Chapter 31
ACCESSORY STRUCTURES

10-31-1: Purpose
The purpose of this chapter is to establish regulations for accessory buildings. These regulations are intended to ensure that accessory buildings do not disturb adjacent neighbors or the residential character of a neighborhood.

10-31-2: Permitted Use
Permitted. Accessory uses, buildings, and structures shall be permitted in all zones provided they are incidental to, and do not substantially alter a principal use or structure, subject to the provisions of this section and the zone where they are located. No accessory use, building, or structure shall be allowed on a lot unless a permitted or conditional use exists on the same lot.

10-31-3: Prohibited Uses
A. Accessory dwellings of all types are prohibited uses in accessory buildings.
B. Accessory buildings may not be used for a home occupation except in accordance with section 10-22-6 of this title.

10-31-4: Building Elevations
A. The front of any accessory structure and any additional side of the structure viewable from a street shall have materials and color compatible with the primary dwelling. The remainder of the structure may be finished with a combination of stucco, fiber cement material, or brick products. The use of metal and vinyl/aluminum siding is prohibited.
   1. Buildings located in an agricultural zone and used for agricultural purposes, such as barns or other such buildings to house animals, shall not be subject to this requirement.
   2. Structures 200 sq. ft. or less may not be located in the front yard and must have a color compatible with the primary dwelling.
   3. Structures greater than 200 sq. ft. must have materials and color compatible with the primary dwelling.

10-31-5: Front Yards and Side Yards
A. If an accessory building is located in the front yard or side yard of the main building it must meet the same setback requirements as the main building, except as follows:
   1. On a corner lot which rears upon the side yard of adjacent lot, the rear yard setback shall be at least 10 feet.
2. The front yard of the home borders the side yard of the dwelling on the adjacent lot then the side of the accessory building next to the adjacent side yard must meet the same side setback requirement as the primary dwelling. (see Diagram 1):

Diagram 1:

10-31-6: Open-Roofed Accessory Structures

Open-roof structures such as pergolas and trellises not attached to the home, and lacking a solid roof, may be located in the side or rear yard, and must remain at least three feet from any property line.

10-31-7: Setback, Height, and Lot Coverage Regulations
<table>
<thead>
<tr>
<th>Zone</th>
<th>Front Yard</th>
<th>Minimum Yard</th>
<th>Maximum Building Height</th>
<th>Maximum Lot Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>All A Zones</td>
<td>25 feet</td>
<td>Located in rear yard: 3 feet</td>
<td>Lots smaller than 1/2 acre: 16 feet and less than the top elevation of the primary dwelling</td>
<td>In side and rear yards: 25% of combined side and rear yard area OR less than footprint of main building, whichever is less</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3 feet</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Accessory Building in side or front yard of main building: same requirements as main building</td>
<td>Corner lots which rear on side yard of another lot: 10 feet</td>
<td>Lots 1/2 acre or larger: 20'</td>
<td>In front yard, 25% of front yard area</td>
<td></td>
</tr>
<tr>
<td></td>
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<td></td>
</tr>
<tr>
<td>Side yard next to dwelling on adjacent lot: 10 feet</td>
<td>Lots 1/2 acre or larger AND side and rear setbacks are 10 feet or greater: 25'</td>
<td>Lots 1 acre or larger: 70% of total lot area</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Corner lots: same requirements as main building</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R-1</td>
<td>25 feet</td>
<td>Located in rear yard: 3 feet</td>
<td>Lots smaller than 1/2 acre: 16 feet and less than the top elevation of the primary dwelling</td>
<td>In side and rear yards: 25% of combined side and rear yard area OR less than footprint of main building, whichever is less</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3 feet</td>
<td></td>
<td></td>
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<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>In side or front yard of main bldg: same req's as main bldg</td>
<td>Corner lots which rear on side yard of another lot: 10 feet</td>
<td>Lots 1/2 acre or larger: 20'</td>
<td>In front yard, 25% of front yard area</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Zone</th>
<th>Front Yard</th>
<th>Minimum Yard</th>
<th>Maximum Building Height</th>
<th>Maximum Lot Coverage</th>
</tr>
</thead>
<tbody>
<tr>
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<tr>
<td></td>
<td>Side yard next to dwelling on adjacent lot: 10 feet</td>
<td>Lots 1/2 acre or larger AND side and rear setbacks are 10 feet or greater: 25'</td>
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<td>--------</td>
<td>--------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Corner lots: 20 feet from street side property line</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>R-2</strong></td>
<td>Determined with PUD Approval</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>3 feet</td>
<td>3 feet</td>
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<td></td>
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<tr>
<td></td>
<td>3 feet</td>
<td>16 feet</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Corner lot adjacent to side yard of adjoining lot: 10 feet</td>
<td>In side and rear yards: 25% of combined side and rear yard area OR less than footprint of main building, whichever is less</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>R-M</strong></td>
<td>19 feet</td>
<td>8 feet</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>If located 10 feet from adjacent dwelling: 3 feet</td>
<td>3 feet</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Corner lot adjacent to side yard of adjoining lot: 10 feet</td>
<td>16 feet</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>None</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>MU-2</strong></td>
<td>20 feet</td>
<td></td>
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<tr>
<td></td>
<td>Side yard adjacent to agricultural or residential zone boundary: 20 feet unless reduced by the Planning Commission based on surrounding existing and possible future uses</td>
<td>Side yard adjacent to lot or parcel in agricultural or residential zone: 30 feet</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Rear yard adjacent to lot or parcel in agricultural or residential zone: 30 feet</td>
<td>Rear yard adjacent to lot or parcel in agricultural or residential zone: 16 feet and less than the top elevation of the primary dwelling</td>
<td>60% of lot - all buildings combined (includes main building)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Corner lot: 20 feet</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FR-1</td>
<td>40 feet</td>
<td>One side yard: 25 feet</td>
<td>Single-family dwelling: 40 feet</td>
<td>16 feet</td>
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<tr>
<td>------</td>
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<td>------------------------</td>
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<td>--------</td>
</tr>
<tr>
<td>FR-2.5</td>
<td>Both side yards: 50 feet</td>
<td>Any portion of uncovered or covered patio or deck: 40 feet</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corner lot: 35 feet from street</td>
<td></td>
<td></td>
<td></td>
<td>FR02.5: 15%</td>
</tr>
<tr>
<td>FR-5</td>
<td>FR-10</td>
<td>FR-20</td>
<td>One side yard: 30 feet</td>
<td>Single-family dwelling: 40 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Both side yards: 60 feet</td>
<td>Any portion of uncovered or covered patio or deck: 40 feet</td>
</tr>
<tr>
<td>Corner lot: 40 feet from street side property line</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
Chapter 3
DEFINITIONS

HEIGHT: See section 10-29-24 of this title.

HEIGHT, BUILDING: The vertical distance above the lowest original ground surface at any point on the perimeter of the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to a point midway between the lowest part of the eaves or cornice and the highest point of a pitched or hipped roof.

a) Buildings may be stepped to accommodate the slope of the terrain; provided, that each step shall be at least twelve feet (12') in horizontal dimension. The height of each stepped building segment shall be measured as required in subsection A of this definition.

b) Original ground surface shall be the elevation of the ground surface in its natural state before any manmade alterations, including, but not limited to, grading, excavation or filling, excluding improvements required by zoning or subdivision ordinances. When the elevation of the original ground surface is not readily apparent because of previous manmade alterations, the elevation of the original grade shall be determined by the community development director using the best information available.
Chapter 9
AGRICULTURAL ZONES

10-9-1: PURPOSE:

A. A-.25 Zone: The A-.25 zone was originally intended to provide areas in the city for low density residential development. However, the city council has determined this zone does not adequately provide for low density residential development and has declared its intent to no longer consider rezoning any property to the A-.25 zone.

B. A-.5 Zone: The purpose of the A-.5 zone is to provide areas in the city for low density residential development, together with limited agricultural uses.

C. A-1 Zone: The purpose of the A-1 zone is to provide areas in the city for low density residential development and agricultural uses.

10-9-2: SCOPE:

The provisions of this chapter shall apply to real property located in an agricultural zone as shown on the official zoning map.

10-9-3: DEFINITIONS:

Certain words and phrases in this chapter, including uses, are defined in chapter 3 of this title.

10-9-4: USES ALLOWED:

A. Permitted And Conditional Uses: Permitted and conditional uses allowed in agricultural zones shall be as set forth on the Table Of Uses in chapter 16 of this title. Permitted and conditional uses are indicated by "P" or "C," respectively. Uses not permitted are indicated by "N."

B. Accessory Uses: Permitted and conditional uses set forth in chapter 16 on the table of uses shall be deemed to include accessory uses and activities customarily associated with and incidental and subordinate to a permitted or conditional use, subject to applicable provisions of this title, including section 10-29-5, chapter 31 of this title.

C. Prohibited Uses: Any use not shown on the Table Of Uses shall be prohibited unless the community development director determines the use is substantially the same as a permitted or conditional use as provided in section 10-5-9 of this title.

10-9-5: DEVELOPMENT APPROVAL:

The use and development of land located in agricultural zones shall be approved according to
applicable administration and development review procedures set forth in chapter 5 of this title.

10-9-6: DEVELOPMENT STANDARDS:

A. Generally: The use and development of land located in agricultural zones shall conform to the standards set forth in this section and in chart 10-9 except as may be authorized by another provision of this title.

B. Accessory Structure Design: The front of any accessory structure and any additional portion of the structure viewable from a public street shall have materials and color similar to the primary dwelling. Buildings used for agricultural purposes, such as barns or other such buildings to house animals, shall not be subject to this requirement.

C. Density In A-.25 Zone: The baseline density in any residential development located in the A-.25 zone shall be 1.8 lots per acre.

1. Baseline Density Calculations: Baseline density shall be calculated by dividing the total number of units anticipated with respect to the project by the total aggregate acreage of the project. (Example: The total acreage of a proposed project is 50 acres and 90 units are anticipated in the project resulting in a baseline density of 1.8, calculated by dividing 90 by 50.)

