

1

TITLE 10 - ZONING REGULATIONS

2

CHAPTER 1

3

GENERAL PROVISIONS

4

10-1-1: SHORT TITLE:

5

This title shall be known as the ZONING ORDINANCE OF THE CITY OF ST. GEORGE, UTAH.

6

10-1-2: CONFLICT:

7

The provisions of this title are in addition to all other city ordinances, the laws of the State of Utah, the laws of the United States, and applicable common law. The city does not enforce private restrictive covenants, nor shall any such covenant modify the regulations herein.

8

10-1-3: LAND USE DECISION REQUIRED:

- 9
- 10 A. Interpretation of Zoning Ordinance. Any use of land that is not plainly designated as an allowed use in the zone is prohibited. A specific land use category supersedes one that is more general or broader in scope. For example, if a land use has been specified (i.e. drycleaners) in this title, and it has not been listed as a permitted use in a zone, it is prohibited in the zone, even if a use that is more general or broader in scope is permitted (i.e. general commercial) in the zone.

11

 - 12 B. Land Use Decision Required: No development may commence, or land use changed or expanded, without a final land use decision, which determines that the development, or the change or expansion, is allowed in the zone and complies with all land use regulations.

13

10-1-4: SITE PLAN REQUIRED:

14 A detailed site plan, drawn to scale, shall be filed as a part of any land use application. The site plan shall show, where pertinent:

- 15
- 16 A. Scale used;

17

 - 18 B. Direction of north point;

19

 - 20 C. Lot lines, adjacent streets or rights of way, easements, landscaped areas showing types of ground cover and trees;

21

 - 22 D. Location of all existing structures on the property, including driveway entrances, utility poles, etc.;

23

 - 24 E. Location of the proposed construction and improvements, including setbacks, location and dimensions of signs, location of garbage receptacles, etc.;

25

 - 26 F. Motor vehicle access, including individual parking stalls, circulation patterns, curb, gutter and sidewalk locations;

27

 - 28 G. Any necessary explanatory notes; and

49 H. Name, address and telephone number of building contractor and owner.

50

51 10-1-5: INSPECTION:

52 The building official, or an authorized designee of city, shall have the right to enter any building
53 for the purpose of determining the use thereof, or to enter the premises for the purpose of
54 determining compliance with the provisions of the ordinance; provided, such right of entry shall
55 be exercised only at reasonable hours, and in no case shall entry be made to any occupied
56 building in the absence of the owner, manager, or tenant thereof without permission of the
57 owner, manager, or tenant, or the written order or search warrant of a court of competent
58 jurisdiction.

59

60 10-1-6: PERMITS, LICENSES TO COMPLY:

- 61 A. All applications for any development activity, including the modification or expansion of a
62 land use, shall comply with all applicable regulations.
- 63
- 64 B. All departments, officials and public employees of the city, vested with authority to issue
65 the permits or licenses provided for herein, shall conform to the land use regulations and
66 shall issue no permit or license for uses, buildings or purposes where the same would be
67 in conflict with any provision of this title. Any permit or license issued that conflicts with
68 any provision of this title is voidable.

69

70 10-1-7: PUBLIC NUISANCE:

71 Any building or structure erected, constructed, altered, enlarged, converted, moved or
72 maintained in violation of the law, and any use of land or structure in violation of any provision of
73 this title, is a public nuisance.

74

75 10-1-8: CHANGES AND AMENDMENTS:

76 All zoning maps, land use maps and regulations, and the general plan, may be amended from
77 time to time by the city council. All proposed amendments shall be submitted first to the
78 planning commission for consideration at a public hearing. City council shall consider the
79 recommendation at a public meeting, and make a final determination to adopt, modify, revise, or
80 reject the proposed amendment. Sixty (60) days after the proposed amendment was submitted
81 to the planning commission for consideration, city council may consider the planning
82 commission's failure to make a timely recommendation as a negative recommendation.

83

84 10-1-9: RECONSIDERATION OF DENIED AMENDMENTS:

- 85 A. In the event the city council denies an application to change a zoning map, land use
86 map, regulation, or the general plan, or in the event the application is withdrawn, the
87 planning commission shall not consider a new or revised application for the same
88 change within a period of one year from the date of such denial action, unless the
89 conditions upon which the application was based have substantially changed. A new or
90 revised application is considered withdrawn if it is not submitted for a decision within six
91 (6) months of filing the initial or revised application.
- 92
- 93 B. Substantial Change: For purposes of this section, a "substantial change" in an
94 application shall mean a substantial reduction in density and/or land area to be
95 developed, a change in the type or intensity of the proposed use (i.e. residential instead
96 of commercial), or other factors which clearly constitute a substantial change. The
97 community development director or designee shall make a substantial change
98 determination. City council may adopt, modify, revise, or reject the determination.

99

100 **10-1-10: FEES:**

101 Applicant shall pay all fees according to the current fee schedules of the city.

102

103 **10-1-11: ANNEXATIONS:**

104 Unless otherwise established by agreement, all new areas annexed into the city shall have a
105 general plan land use designation of Agriculture, be zoned Agriculture (A-20), and in the Hillside
106 Overlay Zone if the area annexed has slopes that are 20% or greater.

107

108 **10-1-12: COMPLETION OF LANDSCAPING AND PUBLIC INFRASTRUCTURE**

109 **IMPROVEMENTS; PRIVATE SITE DEVELOPMENT IMPROVEMENTS;**

110 **IMPROVEMENT COMPLETION ASSURANCE:**

111 A. The following infrastructure improvements are deemed essential for the public health
112 and safety, or that is required for human occupation: all infrastructure improvements
113 required to meet the building code, fire code, flood and storm water management
114 provisions, street and access requirements, and other applicable public safety
115 improvements adopted in city ordinances or St. George Standard Specifications for
116 Design and Construction. Failure to complete all essential improvements may result in
117 the suspension of the building permit. All essential improvements shall be completed
118 prior to recording an approved subdivision plat, or prior to the issuance of a certificate of
119 occupancy, unless the following requirements are met:

- 120 a. the applicant has provided a financial assurance for required and uncompleted
121 infrastructure improvements; or
- 122 b. the applicant has agreed in a written document to terms acceptable to city that
123 vary the conditions and timing of issuance of a certificate of occupancy.

124 B. All required landscaping improvements shall be completed prior to any development
125 activity or the recording of a plat, or the applicant shall post a 100% improvement
126 completion assurance acceptable to city.

127 C. All required private site development improvements shall be completed prior to recording
128 of a plat, unless the applicant has entered into a development improvement agreement
129 under terms acceptable to the city and is current in its obligations under that agreement.

130 D. An improvement completion assurance is required. The two acceptable forms of
131 completion assurance are cash, or a letter of credit. Partial release of an improvement
132 completion assurance is permitted only at the following intervals: upon proof by
133 applicant of 50% of improvement completion, and 70% of improvement completion.
134 Final release of the improvement completion assurance shall occur only upon proof by
135 applicant of 100% of construction completion. City shall consider applicant's proof of
136 construction completion using objective inspection standards by qualified city employees
137 or appointees knowledgeable in landscaping, public infrastructure improvements, or
138 private site development improvements, as applicable.

139 E. Upon the City's acceptance of public infrastructure improvements, the applicant shall
140 execute an improvement warranty for the improvement warranty period.

141

142 **10-1-13: LAND USE AUTHORITY:**

147 Unless otherwise provided herein, the community development director or designee is the land
148 use authority for land use decisions required in this Title.

149

150 **10-1-14: PENALTY:**

151 Any firm, corporation, person or persons, or any action in behalf of such person, persons, firms
152 or corporations responsible for violating, causing, permitting, or maintaining a violation of this
153 Title is guilty of a class C misdemeanor unless otherwise stated in this Title.

154

155
156
157

CHAPTER 2 DEFINITIONS

158 **10-2-1: DEFINITIONS:**

159 The following terms are defined as follows. Terms used in the present tense include the future
160 tense. Terms defined in the singular number include the plural and the plural the singular.
161 Terms that have not been defined herein but are separately defined in the building code shall be
162 construed as defined therein:

163 **ACCESSORY STRUCTURE:** A structure that is incidental and subordinate to a main building
164 located on the same lot or parcel, contains no living space, and is not attached to a main
165 building.

166 **ACCESSORY USE:** An allowed land use that is subordinate and incidental to the main use on
167 the lot or parcel.

168 **ADJOINING PROPERTY OWNERS:** All owners within one hundred fifty feet (150') in each
169 direction from the lot or parcel, as determined from the tax records of the county.

170 **ADJACENT:** Property that is joined, touches, or is directly across a public street, private street,
171 access easement, or alley from the subject property, except a freeway, or a constructed or
172 transportation master planned arterial (eighty-foot (80') right of way) street or greater.

173 **AGRICULTURE:** Tilling soil or raising and harvesting crops.

174 **ALLEY:** A private paved secondary access constructed to city standards.

175 **ALLOWED USE:** A use of land that:

- 176 A. is specifically permitted, or permitted with standards, in the zone;
177 B. has received a conditional use permit; or
178 C. is a valid non-conforming use.

179 **APIARY:** A property where one or more bee colonies is kept.

180 **APPEAL AUTHORITY:** The administrative hearing officer is the Appeal Authority unless
181 otherwise specified herein.

182 **ARTS DISTRICT:** A defined neighborhood or part of the city which the city council has
183 determined to be appropriate for arts district distinction. Such areas or sites do not have to be
184 contiguous in order to constitute a district.

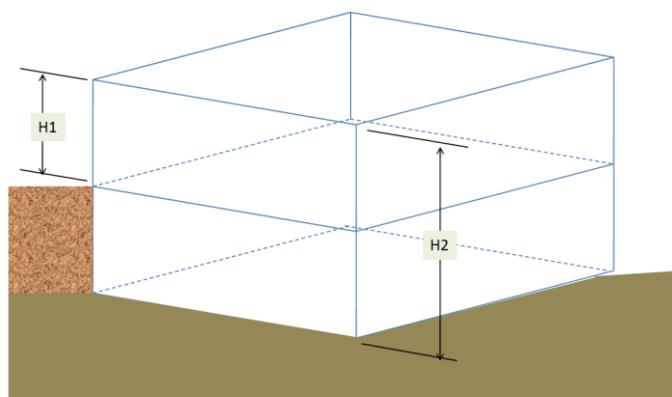
185 **ATTACHED (STRUCTURE):** Sharing a minimum of one common wall and integrated roof, or
186 having portions of a structure, connected with a minimum roof width of twelve feet (12') with the
187 design and materials being consistent.

188 **BACKFLOW PREVENTION ASSEMBLY:** A required assembly that prevents the flow of water
189 from the water distribution system back to the culinary water source.

- 205
 206 BASEMENT: That portion of a building that is below the first floor.
 207
 208 BED & BREAKFAST: A building in which a full time, live-in caretaker resides and serves one or
 209 more meals per day, and provides overnight accommodations for short term guests.
 210
 211 BEE: The common honey bee (*Apis mellifera*), or the mason bee (*Osmia lignaria*). Bee does
 212 not include the African honey bee (*Apis mellifera scutellata*), or any hybrid thereof.
 213
 214 BEE COLONY: All bees in a hive, including queens, workers, or drones.
 215
 216 BEE KEEPER: A person who owns or maintains one or more colonies of bees on their own
 217 private property.
 218
 219 BODY PIERCING: Creating a new body opening for jewelry or decoration. This term specifically
 220 excludes ear piercing.
 221
 222 BUILDING: Any structure having a roof supported by columns or walls, for the occupancy or
 223 enclosure of persons, animals or chattel.
 224
 225 BUILDING HEIGHT: The vertical distance measured from the average of the midpoint of the two
 226 (2) tallest elevations, measured from adjacent grade to the highest point of the coping of a flat
 227 roof, the deck line of a mansard roof, or the midpoint between ridge and eaves of a sloped roof,
 228 as depicted below:
 229
 230 Flat Roof (1 story):



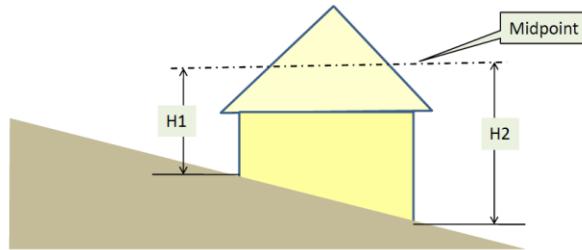
- 231
 232
 233 Flat Roof (2 story):



- 234
 235
 236
 237

238
239
240
241
242
243

244 Sloped Roof (1 Story):



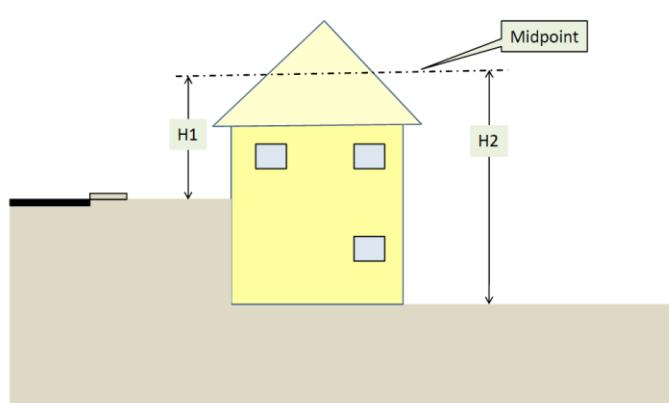
245
246

247

248

249 (H1 + H2)/2 = Building Height

250 Sloped Roof (2 Story):



H1 + H2 / 2 = Building Height
(Sloped Roof)

Residential Walkout Basement

251

252

253 BULK PLANT: Wholesale for class 1 and 2 flammable or combustible liquids or gases.

254

255 CARGO CONTAINER: Any portable, reusable container generally referred to as a sea cargo
256 container, cargo container or shipping container made as a prefabricated metal structure and
257 primarily designed or used for transporting freight by commercial transportation on ships, by rail
258 or mounted on a chassis for movement by a tractor trailer and is built in accordance with the
259 U.S. department of transportation standards. Cargo container does not include semitrailers as
260 defined in section 41-6a-102 Utah Code Annotated and must be free from damage, rust, and
261 exposed metal, painted in one solid muted earth tone color or similar color as a main structure,
262 with no writing, signs, numbers or logos.

263

264 CARPORT: A private garage not completely enclosed by walls and a door.

265

266 CASITA: See GUESTHOUSE

267

268 CERTIFIED WATER AUDITOR: A person who has been certified by the City of St. George, the
269 Washington County Water Conservancy District, the Irrigation Association, or other city
270 approved certification program.

271
272 CHILD CARE. The provision, day or night, of supplemental parental care, instruction and
273 supervision for a non-related child or children, on a regular basis, and for less than 24 hours a
274 day. The term does not include babysitting services on a casual, non-recurring nature or in the
275 child's home, nor cooperative, reciprocate child care by a group of parents in their respective
276 domiciles.

277
278 A. Child Care, In-Home Babysitting. The provision of child-care for four (4) or fewer children
279 within a dwelling.
280 B. Child Care, Family. The provision of child care for up to ten (10) children, including the
281 provider's children who are under the age of eighteen (18), within the provider's primary
282 residence.

283
284 CHILD CARE CENTER. A structure or building, including outside play areas, used for the
285 provision of child care for less than twenty-four (24) hours per day.

286
287 CHURCH: see Religious Facility

288
289 CITY FACILITY: Land, right of way, easement, structure or appurtenances owned by the city or
290 by an agency or corporation wholly controlled by the city.

291 COMMERCIAL CENTER: A commonly owned or developed project that shares parking,
292 internal pedestrian circulation and public street access with a variety of commercial uses.

293
294 COMMON AREA: Land within a development not individually owned or dedicated for public
295 use, which is designed and intended for the common use or enjoyment of the residents of the
296 development. May include recreation structures, landscaping, and improvements.

297
298 COMMON AREA, LIMITED: Land within a development not individually owned or dedicated for
299 public use, which is designed and intended for the use or enjoyment of a specified residence of
300 the development. May include driveways, landscaping, and improvements.

301
302 CONDITIONAL USE: A land use that, because of its unique characteristics or potential impact
303 on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in
304 some areas or may be compatible only if certain conditions are required that mitigate or
305 eliminate detrimental impacts.

306
307 CONDOMINIUM OR TOWNHOUSE PROJECT: A development designed and approved for
308 separate ownership of a single unit in a multiple-family development, together with an undivided
309 interest in the common area and facilities.

310
311 CONSTRUCTION DRAWINGS: All plans, specifications, reports and studies necessary to meet
312 the requirements of this title and other ordinances of the city of St. George in the approval
313 process of a subdivision, and to obtain a building permit. They include, but are not limited to,
314 floor plans, elevations, site plans, utilities and utility design, roadways, drainage, and other
315 infrastructure and improvements.

316
317 COPING: A protective cap, top, or cover of all, parapet, pilaster; often of stone, terra cotta,
318 concrete, metal or wood.

- 319
320 CREMATORIUM: A business, properly licensed by the State, that is devoted to cremation
321 and/or embalming of the dead, but does not include facilities for burial, interment, body
322 viewing, or funeral services.
- 323
324 CUESTA: A landform that has a steep ascent in one direction and a gentle descent in the
325 opposite direction as designated on the ridgeline map. The steep slope is the cuesta face, an
326 erosion escarpment, and the gentle one is the back slope of the cuesta.
- 327
328 CUESTA CREST: The ridgeline formed by the highest elevations of a Cuesta.
- 329
330 CUT: Land surface that is reshaped by man through the removal of soil, rock or other materials.
- 331
332 DEVELOPMENT ACTIVITY: Means: (a) any construction or expansion of a building or structure;
333 (b) any change in use of a building or structure that creates additional demand and need for
334 public facilities; (c) any change in the use of land that creates additional demand and need for
335 public facilities; or (d) grading, filling, or clearing of land.
- 336
337 DAIRY: The processing of milk or milk products (excludes on-site livestock).
- 338
339 DARK SKY: The term "dark sky" means a night-time sky that is substantially free of interference
340 from artificial light.
- 341
342 DISTRIBUTION UNIFORMITY: The measure of the uniformity of irrigation water over an area.
- 343
344 DRIP EMITTER: A drip irrigation fitting that delivers water slowly at the root zone of the plant,
345 usually measured in gallons per hour.
- 346
347 DROUGHT TOLERANT PLANT: A plant that can survive without irrigation for an extended
348 period once established, although supplemental water may be desirable during drought periods
349 for improved appearance and disease resistance.
- 350
351 DWELLING: Any structure, manufactured home, mobile home, or portion thereof that is used for
352 residential purposes, excluding short-term residential rental use.
- 353
354 DWELLING, MULTIPLE FAMILY: A building arranged or designed to be separately occupied by
355 more than two (2) dwelling units.
- 356
357 DWELLING, SINGLE FAMILY: A building designed as a single dwelling unit.
- 358
359 DWELLING, TWO FAMILY: A building designed as two dwelling units.
- 360
361 DWELLING UNIT: A building, or separate portion thereof, with sleeping and kitchen facilities for
362 the exclusive use of one family.
- 363
364 ELEVATED OPEN FRONT PORCH: An open porch that is at least 8 feet wide, 4 feet deep and
365 extends to at least 50% of the front façade facing any street, is covered by a roof that is
366 integrated into and part of the roof or roof extension and is of the same design and material as
367 the roof, and the floor of which is elevated at least 18" above the sidewalk grade.
- 368

369 EROSION HAZARD: The hazard associated with the natural process, either sudden or gradual,
370 which moves a river channel.

371
372 EROSION HAZARD AREA: An area designated by the erosion hazard boundary maps.

373
374 EROSION HAZARD BOUNDARY MAPS: Maps designating the boundary of the erosion hazard
375 area.

376
377 FAMILY:

- 378
- 379 A. An individual, or
 - 380
 - 381 B. The Immediate family members and up to one additional unrelated person living with
 - 382 them as a single housekeeping unit in a dwelling unit; or
 - 383
 - 384 C. A group of not more than four (4) persons, who need not be immediate family members,
 - 385 living together as a single housekeeping unit in a dwelling unit; or
 - 386 D. Two (2) unrelated persons and any children related to either of them living together as a
 - 387 single housekeeping unit.

388
389 FENCE: A barrier to limit visibility, provide privacy, define a property line, or prevent ingress or

390 egress, made out of materials such as concrete or masonry block, wood, metal, stone, chain

391 link or vegetation. A retaining wall is not a fence.

392
393 FENCE, HEIGHT: Fence height is measured vertically, from finished grade to the shortest side

394 of the fence.

395
396 FILL: The deposit of soil, rock or other materials placed by man.

397
398 FINANCIAL, MEDICAL AND PROFESSIONAL OFFICE: Financial institutions, medical and

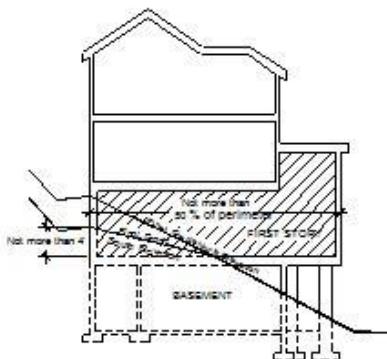
399 professional offices/services, limited to daytime hours of operation, and excludes a hospital,

400 pay-day loan and sexually oriented business.

401
402 FIRST FLOOR: The lowest above grade story in a structure, provided the floor level is not more

403 than four feet (4') below final grade for more than fifty percent (50%) of the perimeter. It can

404 include habitable or uninhabitable Floor Area, as depicted below:



405
406 FIXED SPRAY: The pattern of spray from an irrigation head nozzle, which is fixed and non-

407 changing.

408

409 FLOOD, BASE: The flood event with one percent (1%) chance of being equaled or exceeded in
410 any given year.

411

412 FLOOD INSURANCE RATE MAP (FIRM): The official map on which the Federal Emergency
413 Management Agency has delineated both the areas of special flood hazard and the risk
414 premium zones.

415

416 FLOOD INSURANCE STUDY: The official report provided by the Federal Emergency
417 Management Agency that includes flood profiles, the flood boundary floodway map, and the
418 water surface elevation of the base flood.

419

420 FLOOD OR FLOODING: A general and temporary condition of partial or complete inundation of
421 normally dry land areas from:

- 422
- 423 A. The overflow of inland waters; and/or
 - 424 B. The unusual and rapid accumulation of runoff of surface waters from any source.

425

426

427 FLOODPLAIN: Land that:

- 428
- 429 A. Is within the 100-year floodplain designated by FEMA: or
 - 430 B. Has not been studied or designated by FEMA but presents a likelihood of experiencing
431 chronic flooding or a catastrophic flood event, because the land has characteristics that
432 are similar to those of a 100-year floodplain designated by FEMA.

433

434 FLOOD, SPECIAL FLOOD HAZARD: Land subject to a one percent (1%) or greater chance of
435 flooding in any given year.

436

437 FLOODLIGHT: A fixture or lamp designed to "flood" an area with light. A specific form of lamp or
438 fixture designed to direct its output in a specific direction. Such lamps are often designated by
439 the manufacturer and are commonly used for outdoor lighting.

440

441 FLOODWAY: The channel of a river or other watercourse and the adjacent land areas that must
442 be reserved in order to discharge the base flood without cumulatively increasing the water
443 surface elevation more than one foot (1').

444

445 FLOOR AREA: The sum of the gross horizontal areas of each story of a building measured
446 from the exterior faces of the exterior walls or from the centerline of party walls. Basement
447 floors, interior balconies and mezzanines, elevator shafts, stairwells and enclosed porches are
448 included. Garage area is not included.

449

450 FLOW RATE: The rate at which water flows through pipes and valves (gallons per minute or
451 cubic feet per second).

452

453 FOOTCANDLE: A unit of measure of the intensity of light falling on a surface, equal to one
454 lumen per square foot.

455

456 FRUIT STAND: A structure that is no more than 1000 square feet and is used exclusively for
457 sale during the harvest season of seasonal crops, seedling plants, or garden, farm, or other

460 agricultural produce if the seasonal crops are, seedling plants are, or garden, farm, or other
461 agricultural produce is sold by:

- 462
- 463 A. the producer of the seasonal crops, seedling plants, or garden, farm, or other agricultural
464 produce;
 - 465 B. an employee of the producer; or
 - 466 C. a member of the immediate family of the producer.

467

468 FULLY SHIELDED: An outdoor light fixture constructed, so in its installed position all of the light
469 emitted by the fixture is projected below the horizontal plane passing through the lowest light
470 emitting part of the fixture.

471

472 GARAGE, PUBLIC: A building or portion thereof, other than a private garage, designed or used
473 for servicing, repairing, equipping, hiring, selling or storing motor driven vehicles.

474

475 GEOLOGIC OR FLOOD HAZARD AREAS: Any manmade change to improved or unimproved
476 real estate, including, but not limited to, buildings or other structures, mining, dredging, filling,
477 grading, paving, excavation or drilling operations located within the area of special flood or
478 geologic hazard.

479

480 GEOTECHNICAL ENGINEER: A person with a four (4) year degree in civil engineering or
481 engineering geology from an accredited university who, through training and experience, is able
482 to assure that geological factors affecting engineering works are recognized, adequately
483 interpreted and presented for use in engineering practice and for the protection of the public.

484

485 GLARE: The term "glare" means light, originating from a direct artificial light source, or any light
486 reflected off a reflective surface, that causes visual discomfort or reduced visibility.

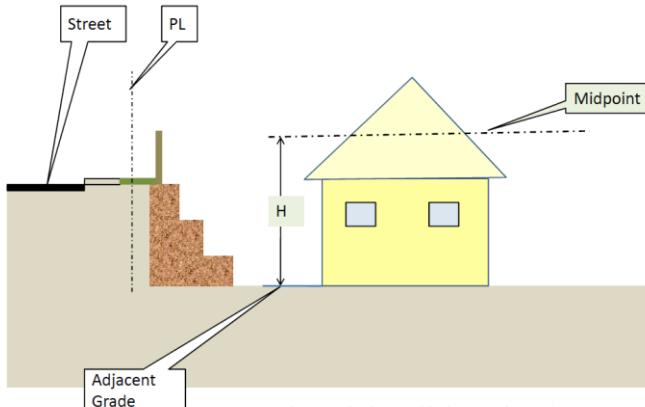
487

488 GRADE:

- 489
- 490 A. For buildings adjoining one street only, the elevation of the sidewalk at the center of that
491 wall adjoining the street.
 - 492 B. For buildings adjoining more than one street, the average of the elevations of the
493 sidewalks at the centers of all walls adjoining the street.
 - 494 C. For buildings having no wall adjoining the street, the average level of the ground
495 (finished surface) adjacent to the exterior walls of the building. All walls approximately
496 parallel to and not more than five feet (5') from a street line are to be considered as
497 adjoining a street.

498

499 GRADE, ADJACENT:



- 504
505 GROUND COVER: Plant material planted in such a way as to form a continuous cover over the
506 ground that can be maintained at a height not more than twelve inches (12").
507
508 GUESTHOUSE (CASITA): A detached living quarters located within a building that is
509 subordinate to and located on the same lot or parcel as the primary dwelling. A guesthouse may
510 also be referred to as a "casita".
511
512 HARDSCAPE: Elements of the landscape constructed from nonliving materials such as
513 concrete, boulders, brick, blacktop and lumber. Includes patios, decks and paths but does not
514 include driveways and sidewalks.
515
516 HILLSIDE REVIEW BOARD: The City of St. George hillside review board created under this
517 title.
518
519 HIVE: An artificial or natural receptacle used to house Bees.
520
521 HOLIDAY OR FESTIVE LIGHTING: Any low wattage, seasonal decorative outdoor lighting.
522 HOME OCCUPATION: A business, transaction or activity conducted entirely within a dwelling,
523 and exclusively by persons residing within the dwelling in a manner that is indiscernible from,
524 and clearly incidental and secondary to, the residential use, without altering the dwelling site or
525 structure, the character of the neighborhood, the demand for public facilities or services, or
526 creating an unsafe condition or short term residential rental.
527
528 HOUSEHOLD PETS: Animals ordinarily permitted in the house and kept for personal use and
529 not for commercial purposes, not including goats or pigs.
530
531 HYDRO ZONE: The grouping of plants with similar water requirements so each zone can be
532 irrigated with a separate irrigation valve.
533
534 IMMEDIATE FAMILY: Consists of spouse, parent, children, grandparent or grandchildren and
535 the spouse's parent, children, grandparent or grandchildren.
536
537 IMPROVEMENT COMPLETION ASSURANCE: means cash, or a letter of credit under terms
538 acceptable to city, to guaranty the proper completion of landscaping or an infrastructure
539 improvement required as a condition precedent to:
540

541 A. recording a subdivision plat; or

542
543 development of a commercial, industrial, mixed use, or multifamily project.

544
545 IMPROVEMENT WARRANTY: an applicant's unconditional warranty that the applicant's
546 installed and accepted landscaping or infrastructure improvement:

547 A. complies with the municipality's written standards for design, materials, and
548 workmanship; and

549
550 will not fail in any material respect, as a result of poor workmanship or materials, within the
551 improvement warranty period.

552
553 IMPROVEMENT WARRANTY PERIOD: a period:

554 A. no later than one year after acceptance of required landscaping; or

555 B. no later than one year after acceptance of required infrastructure, unless the city:

556 a. determines for good cause that a one-year period would be inadequate to protect the
557 public health, safety, and welfare; and

558 2. has substantial evidence, on record:

559 of prior poor performance by the applicant; or

560 that the area upon which the infrastructure will be constructed contains suspect soil,
561 and the municipality has not otherwise required the applicant to mitigate the suspect
562 soil.

563
564 INFRASTRUCTURE IMPROVEMENT: permanent infrastructure that an applicant must install:

565 A. pursuant to published installation and inspection specifications for public improvements;
566 and

567 B. as a condition of:

568 a. recording a subdivision plat; or

569 b. development of a commercial, industrial, mixed use, condominium, or multifamily
570 project.

571
572 INFILTRATION RATE: The rate of water entry into the soil expressed as a depth of water per
573 unit of time (inches per hour).

574
575 IRRIGATION CONTRACTOR (IC): A person who has been certified by a city approved
576 certification program to install irrigation systems, meets state and local license, insurance and
577 bonding requirements, and is able to show proof of such upon demand. An irrigation contractor
578 installs, repairs, designs and maintains irrigation systems.

579
580
581
582
583
584
585
586

587 IRRIGATION DESIGNER: A landscape architect or a person who has been certified by the
588 Irrigation Association (IA), the city of St. George or other city approved certification programs, to
589 prepare irrigation system designs.

590
591 IRRIGATION PLAN: A plan that shows the components of the irrigation system with water meter
592 size, backflow prevention, precipitation rates, flow rate and operating pressure for each irrigation
593 circuit, together with identification of all irrigation equipment.

594
595 IRRIGATION RUNOFF: Irrigation water that is not absorbed by the soil or landscape area to
596 which it is applied and which flows onto other areas.

597
598 JOINT UTILITY COMMITTEE (JUC): A committee comprised of city staff and representatives
599 from local utility service providers which meets regularly to discuss the engineering, design,
600 placement, and other issues related to utility improvements within the city.

601
602 LANDMARK BUILDING OR SITE: Any site (including significant trees or other plant life located
603 thereon) or structure of particular historic or aesthetic significance to the city or state. Such
604 significance shall exist where cultural, political, spiritual, economic, social or artistic history of
605 the community is reflected or exemplified by the site or structure, or if they are identified with
606 historic personages or with important events, or if the structure or site embody distinguishing
607 characteristics of an architectural specimen, inherently valuable for a representation of a period,
608 style or method of construction.

609
610 LANDSCAPE ARCHITECT: A person who is licensed to practice landscape architecture by the
611 state of Utah.

612
613 LANDSCAPE OR LANDSCAPING: Any combination of living plants, berms, trees, shrubs,
614 vines, ground covers, flowers, grass and other plants that are generally not considered to be
615 weeds or noxious plants; natural features such as rock, stone, or wood chips; non-vegetative
616 permeable ground cover; and structural features, including, but not limited to, fountains,
617 reflecting pools, outdoor artwork, screen walls, fences or benches that create an attractive and
618 pleasing environment.

619
620 LANDSCAPE OR LANDSCAPING MAINTENANCE: Maintaining or keeping any landscaping or
621 any area required to be landscaped:

622
623 A. In a live and thriving condition, with consideration for normal growth and water needs;

624
625 Fertilized, mowed, trimmed, edged, mulched and free from weeds, dead plants, litter, refuse, or
626 debris in compliance with regionally accepted horticultural practice.

627
628 LANDSCAPE PLAN: A plan that clearly and accurately identifies the location and species of
629 new and existing trees, shrubs, ground covers, and other plants on a site, and any other
630 landscape element, and includes an irrigation plan.

631
632 LANDSCAPED AREA: An entire parcel of real property less the building footprint, driveways,
633 non-irrigated portions of parking lots, hardscape (such as decks and patios), and other
634 nonporous areas. Water features are included in the calculation of the landscaped area.

635

636 LAND USE APPLICANT: The property owner, or the property owner's designee, who submits a
637 land use application regarding the property owner's land.

638
639 LAND USE APPLICATION:

640 A. means an application submitted by a land use applicant to obtain a land use decision;
641 and
642
644 does not mean an application to enact, amend, or repeal a land use regulation.

645
646 LAND USE AUTHORITY: Unless otherwise provided herein, the community development
647 director or designee is the land use authority for land use decisions required in this Title.

648
649 LAND USE DECISION: The final action of a land use authority or appeal authority regarding:

650 A. land use permit;
651
652 B. a land use application; or
653
655 C. the enforcement of a land use regulation, land use permit, or development agreement.

656
657 LAND USE PERMIT: A permit issued by a land use authority.

658
659 LAND USE REGULATION:

660 A. an ordinance, law, code, map, resolution, specification, fee, or rule that governs the use
661 or development of land; and
662
664 B. does not include:
665
666 1. the general plan;
667
668 2. a land use decision of the City Council, even if the decision is expressed in a
669 resolution or ordinance; or
670
671 3. a temporary revision to an engineering specification that does not materially:
672
673 a. increase a land use applicant's cost of development compared to the existing
674 specification; or
675
676 b. impact a land use applicant's use of land.

677
678 LIGHT, DIRECT ARTIFICIAL: The term "direct artificial light" means any light cast directly to an
679 illuminated area from an artificial light source, as defined by this section, or from any surface on
680 or within the artificial light source's luminaire that is intended to reflect, refract, or diffuse light
681 from the artificial light source. This does not include light reflected, refracted, or diffused from
682 other surfaces such as nonreflective surfaces on or within the luminaire, or the ground or
683 adjacent walls, provided those surfaces are not primarily intended for the reflection, refraction,
684 or diffusion of the artificial light source.

685

686 LIGHT POLLUTION: The term "light pollution" means any artificial light that is emitted either
687 directly or indirectly by reflection that alters the appearance of the night-time sky; interferes with
688 astronomical observations; or interferes with the natural functioning of native wildlife.

689
690 LIGHT SOURCE, ARTIFICIAL: The term "artificial light source" means the part of a lighting
691 device that produces light.

692
693 LIGHT TRESPASS: The term "light trespass" means the projection of any light from a direct
694 artificial light outside the lot or parcel boundary or street right-of-way where the artificial light
695 source is located, unless the projection outside the lot or parcel boundary or street right-of-way
696 is lawfully permitted.

697
698 LIGHTING, OUTDOOR: The term "outdoor lighting" means the illumination of an outdoor area
699 or object by any indoor or outdoor artificial light source.

700
701 LIVESTOCK: Large domesticated animals, which are not ordinarily permitted in the house, such
702 as horses, cattle, goats, sheep, llamas, or ostriches, but not hogs or pigs.

703
704 LIVESTOCK FEED YARD: A commercial operation to fatten or maintain livestock prior to their
705 shipment to a stockyard for sale or rendering.

706
707 LOT: A tract of land, regardless of any label, that is created by and shown on a subdivision plat
708 that has been recorded in the office of the county recorder. The terms LOT and PARCEL are
709 used throughout title 10 interchangeably.

710
711 LOT, CORNER: A lot having frontage on two (2) or more improved public or private streets. If
712 common area or limited common area is located between the lot line and right of way, it is
713 considered a corner lot.

714
715 LOT DEPTH: The minimum distance measured from the front property line to the rear property
716 line of the same Lot.

717
718 LOT LINE: Any line defining the boundaries of a Lot.

719
720 LOT WIDTH: The distance between the side lot lines measured at the front yard setback.

721
722 LOWEST FLOOR: The lowest floor of the lowest enclosed area (including basement). An
723 unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or
724 storage, in an area other than a basement area, is not considered a building's lowest floor;
725 provided, that such enclosure is not built so as to render the structure in violation of the
726 applicable non-elevation design requirements of this chapter.

727
728 LOW FUEL VOLUME AND HIGH-WATER CONTENT PLANTS: Plants that do not produce
729 excessive amounts of leaves and branches that will fuel fires.

730
731 LUMEN: Unit of luminous flux; used to measure the amount of light emitted by lamps.

732
733 MANUFACTURING, CUSTOM: An establishment primarily engaged in the on-site production of
734 goods by hand manufacturing which involves only the use of hand tools or domestic mechanical
735 equipment not exceeding two (2) horsepower or a single kiln not exceeding eight (8) kilowatts,

736 and the incidental direct sale to customers of only those goods produced on site. Typical uses
737 include ceramic studios, candle making shops or custom jewelry manufacturing.

738
739 MANUFACTURING, HEAVY: The converting of raw or partially processed materials into a
740 product used for further processing or distribution. Examples of heavy manufacturing include
741 lumber and paper mills, sewage treatment plants, stone, clay, glass product manufacturing,
742 asphalt and concrete batch plants, and similar operations. These uses may be conducted
743 partially or wholly outdoors and usually create noxious byproducts such as dust, fumes,
744 hazardous waste products, noise, vibration, and glare.

