



CITY OF NORTH SALT LAKE
COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

LAND USE APPEAL AUTHORITY
CITY OF NORTH SALT LAKE

NOTICE & AGENDA
November 17, 2021
5:00 p.m.

Notice is given of a public meeting of the North Salt Lake Land Use Appeal Authority as established pursuant to Utah Code 10-9a-701. The North Salt Lake Hearing Officer will hold a hearing at the above noted date and time in the North Salt Lake City Council chambers located at 10 East Center Street. The agenda will be as follows:

- 1) Welcome
- 2) Consideration of an application for a variance to retaining wall height and terracing requirements at 256 South Highway 89, Williamsburg Luxury Apartments (Code Sections: 10-2-2 and 9-1-3)
- 3) Adjourn

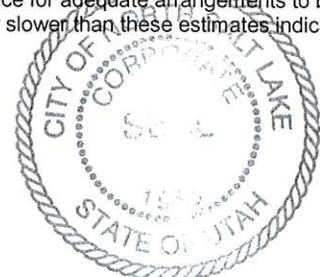
The public is invited to attend all Land Use Appeal Authority meetings. If you need special accommodations to participate in the hearing, please call the City offices at (801) 335-8700. Please provide at least 24 hours notice for adequate arrangements to be made. Times noted on the agenda are estimates only – the Authority may proceed faster or slower than these estimates indicate.

Notice of Posting:

I, the duly appointed recorder for the City of North Salt Lake, hereby certify that the foregoing agenda was posted on the Utah Public Notice website, at city hall, and sent to the required newspapers this 10th day of Nov., 2021.

Dated this 10th day of Nov., 2021.

Lynne Herricks





CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

MEMORANDUM

TO: North Salt Lake Hearing Officer

FROM: Mackenzie Bennett, Planner

DATE: November 17, 2021

SUBJECT: Consideration of an application for a variance to retaining wall height and terracing requirements at 256 South Highway 89, Williamsburg Luxury Apartments

Parcel ID: 01-104-0033, 01-104-0034, 01-104-0035, 01-104-0036, 01-104-0097

RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the proposed variance to retaining wall height and terracing regulations located at 256 South Highway 89 based upon the findings of fact in this report.

BACKGROUND

This is a request to obtain a variance to the City's Code regulations regarding the height and terracing of retaining walls at 256 South Highway 89. Most of the subject property is vacant. Any existing buildings are to be demolished. The property is zoned as a Planned District (P-District) and on May 18, 2021, the City Council granted approval for 246 apartment units with a separate structure for retail to be developed on the premise.

In order to make the best and most productive use of the property, the developer will need to construct retaining walls to work with the natural topography of the land. The developer has submitted preliminary plans for the retaining walls on the property. The tallest point of any retaining wall on the property is just over 13 feet. The width of the terraced wall varies between approximately 3.5 to 4 feet.

City Code 9-1-3 requires the following:

E. Height and Terracing:

1. For the purposes of this subsection, the height of a retaining wall is measured as the total height of the wall from the top of the exposed face to the finished grade.
2. **A single retaining wall shall not exceed eight feet (8') in height.**
3. Terracing of retaining walls is permitted where justified by topographic conditions, but **the combined height of all walls shall not exceed sixteen feet (16').**

- a. **In a terrace of retaining walls, there shall be a minimum separation of one-half (½) the height of the taller wall as measured from the back of the lower wall to the face of higher wall.**
 - b. Walls with a separation of at least two (2) times the height of the largest of two (2) walls from the face of the wall to the face of the wall shall be considered as separate walls.
 - c. Terraced retaining walls shall be constructed out of one type of material that is similar in appearance, color, and texture.
4. Retaining walls within the front yard public utility easement shall limited to a height of three (3) feet, except by conditional use permit.

ANALYSIS

Utah State Code provides specific criteria as to how a variance may be granted. Those criteria are identified in the Utah State Code Section 10-9a-702, which is attached to this report. Identical criteria have been adopted in the City's Land Use Ordinance (see attached City Code Section 10-2-2D). Section 10-9a-702(2)a, Utah Municipal Code, states:

"The appeal authority may grant a variance only if:

- (i) Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinances;
- (ii) There are special circumstances attached to the property that do not generally apply to other properties in the same zone;
- (iii) Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;
- (iv) The variance will not substantially affect the general plan and will not be contrary to the public interest; and
- (v) The spirit of the land use ordinance is observed and substantial justice done."

This portion of the report will go through each of these criteria and attempt to provide the Hearing Officer with an evaluation of this request as it relates to these provisions.

- (i) **Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinances;**

This provision is an evaluation first of whether or not an unreasonable hardship exists for the applicant if they are made to comply with the terms of the Land Use Ordinance regarding the allowed height and terracing of retaining walls. Further sections of the Utah Municipal Code have been adopted by the Legislature to clarify what is meant by the term "unreasonable hardship" and how the appeal authority should define it and apply it in their review of variance requests.

A portion of Subsection 10-9a-702(2)b(i) states, ". . . the appeal authority may not find an unreasonable hardship unless the alleged hardship:

- (A) is located on or associated with the property for which the variance is sought; and
- (B) comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.

(ii) In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship under Subsection (2)(a), the appeal authority may not find an unreasonable hardship if the hardship is self-imposed or economic.”

The applicant’s circumstances do meet subsection (A) above in that the hardship is located on the property where the variance is sought.

Generally, in the application of relief standards throughout the United States and in Utah Code, successful variance requests are those where very unique circumstances have been identified that are particular only to the specific property involved. A typical example would be a natural physical feature of the property such as a watercourse, wetland, rock outcropping, unusual soil condition, steep slope, or other physical characteristics that prevent an owner from enjoying a right to use their property in a similar fashion as other owners or lots that are located within the same zoning district or neighborhood but are devoid of those same physical features.

The subject property has topographic and land use circumstances that are peculiar to the property and not from conditions that are general to the neighborhood. The property is zoned to have multi-family and retail land uses. The existing topographic conditions (the slope) does not support those uses without the construction of retaining walls that are taller than and terraced in a fashion that is not complementary to the existing City Code. Further, the shape of the property has been heavily influenced by the construction of the I-215 off ramp to I-15 northbound on-ramp, which further constrains the property to an irregular shape. The DRC does not find this variance request to be self-imposed or economic.

(ii) there are special circumstances attached to the property that do not generally apply to other properties in the same zone;

A portion of Subsection 10-9a-702(2)c states, “ In determining whether or not there are special circumstances attached to the property under Subsection (2)(a), the appeal authority may find that special circumstances exist only if the special circumstances:

- (i) relate to the hardship complained of; and
- (ii) deprive the property of privileges granted to other properties in the same zone.”

The Planned District (P-District) zone is typically used to promote diverse development that is guided by Development Agreements that may differ from City Code regarding use, density, setbacks, landscaping, etc. Other existing properties that are zoned and used as P-Districts do not have the same topographic conditions and difficulties as the subject property. Therefore, if this variance is not approved, the property will not be provided the same privileges to develop and be used as other properties within the P-District zone that allows flexibility with residential density and mixed uses.

(iii) Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;

As stated in the previous requirement regarding special circumstances on the property, this property will be deprived of a substantial property right that is possessed by other properties in the same zone.

(iv) the variance will not substantially affect the general plan and will not be contrary to the public interest;

The proposed variance to retaining wall height and terracing at the subject location will not affect the general plan or be contrary to the public interest. The DRC is in support of approving the variance application because it will allow the property to be developed in a way that is more complimentary to the general plan as it will increase housing and active transportation opportunity with multifamily housing and trail connections. The retail and housing opportunities offered by this development will be in the interest of the public and support a more vibrant and diverse community. Further, the approval of the variance will have no negative impact upon the abutting property owner to west (UDOT) and will substantially improve the property to the north as it will provide a needed trail connection for residents of both properties.

(v) the spirit of the land use ordinance is observed and substantial justice is done.