2. A density bonus may be allowed for projects which comply with the bonus density requirements of this subsection. The amount of bonus density shall be determined by the type of bonus density requirements and improvements incorporated in the development proposal as set forth in the following chart.

   a. For applicants requesting a density greater than baseline density, the planning commission shall determine whether the applicant has complied with necessary design components as set forth in the following chart and shall determine the resulting density.

   b. The additional units per acre allowed above the baseline density shall be determined by adding the density bonus points to the baseline density. This figure is the additional number of units per acre allowed above the baseline density. This number, when added to the baseline, shall determine the total density per acre for the project.

   c. Example: A subdivision includes a splash pad as part of the development. The resulting maximum density per acre is 2.1 lots per acre calculated by adding the 1.8 baseline density and the 0.3 density bonus points. Provided, however, in no event shall the resulting density exceed 2.5 lots per acre in a subdivision or 2.8 lots per acre in a planned development.
<table>
<thead>
<tr>
<th>BONUS DENSITY REQUIREMENTS</th>
<th>DENSITY BONUS POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dedicating and installing at least a 10 foot park strip behind the sidewalk adjacent to a</td>
<td>0.1 unit per acre</td>
</tr>
<tr>
<td>collector or arterial road</td>
<td></td>
</tr>
<tr>
<td>Dedicating and installing a trail connection to an existing trail that provides an amenity</td>
<td>0.1 unit per acre</td>
</tr>
<tr>
<td>for the residents of the proposed project</td>
<td></td>
</tr>
<tr>
<td>Dedicating and installing a trail that provides an amenity for the larger community and</td>
<td>0.2 unit per acre</td>
</tr>
<tr>
<td>is designated in the parks master plan</td>
<td></td>
</tr>
<tr>
<td>Dedicating and installing infrastructure that is identified as a &quot;system improvement&quot; by</td>
<td>0.2 unit per acre</td>
</tr>
<tr>
<td>the city</td>
<td></td>
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<tr>
<td>Combining 2 or more properties to create 1 larger project of at least 10 acres. The</td>
<td>0.05 unit per acre for each 10 acres combined; maximum</td>
</tr>
<tr>
<td>properties must be contiguous to each other and must be consolidated from different</td>
<td>of 0.2 units per acre for this category</td>
</tr>
<tr>
<td>property owners</td>
<td></td>
</tr>
<tr>
<td>Providing one-half acre lots that buffer lots adjacent to existing larger lots or</td>
<td>0.1 unit per acre</td>
</tr>
<tr>
<td>agricultural uses or zones</td>
<td></td>
</tr>
<tr>
<td>In addition to providing one-half acre lots adjacent to existing larger lots, developing</td>
<td>0.1 unit per acre</td>
</tr>
<tr>
<td>at least 10 percent of the lots throughout the project as half acre lots</td>
<td></td>
</tr>
<tr>
<td>Developing a planned unit development of at least 15 acres and providing the required</td>
<td>0.3 unit per acre</td>
</tr>
<tr>
<td>20 percent open space and trail connections</td>
<td></td>
</tr>
<tr>
<td>Developing a planned unit development of at least 30 acres and providing the required</td>
<td>0.6 unit per acre</td>
</tr>
<tr>
<td>20 percent open space and trails designated in the parks master plan</td>
<td></td>
</tr>
<tr>
<td>In a subdivision providing a local park at least one-half acre in size or upon approval</td>
<td>0.1 unit per acre</td>
</tr>
<tr>
<td>of the city paying to the city a fee in lieu. For purposes of this provision a park must</td>
<td></td>
</tr>
<tr>
<td>include a playground or other amenities consistent with the size of the park and not just</td>
<td></td>
</tr>
<tr>
<td>be a detention pond</td>
<td></td>
</tr>
<tr>
<td>In a subdivision providing a neighborhood park at least 1 acre in size or upon approval</td>
<td>0.2 unit per acre</td>
</tr>
<tr>
<td>of the city paying to the city a fee in lieu. For purposes of this provision a park must</td>
<td></td>
</tr>
<tr>
<td>include a playground or other amenities consistent with the size of the park and not just</td>
<td></td>
</tr>
<tr>
<td>be a detention pond</td>
<td></td>
</tr>
<tr>
<td>In a subdivision, providing a community park of at least 3 acres that includes a splash</td>
<td>0.3 unit per acre</td>
</tr>
<tr>
<td>pad, skate park, or other necessary facility as outlined in the parks master plan or upon</td>
<td></td>
</tr>
<tr>
<td>approval of the city paying to the city a fee in lieu</td>
<td></td>
</tr>
<tr>
<td>Donating to the city a site for a public school, public buildings, or other public</td>
<td>0.3 unit per acre</td>
</tr>
<tr>
<td>community facilities</td>
<td></td>
</tr>
</tbody>
</table>

10-9-7: OTHER APPLICABLE REGULATIONS:
To the extent that use and development of land located in agricultural zones includes any matter governed by other applicable regulations set forth in this title, such regulations shall apply in addition to the requirements of this chapter.
# Chart 10-9
## Agricultural Zone Development Standards

### A. Minimum Lot Area and Width

<table>
<thead>
<tr>
<th>Zone</th>
<th>Lot Area</th>
<th>Lot Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-.25</td>
<td>10,000 sq. ft. (may be reduced to 8,500 sq. ft. in a planned development) ½ acre for raising or grazing of up to 2 horses or 2 cows</td>
<td>85 feet</td>
</tr>
<tr>
<td>A-.50</td>
<td>21,780 sq. ft. (includes raising or grazing of up to 2 horses or 2 cows)</td>
<td>85 feet, when minimum required area is 21,780 sq. ft. 100 feet, when minimum required area is 1 acre 200 feet, when minimum required area is 4 acres</td>
</tr>
<tr>
<td>A-1</td>
<td>1 acre</td>
<td>100 feet</td>
</tr>
</tbody>
</table>

**Any A zone**
- Radio and television transmitting and relay stations and towers: 4 acres or area needed to permit tower placement so horizontal side clearance from tower base in every direction equals or is greater than tower height
- Radio and television transmitting and relay stations and towers: 200 feet or width needed to permit tower placement of towers so horizontal side clearance from tower base in every direction equals or is greater than tower height

### B. Minimum Yard for Residential

<table>
<thead>
<tr>
<th>Zone</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Rear Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-.25 and A-.50</td>
<td>25 feet</td>
<td>One side yard: 8 feet  Both side yards: 18 feet  Corner lot: 20 feet from street</td>
<td>Single-family dwelling: 25 feet  Any portion of uncovered or covered patio or deck: 20 feet</td>
</tr>
<tr>
<td>A-1</td>
<td>25 feet</td>
<td>One side yard: 10 feet  Both side yards: 20 feet  Corner lots: 20 feet from street</td>
<td>Same as above</td>
</tr>
</tbody>
</table>

### C. Minimum Yard for Buildings Other Than Residential and Accessory Buildings

<table>
<thead>
<tr>
<th>Zone</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Rear Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>All A zones</td>
<td>30 feet</td>
<td>20 feet</td>
<td>30 feet</td>
</tr>
</tbody>
</table>
### D. MAXIMUM BUILDING HEIGHT

<table>
<thead>
<tr>
<th>Zone</th>
<th>Residential</th>
<th>Agricultural</th>
<th>Non-Agricultural Accessory Building</th>
</tr>
</thead>
<tbody>
<tr>
<td>All A zones</td>
<td>35 feet</td>
<td>75 feet</td>
<td>16 feet, except:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>If ½ acre or larger: 20 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>If ½ acre or larger and side and rear setbacks are 10 feet: 25 feet</td>
</tr>
</tbody>
</table>

### E. MAXIMUM LOT COVERAGE

<table>
<thead>
<tr>
<th>Zone</th>
<th>Lot Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-.25 and A-.50</td>
<td>25% of rear-yard</td>
</tr>
<tr>
<td>A-1</td>
<td>70% of lot area</td>
</tr>
</tbody>
</table>

### F. MINIMUM YARD FOR ACCESSORY BUILDINGS

<table>
<thead>
<tr>
<th>Zone</th>
<th>Front Yard</th>
<th>Side-Yard</th>
<th>Rear-Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>All A-zones</td>
<td>-25 feet</td>
<td>Accessory buildings located in rear yard: 3 feet</td>
<td>3 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Accessory building in side or front yard of main building: same requirements as main building</td>
<td>Corner lots which rear on side yard of another lot: 10 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Side yard next to dwelling on adjacent lot: 10 feet</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Corner lots: 20 feet from street</td>
<td></td>
</tr>
</tbody>
</table>
Chapter 10
RESIDENTIAL ZONES

10-10-1: PURPOSE:

A. R-1 Zone: The purpose of the R-1 zone is to establish single-family neighborhoods which provide persons who reside therein a comfortable, healthy, safe, and pleasant environment.

B. R-2 Zone: The purpose of the R-2 zones is to establish low to medium density residential neighborhoods which provide persons who reside therein a comfortable, healthy, safe, and pleasant environment.

C. R-M Zone: The purpose of the R-M zone is to provide areas in the city for high density residential development which provide persons who reside therein a comfortable, healthy, safe, and pleasant environment.

10-10-2: SCOPE:

The provisions of this chapter shall apply to real property located in a residential zone as shown on the official zoning map.

10-10-3: DEFINITIONS:

Certain words and phrases in this chapter, including uses, are defined in chapter 3 of this title.

10-10-4: USES ALLOWED:

A. Permitted And Conditional Uses: Permitted and conditional uses allowed in residential zones shall be as set forth on the Table Of Uses in chapter 16 of this title. Permitted and conditional uses are indicated by "P" or "C," respectively. Uses not permitted are indicated by "N."

B. Accessory Uses: Permitted and conditional uses set forth in chapter 16 on the table of uses shall be deemed to include accessory uses and activities customarily associated with and incidental and subordinate to a permitted or conditional use, subject to applicable provisions of this title, including section 10-29-5 chapter 31 of this title.

C. Prohibited Uses: Any use not shown on the Table Of Uses shall be prohibited unless the community development director determines the use is substantially the same as a permitted or conditional use as provided in section 10-5-9 of this title.

10-10-5: DEVELOPMENT APPROVAL:

The use and development of land located in residential zones shall be approved according to
applicable administration and development review procedures set forth in chapter 5 of this title.

10-10-6: DEVELOPMENT STANDARDS:

A. Generally: The use and development of land located in residential zones shall conform to the standards set forth in this section and in chart 10-10 except as may be authorized by another provision of this title.

B. Accessory Structure Design: The front of any accessory structure and any additional portion of the structure viewable from a public street shall have materials and color similar to the primary dwelling. Buildings used for agricultural purposes, such as barns or other such buildings to house animals, and located in a zone which allows Family Food Production, shall not be subject to this requirement.