745
746 MANUFACTURING, LIGHT: An establishment engaged in the manufacture, predominantly from
747 previously prepared materials, of finished products or parts, including processing, fabrication,
748 assembly, treatment, and packaging of such products, and incidental storage, sales, and
749 distribution of such products, but excluding basic industrial processing.

750
751 MULCH: Any organic material such as leaves, bark, wood chips, straw, or inorganic material
752 such as crushed stone or gravel, or other materials left loose and applied to the soil surface for
753 the beneficial purpose of controlling weeds and conserving soil moisture.

754
755 NATURAL WATERWAYS: The natural drainage channel along rivers, streams, creeks, springs,
756 gullies or washes.

757
758 NONCOMPLYING BUILDING OR STRUCTURE: A structure that:

- 759
760 A. legally existed before its current land use designation; and

761
762 because of one or more subsequent land use ordinance changes, does not conform to the
763 setback, height restrictions, or other regulations, excluding those regulations, which govern the
764 use of land.

765
766 NONCONFORMING USE: A use of land that:

- 767
768 A. legally existed before its current land use designation;
- 769
770 B. has been maintained continuously since the land use ordinance that created the non-
771 conformity was enacted; and

772
773 because of one or more land use ordinance changes, does not conform to the regulations that
774 currently govern the use of the land.

775
776 NURSING HOME: An institution providing long term residence and care for the aged or infirm.

777
778 PARCEL: Any real property with a separate tax identification number that is not a lot created by
779 and shown on a subdivision plat recorded in the office of the county recorder. The terms LOT
780 and PARCEL are used throughout title 10 interchangeably.

781
782 PARCEL, CORNER: A parcel having frontage on two (2) or more improved public or private
783 streets.

784

785 PARCEL DEPTH: The minimum distance measured from the front property line to the rear
786 property line of the same parcel.

787

788 PARCEL LINE: Any line defining the boundaries of a parcel.
789 PARCEL WIDTH: The distance between the side parcel lines measured at the front yard
790 setback.

791

792 PARKING LOT: An area, other than a street, used for parking, whether or not required by
793 ordinance

794

795 PARKING SPACE: Space within a building, lot or parking lot designated for parking or storing
796 one automobile.

797

798 PERMANENT COSMETICS: A mark or design made on or under the skin by a process of
799 pricking or ingraining an indelible pigment, dye, or ink in the skin for masking discolorations or
800 cosmetically enhancing facial features which shall follow the natural line of the feature and shall
801 be limited to eyeliner, eyebrows, lip coloring, and medical reconstruction procedures only.

802

803 PERMANENT COSMETICS ESTABLISHMENT: An establishment engaging in permanent
804 cosmetics as a secondary use to an establishment employing cosmetologist/barber(s),
805 aesthetician(s), electrologist(s), or nail technician(s) licensed by the state under UCA Chapter
806 58-11a, excluding tattoo establishments and home occupations.

807

808 PLANNED DEVELOPMENT: A development that is the subject of a zone change application,
809 submitted to the planning commission and city council, and, when required, presented with a
810 conceptual plan showing the form, manner, layout and other parameters of the planned
811 development prior to the preparation of a preliminary plat.

812

813 PLAT, FINAL: A plat prepared in accordance with the provisions of this title, which plat is
814 designed to be placed on record in the office of the Washington County recorder.

815

816 PLAT, PRELIMINARY: A plat prepared in accordance with the provisions of this title which plat,
817 and accompanying plans, reports, diagrams and text, is made for the purpose of showing the
818 design of a proposed subdivision and the existing conditions in and around it. The preliminary
819 plat is essentially a study plan which, when approved, will serve as a basis for the preparation of
820 the construction drawings and final plat.

821

822 PLATEAU: A flat or predominantly flat area of land, which is raised sharply above adjacent land
823 on at least one side as designated on the ridgeline map.

824

825 PLATEAU EDGE: The junction of the plateau and the sharp vertical rise that separates the
826 plateau from lower adjacent land.

827

828 PRIVATE SITE DEVELOPMENT IMPROVEMENT: a required site feature that an applicant
829 must install:

830 A. as a condition of development of a commercial, industrial, mixed use, condominium, or
831 multifamily project;

832

833 that is not an Infrastructure Improvement.

834

835 QUALIFYING STUDENT: A student enrolled in spring or fall classes at Dixie State University in
836 classes awarded eight (8) credits or more for each semester.

837
838 RECEIVING AREA: An area within a proposed development that is designated to accept
839 density transferred from a designated sending area within the proposed development.

840
841
842

843 RECREATIONAL VEHICLE: A vehicle that is:

- 844
845 A. Built on a single chassis;
846
847 B. Four hundred (400) square feet or less when measured at the largest horizontal
848 projections;
849
850 C. Designed to be self-propelled or permanently towable by a light duty truck; and
851

852 Designed primarily not for use as a permanent dwelling, but as temporary living quarters for
853 recreational, camping, travel or seasonal use.

854
855 RELIGIOUS FACILITY: a meetinghouse, church, temple, mosque, synagogue or other
856 permanent structure, used primarily for regular religious worship.

857
858 RETAINING WALL: Includes any structure designed to resist the lateral displacement of soil or
859 other materials, not including rockery walls. An example includes block walls, concrete walls, or
860 a segmented wall designed and approved as a retaining wall.

861
862 RETAINING WALL, HEIGHT: Retaining walls shall be measured from the top of the exposed
863 face to finish grade.

864
865 RESIDENTIAL CENTRAL CITY AREA: The residential central city area, is the area located
866 between 100 South to 700 South, and between 700 East to Bluff Street or bounded by Bluff
867 Street on the west, Diagonal Street to Main Street and then to St. George Boulevard on the
868 north, and by Interstate 15 on the south and east ("RCC").

869
870 RESIDENTIAL TREATMENT FACILITY: a residence where more than one person with a
871 disability resides and the residence is licensed with the State Department of Human Services or
872 the Department of Health as a residential facility to care for the disabled.

873
874 RESTAURANT/CAFÉ: Preparation and sale of food and drink for on-premises public
875 consumption.

876
877 RIDGELINE: The junction of a rising slope and a descending slope, including a cuesta crest and
878 a plateau edge.

879
880 ROCK: A natural solid mineral matter occurring in large masses or fragments.

881
882 ROCKERY WALL: A system of stacked rocks constructed to retain soil or rock and include rock-
883 faced slopes.

884

- 885 SENDING AREA: An area within a proposed development that is designated to transfer density
886 to a designated receiving area within the proposed development.
- 887
- 888 SETBACK: The minimum distance to a structure from the property lines.
- 889
- 890 SEXUALLY ORIENTED BUSINESS: See title 3, chapter 8, section 2 of this code.
- 891
- 892 SHORT TERM GUEST: Guests whose duration of visit is twenty-nine (29) consecutive
893 calendar days or less.
- 894
- 895 SHORT TERM RESIDENTIAL RENTAL: Property that is occupied, possessed or used by any
896 person or entity for transient lodging where the term of occupancy, possession, or use of the
897 property by the person or entity is offered for twenty-nine (29) consecutive calendar days or
898 less, for direct or indirect compensation or other consideration.
- 899
- 900 SITE DEVELOPMENT STANDARDS: Minimum lot areas, yard setbacks, exceptions, building
901 height, lot coverage, landscaping, open space for each zone.
- 902
- 903 SLOPE: A vertical rise in feet measured over a horizontal distance, expressed as a percentage,
904 measured generally at right angles to contour lines.
- 905
- 906 SMALL ANIMAL: An animal that, on average, will reach a mature weight of no more than 15
907 pounds and does not include a rabbit or chicken.
- 908
- 909 SPRINKLER, SPRAY: An irrigation head that sprays water through a nozzle.
- 910
- 911 SPRINKLER, STREAM: An irrigation head that projects water through a gear rotor in single or
912 multiple streams.
- 913
- 914 STABLE, PRIVATE: A detached building designed and used to care for livestock owned by the
915 residents and not kept for commercial purposes.
- 916
- 917 STABLE, PUBLIC: A public building designed and used to care for livestock.
- 918
- 919 STATE AND LOCAL CONSTRUCTION CODES: Regulations adopted in or pursuant to the
920 State Construction and Fire Codes Act, UCA Title 15A.
- 921
- 922 STORAGE RENTAL UNITS (also known as MINISTORAGE or SELF-STORAGE): A building
923 separated into individual spaces for customer storage and retrieval of personal effects,
924 household goods, furniture or archived materials.
- 925
- 926 STORY: That portion of a building between the upper surface of a floor and the upper surface of
927 the next floor or roof above.
- 928
- 929 STREET, PUBLIC: A public thoroughfare that affords principal means of access to abutting
930 property.
- 931
- 932 STREET, PRIVATE: A private thoroughfare that affords access to property consistent with city
933 standards.
- 934

935 STREET SIDE: An area located between the side of a structure and a public or private street,
936 extending from the front yard setback to the rear yard setback. See also LOT, CORNER, and
937 PARCEL.

938

939 STREET TREE: Includes all trees located within the public right of way of all streets within the
940 city.

941

942 STRUCTURAL ALTERATION: Any change to the support of a structure, such as a bearing wall,
943 column, beam truss or girder.

944

945 STRUCTURE: Anything constructed or erected that is attached, on, or below the ground in any
946 manner.

947

948 SUBDIVIDER: Any individual, firm, association, syndicate, partnership, corporation, trust, or
949 other legal entity, having legal title to real property for which a subdivision is proposed. A
950 "subdivider" includes an authorized representative of the subdivider who is authorized to
951 represent the subdivider for the purpose of effecting the subdivision of real property, having
952 legal title to real property for which a subdivision is proposed.

953

954 SUBDIVIDER'S ENGINEER: A civil engineer licensed in the state of Utah engaged by the
955 subdivider to prepare a conceptual planned development, a preliminary plat, construction
956 drawings, a final plat, or to compile such data as may be required in connection therewith or in
957 accordance with the provisions of this title.

958

959 TABLELAND: Land where the slope in any direction is less than fifteen percent (15%).

960

961 TATTOO ESTABLISHMENT: Any location, place, area, structure, or business used for the
962 practice of tattooing or the instruction of tattooing, excluding permanent cosmetics
963 establishments.

964

965 TIMESHARE DEVELOPMENT: An enterprise with the primary purpose of offering a timeshare
966 interest, including an interest that gives the purchaser the right to use and occupy an
967 accommodation at a single- or multiple-site development.

968

969 TIMESHARE ESTATE: a small, undivided fractional fee interest in real property by which the
970 purchaser does not receive any right to use an accommodation except as provided by contract,
971 declaration, or other instrument defining a legal right.

972

973 TIMESHARE INTEREST a right to occupy fixed or variable accommodations during three or
974 more separate fixed or variable time periods over a period of at least three years, including
975 renewal options, whether or not coupled with an estate in land; includes a timeshare estate.

976

977 TURF: A surface layer of mowed grass.

978

979 UNDISTURBED: An area that remains in a natural, pristine condition and not subject to grading,
980 excavation, or other similar disturbance.

981

982 UNPAVED SURFACE: A parcel of land or portion thereof that is not paved with an approved
983 surfacing material such as asphalt or concrete.

984

985 URBAN HENS AND RABBITS: Keeping of chickens (hens only) and rabbits, as an accessory
986 use to a single-family dwelling, to produce food for the family residing on the subject property.

987
988 VALVE: A device used to control the flow of water in an irrigation system.

989
990 VEHICLE: Any form of motorized transport or any trailer.

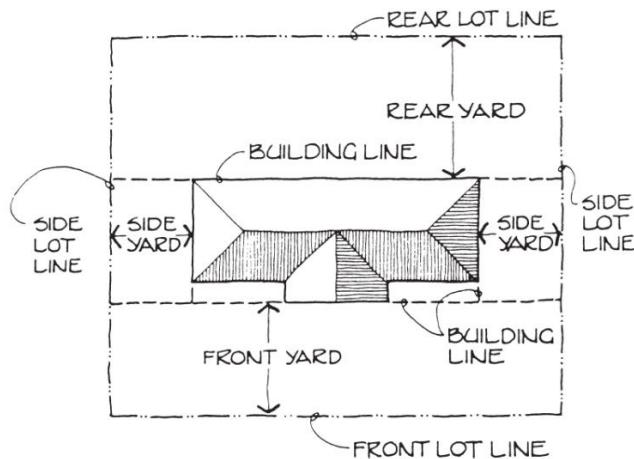
991
992 VESSEL: Every type of watercraft, other than a seaplane on the water, used or capable of being
993 used as a means of transportation on water.

994
995 WATER PERFORMANCE AUDIT: A water performance audit is an on-site survey and
996 measurement of irrigation equipment and management efficiency performed by a certified water
997 auditor.

998
999 YARD, FRONT: On a lot or parcel with a building, the area that includes the full width of the lot
1000 or parcel from the main building to any lot line abutting a street, or private right of access. On a
1001 vacant lot or parcel, the area that includes the full width of the lot from the depth of the minimum
1002 setback to any lot line abutting any street. A corner lot or parcel has two front yards.

1003
1004 YARD, REAR: On a lot with a building, the area that includes the full width of the lot from the
1005 rear facade of the building to the rear lot line. On a vacant lot, the area that includes the full
1006 width of the lot from the rear setback to the rear lot line.

1007
1008 YARD, SIDE: On a lot with a building, the areas between the side lines of the building and the
1009 side line of the lot and extending from the front yard line to the rear yard line. On a vacant lot,
1010 the areas between the front and rear setback lines, from each side yard setback line to its
1011 closest side lot line.



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1016

CHAPTER 3

APPEALS AND VARIANCES

1017

10-3-1: APPEAL AUTHORITIES:

- 1018 A. LAND USE APPEALS. Except as provided in subsections B and D, the administrative
1019 hearing officer, appointed pursuant to Title 1 Chapter 15, is the appeal authority for
1020 challenges to all final land use authority decisions, and challenges to fees imposed
1021 hereunder. Appeals under this section shall be pursuant to Title 1 Chapter 15.
- 1022 B. LAND USE APPEAL OF GEOLOGIC HAZARD DETERMINATIONS. An applicant who
1023 has appealed a decision of the land use authority, administering or interpreting a
1024 geologic hazard regulation, may request that a panel of qualified experts serve as the
1025 appeal authority for purposes of determining the technical aspects of the appeal. Upon
1026 the applicant's timely written request, payment of half (½) of the cost of the panel, the
1027 city shall assemble a panel of:
1028
- 1029 1. one expert designated by city and unaffiliated with the project;
1030
1031 2. one expert designated by the applicant and unaffiliated with the project; and
1032
1033 3. one expert chosen jointly by the first two designated experts and unaffiliated with the
1034 project.
1035
- 1036 C. REQUEST FOR VARIANCE. The appeal authority decides requests for variances. A
1037 land use applicant may request a variance by submitting the request on a form supplied
1038 by the city, and by paying any applicable fees.
- 1039
- 1040 D. CONSTITUTIONAL TAKINGS APPEAL. In order to promote the protection of private
1041 property rights, and to prevent the taking, seizure, or exaction of private property without
1042 just compensation, the city shall adhere to the following before authorizing the physical
1043 taking or exaction of private real property:
1044
- 1045 1. TAKINGS REVIEW PROCEDURE. Prior to any proposed action to physically take or
1046 exact property by the city, the City Attorney should review the proposed action to
1047 determine if a constitutional taking requiring just compensation would occur under the
1048 Fifth or Fourteenth Amendments to the Constitution of the United States, under
1049 Article I, Section 22 of the Utah Constitution, or under any recent court rulings. The
1050 City Attorney should determine whether the proposed action bears an essential nexus
1051 to a legitimate governmental interest, and whether the action is roughly proportionate
1052 and reasonably related to the legitimate governmental interest. The City Attorney
1053 should also determine whether the action deprives the private property owner of all
1054 reasonable use of the property. Upon identifying a possible constitutional taking, the
1055 City Attorney should, in a confidential, privileged, and protected writing, inform the
1056 Mayor, City Council, and land use authority, of the possible consequences of its
1057 proposed action. This opinion shall be advisory only. No liability shall be attributed to
1058 the City for failure to follow the recommendation of the City Attorney. The guidelines
1059 in this chapter are advisory only and shall not expand nor limit the scope of the city's
1060 liability for a constitutional taking.
1061
- 1062

1063 2. APPEAL. Any private property owner who believes that his/her property is proposed
1064 to be taken by a final action of the land use authority may appeal the that final
1065 decision to the appeal authority within thirty (30) days after the written decision is
1066 made. The appeal must be filed in writing with the city recorder. The appeal authority
1067 shall have fourteen (14) days to hear and decide the appeal after it is filed. The
1068 appeal authority can affirm or reverse the decision of the land use authority. The
1069 appeal authority, with advice from the City Attorney, shall review the appeal pursuant
1070 to subsection (1). The decision of the appeal authority shall be in writing with copies
1071 given to the appellant, Mayor, City Council, and the land use authority. Failure to
1072 appeal does not constitute a failure to exhaust available administrative remedies, or
1073 as a bar to bringing legal action.

1074

10-3-2: APPEAL PERIOD:

1075 The land use applicant, the municipality, or any person adversely affected by the land use
1076 authority's decision administering or interpreting this Title, may, within 10 days, file a written
1077 notice of appeal with the city recorder, alleging that there is error in any order, requirement,
1078 decision, or determination made by the land use authority in the administration or interpretation
1079 of this Title, and pay the appeal fee. The appeal shall be pursuant to the terms in Title 1
1080 Chapter 15.

1081

10-3-4: STANDARD OF REVIEW; APPEALS:

- 1082 A. The appeal authority shall ensure due process for the applicant and the adversely
1083 affected parties.
- 1084 B. At all times, the appellant bears the burden of proof that the land use authority's decision
1085 was in error.
- 1086 C. The appeal authority shall review the facts "de novo," without deference to the land use
1087 authority's determination of factual matters.
- 1088 D. The appeal authority shall:
1089 1. determine the correctness of the land use authority's interpretation and application of
1090 the plain meaning of the land use regulations; and
1091 2. interpret and apply a land use regulation to favor a land use application unless the
1092 land use regulation plainly restricts the land use application.
- 1093 E. Within a reasonable time, the appeal authority shall issue a written decision, supported
1094 by findings of fact and conclusions of law consistent with the standards provided herein.

1095

10-3-5: STANDARD OF REVIEW; VARIANCE:

- 1096 A. CRITERIA: The appeal authority shall grant a variance only if:
1097
1098 1. Literal enforcement of the zoning ordinance would cause an unreasonable hardship
1099 for the applicant that is not necessary to carry out the general purpose of the zoning
1100 ordinance;
1101
1102 2. There are special circumstances attached to the property that do not generally apply
1103 to other properties in the same zone;

1112 3. Granting the variance is essential to the enjoyment of a substantial property right
1113 possessed by other properties in the same zone;

1115 4. The variance will not substantially affect the general plan and will not be contrary to
1116 the public interest; and

1118 5. The spirit of the zoning ordinance is observed and substantial justice is done.

1120 B. UNREASONABLE HARDSHIP: In determining whether enforcement of the zoning
1121 ordinance would cause unreasonable hardship under subsection A.1, the appeal
1122 authority may not find an unreasonable hardship unless the alleged hardship:

1124 1. Is located on or associated with the property for which the variance is sought; and

1126 2. Comes from circumstances peculiar to the property, not from conditions that are
1127 general to the neighborhood; and

1129 3. Is not self-imposed or economic.

1131 C. SPECIAL CIRCUMSTANCES: The appeal authority may find that special circumstances
1132 exist only if the special circumstances:

1134 1. Relate to the hardship complained of; and

1136 2. Deprive the property of privileges granted to other properties in the same zone.

1138 D. At all times, the applicant bears the burden of proving that all of the criteria justifying a
1139 variance have been met.

1141 E. The appeal authority may not grant a use variance.

1143 F. For each request for variance, the appeal authority shall issue a written decision that
1144 includes the findings of fact and conclusions of law upon which the decision is based,
1145 and any conditions of approval the appeal authority determines are reasonable and
1146 necessary to mitigate the impact of granting the requested variance.

1148 G. A variance "runs with the land."

1150 H. A variance shall expire if the applicant fails to obtain a building permit within one year
1151 from the date of the decision or fails to complete the construction authorized by the
1152 variance according to the terms of the building permit.

1154 **10-3-6: JUDICIAL REVIEW:**

1155 Any person adversely affected by the appeal authority's decision may file, within 30 days of the
1156 written decision, a petition in the district court for a review of that decision. The standard for the
1157 review shall be the standard provided in Utah Code Annotated, 10-9a-801.

1159 **CHAPTER 4**
1160 **ZONES**

1161
1162 **10-4-1: CITYWIDE ZONING:**

1163 All property within the city is subject to the city's zoning districts. If such zoning is invalidated for
1164 any reason, no building permit, subdivision, or approval for any development activity, may be
1165 applied for until the city establishes valid zoning for the property.

1166
1167 **10-4-2: ZONE CHANGES; WATER AND UTILITY SOURCES, ACCESS REQUIRED:**

1168 Zone changes shall not be approved unless the property is served by approved sources and
1169 facilities for water, power, sewer, and access to a dedicated public street. Alternatively, it is the
1170 property owner's responsibility to construct and connect to such approved sources and facilities.

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1174

CHAPTER 5

AGRICULTURAL ZONES (A-1, A-5, A-10, A-20)

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1177 **10-5-1: ALLOWED USES:**

1178 Any use not specifically permitted, permitted with standards, or conditionally permitted, is
 1179 prohibited. Only the following uses are allowed:

- 1180 A. Uses indicated by the letter "P" below are permitted in the designated zone.
- 1182 B. Uses indicated by the letters "PS" are permitted uses with required standards in this
 1183 zone. Uses must comply with the standards and evaluation criteria established in
 1184 Chapter 17.
- 1186 C. Uses indicated by the letter "C" are conditional uses in the designated zone.

ALLOWED USES					
		A-1	A-5	A-10	A-20
Agriculture		P	P	P	P
Apiaries/Beekeeping		PS	PS	PS	PS
Barns and corrals for agriculture and livestock—at least 100 feet from any dwelling		P	P	P	P
Barns and corrals for agriculture and livestock—at least 50 feet from any dwelling		P			
City facility, primary		P	P	P	P
City facility accessory uses:	Accessory structure and use	P	P	P	P
Commercial kennels—at least 100 feet from any dwelling			PS	PS	PS
Commercial agriculture or livestock business		P	P	P	P
Communication transmission facilities, primary		PS	PS	PS	PS
Greenhouse, high tower or plant nurseries (no retail)		P	P	P	P
Livestock-up to 12 animals per acre		PS	PS	PS	PS
Livestock-over 12 animals per acre			PS	PS	PS
Medical cannabis pharmacy, Utah licensed At least 600 ft from a primarily residential zone			P	P	P
Medical cannabis production establishment, Utah licensed: Cultivation facility Independent testing laboratory Processing facility					P
Public utility facilities, primary		PS	PS	PS	PS
Religious facility, primary		P	P	P	P
Residential treatment facility			PS		
School, public or charter, primary		P	P	P	P

	Single family dwelling, primary	P	P	P	P
Single family dwelling accessory uses:	Accessory structure and use	P	P	P	P
	Child Care, In Home Babysitting	P	P	P	P
	Child Care, Family	P	P	P	P
	Guesthouse	PS	PS	PS	PS
	Home occupation	P	P	P	P
	Accessory Dwelling Unit	PS	PS	PS	PS
	Small animals (not produced for food) up to 8 animals	P	P	P	P
	Urban hens and rabbits—up to 6 adult hens and 4 adult rabbits per 1,000 sf of lot area—no more than 16 animals per lot, up to 10 rabbits	P	P	P	P
	Urban hen/rabbit coop, pen or cage—up to 8' tall and 200 sf—allowed only in rear yard, at least 20' from lot line (unless solid perimeter fence); required effective manure management	P	P	P	P

1189

1190

10-5-2: HEIGHT REGULATIONS:

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No residential dwelling shall be erected to a height less than ten feet (10'), and no structure shall be greater than forty feet (40'), unless a conditional use permit is granted for a greater height.

10-5-3: AREA, WIDTH AND YARD REQUIREMENTS:

The minimum area, width and yard requirements for each zone are as indicated below:

District	Area Minimum	Minimum Lot Width	Minimum Yard Setbacks		
			Front and Street Side	Side	Rear
A-1	40,000 square feet	100 feet	25 feet	10 feet	10 feet
A-5	5 acres	100 feet	25 feet	25 feet	25 feet
A-10	10 acres	500 feet	25 feet	25 feet	25 feet
A-20	20 acres	500 feet	25 feet	25 feet	25 feet

1197

1198

10-5-4: DESIGN CRITERIA:

1199 A complete application for single-family occupancy must include a site plan, architectural plans
1200 and construction drawings of 1/4 scale, that show building materials, exterior elevations and
1201 floor plans of all proposed structures that meet the following criteria:

- 1202
- 1203 A. HUD Standards, Construction Codes: All development must comply with the
1204 construction codes and, as applicable, the national manufactured housing construction
1205 and safety standards and ICC guidelines for manufactured housing installations, that are
1206 capable of transferring design deadloads and live loads, and other design loads unique
1207 to local home sites, due to wind, seismic, soil and water conditions, that are imposed by
1208 or upon the structure into the underlying soil or bedrock without failure.
 - 1209 B. Perimeter footings at least twelve inches (12") below grade.
 - 1210 C. For all dwellings:
 - 1211 1. Space beneath the structure must be enclosed at the perimeter of the dwelling in
1212 accordance with ICC guidelines and constructed of weather resistant materials
1213 aesthetically consistent with concrete or masonry type foundation materials.
1214 A minimum landing of thirty six inches by thirty six inches (36" x 36") at each exit.
1215 All manufactured home running gear, tongues, axles and wheels must be removed
1216 and stored off-site or in a separately enclosed structure.
 - 1217 D. Exterior Materials: Each dwelling shall have exterior materials of wood, hardwood, brick,
1218 concrete, stucco, glass, metal lap, vinyl lap, tile or stone.
 - 1219 E. Width of Dwelling: The width of each dwelling shall not be less than twenty feet (20') at
1220 the narrowest point of its first floor, exclusive of any garage, bay window, or
1221 appendages.
 - 1222 F. Minimum Floor Area: Each dwelling shall have a minimum floor area, exclusive of
1223 garage and basement, of one thousand (1,000) square feet.

1224 **10-5-5: YARDS UNOBSTRUCTED; EXCEPTIONS:**

- 1225
- 1226 A. Every part of the setback area shall be open to the sky, unobstructed except for:
 - 1227 a. The ordinary projections of belt courses, eaves, chimneys, flues, cantilevered
1228 balconies, decks, ornamental features, open fire escapes, or open outside stairways
1229 (in side or rear only), which project into a setback not more than four feet (4');
 - 1230 b. A porte-cochere may extend from the main dwelling doorway and over a circular
1231 drive. The porte-cochere shall be open on three sides and no more than thirty (30)
1232 feet wide if it projects into the front setback. Each porte-cochere shall have a fifteen
1233 foot (15') or greater setback from the front property line;
 - 1234 c. City public transit shelters, with or without public restrooms, may be located within a
1235 setback area adjacent to a public street;
 - 1236 d. Patio Cover: A patio or area cover is only permitted in a rear yard and must meet the
1237 following standards:

- 1250
1251 a. The patio or area covered shall not be enclosed on any side.
1252
1253 b. No more than one-third (1/3) of the rear yard is covered.
1254
1255 c. No cover shall be closer than two feet (2') to the rear and side property line.
1256

1257 **B. Accessory Structures:**

- 1258
1259 1. Accessory buildings shall not cover more than 25% of the rear yard.
1260 2. If the accessory building is located in the side yard portion of the rear yard, the
1261 structure must be designed and constructed to resemble the main structure by
1262 incorporating the same building materials, colors, roof pitch, and design.

1263
1264 No portion of an accessory structure may be:
1265

- 1266 a. Within twenty-five feet (25') of any property line except a pool may be
1267 constructed within ten feet (10') of the property line for a street side yard if a
1268 fence is provided;
1269
1270 b. Within six feet of any structure;
1271
1272 c. Projected across a property line;
1273
1274 d. Constructed in a manner that will divert storm water onto adjacent property;
1275
1276 e. Located over a utility easement without prior written approval from the joint utility
1277 committee and an encroachment agreement with terms acceptable to city
1278 attorney; or
1279
1280 f. Permitted, constructed, or used prior to occupancy of the main structure.

1281
1282 An accessory building smaller than 120 sq. ft. that does not require a building permit
1283 is allowed in the side and rear yard to property line, provided there is a accessible
1284 walkway at least three (3') feet in width.

1285 **10-5-6: CURB, GUTTER, SIDEWALK AND DRIVEWAY:**

- 1286 A. When Required: The installation of curb, gutter, sidewalk, and pavement of a type
1287 approved by the city is required on any future or existing street where such
1288 improvements are not already in existence, or where existing improvements are
1289 damaged or broken. Said installation shall be required prior to obtaining a certificate of
1290 occupancy unless a current improvement completion assurance has been provided.
1291
1292 B. Driveway improvements: Driveways are required to be paved with an approved surface.
1293 Properties located in the A-5, A-10, and A-20 zones are required to pave twenty feet
1294 (20') from the public right-of-way. Driveways that extend beyond the twenty feet (20'),
1295 may substitute pavement for six inch (6") depth of type II road base, and three inches of
1296 gravel, with a minimum size of one-inch diameter.
1297

1298 **10-5-7: UTILITY REQUIREMENTS:**

1300 In all areas of the city, connection shall be made to public water, electrical and sewer facilities,
1301 unless waived by the city engineer or designee upon a demonstration of an equivalent
1302 alternative acceptable to city. All utilities shall be located underground, unless specifically
1303 approved by the city engineer or designee. All construction shall comply with state building
1304 codes and all city standards.

1305

1306 10-5-8: TEMPORARY BUILDINGS:

1307 A. Construction or sales office: A temporary, onsite construction or sales office that does
1308 not meet minimum construction standards may be approved by the city during the
1309 construction of permanent facilities for the permitted duration. Such temporary approval
1310 may be made for a period up to one year. Extensions may be granted for good cause
1311 shown, for an additional six (6) months, up to a maximum of eighteen (18) months.

1312

1313 B. Cargo Containers: Cargo containers may be approved by city for temporary use by an
1314 applicant, only when a permitted use exists or is under construction, and under the
1315 following standards:

1316

1317 1. Activities with Building Permit: For onsite use only during permitted construction or
1318 renovation, provided a building permit has been issued for construction related
1319 activities. For the purpose of permitted cargo containers, a building permit will be
1320 considered inactive after one hundred eighty (180) days after the last inspection that
1321 shows substantial progress toward completion of the project.

1322

1323 Activities without Building Permit: For onsite use during moving or construction
1324 activities that do not require a permit on site for thirty (30) days. One thirty (30) day
1325 extension may be granted for good cause shown.

1326

1327 Vertical stacking is prohibited.

1328

1329 Cargo containers shall not be located in fire lanes, required parking spaces or
1330 landscaping.

1331

1332 10-5-9: SETBACKS ALONG STREETS:

1333 Lots that have the rear or side property lines adjacent to a public street, or common area
1334 between property lines and public street, shall maintain the following minimum rear or side
1335 setbacks:

1336 A. Side and rear yard setback on a street side yard shall be the same as a front yard. If a
1337 six foot (6') masonry wall exists along a side property line, side yard setbacks may be
1338 reduced to twenty feet (20'). The masonry wall along a street side yard, may extend to
1339 the front plane of the residence, but shall not encroach on the twenty-five (25') setback
1340 from the front property line.

1341

1342 B. Double fronting lots in residential zones: Lots that have a rear property line adjacent to a
1343 public street shall maintain the following minimum rear setbacks:

1344

1345 1. Double fronting rear yard setback shall be the same as a front yard. If a six-foot (6')
1346 masonry wall exists along a rear property line, rear yard setbacks may be reduced to
1347 twenty feet (20').

1348

1349 Setbacks for double fronting lots shall be measured from the masonry wall. The
1350 landscape strip shall be on the street side of the wall.

1351

1352

1353 **10-5-10: RELATED PROVISIONS:**

- 1354 A. OUTDOOR LIGHTING— Chapter 10-14
- 1355 B. PERMITTED WITH STANDARDS AND CONDITIONAL USES – Chapter 10-17
- 1356 C. WALLS, FENCES AND HEDGES— Chapter 10-18
- 1357 D. OFF STREET PARKING REQUIREMENTS— Chapter 10-19
- 1358 E. MOTOR VEHICLE ACCESS AND LOADING— Chapter 10-20
- 1359 F. SIGNS—CHAPTER 9-13

1360

1361

1362

1363 **CHAPTER 6**

1364 **GRAVEL AND GRAZING ZONE (G-G)**

1365 **10-6-1: ALLOWED USES:**

1366 Any use not specifically permitted, permitted with standards, or conditionally permitted, is
1367 prohibited. Only the following uses are allowed:

- 1368 A. Uses indicated by the letter "P" below are permitted uses in this zone.
- 1370 B. Uses indicated by the letters "PS" are permitted uses with required standards in this
1371 zone. Uses must comply with the standards and evaluation criteria established in
1372 Chapter 17.
- 1374 C. Uses indicated by the letter "C" are conditional uses in this zone.
- 1375
- 1376

ALLOWED USES		G-G
Airport		PS
Airport accessory uses:	Accessory structures	PS
Agriculture		P
Barns and corrals for agriculture and livestock—at least 100 feet from any dwelling		P
Cemetery		P
City facility, primary		P
City facility accessory uses:	Accessory structure and use	P
Concrete batch plant (no asphalt)		PS
Commercial agriculture or livestock business		P
Communication transmission facilities, primary		PS
Greenhouse, high tower or plant nurseries (no retail)		P
Livestock—up to 12 animals per acre		P
Public utility facilities, primary		PS
Public utility facilities accessory uses:	Accessory structures	PS
Religious facility, primary		P
Sand and gravel—extraction and crushing		PS
School, public or charter, primary		P
Single family dwelling, primary		P
Single family dwelling accessory uses:	Accessory structure and use	PS
	Child Care, In Home Babysitting	P
	Child Care, Family	P
	Guesthouse	PS

	Home occupation	P
	Small animals (not produced for food) up to 8 animals	P
	Urban hens and rabbits—up to 6 adult hens and 4 adult rabbits per 1,000 sf of lot area—no more than 16 animals per lot, up to 10 rabbits	P
	Urban hen/rabbit coop, pen or cage—up to 8' tall and 200 sf—allowed only in rear yard, at least 20' from lot line (unless solid perimeter fence); required effective manure management	P

1377

10-6-2: HEIGHT REGULATIONS:

1379 No residential dwelling shall be erected to a height less than ten feet (10'), and no structure
 1380 shall be greater than forty feet (40'), unless a conditional use permit is granted for a greater
 1381 height.

1382

10-6-3: AREA, WIDTH, YARD AND HEIGHT REQUIREMENTS:

1384 The minimum lot area, width and yard requirements are as indicated below:

1385

Lot Area Minimum	Minimum Lot Width/Frontage	Minimum Yard Setbacks		
		Front and <u>Street</u> Side	Side	Rear
20 acres	100'	25'	20'	20'

1386

10-6-4: DESIGN CRITERIA:

1388 A complete application for single-family occupancy must include a site plan, architectural plans
 1389 and construction drawings of 1/4 scale, that show building materials, exterior elevations and
 1390 floor plans of all proposed structures that meet the following criteria:

1391

- 1392 A. HUD Standards, Construction Codes: All development must comply with the
 1393 construction codes and, as applicable, the national manufactured housing construction
 1394 and safety standards and ICC guidelines for manufactured housing installations, that are
 1395 capable of transferring design deadloads and live loads, and other design loads unique
 1396 to local home sites, due to wind, seismic, soil and water conditions, that are imposed by
 1397 or upon the structure into the underlying soil or bedrock without failure.

1398

- 1399 B. Perimeter footings at least twelve inches (12") below grade.

1400

- 1401 C. For all dwellings:

1402

- 1403 1. Space beneath the structure must be enclosed at the perimeter of the dwelling in
1404 accordance with ICC guidelines and constructed of weather resistant materials
1405 aesthetically consistent with concrete or masonry type foundation materials.
1406
1407 A minimum landing of thirty-six inches by thirty-six inches (36" x 36") at each exit.
1408
1409 All manufactured home running gear, tongues, axles and wheels must be removed
1410 and stored off-site or in a separately enclosed structure.
1411
1412 D. Exterior Materials: Each dwelling shall have exterior materials of wood, hardwood, brick,
1413 concrete, stucco, glass, metal lap, vinyl lap, tile or stone.
1414 E. Width of Dwelling: The width of each dwelling shall not be less than twenty feet (20') at
1415 the narrowest point of its first floor, exclusive of any garage, bay window, or
1416 appendages.
1417
1418 F. Minimum Floor Area: Each dwelling shall have a minimum floor area, exclusive of
1419 garage and basement, of five hundred (500) square feet.
1420

1421 10-6-5: YARDS UNOBSTRUCTED; EXCEPTIONS:

1422 Every part of the setback area shall be open to the sky, unobstructed except for:

- 1423
1424 A. The ordinary projections of belt courses, eaves, chimneys, flues, cantilevered balconies,
1425 decks, ornamental features, open fire escapes, or open outside stairways which project
1426 into a setback not more than four feet (4'):
1427
1428 B. A porte-cochere may extend from the main dwelling doorway and over a circular drive.
1429 The porte-cochere shall be open on three sides and no more than thirty (30) feet wide if
1430 it projects into the front setback. Each porte-cochere shall have a fifteen foot (15') or
1431 greater setback from the front property line;
1432
1433 C. City public transit shelters, with or without public restrooms, may be located within a
1434 setback area adjacent to a public street;
1435
1436 D. Accessory Structure: An accessory structure shall not cover more than 25% of the rear
1437 yard, and is limited as follows:
1438
1439 1. If the accessory structure is located in the side yard portion of the rear yard, the
1440 structure must be designed and constructed to resemble the main structure by
1441 incorporating the same building materials, colors, roof pitch, and design.
1442
1443 No portion of an accessory structure may be:
1444 a. Within twenty-five feet (25') of any street (except a pool may be constructed in a
1445 street side yard if a fence is provided);
1446
1447 b. Within six feet of any structure;
1448
1449 c. Projected across a property line;
1450
1451 d. Constructed in a manner that will divert storm water onto adjacent property;
1452

1453 e. Located over a utility easement without prior written approval from the joint utility
1454 committee and an encroachment agreement with terms acceptable to city
1455 attorney; or

1456 f. Permitted, constructed, or used prior to occupancy of the main structure.

