any public swimming pool not completely enclosed within a building having solid walls shall be set back at least 10 feet from all property lines. Any swimming pool shall be completely surrounded by a nonaccessible wall or fence having a height of at least six feet in which there shall be no openings larger than 36 square inches except for gates which shall be equipped with self-closing and self-latching devices, with latches placed a minimum of four feet above finished grade of the fence. [Ord. 18-21 § 1 (Exh. A); Ord. 07-08 § 1. Code 1997 § 12-250-085.]

18.45.180 Individual dwelling lot standards.

Where a development proposes dwelling units on separate lots, the following standards apply. This does not include condominium units where the building footprint is in separate ownership.

(1) Lot Area. For single detached units, the minimum lot area shall be 5,000 square feet. For multifamily units, the minimum lot area shall be 7,000 square feet.

(2) Lot Width. For single detached units, the minimum lot width shall be 50 feet. For multifamily units, the minimum lot width shall be 70 feet. Lot width shall be measured at the front yard setback line.

(3) Lot Depth. The minimum lot depth shall be 80 feet.

(4) Front Yard.

Main Building: 15-foot minimum front yard setback measured to foundation.

Garage: 20-foot minimum setback measured to foundation.

(5) Side Yards.

Main Building: Five feet minimum side yard setback measured to foundation. Where adjacent to existing incompatible zoning or use, the setback shall be one foot for every foot in building height, with a maximum setback of 25 feet.

On corner lots, the street side yard setback shall be 15 feet from the right-of-way.

(6) Rear Yard.

Main Building: The minimum rear yard setback shall be 15 feet. Where adjacent to existing incompatible zoning or use, the setback shall be one foot for every foot in building height, with a maximum setback of 25 feet.

(7) Minimum Living Area Square Footage. The minimum finished living area square footage shall be 1,000 square feet for a single-story dwelling unit and 1,200 square feet for a two-story or split level dwelling unit.

(8) Maximum Building Height.

Main Building: 35 feet. No dwelling shall contain less than one story.

(9) Accessory Buildings. Accessory buildings shall comply with the requirements of Chapter 18.225 RCC, Accessory Structures.

(10) Exterior Materials. Brick, tile, stone, or fiber-cement siding is required on the front exterior walls of all residential buildings and the street side(s) of a corner lot. The minimum required amount of brick, tile, stone, fiber-cement siding, or combination thereof (measured in square feet) is 20

percent of the facade on which it is required. Vinyl, aluminum, or other metal siding products are not permitted.

(11) Open Space. Areas where individual dwelling lots are utilized shall not be included in the open space requirements or calculations, with the exception of shared driveway clusters, as described below. Projects over 10 acres shall include a minimum of one acre of open space. A 10 percent reduction in lot size may be allowed to compensate for this requirement, except where a stormwater management area is utilized as open space. Said open space shall be privately owned and maintained unless otherwise approved by the city council prior to recordation of a plat and/or issuance of any building permits within the project.

(12) Shared Driveway Clusters. Where two or more units are clustered on a common shared driveway, the units shall be considered multifamily structures and this section shall not apply, regardless of whether the units are detached. All other applicable standards and requirements of this chapter shall apply. [Ord. 18-21 § 1 (Exh. A).]