The spirit of the Land Use Ordinance is to protect all members of the public equally. Substantial justice, in this case, means that all property owners should be able to rely on the proper application of the laws that protect their property rights as well as the applicants' and that the interest of the City at large is protected in maintaining the appearance and property values of existing neighborhoods in the City. It is the DRC's determination that this variance application follows the spirit of the land use ordinances while allowing equal property rights to be shared by the subject property and others in the City.

In conclusion, the DRC and City staff are in favor of approving the variance request to allow an increase in retaining wall height and reduction in required terracing width at 256 South Highway 89. The City Engineer has found that with the engineering design provided, the added height/reduced terracing width will not make the walls more or less safe. This variance will allow the property to be used in the most efficient possible way given the zone, land uses, topographic conditions, and adopted City plans for the area.

Attachments:

- 1) Zoning Map/Aerial
- 2) Street View Imagery
- 3) Variance Application Materials (Application & Plans)
- 4) Utah State Code 10-9a-702: Variances
- 5) City Code 10-2-2D: Hearing Officer - Variances
- 6) City Code 9-1-3: Retaining Walls



Retaining Wall Variance 256 South Highway 89 (Williamsburg Apts.) Zoning Map





Retaining Wall Variance

256 South Highway 89 (Williamsburg Apts.)

Aerial – 9/12/2021



Sun Sep 12 2021

Imagery © 2021 Nearmap, HERE

60 ft

nearmap



Retaining Wall Variance 256 South Highway 89 (Williamsburg Apts.) Highway 89 Street Imagery





Retaining Wall Variance 256 South Highway 89 (Williamsburg Apts.) Interstate 215 Street Imagery



VARIANCE REQUEST INFORMATION

(Attach additional sheets if needed)

1. Proposed construction and specifically how it does not meet the requirements of the zoning ordinance.

2. Provide a description of the peculiar physical conditions pertaining to the property in question and which do not pertain to other property in the general area.

3. Provide a description of the hardships which will accrue to the detriment of the property owners if the variance is not granted.

4. Explain how the variance will be in the interest of public safety, health, or welfare; and how the proposed development substantially complies with the city general plan and adopted zoning ordinance.

8. Please provide any additional information that may be pertinent to the request or hardship

VERTI-BLOCK AND KEYSTONE RETAINING WALL DESIGN PACKAGE

WILLIAMSBURG APARTMENTS

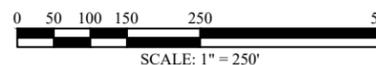
NORTH SALT LAKE, UTAH



DESIGN PACKAGE CONTENTS			
	SHEET NO.	DESCRIPTION	
SHOP DRAWINGS	1	COVER SHEET	
	2	PLAN VIEW	
	3 - 4	WALL 1 - ELEVATION VIEW	
	5 - 7	WALL 2 - ELEVATION VIEW	
	8 - 10	WALL 3 - ELEVATION VIEW	
	11	WALL 4 - ELEVATION VIEW	
	12 - 13	WALL 5 - ELEVATION VIEW	
	14	WALLS 6, 7 & 8 - ELEVATION VIEWS	
	15	TYPICAL SECTION VIEW - WALL 1	
	16	TYPICAL SECTION VIEW - WALLS 2 & 3	
	17	TYPICAL SECTION VIEW - WALLS 4, 5 & 6	
	18 - 19	CONSTRUCTION SPECIFICATIONS & NOTES	
	20	VERTI-BLOCK DETAILS	
	21	KEYSTONE DETAILS	
	22	QUANTITY ESTIMATES	
	23	DESIGN CRITERIA	
	DESIGN CALCULATION PACKAGE	SECTION 2	STABILITY CALCULATIONS
		SECTION 3	GLOBAL STABILITY RESULTS
		SECTION 4	SEISMIC DESIGN CRITERIA

NOTE: THIS PLAN SET HAS BEEN PREPARED WITH COLOR LINE-TYPES TO MAKE SOME DETAILS AND SPECIFICATIONS MORE CLEAR. ANY COPIES OF THESE PLANS SHOULD BE MADE IN COLOR.

PROJECT AERIAL VIEW
 REFERENCE IMAGE FROM GOOGLE EARTH PRO VERSION 7.3.3.7786,
 BUILD DATE JULY 21, 2020, IMAGE TAKEN SEPTEMBER 11, 2020.



PREPARED FOR:
 CASTLEWOOD DEVELOPMENT
 6900 SOUTH 900 EAST, SUITE 130
 MIDVALE, UTAH 84047
 ATTN: HAYLEY PRATT

PREPARED BY: TYLER B. LOERTSCHER, P.E.



1	UPDATED DESIGN BASED ON NEW CIVIL PLANS	10-13-2021	TBL	KAH
2	UPDATED DESIGN BASED ON NEW CIVIL PLANS	10-18-2021	TBL	BMJ
REV	REVISION DESCRIPTION	DATE	BY	CHK
	REVISIONS			

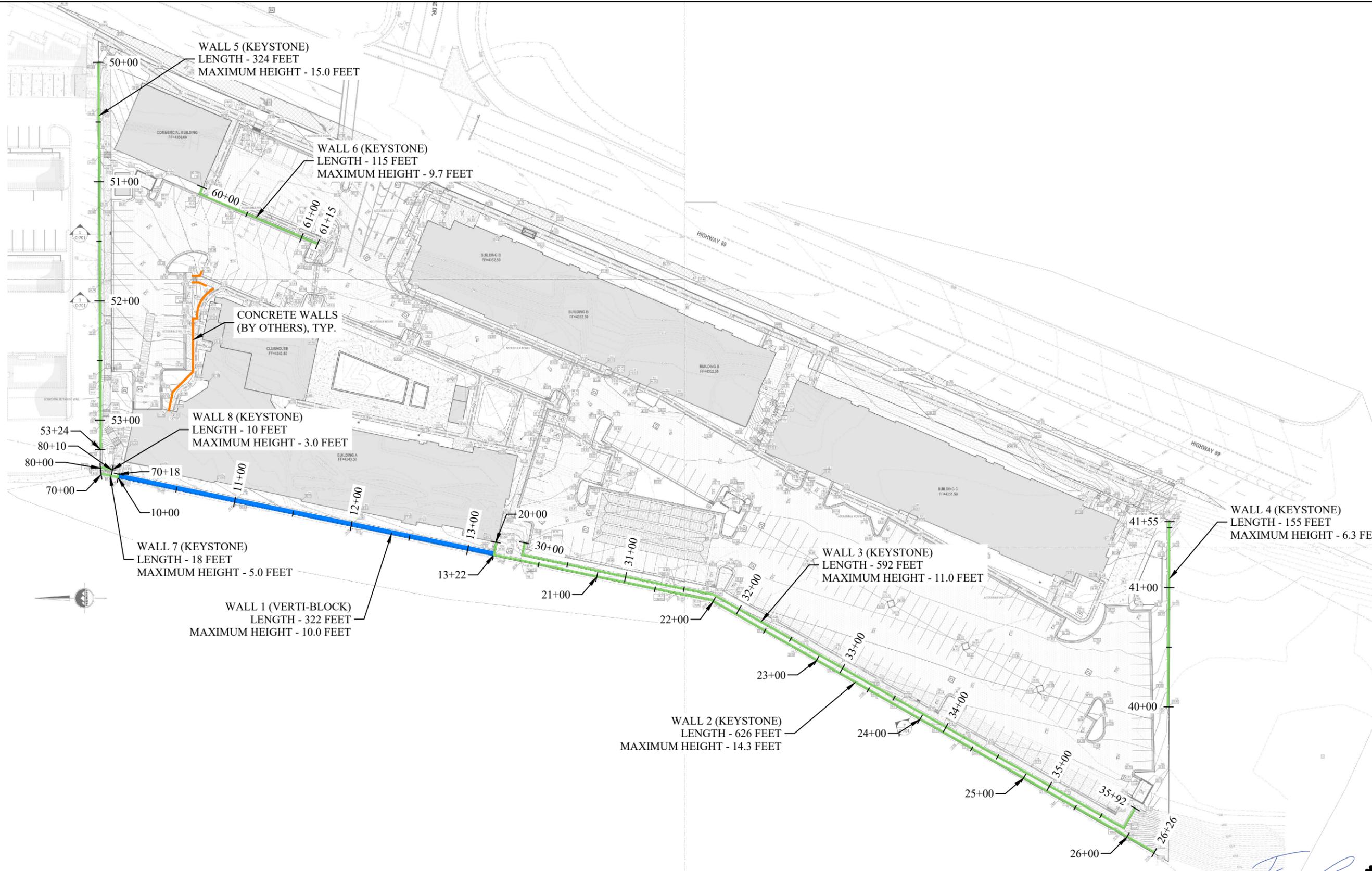


12429 SOUTH 300 EAST
 DRAPER, UTAH 84020
 (801) 748-4044

KEYSTONE AND VERTI-BLOCK RETAINING WALLS
 WILLIAMSBURG APARTMENTS
 NORTH SALT LAKE, UTAH

COVER SHEET

DESIGNED BY: TBL	9-7-2021	PLOT SCALE 1=1
DRAWN BY: TBL	9-7-2021	
CHECKED BY: BMJ	9-8-2021	DWG SCALE 1"=250'
APPROVED BY: TBL	9-8-2021	
IGES PROJECT NO: 00965-004	SHEET NO: 1	REV 2