1459 An accessory structure smaller than 120 sq. ft. that does not require a building permit
1460 is allowed in the side and rear yard, and no separation is required.

10-6-6: CURB, GUTTER AND SIDEWALK:

1463 When Required: The installation of curb, gutter, sidewalk, and pavement of a type approved by
1464 the city is required on any future or existing street where such improvements are not already in
1465 existence, or where existing improvements are damaged or broken. Said installation may be
1466 required as a condition of obtaining a certificate of occupancy unless a current improvement
1467 completion assurance has been provided.

10-6-7: UTILITY REQUIREMENTS:

1470 In all areas of the city, connection shall be made to public water, electrical and sewer facilities,
1471 unless waived by the city engineer or designee upon demonstration of an equivalent alternative
1472 acceptable to city. All utilities shall be located underground, unless specifically approved
1473 otherwise by the city engineer or designee, and all construction shall comply with state building
1474 codes and all city standards.

10-6-8: TEMPORARY BUILDINGS:

1477 A. Construction or sales office: A temporary, onsite construction or sales office that does
1478 not meet minimum construction standards may be approved by city during the
1479 construction of permanent facilities for the permitted duration. Such temporary approval
1480 may be made for a period up to one year. Extensions may be granted for good cause
1481 shown, for an additional six (6) months, up to a maximum of eighteen (18) months.

1483 B. Cargo Containers: Cargo containers may be approved by the city for temporary use by
1484 the applicant, only when a permitted use exists or is under construction, and under the
1485 following standards:

1487 1. Activities with Building Permit: For onsite use only during permitted construction or
1488 renovation, provided a building permit has been issued for construction related
1489 activities. For the purpose of permitted cargo containers, a building permit will be
1490 considered inactive after one hundred eighty (180) days after the last inspection that
1491 shows substantial progress toward completion of the project.

1493 2. Activities without Building Permit: For onsite use during moving or construction
1494 activities that do not require a permit on site for thirty (30) days. One thirty (30) day
1495 extension may be granted for good cause shown.

1498 3. Vertical stacking is prohibited.

1499 4. Cargo containers shall not be located in fire lanes, required parking spaces or
1500 landscaping.

10-6-9: SETBACKS ALONG STREETS:

1503 Lots that have the rear or side property lines adjacent to a public street or common area
1504 between property lines and public street, shall maintain the following minimum rear or side
1505 setbacks:

1506

1507 A. Side and rear yard setback on a street side yard shall be the same as a front yard. If a
1508 six foot (6') masonry wall exists along a side property line, side yard setbacks may be
1509 reduced to twenty feet (20'). The masonry wall along a street side yard, may extend to
1510 the front plane of the residence, but shall not encroach on the twenty-five (25') setback
1511 from the front property line.

1512

1513 B. Double fronting lots in residential zones: Lots that have a rear property line adjacent to a
1514 public street shall maintain the following minimum rear setbacks:

1515

1516 1. Double fronting rear yard setback shall be the same as a front yard. If a six-foot (6')
1517 masonry wall exists along a rear property line, rear yard setbacks may be reduced to
1518 twenty feet (20').

1519

1520 Setbacks for double fronting lots shall be measured from the masonry wall. The
1521 landscape strip shall be on the street side of the wall.

1522

10-6-9: RELATED PROVISIONS:

- A. OUTDOOR LIGHTING— Chapter 10-14
- B. PERMITTED WITH STANDARDS AND CONDITIONAL USES – Chapter 10-17
- C. WALLS, FENCES AND HEDGES— Chapter 10-18
- D. OFF STREET PARKING REQUIREMENTS— Chapter 10-19
- E. MOTOR VEHICLE ACCESS AND LOADING— Chapter 10-20
- F. SIGNS—CHAPTER 9-13

1530

1531

CHAPTER 7

RESIDENTIAL ZONES

RESIDENTIAL ESTATE (RE), SINGLE FAMILY, MULTIPLE FAMILY, MOBILE HOME (MH), RESIDENTIAL CENTRAL CITY (RCC), AND PLANNED DEVELOPMENT ZONES (PD-R, PD-SH AND PD-TNZ)

10-7-1: YARDS UNOBSTRUCTED; EXCEPTIONS:

- A. Every part of the setback area shall be open to the sky, unobstructed except for:
 - a. The ordinary projections of belt courses, eaves, chimneys, flues, cantilevered balconies, decks, ornamental features, open fire escapes, or open outside stairways which project into a setback not more than four feet (4');
 - b. A porte-cochere may extend from the main dwelling doorway and over a circular drive. The porte-cochere shall be open on three sides and no more than thirty (30) feet wide if it projects into the front setback. Each porte-cochere shall have a fifteen foot (15') or greater setback from the front property line;
 - c. City public transit shelters, with or without public restrooms, may be located within a setback area adjacent to a public street;
 - d. Carport in the side yard: A carport open on three (3) sides may be located in an interior side yard area to within one foot (1') of the side property line, subject to the following standards and restrictions:
 - a. The carport roof structure and support columns must be secured, fire rated, and built of fire-resistant materials in compliance with the international residential code and the international fire code;
 - b. Not to exceed fifteen feet (15') in height;
 - c. Have a six foot (6') tall masonry wall along the side property line adjacent to the carport;
 - d. Only one side yard area may be covered, the other side must remain open to the sky, and on corner lots, the street side yard setback must remain open to the sky;
 - e. The wall of the dwelling or any structure on the adjoining property adjacent to the carport must be a minimum of eight feet (8') from the property line; and
 - f. Comply with all other codes and ordinances.
 - e. A patio or area cover is only permitted in a rear yard and must meet the following standards:
 - a. The patio or area covered shall only be enclosed on three (3) sides or less.
 - b. No more than one-third (1/3) of the rear yard is covered.

1581 c. No cover shall be closer than two feet (2') to the rear and side property line.

1582 B. Accessory Structure: A one (1) story accessory structure is limited as follows:

1583 1. Side yard:

1586 a. The structure must be located outside of the required setbacks.

1588 b. Be constructed to resemble the main structure by incorporating the same building
1589 materials, colors, roof pitch, and design.

1591 c. Separated at least six feet of any structure.

1593 Rear yard: Rear yard accessory structures are permitted if they meet the
1594 requirements found here:

1596 a. No portion of a rear yard accessory structure shall be:

1598 b. Within twenty-five feet (25') of any street, except a pool may be constructed in a
1599 street side yard;

1601 c. Within six feet of any structure;

1603 d. Projected across a property line;

1605 e. Constructed in a manner that will divert storm water onto adjacent property;

1607 f. Located over a utility easement without prior written approval from the joint utility
1608 committee and an encroachment indemnification agreement with terms
1609 acceptable to city attorney; or

1611 g. Greater than twenty feet (20') in height.

1613 h. A rear yard accessory structure may be located zero feet (0') from the rear and
1614 side property lines if no more than 25% of the rear yard is used for accessory
1615 structures;

1617 i. Rear yard accessory structures shall not be permitted, constructed, or used prior
1618 to occupancy of the main structure.

1619 Structures with a roof connection that is less than twelve feet (12') in width, which
1620 does not match the materials and design of main structure, will be considered an
1621 accessory structure.

1622 An accessory structure smaller than 120 sq. ft., that does not require a building
1623 permit, is allowed in the side and rear yard, and no separation is required.

1625 C. Common Area Boundaries-Yard. For limited common area that is assigned to the
1626 specific use of a designated property, the outer boundaries of such limited common area
1627 is considered the lot line of the designated property for purposes of determining
1628 exceptions to open and unobstructed yard regulations. Other common areas shall not be
1629 considered within the ownership of individual properties for the purpose of determining

1630 the setback areas. Driveways to the garage of a pad or unit may be located in limited
1631 common area.

1632

1633 10-7-2: CURB, GUTTER AND SIDEWALK:

1634 When Required: The installation of curb, gutter, sidewalk, and pavement of a type approved by
1635 the city is required on any future or existing street where such improvements are not already in
1636 existence, or where existing improvements are damaged or broken. Said installation may be
1637 required as a condition of obtaining a certificate of occupancy unless a current improvement
1638 completion assurance has been provided.

1639

1640 10-7-3: UTILITY REQUIREMENTS:

1641 In all areas of the city, connection shall be made to public water, electrical and sewer facilities,
1642 unless waived by the city engineer or designee upon a demonstration of an equivalent
1643 alternative acceptable to city. All utilities shall be located underground, unless specifically
1644 approved by the city engineer or designee. All construction shall comply with state building
1645 codes and all city standards.

1646

1647 10-7-4: TEMPORARY BUILDINGS:

- 1648 A. Construction or sales office: A temporary, onsite construction or sales office that does
1649 not meet minimum construction standards may be approved by the city as a temporary
1650 construction or sales office during the construction of permanent facilities for the
1651 permitted duration. Such temporary approval may be made for a period up to one year.
1652 Extensions may be granted for good cause shown, for an additional six (6) months, up to
1653 a maximum of eighteen (18) months.
- 1654
- 1655 B. Cargo Containers: Cargo containers may be approved by the city for temporary use by
1656 the applicant, only when a permitted use exists or is under construction, and under the
1657 following standards:
- 1658
- 1659 1. Activities with Building Permit: For onsite use only during permitted construction or
1660 renovation, provided a building permit has been issued for construction related
1661 activities. For the purpose of permitted cargo containers, a building permit will be
1662 considered inactive after one hundred eighty (180) days after the last inspection that
1663 shows substantial progress toward completion of the project.

1664

 - 1665 2. Activities without Building Permit: For onsite use during moving or construction
1666 activities that do not require a permit on site for thirty (30) days. One thirty (30) day
1667 extension may be granted for good cause shown.

1668

 - 1669 3. Vertical stacking is prohibited.

1670

 - 1671 4. Cargo containers shall not be located in fire lanes, required parking spaces or
1672 landscaping.

1673

1674 10-7-5: SETBACKS ALONG STREETS:

- 1675 A. Lots that have the rear or side property lines adjacent to a public street or common area
1676 between property lines and public street, shall maintain the following minimum rear or
1677 side setbacks:

1678

- 1679 1. Side and rear yard setback on a street side yard shall be the same as a front yard. If
1680 a six-foot (6') masonry wall exists along a side property line, the side yard setback
1681 may be reduced to twenty feet (20'). The masonry wall along a street side yard,
1682 shall extend to the front plane of the residence, but shall not encroach on the twenty-
1683 five (25') setback from the front property line.

1684
1685 Double fronting lots in residential zones: Lots that have a rear property line adjacent
1686 to a public street shall maintain the following minimum rear setbacks:
1687

- 1688 a. Double fronting rear yard setback shall be the same as a front yard. If a six-foot
1689 (6') masonry wall exists along a rear property line, the rear yard setback may be
1690 reduced to twenty feet (20').
1691
1692 b. Setbacks for double fronting lots shall be measured from the masonry wall, if
1693 any. The required landscape strip shall be on the street side of the wall.
1694
- 1695 B. Less Than Required Front Yard Setback: In areas where the front yard setback on
1696 adjacent property is less than twenty-five feet (25'), new construction may be
1697 constructed at a distance that is halfway between the distance of the two (2) setbacks of
1698 adjacent properties. In a case where one of the adjacent setbacks is greater than
1699 twenty-five feet (25'), the setback shall be a distance that is halfway between the
1700 distance of the lesser adjacent setback and twenty five feet (25'). In no case shall the
1701 setback be less than twenty feet (20'). .

1702 **10-7-6: DESIGN CRITERIA:**

1703 A complete application for single-family occupancy must include a site plan, architectural plans
1704 and construction drawings of 1/4 scale, that show building materials, exterior elevations and
1705 floor plans of all proposed structures that meet the following criteria:
1706

- 1707 A. HUD Standards, Construction Codes: All development must comply with the
1708 construction codes and, as applicable, the national manufactured housing construction
1709 and safety standards and ICC guidelines for manufactured housing installations, that are
1710 capable of transferring design deadloads and live loads, and other design loads unique
1711 to local home sites, due to wind, seismic, soil and water conditions, that are imposed by
1712 or upon the structure into the underlying soil or bedrock without failure.
1713

- 1714 B. Perimeter footings at least twelve inches (12") below grade.
1715

- 1716 C. For all dwellings:

- 1717 1. Space beneath the structure must be enclosed at the perimeter of the dwelling in
1718 accordance with ICC guidelines and constructed of weather resistant materials
1719 aesthetically consistent with concrete or masonry type foundation materials.
1720

1721 A minimum landing of thirty-six inches by thirty-six inches (36" x 36") at each exit.
1722

1723 All manufactured home running gear, tongues, axles and wheels must be removed
1724 and stored off-site or in a separately enclosed structure.
1725

- 1726 D. Prohibited Exterior Materials:
1727

- 1730 1. Plain concrete block, slump block, weeping mortar
- 1731
- 1732 Colored or architectural concrete block
- 1733
- 1734 Plywood siding
- 1735
- 1736 Metal siding, sheet metal
- 1737
- 1738 Untreated metal, or reflective roofing
- 1739

1740 E. Width of Dwelling: The width of each dwelling shall not be less than twenty feet (20') at
1741 the narrowest point of its first floor, exclusive of any garage, bay window, or
1742 appendages.

1743 F. Minimum Floor Area:

- 1744 1. Each dwelling located on a lot of seven thousand (7,000) square feet or less in size
1745 shall have a minimum floor area, exclusive of garages and basement, of nine
1746 hundred (900) square feet.

1747 Each dwelling located on a lot greater than seven thousand (7,000) square feet in
1748 size shall have a minimum floor area, exclusive of garage and basement, of one
1749 thousand (1,000) square feet.

1750 G. Any addition to the main structure, shall be constructed using the same design, finishes,
1751 materials, and colors.

1752 **10-7-8: RELATED PROVISIONS:**

- 1753 A. OUTDOOR LIGHTING— Chapter 10-14
- 1754 B. PERMITTED WITH STANDARDS AND CONDITIONAL USES – Chapter 10-17
- 1755 C. WALLS, FENCES AND HEDGES— Chapter 10-18
- 1756 D. OFF STREET PARKING REQUIREMENTS— Chapter 10-19
- 1757 E. MOTOR VEHICLE ACCESS AND LOADING— Chapter 10-20
- 1758 F. LANDSCAPE STANDARDS— Chapter 10-23
- 1759 G. SIGNS—CHAPTER 9-13

ARTICLE A.
RESIDENTIAL ESTATE ZONES
(RE-5, RE-12.5, RE-20, RE-37.5)

10-7A-1: ALLOWED USES:

Any use not specifically permitted, permitted with standards, or conditionally permitted, is prohibited. Only the following uses are allowed:

- 1775 A. Uses indicated by the letter "P" below are permitted in the designated zone.
- 1776 B. Uses indicated by the letters "PS" are permitted uses with required standards in this
1777 zone. Uses must comply with the standards and evaluation criteria established in
1778 Chapter 17.
- 1780 C. Uses indicated by the letter "C" are conditional uses in the designated zone.

		ALLOWED USES			
		RE-5	RE-12.5	RE-20	RE-37.5
City facility, primary		P	P	P	P
City facility accessory uses:	Accessory structure and use	P	P	P	P
Commercial agriculture or livestock business		P	P	P	P
Communication transmission facilities, primary		PS	PS	PS	PS
Lot Size Averaging				P	P
Private country club, golf course and park		P	P	P	P
Public utility facilities, primary		PS	PS	PS	PS
Public utility facilities accessory uses:	Accessory structures	P	P	P	P
Religious facility, primary		P	P	P	P
School, public or charter, primary		P	P	P	P
Single family dwelling, primary		P	P	P	P
Single family dwelling accessory uses:	Accessory structure and use	P	P	P	P
	Agriculture	P	P	P	P
	Apiaries/Beekeeping	PS	PS	PS	PS
	Barns and corrals for agriculture and livestock—at least 50 feet from any dwelling	PS			
	Barns and corrals for agriculture and livestock—at least 100 feet from any dwelling	PS	PS	PS	PS
	Child Care, In Home Babysitting	P	P	P	P
	Child Care, Family	P	P	P	P

Greenhouse, high tower or plant nurseries (no retail)	P	P	P	P
Guesthouse	PS	PS	PS	PS
Home occupation	P	P	P	P
Livestock—one animal per 12,000 sf; 2 per 20,000 sf; one additional animal for each additional 10,000 sf over 20,000 sf	P	P	P	P
Accessory Dwelling Unit	PS	PS	PS	PS
Small animals (not produced for food) up to 8 animals	P	P	P	P
Sale of homegrown eggs and produce from the residence, subject to the provisions and restrictions in the home occupation ordinance.	P	P	P	P
Urban hens and rabbits—up to 6 adult hens and 4 adult rabbits per 1,000 sf of lot area—no more than 16 animals per lot, up to 10 rabbits	P	P	P	P
Urban hen/rabbit coop, pen or cage—up to 8' tall and 200 sf—allowed only in rear yard, at least 20' from lot line (unless solid perimeter fence); required effective manure management	P	P	P	P

1783

10-7A-2: HEIGHT REGULATIONS:

1784 No residential dwelling shall be erected to a height less than ten feet (10') and no structure shall
 1785 be greater than forty feet (40'), unless a conditional use permit is granted for a greater height.

1787

10-7A-3: LOT AREA, WIDTH AND YARD REQUIREMENTS:

1788 A. The minimum lot area, width, street frontage and yard requirements are as follows:

District	Minimum lot area	Minimum Lot Width/Frontage	Minimum Yard Setbacks		
			Front and Street Side	Side	Rear
RE-5	5 acres	80 feet	25 feet	10 feet	10 feet
RE-12.5	12,500 square feet	80 feet	25 feet	10 feet	10 feet
RE-20	20,000 square feet	80 feet	25 feet	10 feet	10 feet
RE-37.5	37,500 square feet	80 feet	25 feet	10 feet	10 feet

1799

B. Lot Size Averaging:

1800

- 1801 1. Lot size averaging is an alternative to traditional minimum lot size standards and
 1802 encourages a mix of lot sizes within a subdivision. The overall density of the zoning
 1803 district remains approximately the same, but flexibility is provided in the mixing of lot
 1804 sizes.

1805

Standards:

- a. Lot size averaging is a permitted use within the RE-20, and RE-37.5 zones.

- i. Project density shall not exceed the following:

<u>District</u>	<u>Maximum Dwelling Units per Acre</u>
RE-20	2.0 du/acre
RE-37.5	1.2 du/acre

- b. No lot size shall be reduced to less than sixty-five percent (65%) of the required lot size for the applicable zoning district.
 - c. No lot frontage (width) shall be reduced to less than eighty percent (80%) of the required lot frontage for the applicable zoning district.
 - d. Lot size averaging shall apply to new subdivisions, not to existing recorded plats, and not to amendments to recorded plats.
 - e. Open space dedications and/or trail easements shall be included in the subdivision density calculations for the purpose of complying with subsection B2a of this section.
 - f. Not more than half of the proposed lots within the subdivision may be less than the zone's standard lot size.

1827
ARTICLE B.1828
SINGLE FAMILY RESIDENTIAL ZONES
1829
(R-1-6, R-1-7, R-1-8, R-1-10, R-1-12, R-1-20, R-1-40)1830
10-7B-1: ALLOWED USES:1831
Any use not specifically permitted, permitted with standards, or conditionally permitted, is
1832 prohibited. Only the following uses are allowed:

- 1833
-
- A. Uses indicated by the letter "P" below are permitted in the designated zone.
-
- 1834
-
- B. Uses indicated by the letters "PS" are permitted uses with required standards in this
-
- 1835 zone. Uses must comply with the standards and evaluation criteria established in
-
- 1836 Chapter 17.
-
- 1837
-
- C. Uses indicated by the letter "C" are conditional uses in the designated zone.

		ALLOWED USES						
		R-1-6	R-1-7	R-1-8	R-1-10	R-1-12	R-1-20	R-1-40
City facility, primary		P	P	P	P	P	P	P
City facility accessory uses:	Accessory structure and use	P	P	P	P	P	P	P
Communication transmission facilities, primary		PS	PS	PS	PS	PS	PS	PS
Lot size averaging				P	P	P	P	P
Public utility facilities, primary		PS	PS	PS	PS	PS	PS	PS
Public utility facilities accessory uses:	Accessory structures	P	P	P	P	P	P	P
Religious facility, primary		P	P	P	P	P	P	P
School, public or charter, primary		P	P	P	P	P	P	P
Single family dwelling, primary		P	P	P	P	P	P	P
Single family dwelling accessory uses:	Accessory structure and use	P	P	P	P	P	P	P
	Agriculture	P	P	P	P	P	P	P
	Apiaries/Beekeeping					PS	PS	PS
	Child Care, In Home Babysitting	P	P	P	P	P	P	P

Child Care, Family	P	P	P	P	P	P	P	P
Greenhouse, high tower or plant nurseries (no retail)	P	P	P	P	P	P	P	P
Guesthouse				PS	PS	PS	PS	
Home occupation	P	P	P	P	P	P	P	
Accessory Dwelling Unit			PS	PS	PS	PS	PS	
Small animals (not produced for food) up to 8 animals	P	P	P	P	P	P	P	
Urban hens and rabbits—up to 6 adult hens and 4 adult rabbits per 1,000 sf of lot area—no more than 16 animals per lot, up to 10 rabbits	P	P	P	P	P	P	P	
Urban hen/rabbit coop, pen or cage—up to 8' tall and 200 sf—allowed only in rear yard, at least 20' from lot line (unless solid perimeter fence); required effective manure management	P	P	P	P	P	P	P	

1843

1844

10-7B-2: HEIGHT REGULATIONS:

1845 No residential dwelling shall be erected to a height less than ten feet (10') and no structure shall
 1846 be greater than forty feet (40'), unless a conditional use permit is granted for a greater height.

1847

1848

10-7B-3: LOT AREA, WIDTH, YARD REQUIREMENTS:

1849 A. The minimum lot area, width, yard and landscaping requirements in each zone below
 1850 are as follows:

District	Lot Area Minimum In Square Feet	Minimum Lot Width/Frontage	Minimum Yard Setbacks		
			Front and Street Side	Side	Rear
R-1-6	6,000	70 ft.	20 ft.	6 ft. where public utility easement	10 ft.

				doesn't exist 8 ft. if public utility easement exists	
R-1-7	7,000	70 ft. or 65 ft. in the central city residential area.	25 ft.	6 ft. where public utility easement doesn't exist 8 ft. if public utility easement exists	10 ft.
R-1-8: Lot size averaging:	8,000 Not less than a 80% reduction	70 ft. or 65 ft. in the central city residential area. Not less than a 65 ft.	25 ft.	8 ft..	10 ft.
R-1-8 Exceptions:					
R-1-10 Lot size averaging:	10,000 Not less than a 70% reduction	80 ft. Not less than a 70% reduction	25 ft.	8 ft.	10 ft.
R-1-12 Lot size averaging:	12,000 Not less than a 70% reduction	90 ft. Not less than a 70% reduction	25 ft.	8 ft.	10 ft.
R-1-20 Lot size averaging:	20,000 Not less than a 70% reduction	100 ft. Not less than a 70% reduction	25 ft.	8 ft.	10 ft.
R-1-40 Lot size averaging:	40,000 Not less than a 70% reduction	200 ft. Not less than a 70% reduction	25 ft.	8 ft.	10 ft.

1851

1852

B. Lot Size Averaging:

1853

1854

1855

1856

1. Lot size averaging is an alternative to traditional minimum lot size standards and encourages a mix of lot sizes within a subdivision. The overall density of the zoning district remains approximately the same, but flexibility is provided in the mixing of lot sizes.

1857

2. Standards:

1858

1859

1860

1861

1862

- a. Lot size averaging is a permitted use within the R-1-8, R-1-10, R-1-12, R-1-20 and R-1-40 zones.

- i. Project density shall not exceed the following:

<u>District</u>	<u>Maximum Dwelling Units per Acre</u>
R-1-8	3.7 du/acre
R-1-10	3.2 du/acre
R-1-12	2.8 du/acre
R-1-20	1.8 du/acre
R-1-40	1.0 du/acre

1863
 1864 b. Lot size averaging shall apply to new subdivisions, and not to existing recorded
 1865 plats, nor to amendments to recorded plats.
 1866
 1867 c. Open space dedications and/or trail easements shall be included in the
 1868 subdivision density calculations for the purpose of complying with subsection B1a
 1869 of this section.
 1870
 1871 d. Not more than half of the proposed lots within the subdivision may be less than
 1872 the zone's standard lot size.
 1873
 1874

ARTICLE C. MULTIPLE FAMILY RESIDENTIAL ZONES (R-2, R-3, R-4)

10-7C-1: ALLOWED USES:

Any use not specifically permitted, permitted with standards, or conditionally permitted, is prohibited. Only the following uses are allowed:

- A. Uses indicated by the letter "P" below are permitted in the designated zone.
 - B. Uses indicated by the letter "PS" are permitted uses with required standards in this zone. Uses must comply with the standards and evaluation criteria established in Chapter 17.
 - C. Uses indicated by the letter "C" are conditional uses in the designated zone.

ALLOWED USES				
		R-2	R-3	R-4
City facility, primary		P	P	P
City facility accessory uses:	Accessory structure and use	P	P	P
Communication transmission facilities, primary		PS	PS	PS
Multiple family up to 12 dwelling units		P	P	P
Multiple family over 20 dwelling units or 12 du/ac		C	C	C
Public utility facilities, primary		PS	PS	PS
Public utility facilities accessory uses:	Accessory structures	P	P	P
Religious facility, primary		P	P	P
School, public or charter, primary		P	P	P
Two and single family dwelling, primary		P	P	P
Two and single family dwelling accessory uses:	Accessory structure and use	P	P	P
	Agriculture	P	P	P
	Child Care, In Home Babysitting	P	P	P
	Child Care, Family	P	P	P
	Greenhouse, high tower or plant nurseries (no retail)	P	P	P
	Guesthouse	PS	PS	PS
	Home occupation	P	P	P
	Small animals (not produced for food) up to 2 animals	P	P	P

10-7C-2: HEIGHT REGULATIONS:

No residential dwelling shall be erected to a height less than ten feet (10') and no structure shall be greater than forty feet (40').

1895 **10-7C-3: DENSITY REGULATIONS:**

- 1896 A. The minimum lot size for any single-family dwelling or the first unit of each multifamily
1897 dwelling is six thousand (6000) square feet.
1898 B. The minimum lot size for any two-family dwelling shall be eight thousand (8000) square
1899 feet.
1900
1901 C. Additional multiple-family units may be added to a multiple family structure according to
1902 the following schedule (in square feet):

<u>Units</u>	R-2	R-3	R-4
1st unit	6,000	6,000	6,000
2nd unit	2,000	2,000	2,000
3rd and 4th units		2,700/unit	2,000/unit
Additional units		3,200/unit	1,700/unit

- 1903
1904 D. In the R-2 zone, no multiple family dwelling shall contain more than two (2) dwelling units
1905 per building.
1906
1907 E. Land outside the multiple family units shall be designated as common or limited common
1908 area, and one owner, or a property owners' association, shall be established to own and
1909 maintain the common areas.
1910
1911 F. Any fractional amount of square footage left over in calculating density may not be
1912 considered toward an additional dwelling unit unless the full required amount of land is
1913 available.

1914 **10-7C-4: AREA, WIDTH AND YARD REQUIREMENTS:**

1915 The minimum area, width and yard requirements are as follows:

<u>Zone/Unit type</u>	<u>Area Minimum In Square Feet</u>	<u>Minimum Lot Frontage</u>	<u>Required landscaping</u>	<u>Minimum Yard Setbacks</u>		
				<u>Front and Street Side</u>	<u>Side</u>	<u>Rear</u>
R-2	6,000 and 2,000 for each additional unit	65 feet	30% lot area 50% front yard	25 feet	8 feet	10 feet
R-2 MF subdivided	4,000 per unit	30 feet per unit	30% lot area 50% front yard	25 foot	8 feet (excluding common wall)	10 feet
R-3 MF	6,000 per unit	70 feet	30% lot area 50% front yard	25 feet	20 feet Min 25 feet from SF	20 feet Min 25 feet from SF

R-4 MF	6,000 per unit	70 feet	30% lot area 50% front yard	25 feet	20 feet Min 25 feet from SF	20 feet Min 25 feet from SF
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1928

1929

10-7C-5: MINIMUM REQUIRED BUILDING SEPARATION:

Building separation for detached units and multiple family dwellings:	Side	Rear
Where there is common area, or limited common area, between structures and no fence or retaining wall over 3 feet:	10 ft. if height is less than 20'; 20' if height is 20' or greater	10 ft. if height is less than 19 ft; 40' if height is 20' or greater
Where there is common area, or limited common area, between structures and a fence or retaining wall over 3 feet:	16 ft. if height is less than 35'; 20' if height exceeds 35'	16 ft. if height is less than 20'; 20' if height is greater than 20'
Building separation for detached single-family projects, may be reduced to 3 feet if the following standards are met: there is common or limited common area between structures; structures shall be built in accordance to the provisions of the current International Residential Building Code; no fence and no retaining wall exists between units or building offsets; and the reduced separation is approved during the zone change		

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1941

- A. Multiple family dwellings eighteen (18') feet or more above grade in height, and adjacent to a single-family use, shall maintain a twenty-five-foot (25') setback adjacent to the single-family use boundary, and a twenty foot (20') setback adjacent to other residential uses, including the same use and a PD planned development residential zone. If adjacent land is vacant, the use will be considered that of the intended use dictated by the zoning and comply with the above setback standards.
- B. Rear yard fences that do not block fire access may be allowed with the approval of the building and fire departments.

10-7C-6: LANDSCAPED AREA AND AMENITY REQUIREMENTS:

1942

1943

1944

1945

1946

1947

1948

1949

1950

1951

- A. At a minimum, all developments with five (5) or more units shall provide usable recreation or playground areas in a central location as follows:
 - 1. One thousand (1,000) square feet for the first five (5) units;
 - An additional two hundred (200) square feet for each unit over five (5) units;
 - The average width and length of each usable recreation or playground area shall not be less than twenty feet (20');
 - and

1952 All of the required area shall be usable common space accessible to the entire
1953 community.

- 1954
- 1955 B. The number of amenities required depends on the size of the development. All amenities
1956 shall be approved by the land use authority in accordance with the following:

Units	Amenities
0-4	0
5-50	1
51-100	2
101-200	3
201-300	4
Add 1 amenity for each 50 additional units or fraction thereof.	

- 1976
- 1977 C. The type of amenities required depends on the nature, size, and density of the
1978 development. If multiple amenities are required, the type shall vary. All amenities shall
1979 be approved by the land use authority in accordance with the following:

- 1980
- 1981 1. All required amenities shall be fully constructed, prior to construction of fifty percent
1982 (50%) of the total project units, or in accordance with an executed development
1983 agreement with terms acceptable to city.

1984

1985 In addition to amenities, a minimum of thirty percent (30%) of the lot area shall be
1986 maintained in landscaped area, and at least fifty percent (50%) of the front setback
1987 area shall be maintained as landscaped area.

- 1988
- 1989 D. Table of Amenities:

Recreation and Enrichment Amenities
Pool - at least 400 square feet
Internal Health or Fitness Facilities
Secured, programmed, children's play areas
In-ground Hot Tub
Community Garden
Perimeter Trail
Sport Court
Indoor, Keyed, Bicycle Storage for Units
Community Library, Office, or Meeting Facilities
Exterior Social Area – at least 400 square feet

1991

1992 10-7C-7: ACCESS TO MULTIPLE FAMILY:

1993 A multiple family development with a density of twelve (12) dwelling units per acre or more shall
1994 have two separate accesses for ingress and egress via collector, or arterial roads, or via a local
1995 access road (50-foot minimum right-of-way).

1996

1997 10-7C-8: MISCELLANEOUS:

- 1998 A. Twin Homes: Each unit of a twin home may be platted and sold separately, provided the
1999 units are attached and meet the building code requirements for separate ownership and
2000 each resulting lot area has a minimum of four thousand (4,000) square feet and a
2001 minimum of thirty feet (30') of frontage on a public road. Each unit shall have its own
2002 water and power meters and separate sewer lateral.
- 2003
- 2004 B. Guest Parking: For housing projects with a density of six (6) dwelling units per acre or
2005 more there shall be provided guest parking spaces in the amount of one guest parking
2006 space per three (3) dwelling units. The guest parking spaces shall be located on
2007 premises and within two hundred feet (200') of the dwelling unit it is intended to serve.
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- 2009
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ARTICLE D. MOBILE HOME ZONES (MH-6, MH-8, MH-10, MH-12, MH-20, MH-40)

10-7D-1: ALLOWED USES:

Any use not specifically permitted, permitted with standards, or conditionally permitted, is prohibited. Only the following uses are allowed:

- A. Uses indicated by the letter "P" below are permitted in the designated zone.
- B. Uses indicated by the letter "PS" are permitted uses with required standards in this zone. Uses must comply with the standards and evaluation criteria established in Chapter 17.
- C. Uses indicated by the letter "C" are conditional uses in the designated zone.

		ALL
City facility, primary		PS
City facility accessory uses:	Accessory structure and use	P
Communication transmission facilities, primary		PS
Mobile home, primary		P
Mobile home accessory uses:	Accessory structure and use	P
	Agriculture	P
	Child Care, In Home Babysitting	P
	Child Care, Family	P
	Home occupation	P
	Small animals (not produced for food) up to 2 animals	P
Public utility facilities, primary		P
Public utility facilities accessory uses:	Accessory structures	P
Religious facility, primary		P
School, public or charter, primary		P
Single family dwelling, primary		P
Single family dwelling accessory uses:	Accessory structure and use	P
	Agriculture	p
	Child Care, In Home Babysitting	P
	Child Care, Family	P
	Home occupation	P
	Small animals (not produced for food) up to 8 animals	
Single family dwelling, one story in existing recreation vehicle subdivision lot		P
Single family	Accessory structure and use	P

dwelling accessory uses:	Agriculture	P
	Child Care, In Home Babysitting	P
	Child Care, Family	P
	Home occupation	P
	Small animals (not produced for food) up to 2 animals	P

2026

10-7D-2: HEIGHT REGULATIONS:

No building shall be erected to a height less than ten feet (10') and no structure shall be greater than thirty-five feet (35').

2030

10-7D-3: AREA, WIDTH AND YARD REQUIREMENTS:

The minimum lot area, width and yard requirements are as follows:

District	Area Minimum per unit <u>In Square Feet/</u> <u>minimum subdivision size</u>	Minimum <u>Lot</u> <u>Width</u>	Minimum Yard Setbacks		
			<u>Front</u> and street side	<u>Side</u>	<u>Rear</u>
MH-6	6,000/ 5 acres	60 ft .	20 ft.	8 ft.	10 ft.
MH-8	8,000/ 5 acres	70 ft .	25 ft.	8 ft.	10 ft.
MH-10	10,000/ 5 acres	80 ft .	25 ft.	8 ft.	10 ft.
MH-12	12,000/ 5 acres	90 ft .	25 ft.	8 ft.	10 ft.
MH-20	20,000/ 5 acres	100 ft .	25 ft.	8 ft.	10 ft.
MH-40	40,000/ 5 acres	200 ft .	25 ft.	8 ft.	10 ft.
Single family dwelling, existing recreation vehicle subdivision lots			10 ft. for private streets and 25 ft. for public streets	5 ft. interior lot line and 10 ft. adjacent to an exterior lot line.	5 ft. interior lot line and 10 ft. adjacent to an exterior lot line.

2033

10-7D-4: DESIGN CRITERIA:

A complete application for single-family occupancy must include a site plan, architectural plans, and construction drawings of 1/4 scale, which show building materials, exterior elevations and floor plans of all proposed structures that meet the following criteria:

2038

- 2039 A. HUD Standards, Construction Codes: All development must comply with the construction codes and, as applicable, the national manufactured housing construction and safety standards and ICC guidelines for manufactured housing installations, that are capable of transferring design deadloads and live loads, and other design loads unique to local home sites, due to wind, seismic, soil and water conditions, that are imposed by or upon the structure into the underlying soil or bedrock without failure.
- 2040
- 2041
- 2042
- 2043
- 2044
- 2045
- 2046 B. Perimeter footings at least twelve inches (12") below grade.
- 2047
- 2048 C. For all dwellings:
- 2049

- 2050 1. Space beneath the structure must be enclosed at the perimeter of the dwelling in
 2051 accordance with ICC guidelines and constructed of weather resistant materials
 2052 aesthetically consistent with concrete or masonry type foundation materials.
 2053
 2054 2. A minimum landing of thirty-six inches by thirty-six inches (36" x 36") at each exit.
 2055
 2056 3. All manufactured home running gear, tongues, axles and wheels must be removed
 2057 and stored off-site or in a separately enclosed structure.
 2058
 2059 D. Exterior Materials: Each dwelling shall have exterior materials of wood, hardwood, brick,
 2060 concrete, stucco, glass, metal lap, vinyl lap, tile or stone.
 2061
 2062 E. Width of Dwelling: The width of each dwelling shall not be less than twenty feet (20') at
 2063 the narrowest point of its first floor, exclusive of any garage, bay window, or
 2064 appendages.
 2065
 2066 F. Minimum Floor Area:
 2067
 2068 1. Each dwelling located on a lot of seven thousand (7,000) square feet or less in size
 2069 shall have a minimum floor area, exclusive of garages and basement, of nine
 2070 hundred (900) square feet.
 2071
 2072 Each dwelling located on a lot greater than seven thousand (7,000) square feet in
 2073 size shall have a minimum floor area, exclusive of garage and basement, of one
 2074 thousand (1,000) square feet.