C. Minimum Zone Area: All areas to be zoned R-2-10 or R-2-15 shall be at least 15 acres.

D. Dwelling Group Design Criteria:

1. The following requirements shall apply to all dwelling groups:

   a. The distance between principal buildings and the nearest perimeter lot line shall be at least 15 feet. The distance between the building and a public street shall be at least the front yard required in the zoning district; except, on corner lots, the side yard which faces on a public street shall be at least 20 feet.

   b. Access shall be provided by a private street or right-of-way from a public street; such private street or right-of-way shall be at least 20 feet wide for one or two rear dwelling units, and at least 30 feet wide for three or more dwelling units.

   c. No parking areas shall include any part of the required front yard or side yard adjacent to a street.

   d. Parking areas adjacent to residential uses shall be screened with a six feet high visual barrier.

   e. Entrances from a private development to a public street shall maintain a "clear view", as defined in section 10-29-49 of this title.

   f. Public access to the dwelling group shall be from a 60 feet or wider street.

   g. Front and side yards next to a public street shall be landscaped in accordance with applicable provisions of chapter 23 of this title and the following:

      i. A minimum of two trees per 1,000 square feet of the ground or main floor level.

      ii. One shrub per six linear feet of building foundation. Shrubs may be grouped.

      iii. Grass or other plantings installed in all areas not used for building, parking, walks or drives.
h. A five feet wide landscaped area shall be required between the drive and parking area adjacent to residential property lines. This area shall be planted with a minimum of one tree per 25 feet of linear landscaped area.

i. Open space shall be provided on the site equal to 25 square feet per unit in the dwelling group.

j. Exterior lighting shall be provided as follows:
   i. Each parking area shall be illuminated for safety by installing lighting fixtures which emit light at least equivalent to that of one 100-watt incandescent bulb per 100 feet in all directions.
   ii. All lighting shall be shielded so as not to shine into surrounding residences.

k. Residential structures proposed greater than 1 story adjacent to existing single- or two-family dwellings may add one additional floor to the height of the proposed structure for each additional 30 feet increase in rear yard or side yard greater than the 15 feet perimeter yard requirement.

l. Buildings which face each other shall be separated by 50 feet or more. Buildings which side on another building shall be separated by 16 feet or more.

2. R-2-10 and R-2-15 Zones: The following additional requirements shall apply to dwelling groups in the R-2-10 and R-2-15 zones.

   a. The land on which the dwelling group will be erected shall have an area equal to the aggregate of the minimum lot areas otherwise required in the zone for the number of individual dwelling structures in the group.

   b. A minimum of two parking spaces shall be provided for each dwelling unit. Parking spaces and vehicular maneuvering areas shall meet city standards.

   c. On any public road where street lighting is not in place, lighting shall be provided at least equivalent to light produced by a 100 watt incandescent bulb per each fifty 50 feet of frontage, or fraction thereof. Lighting is to be provided by a freestanding fixture, in the yard space between the building and public street, or attached to the wall of the building which is not more than 30 feet from the street property line.

   d. Applications for each building higher than 1 story shall be evaluated on the basis of the proposed building height, mass, materials, spacing and privacy considerations. Harmony and compatibility with existing and future residential structures in the area shall also be evaluated.

3. R-M Zones: The following additional requirements shall apply to dwelling groups in the R-M zone.

   a. A minimum of two parking spaces shall be provided for each dwelling unit for units with less than three bedrooms and 2.4 spaces for units with three or more
bedrooms. Additional stalls may be located in designated parking areas. Parking areas associated with a clubhouse or sales center shall have six spaces per 1,000 square feet. Parking spaces and vehicular maneuvering areas shall meet the requirements of chapter 24 of this title.

b. If a 6 feet high visual barrier fence is proposed in the yard next to a public street, the barrier shall be placed no closer than 10 feet to the sidewalk.

c. Brick, rock, or stone shall be used for the finish system on the front building facade and shall make up a minimum of 15 percent of the total area of the front facades of the complex. If the building incorporates a front porch across the entire front facade of the house, the brick, rock, or stone may be reduced to 10 percent.

d. Brick or stone shall be used on the front elevation to show significant masonry architectural detail in the form of vertical accents. However, other architectural details may be used in lieu of brick or stone, if approved by the city. Manufactured materials may be substituted for real stone products.

e. The remainder of the front elevation may be finished with a combination of stucco, fiber cement material, or brick products. The use of vinyl and aluminum siding is prohibited.

f. Building trim should be applied consistently with the architectural style of the home. Trim should be applied so that it adds dimension to the front facade.

g. All finished materials used and their placement on the facade shall be indicated on the elevation rendering when submitted for review to the city.

h. When living space is added above a garage, the front facade shall include windows and other treatments to avoid a large blank wall space above the garage doors.

i. Driveway locations shall be selected to promote pedestrian friendly pathways.

E. Steep Slopes:

1. No development, including clearing, excavation and grading, is permitted where the slope exceeds 30 percent, except roads and trails. The entirety of any areas with slope greater than 30 percent shall remain in natural private or public open space, except as expressly allowed in this section.

2. Slopes over 30 percent may be part of a lot, but may not be included in the building envelope.

3. Roads and other vehicular routes shall not cross slopes greater than 30 percent unless the planning commission determines:

   a. Appropriate engineering measures can be taken to minimize the impact of the cuts and fills, consistent with the purpose of this chapter; and
b. The environment and aesthetics of the area will not be significantly affected.

4. Roads shall not cross slopes over 30 percent without review by the planning commission. In no case shall roads cross slopes greater than 50 percent.

10-10-7: OTHER APPLICABLE REGULATIONS:

To the extent that use and development of land located in residential zones includes any matter governed by other applicable regulations set forth in this title, such regulations shall apply in addition to the requirements of this chapter.
# CHART 10-10
## RESIDENTIAL ZONE DEVELOPMENT STANDARDS
### A. MINIMUM LOT AREA AND WIDTH

<table>
<thead>
<tr>
<th>Zone</th>
<th>Lot Area</th>
<th>Lot Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1-10</td>
<td>10,000 sq. ft.</td>
<td>80 feet, at 30 feet from front lot line</td>
</tr>
<tr>
<td>R-1-15</td>
<td>15,000 sq. ft.</td>
<td>80 feet, at 30 feet from front lot line</td>
</tr>
<tr>
<td>R-1-21</td>
<td>21,780 sq. ft.</td>
<td>100 feet, at 30 feet from front lot line</td>
</tr>
<tr>
<td>R-1-43</td>
<td>43,560 sq. ft. (1 acre)</td>
<td>100 feet, at 30 feet from front lot line</td>
</tr>
<tr>
<td>R-2-10</td>
<td>None</td>
<td>65 feet, at 19 feet from front lot line</td>
</tr>
<tr>
<td>R-2-15</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

### B. MINIMUM YARD FOR RESIDENTIAL BUILDINGS

<table>
<thead>
<tr>
<th>Zone</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Rear Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1-10 R-1-15</td>
<td>25 feet</td>
<td>One side yard: 8 feet</td>
<td>Single-family dwelling: 25 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Both side yards: 18 feet</td>
<td>Any portion of uncovered or covered patio or deck: 20 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Corner lots: 20 feet from street</td>
<td></td>
</tr>
<tr>
<td>R-1-21</td>
<td>25 feet</td>
<td>One side yard: 10 feet</td>
<td>Same as above</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Both side yards: 20 feet</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Corner lots: 20 feet from street</td>
<td></td>
</tr>
<tr>
<td>R-1-43</td>
<td>25 feet</td>
<td>15 feet</td>
<td>Same as above</td>
</tr>
<tr>
<td>R-2-10 R-2-15</td>
<td>Determined with planned unit development approval</td>
<td>Driveways: 24 feet from back of sidewalk; 10% maximum slope unless specifically engineered, but shall not exceed 20%</td>
<td></td>
</tr>
</tbody>
</table>
| R-M     | Determined with planned unit development approval | One side yard: 20 feet | 30 feet
|       | 15 feet     | Both side yards: 40 feet        |                                                                  |
|       |            | Corner lots: 20 feet from street|                                                                  |
|       |            | Structures over 25 feet (both side yards): 20 feet plus 1 foot for each 2 feet above 25 feet |
### C. MINIMUM YARD FOR ACCESSORY BUILDINGS

<table>
<thead>
<tr>
<th>Zone</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Rear Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1</td>
<td>-25 feet</td>
<td>Accessory buildings located in rear yard: 3 feet</td>
<td>3 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Accessory building in side or front yard of main building: same requirements as main building</td>
<td>Corner lots which rear on side yard of another lot: 10 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Side yard next to dwelling on adjacent lot: 10 feet</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Corner lots: 20 feet from street</td>
<td></td>
</tr>
<tr>
<td>R-2</td>
<td>Determined with planned unit development approval</td>
<td>-3 feet</td>
<td>3 feet</td>
</tr>
<tr>
<td>R-M</td>
<td>19 feet</td>
<td>8 feet</td>
<td>3 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>If located 10 feet from adjacent dwelling: 3 feet</td>
<td>Corner lot adjacent to side yard of adjoining lot: 10 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Corner lots: 20 feet from street</td>
<td></td>
</tr>
</tbody>
</table>

### DC. MINIMUM YARD FOR BUILDINGS OTHER THAN RESIDENTIAL AND ACCESSORY BUILDINGS

<table>
<thead>
<tr>
<th>Zone</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Rear Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1</td>
<td>30 feet</td>
<td>20 feet</td>
<td>30 feet</td>
</tr>
<tr>
<td>R-2</td>
<td>40 feet</td>
<td>20 feet</td>
<td>40 feet</td>
</tr>
<tr>
<td>R-M</td>
<td>40 feet</td>
<td>20 feet</td>
<td>40 feet</td>
</tr>
</tbody>
</table>

### ED. MAXIMUM BUILDING HEIGHT

<table>
<thead>
<tr>
<th>Zone</th>
<th>Main Building</th>
<th>Accessory Building</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1</td>
<td>35 feet</td>
<td>1 story up to 16 feet and less than top elevation of main building</td>
</tr>
<tr>
<td>R-2</td>
<td>35 feet</td>
<td>1 story up to 16 feet and less than top elevation of main building</td>
</tr>
<tr>
<td>RM</td>
<td>35 feet</td>
<td>1 story up to 16 feet and less than top elevation of main building</td>
</tr>
</tbody>
</table>
### F. MAXIMUM LOT COVERAGE

<table>
<thead>
<tr>
<th>Zone</th>
<th>Lot Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1 and R-2</td>
<td>25% of rear yard or less than footprint of main building, whichever is less</td>
</tr>
<tr>
<td>R-M</td>
<td>None</td>
</tr>
</tbody>
</table>

### G. DEVELOPMENT DENSITY

<table>
<thead>
<tr>
<th>Zone</th>
<th>Maximum</th>
<th>Minimum</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-2-10</td>
<td>8 units per acre</td>
<td>None</td>
</tr>
<tr>
<td>R-2-15</td>
<td>5.8 units per acre</td>
<td>None</td>
</tr>
<tr>
<td>R-M</td>
<td>20 units per acre</td>
<td>9 units per acre</td>
</tr>
</tbody>
</table>
Chapter 11
RECREATIONAL ZONES

10-11-1:  PURPOSE:

A.  FR Zone: The purpose of forestry recreation zones is to permit development of canyon and hillside areas for forestry, recreation, and other uses to the extent such development is compatible with protection of the natural and scenic resources of these areas for the continued benefit of future generations. Development in forestry recreation zones is intended to:

1.  Allow sensitive and creative development that permits continued enjoyment and protection of such natural areas vital to the attractiveness and economic viability of the city;

2.  Support low density, single-family residential for year round and seasonal occupancy;

3.  Protect and create recreational opportunities open to the public; and

4.  Reflect the natural setting and respect unique site constraints.

B.  RC Zone: The purpose of the resort community zone is to permit development of areas for resort, recreation, and other uses to the extent such development is compatible with protection of natural and scenic resources of these areas for the continued benefit of future generations. Development in the resort community zone is intended to:

1.  Encourage flexible and creative development in order to offer a unique experience in a high quality, visitor friendly setting that contain a complementary mixture of land uses that enhance the experience of the place;

2.  Support destination facilities and venues that encourage use by tourists and visitors from outside the city, including commercial and recreational uses;

3.  Promote and enhance usable open spaces, recreation sites, outdoor areas, and pedestrian walkability; and

4.  Unite varied uses with a consistent theme, appearance, and operations that take advantage of natural assets for public use and recreational potential, yet respect site constraints such as limited access and protection of sensitive and scenic landscapes.

