

## CHAPTER 7

### COMMERCIAL AND LIGHT INDUSTRIAL DEVELOPMENTS

#### **8-7-010: Other Requirements of This Code; Federal, State and City Ordinances**

#### **8-7-020: Purpose for Commercial and Light Industrial Development Standards**

#### **8-7-030: Design and Layout Considerations**

#### **8-7-040: Submission and Approval Process**

#### **8-7-010: Relationship to Other Requirements of This Code and Other Federal, State and City Ordinances**

The requirements for commercial and light industrial developments of this Chapter are in addition to all other applicable requirements of this Code and other Federal, State and City Ordinances. All commercial developments must satisfy all the requirements of this Chapter and all other applicable Federal, State and City requirements including the requirements found in this Code prior to Final Plan approval.

#### **8-7-020 Purpose for Commercial and Light Industrial Development Standards**

These Commercial and Light Industrial Development Standards are adopted for the following purposes:

- A. To provide organized, safe, and sustainable commercial and light industrial development within the City.
- B. To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the community, avoiding congestion and providing effective pedestrian linkages.
- C. To establish standards of architecture and design in order to create an attractive commercial and light industrial area that will draw desirable tenants, add beauty to the City, and in the case of the Community Commercial Zone become a gathering place for citizens.

### **8-7-030: Design and Layout Considerations**

All applications for commercial and light industrial development will be required to submit a Concept Plan and prepare a Final Plan using the criteria in this Section as a guide, and in accordance with Section 8-7-040 of this Chapter. The Planning Commission will also use these criteria in considering approval of a Final Plan.

In addition to the requirements established herein, all Final Plats shall comply with all applicable statutory provisions, Sensitive Lands Overlay Zone regulations, Uniform Building and related Codes, City design standards and specifications, the Street Master Plan, the General Plan, the Zoning Map, the Trails Master Plan, Public Utilities plans, and Capital Improvements Program of the City or any other Local Government having jurisdiction in the development, including all streets, trails, drainage systems and parks, and the rules of the Utah Department of Transportation if the commercial and light industrial development abuts a state highway or connection street.

If the owner places restrictions on any of the land contained in the development greater than those required by this Code or these regulations, such restrictions or reference thereto may be required to be indicated on the Final Plan, or the Planning Commission may require that restrictive covenants be recorded with the County Recorder.

#### **A. Unsuitability**

If an application includes lands unsuitable for commercial and light industrial development due to natural hazards, flooding, improper drainage, fire, steep slopes, rock formations, geologic hazards, potentially toxic wastes, adverse earth formations or topography, wetlands, utility easements, wildlife habitats that cannot be reasonably mitigated, or other natural features, including ridge lines and hilltops, the land shall not be developed.

The development may be made suitable if adequate methods are formulated by the developer and approved by the City, upon recommendation of a qualified planner or engineer hired by the developer, and approval of the City Engineer and Community Development Director, to solve or remedy the problems created by the unsuitable land conditions. The burden of the proof shall be on the developer to establish the viability of development in these sensitive or unsuitable areas. Unsuitable land shall be set aside or reserved for uses that do not involve a danger or environmental impact. Development located in sensitive lands shall be further regulated by Title 10 Chapter 22 of this Code.

Additionally, consideration shall be given to soil conditions and ground water existence, and may require appropriate setback and conservation measures.

**B. Development Name**

The proposed name of the development and all roadways contained therein shall not duplicate, or too closely approximate phonetically, the name of any other development, subdivision or street in the area covered by these regulations or nearby communities. The Planning Commission shall recommend appropriate names to the City Council who shall have final authority to designate the final name of the development and to select street names.

**C. Compliance With Zoning Provisions**

All applications for commercial and light industrial development are required to satisfy the applicable zoning provisions of Title 10. Each commercial and light industrial development shall also satisfy the parking requirements found in Title 10 Chapter 6 of this Code. All commercial and light industrial projects are subject to the performance guarantee required by this Code.