10-7D-5: LANDSCAPED AREA AND AMENITY REQUIREMENTS

- 2075 A. At a minimum, all developments with five (5) or more units shall provide usable
 2076 recreation or playground areas in a central location as follows:
 2077
 2078 1. One thousand (1,000) square feet for the first five (5) units;
 2079
 2080 An additional two hundred (200) square feet for each unit over five (5) units;
 2081
 2082 The average width and length of each usable recreation or playground area shall not
 2083 be less than twenty feet (20'); and
 2084
 2085 All of the required area shall be usable common space accessible to the entire
 2086 community.
 2087
 2088 B. The number of amenities required depends on the size of the development. All amenities
 2089 shall be approved by the land use authority in accordance with the following:

Units	Amenities
0-4	0
5-50	1

2093	51-100	2
2094		
2095	101-200	3
2096		
2097	201-300	4
2098		
2099	For projects in excess of 300 units, add 1 amenity for each 100 additional units or fraction thereof.	
2100		
2101		
2102		
2103		
2104		

- 2105 C. The type of amenities required depends on the nature, size, and density of the
 2106 development. If multiple amenities are required, the type shall vary. All amenities shall
 2107 be approved by the land use authority in accordance with the following:
 2108
- 2109 1. All required amenities shall be fully constructed, prior to construction of fifty percent
 (50%) of the total project units, or in accordance with an executed development
 agreement with terms acceptable to city.
 - 2110 2. In addition to amenities, a minimum of thirty percent (30%) of the lot area shall be
 maintained in landscaped area, and at least fifty percent (50%) of the front setback
 area shall be maintained as landscaped area.

2115 D. Table of Amenities:

Recreation and Enrichment Amenities
Pool - at least 400 square feet
Internal Health or Fitness Facilities
Secured, programmed, children's play areas
In-ground Hot Tub
Community Garden
Perimeter Trail
Sport Court
Indoor, Keyed, Bicycle Storage for Units
Community Library, Office, or Meeting Facilities
Exterior Social Area – at least 400 square feet

2130

ARTICLE E.

RESIDENTIAL CENTRAL CITY ZONE

(RCC)

2131

2132

2133

2134 The following provisions apply to the RCC zone. Additionally, all RCC zone provisions also
 2135 apply to the R-1-C zone:

2136

2137 **10-7E-1: ALLOWED USES:**

2138 Any use not specifically permitted, permitted with standards, or conditionally permitted, is
 2139 prohibited. Only the following uses are allowed:

2140

- 2141 A. Uses indicated by the letter "P" below are permitted in the designated zone.
 - 2142 B. Uses indicated by the letter "PS" are permitted uses with required standards in this zone.
 2143 Uses must comply with the standards and evaluation criteria established in Chapter 17.
 - 2145 C. Uses indicated by the letter "C" are conditional uses in the designated zone.
- 2146
- 2147

ALLOWED USES		
City facility, primary		P
City facility accessory uses:	Accessory structure and use	P
Communication transmission facilities, primary		PS
Public utility facilities, primary		PS
Religious facility, primary		P
School, public or charter, primary		P
Single family dwelling, primary		P
Single family dwelling accessory uses:	Accessory structure and use	P
	Child Care, In Home Babysitting	P
	Child Care, Family	P
	Guesthouse	PS
	Home occupation	P
	Accessory Dwelling Unit	PS
	Small animals (not produced for food) up to 8 animals	P
	Urban hens and rabbits—up to 6 adult hens and 4 adult rabbits per 1,000 sf of lot area—no more than 16 animals per lot, up to 10 rabbits	P
	Urban hen/rabbit coop, pen or cage—up to 8' tall and 200 sf—allowed only in rear yard, at least 20' from lot line (unless solid perimeter fence); required effective manure management	P

2148

2149 **10-7E-2: DEVELOPMENT STANDARDS:**

2150 A. All dwellings/dwelling units shall front on a public street.

2151

2152 B. All streets within the RCC zone shall comply with St. George Standard Specifications for
2153 Design and Construction, and be:

2154 1. a public street, or

2155 a RCC Modified Street, with a minimum width of twenty seven feet (27') of pavement
2156 along the entire depth of the property, with the additional following reduced
2157 standards:

2158 a. twenty feet (20') of pavement is required along the street side yard of an existing
2159 house;

2160 b. HB30-7 curb and gutters on each side (5-foot total);

2161 c. four foot (4') wide sidewalk on both sides of the street;

2162 d. only one four foot (4') wide sidewalk is required if the new dwellings front only on
2163 one side of the RCC Modified Street. Sidewalk shall be located on the new
2164 dwelling side of the street;

2165 e. if new modified street is adjacent to existing side or rear lots, a 6' solid block wall
2166 is required along the existing lots. The wall shall not be located in the required
2167 front yard setback of existing lots;

2168 f. six foot (6') solid fencing on a street side yard shall not be located in the required
2169 setback. However, a six foot (6') decorative fence, such as a picket fence or a
2170 wrought iron fence with at least fifty percent (50%) of the fence open (up to 50
2171 percent may be solid, or non-see through) shall be allowed in the required street
2172 side yard setback.

2173 C. All alleys shall comply with St. George Standard Specifications for Design and
2174 Construction and be a minimum of twenty-feet (20') wide which serves garages in the
2175 rear yards of lots with dwellings that front on a public street.

2176 D. Legally existing multiple family dwelling units may be replaced with the same or lesser
2177 number of units, provided such replacement meets all multiple family code requirements
2178 in Chapter 7C, and meets all Architectural Design Standards contained in this chapter.
2179 The replacement units shall obtain a building permit within twelve (12) months of
2180 abandonment, vacancy, discontinuation of use, or demolition of the nonconforming units,
2181 whichever is sooner. If a building permit is not obtained, all Residential Central City
2182 zone standards for new construction control.

2183 E. All new subdivision and development within the RCC zone shall comply with the
2184 following minimum standards and the Architectural Design Standards:

Minimum lot area	5000 square feet
Minimum lot width/frontage	40 feet

Front yard(s)	15 feet from back of sidewalk; Garage setback shall be a minimum of 25 feet from property line.
Exception:	Elevated Open Front Porch, only up to 5' in the setback
Rear yard	10 feet
Exception	Detached garage is allowed in the rear yard; if garage is accessed by an alley, a 5-foot setback is required from the alley.
Side yard	8 feet (5 feet provided no easements or public utilities are located in the side yard.)
Exceptions:	Structures with existing nonconforming setbacks, may expand the existing structure and maintain the same setback.
Street side yard, existing dwelling	5 feet from back of sidewalk, if the side yard is adjacent to a RCC Modified Street
Street side yard	15 feet from back of sidewalk; Garage setback shall be a minimum of 25 feet from property line.
Exceptions:	Elevated Open Front Porch, only up to 5' in the setback

2197

2198 **10-7E-3: ARCHITECTURAL DESIGN STANDARDS:**

2199 Architectural design standards apply to all new dwellings and development:

2200

2201 A. Height: Minimum above grade height is 13' and maximum above grade height is 35'.

2202

2203 B. Elevated Open Front Porches: A covered front porch is required which extends at least
2204 one-half (1/2) the width of the ground level building frontage and elevated at least 18"
2205 above sidewalk grade with a minimum depth of eight feet (8').

2206

2207 C. Prohibited Exterior Materials:

2208

1. Plain concrete block, slump block, weeping mortar

2209

Plastic or vinyl siding

2210

Colored or architectural concrete block

2211

Plywood siding

2212

Aluminum siding,

2213

Untreated metal, or reflective roofing

2214

D. Columns: If columns are included in the design, the columns must be 8 inches in
diameter minimum.

2222
2223 E. Garage: Garage shall not protrude from the façade and shall not exceed fifty percent
2224 (50%) of the length of the building's public street façade.

2225
2226 F. Prohibited architectural styles:

2227 1. A-frame structures

2229 2. Geodesic dome structures

2231 3. Quonset style

2233 4. Yurts

2236 G. Prohibited predominant roof styles:

2238 a. Geodesic domes

2240 b. Conical roofs

2242 c. Onion dome roofs

2244 d. Mansard

2245
2246

ARTICLE F

PLANNED DEVELOPMENT RESIDENTIAL ZONE (PD-R)

10-7F-1: ALLOWED USES:

Any use not specifically permitted, permitted with standards, or conditionally permitted, is prohibited. Only the following uses are allowed:

- A. Uses indicated by the letter "P" below are permitted in the designated zone only if approved as part of the zone change.
 - B. Uses indicated by the letter "PS" are permitted uses with required standards, only if approved as part of the zone change.
 - C. Uses indicated by the letter "C" are conditional uses in the designated zone.

ALLOWED USES		
City facility, primary		PD-R
City facility accessory uses:	Accessory structure and use	P
Communication transmission facilities, primary		PS
Multiple-family dwelling, primary		P
Multiple-family dwelling accessory uses:	Accessory structure and use	P
	Agriculture	P
	Child Care, In Home Babysitting	P
	Child Care, Family	P
	Home occupation	P
	Small animals (not produced for food) up to 8 animals	P
Public utility facilities, primary		PS
Public utility facilities accessory uses:	Accessory structures	P
Religious facility, primary		P
School, public or charter, primary		P
Single family dwelling, primary		P
Single family dwelling accessory uses:	Accessory structure and use	P
	Agriculture	P
	Child Care, In Home Babysitting	P
	Child Care, Family	P
	Guesthouse	PS
	Home occupation	P

	Small animals (not produced for food) up to 8 animals	P
	Accessory Dwelling Unit (minimum lot size 8,000 sq ft)	PS
Townhouse and condominiums		P
Townhouse and condominiums accessory uses:		P
	Accessory structure and use	P
	Agriculture	P
	Child Care, In Home Babysitting	P
	Child Care, Family	P
	Home occupation	P
	Small animals (not produced for food) up to 8 animals	P

2263

2264 **10-7F-2: GENERAL REQUIREMENTS:**

- 2265 A. Application requirements: Each application submitted pursuant to this chapter shall
2266 include the following:
2267
- 2268 1. Documents Required: All requests shall be accompanied by a colored site
2269 development plan, materials, and a written text for the entire property proposed to be
2270 developed.
 - 2271 2. Description of the Proposed Use of Land: The projected use of land, including
2272 percentages of land devoted to various types of land use, such as building coverage,
2273 parking area, landscaped area, etc.
 - 2274 3. Height and Elevations: The type, character and proposed height of all buildings.
 - 2275 4. Density: The proposed density in terms of dwelling units per gross acre of land and
2276 proposed floor area of non-residential uses per acre.
 - 2277 5. Schools, Churches and Open Spaces: The location and boundaries of any proposed
2278 school site, church, park or other common or open spaces.
 - 2279 6. Phasing Plan: A phasing plan, if the development is proposed to be developed in
2280 phases.
 - 2281 7. Topography: Topography at contour intervals of two feet (2').
 - 2282 8. Landscape Plan: A landscape plan showing the general location of lawn area and
2283 trees (this may be a part of the site or plot plan).
 - 2284 9. Area Reserved for Landscaping: The location and amount of land area reserved for
2285 landscaping.
 - 2286 10. Utilities: Demonstration that all utilities are underground and transformer equipment
2287 is screened from streets and from adjacent properties.
 - 2288 11. Refuse Storage Areas: Refuse storage areas screened so that materials stored
2289 within these areas is not visible from access streets, freeways and adjacent
2290 properties.

2301

2302 12. Lighting Plan: A general lighting plan indicating location and luminosity of lights to be
2303 installed on the site.

2304
2305 13. Turning Space: Safe and convenient turning space for cars, sewer vehicles, refuse
2306 collection vehicles, firefighting equipment, etc., at the end of private drives and dead-
2307 end streets.

2308
2309 14. Signs: All signs shall be submitted and approved as part of the PD approval.

2310
2311 B. Signs and Advertising: The requirements of the sign ordinance set forth in Title 9,
2312 Chapter 13 of this code apply, unless a variation is specifically approved, and shall not
2313 exceed the following:

2314
2315 1. Freestanding signs: freestanding signs shall be monuments and limited to seventy-
2316 five (75) square feet. Monument signs shall be limited to ten (10) feet in height.
2317 Only one sign per street frontage is permitted.

2318
2319 2. Wall signs: One wall sign on a multiply family project limited to one hundred and
2320 twenty (120) square feet.

2321
2322 C. Time Limitation: Building permits for construction within planned development zones
2323 must be obtained within thirty-six (36) months of the approval of a zone change to
2324 planned development. If thirty-six (36) months elapse without the issuance of building
2325 permits for the construction of the approved plans within the planned development zone,
2326 the zone shall automatically revert back to the previous zone before the zone change to
2327 planned development was approved.

10-7F-3: PRELIMINARY PLAT:

2328
2329 For all Planned Development projects that are proposed to be subdivided, applicant may
2330 prepare and submit a preliminary plat at the same time as the zone change application for the
2331 planned development. In order to be considered for concurrent review, the application must
2332 contain all preliminary plat requirements set forth in Chapter 25 of this code, as amended.

10-7F-4: PD-R PLANNED RESIDENTIAL DEVELOPMENT STANDARDS:

2335 A. MINIMUM ZONE REQUIREMENTS: Each planned residential development zone
2336 application shall include a minimum of fifteen thousand (15,000) square feet and four (4)
2337 dwelling units.

2338
2339 B. MAXIMUM DENSITY: The maximum density is 22 dwelling units per acre, and the
2340 general plan land use map.

2341
2342 C. HEIGHT REGULATIONS: No residential dwelling shall be erected to a height less than
2343 ten feet (10'), and no structure shall be greater than forty feet (40').

2344
2345 D. AREA, COVERAGE, DENSITY, YARD, COMMON AREA and LANDSCAPING
2346 REQUIREMENTS: The minimum lot area, maximum density, maximum lot coverage,
2347 yard and common open space/landscaping requirements are as follows:

2348
2349

<u>Maximum Density/ Lot Size</u>	Maximum Lot Coverage	Minimum Area Landscaped Area	Minimum Yard Setbacks		
			<u>Front and Street Side</u>	<u>Side</u>	<u>Rear</u>
As approved by city council with recommendation from the planning commission and not to exceed 22 DUA, and the general plan land use map limits. The minimum lot size in single-family residential subdivisions with private individual lots (no common area within lots) five thousand (5,000) square feet.	50%	30%	15 ft. 20 ft for a garage or carport.	Adjacent to Single Family zone: 30' Otherwise: 10 ft. if height is less than 20'; 20' if height is 20' or greater On a separate lot: 8'	Adjacent to Single Family zone: thirty feet (30') Adjacent to a street: (20') with a six foot (6') privacy wall along street right of way. Otherwise: 10 ft. if height is less than 20'; 20' if height is 20' or greater On a separate lot: 8'
Building separation for detached single-family projects, where common or limited common area between structures; structures shall be built in accordance to the provisions of the current International Residential Building Code; no fence and no retaining wall exists between units or building offsets; and the reduced separation is approved during the zone change.	50%	30%	3'	Adjacent to Single Family zone: 30' Otherwise: 10 ft. if height is less than 20'; 20' if height is 20' or greater On a separate lot: 8'	Adjacent to Single Family zone: 30' Otherwise: 10 ft. if height is less than 20'; 20' if height is 20' or greater On a separate lot: 8'

2350

2351 10-7F-5: LANDSCAPED AREA AND AMENITY REQUIREMENTS

- 2352 A. At a minimum, all developments with five (5) or more units shall provide usable
 2353 recreation or playground areas in a central location as follows:
 2354
 2355 1. One thousand (1,000) square feet for the first five (5) units;
 2356

- 2357 B. An additional two hundred (200) square feet for each unit over five (5) units;
- 2358
- 2359 C. The average width and length of each usable recreation or playground area shall not be
- 2360 less than twenty feet (20'); and
- 2361
- 2362 D. All of the required area shall be usable common space accessible to the entire
- 2363 community.
- 2364
- 2365 E. The number of amenities required depends on the size of the development. All amenities
- 2366 shall be approved by the land use authority in accordance with the following:
- 2367

Units	Amenities
0-4	0
5-50	1
51-100	2
101-200	3
201-300	4
For projects in excess of 300 units, add 1 amenity for each 100 additional units or fraction thereof.	

- 2381 F. The type of amenities required depends on the nature, size, and density of the
- 2382 development. If multiple amenities are required, the type shall vary. All amenities shall
- 2383 be approved by the land use authority in accordance with the following:
- 2384
- 2385 1. All required amenities shall be fully constructed, prior to construction of fifty percent
- 2386 (50%) of the total project units, or in accordance with an executed development
- 2387 agreement with terms acceptable to city.
- 2388
- 2389 G. In addition to amenities, a minimum of thirty percent (30%) of the lot area shall be
- 2390 maintained in landscaped area, and at least fifty percent (50%) of the front setback area
- 2391 shall be maintained as landscaped area.
- 2392
- 2393 H. Table of Amenities:
- 2394

Recreation and Enrichment Amenities
--

Pool - at least 400 square feet
Internal Health or Fitness Facilities
Secured, programmed, children's play areas
In-ground Hot Tub
Community Garden
Perimeter Trail
Sport Court
Indoor, Keyed Bicycle Storage for Units
Community Library, Office, or Meeting Facilities
Exterior Social Area – at least 400 square feet

2399
2400
2401
2402

ARTICLE G

PLANNED DEVELOPMENT – STUDENT HOUSING ZONE (PD-SH)

2407 The planned development student housing (PD-SH) provisions apply only to projects located
2408 within the “student pedestrian emphasis area” as defined in this Title, to provide housing for
2409 Dixie State University students.

10-7G-1: ALLOWED USES:

2412 Any use not specifically permitted, permitted with standards, or conditionally permitted, is
2413 prohibited. Only the following uses are allowed:

- A. Uses indicated by the letter "P" below are permitted in the designated zone only if approved as part of the zone change.
 - B. Uses indicated by the letter "PS" are permitted uses with required standards, only if approved as part of the zone change.
 - C. Uses indicated by the letter "C" are conditional uses in the designated zone.

ALLOWED USES		
		PD-SH
City facility, primary		P
City facility accessory uses:	Accessory structure and use	P
Communication transmission facilities, primary		PS
Multiple-family dwelling, primary		P
Multiple-family dwelling accessory uses:	Accessory structure and use	P
	Agriculture	P
	Home occupation	P
Public utility facilities, primary		PS
Public utility facilities accessory uses:	Accessory structures	P
Religious facility, primary		P
School, public or charter, primary		P
Single family dwelling, primary		P
Single family dwelling accessory uses:	Accessory structure and use	P
	Agriculture	P
	Child Care, In Home Babysitting	P

	Child Care, Family	P
	Guesthouse	PS
	Home occupation	P
	Small animals (not produced for food) up to 8 animals	P
Townhouse and condominiums		P
Townhouse and condominiums accessory uses:	Accessory structure and use	P
	Agriculture	P
	Child Care, In Home Babysitting	P
	Child Care, Family	P
	Home occupation	P
	Small animals (not produced for food) up to 2 animals	P

2423

2424 **10-7G-2: GENERAL REQUIREMENTS:**2425 A. Application requirements: Each application submitted pursuant to this chapter shall
2426 include the following:

2427

2428 1. Documents Required: All requests shall be accompanied by a colored site
2429 development plan, materials, and a written text for the entire property proposed to be
2430 developed.

2431

2432 2. Description of the Proposed Use of Land: The projected use of land, including
2433 percentages of land devoted to various types of land use, such as building coverage,
2434 parking area, landscaped area, etc.

2435

2436 Height and Elevations: The type, character and proposed height of all buildings.

2437

2438 Density: The proposed density in terms of dwelling units per gross acre of land and
2439 proposed floor area of residential and non-residential uses per acre.

2440

2441 Common Spaces: The location and boundaries of any proposed common, open,
2442 recreation, or amenity areas.

2443

2444 Phasing Plan: A phasing plan, if the development is proposed to be developed in
2445 phases.

2446

2447 Topography: Topography at contour intervals of two feet (2').

2448

2449 Landscape Plan: A landscape plan showing the general location of lawn area and
2450 trees (this may be a part of the site or plot plan).

2451

2452 Area Reserved for Landscaping: The location and amount of land area reserved for
2453 landscaping.

2454

2455 Utilities: Demonstration that all utilities are underground and transformer equipment
2456 is screened from streets and from adjacent properties.

2457

2458 Refuse Storage Areas: Refuse storage areas screened so that materials stored
2459 within these areas is not visible from access streets, freeways and adjacent
2460 properties.

2461
2462 Lighting Plan: A general lighting plan indicating location and luminosity of lights to be
2463 installed on the site.

2464
2465 Turning Space: Safe and convenient turning space for cars, sewer vehicles, refuse
2466 collection vehicles, firefighting equipment, etc.

2467
2468 Signs: All signs shall be submitted and approved as part of the PD approval.

2469
2470 B. Signs and Advertising: The requirements of the sign ordinance set forth in title 9, chapter
2471 13 of this code apply, unless a variation is specifically approved, and shall not exceed
2472 the following:

- 2473
2474 1. Freestanding signs: freestanding signs shall be monuments and limited to seventy-
2475 two (72) square feet. Monument signs shall be limited to ten (10) feet in height. One
2476 sign per street frontage.
2477
2478 2. Wall signs: One wall sign on a multiply family project limited to one hundred and
2479 twenty (120) square feet.
2480

2481 C. Time Limitation: Building permits for construction within planned development student
2482 housing zones must be obtained within thirty-six (36) months of the approval of a zone
2483 change to planned development. If thirty-six (36) months elapse without the issuance of
2484 building permits for the construction of the approved plans within the planned
2485 development zone, the zone shall automatically revert back to the previous zone before
2486 the zone change to planned development was approved.
2487

2488 **10-7G-3: PRELIMINARY PLAT:**

2489 For all Planned Development Student Housing projects that are proposed to be subdivided,
2490 applicant may prepare and submit a preliminary plat at the same time as the zone change
2491 application for the planned development. In order to be considered for concurrent review, the
2492 application must contain all preliminary plat requirements set forth in Chapter 25 of this code, as
2493 amended.
2494

2495 **10-7G-4: PD-SH STUDENT HOUSING DEVELOPMENT STANDARDS:**

2496 A. MINIMUM ZONE REQUIREMENTS: Each planned student housing development zone
2497 application shall contain a minimum of one acre within the student pedestrian emphasis
2498 area.
2499

2500 B. HEIGHT REGULATIONS: No residential dwelling shall be erected to a height less than
2501 ten feet (10') and no structure shall be greater than fifty-five feet (55') or up to seventy
2502 feet (70') upon demonstration of architectural merit and specifically approved by city
2503 council.
2504

2505 C. AREA, COVERAGE, DENSITY, YARD, COMMON AREA and LANDSCAPING
2506 REQUIREMENTS: The minimum lot area, maximum density, maximum lot coverage,
2507 yard and common open space/landscaping requirements are as follows:

Lot Area Minimum/ Maximum Density	Maximum Lot Coverage	Minimum Landscaped Area	Minimum Yard Setbacks		
			Front and Street Side	Side	Rear
One acre/ 40 Dwelling units/acre	50%	20%	25 ft. from public street	Adjacent to Single Family zone: 20' setback, if greater than 20' in height. Otherwise: On a common parcel: 10 ft.	Adjacent to Single Family zone: 20' setback, if greater than 20' in height. Otherwise: On a common parcel: 10 ft.

2508 D. LANDSCAPE AREA AND AMENITY REQUIREMENTS: At a minimum, all developments
2509 shall provide usable amenity areas in a central location:

- 2512 1. Student housing projects shall provide usable amenity and recreation area outside
2513 the front setback, with a total minimum area of one hundred (100) square feet for
2514 each unit. Fifty percent (50%) of the required area may be in the form of interior
2515 recreation facilities;
- 2517 2. The average width and length of each usable recreation area shall not be less than
2518 twenty feet (20'); and
- 2520 3. All of the required area shall be usable common space accessible to the entire
2521 community.
- 2523 4. The number of amenities required depends on the size of the development, and shall
2524 be approved by the land use authority in accordance with the following:

Units	Amenities
0-50	1
51-100	2
101-200	3
201-300	4
For projects in excess of 300 units, add 1 amenity for each 100 additional units or fraction thereof.	

- 2538 5. The type of amenities required depends on the nature, size, and density of the
2539 development. If multiple amenities are required, the type shall vary. All amenities
2540 shall be approved by the land use authority in accordance with the following:
2541
- 2542 a. All required amenities shall be fully constructed in the first phase of the project, in
2543 accordance with an approved PD phasing plan, or in accordance with an
2544 executed development agreement with terms acceptable to city. In every case,
2545 all required amenities shall be fully constructed before fifty percent (50%) of the
2546 total project units are constructed.
2547
- 2548 b. In addition to the amenity and recreation requirement, a minimum of thirty
2549 percent (30%) of the lot area shall be maintained in open green space or
2550 landscaped area, and at least fifty percent (50%) of the front setback area shall
2551 be maintained as landscaped area.
2552
- 2553 c. Table of Amenities:

Recreation and Enrichment Amenities
Pool - at least 400 square feet
Internal Health or Fitness Facilities
Secured, programmed, children's play areas
In-ground Hot Tub
Community Garden
Perimeter Trail
Sport Court
Indoor, Keyed, Bicycle Storage for Units
Community Library, Office, or Meeting Facilities
Exterior Social Area – at least 400 square feet

- 2567
- 2568
- 2569 E. STANDARDS: The standards set forth in section 10-XX, of this chapter, shall also apply
2570 unless otherwise provided in this section.
- 2571
- 2572 F. DESIGN STANDARDS: Building facades shall have architectural variations such as:
- 2573 1. Contrasting building materials and textures.
- 2574
- 2575 2. Variations in rooflines, colors, reveals and belt courses.
- 2576
- 2577 3. Recessed windows and doors, strongly-expressed window mullions, and awnings.
- 2578
- 2579 4. Varying building setbacks from property lines and alcoves, outdoor sitting areas, and
2580 small public plazas.
- 2581
- 2582 5. Corner towers, cupolas, corner clock towers, corner spires, balconies and
2583 colonnades.
- 2584
- 2585 6. Buildings located on street corners shall have the front facade wrap around the
2586 corner to the full depth of the building.
- 2587

2588 G. NUMBER OF STUDENTS/ENFORCEMENT: A minimum of seventy five percent (75%)
2589 of the occupants must be enrolled in Dixie State University as qualifying students. The
2590 property owner shall enter into an agreement with the city in which the property owner
2591 acknowledges its responsibility to ensure and monitor compliance for qualified student
2592 occupancy. The property owner is responsible for entering into an agreement with the
2593 tenant that allows verification and compliance with this section, including waiving any
2594 FERPA restrictions for verification purposes. Monitoring requires the property owner to
2595 obtain verifiable information from Dixie State University, with evidence that seventy five
2596 percent (75%) of the property occupants are qualifying students. The property owner
2597 must provide a semiannual (spring and fall) report to the city indicating the number and
2598 percentage of tenants who are qualifying students at the university. Reporting must be
2599 submitted to the city no later than thirty (30) days after the commencement of the
2600 associated reporting semester. In addition to those penalties provided in section 10-1-
2601 14 of this title, if the property owner fails to meet the minimum student occupant
2602 requirement for one semiannual report, quarterly reports will be required. If the property
2603 owner fails to meet the minimum student occupant requirement at the next quarterly
2604 report, such failure will result in a fifty percent (50%) reduction in unit occupancy
2605 effective at the following quarterly report. Thereafter, if the property owner can show four
2606 (4) consecutive quarterly reports with evidence that seventy five percent (75%) of
2607 property occupants are qualifying students, the fifty percent (50%) reduction in unit
2608 occupancy will be lifted, and semiannual reporting will be reinstated. It is the duty of the
2609 property owner to market and lease to, and maintain the required percentage of,
2610 qualified student occupants.

2611

2612 H. Commercial: Commercial may be considered during the PD-SH approval on the ground
2613 floor, and no minimum or maximum commercial is required in accordance with title 10,
2614 chapter XXXX; it must comply with all other mixed use standards therein.

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ARTICLE H

PLANNED DEVELOPMENT – TRADITIONAL NEIGHBORHOOD ZONE (PD-TNZ)

The planned development traditional neighborhood zone (PD-TNZ) provisions apply only to projects located within a designated “traditional neighborhood zone.”

10-7H-1: ALLOWED USES:

Any use not specifically permitted, permitted with standards, or conditionally permitted, is prohibited. Only the following uses are allowed:

- A. Uses indicated by the letter "P" below are permitted in the designated zone only if approved as part of the zone change.
 - B. Uses indicated by the letter "PS" are permitted uses with required standards, only if approved as part of the zone change.
 - C. Uses indicated by the letter "C" are conditional uses in the designated zone.

10-7H-2: ZONE STANDARDS:

The desired development form shall be emphasized in the traditional neighborhood zone (TNZ), and strict use or density conditions shall be of secondary consideration.

- A. This chapter defines two (2) different neighborhoods of a traditional neighborhood development and anticipates that one neighborhood or a combination of neighborhoods may be employed in a traditional neighborhood zone.
 - 1. Neighborhood Edge (NE): Neighborhood edge is the less dense form of traditional neighborhood development consisting principally of detached single-family homes. NE may also include a limited amount of duplexes and courtyard bungalows. Buildings are situated on larger lots with setbacks on all sides. The permitted building frontage includes porches and front yards. The streetscape consists of the regular, aligned planting of shade trees in a relatively wide planter strip between sidewalk and back of curb. All building forms must be of a scale and appearance compatible with typical single-family homes. Duplexes, courtyard bungalows, and single-family are all acceptable forms in an NE.
 - 2. Neighborhood General (NG): Neighborhood general is a primarily residential development pattern; however, it is denser than neighborhood edge and may consist of both attached and detached residence types. Multiple family residential and nonresidential uses are permitted but shall blend into the neighborhood by occupying buildings that are of a scale and appearance compatible with single-family detached residences. Single-family homes are situated on smaller, narrower lots with shallow setbacks. The narrow lots generally require that off street parking be accessed from the rear by alleys. A diversity of building frontages are appropriate in NG, including front yards, porch yards, door yards, forecourts, stoops, and shopfronts. Parking lot frontages are prohibited except on one street side of corner lots. The NG streetscape consists of the regular, aligned planting of shade trees in a planter strip between sidewalk and back of curb.

- 2666 B. ACCESS DESIGN: To the extent permitted by topography, all traditional neighborhood
2667 zones shall incorporate traditional block design, which includes the following elements:
2668 1. A regular grid street pattern, unless the city council finds at the time of TNZ approval
2669 that it is not feasible due to topographical constraints.
2670 2. Street cross sections that promote pedestrian activity and social engagement.
2671 3. Off street parking placed at the rear of buildings and accessed by driveway, alley or
2672 lane. On street parking is encouraged in all traditional neighborhood forms in order to
2673 create a buffer between car traffic and pedestrians, and to introduce traffic calming
2674 friction to thoroughfares.
2675 4. Car oriented and large scale commercial and industrial uses are incompatible with
2676 any of the traditional neighborhood forms.

2677 **10-7H-3: ADMINISTRATION:**

- 2678 A. Design Manual And Form Based Code: Supplemental development standards and
2679 definitions are adopted in the document titled "Traditional Neighborhood Design Manual
2680 And Form-Based Code." The design manual and form based code is hereby
2681 incorporated into this chapter and shall have the same regulatory force and effect
2682 hereof, and hereinafter it is referred to as the "design manual."
2683
2684 B. General Plan: The NE and NG shall be deemed consistent with the city's general plan if
2685 located in an area designated for low, medium, medium high, or high density residential
2686 use; no general plan amendment shall be required in such circumstances.
2687
2688 C. Code Applicability: The city ordinances and standards apply to a traditional
2689 neighborhood zone and to the design manual unless expressly regulated by this chapter.
2690
2691 D. PARAMETERS:
2692 a. Neighborhood(s) Included: A traditional neighborhood zone may include one or both
2693 of the two (2) neighborhoods defined in this chapter: neighborhood edge and
2694 neighborhood general.
2695
2696 b. Minimum Land Area: There is no minimum land area for a neighborhood edge
2697 traditional neighborhood zone. The minimum land area for a neighborhood general
2698 traditional neighborhood zone is ten (10) contiguous acres.
2699
2700 c. NG Minimum Mix Of Forms: In neighborhood general, minimum residential mix of
2701 three (3) building forms is required. Single-family form shall comprise at least fifty
2702 percent (50%) of the total number of units. Any combination of the following forms
2703 shall comprise at least twenty five percent (25%) of all attached unit forms: duplex,
2704 triplex, courtyard bungalow or paseo bungalow.
2705
2706 d. NE Civic Space: In neighborhood edge, unless overall density exceeds five (5)
2707 dwellings per acre, there is no minimum civic space required in a neighborhood edge
2708 traditional neighborhood zone. If density is greater than five (5) dwelling units per
2709 acre, then a minimum of five percent (5%) usable civic space is required. Civic space
2710 must be included in the project phasing plan and approved with the zone change.
2711 The civic space shall be built concurrently with the development and shall be fully
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2716 constructed prior to forty percent (40%) of the dwelling units being constructed. If the
2717 project proposes more than one civic space, the city council, with recommendation
2718 from the planning commission, shall determine the appropriate phasing of any
2719 additional civic space. The designated civic space shall be within three hundred fifty
2720 feet (350') of the geographic center of the neighborhood unless otherwise approved
2721 during the zone change process.

- 2722
- 2723 e. NG Civic Space: In neighborhood general a minimum of five percent (5%) of its area
2724 shall be designated as usable civic space. The designated civic space shall be within
2725 three hundred fifty feet (350') of the geographic center of the neighborhood unless
2726 otherwise approved during the zone change process. Civic space shall be included
2727 in the project phasing plan and approved with the zone change. Civic space shall be
2728 built concurrently with the development and shall be fully constructed prior to forty
2729 percent (40%) of the units being constructed. If the project proposes more than one
2730 civic space, the city council, with recommendation from the planning commission,
2731 shall determine the appropriate phasing of any additional civic space.
 - 2732
 - 2733 f. TNZ Integration: Where a TNZ neighborhood is proposed adjacent to an existing
2734 single-family subdivision, the TNZ must locate single-family detached homes
2735 adjacent to existing single-family units. However, up to twenty percent (20%) of those
2736 units adjacent to the existing single-family units may be built as duplexes, if approved
2737 during the zone change. For the purpose of this requirement, a TNZ and an existing
2738 single-family subdivision are considered adjacent if separated by a sixty foot (60')
2739 right-of-way or less.
 - 2740
 - 2741 g. Improvements: All improvements not specifically dedicated to the city, or accepted
2742 for ownership or maintenance by the city, shall comply with subsection 10-25 of this
2743 title.

2744

2745 **10-7H-4: REGULATING TEXT:**

2746 A. All zone change applications for a traditional neighborhood zone shall include, at a minimum,
2747 a site plan and written text, which demonstrate how the proposed development will comply
2748 with this chapter and the design manual. Upon approval of the zone change application, the
2749 site plan and written text shall constitute the regulating text, which shall control
2750 implementation of development. For traditional neighborhood zone change applications for
2751 projects in excess of 50 acres, the owner and developer shall enter into a development
2752 agreement under terms acceptable to the city. At a minimum, the regulating text for a TNZ
2753 shall include the following elements:

- 2754
- 2755 1. The location and overall dimensions of the proposed traditional neighborhood zone,
2756 including the size, percentages, and location of the proposed traditional neighborhood
2757 form(s) within the proposed zone.
 - 2758
 - 2759 2. A conceptual block plan, including important connections to adjoining streets and
2760 adjacent properties.
 - 2761
 - 2762 3. The maximum number of residential units requested in the proposed traditional
2763 neighborhood zone overall, and in the respective neighborhood forms thereof, and a
2764 tabulation of the various residential building forms comprising the proposed residential
2765 total.

2766

- 2767 4. Proposed permitted land uses and building forms, including architecture, elevations and
2768 materials. Multiple family and commercial buildings shall have specific elevations and
2769 materials approved for each building. Representative sample architecture, elevations and
2770 materials are adequate for single-family detached homes. Submittals shall include actual
2771 samples and colors of proposed materials.
- 2772 5. The proposed maximum square footage of nonresidential uses within a given
2773 neighborhood form, land use category, and individual building.
- 2774 6. The location, size and maintenance plan for civic space(s) and civic building sites.
- 2775 7. Proposed streetscape design elements such as street lighting, permanent signage, and
2776 street trees. A landscape plan and a street tree plan indicating species, size and spacing
2777 shall be provided.
- 2778 8. A detailed description of any form based neighborhood elements, such as road cross
2779 sections, frontages, and setbacks, which the applicant wishes to propose as project
2780 enhancements to the standards enumerated in the design manual and form based code.
- 2781 9. A diagram or table depicting existing and planned land uses within a one mile radius of
2782 the project boundary in order to assist the city in understanding the context of the
2783 proposed TNZ, and assessing the overall fit of the proposed TNZ with its surroundings.
- 2784 10. If the project is proposed to be phased, a phasing plan shall be submitted, which
2785 includes phasing of all residential, commercial, and civic spaces.