PLAN VIEW

REFERENCE IMAGE FROM ENSIGN ENGINEERING, WILLIAMSBURG APARTMENTS, 218, 220, 256, 300 & 320 SOUTH HIGHWAY 89, NORTH SALT LAKE, UTAH, ENLARGED GRADING PLAN 1-4, SHEETS C-301 THROUGH C-304, SHEETS DATED 10/7/21

REV	REVISION DESCRIPTION	DATE	BY	CHK
1	UPDATED DESIGN BASED ON NEW CIVIL PLANS	10-13-2021	TBL	KAH
2	UPDATED DESIGN BASED ON NEW CIVIL PLANS	10-18-2021	TBL	BMJ
REVISIONS				



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KEYSTONE AND VERTI-BLOCK RETAINING WALLS
WILLIAMSBURG APARTMENTS
NORTH SALT LAKE, UTAH

PLAN VIEW - OVERALL

DESIGNED BY: TBL	9-7-2021	PLOT SCALE	1=1
DRAWN BY: TBL	9-7-2021	DWG SCALE	1"=80'
CHECKED BY: BMJ	9-8-2021		
APPROVED BY: TBL	9-8-2021		
IGES PROJECT NO: 00965-004	SHEET NO: 2	REV	2



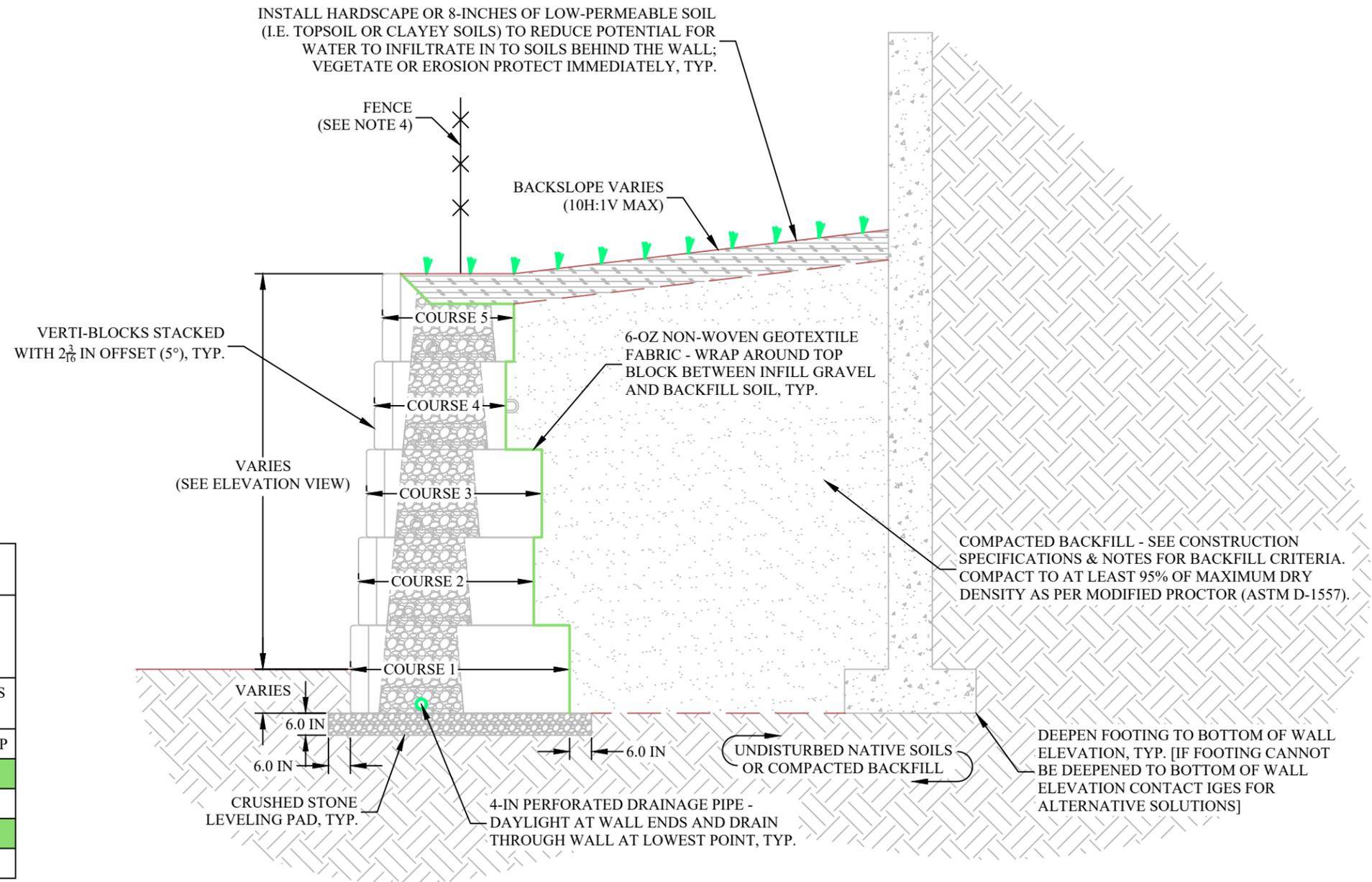
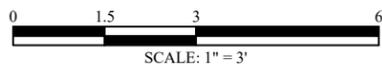
NOTES:

1. MAXIMUM SECTION SHOWN, ALL OTHER SECTIONS TO MEET THESE SAME SPECIFICATIONS, UNLESS NOTED OTHERWISE.
2. SOIL CUT SHOULD BE BENCHED AS NEEDED TO PROTECT WORKERS AND TO COMPLY WITH OSHA REQUIREMENTS.
3. RETAINING WALLS ARE VULNERABLE TO EROSION AND HYDROSTATIC PRESSURES IMMEDIATELY AFTER INSTALLATION BUT PRIOR TO THE PLACEMENT OF LANDSCAPING/FINISHING ELEMENTS (E.G. LANDSCAPING, HARDSCAPE, CURB & GUTTER, PAVEMENT, ETC.). TO PREVENT DAMAGE TO THE WALL DURING ADDITIONAL SITE WORK, ALL SURFACE DRAINAGE SHOULD BE DIRECTED AWAY FROM THE WALL. EXCESS WATER DURING HEAVY PRECIPITATION EVENTS, IF NOT DRAINED PROPERLY, CAN CAUSE WASHOUTS AT WALL ENDS AND 'BLOWOUTS' OF INTERIOR SECTIONS. THESE PRECAUTIONS SHOULD BE TAKEN DURING WALL CONSTRUCTION, AND AFTER, UNTIL THE FINAL SITE DRAINAGE, LANDSCAPING AND/OR PAVING ARE COMPLETE.
4. WE RECOMMEND THAT AN APPROPRIATE SAFETY FENCE/BARRICADE BE CONSIDERED BY THE OWNER ABOVE THE RETAINING WALL.
 - 4.1. IF FENCING SYSTEM WILL BE A CHAIN LINK, WROUGHT IRON FENCE OR RAILING, FOLLOW BLOCK MANUFACTURER'S GUIDELINES.
 - 4.2. IF FENCING SYSTEM WILL BE A PRIVACY FENCE (E.G. VINYL, WOOD, PRECAST) OR ROADWAY BARRIER, IGES SHOULD BE CONTACTED TO PROVIDE CONSTRUCTION RECOMMENDATIONS FOR THE FENCE FOUNDATION SYSTEM.
 - 4.3. WE RECOMMEND THAT ONCE FENCING SYSTEM IS DETERMINED IGES BE CONTACTED TO ASSESS THE IMPACT OF THE FENCE ON THE RETAINING WALL.