10-11-2:  SCOPE:

The provisions of this chapter shall apply to real property located in a recreational zone as
shown on the official zoning map.

10-11-3: **DEFINITIONS:**

Certain words and phrases in this chapter, including uses, are defined in chapter 3 of this title.

10-11-4: **USES ALLOWED:**

A. Permitted And Conditional Uses: Permitted and conditional uses allowed in recreational zones shall be as set forth on the Table Of Uses in chapter 16 of this title. Permitted and conditional uses are indicated by "P" or "C," respectively. Uses not permitted are indicated by "N."

B. Accessory Uses: Permitted and conditional uses set forth in chapter 16 on the table of uses shall be deemed to include accessory uses and activities customarily associated with and incidental and subordinate to a permitted or conditional use, subject to applicable provisions of this title, including section 10-29-5 of this title.

C. Prohibited Uses: Any use not shown on the Table Of Uses shall be prohibited unless the community development director determines the use is substantially the same as a permitted or conditional use as provided in section 10-5-9 of this title.

10-11-5: **DEVELOPMENT APPROVAL:**

A. Generally. The use and development of land located in recreational zones shall be approved according to applicable administration and development review procedures set forth in chapter 5 of this title.

B. Minimum Zone Area: All areas to be zoned to the forestry residential (FR) zone or resort community (RC) zone shall be at least 15 acres.

C. Site Plan Approval: Any development in recreational zones shall be subject to approval of a site plan as provided in section 10-5-12 of this title.

1. Site plans shall be prepared by a professionally competent designer or team of designers.

2. Site plans for development in the RC zone shall address each of the requirements set forth in section 10-11-5-H in addition to the requirements set forth in section 10-5-12 of this title.

D. Approval By Other Agencies: Prior to site plan approval of any use in forestry recreational and resort community zones, regardless of size or number of units, the applicant shall provide written evidence from the culinary water authority and the sanitary sewer authority certifying that water and sewer system requirements have been satisfied. The city may also request written evidence of approval from any agency having jurisdiction over the property proposed to be developed.

D. Public Support Requirements: The needs of residents in forestry recreation and resort community zones and the challenges of servicing unique sites may require specialized support of various public services. At the discretion of the city, special service districts may be created or required to service these needs. Property owners in forestry recreation zones may therefore be required, to the
extent lawfully authorized, to make property available for public facilities and public support operations to service proposed development as follows:

1. Fire/emergency medical services substation;
2. Police substation;
3. Utility substation;
4. Special service districts for water, sewer or public utilities;
5. Road maintenance and erosion control; and
6. Municipal services in general.

10-11-6: DEVELOPMENT STANDARDS:

A. Generally: The use and development of land located in recreational zones shall conform to the standards set forth in this section and in chart 10-11 except as may be authorized by another provision of this title.

B. Accessory Structures The front of any accessory structure and any additional portion of the structure viewable from a public street shall have materials and color similar to the primary dwelling or structure. Buildings used for agricultural purposes, such as barns or other such buildings to house animals, shall not be subject to this requirement.

C. Design Criteria: The following standards shall apply to development in the recreation community zone.

1. The intent of these standards is to:
   a. Provide for protection of the natural environment and surrounding areas from potentially adverse effects;
   b. Provide for and protect the unique character, livability and scenic quality of the city and site developed;
   c. Provide for fire safety and protection of all structures;
   d. Protect the privacy and quality of life of residents and visitors;
   e. Ensure consistency in the scale and design of structures; and
   f. Provide for adequate open space within the development.

2. Structures and open spaces within the resort community developments shall be arranged, as necessary, to assure that adjacent properties will not be adversely affected and that adjacent properties do not have an adverse effect on the resort community.

3. In keeping with the goal of creating a unique outdoor environment and experience, open space and natural areas should be protected to the maximum extent possible.
a. At least 20% of the land within a resort community zone shall be preserved as permanent natural open space or provided for otherwise.

i. One-half of this permanent open space required shall be maintained in one contiguous lot.

ii. Developed recreation amenities, such as pools, courts, or arenas and developed public spaces, such as plazas and courtyards, do not count as open space.

iii. Amenities that utilize natural open space, such as trails and golf courses do count as open space.

b. A method that is acceptable and approved by the city to maintain open space shall be established prior to sale of any lots. Preservation, maintenance, and ownership of required open spaces within the development shall be accomplished by:

i. Dedication of land as a public park or parkway system;

ii. Granting a permanent open space easement on or over the private open spaces to the city, another government agency or a nongovernmental organization charged with protecting important landscapes. This is intended to guarantee that the open space remain perpetually in recreational and/or open space use, with ownership and maintenance being the responsibility of the owner or an owners’ association established with articles of association and bylaws, which are satisfactory to the city; or

iii. Compliance with the provisions of the Utah Condominium Ownership Act, Utah Code § 57-8-1, et seq., which provides for payment of common expenses for the upkeep of the common areas and facilities.

4. Plans shall delineate a "limits of disturbance" line to indicate the area within which all disturbance and construction shall be contained. The limits should include the principal structure, accessory structures, utilities, services, drainage facilities, and septic tank. Areas required for driveways and leach fields are not included. In drawing this line, the intention is to minimize visual impacts, prevent erosion, conserve water, and preserve natural vegetation, features, and topography.

5. For the benefit of residents and visitors, the city shall protect access to existing and future recreation areas, such as public lands and trails. The city may request easements through areas proposed for development as needed to permit access.

6. Construction of permanent structures shall not occur in sensitive land areas. Sensitive land areas include:

a. Areas with special flood hazard, as provided in title 12 of this code;

b. Wetlands, springs or stream corridors;
c. Natural hazard special study areas, as provided in chapter 18 of this title; and

d. Steep slopes, as provided in subsection H-7 of this section.

7. Steep Slopes:

a. No development, including clearing, excavation and grading, is permitted where the slope exceeds 30 percent. All areas with slope greater than 30 percent shall remain in natural private or public open space, except as expressly allowed in this chapter.

b. Roads and other vehicular routes shall not cross slopes greater than 30%, unless, after review by the planning commission, it is determined that:

i. Appropriate engineering measures can be taken to minimize the impact of the cuts and fills, consistent with the purpose of this section; and

ii. The environment and aesthetics of the area will not be significantly affected.

c. In no case shall roads cross slopes over 50 percent.

8. Grading shall be minimized to protect existing vegetation and natural drainage patterns, reduce erosion and dust during construction, and to minimize visual impacts.

a. Natural drainage patterns shall be maintained to the greatest extent possible. The amount of water runoff currently moving from the project site to adjacent areas shall not exceed preconstruction levels. Alternative stormwater retention is encouraged to minimize runoff.

b. Buildings shall be designed to integrate into natural slopes. Mass grading to create a flat building pad is discouraged.

c. All cut and fill surfaces shall be regraded to match the surrounding topography as closely as possible.

d. All cut and fill surfaces shall be replanted with native plants similar in type to plants that were destroyed.

9. Ridgelines should be retained in a natural state and development near ridgelines should blend with the natural contour of these features. Development near designated ridgelines as designated on the official zoning map should be sited and constructed to avoid creating a silhouette against the sky or backdrop when viewed from three designated vantage points:

a. 5600 West and 13400 South;

b. 6400 West and 13400 South; and

c. 7000 West and Rose Canyon Road.
10. Existing vegetation shall be protected in its natural state to the greatest extent possible.
   a. All trees over 6 inches in caliper or plants over 10 feet tall shall be noted on plans and marked in the field for the duration of construction.
   b. All clearing of existing vegetation shall be a conditional use, subject to planning commission approval. Clearing outside the limits of disturbance is discouraged.
   c. Native compatible trees and vegetation shall be utilized in new landscaping.
   d. New landscaping shall be designed to minimize the threat of wildfire to built structures.

11. Protecting wildlife and their natural habitat is important for maintaining the natural ecosystem and for the enjoyment of residents and visitors.
   a. Proposals in the resort community zone shall note important natural features and vegetation that serve as habitat, and identify wildlife that may be present in different seasons.
   b. Site plans should minimize the impact of development by:
      i. Siting buildings, structures, roads, trails, and other construction to avoid significant natural features and to maintain a sufficient buffer between these important natural areas and human activity;
      ii. Facilitate wildlife movement by designing natural corridors between natural areas and by minimizing fences and road crossings;
      iii. Maintaining the natural structure of the site, different layers of vegetation; and
      iv. Revegetating degraded areas with native plants and selecting plants that benefit wildlife for new landscaped areas.

12. Signage in the resort community zone should help unify the development and provide a positive image.
   a. Signage shall be kept to the minimum necessary to identify destinations and direct people through the development.
   b. Signage shall be designed as a coordinated signage system for the entire project and should be sensitive to the needs of visitors.
   c. Signage for the purpose of advertising shall be used to the minimum extent possible and shall be regulated in the development’s covenants, conditions, and restrictions.
   d. Natural materials such as wood, stone, rock and metal should be used.
e. Signs shall be illuminated with external, directed lighting.