2786 **10-7H-5: APPLICATION REVIEW PROCESS:**

- 2787 A. Concurrent Review Of Zoning And Preliminary Plat: The elements required of an application
2788 for a traditional neighborhood zone are essentially the same as those of a preliminary plat,
2789 and an application for zone change and preliminary plat may be considered simultaneously.
2790 In order to be considered for concurrent review, the application must contain all preliminary
2791 plat requirements set forth in title 25, chapter 4 of this code, as amended.
- 2792 B. Public Hearing: A public hearing and meeting shall be conducted in accordance with section
2793 10-1-11.
- 2794 C. Planning Commission Recommendation: The planning commission shall also forward any
2795 recommendations for approval, disapproval, or modification of the TNZ request, as reviewed
2796 by them, to the city council to be considered as part of the zone change.
- 2797 D. Advertising: The zone change request shall be advertised and heard according to the same
2798 requirements as any other zone change request submitted to the planning commission and
2799 city council.
- 2800 E. Approval: Findings: The city council may approve a TNZ zone change request only after
2801 finding that the requirements of this title, and any other ordinances or restrictions affecting
2802 the property, have been satisfied. In granting such approval, the city council may impose and
2803 enforce such specific conditions as to site development, phasing, building construction or
2804 maintenance, and operation as it deems necessary to protect the health, safety, and welfare
2805 of the residents of the city.
- 2806 F. AMENDMENTS AND MODIFICATIONS: Any amendment or modification of the TNZ
2807 deemed substantial by the city, shall be submitted to the planning commission for

recommendation, and to the city council for approval. The applicant must comply with all other steps of the review process enumerated herein for the original zone change application for an amendment or modification.

10-7H-6: USE REGULATIONS:

- A. Land Uses: The table below lists certain land uses. The NE column enumerates the uses permitted (P) or not permitted (N) in the neighborhood edge form. Likewise, the NG column enumerates the uses permitted (P) or not permitted (N) in the neighborhood general form. As part of a TNZ written text, a zone change application pursuant to this chapter may propose land uses similar to those set forth in this chapter. The inclusion of any proposed additional land use category or additional specific permitted use shall be approved by the city council as part of the approval of the zone change request and shall thereby become part of the regulating text. All permitted uses shall be conducted within fully enclosed buildings except those uses customarily conducted in the outdoors, such as outdoor dining ancillary to a permitted restaurant, and community leisure, and recreation. Commercial uses and locations shall be approved as part of the TNZ if it does not comply with title 3, chapter 7, "Home Occupations," of this code, and must conform to parking and landscaping requirements for commercial zones. Specific commercial uses shall be approved as part of the TNZ process. Proposed land uses must conform to the land use categories below. Commercial uses must be of a scale, intensity, impact, and appearance compatible with the surrounding forms.

ALLOWED USES		
	NE	NG
Residential forms:		
Accessory dwelling unit (guest or carriage house)	PS	PS
Bungalow court or paseo	P	P
Duplex (twin or stacked)	P	P
Live-work unit (not home occupation, with commercial front, and comply with parking standards)	N	P
Row/townhouse	N	P
Single-family house	P	P
Small mixed-use building (8,000 square feet maximum)	N	P
Small multiple family building (12 units and 12,000 square feet maximum)	N	P
Zero lot single-family house	N	P
Commercial uses, 10,000 square feet maximum:		
Art gallery	N	P
Consumer convenience services (barbershop/beauty shop, dry cleaner and other similar low impact services)	N	P
Drive-through service of any kind	N	N
Food sales (bakery, delicatessen, ice cream parlor, coffee shop and other similar low impact food sales)	N	P
General retail sales, no gas pumps (bookstore, florist, antique store, fruit and vegetable store, neighborhood grocery, and other similar low impact sales)	N	P
Outdoor sports and recreation	N	P
Professional medical office – nonresidential building occupancy	N	P
Restaurant (general)	N	P
Community leisure and recreation (private)	P	P
Community leisure and recreation (public)	P	P

Civic uses:		
Daycare services, commercial	N	P
Educational facilities	P	P
Government buildings or uses	P	P
Religious assembly	P	P

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B. Additional Standards:

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1. No more than 10 percent of all dwellings in a single form neighborhood edge traditional neighborhood zone may be comprised of duplex building forms, and no more than 20 percent of all dwellings may be comprised of duplex and bungalow court building forms combined.

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2. Standards for zero lot single-family detached homes (not applicable to duplexes sharing a party wall at the zero lot line):

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- a. Approved dwelling units may be placed on 1 interior side property line (a 0 setback). The minimum setback from the other side property line shall be 10 feet.
- b. The plat shall clearly depict and describe the zero lot lines and the related easements.
- c. A perpetual maintenance, eave overhang, and drainage easement at least 8 feet wide shall be provided on the lot adjacent to the zero lot-line property line. The easement shall be shown on the plat and recorded on the properties. The residential wall abutting the zero lot-line shall be maintained in its original color and treatment unless otherwise agreed to in writing by the 2 affected lot owners. Eaves, but no other part of any structure, may protrude across a zero lot-line, and such protrusion shall not exceed 18 inches. Notwithstanding the required drainage easement, rain gutters must route runoff from the dwelling away from the adjacent lot.

CHAPTER 8

ADMINISTRATIVE PROFESSIONAL (AP), COMMERCIAL (C), AND MANUFACTURING ZONES (M), AND PLANNED DEVELOPMENT ZONES (PD-AP, PD-C, PD-M AND PD-MU)

10-8-1: ALLOWED USES:

Any use not specifically permitted, permitted with standards, or conditionally permitted, is prohibited. Only the following uses are allowed:

- A. Uses indicated by the letter "P" below are permitted in the designated zone only if approved as part of the zone change.
 - B. Uses indicated by the letter "PS" are permitted uses with required standards, only if approved as part of the zone change.
 - C. Uses indicated by the letter "C" are conditional uses in the designated zone.

10-8-2: YARDS UNOBSTRUCTED; EXCEPTIONS:

Every part of the setback area shall be open to the sky, unobstructed except for:

- A. The ordinary projections of belt courses, eaves, chimneys, flues, cantilevered balconies, decks, ornamental features, open fire escapes, or open outside stairways which project into a setback not more than four feet (4');
 - B. City public transit shelters, with or without public restrooms, may be located within a setback area adjacent to a public street.

10-8-3: CURB, GUTTER AND SIDEWALK:

When Required: The installation of curb, gutter, sidewalk, and pavement of a type approved by the city is required on any future or existing street where such improvements are not already in existence, or where existing improvements are damaged or broken. Said installation may be required as a condition of obtaining a certificate of occupancy unless a current improvement completion assurance has been provided.

10-8-4: UTILITY REQUIREMENTS:

In all areas of the city, connection shall be made to public water, electrical and sewer facilities, unless waived by the city engineer or designee upon a demonstration of an equivalent alternative acceptable to city. All utilities shall be located underground, unless specifically approved by the city engineer or designee. All construction shall comply with state building codes and all city standards.

10-8-5: TEMPORARY BUILDINGS:

- A. Authorized; Term: A temporary, onsite construction or sales office that does not meet minimum construction standards may be approved by city during the construction of permanent facilities for the permitted duration. Such temporary approval may be made for a period up to one year. An extension may be granted for good cause shown, for an additional six (6) months, up to a maximum of eighteen (18) months.

- 2945 B. Cargo Containers: Cargo containers may be approved by the city for temporary use by
2946 an applicant, only when a permitted use exists or is under construction, and under the
2947 following standards:
- 2948 1. For onsite use only during permitted construction or renovation, provided a building
2949 permit has been issued for construction related activities. For the purpose of
2950 permitted cargo containers, a building permit will be considered inactive after one
2951 hundred eighty (180) days after the last inspection that shows substantial progress
2952 toward completion of the project.
- 2953
- 2954 2. For use during moving or onsite construction activities that do not require a permit for
2955 thirty (30) days. One thirty (30) day extension may be granted for good cause shown.
- 2956
- 2957 3. Vertical stacking is prohibited.
- 2958
- 2959 4. Cargo containers may be used in association with a licensed firework business,
2960 donation center, or other nonprofit collection center for thirty (30) days in any 6-
2961 month period.
- 2962
- 2963 5. Properties may have temporary cargo containers. No separation is required between
2964 cargo containers. Cargo containers must maintain a minimum of ten feet (10')
2965 separation between other structures. The cargo container may be allowed on site for
2966 up to eighteen months, an extension may be granted for cause, by the city, for an
2967 additional six (6) months, up to a maximum of twenty-four (24) months. Cargo
2968 containers permitted under this section must comply with the applicable building and
2969 zoning regulations.
- 2970
- 2971 6. Cargo containers shall not be located in fire lanes, required parking spaces or
2972 landscaping.
- 2973

2974 **10-8-6: TEMPORARY OUTDOOR EVENTS:**

- 2975 A. Temporary outdoor events (i.e., promotions, tent sales, exhibits, carnivals, concerts,
2976 etc.) may be permitted by the city on property zoned commercial, including the planned
2977 development commercial zones, for a period not to exceed six (6) continuous days
2978 within a six (6) month period.
- 2979
- 2980 B. Temporary outdoor events to be held on public property also require review and
2981 approval by the city. Applicants shall submit adequate plans and information for the city
2982 to determine that the events will not interfere with the safety and general welfare of the
2983 community or violate any other requirements or ordinances of the city. Required
2984 licenses, permits, and clearances shall be obtained prior to any event taking place.
- 2985

2986 **10-8-7: PEDESTRIAN CIRCULATION PLAN:**

2987 Each new commercial development shall provide a plan to address safe pedestrian and bicycle
2988 circulation. The plan shall address interior circulation, as well as connections to existing
2989 sidewalks and adjacent trails.

2990 **10-8-8: CONFLICT:**

2993 These provisions in Title 10, Chapter 8, apply to all subchapters, unless a specific provision in
2994 the subchapter replaces and supersedes the one that is more general and broader in scope in
2995 Chapter 8.

2996

2997 **10-8-9: RELATED PROVISIONS:**

- 2998 A. OUTDOOR LIGHTING— Chapter 10-14
2999 B. PERMITTED WITH STANDARDS AND CONDITIONAL USES – Chapter 10-17
3000 C. WALLS, FENCES AND HEDGES— Chapter 10-18
3001 D. OFF STREET PARKING REQUIREMENTS— Chapter 10-19
3002 E. MOTOR VEHICLE ACCESS AND LOADING— Chapter 10-20
3003 F. LANDSCAPE STANDARDS— Chapter 10-23
3004 G. SIGNS—CHAPTER 9-13
3005

ARTICLE A

ADMINISTRATIVE PROFESSIONAL ZONE (AP)

10-8A-1: ALLOWED USES:

Any use not specifically permitted, permitted with standards, or conditionally permitted, is prohibited. Only the following uses are allowed in this zone:

- A. Uses indicated by the letter "P" below are permitted in the designated zone.
 - B. Uses indicated by the letters "PS" are permitted uses with required standards in this zone. Uses must comply with the standards and evaluation criteria established in Chapter 17.
 - C. Uses indicated by the letter "C" are conditional uses in the designated zone.

ALLOWED USES	
	AP
Accessory structure	P
Child care center	P
City Facility	P
Communication transmission facilities, lines, towers	PS
Financial, medical and professional office	P
Hospital	P
Medical and biological laboratory/research	P
Mortuary	P
Nursing home	PS
School, public or charter	P

10-8A-2: HEIGHT REGULATIONS:

No structure shall be erected to a height less than ten feet (10') or greater than fifty feet (50'). No accessory structure shall be erected to a height greater than fifteen feet (15').

10-8A-3: AREA, WIDTH AND YARD REQUIREMENTS:

The minimum lot area, width and yard requirements are as follows:

District	Minimum Lot Area	Minimum Lot Width/Frontage	Minimum Yard Setbacks		
			Front and Street Side	Side	Rear
AP	10,000 sf	80'	20 feet	10 feet	10 feet
			Setbacks must meet setback of adjacent zone if such setback is greater than normally required by this zone.		
AP abutting residential	10,000 sf	80'	20 feet	10 feet + (height -15')	10 feet + (height -15')

10-8A-4: SITE DEVELOPMENT STANDARDS

Except in the front setback area, a six foot (6') solid fence or wall shall be placed along a boundary line with any residential zone.

3033
3034 **10-8A-5: SPECIAL PROVISIONS:** Applications for a building with a ground floor (footprint)
3035 area of twenty thousand (20,000) square feet or more or for development with an aggregate
3036 ground floor (footprint) square footage of twenty thousand (20,000) square feet or more must
3037 include a site plan, colored building elevations of all sides and a three-dimensional rendering
3038 that demonstrates the application complies with the following standards:
3039

- 3040 A. Vehicle access and parking lots properly designed for safety, efficiency and mitigation of
3041 adverse environmental impacts. Parking lot design must incorporate landscaped and
3042 shade trees throughout the lot to mitigate for major heat islands, and to break up large
3043 asphalt areas.
3044
3045 B. Building facade must include:
3046
3047 a. Substantial façade shifts every ten feet (10') in the horizontal plane, and every fifty
3048 feet (50') in the vertical plane;
3049
b. Vertical articulation and variation from floor to floor created with color, materials,
3050 pitch dormers, gable ends, cornice detailing, or similar details;
3051
c. A combination of doors, windows, texture, projections, awnings or canopies on the
3052 base floor elevation to reinforce a perception of pedestrian scale.
3053
C. Building colors are limited to natural, muted tones that emulate the local geologic
3054 formations common to the area and blend with the predominant colors of the natural
3055 surroundings.

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ARTICLE B COMMERCIAL ZONES

**C-1 (Neighborhood Commercial),
C-2 (Highway Commercial),
C-3 (General Commercial),
C-4 (Central Business District Commercial)**

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10-8B-1: ALLOWED USES:

Any use not specifically permitted, permitted with standards, or conditionally permitted, is prohibited. Only the following uses are allowed:

- A. Uses indicated by the letter "P" below are permitted in the designated zone.
- B. Uses indicated by the letters "PS" are permitted uses with required standards in this zone. Uses must comply with the standards and evaluation criteria established in Chapter 17.
- C. Uses indicated by the letter "C" are conditional uses in the designated zone.

ALLOWED USES					
		C-1	C-2	C-3	C-4
Alcohol establishments, including the following:					
Bar establishment		C	C	C	
Off-premise beer retailer		P	P	P	
Microbrewery or micro-winery (with restaurant or bar establishment)		P	P	P	
Nightclub, dance hall (alcohol)		C	C	C	
Ambulance service		P	P		
Amusement centers, recreation and entertainment facilities (indoor)					
Indoor entertainment activities such as paintball, miniature golf, arcade		P	P	P	
Indoor shooting range (see subsection <u>10-10-5L</u> of this chapter for additional information)		P	P		
Nightclub, dance hall (without alcohol)		P	P	P	
Amusement centers, recreation and entertainment facilities (outdoor)		C	C	C	
Animal services, including the following:					
Animal boarding/care for small animals only and boarded for less than 30 days a year, provided conducted completely within enclosed building		P	P	P	
Animal hospital and veterinarian clinic, including overnight care of large animals		PS	PS		
Automobile and vehicle services, limited to the following uses:					
Automobiles and other similar vehicle sales lots		PS	PS		

	Automobile parts sales (new parts only) provided conducted within completely enclosed building	P	P	P
	Automobile rental (vehicles up to 26' in length)	P	P	
	Automobile repair, storage, including paint, body and fender, brake, muffler, upholstery or transmission work, provided conducted within completely enclosed building (< 14,001 # GVW)	P	P	P
	Car wash, recirculating water system manual or auto spray	P	P	P
	Tire sales and service provided conducted within completely enclosed building	P	P	P
Financial, Medical and Professional Services		P	P	P
Food service establishments, including the following and similar uses:				
	Catering establishment	P	P	P
	Restaurant	P	P	P
Lodging, temporary, limited to the following and uses:				
	Bed and breakfast	P	P	P
	Hotel/motel	P	P	P
	RV parks, long and short term	PS		
	Timeshare units	PS	PS	PS
Light Manufacturing		P	P	P
Hospitals			P	P
	Counseling center, mental health, alcohol, drugs (non-residential, less than 24 hours)	P	P	P
	Mental health treatment center, with overnight stay	C	C	C
Nursing home		PS	PS	
Religious Facility		P	P	P
Residential, limited to the following use:				
	Living quarters for manager or security personnel for business which requires 24-hour assistance or security	PS	PS	PS
	Large Floor Area Building (20,000 sf or more)	C	C	C
Retail Shops:				
	Antique store	P	P	P
	Athletic and sporting goods store	P	P	P
	Department store	P	P	P

	Drive-through sales (pharmacy, dairy products, etc.)	P	P	P
	Furniture and large appliances sales (used)	P	P	
	Furniture sales (new) and repair	P	P	P
	Household appliance sales and service	P	P	P
	Office supply, office machines sales and service	P	P	P
	Paint or wallpaper store	P	P	P
Pawnshop		P	P	
Payday lending/title loans		P	P	
Seed and feed store, retail		P	P	
Supermarket/grocery store		P	P	P
Thrift shop/secondhand store/consignment store (no outside storage and no drop off of items during the hours the business is closed)		P	P	P
Vegetable stand		P	P	P
Retail sale of goods with some operations outdoors, limited to the following uses:				
	Building materials sales		P	
	Convenience markets with gas pumps/gas station	P	P	
	Convenience markets with gas pumps located in the rear of the building			P
	Farm implement sales (outdoor display)	P	P	
	Fence, sales and service	P	P	
	Garden supplies and plant material sales	P	P	
	Greenhouse and nursery; soil and lawn service		P	
	Landscape rock sales, ancillary to a permitted use			P
Service businesses, limited to the following uses:				
	Barbershop/beauty shop	P	P	P
	Body piercing, ancillary to a permitted use		P	P
	Carpet and rug cleaning		P	P
	Child care center	P	P	P

	Construction trade services, plumbing shop, electrical shop, etc.		P	
	Crematorium, independent human	PS	PS	PS
	Educational institutions, schools, college, learning centers, trade schools (no residential or 24 hour facilities)	P	P	P
	Gunsmith	P	P	P
	Janitor service and supply	P	P	P
	Locksmith	P	P	P
	Massage establishment	P	P	P
	Mortuary	P	P	P
	Moving and storage company		P	
	Permanent cosmetics, a secondary use to an establishment employing cosmetologist(s)/barber(s), aesthetician(s), electrologist(s), or nail technician(s) licensed by the state under 58-11a-101 et seq., Utah Code Annotated, 1953, as amended, excluding tattoo establishments and home occupations	P	P	P
	Pest control and extermination	P	P	P
	Pet grooming	P	P	P
	Printing, lithographing, publishing or reproduction sales and service		P	P
	Psychic, tarot card reader, fortune teller, occult art practitioners, hypnotist	P	P	P
	RV storage	PS	PS	
	Sign sales	P	P	P
	Storage rental units, ministorage and self-storage	PS	PS	
	Tattoo establishment	P	P	P
	Taxidermist	PS	PS	
	Towing (towing service office only, no on site vehicle storage or impound yards)	P	P	
Transportation, limited to the following uses:				
	Bus terminal	P	P	P
	Taxi/Shuttle	P	P	P
Government, public services and facilities, limited to the following uses:				
	City, all facility	P	P	P
	Electrical substation, power stations (non-city)	PS	PS	PS
	Public utilities and facilities, non-industrial (non-city)	PS	PS	PS

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10-8B-2: AREA, SETBACK AND HEIGHT REQUIREMENTS:

	C-1	C-2	C-3	C-4	
Minimum new lot area	10,000 sf	10,000 sf	10,000 sf	10,000 sf	
Minimum yard setbacks from property line:				Setback	Build-to-line
Front	20 feet	20 feet	20 feet	0	10 feet
Side	10 feet	10 feet	10 feet	0	
Side facing a street on corner lot	20 feet	20 feet	20 feet	0	
Rear	10 feet	10 feet	10 feet	None	
Setbacks when abutting a residential zone					
Front	20 feet +1' for every foot of height over 20'	20 feet +1' for every foot of height over 20'	20 feet +1' for every foot of height over 20'	10 feet	10 feet
Side	10 feet +1' for every foot of height over 15'	10 feet +1' for every foot of height over 15'	10 feet +1' for every foot of height over 15'	10 feet +1' for every foot of height over 15'	
Side facing a street on corner lot	20 feet +1' for every foot of height over 20'	20 feet +1' for every foot of height over 20'	20 feet +1' for every foot of height over 20'	10 feet +1' for every foot of height over 20'	
Rear	10 feet +1' for every foot of height over 15'	10 feet +1' for every foot of height over 15'	10 feet +1' for every foot of height over 15'	10 feet +1' for every foot of height over 15'	
Required screening from abutting residential property	Solid 6' masonry wall and 10' landscaping along residential property line	Solid 6' masonry wall and 10' landscaping along residential property line	Solid 6' masonry wall and 10' landscaping along residential property line	Solid 6' masonry wall and 10' landscaping along residential property line	
Min/Maximum Height	8'/50'	8'/50'	8'/50'	8'/50'	
Maximum Structure Area	15,000 sf				
Maximum Lot Coverage	40% for all Conditional uses				

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10-8B-3: SPECIAL PROVISIONS:

- A. Enclosure of Merchandise And Materials: Unless otherwise specifically provided herein, all materials and merchandise shall be stored in an enclosed building.

- 3090
- 3091 1. Merchandise items specifically allowed to be stored out of doors shall be stored
- 3092 within an enclosure surrounded by a solid, sight obscuring fence or wall of not less
- 3093 than six feet (6') in height, and no material or merchandise shall be stored to a height
- 3094 of more than the height of the enclosing fence or wall (chain link fencing with slats is
- 3095 not considered a solid fence for purposes of this section).
- 3096
- 3097 2. Authorized outdoor sales of playground equipment, outdoor furniture, plants, pots
- 3098 and similar items may not be displayed within the required landscape area, and not
- 3099 within on-site parking spaces required for the business.
- 3100
- 3101 B. Solid Waste Storage Facilities: All solid waste storage facilities shall be located at the
- 3102 rear of the main building or else behind a sight obscuring fence or wall which will prevent
- 3103 the facility from being seen from a public street. Chain link fencing with sight obscuring
- 3104 slats is not permitted.
- 3105
- 3106 C. Forestry Program: Commercial developments along designated major collector roads
- 3107 shall comply with all provisions of the city's community forestry program. An approved
- 3108 species of tree with at least a one and one-half inch (1 1/2") caliper shall be planted every
- 3109 thirty (30) to forty feet (40') in accordance with tree planting criteria. Landscaping and
- 3110 required street trees shall be installed prior to receiving, permanent power, or release of
- 3111 the improvement completion assurance.
- 3112
- 3113 D. New Buildings Within I-15 Right Of Way: New buildings, which are located within two
- 3114 hundred feet (200') of the I-15 right of way shall comply with the following:
- 3115
- 3116 1. Design Standards:
- 3117
- 3118 a. Buildings backing against the I-15 right of way are considered to have two (2)
- 3119 building fronts for aesthetic purposes. Building walls visible from I-15 shall be
- 3120 constructed of identical or similar materials as the building's front exterior, or shall
- 3121 be landscaped in such a manner that untreated cinder block, concrete or similar
- 3122 materials typical of rear walls are screened or enhanced to give a building front
- 3123 appearance.
- 3124
- 3125 b. Along the I-15 right of way, landscaping shall be provided to beautify the side and
- 3126 rear walls of buildings. Trees shall be planted at least every thirty feet (30') to
- 3127 forty feet (40') along such rights of way. In addition to landscaping, aesthetic
- 3128 improvements to the buildings' rear and sidewalls are encouraged. Signs painted
- 3129 or attached to the side or rear walls shall not cover more than ten percent (10%)
- 3130 of the face of such walls.
- 3131
- 3132 2. Site Plan and Elevation Drawings Required: Prior to the issuance of a building permit
- 3133 for new commercial buildings within two hundred feet (200') of the I-15 right of way, a
- 3134 site plan along with building elevation drawings showing the building view from I-15
- 3135 (including signage) all consistent with this Title, is required.
- 3136
- 3137
- 3138

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ARTICLE C

MANUFACTURING ZONES

(M-1, M-2, M-C)

3142

10-8C-1: ALLOWED USES:

3143 Any use not specifically permitted, permitted with standards, or conditionally permitted, is
 3144 prohibited. Only the following uses are allowed:

- 3145
- 3146 A. Uses indicated by the letter "P" below are permitted in the designated zone.
- 3147
- 3148 B. Uses indicated by the letters "PS" are permitted uses with required standards in this
 3149 zone. Uses must comply with the standards and evaluation criteria established in
 3150 Chapter 17.
- 3151
- 3152 C. Uses indicated by the letter "C" are conditional uses in the designated zone.
- 3153

ALLOWED USES	M-1	M-2	M-C
Ambulance services	P	P	P
Animal boarding for small animals only and boarded for less than 30 days a year, provided service is conducted completely within enclosed building	P		P
Animal hospital and veterinarian clinic, including overnight care of small and large animals	P		P
Auction establishment (retail goods only and indoor only in the M-C Zone), indoor swap meets			P
Auto salvage yard, storage yards for wrecked or partially dismantled vehicles	C		
Automobile rental			P
Bank or financial institution			P
Bar, beer parlor, tavern, lounge, sale of draft beer			C
Boat sales, service, parts sales, and storage			P
Building truss manufacturing and sales (wood trusses)	P	P	
Bulk plants (Class 1 and 2 flammable liquids and gases)	PS	PS	P
Caretaker's residence, incidental to the use of the land for industrial purposes	PS	PS	PS
Carpenter, cabinet, electrical, plumbing or heating shops	P	P	P
Cesspool cleaning equipment and storage	PS		
Child care center	P	P	P
City facilities	P	P	P
Concrete or asphalt mixing and batching plants	PS		
Construction materials or equipment, sales and storage (less than 50,000 sf)	P		P
Contractor's yard	P	P	

Crematorium, medical waste incinerator	P	P	P
Dairy, dairies (processing of milk products)	P		
Dry cleaning plant	P		
Equipment sales, rental, and service	P		P
Fabrication	P	P	P
Fertilizer and soil conditioner manufacturing and processing and sales, non-animal products	P		
Food processing wholesale excluding slaughter of animals and the processing of vinegar, yeast and fat	P	P	
Food service establishments, including the following or similar uses: bakery and catering establishment,	P	P	P
Furniture manufacturing, upholstery shop	P		P
Gas station, convenience market with gas pumps	P		P
Government facilities (not otherwise listed)	P	P	P
Greenhouse and nursery, garden supplies, and plant material sales; soil and lawn service			P
Shooting or archery range, indoor only <u>10-8B-3</u>	P		P
Laboratory, dental, medical, chemical	P	P	
Laundry and linen service	P	P	P
Livestock feed processing and storage	P		
Locksmith			P
Mail services, retail			P
Manufacturing general	P	P	P
Manufacturing light	P	P	P
Manufacturing heavy		P	
Medical cannabis pharmacy, Utah licensed At least 600 ft from a primarily residential zone	P	P	P
Medical cannabis production establishment, Utah licensed: Cultivation facility Independent testing laboratory Processing facility	P	P	
Monument works and sales	P		P
Moving and storage company	P	P	P
Offices	P		P
Paint and wallpaper store	N		P
Pawnshop	N		PS
Pest control and extermination services	P		P

Pet and pet supply store, grooming	P		P
Pharmaceutical and medical manufacturing not exceeding biosafety level 2	P	P	
Planing mill	P	P	
Printing, publishing or lithography service	P	P	P
Public utility facilities	PS	PS	PS
Truck terminal	P	P	
Vehicle, ATV, RV, or watercraft storage, part sales, or service	P		P
Recreational enterprise, indoor only (go-cart track, climbing walls, ice skating rink, roller skating, soccer, and other recreational sport/entertainment type activities, but not including spectator oriented arenas)			P
Recycling (of paper, glass, metal, plastic, or paper only)	P		
Restaurant	P	P	P
Retail sale of goods with all operations conducted in an enclosed building. Limited to 20% of the overall building square footage in M-1 and M-2.	P	P	P
Sand and gravel extraction	C		
Sandblasting	P	P	
Showroom and retail, up to 10% of the building area	P	P	
Sexually oriented businesses	P		
Storage rental units	P		P
Tattoo establishment and body piercing establishment			P
Taxidermist	P		PS
Telemarketing center	P		P
Television or radio station; cable television and satellite dish provider	P		P
Thrift shop/secondhand store/consignment store (limited outside storage and no drop off of items during the hours the business is closed)			P
Tire recapping or retreading	P		
Tire sales and services	P		P
Towing, including onsite vehicle storage and impound yard	PS		
Utility Trailer sales and services	P		P
Truck sales and repair	P		P
Truck terminal	P	P	P
Truck instructional school	P	P	P
Warehouse storage	P	P	P
Wholesale business	P		
Wind turbines, power generation	P	P	

3155 **10-8C-2: SITE DEVELOPMENT STANDARDS:**
3156 The minimum site development standards are as follows:

	M-1	M-1 Ft. Pierce	M-2	M-C
Minimum lot area	10,000 sf	40,000 sf	40,000 sf	10,000 sf
Minimum setbacks:				
Front	60 feet	40 feet	10 feet	20 feet
Side	10 feet	10 feet	10 feet	10 feet
Street side	60 feet	20 feet	10 feet	20 feet
Rear	10 feet	None	None	10 feet
Minimum zone area	3 acres	-	5 acres	None

- 3157
- 3158 **10-8C-3: SPECIAL PROVISIONS:**
- 3159 A. Storage Enclosed: All storage except vehicles in running order shall be stored in an
3160 enclosed building or within an enclosure surrounded by a solid fence or wall of not less
3161 than six feet (6') in height, and no material or merchandise shall be stored to a height
3162 greater than that of the enclosing fence or wall. A solid masonry wall or solid vinyl fence
3163 shall be used parallel to the public street(s) where the storage is visible from the public
3164 street. Chain link fencing with slats may only be used for enclosing storage areas in the
3165 following situations:
3166
- 3167 1. After a minimum of three hundred (300) linear feet of solid fencing or wall has been
3168 provided to screen the designated storage area, then the remainder of the storage
3169 area may upon approval by the land use authority utilize chain link fencing with slats
3170 or other approved alternative screening solutions along the public street frontage.
3171
- 3172 2. Along the interior property lines (or interior fence lines); chain link without slats may
3173 be used.
3174
- 3175 3. Along the public street frontage at approved setback distances in the area known as
3176 the St. George Industrial Park, M-1 Zone (in section 20, T42S, R15W).
3177
- 3178 B. If a movable gate is used, it may be constructed of chain link, chain link with slats,
3179 wrought iron, solid, or perforated metal.
3180
- 3181 C. All chain link fencing with vinyl slats shall be maintained in good condition; all fallen,
3182 broken, or missing slats shall be replaced. No wooden slats may be used.
3183
- 3184 D. Drive Aisles, Parking and Storage:
3185
- 3186 1. All accesses, drive aisles, required parking, and fire lanes shall be paved with
3187 concrete or asphalt in accordance with St. George Standard Specifications for
3188 Design and Construction;
3189
- 3190 2. All outside storage areas for materials, vehicles, and equipment shall be on a surface
3191 improved with gravel at a minimum depth of four inches (4"). Height: Maximum

3192 height is forty feet (40') except for the Ft. Pierce Industrial Park which has a fifty-foot
3193 (50') height limit.

3194
3195 E. Solid Waste Storage Facilities: Solid waste storage facilities shall be located so that they
3196 are screened from all public streets and not located in the setback.

3197
3198 F. Landscaping: Properties within the M-1, M-2, and M-C Zones shall comply with Chapter
3199 23, "Landscape Standards" of this title. In the M-1 and M-2 Zones, a minimum of five
3200 percent (5%) of the lot area shall be maintained as landscaped area. A landscaped area
3201 adjacent to the public street shall be provided and planted with trees and shrubs. In the
3202 M-C Zone, a landscape strip, outside the public right-of-way along the front of the
3203 property on public streets, not less than six feet (6') wide, and an average of at least
3204 fifteen feet (15') wide, shall be landscaped. At least half of the landscaped area shall
3205 consist of live trees, shrubs, and ground cover.

3206
3207 G. Protection of Residential Zones: Where any manufacturing zone adjoins any residential
3208 zone, there shall be provided and maintained along such property line a six foot (6')
3209 solid masonry fence, and a 10' landscape buffer to protect the adjoining residential
3210 property.

3211
3212 H. Ft. Pierce Industrial Park Additional Special Standards:

3213
3214 1. Loading Docks: No loading dock shall be constructed facing on any public street
3215 unless such loading dock and every part thereof is at least seventy-five feet (75')
3216 inside the right-of-way line of the street on which such loading dock fronts.

3217
3218 2. Landscaping: Properties within the Ft. Pierce Manufacturing Zone shall comply with
3219 chapter 23, "Landscape Standards" of this title. In addition, a minimum of five
3220 percent (5%) of the lot area shall be maintained as landscaped area. At least half of
3221 the landscaped area shall consist of live trees, shrubs, and ground cover. A
3222 landscaped area adjacent to the public street shall be provided and planted with
3223 trees and shrubs.

3224
3225 I. Building Height: Up to fifty feet (50').

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ARTICLE D
**PLANNED DEVELOPMENT ZONES
(PD-AP, PD-C, PD-M AND PD-MU)**

10-8D-1: ALLOWED USES:

Any use not specifically permitted, permitted with standards, or conditionally permitted, is prohibited. Only the following uses are allowed:

- A. Uses indicated by the letter "P" below are permitted in the designated zone only if approved as part of the zone change.
- B. Uses indicated by the letter "PS" are permitted uses with required standards, only if approved as part of the zone change.
- C. Uses indicated by the letter "C" are conditional uses in the designated zone.

ALLOWED USES				
	PD-AP	PD-C	PD-M	PD-MU
Accessory Structure	P	P	P	P
Child Care, In Home Babysitting (in residence only)				P
Child Care, Family (in residence only)				P
Child Care Center	P	P	P	P
City Facility	P	P	P	P
Communication transmission facilities, lines, towers, or substations	PS	PS	PS	PS
AP uses as specified in zone change	P	P		P
C-1, C-2, C-3, C-4 uses as specified in zone change		P		P
M-1 and M-2 uses as specified in zone change for PD-M			P	
Home occupation				P
Light manufacturing business		P	P	P
Limited temporary outdoor display of merchandise		P		
Multiple family dwelling				PS
Parks	P	P	P	P
Public utilities and facilities	PS	PS	PS	PS
Religious facility	P	P		P
School, public or charter	P	P		P
Storage Rental Units		PS	PS	
Townhouse and condominiums				P

3246

3247 **10-8D-2: GENERAL REQUIREMENTS:**

3248 Planned Development AP, C and M shall comply with (A) below, at the time of the initial zone
3249 change application. Planned Development MU shall comply with (A) and (B), below,
3250 concurrently at the time of its first submittal of an application.

3251 A. Planned Development Initial Zone Change Application requirements: An applicant may
3252 request the planning commission and city council to consider an initial planned
3253 development zone change application under (A) which is not accompanied by the
3254 secondary application requirements in (B), with a development agreement under terms
3255 acceptable to city. Each zone change application submitted pursuant to subsection (A)
3256 shall include the following:

- 3257
- 3258 1. A detailed narrative of the proposed development of the entire property.
- 3259 2. A detailed list of proposed land uses.

3260

3261 B. Planned Development Secondary Zone Change application requirements: Each zone
3262 change application submitted pursuant to subsection (B) shall include the following:

- 3263
- 3264 1. Initial Documents Required: All requests shall be accompanied by a colored site
3265 development plan, materials, and a written text for the entire property proposed to be
3266 developed.
- 3267
- 3268 2. Description of the Proposed Use of Land: The projected use of land, including
3269 percentages of land devoted to various types of land use, such as building coverage,
3270 parking area, landscaped area, etc.
- 3271
- 3272 3. Height and Elevations: The type, character and proposed height of all buildings.
- 3273
- 3274 4. Density: The proposed density in terms of dwelling units per gross acre of land and
3275 proposed floor area of non-residential uses per acre.
- 3276
- 3277 5. Schools, Churches and Open Spaces: The location and boundaries of any proposed
3278 school site, church, park or other common or open spaces.
- 3279
- 3280 6. Phasing Plan: A phasing plan, if the development is proposed to be developed in
3281 phases.
- 3282
- 3283 7. Topography: Topography at contour intervals of two feet (2').
- 3284
- 3285 8. Landscape Plan: A landscape plan showing the general location of lawn area and
3286 trees (this may be a part of the site or plot plan).
- 3287
- 3288 9. Area Reserved for Landscaping: The location and amount of land area reserved for
3289 landscaping.
- 3290
- 3291 10. Utilities: Demonstration that all utilities are underground and transformer equipment
3292 is screened from streets and from adjacent properties.
- 3293
- 3294

- 3295
3296 11. Refuse Storage Areas: Refuse storage areas screened so that materials stored
3297 within these areas is not visible from access streets, freeways and adjacent
3298 properties.
- 3299
3300 12. Lighting Plan: A general lighting plan indicating location and luminosity of lights to be
3301 installed on the site. if requested to be more than ordinance.
- 3302
3303 13. Turning Space: Safe and convenient turning space for cars, sewer vehicles, refuse
3304 collection vehicles, firefighting equipment, etc., at the end of private drives and dead-
3305 end streets.
- 3306
3307 14. Signs: All signs shall be submitted and approved as part of the PD approval.
- 3308
3309 C. Signs and Advertising: The requirements of the sign ordinance set forth in title 9, chapter 13
3310 of this code apply, unless a variation is specifically approved, and shall not exceed the following:
- 3311
3312 1. Freestanding signs: freestanding signs shall be limited to the standards set forth in 9-
3313 13-4B for major commercial projects within 1,500 of a freeway exit.
- 3314
3315 2. Monument signs: limited to one monument per building.
- 3316
3317 D. Lighting shall comply with the lighting ordinance set forth in the title. Variations may be
3318 approved if located along the I-15 freeway and not adjacent to a residential zone. A variation
3319 may be considered for properties adjacent to a residential zone, if in the opinion of the city
3320 council, additional lighting is needed for security, and any impacts to residential are mitigated.