COURSE	BLOCK SIZE FOR EACH COURSE (COURSE 1 IS BOTTOM COURSE) FOR VARIOUS WALL HEIGHTS				
	1 BLOCK (2/1-FT)	2 BLOCKS (4/3-FT)	3 BLOCKS (6/5-FT)	4 BLOCKS (7/8-FT)	5 BLOCKS (9/10-FT)
5	-	-	-	-	TOP/1' TOP
4	-	-	-	TOP/1' TOP	36"
3	-	-	TOP/1' TOP	36"	48"
2	-	TOP/1' TOP	36"	48"	48"
1	TOP/1' TOP	36"	36"	48"	60"

WHERE:

- 1' TOP = 1-FOOT STEP TOP BLOCK
- TOP = 36-INCH TOP BLOCK
- 36" = 36-INCH BLOCK
- 48" = 48-INCH BLOCK
- 60" = 60-INCH BLOCK



TYPICAL SECTION VIEW - WALL 1
SCALE: 1"=3'

REV	REVISION DESCRIPTION	DATE	BY	CHK
1	UPDATED DESIGN BASED ON NEW CIVIL PLANS	10-13-2021	TBL	KAH
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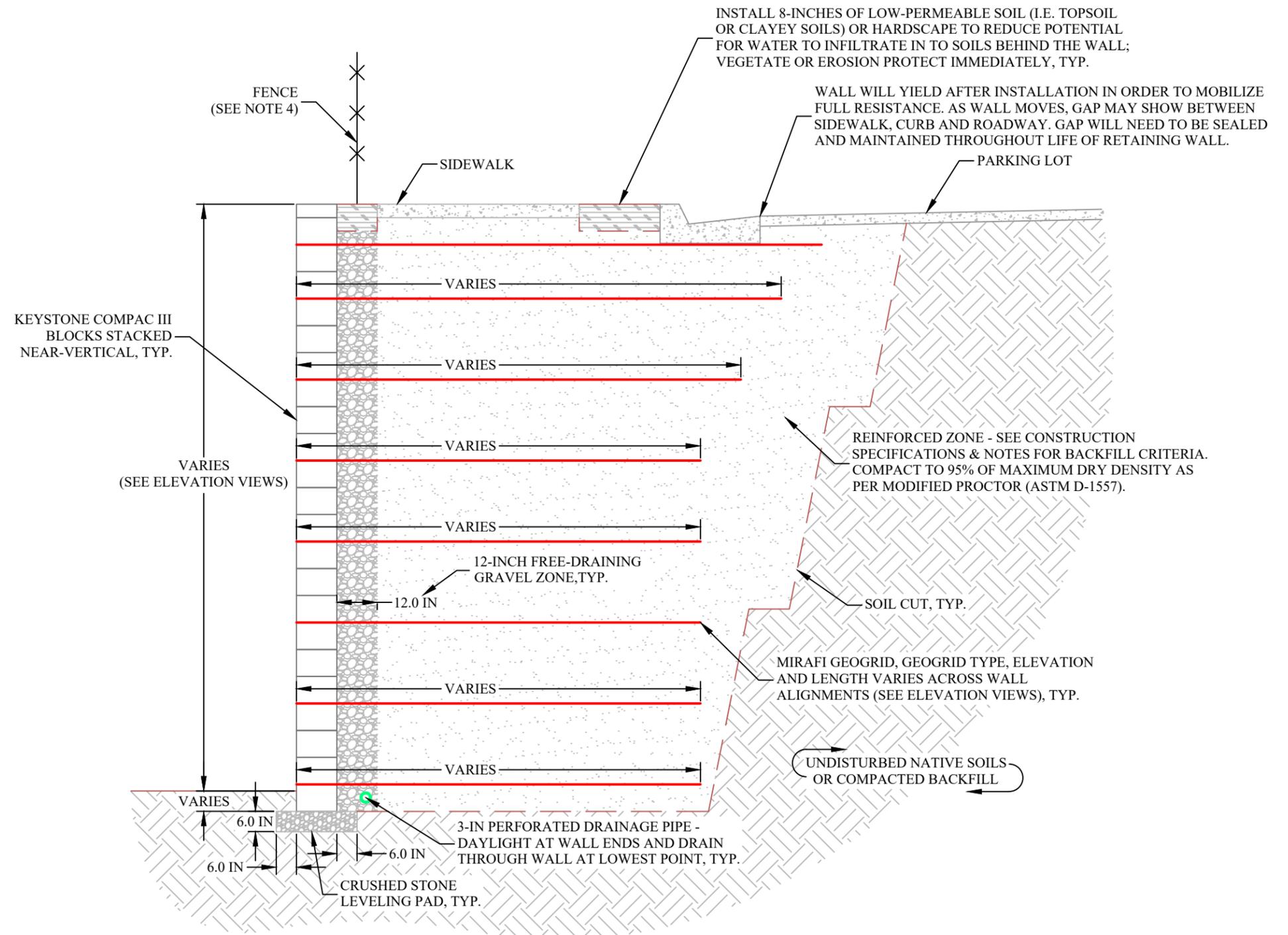
TYPICAL SECTION VIEW - WALL 1

DESIGNED BY: TBL	9-7-2021	PLOT SCALE
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CHECKED BY: BMJ	9-8-2021	DWG SCALE
APPROVED BY: TBL	9-8-2021	1"=3'
IGES PROJECT NO: 00965-004	SHEET NO: 15	REV 2

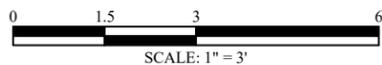


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2. SOIL CUT SHOULD BE BENCHED AS NEEDED TO PROTECT WORKERS AND TO COMPLY WITH OSHA REQUIREMENTS.
3. RETAINING WALLS ARE VULNERABLE TO EROSION AND HYDROSTATIC PRESSURES IMMEDIATELY AFTER INSTALLATION BUT PRIOR TO THE PLACEMENT OF LANDSCAPING/FINISHING ELEMENTS (E.G. LANDSCAPING, HARDSCAPE, CURB & GUTTER, PAVEMENT, ETC.). TO PREVENT DAMAGE TO THE WALL DURING ADDITIONAL SITE WORK, ALL SURFACE DRAINAGE SHOULD BE DIRECTED AWAY FROM THE WALL. EXCESS WATER DURING HEAVY PRECIPITATION EVENTS, IF NOT DRAINED PROPERLY, CAN CAUSE WASHOUTS AT WALL ENDS AND 'BLOWOUTS' OF INTERIOR SECTIONS. THESE PRECAUTIONS SHOULD BE TAKEN DURING WALL CONSTRUCTION, AND AFTER, UNTIL THE FINAL SITE DRAINAGE, LANDSCAPING AND/OR PAVING ARE COMPLETE.
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 - 4.1. IF FENCING SYSTEM WILL BE A CHAIN LINK, WROUGHT IRON FENCE OR RAILING, FOLLOW BLOCK MANUFACTURER'S GUIDELINES.
 - 4.2. IF FENCING SYSTEM WILL BE A PRIVACY FENCE (E.G. VINYL, WOOD, PRECAST), IGES SHOULD BE CONTACTED TO PROVIDE CONSTRUCTION RECOMMENDATIONS FOR THE FENCE FOUNDATION SYSTEM.
 - 4.3. THE FENCE POSTS SHOULD BE PLACED DURING INSTALLATION OF THE RETAINING WALL. SONOTUBES OR SIMILAR SHOULD BE INSTALLED TO RECEIVE THE FENCE POSTS. DO NOT AUGER THROUGH GEOGRID TO INSTALL POSTS.
 - 4.4. WE RECOMMEND THAT ONCE FENCING SYSTEM IS DETERMINED IGES BE CONTACTED TO ASSESS THE IMPACT OF THE FENCE ON THE RETAINING WALL.