13. Building Design:
   a. Buildings shall follow a consistent design theme across the development to unify the resort community.
   b. Proposed structures shall be complementary to the surrounding landscape in terms of scale, massing, roof shape and exterior materials.
   c. Buildings shall not create large bulky masses, but should be scaled down into groupings of smaller attached structures.
   d. Buildings shall be placed on the site and designed to minimize adverse effects on adjacent properties.
   e. Buildings should be sited so as not to visually break the ridgeline as set forth in subsection C-9 of this section.
   f. Buildings shall be sited and constructed to resist wildfire. Applicants may be asked to complete a “technical analysis” for the unified fire authority in order to evaluate the safety of a proposal and mitigate safety impacts.
   g. Except as otherwise specifically provided in this title, all buildings and structures shall meet the following height standards:
      i. Building heights shall not exceed 35 feet from the lowest finished grade touching the building to the top of the roofline. Where the grade slopes, this dimension shall not be exceeded at any point along the slope.
      ii. No single-family dwelling structure shall have less than one story above ground.

14. Buildings shall be designed to complement the natural beauty of the surrounding landscape.
   a. Buildings and accessory structures shall follow a consistent theme, focused on natural materials and colors to blend with the surrounding landscape.
   b. Wood and stone and other harmonious materials shall be used. The use of bland, unpainted concrete blocks and unpainted metal is prohibited on exterior surfaces.
   c. Materials, colors and surfaces shall have little or no reflectivity.

15. Circulation networks shall be designed to consider all forms of travel, including, but not limited to, vehicles, bicycles, pedestrians and equestrian use.
   a. A traffic impact study shall be required to project auto and truck traffic generated by the uses proposed.
b. Street widths, materials and configurations should vary depending on the proposed traffic level and need for emergency access.

c. Continuous pedestrian and bicycle access shall be provided with minimal barriers to handicapped or elderly persons.

16. Streets, roads, private access roads, driveways, and other vehicular routes shall be designed to minimize the amount of disturbance while allowing safe access.

a. Vehicular routes shall not cross slopes greater than 50 percent.

b. Vehicular routes shall follow natural contour lines to the greatest extent feasible to minimize cut and fill and disturbance to existing vegetation.

c. Driveways shall have a maximum grade of 12 percent.

17. Parking and loading areas shall be designed to accommodate the diverse uses of the resort community zone.

a. Parking spaces for residents shall be provided on site to minimize road widths.

b. Parking for guest properties shall be provided primarily off street and shall be sufficient to serve those properties.

c. Cluster type and shared parking is recommended where feasible.

d. Parking areas shall be broken into smaller lots to avoid large expanses of paving.

e. Parking lots shall include ample landscaping to buffer them from neighboring properties.

f. Areas for loading/unloading of business supplies shall be provided in unobtrusive locations that do not conflict with primary circulation routes.

g. Areas for the loading/unloading of vehicles used for recreation, such as trailers, shall be provided as needed.

18. Fences should be used to the minimum extent possible to limit their visual impact and allow access to public areas, as needed. Fences shall conform to the standards set forth in city engineering standards.

a. No fence shall be constructed unless shown on an approved site plan.

b. No fence in excess of 42 inches in height shall be constructed or installed outside the designated limits of disturbance, except as required by the city for uses such as corrals for permitted animals.
c. Fences in front yards and along roadways shall not exceed 42 inches in height.

d. Fences shall not inhibit the movement of wildlife along known travel corridors.

19. Lighting shall be limited to promoting safety and visibility, as necessary. Lighting may vary from city standards in this zone, but any variations shall be submitted on a lighting plan for the approval of the city engineer.

   a. Outdoor lighting shall be shielded or hooded to prevent glare onto adjacent properties and minimize the amount of light directed toward the sky.

   b. Selective lighting of signs shall be allowed to assist in visibility only.

   c. A greater number of smaller light fixtures shall be used instead of large, high intensity fixtures.

   d. Incandescent lights should be used in smaller pedestrian spaces where quality light is especially important.

20. Utilities: All utilities shall be buried underground for protection from natural elements and to be visually unobtrusive. Utility location and service shall be coordinated with the city as needed, as set forth in subsection 10-11-6-C of this chapter.

10-11-7: PRIOR CREATED PLANNED UNIT DEVELOPMENTS:

   A. Prior Development: Planned developments in forestry residential zones approved prior to April 2, 2015 which have been constructed pursuant to such approvals, are considered legally conforming.

   B. New Development: New planned developments shall be prohibited in forestry residential zones.

10-11-8: OTHER APPLICABLE REGULATIONS:

To the extent that use and development of land located in recreational zones includes any matter governed by other applicable regulations set forth in this title, such regulations shall apply in addition to the requirements of this chapter.
# Chart 10-11
**Recreational Zone Development Standards**

## A. Minimum Lot Area and Width

<table>
<thead>
<tr>
<th>Zone</th>
<th>Lot Area</th>
<th>Lot Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>FR-1</td>
<td>1 acre</td>
<td>150 feet, at 30 feet from front lot line</td>
</tr>
<tr>
<td>FR-2.5</td>
<td>2.5 acres</td>
<td>250 feet, at 50 feet from front lot line</td>
</tr>
<tr>
<td>FR-5</td>
<td>5 acres</td>
<td>250 feet, at 50 feet from front lot line</td>
</tr>
<tr>
<td>FR-10</td>
<td>10 acres</td>
<td>250 feet, at 50 feet from front lot line</td>
</tr>
<tr>
<td>FR-20</td>
<td>20 acres</td>
<td>250 feet, at 50 feet from front lot line</td>
</tr>
<tr>
<td>RC</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

## B. Minimum Yard for Residential and Accessory Buildings

<table>
<thead>
<tr>
<th>Zone</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Rear Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>FR-1 and FR-2.5</td>
<td>40 feet</td>
<td>One side yard: 25 feet</td>
<td>Single-family dwelling: 40 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Both side yards: 50 feet</td>
<td>Any portion of uncovered or covered patio or deck: 40 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Corner lot: 35 feet from street</td>
<td></td>
</tr>
<tr>
<td>FR-5</td>
<td>50 feet</td>
<td>One side yard: 30 feet</td>
<td>Same as above</td>
</tr>
<tr>
<td>FR-10</td>
<td></td>
<td>Both side yards: 60 feet</td>
<td></td>
</tr>
<tr>
<td>FR-20</td>
<td></td>
<td>Corner lot: 40 feet from street</td>
<td></td>
</tr>
<tr>
<td>RC</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

## C. Minimum Yard for Buildings Other Than Residential and Accessory Buildings

<table>
<thead>
<tr>
<th>Zone</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Rear Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>All FR zones</td>
<td>50 feet</td>
<td>30 feet</td>
<td>40 feet</td>
</tr>
<tr>
<td>RC</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

## D. Maximum Building Height

<table>
<thead>
<tr>
<th>Zone</th>
<th>Main Building</th>
<th>Accessory Building</th>
</tr>
</thead>
<tbody>
<tr>
<td>All FR zones</td>
<td>35 feet</td>
<td>1 story up to 16 feet and less than top elevation of main building</td>
</tr>
<tr>
<td>RC</td>
<td>See subsection H-13 of this section</td>
<td>None</td>
</tr>
</tbody>
</table>
### E. LOT COVERAGE OF ALL BUILDINGS, PAVED SURFACES, AND GRADED AREAS

<table>
<thead>
<tr>
<th>Zone</th>
<th>Maximum Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>FR-1</td>
<td>20%</td>
</tr>
<tr>
<td>FR-2.5</td>
<td>15%</td>
</tr>
<tr>
<td>FR-5</td>
<td>10%</td>
</tr>
<tr>
<td>FR-10 and FR-20</td>
<td>5%</td>
</tr>
<tr>
<td>RC</td>
<td>None</td>
</tr>
</tbody>
</table>

### F. DEVELOPMENT DENSITY

<table>
<thead>
<tr>
<th>Zone</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>FR-1</td>
<td>1 unit per acre</td>
</tr>
<tr>
<td>FR-2.5</td>
<td>1 unit per 2.5 acres</td>
</tr>
<tr>
<td>FR-5</td>
<td>1 unit per 5 acres</td>
</tr>
<tr>
<td>FR-10</td>
<td>1 unit per 10 acres</td>
</tr>
<tr>
<td>FR-20</td>
<td>1 unit per 20 acres</td>
</tr>
<tr>
<td>RC</td>
<td>1 unit per 2.5 acres</td>
</tr>
</tbody>
</table>
Chapter 29
SUPPLEMENTARY AND QUALIFYING REGULATIONS

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10-29-2: Scope
10-29-3: Definitions
10-29-4: Abandoned and Junk Vehicles

10-29-5: Accessory Uses And Structures

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10-29-7: Animals And Fowl
10-29-8: Antenna, Monopole
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10-29-10: Antenna, Wall Mounted
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10-29-40: Second Kitchen In Single-Family Dwelling
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10-29-48: Uses Not Listed; Administrative Determination
10-29-1: **PURPOSE:**

The purpose of this chapter is to provide for the miscellaneous land development regulations which apply throughout the city regardless of zone.

10-29-2: **SCOPE:**

The requirements of this chapter shall apply in addition to the development and use standards set forth in other chapters of this title and shall prevail over any conflicting provision of this title unless a different requirement is expressly intended to supersede such provision.

10-29-3: **DEFINITIONS:**

Certain words and phrases in this chapter are defined in chapter 3 of this title.

10-29-4: **ABANDONED VEHICLES:**

A. **Prohibited:** Parking or storage of any abandoned, wrecked, or junk vehicle in any zone shall be prohibited except as expressly authorized under this title or this code.

B. **Exceptions:** Notwithstanding the foregoing, storage of vehicles is permitted as follows:

1. One truck, with a capacity of one ton or less, or one automobile which is not currently licensed and registered in this state or another state but is otherwise operable, may be stored on property for two years if it is secured with the windows closed, the trunk and hood closed, and the doors locked, and is not damaged exposing jagged metal.

2. One truck, with a capacity of one ton or less, or one automobile which is inoperable, may be stored in a side yard, except a side yard which faces on a street, or a rear yard on property for two years, provided:

   a. The automobile or truck is secured with the windows closed, the trunk and hood closed, and the doors locked, and is not damaged exposing jagged metal;

   b. The automobile or truck is not visible from any public street; and

   c. The automobile or truck is entirely concealed by a covering which is maintained in good condition and which does not extend closer to the ground than the lowest point of the vehicle body.

3. All existing legal nonconforming motor vehicles as of the effective date hereof, or any amendment hereto, shall comply with the provisions of this subsection within one year from the date of the enactment or any amendment thereto.

10-29-5: **ACCESSORY USES, BUILDINGS, AND STRUCTURES:**
A. Permitted. Accessory uses, buildings, and structures shall be permitted in all zones provided they are incidental to, and do not substantially alter a principal use or structure, subject to the provisions of this section and the zone where they are located. No accessory use, building, or structure shall be allowed on a lot unless a permitted or conditional use exists on the same lot.

B. Front Yard. No accessory building or structure shall be located in a front yard unless expressly authorized by a provision of this title.