**D. Development Design**

It is the intention of this Chapter to create attractive and sustainable commercial and light industrial development. By requiring commercial developments to meet strict design and landscaping standards Coalville City believes the commercial zones will become places where citizens and visitors will frequent often, thus making the development more sustainable and integrated into the community.

**1. Landscaping Requirements**

The landscaping requirements found in this section are in addition to any other landscaping requirements of this Code or any other City landscaping ordinances. Each applicant for commercial and light industrial development shall submit a complete and detailed landscaping plan for review by the Planning Commission concurrently with submission of other documents and plans.

All setback areas adjacent to a public street shall be fully landscaped and properly maintained. Trees shall be planted at the rate of at least one (1) tree per thirty (30) lineal feet along the public street. The applicant shall provide appropriate guarantees on the trees. Trees shall be no less than 1 ½ to 2 inch caliper in size. Trees may be planted in clusters to create a more natural and/or screening effect, if appropriate.

All disturbed ground areas shall contain grass, or another ground cover acceptable to the Planning Commission, and shall be sufficiently irrigated. Shrubs, flowerbeds, bark mulch, rock and other appropriate ground cover is highly encouraged, specifically native and drought tolerant species. All landscaped areas shall be maintained using a sprinkling and/or irrigation system which is capable of being engaged automatically on a regular basis.

Parking areas shall be screened from public view using a landscaped berm, decorative screening wall, planted hedge, or other manner acceptable to the Planning Commission.

**a. Maintenance of Landscaping**

All landscaped areas shall be maintained on a regular basis and be kept neat and clear of weeds, trash and debris. If the maintenance requirement has not been satisfied, the Staff shall notify the owner of the subject property. The Staff will detail the lack of maintenance and inform the owner that a continued lack of maintenance will warrant enforcement action.

**2. Design, Architecture, Signs, and Compatibility**

In addition to the other requirements of this Code, the following design requirements shall apply to each commercial and light industrial development approved under this Chapter.

**a. Design.** The architecture, form, mass, lighting, and signage of all commercial and light industrial development is an important review criteria for the Planning Commission. The architecture of the buildings should reflect the residential nature of the community. Buildings that resemble residential structures are highly encouraged. Typical strip mall development with large parking lots, large signs, and minimal landscaping will not be approved. Larger anchor tenants will be allowed in commercial areas as detached structures. However, these large anchor tenants will be required to maintain as much compatibility with other structures in the vicinity as possible.

**b. Compatibility.** All commercial and light industrial development shall be compatible with surrounding development as appropriate with respect to form, mass, color, building materials and signing. Therefore, each application shall include color and materials board showing examples of colors and materials to be used in the exterior construction of the proposed project. The Planning Commission may make recommendations to the applicant in order to improve compatibility with surrounding development as appropriate.

- c. Trash and Debris Storage.** No trash, used materials, or wrecked or abandoned vehicles or equipment shall be stored in an open area. All such areas shall be completely screened from public view in a manner acceptable to the Planning Commission.
- d. Trash Collection Areas.** All trash collection areas shall be designed to be compatible with the proposed project. These areas should be screened using the same building materials of the proposed structure or through landscaping acceptable to the Planning Commission.
- e. Limited Access.** The commercial and light industrial areas in Coalville are generally located on streets with a higher potential for traffic congestion. Therefore, access to commercial and light industrial developments shall be limited to the extent possible in order to maintain traffic flow. However, each commercial and light industrial development is required to incorporate two points of ingress and egress to the proposed development. No point of ingress and/or egress shall be located closer than one hundred (100) feet from another point of ingress and/or egress along the same public street. This requirement may be waived by the Planning Commission if necessary and appropriate.
- f. Storage Developments.** All storage doors and entrances, and parking in storage developments shall be internally located and not located on a public street. Internal streets should be constructed at a width sufficient to allow movement of all anticipated vehicles, including fire and other emergency vehicles. Each development of this type shall be reviewed and approved by the North Summit Fire District. It is the responsibility of the applicant to demonstrate that adequate traffic flow can be accomplished. Provisions should be made which allow authorized access for public safety employees into these developments for public and personal safety. This includes access to entrance codes, electronic opening devices and lock combinations.