TYPICAL SECTION VIEW - WALLS 4, 5, 6, 7 & 8
SCALE: 1"=3'



1	UPDATED DESIGN BASED ON NEW CIVIL PLANS	10-13-2021	TBL	KAH
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TYPICAL SECTION VIEW - WALLS 4,5,6,7 & 8

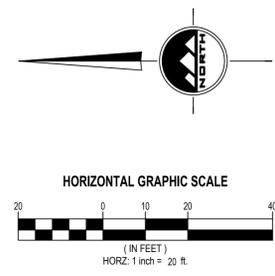
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IGES PROJECT NO: 00965-004	SHEET NO: 17	REV 2



BENCHMARK
 NORTHEAST CORNER OF SECTION 11,
 TOWNSHIP 1 NORTH, RANGE 1 WEST
 SALT LAKE BASE AND MERIDIAN
 FOUND 3.5" BRASS CAP
 ELEV = 4339.80'

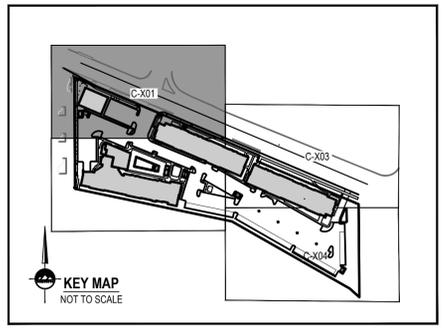
811
 Know what's below.
 Call before you dig.

CALL BLUESTAKES
 @ 811 AT LEAST 48 HOURS
 PRIOR TO THE
 COMMENCEMENT OF ANY
 CONSTRUCTION.



GENERAL NOTES

- ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
- ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
- ALL WORK SHALL COMPLY WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER POSSIBLY INCLUDING, BUT NOT LIMITED TO, REMOVAL OF UNCONSOLIDATED FILL, ORGANICS, AND DEBRIS, PLACEMENT OF SUBSURFACE DRAIN LINES AND GEOTEXTILE, AND OVEREXCAVATION OF UNSUITABLE BEARING MATERIALS AND PLACEMENT OF ACCEPTABLE FILL MATERIAL.
- THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE EXISTING SOIL CONDITIONS.
- ELEVATIONS HAVE BEEN TRUNCATED FOR CLARITY. XX.XX REPRESENTS AN ELEVATION OF 48XX.XX ON THESE PLANS.
- LANDSCAPED AREAS REQUIRE SUBGRADE TO BE MAINTAINED AT A SPECIFIC ELEVATION BELOW FINISHED GRADE AND REQUIRE SUBGRADE TO BE PROPERLY PREPARED AND SCARIFIED. SEE LANDSCAPE PLANS FOR ADDITIONAL INFORMATION.
- SLOPE ALL LANDSCAPED AREAS AWAY FROM BUILDING FOUNDATIONS TOWARD CURB AND GUTTER OR STORM DRAIN INLETS.
- EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
- ALL STORM DRAIN INFRASTRUCTURE TO BE INSTALLED PER GOVERNING AGENCY OR APWA STANDARD PLANS AND SPECIFICATIONS.
- ENSURE MINIMUM COVER OVER ALL STORM DRAIN PIPES PER MANUFACTURER'S RECOMMENDATIONS. NOTIFY ENGINEER IF MINIMUM COVER CANNOT BE ATTAINED.
- ALL FACILITIES WITH DOWNSPOUTS/ROOF DRAINS SHALL BE CONNECTED TO THE STORM DRAIN SYSTEM. SEE PLUMBING PLANS FOR DOWNSPOUT/ROOF DRAIN LOCATIONS AND SIZES. ALL ROOF DRAINS TO HAVE MINIMUM 1% SLOPE.
- THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
- NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE, ASPHALT, OR STORM DRAIN STRUCTURES OR PIPES.
- THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.
- AFTER CONSTRUCTION OF THE RETENTION/DETENTION SYSTEM HAS BEEN COMPLETED, THE CONTRACTOR MUST PROVIDE A LETTER FROM THE DESIGN ENGINEER OR SURVEYOR STATING THE RETENTION/DETENTION BASIN SYSTEM HAS BEEN BUILT ACCORDING TO PLANS AND WILL FUNCTION AS DESIGNED.



ENSIGN
 THE STANDARD IN ENGINEERING

SALT LAKE CITY
 45 W. 10000 S., Suite 500
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 Phone: 801.255.0529

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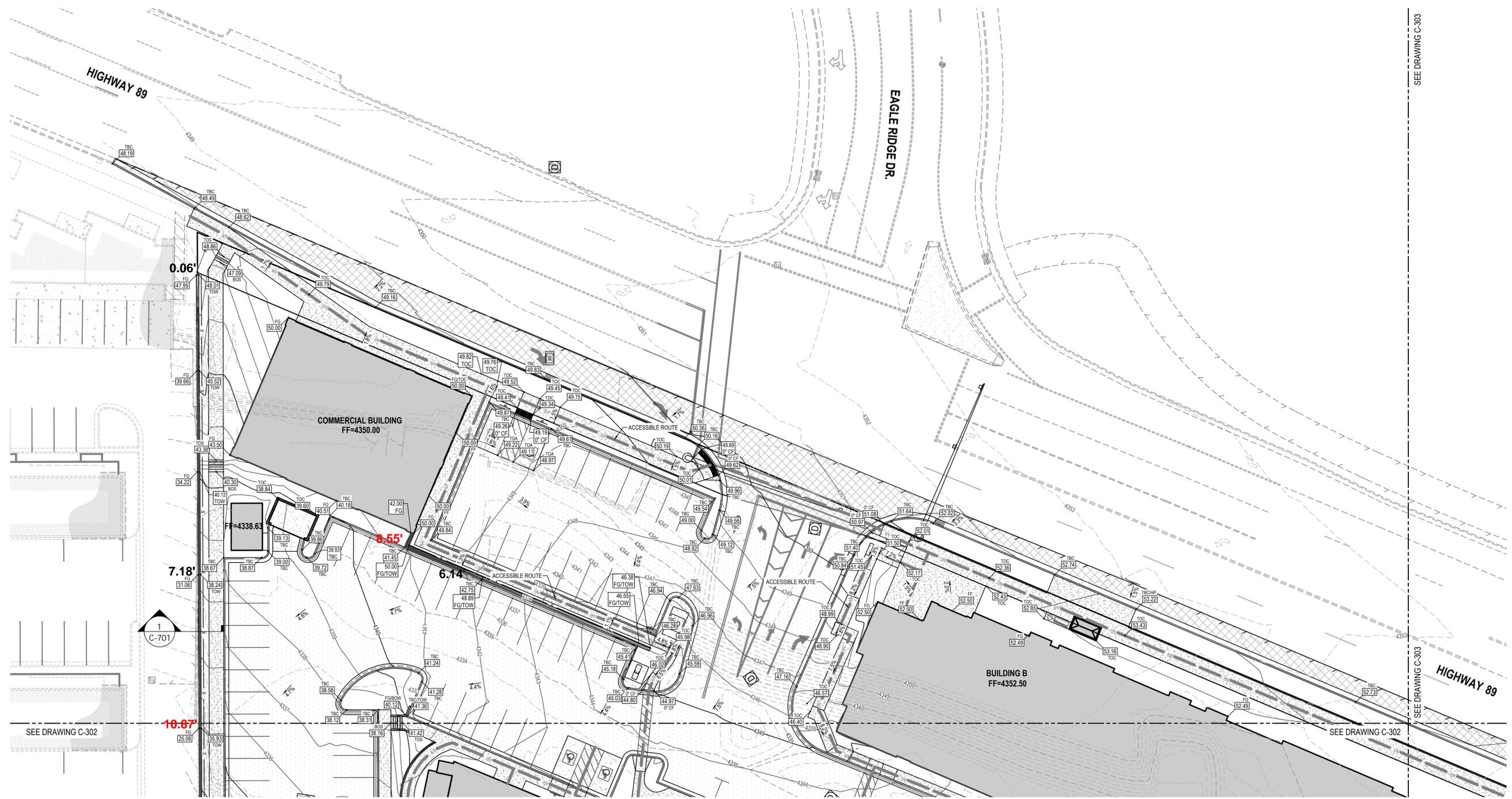
CEDAR CITY
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FOR:
 CASTLEWOOD DEVELOPMENT LLC
 8900 SOUTH 900 EAST, SUITE 130
 MIDVALE, UTAH 84047