3321
10-8D-3: PRELIMINARY PLAT:

3322 For all Planned Development projects that are proposed to be subdivided, applicant may
3323 prepare and submit a preliminary plat at the same time as the zone change application for the
3324 planned development. In order to be considered for concurrent review, the application must
3325 contain all preliminary plat requirements set forth in Title 10, Chapter 25 of this code, as
3326 amended.

3327
10-8D-4: CONFLICT:

3328 These provisions in Title 10, Chapter 8, Subchapter D, apply to all Subparagraphs A-D, unless a
3329 specific provision in the Subparagraph replaces and supersedes the one that is more general
3330 and broader in scope in Chapter 8, Subchapter D.

3331
**10-8D-5: PD-AP – PLANNED DEVELOPMENT - ADMINISTRATIVE
3332 PROFESSIONAL STANDARDS:**

- 3333
3334 A. MINIMUM ZONE REQUIREMENTS: Each Planned Development – Administrative
3335 Professional zone application shall include a minimum of ten thousand (10,000) square
3336 feet.
- 3337 B. HEIGHT REGULATIONS: No structure shall be erected to a height less than ten feet
3338 (10') and no structure shall be greater than forty feet (40'), or up to sixty feet (60') upon
3339 demonstration of architectural merit and specifically approved by city council.

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- C. AREA, COVERAGE, DENSITY, YARD, COMMON AREA and LANDSCAPING REQUIREMENTS: The minimum lot area, maximum lot coverage, yard and common open space/landscaping requirements are as follows:

Lot Area Minimum	Maximum Lot Coverage	Minimum Yard Setbacks		
		Front and Street Side	Side	Rear
10,000 SF Lot	50%	25 ft. from public street or the greater of 20' or the average of existing immediately adjacent homes 20 ft from back of sidewalk of private street 10 ft from back of curb of private street w/o sidewalk	Adjacent to Single Family zone: 30' Otherwise: On a common parcel: 10 ft. if height is less than 30'; 20' if height exceeds 30' On a separate parcel: 8' if height is < 20' 9' if height is less than 25' 10' if height is 25' or greater	Adjacent to Single Family zone: thirty feet (30') Adjacent to a public street: twenty five feet (25') or twenty feet (20') with a six foot (6') privacy wall along street right of way. Otherwise: For each building: 10' if height is < or = 20' 20' if height is greater than 20'

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3370
- D. SOLID WASTE STORAGE FACILITIES: All solid waste storage facilities shall be located at the rear of the main building or else behind a sight obscuring fence or wall that will prevent the facility from being seen from a public street. Chain link fencing with sight obscuring slats is not permitted.
- E. PROTECTION OF RESIDENTIAL PROPERTY: A solid masonry wall and a minimum ten foot (10') wide planting strip along the adjoining property line is required for any PD – Administrative Professional development that adjoins any lot or parcel of ground in any residential zone.
- 10-8D-6: PD-C - PLANNED DEVELOPMENT - COMMERCIAL STANDARDS:**
- A. MINIMUM ZONE REQUIREMENTS: Each Planned Development – Commercial zone application shall include a minimum of ten thousand (10,000) square feet.
- B. HEIGHT REGULATIONS: No structure shall be erected to a height less than ten feet (10') or greater than fifty feet (50'), unless otherwise approved as part of the zone change.
- C. AREA, COVERAGE, WIDTH, YARD and REQUIREMENTS: The minimum lot area, maximum density, maximum lot coverage, yard and / requirements are as follows:

Lot Area Minimum	Maximum Lot Building Coverage	Minimum Yard Setbacks		
		Front/street side yard	Side	Rear
10,000 SF Lot	50%	Adjacent to residential zone: 30' Otherwise: 20' Commercial Exception: Commercial: Parking per G2	Adjacent to residential zone: 30' Otherwise: 10' external 0' internal setback between PD-C zoned buildings	Adjacent to residential zone: 30' Otherwise: 10' Commercial

3371
 3372 D. SOLID WASTE STORAGE FACILITIES: All solid waste storage facilities shall be located
 3373 at the rear of the main building or else behind a sight obscuring fence or wall that will
 3374 prevent the facility from being seen from a public street. Chain link fencing with sight
 3375 obscuring slats is not permitted.
 3376
 3377 E. PROTECTION OF RESIDENTIAL PROPERTY: A solid masonry wall and a minimum
 3378 ten foot (10') wide planting strip along the adjoining property line is required for PD –
 3379 Commercial development that adjoins any lot or parcel of ground in any residential zone.
 3380
 3381 **10-8D-7: PD-M - PLANNED DEVELOPMENT – MANUFACTURING STANDARDS:**
 3382 A. MINIMUM ZONE REQUIREMENTS: Each Planned Development – Manufacturing
 3383 zone application shall include a minimum of ten thousand (10,000) square feet.
 3384
 3385 B. HEIGHT REGULATIONS: No structure shall be erected to a height less than ten feet
 3386 (10') or greater than fifty feet (50'), unless otherwise approved as part of the zone
 3387 change.
 3388
 3389 C. AREA, COVERAGE, WIDTH, YARD and REQUIREMENTS: The minimum lot area,
 3390 maximum density, maximum lot coverage, yard and / requirements are as follows:
 3391

Lot Area Minimum	Maximum Lot Building Coverage	Minimum Yard Setbacks		
		Front/street side yard	Side	Rear
10,000 SF Lot	50%	Adjacent to residential zone: 30' Otherwise: 20' Manufacturing Exception: Manufacturing: Parking	Adjacent to residential zone: 30' Otherwise: 10' external 0' internal setback between PD-M zoned buildings	Adjacent to residential zone: 30' Otherwise: 0' Manufacturing

3392

3393 D. SOLID WASTE STORAGE FACILITIES: All solid waste storage facilities shall be located
3394 at the rear of the main building or else behind a sight obscuring fence or wall that will
3395 prevent the facility from being seen from a public street.

3396
3397 E. PROTECTION OF RESIDENTIAL PROPERTY: A solid masonry wall and a minimum
3398 ten foot (10') wide planting strip along the adjoining property line is required for PD –
3399 Commercial development that adjoins any lot or parcel of ground in any residential zone.
3400

3401 **10-8D-8: PD-MU - PLANNED DEVELOPMENT - MIXED USE STANDARDS:**

3402 In addition to the provisions in sections 10-8A-1-3 the following provisions apply for projects that
3403 combine commercial and residential uses within the same building or project.

3404 A. MINIMUM ZONE REQUIREMENTS: Each Planned Development –
3405 Commercial/Residential Mixed Use application shall include a minimum of one-half acre.
3406

3407 B. HEIGHT REGULATIONS: No structure shall be erected to a height less than ten feet
3408 (10') or greater than fifty-five feet (55') or up to seventy feet (70') upon demonstration of
3409 architectural merit and specifically approved by city council.
3410

3411 C. AREA, COVERAGE, DENSITY, YARD, COMMON AREA and LANDSCAPING
3412 REQUIREMENTS: The minimum lot area, maximum lot coverage, yard and are as
3413 follows:
3414

Lot Area Minimum/ Maximum Density	Maximum lot area coverage	Minimum Area Common Open Space/Landscaped Area	Minimum Yard Setbacks		
			Front and Street Side	Side	Rear
1/2 Acre/ 40 DUA	70%	20%	Adjacent to Single Family zone: 30' Otherwise: 0-10' Max	Adjacent to Single Family zone: 30' Otherwise: 0'-10' 0' internal setback between PD-C zoned buildings	Adjacent to Single Family zone: 30' Otherwise: 0' Commercial 0' Manufacturing

3416 D. Mixed commercial and residential use is permitted in the PD-MU zone only as set forth
3417 herein:
3418

3419 1. All development projects seeking a PD-MU zone shall be new construction, and shall
3420 submit a detailed site plan pursuant to section 10-XX of this title showing the entire
3421 development project and showing the added specificity requirements of this section.
3422 In granting such approval, the land use authority may impose and enforce such
3423 specific conditions as to the site plan, orientation of the buildings to the public street,
3424 phasing, building construction, and maintenance as it deems necessary to protect
3425 the health, safety and welfare of the residents of the city. All development projects
3426 shall comply with the site plan as approved and adopted by the land use authority.
3427

3428 2. The entire ground floor of any building in the project shall only have commercial
3429 uses, except as provided in this section.
3430

- 3432 3. Residential use shall be located above the ground floor commercial use. Allowed
3433 residential density shall be determined by the detailed site plan and subject to all
3434 approvals in subsection xx of this section.
- 3435
- 3436 4. The requirement that the ground floor be limited to only commercial use may be
3437 altered to allow residential use or a parking structure, if all of the following conditions
3438 are met:
- 3439
- 3440 a. The view of the ground floor is obstructed from the public street by the building's
3441 location in the interior of the project, or its obstruction from street view by other
3442 buildings in the project;
- 3443
- 3444 b. A minimum of fifty percent (50%) of the ground floor area within the project shall be
3445 for commercial uses; and
- 3446
- 3447 c. For buildings that are perpendicular to the street so that the majority of the building is
3448 not adjacent to the street, the end of the building adjacent to the street must have
3449 commercial uses on the ground floor, but may have residential use or a parking
3450 structure on the remainder of the ground floor that is not oriented toward the public
3451 street, if the project complies with the other conditions provided in this section.
- 3452
- 3453 5. If the project is built in phases, each phase shall be all commercial or may include a
3454 mix of commercial and residential use. No phase shall be solely residential, unless
3455 fifty percent (50%) of the required commercial area has been built in previous
3456 phases.
- 3457
- 3458 6. All projects must meet the design standards set forth below:
- 3459
- 3460 a. Minimum height of ground level commercial use shall be twelve feet (12') floor to
3461 ceiling.
- 3462
- 3463 b. The front building facade and main entrance to all buildings shall be oriented toward
3464 and parallel to the public street. The setbacks for buildings adjacent to a public street
3465 shall be a minimum of zero feet (0') to a maximum of twenty feet (20') from the
3466 property line except:
- 3467
- 3468 c. The setbacks may be increased as necessary to allow room for outdoor seating
3469 areas, landscaping, or other similar pedestrian and customer amenities.
- 3470
- 3471 d. Interior buildings may be allowed without frontage on a public street if it is not
3472 possible to fit a building parallel to the street, all other requirements have been met,
3473 and the depth and size of the property and best use of the property would prevent all
3474 buildings from having frontage on a public street.
- 3475

3476 e. All buildings adjacent to a public street shall have primary frontage oriented toward
3477 the public street, and shall have a design typical of a commercial building front with
3478 integrated style features compatible with other street facing buildings in the project,
3479 including a significant entryway.

3480 f. Building facades shall have architectural variations such as:

3481 i. Contrasting building materials and textures.

3482 ii. Variations in rooflines, colors, reveals and belt courses.

3483 iii. Recessed windows and doors, strongly-expressed window mullions, and
3484 awnings.

3485 iv. Varying building setbacks from property lines, alcoves, outdoor sitting areas,
3486 and small public plazas.

3487 v. Corner towers, cupolas, corner clock towers, corner spires, balconies and
3488 colonnades.

3489 g. Buildings located on corners shall have the front facade wrap around the corner to
3490 the full depth of the building.

3491 h. Awnings will be allowed provided that the building is designed to allow awnings
3492 and/or are part of the initial design. Awnings shall have a minimum eight foot (8')
3493 head clearance and shall not project away from the building more than half the
3500 distance from the building to the street, or no more than six feet (6'), whichever
3501 distance is less. Awnings shall be constructed of metal and/or high quality fire
3502 resistant architectural fabrics. Vinyl awnings are prohibited.

3503 i. Parking lots shall be located in the interior of a project and not adjacent to a public
3504 street, except that access driveways with parking spaces on one or both sides, with a
3505 maximum width of seventy feet (70'), are permitted. For buildings fronting a public
3506 street, all parking shall be located to the rear or side of buildings, or may be located
3507 below grade (underneath building). Buildings located in the interior of the project may
3508 have the parking area on any side of the building, as per the approved site plan.
3509 Underground parking is permitted only if such parking is accessible from the side or
3510 rear of the development and not from the primary street. All projects must comply
3511 with the parking requirements for commercial and residential uses specified
3512 in Chapter 19 of this title.

3513 j. Parking structures are permitted only if the parking structures do not front the public
3514 street and are not taller than the proposed buildings.

3515 k. Minimum Ground Floor Glass: The ground floor of the building elevation fronting the
3516 street on all mixed-use buildings shall contain not less than forty percent (40%)
3517 nonreflective glass surface (i.e., windows).

3518 l. LANDSCAPED OPEN SPACE: Mixed use developments shall provide a minimum of
3519 twenty percent (20%) of the total site area in landscaping, which may include
3520 recreation facilities such as playgrounds, outdoor pools, tennis courts, and basketball
3521 courts. No more than half of the total required landscape area may consist of
3522 recreation facilities. Other than the minimum landscape area requirements, which are
3523 set above, the landscape standards in Chapter 23 of this title shall apply.

3524

- 3525 m. SOLID WASTE STORAGE FACILITIES: All solid waste storage facilities shall be
3526 located at the rear of the main building or else behind a sight obscuring fence or wall
3527 that will prevent the facility from being seen from a public street. Chain link fencing
3528 with sight obscuring slats is not permitted.
- 3529 n. PROTECTION OF RESIDENTIAL PROPERTY: A solid masonry wall and a minimum
3530 ten foot (10') wide planting strip along the adjoining property line is required for
3531 development that adjoins any lot or parcel of ground in any residential zone.

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**CHAPTER 9
RESERVED**

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3546 **CHAPTER 10**
3547 **AIRPORT VICINITY ZONES**
3548 **(ASBP, AVI, C-RM)**

3549 **10-10-1: AIRPORT VICINITY ZONES:**

3550 Any use not specifically permitted, permitted with standards, or conditionally permitted, is
3551 prohibited. Only the following uses are allowed:

- 3552 A. Uses indicated by the letter "P" below are permitted in the designated zone.
3553 B. Uses indicated by the letter "PS" are permitted uses with required standards in this zone.
3554 Uses must comply with the standards and evaluation criteria established in Chapter 17.
3555 C. Uses indicated by the letter "C" are conditional uses in the designated zone.
3556 D. No structures or uses are permitted in the runway protection zone (RPZ), defined as
3557 2000 feet in length from the beginning and end of the runway, and extending 1000 feet
3558 wide.
3559 E. Zone names are:
3560 1. Airport supporting business park (ASBP);
3561 2. Airport vicinity industrial (AVI);
3562 Mixed use commercial (C-RM).

3563 **ALLOWED USES**

	ASBP	AVI	C-RM
Airfreight and express delivery services	P	P	P
Amusement center (e.g., paintball, miniature golf, etc.)			P
Animal hospital, including care of large animals			P
Animal hospital, small animals only and provided conducted within completely enclosed building			P
Arcade			P
Athletic and sporting goods store, excluding sale or repair of motor vehicles, motorboats or motors		P	P
Athletic club/health club/spa	P	P	P
Auction establishment, indoors only (retail goods only)		P	P

Automobile, new or used sales and service (except as provided in "automobile conversion" use listed above)	PS		
Automobile parts sales (new parts only)	P		P
Automobile rental	P	P	P
Automobile repair shop (provided conducted within enclosed building)		P	P
Bakery	P		P
Bank or financial institution	P		P
Barbershop/beauty shop	P	P	P
Bed and breakfast			P
Beer parlor, sale of draft beer	P	C	P
Body piercing, incidental to a permitted use			P
Bookstore	P	P	P
Bowling alley	P		P
Building materials sales	P	P	P
Bulk plants	C	C	
Bus terminal	P	P	P
Business office	P	P	P
Cabinet shop	P	P	P
Call centers/internet sales/telemarketing	P	P	P
Candy manufacture	P	P	P
Car wash	P	P	P
Caretaker's residence, incidental to the use of the land for industrial purposes	PS	PS	PS
Carpenter, electrical, plumbing or heating shops	P	P	
Carpet and rug cleaning	P	P	P
Catering establishment, food service delivery and flight kitchen	P	P	P
Child care center		P	P

Religious Facility			P
Clinics, medical or dental	P	P	P
Concrete or asphalt mixing and batching plants		PS	
Construction equipment sales and rentals	PS	P	
Contractor's yard		P	
Convenience markets	P	P	P
Courier and delivery services	P	P	P
Department store			P
Educational institutions			P
Emergency service (and crew rest) facility	P	P	P
Employment agency	P	P	P
Farm and construction equipment sales, rental and service establishments		P	
Farm implement sales		P	
Fence, sales and service		P	
Financial, medical, and professional office	P	P	P
Florist shop	P	P	P
Food processing wholesale excluding slaughter of animals and the processing of vinegar, yeast and fat		P	
Foundry, lightweight casting, nonferrous without causing noxious odors or fumes		P	
Freight forwarding service and distribution center	P	P	P
Furniture sales and repair, indoor only			P
Furniture upholstery shop	P	P	P
Garden supplies and plant material sales		P	P
Government buildings or uses, nonindustrial	P	P	P
Government facilities (not otherwise listed)	P	P	P
Greenhouse and nursery; soil and lawn service	P	P	P

Grocery store	P	P	P
Gunsmith		P	P
Health club/spa	P	P	P
Hospitals			P
Hotel/motel	P	P	P
Household appliance sales and service	P	P	P
Ice cream parlor	P	P	P
Ice manufacturing and storage	P	P	
Insulation sales and service		P	P
Internet sales and telemarketing	P	P	P
Janitor service and supply	P	P	P
Laboratory, dental or medical	P	P	P
Laundry and linen service	P	P	P
Laundry or dry cleaners, laundromat	P	P	P
Library			P
Liquor store	P	P	P
Locksmith	P	P	P
Lodge or social hall			P
Lumberyard		P	
Machine shop, general	P	P	
Manufacturing establishments	P	P	
Medical/dental office or clinic	P	P	P
Mental health treatment center			P
Microbrewery with restaurant	P	P	P
Monument works and sales	P	P	
Mortuary			P
Motorcycle, boat, or RV sales and service			P

Moving and storage company	P	P	
Museum (*except aviation related)	*	P	P
Newsstand	P	P	P
Nursery, plants		P	P
Nursing home			P
Office supply, office machines sales and service	P	P	P
Offices	P	P	P
Optometrist, optician	P	P	P
Paint or wallpaper store	P	P	P
Park and playground	P	P	P
Pawnshop			P
Permanent cosmetics, a secondary use to an establishment employing cosmetologist/barber(s), aesthetician(s), electrologist(s), or nail technician(s) licensed by the state under 58-11a-101 et seq., Utah Code Annotated, 1953, as amended, excluding tattoo establishments and home occupations	P	P	P
Pest control and extermination	P	P	P
Pet and pet supply store		P	P
Pharmacy	P	P	P
Pool hall		P	P
Post office	P	P	P
Printing	P	P	P
Printing, lithographing, publishing or reproduction sales and service	P	P	P
Professional office	P	P	P
Public utility facilities (not including power transmission lines)	PS	PS	PS
Publishing or lithography shops	P	P	P
RV parks, temporary stay		P	

RV storage	P	P	
Real estate agency	P	P	P
Reception center or wedding chapel			P
Recreation center			P
Rental agency for home and garden equipment	P	P	P
Research and development	P	P	P
Residence for caretaker, manager or security personnel		PS	PS
Residential - mixed use up to 22 du/ac			P
Restaurant	P	P	P
Retail goods establishments (predominately indoor sales)	P	P	P
Retail services establishments	P	P	P
Roller skating rink			P
Rubber welding		P	
Sand and gravel extraction	PS	PS	
Sandblasting (interior use only)		P	
Seed and feed store, retail		P	
Service station, automobile (excluding painting, body fender and upholstery work)	P	P	P
Sheet metal shop and re-tinning, provided all operations conducted within completely enclosed building		P	
Sign manufacture or sign painting	P	P	
Sign sales	P	P	P
Storage rental units	PS	PS	
Supermarket/grocery store	P	P	P
Tattoo establishment		P	
Tavern			P
Testing laboratory	P	P	
Theater, indoor			P

Tire sales and service		P	P
Tool design (precision) repair and manufacture	P	P	
Tour operators	P	P	P
Trailer sales and service		P	
Travel agency	P	P	P
Truck sales and repair	P		
Truck terminal	P	P	
Used car lot (except as provided in "automobile conversion" use listed above)		P	
Vegetable stand	P		P
Veterinary office/clinic - small animals			P
Warehouse storage	P	P	
Welding shop		P	
Wholesale business	P	P	

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10-10-2: AIRPORT VICINITY ZONE RESTRICTIONS:

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A. Height hazards prohibited: Height hazards identified in CFR Title 14, part 77, and part 121 are prohibited.

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B. Electrical and visual hazards prohibited: No use or structure within the zone may:

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1. Create any electrical interference with navigational signals for radio communication between the airport and an aircraft; or

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2. Make it difficult for pilots to distinguish airport lights; or

3586

Result in glare in the eyes of the pilots using the airport; or

3587

Impair a pilot's visibility in the vicinity of the airport, such as smoke or dust; or

3588

3589

Create a hazard to, or endanger the landing, takeoff or maneuvering of aircraft using the airport.

3590

C. Overnight Camping: Overnight camping is restricted as follows:

3591

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- a. Recreational Vehicles Only: Overnight camping is restricted to camping only within validly registered recreational vehicles (RVs); in areas allowed for recreational vehicle camping;

- 3594 b. for a period no longer than 28 consecutive days.
- 3595 c. Tents Prohibited: Camping is not otherwise allowed.
- 3596 d. Fires Prohibited: No fire or open flame shall be permitted anywhere at the RV
3597 campsite.
- 3598 D. New development, including a change or expansion of an existing allowed use, shall:
- 3599 1. Disclose notice of the airport vicinity zone, the presence of the St George Airport,
3600 and the fact and noise associated with aircraft over flights on all plats and permits
3601 and shall record title notice with the county recorder;
- 3602
- 3603 2. Grant an aviation easement, conveying to the city the right of overflight and other
3604 activities and operations associated with aviation, including noise, aircraft engine
3605 emissions, and visual impacts;
- 3606
- 3607 3. Comply with the FAA imaginary surface height limitations;
- 3608 E. Development of the following uses is not permitted within the traffic pattern area:
- 3609 1. Religious Facility
- 3610
- 3611 2. Concert halls
- 3612
- 3613 3. Convalescent homes and rest home
- 3614
- 3615 4. Convention centers
- 3616
- 3617 5. Hospitals
- 3618
- 3619 6. Libraries
- 3620
- 3621 7. Mobile home parks
- 3622
- 3623 8. Nonairport related museums
- 3624
- 3625 9. RV parks
- 3626
- 3627 10. Reception centers
- 3628
- 3629 11. Residential uses
- 3630
- 3631 12. Schools
- 3632 F. Development within the approach area shall not include the following uses:
- 3633 1. Religious Facilities
- 3634
- 3635 2. Concert halls
- 3636
- 3637 3. Convalescent homes and rest homes
- 3638
- 3639 4. Convention centers
- 3640

- 3641 5. Hospitals
 3642
 3643 6. Hotels and motels
 3644
 3645 7. Libraries
 3646
 3647 8. Mobile home parks
 3648
 3649 9. Museums
 3650
 3651 10. RV parks
 3652
 3653 11. Reception centers
 3654
 3655 12. Residential uses
 3656
 3657 13. Schools
 3658
 3659 14. Shopping malls
 3660
 3661 15. Stadiums
 3662
 3663 16. Theaters
 3664

10-10-3: AREA AND SETBACK REQUIREMENTS:

A. The minimum lot area and setbacks are as follows:

	ASBP	AVI	C-RM
Minimum lot area	1 acre	1 acre	1/4 acre
Minimum yard setbacks from street curb:			
Front	25 feet	20 feet	15 feet
Side	10 feet	10 feet	10
Side facing a street on corner lot	20 feet	20 feet	15 feet
Rear	10 feet	10 feet	10 feet

3668

3669 When abutting a residential zone, or in the C-RM zone when the use is residential, there shall be a
 3670 minimum setback of ten feet (10') with an additional setback for buildings or structures over fifteen
 3671 feet (15') in height based on a one to one (1:1) ratio; each additional foot in height requires an
 3672 additional one-foot setback from the property line.

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3678 **10-10-4: SITE DEVELOPMENT AND DESIGN STANDARDS:**

3679 A. MAXIMUM LOT COVERAGE: The maximum coverage for any lot is:

	ASBP	AVI	C-RM
Maximum lot coverage	50 percent	75 percent	75 percent (commercial use) 50 percent (residential use)

- 3686
- 3687 B. Pedestrian Oriented Commercial Uses: For pedestrian oriented commercial uses in the
3688 commercial residential mixed use zone, the entire area between the curb and the
3689 setback line shall be landscaped to create a consistent streetscape, such that facing
3690 "blocks" of contiguous properties have uniform setbacks, paving, street trees and other
3691 urban design features. This may consist of a combination of plant materials, sidewalks,
3692 and access drives as necessary for the development of the property.
- 3693
- 3694 C. Residential Uses: For residential uses in the commercial residential mixed use zone, the
3695 entire front yard setback line shall be landscaped using any combination of planting
3696 areas and dry scape, subject to the approval of the city. For residential and mixed
3697 residential-commercial use projects, no part of the front setback may be used for
3698 parking.
- 3699
- 3700 D. Outside Storage: There shall be no outside storage of materials used in sales or in
3701 business operation within the airport supporting business park (ASBP) zone. All
3702 businesses shall be completely enclosed in the ASBP zone. Within the airport vicinity
3703 industrial (AVI) zone, all solid waste storage facilities shall be located at the rear of the
3704 main building and behind a sight obscuring solid masonry wall which will prevent the
3705 facility from being seen from a public street.
- 3706
- 3707 E. Building Heights: The primary restriction for building heights will be the FAA part 77
3708 surfaces. Building heights within the airport vicinity boundaries shall not exceed part 77
3709 surface elevations. Development proposals may be required to include a part 77 height
3710 conformity analysis as part of the project approvals or the following maximum heights:
- 3711

	ASBP	AVI	C-RM
Minimum	10 feet	10 feet	10 feet
Maximum	35 feet	35 feet	35 feet

- 3712
- 3713
- 3714
- 3715
- 3716
- 3717
- 3718
- 3719
- 3720 F. Exterior Colors and Materials: Building colors are limited to natural, muted tones that
3721 emulate the local geologic formations common to the area and blend with the
3722 predominant colors of the natural surroundings. Window glazing shall be nonreflective,
3723 energy efficient glass with light to medium gray tint. Within the airport supporting
3724 business park (ASBP) zone at least thirty percent (30%) of the building's front facade
3725 shall consist of stone, brick, or similar masonry product in order to improve building
3726 appearance.
- 3727

3728 G. Noise Attenuation: Noise sensitive uses located within the 55 DNL noise contour area
3729 (see exhibit A attached to the ordinance codified herein) shall be noise attenuated as
3730 follows:

- 3731
- 3732 1. Residential uses shall provide triple pane exterior windows, and insulation in exterior
3733 walls to achieve an insulation rating of R-21, and a rating of R-38 in the roof/ceiling.
 - 3734 2. Commercial uses shall provide an insulation rating of R-21 for exterior walls, and R-
3735 19 in ceiling/roof insulation, along with providing double pane windows in exterior
3736 walls.
 - 3737 3. Noise sensitive uses that are outside of the 55 DNL noise contour areas shall use
3738 construction techniques that provide noise attenuation within each structure to
3739 substantially reduce the effects of outside noise levels within the structure.

3740 H. C-RM mixed use developments shall comply with the standards set forth in 10-8D-8: of
3741 this title.

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3747 **10-10-5: DEVELOPMENT PROPOSAL REQUIREMENTS AND**
3748 **PROCESS:**

3749
3750 **A. GENERAL REQUIREMENTS:**

- 3751
3752 a. Documents Required: All development proposals, except for on noncommercial
3753 airport hangars, shall be accompanied by a colored site development plan and a
3754 written text for the entire property proposed to be developed, identifying how the
3755 project complies with all standards for development within the zone.
3756
3757 b. Review: For any properties within any district within the airport overlay zone the
3758 applicant shall file the proposed project with the planning staff for review. The
3759 planning staff shall coordinate the review with the airport manager's office and
3760 contact interested department personnel of the city or other agencies for review
3761 purposes. Staff shall furnish to the applicant any comments regarding the
3762 development plan that may help the applicant in preparing the submission. The staff
3763 shall hold such meetings with the applicant as may be necessary for proper review.
3764

3765 **B. APPLICATION REQUIREMENTS - CONTENTS OF WRITTEN TEXT:**

3766 The written text of each application shall include the following: All properties, except for on
3767 airport noncommercial hangars, within the airport overlay zones shall address subsections 1
3768 through 5 of this section. Properties within the airport supporting business park and airport
3769 vicinity industrial (and mixed-use commercial) zones must also address subsections 6
3770 through 13 of this section.

- 3771
3772 a. Use of Land: The projected use of land, including percentages of land devoted to
3773 various types of land use, such as building coverage, parking area, landscaped area,
3774 etc.
3775
3776 b. Height and Elevations: The text shall indicate the type, character and proposed
3777 height of all buildings. The plot plan, elevations and perspective drawings may be
3778 prepared as necessary by the applicant to help the planning commission and city
3779 council to better understand the proposal.
3780
3781 c. Density: The proposed development density in terms of dwelling units per gross acre
3782 of land for residential uses or building square footage for nonresidential uses shall be
3783 indicated.
3784
3785 d. The location of any proposed conditional uses, especially any school sites, Religious
3786 Facilities, parks or other common or open spaces shall be identified.
3787
3788 e. Topography: Topography at contour intervals of two feet (2') shall be submitted.
3789
3790 f. Phasing Plan: A phasing plan, if construction is proposed in phases.
3791
3792 g. Landscape Plan: A landscape plan showing the general location of lawn area and
3793 trees.
3794

- 3795 h. Area Reserved for Landscaping: The amount of land area reserved for landscaping
3796 shall be indicated, with square footage of irrigated planting areas versus dry scape
3797 area.
- 3798 i. Utilities: All utilities shall be underground unless otherwise approved by the city
3799 council and upon recommendation of the water and power director. Transformer
3800 equipment shall be screened from streets and from adjacent properties.
- 3801 j. Refuse Storage Areas: Refuse storage areas shall be screened so that materials
3802 stored within these areas shall not be visible from access streets, freeways and
3803 adjacent properties.
- 3804 k. Lighting Plan: The plans submitted shall include a general lighting plan indicating
3805 location of lights to be installed on the site.
- 3806 l. Parking and Site Access: Number and size of parking spaces and width of vehicle
3807 access lanes shall be shown (this may be a part of the site or plot plan). Safe and
3808 convenient turning space shall be provided for cars, sewer vehicles, refuse collection
3809 vehicles, firefighting equipment, etc., at the end of private drives and dead end
3810 streets.
- 3811 m. Signs: Overall sign program to demonstrate compliance with the city sign code.

3812 **10-10-6: RELATED PROVISIONS:**

- 3813 A. OUTDOOR LIGHTING— Chapter 10-14
3814 B. PERMITTED WITH STANDARDS AND CONDITIONAL USES – Chapter 10-17
3815 C. WALLS, FENCES AND HEDGES— Chapter 10-18
3816 D. OFF STREET PARKING REQUIREMENTS— Chapter 10-19
3817 E. MOTOR VEHICLE ACCESS AND LOADING— Chapter 10-20
3818 F. LANDSCAPE STANDARDS— Chapter 10-23
3819 G. SIGNS—CHAPTER 9-13

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3833 **CHAPTER 11**

3834 **OPEN SPACE**

3835 **(OS)**

3836 **10-11-1: ALLOWED USES:**

3837 Any use not specifically permitted, permitted with standards, or conditionally permitted, is
3838 prohibited. Only the following uses are allowed:

- 3839 A. Uses indicated by the letter "P" below are permitted in the designated zone.
- 3840 B. Uses indicated by the letter "PS" are permitted uses with required standards in this zone.
3841 Uses must comply with the standards and evaluation criteria established in Chapter 17.
- 3842 C. Uses indicated by the letter "C" are conditional uses in the designated zone.
- 3843

ALLOWED USES		
Agriculture		OS
Cemetery		PS
Chickens and rabbits—up to 20 animals per acre (min one acre parcel) provided the coop or pen is at least 100' from any dwelling and roosters kept at least 500' from any residential zone		P
City Facility		P
Communication transmission facilities, lines, towers		PS
Livestock corral, barn or pen incidental to livestock grazing and at least 100' from residential zones without livestock uses		P
Livestock grazing limited to 4 weaned animals per acre or 8 weaned animals per acre for no more than 30 days per year		P

3844 **10-11-2: HEIGHT REGULATIONS:**

3845 No structure shall be erected to a height less than ten feet (10') or greater thirty-five feet (35').

3846 **10-11-3: AREA, WIDTH AND YARD REQUIREMENTS:**

3847 The area, width and yard requirements are as follows:

District	Area Minimum lot size	Lot Width Minimum	Minimum Yard Setbacks		
			Front and Street Side	Sides	Rear
OS	40 Acres	100'	25 ft.	10 ft.	10 ft.

3848 **10-11-4: RELATED PROVISIONS:**

- 3849 A. OUTDOOR LIGHTING— Chapter 10-14
- 3850 B. PERMITTED WITH STANDARDS AND CONDITIONAL USES – Chapter 10-17
- 3851 C. WALLS, FENCES AND HEDGES— Chapter 10-18
- 3852 D. OFF STREET PARKING REQUIREMENTS— Chapter 10-19

- 3863 E. MOTOR VEHICLE ACCESS AND LOADING— Chapter 10-20
 - 3864 F. LANDSCAPE STANDARDS— Chapter 10-23
 - 3865 G. SIGNS—CHAPTER 9-13
- 3866
- 3867

**CHAPTER 12
RESERVED**

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CHAPTER 13

OVERLAY ZONES

3877

ARTICLE A.

3878 **HILLSIDE DEVELOPMENT OVERLAY ZONE (HDOZ)**

3879

3880 **10-13A-1: DENSITY AND DISTURBANCE STANDARDS:**

- 3881 A. The Hillside Development Overlay Zone (HDOZ) limits development densities and
3882 provides specific development incentives to transfer underlying zone densities from
3883 hillsides (Sending Areas), to less steep slopes or more safe development areas
3884 (Receiving Areas), within a development.
- 3885
- 3886 B. For those portions of a proposed development with natural slopes 120% or less,
3887 development density follows the density and development standards in the underlying
3888 zone.
- 3889
- 3890 C. For those portions of a proposed development with natural slopes from 21% to 30%,
3891 development activity shall not disturb more than 30% of the parcel within this slope
3892 category.
- 3893
- 3894 D. For those portions of a proposed development with natural slopes from 31% to 40%,
3895 development activity shall not disturb more than 5% of the area within this slope
3896 category.
- 3897
- 3898 E. A proposed development may not disturb slopes in excess of 40%.
- 3899
- 3900 F. The applicant may:
- 3901
- 3902 1. Transfer all development density from steeper slope categories (Sending Areas), to
3903 areas within the development with natural slopes of 20% or less (Receiving Areas);
3904 and
- 3905
- 3906 2. Develop additional bonus density, calculated from each slope category, as follows:
3907 a. Natural slopes 20% or less transferred on a one to one unit basis; plus
- 3908
- 3909 b. One additional density unit for each density unit transferred from natural slopes
3910 of 21-30%; plus
- 3911
- 3912 c. Two additional density units for each density unit transferred from natural slopes
3913 of 31-40%.
- 3914
- 3915 3. Unit calculation for the Receiving Area shall be based on the requirements of the
3916 Sending Area zone.
- 3917
- 3918 G. Density transfers to the Receiving Area may occur without a zone change within the
3919 Receiving Area even though the resulting density or configuration may exceed the
3920 density limits of the Receiving Area zone. Other than density, the Receiving Area's
3921 zoning requirements apply to development in the Receiving Area. For instance, lot sizes
3922 may vary, but single family zoning districts only allow single family detached dwellings.
- 3923
- 3924 H. If the applicant proposes to develop within the twenty-one percent (21%) to forty percent
3925 (40%) slope area, the applicant cannot employ partial density transfers from the Sending
3926 Area and must propose a design, site development plans, and a grading plan that blends

- 3927 and harmonizes all aspects of the proposed development into the natural topography,
3928 and that minimizes road cuts and fills.
- 3929 I. Non disturb areas within a residential lot as shown on the slope analysis map shall not
3930 be used to calculate minimum lot size.
- 3931 J. Disturbance standards do not apply to city for limited city facilities: trails, parks, and
3932 utilities.

3934

3935 **10-13A-2: SLOPE AND SLOPE AREAS DETERMINED:**

- 3936 A. Slope shall be determined for each significant portion of a development parcel.
- 3937 B. Procedure: The applicant shall map the location of the natural slope by using the
3938 following procedure:
- 3939 1. Preparation of Contour Maps: The applicant shall submit an accurate, current
3940 contour map, prepared and certified by a licensed professional engineer or surveyor,
3941 which shows all land contours at intervals no greater than five feet (5'), drawn at a
3942 one inch equals one hundred feet (1" = 100') scale maximum.
- 3943 2. Verification Through Field Surveys: The city engineer or designee may require the
3944 applicant to submit a field survey to verify the accuracy of the contour map.
- 3945 C. Determination of Slope Areas: Using the contour map, natural slopes shall be calculated
3946 using points identified as natural slopes of twenty percent (20%), thirty percent (30%),
3947 and forty percent (40%), and shall be located on the contour map and connected by a
3948 continuous line. That area bounded by said lines and intersecting property lines shall be
3949 used for determining project density. Small washes or outcrops, which have slopes
3950 distinctly different from surrounding property, and are not part of the contiguous
3951 topography, may be excluded from the slope determination.