All storage and warehouse developments shall be fenced in a manner which will provide adequate security and a deterrent from public access. These fences should be kept in good repair. Fencing other than chain link which is similar in design to other structures within the development is highly desirable. The rear sides of buildings which provide adequate security may satisfy this requirement.



Storage developments are encouraged to provide multi-pitched roof lines through the use of dormers and gables, whether real or false facade and may be required to do so in order to maintain compatibility with surrounding or proposed development. Additionally, storage developments should use natural materials and colors such as brick, split-faced block, wood siding, stucco, or other attractive materials as found acceptable to the Planning Commission in the construction of all structures in the development which face onto public streets.

## **E. Development Layout**

Unlike other developments approved under this Code, commercial and light industrial developments may have more than one main structure per parcel. In such cases, the applicant shall provide a project master plan to the Planning Commission indicating the location and size of each proposed structure. Additionally, the project master plan shall indicate accessory buildings, if any. Setback requirements in commercial and light industrial zones may be varied to improve appearance and circulation, but must be approved by the Planning Commission. The Planning Commission shall consider impacts on adjacent parcels, traffic, pedestrian access, landscaping and other relevant issues when recommending setback requirements.

### **1. Parking**

In addition to the minimum parking requirements of Title 10 Chapter 6, each commercial and light industrial development must satisfy the following standards:

- a. Parking shall be located at the side or in the rear of commercial and light industrial buildings with the building located between the street and the parking lot. The Planning Commission may modify this requirement if the applicant can show undue hardship in meeting this requirement due to topography, safety, or other valid reason.
- b. If an applicant can prove, to the satisfaction of the Planning Commission, that fewer parking spaces are needed due to the sharing of parking spaces among adjacent businesses, the Planning Commission may allow fewer parking spaces.
- c. All parking areas shall be appropriately landscaped. At a minimum, ten (10) percent of the internal portion of all designated parking areas shall be landscaped. Trees, shrubs, flower beds, lawn, and ground covers should be used to soften the parking areas. Maintenance of these areas shall be consistent with Section 8-7-030-D-1(a) of this Chapter.

## **2. Pollution Prevention**

Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by the Utah State Air Quality Division or the Board of Health and any use which emits or discharges liquids or solid material onto the soil or water in amounts which results in pollutants entering ground water in amounts exceeding the standards prescribed by the Utah State Water Pollution Control Board or the Board of Health, shall be prohibited.

## **8-7-040 Submission and Approval Process**

The applicant, Staff and Planning Commission shall meet and discuss the proposed project in the conceptual stage. The applicant can use the Concept Plan meeting to ask questions of the Planning Commission and Staff, and receive direction on development design and layout. At the Concept Plan meeting, the Staff and Planning Commission will inform the applicant of the uses allowed in the zone. The Planning Commission may also discuss the procedure for approval of a commercial and light industrial development and the specifications and requirements as to general design and layout of streets, reservations of land, street improvements, drainage, water, sewerage, fire protection, mitigation of environmental impacts and similar matters, as well as the availability of existing services.

The Planning Commission may also advise the applicant, where appropriate, to discuss the proposed development with those agencies who must eventually approve those aspects of the Final Plan within their jurisdiction, including but not limited to, the North Summit Fire District and the various utility service providers. Neighbors of the proposed project may also be consulted to get their views and concerns.

### **A. Concept Plan Application Procedure and Requirements:**

Prior to any approval of a Commercial or Light Industrial Development, the owner of the land or an authorized agent shall submit three (3) copies of a proposed Concept Plan application to the Planning Commission that address the following:

- a. Include all contiguous holdings of the owner with an indication of the portion which is proposed to be developed. An indication of the proposed future use for those contiguous areas not included in the development, if any.
- b. Be accompanied by the proper review fee in accordance with the adopted Fee Schedule.