CONTACT:
 HAYLEY PRATT
 PHONE: 407-617-0688



WILLIAMSBURG APARTMENTS

218, 220, 256, 300 & 320 SOUTH HIGHWAY 89
NORTH SALT LAKE, UTAH



ENLARGED GRADING PLAN 1

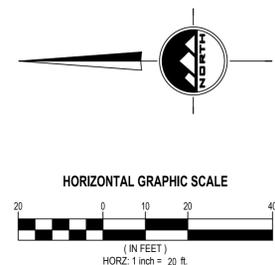
PROJECT NUMBER: 10648A
 PRINT DATE: 10/21
 DRAWN BY: M. MEDINA
 CHECKED BY: J. FORD
 PROJECT MANAGER: J. FORD

C-301

BENCHMARK
 NORTHEAST CORNER OF SECTION 11,
 TOWNSHIP 1 NORTH, RANGE 1 WEST
 SALT LAKE BASE AND MERIDIAN
 FOUND 3.5" BRASS CAP
 ELEV = 4339.80'

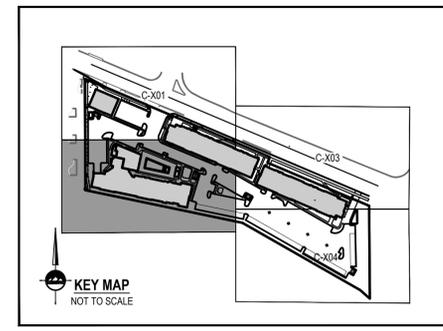
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 Know what's below.
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 @ 811 AT LEAST 48 HOURS
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GENERAL NOTES

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- ALL WORK SHALL COMPLY WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER POSSIBLY INCLUDING, BUT NOT LIMITED TO, REMOVAL OF UNCONSOLIDATED FILL, ORGANICS, AND DEBRIS, PLACEMENT OF SUBSURFACE DRAIN LINES AND GEOTEXTILE, AND OVEREXCAVATION OF UNSUITABLE BEARING MATERIALS AND PLACEMENT OF ACCEPTABLE FILL MATERIAL.
- THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE EXISTING SOIL CONDITIONS.
- ELEVATIONS HAVE BEEN TRUNCATED FOR CLARITY. XX.XX REPRESENTS AN ELEVATION OF 48XX.XX ON THESE PLANS.
- LANDSCAPED AREAS REQUIRE SUBGRADE TO BE MAINTAINED AT A SPECIFIC ELEVATION BELOW FINISHED GRADE AND REQUIRE SUBGRADE TO BE PROPERLY PREPARED AND SCARIFIED. SEE LANDSCAPE PLANS FOR ADDITIONAL INFORMATION.
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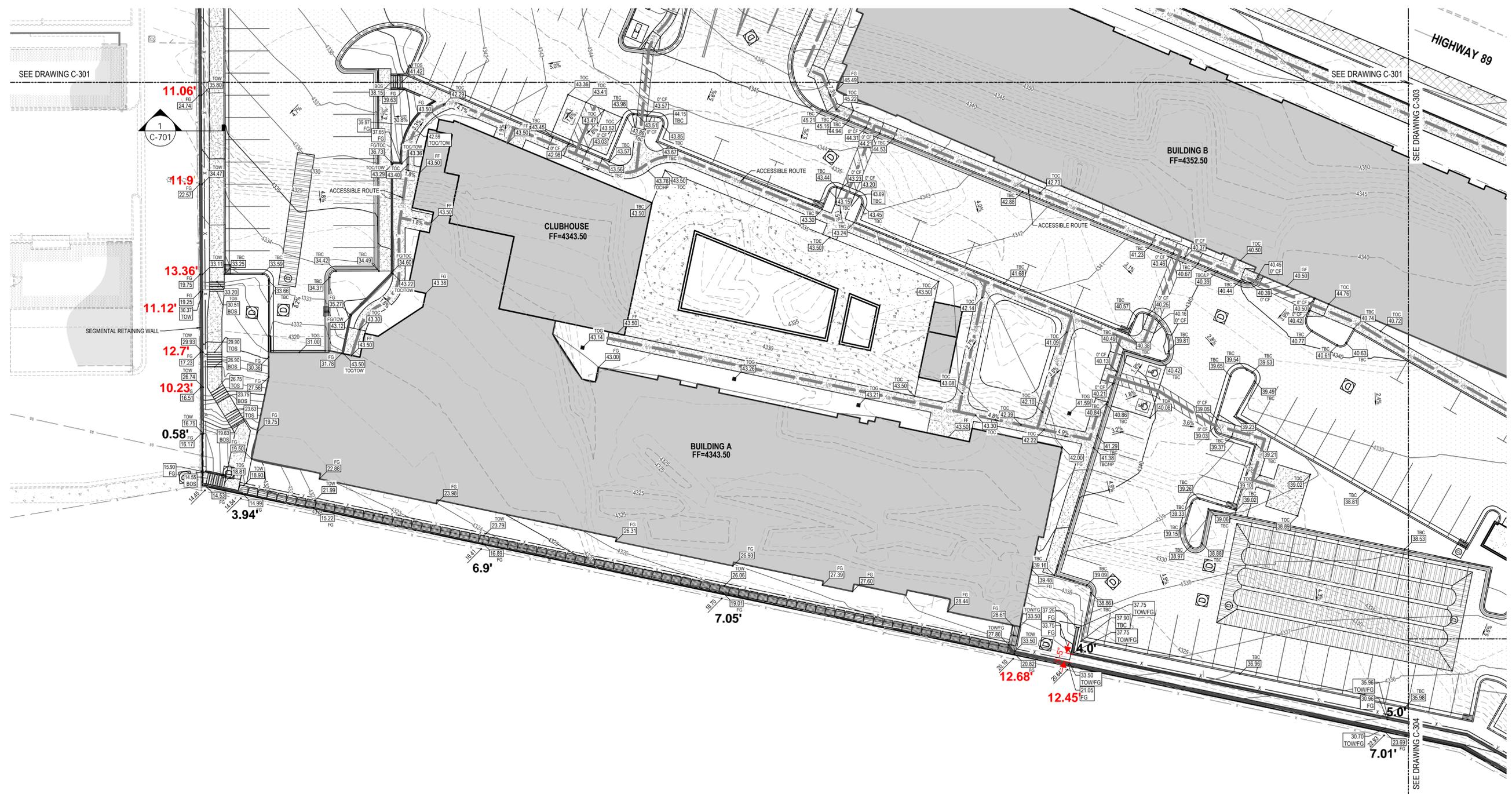
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WILLIAMSBURG APARTMENTS

218, 220, 256, 300 & 320 SOUTH HIGHWAY 89
NORTH SALT LAKE, UTAH



ENLARGED GRADING PLAN 2

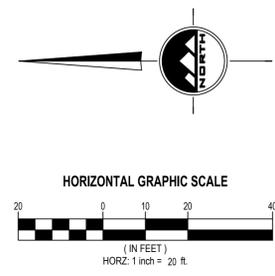
PROJECT NUMBER: 10648A
 PRINT DATE: 10/7/21
 DRAWN BY: M. MEDINA
 CHECKED BY: J. FORD
 PROJECT MANAGER: J. FORD