3952

3953 **10-13A-3: HDOZ SITE DEVELOPMENT PERMIT STANDARDS:**

- 3954 A. An application to develop in the HDOZ on slopes of 21% or greater shall include the
3955 following:
- 3956 1. Site Development Plans: Site development plans must be prepared by a licensed
3957 engineer, or licensed landscape architect, and must include:
- 3958 a. A grading or earthmoving plan showing:
- 3959 i. Topography: Existing and proposed contours and cross sections showing the
3960 topography of the existing ground extending at least one hundred feet (100')
3961 outside of all boundary lines of the site, or sufficient to show on and off-site
3962 drainage. Property contours shall be shown at two-foot (2') intervals for
3963 plateaus and five foot (5') intervals for steep slopes.
- 3964 ii. The slope of proposed cuts and fills.
- 3965 iii. The height of any cut or fill does not exceed ten feet (10') when measured
3966 vertically from the finished grade to the intersection of the slope with the
3967 natural undisturbed ground.

- 3978 iv. The combined height of cuts and fills does not exceed twenty feet (20').
- 3979
- 3980 b. A mitigation plan showing:
- 3981 i. proposed retaining, terracing and landscaping or other techniques to
- 3982 stabilize, amend and mitigate the cuts and fills.
- 3983
- 3984 c. Detailed plans of all surface and subsurface drainage systems and facilities,
- 3985 walls, cribbing or other erosion protection devices, to be constructed in
- 3986 connection with, or as part of the proposed project, together with a map showing
- 3987 the drainage area and estimated runoff of the area served by any drainage
- 3988 systems or facilities.
- 3989
- 3990 d. Detailed plans of all drainage systems and facilities that store, control, treat, or
- 3991 convey storm water.
- 3992
- 3993 e. Detailed plans showing that all surface and subsurface drainage shall be
- 3994 consistent with the City's MS4 permit and compatible with the city flood control
- 3995 master plan and stormwater drainage system. Residential plans must show that
- 3996 each lot conveys its drainage to the street, and that there are no shared systems,
- 3997 facilities, or responsibilities with other lot owners to convey it, unless the
- 3998 proposed drainage is in common area with a property owner's association to own
- 3999 and maintain it.
- 4000
- 4001 f. Streets, Buildings, Easements: The location of any existing and proposed streets,
- 4002 buildings or structures, easements and drainage channels on the property.
- 4003
- 4004 g. Elevation Drawings: Detailed site plans and elevation drawings showing location
- 4005 of all structures and how and to what extent hillside cuts will be covered and/or
- 4006 retained by proposed development.
- 4007
- 4008 h. Landscape and Vegetation Plan: A landscape plan, prepared by a licensed
- 4009 landscape contractor or a landscape architect, in conjunction with the overall site
- 4010 plan, shall be submitted for approval. The plan shall outline areas being
- 4011 excavated and filled and describe in detail how the developer will restore or
- 4012 replant these areas. The plan shall specify types of retention being used,
- 4013 together with sprinkler plans and water usage methods suitable to the soils of the
- 4014 project.
- 4015
- 4016 i. Terrain Details: Special notes and details of the existing terrain shall be noted on
- 4017 the required topographic information.
- 4018 j. Proposed Earthmoving Details: The dimensions, elevations and contours of any
- 4019 proposed earthmoving shall be shown.
- 4020
- 4021 k. Material Disposal: A description shall be included of the methods to be employed
- 4022 in disposing of soil and other material removed, including the location of the
- 4023 disposal site.
- 4024
- 4025 l. Timetable: A schedule shall be included showing when each stage of the project
- 4026 will be completed, including the estimated starting and completion dates.
- 4027

- 4028 b. Drainage Control Plan and Report: A drainage control plan and report prepared by
4029 a licensed professional civil engineer registered in the state shall be submitted
4030 with each application. The design of the drainage control system shall be based
4031 upon the following criteria:
- 4032 a. Separate from Sewer System: All drainage systems shall be separate and
4033 independent from the sanitary sewer system.
- 4034 b. Design: Drainage and flood control shall be designed in conformance with the
4035 city flood control master plan where applicable.
- 4036 c. Natural Drainage Channels: Property development shall not cause a natural
4037 drainage channel to be filled in, obstructed or diverted without prior City approval.
4038 When modification to a natural drainage channel is proposed within the
4039 development, such changes will be addressed in the drainage study and shown
4040 on the improvement plans including offers to dedicate rights of way or record
4041 drainage easements for structures and/or improvements needed to carry storm
4042 runoff in the event approval is given for the proposed modifications.
- 4043 d. Approval Required for Change: The point of location where the natural drainage
4044 channel enters and leaves the property may not be changed without approval of
4045 the city engineer or designee.
- 4046 e. Drainage Basin Upstream of Development: All of the drainage basins upstream
4047 of the development shall be considered to be fully developed in conformance
4048 with the city's current land use master plan. Effects on the downstream property
4049 owners relative to increased flood potential and nuisance water shall also be
4050 considered in the design, including acquisition of easements or agreements
4051 where necessary, or construction or modification of improvements where
4052 needed.
- 4053 f. Use of Existing Facilities: The developer shall provide the necessary means to
4054 assure drainage within the property being developed by making use of existing
4055 facilities or natural washes and constructing master planned improvements.
- 4056 g. General Requirement: Each new development shall manage its storm water
4057 runoff and maintain its storm water management system in such a manner that
4058 no net increase in storm runoff above the natural state will occur on the
4059 downstream properties. In other words, the pre-project flows must not be
4060 exceeded by the post-project flows throughout the life span of the project.
- 4061 h. Street Usage: Streets are significant and important in urban drainage, and full
4062 use shall be made of streets for storm runoff up to reasonable limits, recognizing
4063 that the primary purpose of streets is for traffic. Reasonable limits of the use of
4064 streets for transportation of storm runoff shall be governed by the below listed
4065 design criteria:

<u>Street Classification</u>	<u>Maximum Encroachment</u>
Hillside access/hillside local	No curb overtopping. Flow may spread to crown.
Local road	No curb overtopping. Flow spread must leave at least 1 lane free of water.
Minor collector	No curb overtopping. Flow spread must leave 1 lane free of water in each direction (total, 2 lanes free of water).

- i. When the above encroachment is exceeded, an independent storm water system shall be designed and constructed based on a 10-year storm.
- ii. 100-Year Storm: The storm water from a 100-year frequency storm shall be adequately conveyed either within the limits of the street right of way or in storm drain easements without creating flood hazards to buildings or dwellings.
- i. Underground Pipe Systems: When an underground pipe system is required, it shall be designed to carry a 10-year storm. Major hydraulic structures shall be designed to carry a 25-year storm. The minimum storm drain size shall be ten inches (12").
- j. Retention Basins on Hillsides: Unless specifically permitted, retention basins on hillsides are not allowed.
- k. Detention Basins: Detention shall be allowed where it is compatible with all required reports. Detention basins shall be used for the purpose of eliminating the effects of the peak runoff of storms and releasing water flow at the pre-project, or approved rate.
- l. Cross Gutter Drains: Cross gutter drains on streets shall be avoided wherever possible. They are not allowed on major collector, mid-block, and higher order streets.
- m. Drainage Plan Consistency: Drainage plans must be consistent with all other reports, i.e., geotechnical, soils, landscaping, etc.
- n. Groundwater Sources: When springs or other groundwater sources are found on the developer's property, the construction of an underground pipe system to eliminate the nuisance of this water is required. Minimum pipe size shall be twelve inches (12"). Overland flow will not be allowed for water that is continuously present.
- o. Building Construction: All buildings shall comply with the standards set forth in 10-13C.

- 4130 p. Erosion Elimination: Necessary measures shall be taken to prevent erosion and
4131 scour at all points throughout the development. It shall be mitigated at all points
4132 of discharge and at the face of any cut or fill slope throughout the development.
4133
- 4134 q. Control During Grading Or Construction: During grading or construction on any
4135 property (including off site construction), the developer shall control both water
4136 used for construction and storm runoff in such a manner as to not affect any
4137 adjoining properties, nor add silt or debris to any existing storm drain, wash,
4138 channel or roadway.
4139
- 4140 c. Drainage Plan: The drainage plan shall meet city drainage plan specifications.
4141
- 4142 d. Drainage Report (Hydrology Study): The drainage report shall comply with city
4143 specifications.
4144
- 4145 e. Geology and Soils Report: A geology and soils report prepared by a licensed
4146 professional engineer trained and experienced in the practice of geotechnical
4147 engineering that contains the following information:
4148
- 4149 a. Slope Stability Analysis: Slope stability analysis; conclusions and
4150 recommendations concerning the effects of material removal; introduction of
4151 water, both on and off site, including, where applicable, on mesa tops; seismic
4152 activity; and erosion on slope stability.
4153
- 4154 b. Foundation Investigation: Foundation investigation; conclusions and
4155 recommendations concerning the effects of soil conditions on foundation and
4156 structural stability, including bearing capacity, sheer strength, and shrink/swell
4157 potential of soils.
4158
- 4159 c. Spring Location: The location and yield of springs and seeps.
4160
- 4161 d. Structural Features: Structural features including any geological limitations.
4162
- 4163 e. Surface Hazards: Existence of surface hazards including potential for rockfalls
4164 and toppling failures to cliffs, slopes and overhangs above the subject property.
4165
- 4166 f. Effect of Geologic Conditions: Conclusions and recommendations regarding the
4167 effect of geologic conditions on the proposed development, together with
4168 recommendations identifying the means proposed to minimize any hazard to life
4169 or property, or adverse impact on the natural environment.
4170
- 4171 B. HDOZ Permit Expiration: A HDOZ permit expires after two (2) years, if no grading
4172 permit has been issued or at least fifty percent (50%) of the construction on the site for
4173 which the permit was granted has not occurred. An extension of six months may be
4174 granted if the city finds that it is warranted for good cause shown. Requests for
4175 extension shall be filed not less than thirty (30) calendar days prior to the expiration date.
4176

4177 **10-13A-4: PROPERTY MITIGATION:**

4178 A cashier's check, cash bond, or cash escrow, to assure hillside restoration shall be provided
4179 prior to issuance of a hillside development permit for projects disturbing more than one acre, or
4180 where determined necessary by the city engineer or designee on projects involving less than

4181 one acre. Such financial guarantee shall be provided in an amount sufficient to ensure
4182 necessary soil stabilization, including grading, planting and maintenance, in the event the
4183 applicant fails to complete the hillside restoration in accordance with the approved plan within
4184 one year from the issuance of the permit. The financial guarantee shall cover the cost, as
4185 estimated by an approved landscape architect, or qualified contractor, or a civil or a
4186 geotechnical engineer, and approved by the city engineer, to restore the hillside to an
4187 acceptable level of appearance and stability.

4188

10-13A-5: STREET DESIGN:

4190 The following standards apply to public and private streets within the zone:

4191

- 4192 A. Street Grades: The maximum allowed street grade is fifteen percent (15%).
- 4193
- 4194 B. Intersections: Roads shall intersect at ninety-degree (90°) angles.
- 4195
- 4196 C. Intersection Spacing: Intersections should be spaced far enough apart so that the traffic
4197 stopped to make left turns at one intersection does not interfere with traffic movements
4198 at the adjacent intersections.
- 4199
- 4200 a. On low volume streets such as access roads to minor collectors or minor collectors
4201 to minor collectors, the minimum spacing distance is one hundred twenty-five feet
4202 (125').
- 4203
- 4204 3. For minor collectors to major collectors, the minimum spacing distance is two
4205 hundred fifty feet (250').
- 4206
- 4207 D. Design Speed: The design of geometric features such as horizontal and vertical
4208 alignment will depend on the design speed selected for each street. The design speed is
4209 primarily determined by the street function and classification and is the maximum speed
4210 for safe and comfortable operation of a vehicle. Other than a major collector, all streets
4211 in hillside areas are classified as low speed streets (35 miles per hour or less).
- 4212
- 4213

<u>Street Design Classification</u>	<u>Design Speed</u>	<u>Posted Speed</u>
Minor collector	30	30
Local road	25 - 30	25
Hillside local	25	25
Hillside access	25	25

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- 4226 E. Clear Sight Distance at Intersections: Adequate, clear sight distance is required at
4227 intersections, as follows:

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<u>Posted Speed Of Higher Order Road</u>		<u>Minimum Y</u>	<u>Desired Y</u>
20		210	240
25		260	300
30		310	380
35		365	475

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F. Vertical Curves and Intersection Relationship: The vertical alignment of residential streets shall comply with latest editions of AASHTO geometric design of highways and streets. See table below for listing of pertinent design criteria:

MINIMUM LENGTH OF VERTICAL CURVES

<u>Design Speed</u>	<u>Crest "K" Value</u>	<u>Sag "K" Value</u>
20	10	20
25	20	30
30	30	40
35	40	50

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L = KA (for minimum sight distance on a vertical curve).
L = Length of vertical curve for proper sight distance.
A = Algebraic difference in grade.

Vertical alignment with the intersection is also of special nature, and design alternatives may be required. As a guideline, the approach area where vehicles stop while waiting to enter an intersection shall not exceed four (4%) to five percent (5%) from the gutter line of the street being intersected for a distance of fifty feet (50'), though a range of fifty feet (50') to one hundred feet (100') is more desirable. This applies to all intersections, except those intersections where both intersecting streets are minor collectors. The landing area for a minor collector shall be designed for a grade of two percent (2%) to three percent (3%) for a distance of one hundred feet (100').

G. Safe Stopping Sight Distance: The minimum sight distance to be provided before a stop is required is included in the table below:

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<u>Design Speed</u>	<u>Computed</u>	<u>Recommended Distance</u>	<u>Add On For 15% Grade</u>
20	106.7	125	20
25	146.5	150	36
30	195.7	200	64
35	248.4	250	95

- H. Horizontal Curves: The minimum centerline radius for horizontal curves on low speed residential streets is:

MINIMUM CENTERLINE RADIUS

<u>Street Classification Or Speed</u>	<u>Curve Radius In Feet</u>
Private streets	50 - 100
20 mph	100 - 150
25 mph	185
30 mph	310

- I. Street Cross Section Standards: The requirements for street cross section configurations are based on the following factors:
- Traffic capacity;
 - Design speed;
 - Projected traffic;
 - Designs to reduce scarring.
- J. Alternate road cross sections, such as grade separated streets, may be used if applicable safety and traffic standards are met.
- K. Elimination of sidewalk on one side of the road may be approved when elimination of one sidewalk can appreciably reduce the amount of hillside disturbance. Other

4301 considerations may also warrant its elimination. When one sidewalk is eliminated, the
4302 remaining sidewalk shall be increased by one (1') foot in width.
4303

- 4304 L. The following table sets forth the requirements for street standards for single-family
4305 residential development.

4306 4307 **STREET CROSS SECTION STANDARDS FOR SINGLE FAMILY RESIDENTIAL**

<u>Maximum Grade</u>	<u>Street Classification</u>	<u>Width ROW</u>	<u>Width TBC</u>	<u>Pavement Width</u>	<u>Width Sidewalk</u>	<u>ADT</u>
12% ⁶	Minor collector	60 ft.	50 ft.	45 ft.	5 ft.	1,500 - 3,500
15%	Local road	50 ft.	40 ft.	35 ft.	4 ft.	750 - 1,500
15%	Hillside local	45 ft.	35 ft.	30 ft.	4 ft.	150 - 750
15%	Hillside access	41 ft.	31 ft.	26 ft.	4 ft.	0 - 150

4308
4309 **10-13A-6: BUILDING SETBACKS AND ADDITIONAL DESIGN STANDARDS:**

- 4310 A. Front Setback Along Streets: The front setback along streets where the slope of the
4311 adjacent property to the street is over fifteen percent (15%) the minimum setback is
4312 twenty feet (20').
4313
- 4314 B. Setbacks: All setbacks shall conform to the underlying zone criteria except as provided
4315 herein. No structure or accessory structure shall be constructed within the setback area
4316 as defined below. However, a see-through wrought iron fence with at least fifty percent
4317 (50%) of the fence open, landscaping, and a non-vertical swimming pool are permitted in
4318 the setback area.
4319
- 4320 1. Ridgelines: All ridgelines as shown on the ridgeline map shall be subject to the
4321 setback provisions contained herein. Setbacks from ridgelines not identified on the
4322 ridgeline map shall be a minimum of thirty feet (30'), or greater if recommended in
4323 the geotechnical report.
4324
- 4325 2. Plateaus: On plateaus, the setback from the ridgeline shall be a minimum of fifty feet
4326 (50') unless a greater setback is recommended in the geotechnical reports.
4327
- 4328 4. Cuesta: Where a ridgeline occurs on a cuesta, the minimum setback shall be one
4329 hundred feet (100') measured normal (perpendicular) to the closest point of the
4330 ridge, unless a greater setback is recommended in the geotechnical report.
4331
- 4332 C. Additional Design Standards:
4333
- 4334 1. Retaining walls shall be colored to blend into the surrounding natural geology.
4335

- 4337 2. Retaining wall height is limited to the heights set forth in section 10-18 of this title and
4338 the standards for rock wall construction.
- 4339
- 4340 3. Building exterior colors shall be earth tone and blend with the surrounding natural
4341 landscape.
- 4342
- 4343 4. In residential zones, "no disturbance" areas shall be held as the "common area" of a
4344 project. Common areas shall be owned and maintained by the homeowners'
4345 association or may be deeded to the city when accepted by the city.
- 4346
- 4347 5. In nonresidential zones, any "no disturbance" area shall be identified on the final site
4348 plan or final plat.
- 4349
- 4350 6. Any required no disturbance area shall be identified on the ground with temporary
4351 fencing or other approved means to prevent accidental disturbance of the area
4352 during construction and such fencing shall be installed prior to issuance of a grading
4353 permit.
- 4354
- 4355 7. The building site shall be located on the flattest portion of the parcel.
- 4356
- 4357 8. No structure shall extend over any natural ridgeline. The structure shall be in contact
4358 with the ground at all edges.

4359

10-13A-7: VERIFICATION OF COMPLIANCE:

4360 For developments on a development parcel of more than one acre containing slopes greater
4361 than twenty percent (20%) or in a rock fall hazard area, certification by a Utah registered
4362 engineer that the development has been completed in compliance with the approved hillside
4363 development permit, including satisfaction of any conditions contained in the permit, is required.
4364 The improvements required by the hillside development permit are essential for the life, health
4365 and safety of the future users and occupants of the property. All essential improvements shall
4366 be completed prior to approval of permanent electric power service. Failure to complete all
4367 essential improvements shall result in the suspension of the building permit. The financial
4368 assurance shall not be released until such certification has been received by the city engineer or
4369 designee of satisfaction of all conditions contained in the permit.

4370

10-13A-8: EXPIRATION OF HILLSIDE DEVELOPMENT PERMIT:

4371 For development with a preliminary plat, the hillside development permit expires at the same
4372 time as the preliminary plat. For all other development, the hillside development permit expires
4373 with the expiration of the approved site construction drawings.

4374

10-13A-9: APPEALS:

4375 The applicant may appeal a decision in accordance with Title 10 Chapter 3.

4376

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ARTICLE B

DEVELOPMENT IN GEOLOGIC HAZARD OR ADVERSE CONSTRUCTION CONDITION OVERLAY ZONE

10-13B-1: GENERAL REQUIREMENTS:

Overlay areas with geologic hazards: Development is not permitted in overlay areas with geologic hazards without compliance with all requirements in this chapter, and approval of the land use authority. Applications and development that does not meet the requirements of this chapter shall be denied. Geologic hazards include: surface fault rupture, earthquake ground shaking, liquefaction, landslide, and rockfall. Overlay areas with adverse construction conditions: Development is not permitted in overlay areas with adverse construction conditions without compliance with all requirements in this chapter, and approval of the land use authority. Applications and development that does not meet the requirements of this chapter shall be denied. Adverse construction conditions include: expansive soil and rock, collapsible soil, gypsiferous soil and rock, shallow bedrock, caliche, wind blown sand, breccia pipes and paleokarst, soil piping and erosion, and shallow ground water. The Federal Emergency Management Agency (FEMA), the Utah Department of Natural Resources (DNR) and its Utah Geological Survey (UGS) hazard maps for the St. George area, as amended, are adopted.

10-13B-2: DEVELOPMENT IN GEOLOGIC HAZARD AREAS (UGS 1-4, BELOW):

- A. Geologic hazard areas (UGS 1-4, below): For any development in the city with a geologic hazard listed below, applicant shall submit a report prepared by a qualified, licensed geologist specializing in engineering geology, or a licensed civil engineer, trained and experienced in the practice of geotechnical engineering. All development in the geologic hazard overlay shall be reviewed by the Hillside Review Board.
 - 1. Surface fault rupture and earthquake: Well defined Holocene, and well-defined fault areas, red and purple lines/categories (extending 500 feet on the downthrown side and 250 feet on the upthrown side of each red/purple fault line).
 - 2. Liquification: Very High category.
 - 3. Landslide: Very High category.
 - 4. Rockfall: High category.
 - B. General requirements for development in a geologic hazard areas:
 - 1. Submit a site-specific report prepared by a qualified, licensed geologist specializing in engineering geology, or a licensed civil engineer, trained and experienced in the practice of geotechnical engineering with the following minimum requirements:
 - 2. Identify all geologic hazard areas (UGS 1-4, above);
 - 3. Identify any other geologic hazards, not listed above (UGS 1-4), which present an unacceptable risk to development;
 - 4. Demonstrate which areas of the development are suitable for the proposed use;
 - 5. Recommend specific measures necessary to make the land suitable for the proposed use; and

- 4429
- 4430 6. Recommend the optimal placement of all structures, roadways, utilities, trails and
- 4431 infrastructure in relation to the geologic hazard area.
- 4432
- 4433 7. Slope Stability Analysis: Slope stability analysis; conclusions and recommendations
- 4434 concerning the effects of material removal, introduction of water, both on and off site,
- 4435 including, where applicable, on mesa tops, seismic activity, and erosion on slope
- 4436 stability.
- 4437
- 4438 8. Foundation Investigation: Foundation investigation; conclusions and
- 4439 recommendations concerning the effects of soil conditions on foundation and
- 4440 structural stability, including bearing capacity, sheer strength, and shrink/swell
- 4441 potential of soils.
- 4442
- 4443 9. Spring Location: The location and yield of springs and seeps which shall be shown
- 4444 on the site plan.
- 4445
- 4446 10. Structural Features: Structural features including any geological limitations.
- 4447
- 4448 11. Surface Hazards: Existence of surface hazards including potential for rockfalls and
- 4449 toppling failures to cliffs, slopes and overhangs above the subject property.
- 4450
- 4451 12. Effect of Geologic Conditions: Conclusions and recommendations regarding the
- 4452 effect of geologic conditions on the proposed development, together with
- 4453 recommendations identifying the means proposed to minimize any hazard to life or
- 4454 property, or adverse impact on the natural environment.
- 4455
- 4456 13. City shall review the applicant's report. If the applicant's report is deemed adequate
- 4457 by the city engineer or designee, development may proceed if the report
- 4458 recommendations are followed. If the report is deemed incomplete or inadequate by
- 4459 the city engineer or designee, the development application shall be denied. If
- 4460 denied, the applicant may request an independent review, and the city engineer or
- 4461 designee may order a review by independent, qualified professionals. The
- 4462 professionals selected by city shall review and prepare written findings and
- 4463 comments on the applicant's report. The cost of the independent, qualified
- 4464 professionals shall be paid to city by applicant. Applicant may develop if the
- 4465 independent review and written findings and comments are implemented, in addition
- 4466 to any non-conflicting recommendations in the initial report of applicant. The city
- 4467 engineer or designee is the land use authority for the decision.
- 4468
- 4469 14. All development shall be outside the geologic hazard areas in paragraph A(3) and
- 4470 (4), above, unless:
- 4471
- 4472 a. City has accepted applicant's report, prepared by a qualified, licensed geologist
- 4473 specializing in engineering geology or a licensed professional engineer trained
- 4474 and practicing in the field of geotechnical engineering, and it recommends
- 4475 development, and shows hazards can be adequately mitigated for the proposed
- 4476 land use;
- 4477

- 4478 b. if City has not accepted applicant's report, the applicant also adopts and
4479 implements the independent review and writing findings and comments, in
4480 addition to any non-conflicting recommendations in applicant's report;
4481
4482 c. all report recommendations adopted by City are conditions of development.
4483
4484 d. Hold the city harmless from all claims resulting from any damage related to
4485 development within a geologic hazard area by executing a "geologic hazard
4486 disclaimer of liability and agreement" and by placing a "notice of hazard" on the
4487 final plat.
4488
4489 e. Interested parties may appeal the decision of the land use authority as set forth
4490 in Title 10, chapter 3.
4491
4492 C. Compliance: No structure or land shall be constructed, located, extended, converted or
4493 altered without full compliance with the terms of this chapter and other applicable
4494 regulations.
4495
4496 D. Abrogation and Greater Restrictions: This chapter is not intended to repeal, abrogate or
4497 impair any existing easement, covenant or deed restriction; however, where this chapter
4498 and another ordinance, easement, covenant or deed restriction conflict or overlap, the
4499 more stringent restriction shall prevail.
4500
4501 E. Interpretation: In the interpretation and application of this chapter, all provisions are
4502 minimum requirements in addition to applicable provisions of this title.
4503

4504 **10-13B-3: DEVELOPMENT IN ADVERSE CONSTRUCTION CONDITION AREAS:**

4505 For any development in the city in an overlay area with an adverse construction condition,
4506 applicant shall submit a site specific report prepared by a qualified, licensed engineer trained
4507 and experienced in the practice of geotechnical engineering identifying all adverse construction
4508 conditions. The report shall recommend development design mitigations to prevent damage due
4509 to the adverse construction conditions. City shall review the applicant's report. If the applicant's
4510 report is deemed adequate by the city engineer or designee, development may proceed if the
4511 report recommendations are followed. If the report is deemed incomplete or inadequate by the
4512 city engineer or designee, the development application shall be denied. If denied, the applicant
4513 may request an independent review, and the city engineer or designee may order a review by
4514 independent, qualified professionals. The professionals selected by city shall review and
4515 prepare written findings and comments on the applicant's report. The cost of the independent,
4516 qualified professionals shall be paid to city by applicant. Applicant may develop if the
4517 independent review and written findings and comments are implemented, in addition to any non-
4518 conflicting recommendations in the initial report of applicant. The city engineer or designee is
4519 the land use authority for the decision. The report shall be specifically identified on the plat and
4520 available to all owners and interested parties.

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4522
4523

ARTICLE C

DEVELOPMENT IN FLOOD AND EROSION HAZARD OVERLAY ZONE

10-13C-1: SPECIAL FLOOD HAZARD AREAS:

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in a scientific and engineering report entitled "the flood insurance study" for the city of St. George, Utah, dated August 19, 1987, with an accompanying flood insurance rate map (FIRM), is hereby adopted as an overlay zone by reference and declared to be a part of this chapter, and any amendments, alterations or additions to said study or the FIRM hereafter at any time made by FEMA shall immediately and automatically be adopted by reference, and in their amended form, become a part of this chapter. The study and FIRM, as either or both may be revised from time to time, shall be kept on file at the city office, 175 East 200 North, St. George, Utah.

10-13C-2: REQUIREMENTS:

- A. Compliance: No structure shall be constructed, located, extended, converted or altered without full compliance with the terms of this chapter and other applicable regulations.
 - B. Abrogation And Greater Restrictions: This chapter is not intended to repeal, abrogate or impair any existing easement, covenant or deed restriction; however, where this chapter and another ordinance, easement, covenant or deed restriction conflict or overlap, the more stringent restriction shall prevail.
 - C. Interpretation: In the interpretation and application of this chapter, all provisions are minimum requirements in addition to applicable provisions of this title.

10-13C-3: ADDITIONAL REQUIREMENTS FOR DEVELOPMENT IN THE FLOOD HAZARD AREA - FLOOD HAZARD DEVELOPMENT PERMIT:

- A. In addition to the general requirements for development, above, all development in the flood hazard area shall meet the following additional requirements:
 - B. Flood Hazard Development Permit application prepared by a registered professional engineer shall be submitted before construction or development begins within any area of special flood hazard. Application for a flood hazard permit shall be made on forms furnished by the city engineer or designee and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions and elevations of any development or substantial improvement, together with any existing structures, fill, storage of materials and drainage facilities. Specifically, the following information is required:
 - 1. Elevation in relation to mean sea level, or the lowest floor (including basement) of all structures;
 - 2. Elevation in relation to HCN (horizontal control network) to which any structure has been floodproofed;

- 4571 3. Certification by a registered professional engineer that the floodproofing methods for
4572 any nonresidential structure meet the floodproofing criteria of FEMA and this chapter;
4573 and
4574
- 4575 4. Description of the extent to which any watercourse will be altered or relocated as a
4576 result of proposed development. Descriptions shall include details of erosion
4577 protection, floodplain cross sections, profiles, and any other relevant information,
4578 prepared by a registered professional engineer.

4580 C. Land use authority:

- 4582 1. City Engineer: The city engineer or designee is the land use authority to administer
4583 and implement this chapter and maintain for public inspection all records pertaining
4584 to the provisions of this chapter.
- 4586 2. Authority: The city engineer or designee shall review flood hazard development
4587 permit applications to determine if:
- 4589 a. all necessary permits have been obtained from federal, state or local
4590 governmental agencies from which prior approval is required.
- 4592 b. the proposed development is located in the floodway.
- 4594 c. the encroachment provisions of this chapter are met for any proposed
4595 development in the floodway.

4597 D. Use Of Other Base Flood Data: In areas where no base flood elevation data has been
4598 provided in accordance with subsection 10-13C-1 of this chapter establishing the areas
4599 of special flood hazard, and the city engineer or designee determines flood hazards
4600 exist, s/he shall advise property owners that flood conditions exist, and the city engineer
4601 or designee may use reasonable base flood elevations, floodway or related data
4602 available from other sources as criteria for any new construction, substantial
4603 improvements or other development that may be necessary to comply with the
4604 provisions of this chapter.

4606 a. Information To Be Obtained And Maintained:

- 4608 a. Obtain and record the actual elevation (in relation to mean sea level) of the
4609 lowest floor (including basement) of all new or substantially improved structures,
4610 and whether or not the structure contains a basement.
- 4612 b. For all new or substantially improved floodproofed structures:
- 4614 i. Verify and record the actual elevation (in relation to mean sea level) to which
4615 the structure has been floodproofed.
- 4617 ii. Maintain the floodproofing certifications required in subsection 10-13C-4-G of
4618 this chapter.
- 4620 c. Maintain for public inspection all records pertaining to the provisions of this
4621 chapter.

- 4622 b. Alteration of Watercourses:
- 4623
- 4624 a. Notify affected communities and the state department of public safety prior to any
- 4625 alteration or relocation of the water course and submit evidence of such
- 4626 notification to the Federal Emergency Management Agency.
- 4627
- 4628 b. Require that maintenance be provided within the altered or relocated portion of
- 4629 said watercourse, so the flood carrying capacity is not diminished.
- 4630
- 4631 c. Interpretation of FIRM Boundaries: Make interpretations, where needed, with the
- 4632 exact location of the boundaries of the areas of special flood hazard. The person
- 4633 contesting the location of a boundary shall be given a reasonable opportunity to
- 4634 appeal the interpretation as provided in subsection C of this section.
- 4635
- 4636 E. Appeal Procedure: Persons contesting specific applications of this chapter shall be given
- 4637 a reasonable opportunity to appeal those applications by petitioning the administrative
- 4638 hearing officer in accordance with Title 10, Chapter 3.

4640 **10-13C-4: ADDITIONAL REQUIREMENTS FOR DEVELOPMENT IN THE FLOOD**

4641 **HAZARD AREA - PROVISIONS FOR FLOOD HAZARD REDUCTION:**

4642 A. Application: In addition to the general requirements for development or zone changes in

4643 a flood hazard area, all development in the flood hazard area shall meet the following

4644 additional requirements for flood hazard reduction: The general standards set out in

4645 subsections B through E of this section are required. In areas of special flood hazard

4646 where base flood elevation data has been provided as set forth in subsection 10-13C-1

4647 of this chapter, or hazard determination has been made by the city engineer or designee

4648 pursuant to subsection 10-13C-3-C of this chapter, the specific standards of subsections

4649 F through H of this section are required.

4650

4651 B. Anchoring:

- 4652
- 4653 1. All new construction and substantial improvements shall be anchored to prevent
- 4654 flotation, collapse or lateral movement of the structure and make it capable of
- 4655 resisting hydrostatic and hydrodynamic loads.
- 4656
- 4657 2. All manufactured homes shall be elevated and anchored to resist flotation, collapse
- 4658 or lateral movement and be capable of resisting hydrostatic and hydrodynamic loads.
- 4659 Methods of anchoring may include, but are not limited to, the use of over the top or
- 4660 frame ties to ground anchors. This requirement is in addition to applicable state and
- 4661 local anchoring requirements for resisting wind forces. Specific requirements are:
- 4662
- 4663 a. Over the top ties shall be provided at each of the four (4) corners of the
- 4664 manufactured home, with two (2) additional ties per side at intermediate
- 4665 locations; with manufactured homes less than fifty feet (50') long requiring one
- 4666 additional tie per side;
- 4667
- 4668 b. Frame ties shall be provided at each corner of the home with five (5) additional
- 4669 ties per side at intermediate points; with manufactured homes less than fifty feet
- 4670 (50') long requiring four (4) additional ties per side;

- 4672 c. All components of the anchoring system shall be capable of carrying a force of
4673 four thousand eight hundred (4,800) pounds; and
4674
4675 d. Any additions to the manufactured home shall be similarly anchored.

4677 C. Construction Materials and Methods:

- 4679 1. All new construction and substantial improvements shall be constructed with
4680 materials and utility equipment resistant to flood damage.
4681
4682 2. All new construction and substantial improvements shall be constructed using
4683 methods and practices that minimize flood damage.
4684
4685 3. All new construction and substantial improvements shall be constructed with
4686 electrical, heating, ventilation, plumbing and air conditioning equipment and other
4687 service facilities that are designed and/or located to prevent water from entering or
4688 accumulating within the components during conditions of flooding.

4690 D. Utilities:

- 4692 f. All new and replacement water supply systems shall be designed to minimize or
4693 eliminate infiltration of flood waters into the system;
4694
4695 g. New and replacement sanitary sewage systems shall be designed to minimize or
4696 eliminate infiltration of flood waters into the systems, and minimize or eliminate
4697 discharge from the systems into flood waters; and

4699 E. On site waste disposal systems shall be located to avoid impairment to them, or
4700 contamination from them, during flooding.

4702 F. New Development:

- 4704 a. All new development proposals, including subdivisions, located within an erosion
4705 hazard area shall be consistent with the need to minimize erosion damage.
4706 Proposals within these areas shall comply with the following requirements:
4707
4708 a. Meet all applicable provisions of this title.
4709
4710 b. Meet all applicable provisions of the International Building Code with regard to wall
4711 and footing setbacks for slopes, grading, drainage and compaction of fills.
4712
4713 c. Provide an engineering study, prepared by a professional civil engineer licensed to
4714 practice in the state, which includes a hydraulic analysis, a historical and
4715 geological evaluation of potential erosion hazards, and an analysis of long term
4716 channel degradation, movement and bank erosion. The study shall also include
4717 recommendations for erosion protection measures, if any. The study shall include
4718 the engineer's professional opinion that when the erosion protection measures, if
4719 any, are implemented, the proposed development will not be adversely affected
4720 by erosion and that the erosion protection measures, if any, will not adversely
4721 affect reaches or development upstream, downstream, and across river over a
4722 100-year planning period.

- 4723 d. Provide for the perpetual maintenance of the erosion protection, at no cost to the
4724 city or other public agency;
- 4725
- 4726 e. Provide a maintenance and access easement to any erosion protection. Access
4727 to erosion protection, shall be located and constructed to minimize flood damage;
- 4728
- 4729 f. Obtain necessary section (404) permit from the United States army corps of
4730 engineers, and stream alteration permits from the office of the Utah state
4731 engineer prior to any construction activity at no cost to the city;
- 4732
- 4733 g. Hold the city harmless from all claims resulting from erosion or any other flood
4734 related damage to development within an "erosion hazard area" by executing a
4735 "flood and erosion hazard disclaimer of liability and agreement" and by placing a
4736 "notice of hazard" on the final plat if applicable.
- 4737
- 4738 b. All subdivision proposals shall have public utilities and facilities such as sewer,
4739 gas, electrical and water systems located and constructed to minimize flood
4740 damage;
- 4741
- 4742 c. All subdivision proposals shall have adequate drainage provided to reduce
4743 exposure to flood damage by providing drainage through each lot, unless joint
4744 drainage facilities are owned and maintained by an owner's association; and
- 4745
- 4746 d. Base flood elevation data shall be provided for subdivision proposals and other
4747 proposed developments which contain at least fifty (50) lots or five (5) acres
4748 (whichever is less), or as may be otherwise required by the city engineer or
4749 designee.
- 4750

4751 G. Construction Requirements:

- 4752 a. Nonresidential Construction: New construction and substantial improvements of any
4753 commercial, industrial or other nonresidential structure shall either have the lowest
4754 floor, including basement, elevated to one foot (1') above the level of the base flood
4755 elevation, or together with attendant utility and sanitary facilities, shall:
- 4756
- 4757 a. Be floodproofed so that below the base flood level the structure is watertight from
the passage of water;
- 4758
- 4759 b. Have structural components capable of resisting hydrostatic and hydrodynamic
loads and effects of buoyancy;
- 4760
- 4761 c. Be certified by a registered professional engineer that the standards of this
subsection are satisfied;
- 4762
- 4763 d. Require within an AO and AH zone on the FIRM that all new construction and
4764 substantial improvements of nonresidential structures: 1) have the lowest floor
4765 (including basement) elevated above the highest adjacent grade at least as high
4766 as the depth number specified in feet on the FIRM (at least 2 feet if no depth
4767 number is specified); or 2) together with attendant utility and sanitary facilities be
4768 completely floodproofed to that level to meet the floodproofing standard specified
in this subsection F1 of this section; and
- 4769
- 4770 e. Require within zones AO and AH, adequate drainage paths around structures on
slopes to guide flood waters around and away from proposed structures.