- c. Include an address and telephone number of the applicant and property owner.
- d. Be accompanied by a list of all property owners within three hundred (300) feet of the proposed commercial and light industrial development and current mailing addresses as shown on the County Assessors tax files.
- e. Include a general written and graphic representation of the proposed development, all approvals being sought, and a presentation of the design theme and layout of the proposed commercial and light industrial development.
- f. Context map showing surrounding structures and roadways.
- g. Any other information as may be useful or necessary for the meaningful review of the project. Additional information may be requested based on the nature of the project or the site.

#### **1. Staff Review of Concept Plan**

The Staff shall review the Concept Plan and render a report at a regular meeting of the Planning Commission concerning the plan. The Staff shall transmit the Concept Plan for review to appropriate officials or agencies of the local government, adjoining counties or municipalities, fire and other special service type districts, and other official agencies as necessary or as mandated by law, including any review required by regional, or state agencies under applicable state or federal law. Staff will consider all the reports submitted by the officials and agencies concerning the plan and shall submit a report for review by the Planning Commission at the next available regular meeting.

The scale or complexity of a project or Staff workload will dictate the processing period. The Staff will provide the applicant a projected time frame when an application is filed. If the work load is too great for processing by available Staff in a time frame acceptable to the applicant or if additional expertise is required, the project review may be sent out to a consulting planner, engineer or architect approved by the City. The developer will be responsible for all fees incurred in any plan or development review process undertaken by an outside agency or consultant.



## **2. Planning Commission Review of Concept Plan**

The Planning Commission shall study the Concept Plan and Staff report, taking into consideration the requirements of this Code and the General Plan.

Particular attention will be given to the arrangement and location of structures, sewerage disposal, drainage, utilities, erosion, location of natural or geologic hazards, the future development of adjoining lands, and the requirements of the Official Zoning Map, General Plan, Land use map(s) and Streets Master Plan, as adopted by the Planning Commission and City Council.

## **3. Planning Commission Action**

There is no approval of a Concept Plan required or given. After reviewing and discussing the Concept Plan, Staff report and other reports as submitted by invited agencies and officials, the Planning Commission will advise the applicant of specific changes or additions, if any, required in the layout, and the character and extent of required improvements and reservations required as a prerequisite to the approval of the Final Plan. The Planning Commission may require additional changes as a result of further study of the project in final form. If the Concept Plan is acceptable, the Planning Commission will grant the applicant the right to move forward with authorization to prepare and submit a Final Plan.

## **B. Final Plan**

Following the review of the Concept Plan, the applicant may file an application for a Final Plan. The Final Plan shall be prepared by a registered land surveyor licensed by the State of Utah. The Final Plan shall be prepared in India ink on reproducible Mylar at a scale not less than one hundred (100) feet equals one (1) inch. The provisions herein are minimum requirements and other information may be required by the City Council, Planning Commission, or Staff as the need dictates. The applicant shall provide the City with three (3) copies of the Final Plan with one of the copies being produced on reproducible Mylar.

### **1. Revisions**

All revision dates must be shown as well as notation of any self-imposed restrictions. If any revision is included on the Final Plan which was not present on the Concept Plan or a requirement of approval by the City Council, it is the applicant's responsibility to inform the Planning Commission and City Council of the changes. Failure to inform the Planning Commission or City Council of revisions not present on the Concept Plan or a requirement of approval may result in revocation of any or all approvals.

**2. Information to be Shown on Final Plan**

The following information is intended to be as complete as possible. However, the applicant is responsible to include all information required by this Code, the Planning Commission, City Council or Staff on the Final Plat whether included in this list or not. Failure to show all information required by this Code, the Planning Commission, City Council or Staff may result in denial of the plan. The Final Plan shall be presented to the City at least two (2) weeks prior to the regular meeting of the Planning Commission in which the project will be addressed.