C-302

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 NORTHEAST CORNER OF SECTION 11,
 TOWNSHIP 1 NORTH, RANGE 1 WEST
 SALT LAKE BASE AND MERIDIAN
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 ELEV = 4339.80'

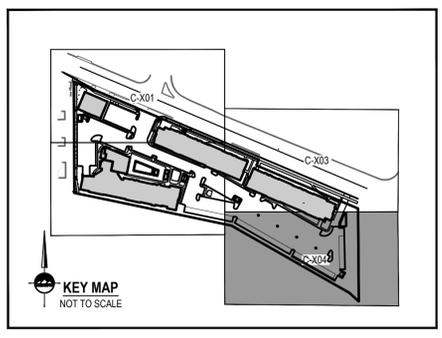
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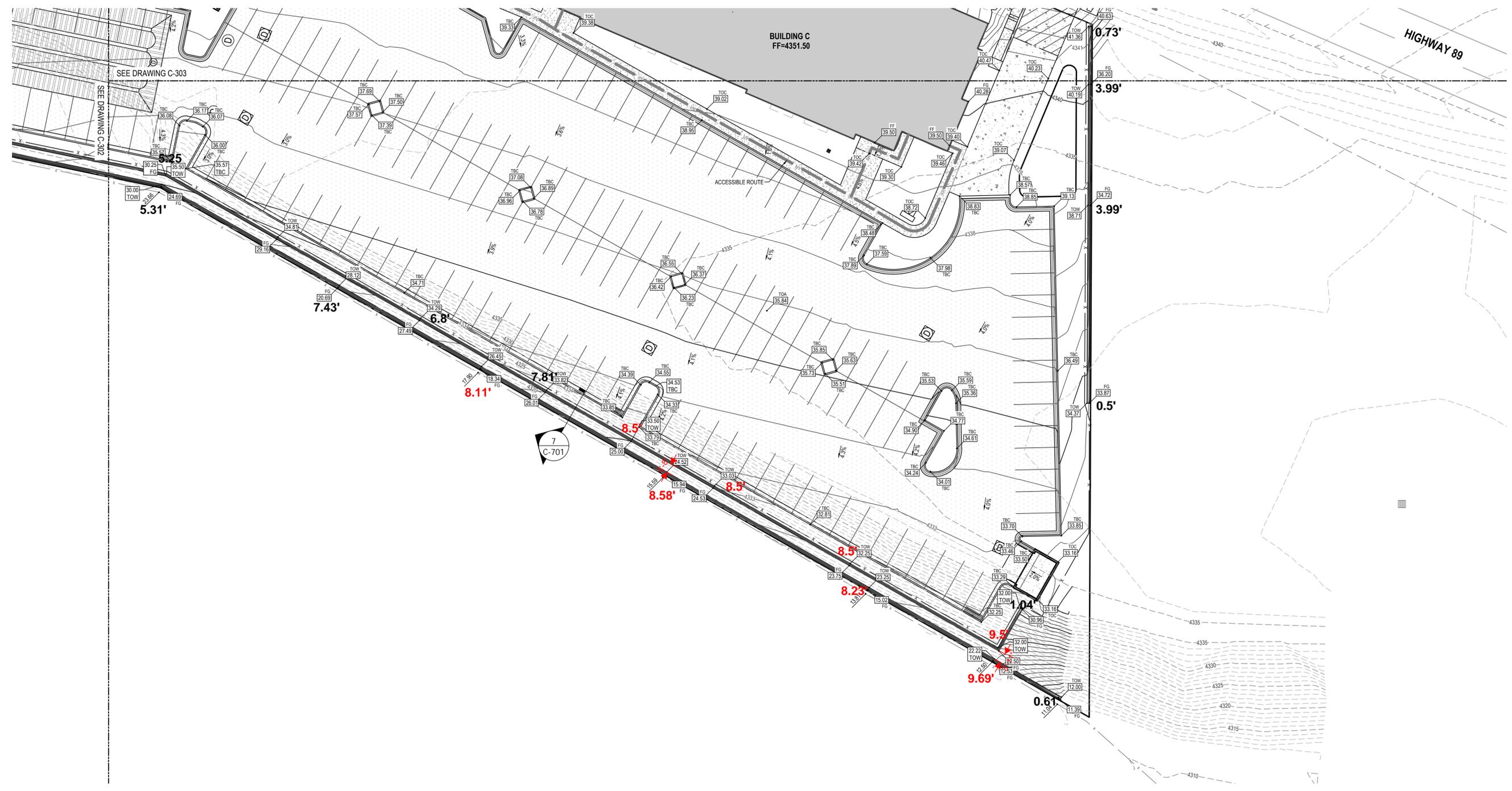
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WILLIAMSBURG APARTMENTS

218, 220, 256, 300 & 320 SOUTH HIGHWAY 89
NORTH SALT LAKE, UTAH



ENLARGED GRADING PLAN 4

PROJECT NUMBER: 10648A
 PRINT DATE: 10/7/21

DRAWN BY: M. MEDINA
 CHECKED BY: J. FORD

PROJECT MANAGER: J. FORD

C-304

10-9a-702 Variances.

- (1) Any person or entity desiring a waiver or modification of the requirements of a land use ordinance as applied to a parcel of property that he owns, leases, or in which he holds some other beneficial interest may apply to the applicable appeal authority for a variance from the terms of the ordinance.
- (2)
 - (a) The appeal authority may grant a variance only if:
 - (i) literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinances;
 - (ii) there are special circumstances attached to the property that do not generally apply to other properties in the same zone;
 - (iii) granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;
 - (iv) the variance will not substantially affect the general plan and will not be contrary to the public interest; and
 - (v) the spirit of the land use ordinance is observed and substantial justice done.
 - (b)
 - (i) In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship under Subsection (2)(a), the appeal authority may not find an unreasonable hardship unless the alleged hardship:
 - (A) is located on or associated with the property for which the variance is sought; and
 - (B) comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.
 - (ii) In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship under Subsection (2)(a), the appeal authority may not find an unreasonable hardship if the hardship is self-imposed or economic.
 - (c) In determining whether or not there are special circumstances attached to the property under Subsection (2)(a), the appeal authority may find that special circumstances exist only if the special circumstances:
 - (i) relate to the hardship complained of; and
 - (ii) deprive the property of privileges granted to other properties in the same zone.
- (3) The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.
- (4) Variances run with the land.
- (5) The appeal authority may not grant a use variance.
- (6) In granting a variance, the appeal authority may impose additional requirements on the applicant that will:
 - (a) mitigate any harmful affects of the variance; or
 - (b) serve the purpose of the standard or requirement that is waived or modified.

Renumbered and Amended by Chapter 254, 2005 General Session

10-2-2: HEARING OFFICER:

A. Created And Appointment:

1. Pursuant to Utah Code 10-9a-701 the City hereby establishes an Appeal Authority consisting of a Hearing Officer to:
 - a. Hear and decide requests for variances from the terms of the land use ordinance;
 - b. Hear and decide appeals from decisions applying the land use ordinance;
 - c. Hear and decide appeals from a fee charged in accordance with State Code section 10-9a-510.
2. The Hearing Officer shall be appointed or removed by the Mayor with the advice and consent of the City Council.

B. Organization And Procedures:

1. All hearings of the Hearing Officer shall be open to the public.
2. The Hearing Officer shall keep minutes of its proceedings, and
3. The Hearing Officer may, but is not required to, have its proceedings contemporaneously transcribed by a Court Reporter or a tape recorder.
4. The Hearing Officer shall file its records in the Office of the City Recorder.
5. All records in the Office of the City Recorder are public records.
6. Decisions of the Hearing Officer become effective at the time the decision is filed with the City Recorder, unless a different time is designated by the Hearing Officer.

C. Appeals:

1. The applicant or any other person or entity adversely affected by a decision administering or interpreting a land use ordinance may appeal that decision applying the land use ordinance by alleging that there is error in any order, requirement, decision or determination made by an official in the administration, interpretation or enforcement of the land use ordinance. Any person or any officer, department, board or bureau of the city affected by the grant or refusal of a building permit, or by any other decision of the city's administrative staff in the enforcement and administration of the land use ordinance, may appeal any decision to the hearing officer.