C. Side Yard:
   1. In all A and R-1 zones, garages and other accessory buildings located in a rear yard shall have a minimum side yard of at least 3 feet. If located in the side or front yard of a main building, the accessory building shall meet the side and front yard requirements applicable to the main building. If the building is located adjacent to the side yard of a dwelling on an adjoining lot, the building shall be at least 10 feet from property line. On corner lots, the side yard shall be 20 feet from the public street.
   2. In all R-2 zones, the minimum side yard requirement for an accessory building which is in a rear yard shall be 3 feet.

D. Rear Yard:
   1. In all A and R-1 zones, the minimum rear yard for accessory buildings shall be 3 feet except that on corner lots which rear upon the side yard of another lot, accessory buildings shall not be closer than 10 feet to such side yard.
   2. In all R-2 zones, the minimum rear yard for an accessory building shall be 3 feet.

E. Size and Lot Coverage: On lots under one-half acre, an accessory building shall not exceed 800 square feet or cover more than 25 percent of the rear yard. On lots one-half acre or larger, no accessory building or group of accessory buildings shall cover more than 25 percent of the rear yard.

F. Height: Accessory buildings shall have a maximum of 16 feet in height, except:
   1. On lots one-half acre or larger, an accessory building may have a maximum height of 20 feet.
   2. On lots one-half acre or larger, an accessory building may have a maximum height of 25 feet if the side and rear setbacks for the building are at least 10 feet.
Land shall be developed only where existing infrastructure is in place or will be timely provided to service proposed development. The city may require an analysis to be completed to determine whether adequate public facilities are available to service a development and whether such development will change existing levels of service or will create a demand which exceeds acceptable levels of service for roadways, intersections, bridges, storm drainage facilities, water lines, water pressure, sewer lines, fire and emergency response times, and other similar public services. The city may disapprove a proposed development if demand for public services exceeds service levels adopted by the city. No subsequent approval of such development shall be given until either the developer or the city installs improvements calculated to raise service levels to the standards adopted by the city.

10-29-7: ANIMALS AND FOWL:

A. Permitted For Family Food Production: The keeping of animals and fowl is allowed as set forth in the chart below in zones where “family food production” is a permitted use or conditional use.

1. The number of animals and fowl may be doubled temporarily if the increase is related strictly to meat or milk production, or for a bona fide youth project such as 4-H and fair projects.

2. The keeping of more animals and fowl than listed in the chart or allowed temporarily for meat or milk production may be approved in zones where family food production is allowed as a conditional use.

3. Small animals and fowl shall be rabbits, chickens (including hens and pullets but excluding roosters), pheasants, ducks, and pigeons. Medium animals and fowl shall be sheep, goats, turkeys, geese, and miniature horses. Large animals shall be cows, horses, and alpaca.

4. The keeping of animals and fowl shall conform to good animal husbandry practices including, but not limited to, mitigation of noise, smells, insects, rodents, dust, or other nuisances resulting from the keeping of animals and fowl.

5. No animals or fowl described in subsection A shall be kept or maintained closer than 40 feet from any dwelling on an adjacent parcel of land, and no barn, stable, coop, pen, or corral shall be kept closer than 40 feet from any street.

<table>
<thead>
<tr>
<th>Zone</th>
<th>Lot Size</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>.49 Acre Or Less</td>
</tr>
<tr>
<td>A-.25</td>
<td>Permitted: 40 small animals and 2 medium animals</td>
</tr>
<tr>
<td>A-.50</td>
<td></td>
</tr>
<tr>
<td>A-1</td>
<td></td>
</tr>
<tr>
<td>R-1-21</td>
<td></td>
</tr>
<tr>
<td>R-1-43</td>
<td></td>
</tr>
</tbody>
</table>

B. Foster Animals: Owners of dogs and cats may obtain a permit to keep more than three dogs or cats in a residential zone provided that:

1. Only one dog or one cat with unweaned puppies or kittens shall be kept at a time;
2. Such animal shall be the property of a local public animal shelter or an internal revenue code section 501(c)(3) animal welfare organization;
3. Such pets are awaiting adoption;
4. Approval is granted by the health department;
5. Adequate areas for confinement and shelter are provided;
6. No pet or premises is deemed to be a nuisance;
7. The animal shall be kept for no more than six months; and
8. A foster animal permit is obtained from Salt Lake County animal control.

C. Fancier Permit: Owners of dogs and cats may obtain a permit to keep more than three dogs and cats in a residential zone provided that:
   1. Each animal is registered with a national registry and eligible for licensing by Salt Lake County animal services;
   2. Approval is granted by the city and Salt Lake County animal services; and
   3. Adequate areas for shelter and confinement are verified.

D. Hobby Permit: Owners of dogs and cats may obtain a permit to keep more than three dogs, cats, or ferrets in a residential zone provided that:
   1. Each animal is rendered sterile and individually licensed;
   2. Approval is granted by the city and Salt Lake County animal control; and
   3. Adequate areas for shelter and confinement are verified.

E. Exotic Animal Permit: Any person, over 18 years of age, may obtain an exotic animal permit upon:
   1. Demonstrating sufficient knowledge of the species to provide adequate care,
   2. Providing proof of adequate caging;
   3. Providing proof that the animal poses no threat to the health and safety of the community in the event the animal should escape, and
   4. Providing proof of any required state or federal license.

10-29-8: **ANTENNA, MONOPOLE:**
In addition to the other provisions of this title, monopoles are allowed in the zones in which they are listed, subject to the provisions set forth in this section:

A. Monopoles shall be constructed so as to allow a collocation of a second user on the base or original pole.

B. The height of the pole shall be limited to 50 feet above grade, unless approved by the planning commission for a greater height, but in no case greater than 100 feet above grade.

C. The distance between a monopole and a residential structure shall be at least 150 feet unless the planning commission determines a greater distance is necessary to meet the requirements for approval of a conditional use permit, when the monopole is authorized as a conditional use.

D. The applicant shall submit images or drawings of a proposed monopole to show what it will look like when built. The images or drawings shall show two vantage points as determined by the community development director.

E. Property owners within 600 feet of a monopole shall be given notice of the public meeting before the planning commission to consider approval of a conditional use permit.

F. Every effort should be made to keep a monopole 100 feet from a public street.

G. Each telecommunication company requesting a monopole shall submit a general master plan of the proposed number of poles projected within the city limits over the subsequent three years.

H. A monopole and the site the pole occupies shall be properly maintained. The pole shall be removed within 60 days after the communications use is discontinued.

I. Monopoles may be required to be designed to blend into their surroundings.

10-29-9: ANTENNA, ROOF MOUNTED:

A. Where Permitted, Conditional: Roof mounted antennas shall be a permitted use in commercial, office, and industrial zones, and a conditional use in all other zones.

B. Appearance: Roof mounted antennas shall be constructed, painted, or fully screened to match as closely as possible the color and texture of the building and wall on which it is mounted.

C. Screening: Roof mounted antennas may be mounted on the top of existing penthouses or mechanical equipment rooms if the antennas and antenna support structures are enclosed or visually screened from view. Screening structures may not extend more than 8 feet above the existing roofline of the penthouse or mechanical equipment room.

D. Distance; Height: Antennas not mounted on a penthouse or mechanical equipment room shall be mounted at least five feet back from the exterior wall of the building. The maximum height of an antenna mounted between five feet and 10 feet back from the
exterior wall shall be directly proportional to the setback distance, and may not exceed 10 feet above the roofline of the building. Antennas shall be mounted at least five feet behind any parapet wall. An antenna may not exceed more than 15 feet above the roofline of the building itself, except as allowed as a conditional use. Similarly, a roof mounted antenna may not extend above the roofline of a penthouse or mechanical equipment room, except as allowed as a conditional use.

10-29-10: ANTEANNA, WALL MOUNTED:

A. Where Permitted, Conditional: Wall mounted antennas shall be a permitted use in commercial, office, and industrial zones, and conditional use in all other zones.

B. Size: Wall mounted antennas may not extend above the wall line of the building or extend more than four feet horizontally from the face of the building.

C. Appearance Of Supporting Structures: Antennas, equipment, and the supporting structures shall be painted to match the color of the building or structure, or the background against which they are most commonly seen. Antennas and supporting structures on the building shall be architecturally compatible with the building.

D. Mounted Antennas: Antennas mounted directly on existing walls, penthouses, or mechanical equipment rooms shall be deemed a wall mounted antenna if no portion of the antenna extends above the roofline of those building structures.

10-29-11: APIARIES:

An apiary is allowed in any zone which allows single-family residential, with the following requirements:

A. Lots may contain two hives per 10,000 square feet, but not more than four hives or equivalent capacity. Hives shall be located in the side or rear yard.

B. If required by state law, each beekeeper shall be registered with the Utah department of agriculture and food.

C. Honeybee colonies shall be kept in hives with removable frames which shall be kept in sound and usable condition.

D. Hives shall be placed at least five feet from any property line and six inches above the ground, as measured from the ground to the lowest portion of the hive, provided, however, that this requirement may be waived if permission is attained in writing by the adjoining property owner.

E. Hives shall be operated and maintained as provided in the Utah Bee Inspection Act.

F. Each hive shall be conspicuously marked with the owner’s name, address, telephone number, and state registration number, if any.
G. Each beekeeper shall ensure that a convenient source of water is available to the colony continuously between March 1 and October 31 of each year. The water shall be in a location that minimizes any nuisance created by bees seeking water on neighboring property.

H. A fence may be required upon complaint from the neighbor.

10-29-12: BUILDABLE AREA:

Every lot created after the effective date of this title shall have a buildable area sufficient to place a building or structure thereon which meets the minimum standards of the zone where the lot is located. Buildable area shall be required to be depicted on a proposed subdivision plat, site plan, or plot plan for the purpose of notifying future owners of the approved buildable area based on applicable development standards. Area within an easement may not be included within buildable area unless the easement beneficiary executes and records a release of the easement in a form acceptable to the city attorney.

10-29-13: BUILDING ON LEGALLY CREATED LOT:

A. Legal Lot: Every building, including a dwelling, shall be located and maintained on a legally created lot as defined in this title, unless such lot is a legally nonconforming lot.

B. Number Of Single Family Dwellings On One Lot: Not more than one single family dwelling shall occupy a lot except as authorized by the provisions of this title.

10-29-14: BUS SHELTERS:

Bus shelters authorized by the state transit authority and sited with approval of affected property owners, if any, and the planning commission, may be placed within the front yard setback required in the zone in which the shelter is located.

10-29-15: COMMERCIAL SHORT TERM RENTAL OF DWELLINGS PROHIBITED:

It shall be deemed a commercial use and unlawful to lease or rent any dwelling or portion thereof located within any agricultural or residential zones for lodging or accommodation purposes for a period less than 30 consecutive days, except as specifically allowed in the R-M zone.