**The Final Plan shall include the following:**

- a. The date of the map, approximate true north point, scale, and name of the development.
- b. The location of property with respect to surrounding property and streets with addresses, the names of all adjoining property owners of record or the names of adjoining developments, the names of adjoining streets, and the location and dimensions of all boundary lines of the property to be expressed in feet and decimals of a foot.
- c. The location of existing streets, easements, water bodies, rivers, streams, and other pertinent features such as wetlands, vegetation, rock outcroppings, buildings, parks, cemeteries, drainage or irrigation ditches, bridges, or other features as determined by the Staff.
- d. The location and width of all existing and proposed streets and easements, alleys, trails, and other public ways, and easement and proposed street rights-of-way.
- e. The location, dimensions, and areas of all proposed or existing parcels complete with utility easements, lot or parcel numbers, proposed addresses, square footage of each lot or parcel, and building setback lines.
- f. The location and dimensions of all property proposed to be set aside for park, playground or trail use, or other public or private reservations and open space dedications, with designation of the purpose thereof, types, and conditions, if any, of the dedication, preservation or reservation.

- g. The name and address of the owner or owners of land to be developed, the name and address of the developer if other than the owner, and the name of the land surveyor.
- h. Sufficient data acceptable to the City Engineer to determine readily the location, bearing, and distance of all property lines and the location of all proposed monuments.
- i. Names of all proposed streets.
- j. All information required by the Planning Commission or Staff after review of the Concept Plan.
- k. Explanation of drainage and site easements, if any.
- l. Explanation of reservations and conservation easements, if any.
- m. Signature blocks for endorsement by the Planning Commission Chair, Mayor, City Engineer, North Summit Fire District, Public Works Director and any other signatures required by the City.
- n. All utility facilities existing and proposed throughout the development and indication of the nearest location of all public and private utilities.
- o. If the plan does not include all contiguous property of the owner of the development, an indication of future use of the contiguous property.
- p. Indication of all slopes 0-8%, 8-15%, 15-30%, and slopes greater than 30%.
- q. A preliminary title report covering all properties located within the project updated to within thirty (30) days of the Final Plan approval, if applicable.
- r. The names and current mailing addresses of the all property owners within three hundred (300) feet as shown on the County Assessor's tax files.
- s. Complete Construction Drawings containing the information required in Section 8-7-040-B-2(s) and any other information required by the Planning Commission or Staff.

The lack of information under any item specified herein, or improper information supplied by the applicant, shall be cause of an incomplete application and disapproval of a Final Plan.

### **3. Construction Drawings**

Construction Drawings shall be prepared for all required improvements and three (3) copies supplied to the city. Plans shall be drawn at a scale of no more than one (1) inch equals fifty (50) feet. These requirements are the minimum, other information may be required by the Planning Commission, City Council, or Staff.

The following information is intended to be as complete as possible. However, the applicant is responsible to include all information required by this Code, the Planning Commission, City Council or Staff in the Construction Drawings whether included in this list or not. Failure to show any information required by this Code, the Planning Commission, City Council or Staff may result in denial of the plans.

The following information, at a minimum, shall be shown:

- a. Plans and profiles showing existing and proposed elevations along center lines of all roads. Where a proposed road intersects an existing road or roads, the elevation along the center line of the existing road or roads within one hundred (100) feet of the intersection shall be shown. Approximate radii of all curves, lengths of tangents, and central angles on all streets.
- b. The Planning Commission may require, upon recommendation by the City Engineer, where steep slopes exist, that typical cross-sections of all proposed streets be shown.
- c. Plans and profiles showing the locations and typical sidewalks, drainage easements, irrigation ditches, servitude's, rights-of-way, manholes, and catch basins; the locations of street trees, street lights, and street signs; the location, size, and invert elevations of existing and proposed sanitary sewers, storm water drains, and fire hydrants, showing connections to any existing or proposed utility systems, and exact location and size of all water, gas, or other underground utilities or structures.
- d. Location, size, elevation, and other appropriate description of any existing facilities or utilities, including, but not limited to, existing streets, sewers, drains, water mains, easements, and other pertinent features such as water bodies, streams, wetlands, vegetation, rock outcroppings, buildings, and each

tree or group of trees and shrubs to be preserved. If the development borders a lake, river, or stream, the distances and bearings of a meander line established along the ordinary high-water mark of such water ways.