2. All appeals must be filed in writing with the office of the city recorder, within ten (10) calendar days from the date of any written decision is issued by the city or within ten (10) calendar days from when the person knows or reasonably should know of the decision being appealed, whichever is less.

3. The person or entity making the appeal has the burden of proving that an error has been made.

4. Only decisions applying the land use ordinance may be appealed to the hearing officer. A person may not appeal, and the hearing officer may not consider, any amendments to the land use ordinances.

5. Adversely affected parties that appeal for relief shall be required to present to the hearing officer every theory of relief that it can raise in district court.

6. The standard of review of factual matters for the hearing officer shall be de novo. The hearing officer shall review for correctness a decision of the city's land use authority in its interpretation and application of a land use ordinance.

7. Only those decisions in which the city's land use authority has applied a land use ordinance to a particular application, person, or parcel may be appealed to the hearing officer.

8. Appeals may not be used to waive or modify the terms or requirements of the land use ordinance.

D. Variances:

1. Any person or entity desiring a waiver or modification of the requirements of the land use ordinance as applied to a parcel of property that he owns, leases or in which he holds some other beneficial interest, may apply to the hearing officer for a variance from the terms of the land use ordinance.

2. The hearing officer may grant a variance only if:

- a. Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinances;
- b. There are special circumstances attached to the property that do not generally apply to other properties in the same zone;
- c. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;
- d. The variance will not substantially affect the general plan and will not be contrary to the public interest; and
- e. The spirit of the land use ordinance is observed and substantial justice done.

3. In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship under this subsection, the hearing officer may not find an unreasonable hardship unless:

- a. The alleged hardship is located on or associated with property for which the variance is sought; and

b. The alleged hardship comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood;

c. In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship under subsection D2 of this section or this subsection D3, the hearing officer may not find an unreasonable hardship if the hardship is self-imposed or economic.

d. In determining whether or not there are special circumstances attached to the property under subsection D2 of this section or this subsection D3, the hearing officer may find that special circumstances exist only if the special circumstances:

(1) Relate to the hardship complained of; and

(2) Deprive the property of privileges granted to other properties in the same zone.

4. The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.

5. Variances run with the land.

6. The hearing officer and any other body may not grant a use variance.

7. In granting a variance, the hearing officer may impose additional requirements on the applicant that will:

a. Mitigate any harmful effects of the variance; or

b. Serve the purpose of the standard or requirement that is waived or modified.

E. Appeal Of Hearing Officer Decision To District Court: Any person adversely affected by any decision of a hearing officer may petition the district court for a review of the decision within thirty (30) days of said decision. (Ord. 2012-07, 4-30-2012)

9-1-3: RETAINING WALLS:

A. Applicability:

1. This section applies to all "retaining walls", as defined in this section.

B. Retaining Wall Defined: "Retaining wall" is defined as any structure designed to resist the lateral displacement of soil or other materials. Examples include block walls, rockery walls, concrete walls and segmented walls. A "retaining wall" is not considered a fence.

C. Building Permit Required: No retaining wall which is four feet (4') tall or taller, measured from the bottom of the footing, shall be constructed without a permit from the city.

1. This requirement includes all cantilever concrete retaining walls, as well as nonconventional wall systems, such as reinforced earth structures, rockery walls, etc.

2. Wall systems four feet (4') tall or taller which are based on organic material, such as treated lumber or railroad ties, are not allowed.

3. To obtain a permit for a retaining wall, the following shall be submitted to the building department for review:

- a. An engineered wall design stamped by a civil, structural or geotechnical engineer registered to perform work in the state. The design shall:

- (1) Include a site plan showing the extent of cuts and/or fills that will be made to construct the retaining wall.
- (2) Include sections and details to be utilized in construction of the retaining wall, including a drainage system to relieve hydrostatic pressure on the retaining wall.
- (3) Be specific to the site and not a generic standard design.

- b. If the retaining wall is to be a rock retaining wall, in addition to the structural report, the contractor shall submit a geological report by a certified geologist identifying the type of rock to be used as a rock that will hold the slope and not deteriorate over time. Rock retained slopes may not be constructed of conglomerate rock.

D. Special Requirements for Rockery Walls:

1. Construction plans must show a detailed cross section showing the minimum rock size, for each lift, a maximum wall height, backfill specification, drainage, slope of adjacent ground, embedment into existing soil, and batter.

2. Monitoring: All phases of rockery wall construction shall be monitored by the geotechnical engineer employed by the owner/contractor to verify that the nature and quality of the materials being used are appropriate and that the construction is in accordance with the engineered design. The geotechnical engineer shall verify to the city in writing that the materials and construction of the rockery walls as-built is accordance with the engineered design after construction is complete.

3. Fill Compaction: Where the rockery walls are constructed in front of a fill, the fill shall be placed and compacted in a manner that will provide a competent fill mass as noted in the drawings. All fills shall consist of quality fill meeting the geotechnical engineers recommendations as noted on the drawings or report.

4. Rock Selection: Rock shall be of a generally cubical, tabular, or rectangular shape. Rounded rocks shall not be used and internal void spaces in the facing shall be kept to a minimum. Prior to being placed, all rock shall be inspected and approved by the geotechnical engineer. The rock source shall be preapproved by the geotechnical engineer. Rocks shall be placed to decrease in size with increasing wall height. Rocks shall be placed to bear on good flat-to-flat surfaces. The long dimension of the rocks shall extend back toward the cut/fill face. Rocks shall bear on at least two (2) or more other rocks.

5. Rock placement: Rock shall be placed as recommended by the geotechnical engineer. A keyway (one (1) foot minimum) as recommended by the geotechnical engineer shall be constructed into unyielding soil.

6. Steepness of walls: The steepness of the rockery wall shall be noted on the drawings.

E. Height and Terracing:

1. For the purposes of this subsection, the height of a retaining wall is measured as the total height of the wall from the top of the exposed face to the finished grade.

2. A single retaining wall shall not exceed eight feet (8') in height.

3. Terracing of retaining walls is permitted where justified by topographic conditions, but the combined height of all walls shall not exceed sixteen feet (16').

- a. In a terrace of retaining walls, there shall be a minimum separation of one-half ($\frac{1}{2}$) the height of the taller wall as measured from the back of the lower wall to the face of higher wall.

- b. Walls with a separation of at least two (2) times the height of the largest of two (2) walls from the face of the wall to the face of the wall shall be considered as separate walls.

- c. Terraced retaining walls shall be constructed out of one type of material that is similar in appearance, color, and texture.

4. Retaining walls within the front yard public utility easement shall limited to a height of three (3) feet, except by conditional use permit.

F. Setbacks:

1. The setback from a retaining wall to a building or structure shall meet all setback requirements as outlined in the International Building Code.

2. The setback from a retaining wall to a building shall be a minimum of the height of the retaining wall.

3. Retaining walls constructed in utility easements shall not be constructed without prior written permission in a form acceptable to the city from each affected utility. Notwithstanding any written permission, the city reserves the right to deny a permit for a wall within, or over, a utility easements.

G. Clearance from Utility Facilities:

1. No retaining wall may be located closer than five (5) feet:

- a. Fire hydrants;
- b. Water meter boxes;
- c. Telecommunication pedestals; and
- d. Street lights.

H. Inspections And Final Report:

1. Along with the wall design and site plan, the design engineer shall submit an inspection frequency schedule for city approval.

2. The design engineer shall be responsible for all inspections needed for final approval and acceptance of the retaining wall when construction is complete. A final report from the engineer shall state that the retaining wall was built according to the submitted design. The report shall include details of the inspections of the wall in accordance with the approved inspection frequency schedule. All pertinent compaction testing shall also be included with the final report.

I. Maintenance: All retaining walls must be maintained in a structurally safe and sound condition and in good repair. (Ord. 2010-08, 6-1-2010; amd. Ord. 2020-13, 6-16-2020)