10-29-16: DAYCARE AND PRESCHOOLS:

A "daycare/preschool center," as defined in chapter 3 of this title, shall be subject to the following conditions:

A. Compatibility: A daycare/preschool center located within an existing building shall be compatible with existing and proposed land uses located on the same lot. New construction shall be compatible in design and scale of building with existing development within the same area.

B. State Approval: A daycare/preschool center shall be approved as required by the state department of social services.
C. Parking: Parking, pickup, and delivery areas shall be provided as required by chapter 24 of this title.

E. Frontage: In any zone, except the R-M, C-1, C-2, or M-1 zones, the lot on which a daycare/preschool center is located shall have frontage on a street with an existing right-of-way of 80 feet or greater.

F. Home Occupation: A home daycare/preschool shall meet the home occupation requirements set forth in chapter 22 of this title and the following additional requirements:

1. The operator shall be a bona fide resident of the premises where the home occupation is conducted.

2. The number of children attending a daycare or preschool center shall conform to applicable requirements of the Utah code.

3. Outdoor play areas shall be fenced and located only in a rear yard or side yard. No play or yard equipment shall be located in the front yard.

4. Notwithstanding subsection C, no additional parking or drop-off area shall be created.

5. A daycare or preschool center operated as a home occupation shall be prohibited if located on a shared driveway.

10-29-17. EASEMENTS:

A. Acknowledgment Required. No dwelling, main building, or permanent accessory building shall be located within a recorded easement area unless the property owner either produces evidence satisfactory to the community development director that the easement has been abandoned, or executes a recordable document, in a form approved by the city attorney, acknowledging that notwithstanding apparent abandonment of the easement, the structure may be subject to the superior interest of the easement holder and may be required to be relocated at the property owner’s expense to accommodate such interest.

B. Location. Any structure in an easement area shall be located pursuant to the setback and other applicable requirements of this title.

C. No Change In Legal Rights. Nothing in this section is intended to expand or restrict the rights or obligations of any party to any recorded easement.

10-29-18: FLAG LOTS:

A. Purpose: Flag lots are intended to apply only to exceptionally deep or odd shaped parcels that are isolated from public streets and would be difficult to develop or utilize in any other way. An applicant shall demonstrate that a flag lot is the most appropriate development option and that it will not detract from the surrounding neighborhood.

B. Minimum Requirements: A flag lot shall meet the following minimum requirements:
1. The staff portion of a flag lot shall front on and be contiguous to a dedicated local public street. Flag lots shall not front on a collector or arterial street.

2. The minimum width of the staff portion of a flag lot shall be 20 feet. On properties where the length of the staff is greater than 150 feet, the width of the staff shall be no less than 25 feet of drivable surface unless otherwise recommended by the city engineer and fire marshal and approved by the planning commission.

3. The maximum length of a flag lot shall be 220 feet unless otherwise approved by the planning commission upon recommendation of the unified fire authority.

4. The flag lot shall have a hard surfaced driveway from a public street to the required parking area for the flag lot. Adequate provisions shall be made for drainage of the driveway such as curb and gutter, berming, or swales.

5. A flag lot shall not be created as part of a subdivision where there are more than two lots in the subdivision or from an illegally divided lot or parcel.

6. A flag lot shall not gain access via an easement on an adjacent property.

7. No building or construction, except for driveways, shall be allowed on the staff portion of a flag lot unless the minimum width thereof is the same or greater than the minimum width for a lot as allowed by the zone in which the flag lot is located (excluding entrance features and streetlights).

8. The front side of the flag portion of a flag lot shall be deemed to be that side nearest to the dedicated public street upon which the staff portion fronts, unless otherwise determined by staff on a case by case basis.

9. The staff portion of a flag lot shall be deemed to end, and the flag portion of the lot shall be deemed to commence, at the extension of the front lot line.

10. The square footage of a flag lot shall be at least one-half acre. The square footage located in the flag portion of the lot, which shall be exclusive of the square footage located in the staff portion of the lot, shall be at least one-third acre.

11. The front, side, and rear yard requirements of the flag portion of a flag lot shall be the same as required by the zone in which the lot is located.

12. Only one single family dwelling shall be allowed on a flag lot.

13. The approved building envelope of a flag lot shall be illustrated upon the final subdivision plat.

14. A six foot solid vinyl fence shall be installed on all sides of a flag lot, including along both sides of the staff portion of the lot, subject only to the requirements of section 10-21-3 of this title regarding front yard fencing.

15. All applicable street improvements, including curb, gutter, and sidewalk, shall be installed along the front of both the flag lot and the lot or parcel from which it is being subdivided.

10-29-19: **FRONT YARD MEASUREMENT:**
When a front yard is required for a lot facing on a street for which an official map has been recorded, the depth of such front yard shall be measured from the mapped street line shown on the official map.

10-29-20: FRONT YARD SETBACK REDUCTION ON CUL-DE-SACS:

When a front yard is adjacent to the circle of a cul-de-sac, the setback for a main building may be reduced to 22 feet.

10-29-21: GASOLINE PUMP REQUIREMENTS:

A. Setback Requirements: Gasoline pumps shall be set back not less than 18 feet from any street line to which the pump island is perpendicular and 12 feet from any street line to which the pump island is parallel, and not less than 10 feet from any residential zone boundary line. If the pump island is set at an angle on the property, it shall be so located that vehicles stopped for service will not extend over the property line.

B. Canopies: Canopies constructed to provide a weather shield over gasoline pump islands shall be set back not less than six feet from any street line and not less than 10 feet from any residential zone boundary.

10-29-22: HEIGHT, ACCESSORY BUILDINGS:

No building which is accessory to a single-family, two-family, three-family, or four-family dwelling shall exceed 16 feet in height, except in the A-1, A-.5 and A-.25 zones on lots one-half acre or larger, the accessory building may be a maximum of 20 feet in height.

10-29-23: HEIGHT, BUILDINGS LESS THAN ONE STORY:

No building shall be erected to a height less than one story above grade.

10-29-24: HEIGHT MEASUREMENT, EXCEPTIONS, AND LIMITATIONS:

A. Height Measurement.

1. Except as provided in subsection A-2, allowable height shall be the vertical distance from finished grade to the highest point of the building or structure.

2. For sloped lots or buildings with varied floor elevations, the height of a building shall be the vertical distance from the average elevation of the ground under the building to the allowed number of feet above and parallel to the finished grade. The average level of ground shall be determined by adding the elevation of the highest and lowest foundation points of the building and dividing by two (the midpoint of foundation).

BA. Height Exceptions: The following may be erected above the height limits prescribed in this title:

1. Penthouse and roof structures for elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain a building, and
2. Fire or parapet walls, skylights, towers, steeples, flagpoles, chimneys, smokestacks, water tanks, wireless or television masts, theater lofts, silos, and similar structures.

- **CB.** Height Limitations:

1. No space above the height limits prescribed in this title shall be allowed for the purpose of providing additional floor space.

2. The height limits prescribed in this title shall not be exceeded in any area governed by airport height provisions.

- **CD.** Agricultural Structures: Agricultural structures may have less than one story.

**10-29-25:** LOTS AND PARCELS USED AS ONE BUILDING SITE:

When a common side lot line separating two or more contiguous lots is covered or proposed to be covered by a building, such lots shall constitute a single building site and the setback requirements of this title shall not apply to the common lot line if a document is recorded indicating the owner's intent to use the combined lots as a single development site. The setback requirements of this title shall apply only to the exterior side lot lines of the contiguous lots so joined.

**10-29-26:** LOTS AND PARCELS CREATED WITHOUT MINIMUM WIDTH AND AREA:

No lot which has less than the minimum width and area requirements for the zone in which it is located may be created except within a planned development or as authorized by a duly granted variance or other provision of this title.

**10-29-27:** LOTS AND PARCELS NOT MEETING MINIMUM AREA AND WIDTH:

Minimum lot area and width requirements of this title shall not be construed to prevent the use of a lot for a single-family dwelling so long as such lot was held in separate ownership on the effective date of this title; and was legally created when it became nonconforming as to the minimum area or width.

**10-29-28:** LOT COVERAGE:

A building or group of buildings and associated accessory buildings shall conform to the lot coverage requirements of the zone in which they are located. If such zone has no lot coverage requirement, then such buildings shall not cover more than 50 percent of the area of the lot on which they are located.

**10-29-29:** LOT, DOUBLE FRONTAG:

A lot having frontage on two or more streets shall be prohibited except for corner lots and double frontage lots in subdivisions which abut an arterial or collector street shown on the city's master street plan.

A. Access: Double-frontage lots shall be accessed only from an internal subdivision street.
B. Lots With More Than One Front Lot Line: Frontage on lots having a front lot line on more than one street shall be measured on one street only.

10-29-30: LOT GRADE:

A. Grade At Property Line: The grade of a lot along a property line shall be:
   1. The grade shown on an approved subdivision grading plan; or
   2. The naturally occurring grade.

B. Grade From Property Line: The grade of a slope from a property line shall not exceed 25 percent except as permitted by a variance approved under section 10-5-21 of this title.

10-29-31: MODEL HOME SALES OFFICE:

A. Street Paving: Model units shall not be used until streets are paved.
B. Parking: Parking shall be in designated parking areas only.
C. Signage: Signage shall conform to the requirements of chapter 27 of this title.
D. Hours Of Operation: Operating hours shall be between 9 A.M. to 8:30 P.M.
E. Restoration: The unit shall be converted back to a dwelling within 120 days after the last unit within the project is sold.
F. Lighting: Lighting shall be low level and compatible with a residential area.
G. Business Activity: The activity conducted within a model home shall be sales only; and not related to construction or production.

10-29-32: OCCUPANCY PERMIT:

A. Compliance: Land, buildings, and premises in any zone shall hereafter be used only for purposes authorized by this title in such zone and in accordance with the regulations established for the zone.

B. Issuance: An occupancy permit shall be issued by the community development director to the effect that the use and/or building or premises conforms to the provisions of this title and related ordinances prior to the occupancy of any building hereafter erected, enlarged, or structurally altered, or where any vacant land is hereafter proposed to be occupied or used.

C. Change Of Use: Such a permit shall also be issued whenever the character or use of any building or land is proposed to be changed from one use to another use.

D. Verification Request: Upon written request from the owner, such a permit shall also be issued covering any lawful use of a building or premises existing on the date of city incorporation.
10-29-33: **OFF SITE IMPROVEMENTS:**

A. Off Site Improvements Required: The applicant for a building or conditional use permit for all dwellings within an approved subdivision, commercial or industrial uses, and all other business and public and quasi-public uses, shall provide curb, gutter, and sidewalk along the entire property line which abuts any public road or street in cases where it does not exist at city standards.