- e. Topography with contour intervals of two (2) feet, referred to sea-level datum. All datum provided shall be the latest applicable U.S. Geodetic Survey datum and should be so noted on the plans.
- f. All other specifications, details, and references required by the Coalville City Engineering Standards and Specifications.
- g. The Construction Drawings should provide signature blocks for the Planning Commission Chair, Mayor, City Engineer, Public Works Director as well as the applicant's engineer, surveyor, architect and landscape architect.
- h. Title, name, address, signature, and seal of the professional engineer, architect and landscape architect preparing the plans, and date, including revision dates.
- i. A limit of disturbance and re-vegetation plan.
- j. Site grading and drainage plans.
- k. Landscape, maintenance and irrigation plans.
- l. Phasing plan.
- m. Lighting and signing plans.
- n. Building elevations and floor plans.

#### **4. Planning Commission Public Hearing and Recommendation of Final Plan and Construction Drawings**

The Final Plan and Construction Drawings shall be presented to the Planning Commission for their review and recommendation at least two (2) weeks prior to the regular meeting of the Planning Commission in which the project will be addressed. The Planning Commission will review the Final Plan and Construction Drawings for compliance with the requirements of this Code. The Planning Commission shall make a recommendation to approve, approve with conditions, or deny the Final Plan and Construction Drawings. The



recommendation of the Planning Commission will be forwarded to the City Council by for consideration.

The Planning Commission shall not recommend approval of the Final Plan and Construction Drawings until all review fees have been paid in full according to the recent fee schedule.

**5. Council Approval of Final Plan and Construction Drawings**

Following a recommendation for approval, approval with conditions or denial of a Final Plan and Construction Drawings by the Planning Commission, the project shall be placed on the City Council Agenda. After review of the Final Plan and Construction Drawings and considering the Planning Commission recommendation, the Council shall approve, approve with conditions, or deny the Final Plan and Construction Drawings. The City Council may also remand the project back to the Planning Commission for further review and evaluation.

**6. Dedications**

At the time of Final Plan and Construction Drawings approval, all dedications shall be completed accompanied by all formal irrevocable offers of dedication to the public of all required streets, public uses, utilities, parks, and easements, in a form approved by the City Attorney.

If required by the City Attorney, the applicant shall deliver a full covenant and warranty deed to all such lands in proper form for recording, together with a title policy for the City in the sum not less than ten thousand dollars (\$10,000.00), which sum shall be determined by the City Attorney and or Engineer before signing of the Final Plan.

**7. Proof of Utility Service**

The Final Plan and Construction Drawings shall be accompanied by an inspection fee in an amount to be determined on the basis of the provisions of these regulations, as established by ordinance, and by written assurance from the public utility companies and improvement districts if applicable or extended, that necessary utilities will be installed and proof that the applicant has submitted petitions in writing for the creation or extension of any improvement districts as required by the Planning Commission.

**8. Outstanding Obligations**

At the time of Final Plan and Construction Drawings approval, the applicant shall provide evidence that all taxes are current and that no other City debts or

obligations are outstanding and no liens or encumbrances are placed on the property.

#### **9. Vested Rights**

Vesting for purposes of zoning occurs upon the filing of a complete application provided, however, that no vested rights shall accrue to any Plan by reason of Final Plan and Construction Drawings approval until the actual signing of the Plan by the Chair of the Planning Commission and the Mayor. All requirements, conditions, or regulations adopted by the Planning Commission and City Council applicable to the development generally shall be deemed a condition of approval to the signing of the Final Plan and Construction Drawings.

#### **10. Signing of Final Plan**

The Chair of the Planning Commission and Mayor shall endorse approval on the Final Plan after all the conditions pertaining to the Final Plan approval have been satisfied. The Chair of the Planning Commission and the Mayor will sign the reproducible Mylar original of the Final Plan.