1. Vehicular entrances to the property shall be approved by the community development director.

2. Height, location, structural specifications, maximum and minimum cut radius and minimum roadway approach angles to the centerline of the street are subject to the approval of the agency concerned.

B. Fee In Lieu Of Improvements:

1. Where conditions exist which make it unfeasible or impractical to install such curb, gutter, and sidewalk, the applicant may, in lieu of providing the improvements, pay to the city a fee equal to the estimated cost of such improvements, as determined by the community development director. Upon payment of such fee by the developer, the city shall assume the responsibility for future installation of such improvements.

2. The city treasurer shall place such fees in a special account, and shall credit to such account a proportioned share of interest earned from investment of city monies. Records relating to identification of properties for which fees have been collected, fee amounts collected for such properties, and money transfer requests, shall be the responsibility of the community development department.

10-29-34. **OUTDOOR LIGHTING:**

A. General Provisions. Outdoor lighting fixtures shall be arranged to direct light away from adjoining residential property.

1. Lighting fixtures mounted on utility poles shall be fully shielded, cut-off type fixtures that will not allow light dispersion or direct glare to shine above a 90 degree horizontal plane from the base of the fixture.

2. Detached lighting of signs, buildings and displays shall be directed downward. Uplighting shall be prohibited except as allowed in landscaped areas as part of an approved site plan, conditional use permit, or other plan or permit.

3. Electrical service to outdoor lighting fixtures shall be underground unless fixtures are mounted directly on utility poles.

B. Exemptions. The following types of outdoor lighting shall be exempt from the provisions of this section:

1. Holiday lighting during the months of November, December, and January,
provided such lighting does not create dangerous glare on adjacent streets or property;

2. Temporary lighting for temporary uses approved as part of a temporary use permit pursuant to section 10-5-14 of this title;

3. Lighting associated with agricultural operations;

4. Construction or emergency lighting, provided such lighting is temporary and is discontinued when the need for such lighting ends; and

5. Roadway lighting.

10-29-35. PRIVATE RIGHT-OF-WAY:

The community development director shall not authorize a building permit for a dwelling located on a lot accessed only by a private right-of-way except under one of the following conditions:

A. Nonconforming Lot. The lot was legally created and recorded prior to the effective date of this title.

B. Variance. A variance is granted by the appeal authority.

C. Planned Development or Condominium. The lot is part of an approved planned development or condominium.

10-29-36: PUBLIC AND QUASI-PUBLIC USES:

A. The requirements of this title as to minimum lot area and minimum yards may be reduced by the planning commission for a public use. The planning commission shall not authorize a reduction in the lot area or yard requirements unless the evidence presented is such as to establish that the reduction will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.

B. All facades, including back and side elevations of a public or quasi-public building generally visible from public view or adjacent to residential areas, shall have an element of rock or stone. The type and amount of rock or stone shall be approved by the planning commission.

10-29-38: REDUCTION OF MINIMUM YARD REQUIREMENTS:

Any lot under separate ownership from adjacent lots and recorded before the effective date of this title which has a smaller width than required by the zone in which the lot is located, shall be deemed a buildable lot as follows:

A. Interior Lots: For interior lots, the smaller of the 2 side yards is at least five feet wide and the other side yard is at least 8 feet wide.

B. Corner Lots: For corner lots, the street side yard is at least 15 feet wide and the other side yard is at least five feet wide.
10-29-39:  SALE OR LEASE OF REQUIRED LAND:

No land needed to meet the size, width, yard, area, coverage, parking or other requirements of this title for a lot shall be sold, leased, or otherwise transferred away from such lot, whether by subdivision lot line adjustment or metes and bounds, so as to create or increase a nonconformity except as may be allowed by this title or state law.

10-29-40:  SECOND KITCHEN IN A SINGLE-FAMILY DWELLING:

A. Approval of a second kitchen within a single-family dwelling unit shall not be an approval of a second dwelling unit or accessory dwelling unit.

B. A second kitchen in a single-family residence (dwelling unit) may be allowed as a permitted use in the zones in which they are listed if all of the following requirements are met:

1. The residence shall have only one front entrance.
2. The residence shall have only one address.
3. An interior access shall be maintained to all parts of the residence to assure that a secondary unit or apartment is not created. There shall be no keyed and dead bolt locks or other manner of limiting or restricting access from the second kitchen to the remainder of the residence.
4. The residence shall have no more than one electrical meter.
5. The residence shall have no more than one water, and one sewer hookup.
6. A second kitchen shall exist only as part of the primary structure and shall not be installed in an accessory building.
7. Once a second kitchen is approved under the above criteria, both present and future owners of the residence shall limit use of the single-family residence to a family only. No roomers or boarders shall be permitted.
8. Construction of any such kitchen shall meet standards of the current construction codes adopted by the city.

B. Occupancy Limitation. When a second kitchen is approved pursuant to subsection A. of this section, both present and future owners of the premises shall limit the use of the dwelling unit to family occupancy only and no roomers or boarders shall be permitted. Such limitation shall not apply if the second kitchen is part of an approved accessory apartment.

C. Inspections. Upon request by the city, the dwelling owner shall allow inspection of the dwelling unit at reasonable times to determine compliance with this section.

10-29-41:  SETBACK, DECK AND PATIO:

Any part of a deck or patio covered with a roof or enclosed on two or more sides, or
which exceeds 3 feet in height at any point above finished grade shall conform to applicable yard setback requirements.

10-29-42: SETBACK MEASUREMENT:

The depth of a required yard abutting a street shall be measured from the lot line except as set forth below:

A. Blocks With Nonconforming Setbacks: In blocks where more than 50 percent of the buildable lots have main buildings which do not meet the current front yard setback of the zone in which the block is located, the minimum front yard requirement for new construction shall be equal to the average existing front yard size on the block.

B. Proposed Streets: Whenever a front, side, or rear yard abuts a public street proposed to be constructed or widened as shown on the master street plan or official map, the depth of such yard shall be measured from a line which is one-half of the proposed right-of-way width from the center line of the street to be constructed or widened, or from the current lot line, whichever is greater.

10-29-43: SINGLE-FAMILY ATTACHED OR DETACHED DWELLINGS; STANDARDS:

Any detached or attached single-family dwelling located on an individual lot, except within a mobile home park or mobile home subdivision, shall meet the off-street parking requirements in chapter 24 of this title, and the following standards in addition to any others required by law, except as provided in subsection H of this section: Attached single family dwellings includes, but is not limited to, two-family dwellings, three-family dwellings, four-family dwellings, townhomes, or other similar type units.

A. Exterior Materials: Exterior materials for all buildings shall include brick, stucco, stone, or other decorative masonry products including fiber-cement siding as approved by the planning commission. A minimum of 40 percent of the front exterior and any side or rear viewable from the street shall be brick or stone. Vinyl and wood siding are not permitted. However, shake shingles may be permitted as an accent material as approved. All sides of dwellings shall receive equal design consideration, particularly where they may be readily viewed by pedestrians and motorists, or from adjacent properties.

B. Review Of Building Colors And Materials: Building colors and materials shall be reviewed by the planning commission at the time of subdivision approval. A materials board shall be submitted with each subdivision application.

C. Garages: Dwellings shall include a minimum two car garage (minimum 24 feet by 22 feet, or approximate approved equivalent).

D. Parking: The driveway shall be a minimum of 24 feet in length.

E. Minimum Floor Area: The minimum total floor area, finished and unfinished, of any single-family dwelling shall be 2,400 square feet.

F. Roof Pitch: Main buildings shall be constructed with minimum 5:12 roof pitch.
G. Building Elevations: Building elevations shall vary so that the same house is not built within 3 lots or across the street from the same elevation.

H. Deviations: The planning commission may approve deviations from one or more of the developmental or architectural standards provided in this section on the basis of a finding that the architectural style proposed provides compensating design features.

10-29-44. SLOPE LIMITS, DRIVEWAYS:

No driveway shall exceed a slope of 12 percent. When a driveway slopes downward from a street, the driveway shall be designed to prohibit surface water drainage from entering a building.

10-29-45: STORAGE OF TRASH AND DEBRIS:

No yard or other open space shall be used for the accumulation of trash, debris, or abandoned equipment and no land shall be used for such purposes, except as authorized by and in compliance with the provisions of this title.

10-29-46: SUBDIVISION OF TWO-FAMILY DWELLING:

Upon certification by the community development director, a legal existing or proposed two-family dwelling may be divided into attached single-family dwellings by subdividing the lot. Each dwelling shall have a minimum lot area equal to one-half of the minimum lot area required in the zone for a two-family dwelling, which in no case shall be less than 4,000 square feet, and shall meet all building, fire, health, parking and other requirements for a single-family dwelling. An application for lot division certification shall be accompanied by a site plan showing buildings, landscaping, parking, and any other information deemed necessary by the community development director. The community development director may attach conditions to certification consistent with the purpose of this title. Such division of a lot shall not be deemed a subdivision of land.

10-29-47: SWIMMING POOLS:

Swimming pools of permanent construction not enclosed within a building shall be set back at least five feet from all property lines and shall be completely surrounded by a fence or wall having a lockable self-closing gate and a height of at least six feet which conforms to building code requirements. If the applicable building code has a different requirement, such requirement shall prevail over this section.

10-29-48: USES NOT LISTED; ADMINISTRATIVE DETERMINATION:

Determination as to the classification of uses not specifically listed or interpretation of uses listed in this title shall be made by the community development director as provided in section 10-5-23 of this title.

10-29-49: VISUAL OBSTRUCTIONS:

To avoid creating a visual obstruction and promote public safety, a fence, wall, sign, or other similar structure or landscaping located in a required front yard shall meet the following requirements:
A. Driveway: No sight-obscuring fence, wall, sign, or other similar structure, or landscaping which exceeds two feet in height shall be placed within a triangular area formed by a driveway line, the street property line, and a line connecting them at points 12 feet along the driveway line and 12 feet along the street curb line, except for a reasonable number of trees pruned high enough to permit unobstructed vision for drivers of motor vehicles.

B. Clear View of Intersecting Street. In all zones, no sight-obscuring fence, wall, sign, or other similar structure, or landscaping which exceeds two feet in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points 30 feet from the intersection of the street lines, except for public safety signs and equipment. Tree canopies pruned to seven feet above grade are permitted provided no tree trunk shall be located inside the clear-view area.

10-29-50: YARD SPACE FOR ONE BUILDING ONLY:

No required yard or other open space around an existing building, or which is hereafter provided around any building for the purpose of complying with the provisions of this title, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected or established. This section shall be so construed to mean only one main building may be permitted on a lot unless otherwise provided in this title.