- 4771 2. Residential Construction:
- 4772
- 4773 a. New construction and substantial improvement of any residential structure shall
4774 have the lowest floor (including basement) elevated to two feet (2') or more
4775 above the base flood elevation;
- 4776
- 4777 b. Require within any AO and AH zone on the FIRM that all new construction and
4778 substantial improvements of residential structures have the lowest floor (including
4779 basement) elevated above the highest adjacent grade at least as high as the
4780 depth number specified in feet on the FIRM (at least 2 feet if no depth number is
4781 specified);
- 4782
- 4783 c. Require within zones AO and AH, adequate drainage paths around structures on
4784 slopes to guide flood waters around and away from proposed structures;
- 4785
- 4786 d. Require within an A zone on the FIRM that all new construction and substantial
4787 improvements of residential structures have the lowest floor (including
4788 basements) elevated at least one foot (1') above the highest adjacent grades;
- 4789 e. Require within zone A on the FIRM, adequate drainage paths around structures
4790 on slopes to guide flood waters around and away from proposed structures.
- 4791 3. Manufactured Homes:
- 4792
- 4793 a. Manufactured homes shall be anchored in accordance with subsection B of this
4794 section.
- 4795
- 4796 b. All manufactured homes or those to be substantially improved shall conform to
4797 the following requirements:
- 4798
- 4799 c. Manufactured homes that are placed or substantially improved on a site: 1)
4800 outside of a manufactured home park or subdivision; 2) in a new manufactured
4801 home park or subdivision; 3) in an expansion to an existing manufactured home
4802 park or subdivision; or 4) in an existing manufactured home park or subdivision
4803 on which a manufactured home has incurred "substantial damage" as the result
4804 of a flood, shall be elevated on a permanent foundation such that the lowest floor
4805 of the manufactured home is elevated to one foot (1') above the level of the base
4806 flood elevation and be securely anchored to an adequately anchored foundation
4807 system to resist flotation, collapse and lateral movement; and
- 4808
- 4809 d. Manufactured homes to be placed or substantially improved on sites in existing
4810 manufactured home parks or subdivisions that are not subject to the provisions in
4811 subsection G1 of this section, shall be elevated so that either the lowest floor of
4812 the manufactured home is at or above the base flood elevation, or the
4813 manufactured home chassis is supported by reinforced piers or other foundation
4814 elements that are no less than thirty six inches (36") in height above grade and
4815 shall be securely anchored to an adequately anchored foundation system to
4816 resist flotation, collapse and lateral movement.
- 4817
- 4818 4. Recreational Vehicles: Recreational vehicles shall either: 1) be on the site for fewer
4819 than one hundred eighty (180) consecutive days; 2) be fully licensed and ready for

highway use; or 3) shall meet the permit requirements, elevation, and anchoring requirements for resisting wind forces that are applicable to manufactured homes.

10-13C-6: BUILDING PERMIT REQUIREMENTS:

- A. Drainage and Flood Protection Plan: Prior to issuance of a building permit in any area designated by the city as flood prone, a drainage and flood protection plan shall be submitted for approval by the city engineer or designee. Any or all information as outlined in section 10-23-5 of this chapter shall be provided by the building permit applicant.
 - B. Improvements Completed Prior To Occupancy: Prior to occupancy of said building, all flood control improvements, including applicable sections of master planned flood control improvements, shall be completed with approval by the city engineer or designee.

10-13C-7: DRAINAGE ENCROACHMENT:

It shall be unlawful to place any fill, landscaping, walls, fences or material of any kind in any watercourse, whether natural or manmade, which redirects the flow of drainage to create a nuisance or damage to neighboring property.

10-13C-8: ENDWAYS:

Located within areas of special flood hazard established in subsection 10-13C-1 of this chapter, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions apply:

- A. All encroachments are prohibited, including fill, new construction, substantial improvements and other development, unless certification by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
 - B. If subsection A of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of section 10-13C-4-F of this chapter relating thereto.
 - C. Land within a floodway shall not be included in the calculation of the area of a parcel for the purposes of determining density or minimum lot size.

ARTICLE D. RESORT OVERLAY ZONE

10-13D-1: ALLOWED USES:

- A. In addition to uses allowed in the underlying zone, within a resort overlay zone, overnight or short-term rental within a development that includes the following minimum criteria is an allowed use:
 - a. At least one hundred (100) dwelling units, or fifty (50) dwelling units for single family developments with density under 4 du/ac;
 - b. Written consent from one hundred percent (100%) of the property owners within the recorded plat;
 - c. All final plats and covenants, conditions and restrictions (CC&Rs), which have been recorded shall include a note indicating that short term residential rental properties are a permitted use; and
 - d. The owner or property manager of each short term residential rental property shall obtain a short term residential rental property business license as required in this code prior to commencing the use and shall maintain such license throughout the use.

- B. At a minimum, all developments with five (5) or more units shall provide usable recreation or playground areas in a central location as follows:

 1. One thousand (1,000) square feet for the first five (5) units;
 2. An additional two hundred (200) square feet for each unit over five (5) units;
 3. The average width and length of each usable recreation or playground area shall not be less than twenty feet (20'); and
 4. All of the required area shall be usable common space accessible to the entire community.
 5. The number of amenities required depends on the size of the development. All amenities shall be approved by the land use authority in accordance with the following:

Units	Amenities
0-4	0
5-50	1
51-100	2
101-200	3

4896

201-300

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4901

4902 6. The type of amenities required depends on the nature, size, and density of the
4903 development. If multiple amenities are required, the type shall vary. All amenities
4904 shall be approved by the land use authority in accordance with the following:

4905

4906 a. All required amenities shall be fully constructed, prior to construction of fifty
4907 percent (50%) of the total project units, or in accordance with an executed
4908 development agreement with terms acceptable to city.

4909

4910 b. In addition to amenities, a minimum of thirty percent (30%) of the lot area shall be
4911 maintained in landscaped area, and at least fifty percent (50%) of the front
4912 setback area shall be maintained as landscaped area.

4913

4914 c. Table of Amenities:

4915

Recreation and Enrichment Amenities
Pool - at least 400 square feet Internal Health or Fitness Facilities Secured, programmed, children's play areas In-ground Hot Tub Community Garden Perimeter Trail Sport Court Indoor, Keyed Bicycle Storage for Units Community Library, Office, or Meeting Facilities Exterior Social Area – at least 400 square feet

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4918

ARTICLE E.

ST. GEORGE ARTS DISTRICT OVERLAY ZONE, LANDMARK SITES, AND THE HISTORIC PRESERVATION COMMISSION

10-13E-1: St. George Arts District Overlay Zone:

- A. St. George Arts District Overlay zone is established, which shall be an overlay zone over the existing zoning districts shown on the official city zoning map. In cases of conflict between this article and other provisions of this title, this article shall apply.
 - B. The boundaries of the district and overlay zone are set forth as follows:

BEGINNING at the control point in the intersection of 100 South and 100 West Streets and is according to the official St. George city plat located in Township 42 South, Ranges 15 and 15 West SLB&M, and running thence S 89°53'01"E 784.07 feet m/l along the Survey Control Line; thence N 0°08'44"E 377 feet m/l along the lot line between Lots 3 and 4, Block 15, Plat "A"; thence easterly 264 feet m/l to the west line of Lot 8 of said Block 15, Plat "A"; thence northerly 19 feet m/l along said west line to the north line of Southern Utah Title Company property; thence easterly 191 feet m/l along said north line to the 100 East Street Control Line; thence N 0°08'44"E 1449 feet m/l to the St. George City Survey Control Point at the intersection of 200 North and 100 East Streets; thence N 89°51'44"W 323 feet m/l along the Survey Control Line; thence N 0°08'44"E 178.20 feet m/l along the center block line between Lots 1 and 2 of Block 2, Plat "D", St. George City Survey to the center point of said Block 2; thence westerly 295 feet m/l along the east-west centerline of said Block 2, Plat "D" to the Main Street Survey Control Line; thence S 0°08'44"W 178.20 feet m/l to the 200 North and Main Street Survey Control Point; thence N 89°51'44"W 458 feet m/l along the 200 North Control Line to an extension of the lot line of Lots 2 and 3 of Block F-3, Plat "A"; thence northerly along said line between Lots 2 and 3 to the south line of Diagonal Street; thence N 48°16'24"W along said southerly line of Diagonal Street to the northwesterly corner of Lot 4 of said Block F-3, Plat "A"; thence S 0°08'09"W 69.77 feet along the west line of said Block F-3, Plat "A" to an extension of the south line of Hanover Court property; thence westerly 190 feet m/l along said line extended to a point on said line 100 feet from the east line of Block 39, Plat "A"; thence southerly 347 feet m/l parallel to and 100 feet west of said east block line to the south line of 200 North Street; thence westerly 32 feet m/l to the northwest corner of Lot 8, Block 31, Plat "A"; thence southerly 346.5 feet m/l along the line between Lots 7 and 8, 1 and 2 to the north line of Red Hills Investment Inc. property; thence Easterly 191 feet m/l to the 100 West Street Control Line; thence S 0°08'09"E 214.29 feet m/l along said Control Line; thence S 0°08'56"W 1236.85 feet along said 100 West Street Control Line to the point of beginning.

- C. Design Guidelines: The following are the design guidelines for buildings located in the district:

1. Signs: All signs within the district shall be part of an overall design scheme and shall conform to the sign standards.
 2. Underground Utility Lines: All utility lines shall be located underground.

- D. Rehabilitation Guidelines for Significant Historic Buildings: Rehabilitation of significant historic buildings shall comply with the guidelines set forth herein and, in addition, all

4968 applicable statutes, codes and ordinances, as amended from time to time, relating to the
4969 use, maintenance, construction and occupancy of the property.
4970

- 4971 1. Standards: All improvements to landmark sites shall be in accord with the general
4972 and specific standards for historic preservation as prepared by the secretary of the
4973 interior, and in harmony with the architectural character of the neighborhood.
4974
- 4975 2. Additions: Whenever possible, new additions or adaptive reuse to structures shall be
4976 done in such a manner that if such additions or changes were to be removed in the
4977 future, the essential form and integrity of the structure would not be impaired.
4978
- 4979 3. Parking and Access: Off street parking, loading facilities and pedestrian access shall
4980 be designed so as not to create conflicting movement. All other areas other than
4981 driveways, parking areas, walks and terraces shall be appropriately landscaped and
4982 provided with appropriate trees and shrubbery.
4983
- 4984 4. Accessory Structures: Accessory structures shall be improved to harmonize with any
4985 redevelopment of the primary structure.
4986
- 4987 5. Restoration of Exterior Facades: Restoration of all exterior facades, including the
4988 side and rear facade, shall be in keeping with the objectives herein. Roofline,
4989 windows and exterior facing materials shall all be considered. Adjoining buildings in
4990 separate or the same ownership shall be rehabilitated so as to carry out a unified
4991 concept.
4992
- 4993 6. Harmony of Materials, Techniques and Colors: Materials, techniques and colors
4994 must conform to and harmonize with original materials and techniques. To this end,
4995 the emphasis should be, where practical, on correct period sash, doors, cornices,
4996 wall materials and signs and the removal of present-day anachronisms, such as
4997 defacing or out of scale contemporary features. The general requirements shall apply
4998 particularly to visible surfaces on the exterior. New work adjoining old must be
4999 carefully blended to minimize the separation, unless, in the opinion of qualified
5000 architectural experts, it is better to make the joining areas obvious and thereby
5001 emphasize the qualities of the original work.
5002
- 5003 7. Patching: When repairing or replacing masonry details, decorations or parapet walls,
5004 care should be taken to prevent an obvious and unsightly patch. Materials, joints,
5005 etc., should match the original as closely as possible in composition, color and
5006 texture. For additional information on repairing masonry walls, see the preservation
5007 brief no. 2, prepared by the technical preservation services division of the United
5008 States Department of Interior.
5009
- 5010 8. Fake Details and Decorations: Fake "historic" details, decorations and other
5011 additions should be avoided.
5012
- 5013 9. Anchoring: Sagging details, decorations, cornices, string courses, lintels, arches,
5014 pilasters, and parapet walls should be firmly reanchored. The original height of the
5015 parapet wall should not be modified.
5016
- 5017 10. Repair or Replacement of Architectural Details: Deteriorated building details should
5018 be repaired rather than replaced whenever possible. Repair or replacement of

- 5019 missing architectural decorations and details should be based on accurate
5020 duplications, substantiated by historical, physical or pictorial evidence rather than on
5021 conjectural design. In the event replacement is necessary, the new material should
5022 match the original material in composition, design, color and texture.
5023
- 5024 11. Painting: Heavy or numerous coats of paint, or paint in the wrong color that obscures
5025 architectural decorations and details should be removed before repainting. Refer to
5026 preservation brief no. 10, exterior paint problems on historic woodwork, by the
5027 technical preservation services division of the United States Department of the
5028 Interior.
- 5029
- 5030 12. Fixtures: Hardware and lighting fixtures, where practical, shall be selected with care
5031 to conform to authentic work of the period, and to match remaining originals where
5032 such exist.
- 5033
- 5034 13. Ornaments: If the original or significant detail no longer exists or is too deteriorated to
5035 save, it is recommended that a contemporary design be undertaken which is
5036 compatible with the rest of the building in scale, design, materials, color and texture.
5037 An alternative might be to undertake an accurate restoration based on historical
5038 research and physical evidence. Where an original or significant detail no longer
5039 exists and no evidence exists to document its early appearance, it is generally
5040 preferable to undertake a contemporary detail that retains the historic "flavor" of the
5041 building.
- 5042
- 5043 14. Materials:
- 5044
- 5045 a. Original building wall material should not be covered with any form of
5046 inappropriate siding. Where this has already occurred, the inappropriate siding
5047 should be removed and the original wall material restored.
- 5048
- 5049 b. Masonry facings shall be cleaned and painted as necessary. Sandblasting is
5050 forbidden without prior approval of the historic preservation commission. All
5051 repointing, when necessary, shall be done according to the specifications set by
5052 preservation brief no. 2, repointing mortar joints in historic brick buildings, by the
5053 heritage conservation and recreation service, United States Department of the
5054 Interior.
- 5055
- 5056 c. Recommended materials for rehabilitation of masonry buildings include
5057 traditional bond pattern, such as running bond or Flemish bond, not stack bond.
5058 Clay facing tile may be used if the face size of the tile is that of standard brick
5059 and if the bond pattern is typical of contributing buildings in the neighborhood.
- 5060
- 5061 d. The imitation of stone veneer or brick, using stucco, prefabricated plastic,
5062 plywood and/or fiber panels is not acceptable, unless documented through
5063 historic or pictorial evidence.
- 5064
- 5065 e. Asphalt or wood shingled awnings and diagonal sided panels are not acceptable.
- 5066
- 5067 f. Vinyl or aluminum panels imitating clapboard or wood siding are not acceptable.
- 5068

5069 g. Glazing shall be clear, nonreflective, and untinted. Double glazed insulating glass
5070 or materials such as acrylic or high impact polycarbonate panels is permissible.

5072 h. Wall surfaces that have not been painted should remain unpainted.

5074 15. Color:

5076 a. Color for all rehabilitation work must blend with the existing exterior residential
5077 color palette. If any new brick is used for rehabilitation work, it must be similar in
5078 texture, effect and color to the original brick. Stucco color for exterior walls shall
5079 be similar in tone to the muted pastels typical of historic pioneer stucco buildings
5080 or shall blend with the natural tones of the surrounding geology reflected on the
5081 exterior of adjacent buildings.

5082 b. White and off white may be used on decorative elements such as lintels, sills and
5083 cornices. Bright colors are not appropriate for major architectural elements such
5084 as building walls. However, when used sparingly in fine lines, such as on the
5085 wood trim of a storefront, a brighter color than that of the building face will be
5086 allowed to enhance a particular color scheme.

5087 c. Metallic finishes generally are not allowed, except when used in such treatments
5088 as painted gold or bronze toned lettering on storefront glass.

5089 d. A simple color scheme of up to no more than three exterior colors is required.

5090 16. Mechanical Equipment:

5091 a. Radio, television, telephone and/or other telecommunication equipment, such as
5092 antennas of satellite "dishes" and ancillary systems, cables, junction boxes and
5093 the like, shall be placed behind or within suitable visual barriers in such a way
5094 that it is not visible from the streets.

5095 b. Heating and air conditioning equipment, including cooling units, blowers, exhaust
5096 fans, ducts and/or ancillary systems, support units, brackets, wiring, junction
5097 boxes and the like, shall be properly screened or installed behind or within
5098 suitable visual barriers.

5099 E. New Construction: The guidelines in this section are to be used by those
5100 planning new construction. Their purpose is to reinforce and enhance the historic
5101 architectural character of the neighborhood by encouraging compatible new
5102 construction. The guidelines do this by describing and illustrating certain design
5103 concepts found in the historic architecture of the neighborhood; concepts which
5104 can be applied in the design of new structures.

5105 17. Considerations: The historic preservation commission will consider design concepts
5106 other than those recommended in these guidelines when necessary to promote
5107 design concepts found in the historic architecture of the neighborhood. However, in
5108 order for a design to be considered for exceptional review, it must not include the use
5109 of elements that are designated as inappropriate in the guidelines.

5110 18. Siting: The ground floor of new structures should relate to the pedestrian's human
5111 scale and continue to display the siting of neighboring structures.

5120
5121 19. Scale:

- 5122
5123 a. Of the many criteria that must be considered when designing new buildings for
5124 the neighborhood, by far the most important is the scale of the new building and
5125 its relationship to the scale of the neighborhood.
- 5126
5127 b. Just as the relationship of a new structure to the buildings on its block is
5128 important, so is it important that the elements within its facade be appropriately
5129 scaled. The scale of these elements should recall those of neighboring
5130 structures.
- 5131 20. Width Of Building: Building widths have a major impact upon the perception of the
5132 scale of a building. The apparent widths of the front facades of new buildings should
5133 correspond to typical widths of the buildings on the same block. A long facade should
5134 be broken into separate elements to suggest facade widths or bays similar to those
5135 of neighboring buildings.

5136
5137 21. Windows: Original windows in the older buildings are predominantly wood double
5138 hung type. A sash pattern of one over one (1/1), that is, one undivided framed pane
5139 above a similar pane, is the most common type. In new construction, one over one
5140 (1/1) type is required, unless the majority of windows in adjacent structures facing
5141 the streetscape clearly indicates otherwise. The pattern of a one over one (1/1)
5142 window may be achieved by the use of fixed glass, with three (3) conditions: a) that
5143 the window frame replicate the proportions of a typical double hung window sash; b)
5144 that no unpainted clear aluminum be used for the frame; and c) that the window
5145 frame be of similar cross sectional size to that of double hung windows typical of the
5146 neighborhood.

5147
5148 22. Ornament: The ornamental details shall be compatible and in scale with those used
5149 in the streetscape.

5150
5151 23. Color: Approved color schemes appropriate for the neighborhood are required.

- 5152
5153 a. Muted background colors are required for the majority of the building surfaces.
- 5154
5155 b. Up to two complementary (2) accent colors may be used in addition to the
5156 background color.
- 5157
5158 c. Finish wood surfaces. The rustic or bare wood look is not allowed.
- 5159
5160 d. The natural color of stone or brick may not be painted.
- 5161
5162 e. Roofs must be a neutral or muted brown or gray.

5163
10-13E-2: ARTS DISTRICT SIGN REGULATIONS:

5164 Within the City's district, the City's sign regulations shall apply with the following special
5165 provisions, additions and exceptions. Where a conflict exists, the special provisions contained
5166 herein shall take precedence over the regulations in the general sign ordinance. The following
5167 provisions shall apply only to property within the district:

5168
5169 A. Commercial Zones: Permitted signs are as follows:

5170

- 5171
- 5172 1. Wall, Projecting Signs: Wall or projecting signs; provided, that the area does not
- 5173 exceed ten percent (10%) of the front wall face of the building; and further provided,
- 5174 that:
- 5175
- 5176 a. Wall signs, either attached or painted, shall not rise above the roofline nor project
- 5177 more than eighteen inches (18") from the wall.
- 5178
- 5179 b. Projecting signs shall not project more than four feet (4') from the building. Signs
- 5180 projecting over the public right-of-way must have a minimum ground clearance of
- 5181 ten feet (10'). Guywires or secondary supports shall not be used.
- 5182
- 5183 c. Awning signs must have a minimum ground clearance of eight feet (8'), and
- 5184 shiny, "Day-Glo" fluorescent or brilliant luminescent colors are not permitted.
- 5185
- 5186 2. Freestanding Pole Sign, Low Profile Sign: One freestanding pole sign or low profile
- 5187 monument type sign may be allowed for each parcel of property or commercial
- 5188 complex, provided the following standards are met:
- 5189
- 5190 a. Low profile monument type signs which are wood carved, sandblasted or
- 5191 engraved metal and do not exceed six feet (6') in height and are no more than
- 5192 sixteen (16) square feet in area for an individual business, or twenty-four (24)
- 5193 square feet for multiple businesses.
- 5194
- 5195 b. Pole signs, provided the support pole is located on private property and the sign
- 5196 does not exceed twenty feet (20') in height, nor exceed twenty-four (24) square
- 5197 feet in area if the sign is rectangular or square shaped, nor exceed thirty-six (36)
- 5198 square feet in area. Sign face may project over the public right-of-way, provided
- 5199 there is a minimum clearance of ten feet (10') from ground to the sign and sign
- 5200 face does not project closer than eight feet (8') to back of curb.
- 5201
- 5202 3. Entrance, Exit Signs: Entrance or exit signs and property signs according to the city
- 5203 sign ordinance.
- 5204
- B. Prohibited Signs:
- 5205
- 5206 1. Roof signs, or any sign projecting above the roofline.
- 5207
- 5208 2. Off premises signs.
- 5209
- 5210 3. Flashing signs, including any sign or device in which the artificial light is not
- 5211 maintained stationary and constant in intensity and color at all times when in use.
- 5212
- 5213 4. Signs made of cardboard, paper, canvas or similar impermanent material.
- 5214
- 5215 5. Bubble shaped awnings and awnings with a shiny or wet look are not appropriate in
- 5216 the district.
- 5217
- 5218 6. Other prohibited signs identified in the city sign ordinance (e.g., portable signs, etc.).
- 5219
- C. Additional Provisions:
- 5220
- 5221

5222
5223 1. Color of Signs: Painted signs should be in subdued earth tone colors only. "Day-Glo"
5224 or fluorescent colors are not permitted. Neon signs are permitted if appropriate for
5225 the building or use. EMS signs are not permitted.

5226
5227 2. Letter Style; Integration:

- 5229 a. The lettering style shall be simple and in keeping with the architectural character
5230 of the building.
5232 b. All permanent signs shall be integrated into the architectural design of the
5233 building on which they are placed and into the overall sign layout of the project in
5234 character and quality.

5236 **10-13E-3: HISTORIC PRESERVATION COMMISSION**

5237 A. COMMISSION CREATED: There is hereby created and established an historic
5238 preservation commission which shall consist of seven (7) members who are residents of
5239 the city and who shall be appointed by the mayor.

5241 B. COMPOSITION OF COMMISSION: The mayor shall select at least two (2) members of
5242 the commission from the professions of history, architecture, architectural history,
5243 archaeology, planning, urban planning, American studies, American civilization, cultural
5244 geography or cultural anthropology, as those professions are defined by national park
5245 service regulations.

5247 C. TERMS OF OFFICE: The members of the commission shall serve overlapping terms of
5248 four (4) years. Initially, one member shall be appointed for a term of one year, one
5249 member shall be appointed for a term of two (2) years, one member shall be appointed
5250 for a term of three (3) years, and two (2) members shall be appointed for a term of four
5251 (4) years. Thereafter, all appointments shall be made for a term of four (4) years.
5252 Members may be reappointed for consecutive terms. If a member represented a
5253 designated profession and ceases to be a member of that profession, or if a vacancy
5254 occurs for some other reason, a new appointment shall be made by the mayor for the
5255 unexpired term.

5257 D. COMPENSATION: members of the commission shall serve without pay but shall be
5258 reimbursed by the city for necessary expenses incurred in connection with their duties.

5260 E. ORGANIZATION; OFFICERS; RULES; MEETINGS: At their first meeting, the appointed
5261 commissioners shall elect officers who shall serve for terms of one year. The
5262 commission may establish any rules necessary for the orderly conduct of its business.
5263 All meetings of the commission shall be open to the public. The commission shall meet
5264 at least twice each year and shall keep minutes of its resolutions, proceedings and
5265 actions which shall be made available for public inspection.

5267 F. POWERS AND DUTIES:

- 5269 1. Survey of Historic Resources: The commission shall conduct or cause to be
5270 conducted a survey of historic, architectural and archaeological resources within the
5271 community. Such survey shall result in an inventory which is able to be readily
5272 integrated into statewide comprehensive historic preservation planning and be

5273 compatible with the Utah inventory of historic and archaeological sites. The resulting
5274 inventory shall be open to the public and shall be updated at least every ten (10)
5275 years.

- 5276
- 5277 2. Other Duties: The commission shall review and comment to the state historic
5278 preservation officer on all proposed national register nominations for properties
5279 within boundaries of the city. In addition, it shall provide information to government
5280 officials and citizens of the area regarding historic and archaeological resources and
5281 history of the community. The commission shall be considered as an interested
5282 individual property owner for the purpose of making application to the planning
5283 commission for recommendation of landmark sites under this Chapter. Enforcement
5284 of all state laws relating to historic preservation shall be supported by the
5285 commission with violations being brought to the attention of the appropriate authority.

- 5286
- 5287 G. PUBLIC HEARING: Upon recommendation by the commission that property be
5288 nominated for inclusion on the national register, or upon recommendation by the
5289 planning commission that a site be designated as a landmark site pursuant to this
5290 Chapter, the city council shall hold a public hearing preceded by giving sufficient written
5291 notice to the owners and occupants of the affected property and by publication in a
5292 newspaper of general circulation at least five (5) but not more than fifteen (15) days prior
5293 to the date of the public hearing. The notice shall designate whether the subject property
5294 is nominated for inclusion on the national register or whether it is being proposed as a
5295 landmark site because of its historical, architectural and cultural significance. The
5296 owners, occupants and any party known to be affected by a proposed historic landmark
5297 shall be given written notification of such recommendation or nomination as herein
5298 provided by utilizing the most current city and county records to obtain current
5299 addresses.

- 5300
- 5301 H. NOTICE OF ALTERATION: While a site nominated for the national register of historic
5302 places shall be subject to federal and state regulations affecting the same, properties
5303 designated as landmark sites pursuant to this Chapter, may be demolished, materially
5304 altered, remodeled, relocated or put to a different use only after one hundred twenty
5305 (120) days' written notice of the owner's proposed action has been given to the
5306 commission. During this one hundred twenty (120) day period, the commission may
5307 negotiate with the owner of the landmark and with any other parties in an effort to find a
5308 means of preserving the property. The commission may reduce the waiting period
5309 required by this section in any case where the owner would suffer extreme hardship, not
5310 including loss of profit, unless a reduction in the required period were allowed. On the
5311 other hand, where application for landmark site designation has been submitted to the
5312 planning commission and before decision by the city council, the commission may cause
5313 an additional waiting period to be imposed prohibiting demolition, material alteration,
5314 remodeling or relocation until there has been action of non-recommendation by the
5315 planning commission or action by the city council.

- 5316
- 5317 I. MAINTENANCE: Neither the owner nor occupant of a structure nominated for inclusion
5318 on the national register or designated as a landmark site pursuant to this Chapter shall
5319 permit such structure or landmark to fall into a state of disrepair which may result in the
5320 deterioration of any exterior appurtenance or architectural feature so as to produce or
5321 tend to produce, in the judgment of the commission, a detrimental effect upon the life
5322 and character of the landmark or structure in question, including, but not limited to:

5323

- 5324 1. The deterioration of exterior walls or other vertical supports;
- 5325
- 5326 2. The deterioration of roofs or other horizontal members;
- 5327
- 5328 3. The deterioration of exterior chimneys;
- 5329
- 5330 4. The deterioration or crumbling of exterior plaster or mortar;
- 5331
- 5332 5. The ineffective waterproofing of exterior walls, roofs and foundations, including
5333 broken windows or doors;
- 5334
- 5335 6. The deterioration of any feature so as to create or permit the creation of any
5336 hazardous or unsafe conditions.

5337

5338 J. PENALTY: Any person who violates any provision of this chapter shall be guilty of a
5339 class C misdemeanor or lesser offense, as determined by the city attorney and, upon
5340 conviction, subject to penalty as provided in section 1-4-1 of this code. Any person who
5341 filed with the commission and who refused to furnish, upon demand by the commission,
5342 any information relating to such application or request, or who willfully makes any false
5343 statement in such application or request, shall be also liable for such misdemeanor or
5344 lesser offense. For the purpose of this chapter, each day during which there exists any
5345 violation of any provision herein shall constitute a separate violation of such provision.

5346

5347 **10-13E-4: LANDMARK SITES:**

- 5348 A. Designation of Landmark Sites:
- 5349
- 5350 a. City Council Designates: Upon application of the property owner, the city council may
5351 designate certain areas or structures as landmark sites if the property satisfies the
5352 following criteria.
- 5353
- 5354 b. Criteria for Designating A Property As A Landmark Site: Any building, structure, or
5355 site may be designated as a city landmark site if it meets the criteria in subsections
5356 2a through 2c of this section, and at least one of the other criteria set forth in
5357 subsections 2d through 2h:
- 5358
- 5359 a. It is located within the boundaries of St. George City.
- 5360
- 5361 b. The building or structure was constructed before 1970.
- 5362
- 5363 c. There are no major alterations or additions that have obscured or destroyed
5364 significant historic features, such as: changes in pitch of the main roof,
5365 enlargement or enclosure of windows on the principal facades, addition of upper
5366 stories or the removal of original upper stories, covering the exterior walls with
5367 nonhistoric materials, moving the resource from its original location to one that is
5368 dissimilar to the original, additions which significantly detract from or obscure the
5369 original form and appearance of the building or structure when viewed from the
5370 public way.
- 5371
- 5372 d. It is currently listed in the National Register of Historic Places, or it has been
5373 officially determined eligible for listing in the National Register of Historic Places
- 5374

5375 under the provisions of 36 CFR 60.6. Properties listed on or determined to be
5376 eligible for the national register must still retain their integrity.
5377

- 5378 e. It is associated with events that have made a significant contribution to the broad
5379 patterns of the history of the city, state or nation.
- 5380 f. It is associated with lives of persons significant in the history of the city, state or
5381 nation.
- 5382 g. It embodies the distinctive characteristics of a rare or unique type, period or
5383 method of construction, or represents the work of an architect or builder
5384 recognized as a master in his/her field, or possesses high artistic values or style,
5385 or represents a significant and distinguishable entity whose components may
5386 lack individual distinction.
- 5387 h. It has yielded or may be likely to yield information important in prehistory or
5388 history (archeological sites, for example).

5389

5390 B. Conditional Uses for Landmark Sites: Landmark sites shall be granted a conditional use
5391 permit only if the following conditions are satisfied:

- 5392 1. The requested use is for low impact professional office or commercial use.
- 5393 2. Substantial investment is made to upgrade the property and enhance its historic
5394 significance.
- 5395 3. Any renovation maintains or enhances the historic, architectural and aesthetic
5396 features of the property.
- 5397 4. The proposed use shall generate only minimal traffic or parking demand as
5398 determined by the city council.
- 5399 5. City council may impose such other conditions for granting a conditional use permit
5400 as it deems necessary to protect the character of the landmark site.

5401 C. Construction Permits: Any construction upon a landmark site that materially changes the
5402 exterior appearance, adds to, reconstructs, or alters a landmark site, shall require a permit
5403 from the city council. Applications for such permits shall be made to the historic preservation
5404 commission who shall recommend the granting or denial of the permit to the city council.
5405 The city council shall have final authority to grant or deny a permit to construct that is
5406 consistent with standards set forth herein.

5407 D. Demolition Prohibited: No structure or building within a landmark site designation shall be
5408 demolished or removed unless the structure poses an immediate hazard to human health
5409 and safety.

5410 E. Removal of Landmark Site Designation: If a property owner no longer wants its area or
5411 structure designated as a landmark site, the designation shall be removed by recording a
5412 removal document in the property records of the County on a form acceptable to City.
5413 Recording a removal document immediately terminates any conditional use permit
5414 associated with the area or structure.

5426 **10-13E-5: REVIEW PROCESS:**

- 5427 A. Review Recommendation Committee: The historic preservation commission shall act as
5428 the St. George Arts District Overlay Zone design review recommendation committee.
- 5429
- 5430 B. Exterior Proposals: The historic preservation commission shall review the exterior design
5431 proposals for landmark sites and significant historic buildings within the district. Exterior
5432 proposals shall include:
- 5433
- 5434 1. Any rehabilitation, reconstruction or addition to the exterior of a landmark site or
5435 significant historic building.
- 5436
- 5437 2. Any demolition or relocation of a landmark site or significant historic building.
- 5438
- 5439 3. Any new construction within the St. George Arts District Overlay Zone, except for
5440 minor additions to existing nonhistoric buildings.
- 5441
- 5442 C. Recommendation Of Commission: The historic preservation commission shall be asked
5443 to review items submitted to the community development department pertaining to the
5444 St. George Arts District Overlay Zone and provide a recommendation to the community
5445 development department on such proposals.
- 5446
- 5447 D. Design Review: For projects requiring review by the historic preservation commission as
5448 set forth above, the site plan, exterior design of buildings, architectural treatment, and
5449 other items related to design objectives, shall be subject to the review of the historic
5450 preservation commission.
- 5451
- 5452 E. Approval Required: The site plan and exterior design of all buildings and development
5453 proposed for the district shall be subject to approval by the community development
5454 department after recommendation of the historic preservation commission. No building
5455 permit shall be issued in the overlay zone without such approval.
- 5456
- 5457 F. Denial; Further Consideration: An applicant who has been denied a permit by the
5458 community development department for lack of approval pursuant to subsection E of this
5459 section, may apply for a certificate of appropriateness as provided in subsection G of this
5460 section, or may ask the community development department for further consideration of
5461 the application by the city council. In such event, a decision by the city council shall be
5462 final.
- 5463
- 5464 G. Certificate Of Appropriateness: A property owner may be relieved of the restrictions
5465 imposed by this article by applying for a certificate of appropriateness, setting forth in the
5466 application therefor the reasons why: 1) a particular building is no longer suitable for
5467 present purposes; and 2) why he cannot earn a reasonable return from use or rental of
5468 the building if altered or demolished and reconstructed within the limitations of this article
5469 and the guidelines adopted hereunder. Determination of whether a building is
5470 appropriate for exclusion from the application of this article shall be made by the
5471 community development department upon recommendation by the historic preservation
5472 commission. If an applicant thereafter desires further consideration of the award or
5473 denial of a certificate of appropriateness, he may request consideration thereof by the
5474 city council, and its decision upon hearing shall be final.
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- 5476

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5480 **CHAPTER 14**

5481 **OUTDOOR LIGHTING**

5482 **10-14-1: GENERAL PROVISIONS:**

5483 A. Applicability: All outdoor lighting, shall conform to the requirements of this chapter,
5484 excluding lighting for detached single family dwellings.

5485 B. General Standards:

- 5486 1. Light Shielding and Direction: Unless specifically exempted below, all outdoor
5487 lighting shall be fully shielded and downward directed in compliance with the
5488 following:
- 5489 a. No artificial light source shall project direct artificial light into the night-time sky;
5490 and
- 5491 b. No artificial light source shall be placed at a location, angle, or height that creates
5492 a light trespass.
- 5493 c. The shielding shall be made of completely opaque material such that light
5494 escapes only through the bottom. Shielding that is translucent, transparent, has
5495 perforations or slits of any kind, or allows light to escape through it in any other
5496 manner is not permitted.
- 5497 d. Shielding may be attained by light fixture design, building design, or other site
5498 design features such as fencing, walls, or other screening, provided it is in strict
5499 compliance with (1) through (3) of this subsection.

5500 C. Property lighting:

- 5501 1. Spot or flood lighting from a building or other structure is prohibited.
- 5502 2. The overall height of any light, on a pole or building, used to illuminate the property
5503 shall not exceed thirty feet (30').
- 5504 3. All parking lot lighting shall use full cutoff fixtures along property lines.

5505 D. Specific Standards: In addition to the general standards of 10-14-24B, the following are
5506 specific standards that apply to certain lighting types and circumstances:

- 5507 1. Canopy lighting: All direct artificial light sources shall be shielded or recessed and
5508 shall not produce more than an average of twenty-five (25) footcandles under the
5509 canopy.
- 5510 2. Property lighting: All artificial outdoor light sources shall not exceed one (1)
5511 footcandle at property line and an average of ten (10) footcandles of the property
5512 area.
- 5513 3. Flickering or flashing lights shall not be permitted.

5527 4. Property and Canopy Lighting: Dimming controls shall be installed, which allows the
5528 lighting to dim below the required average foot-candles.

5529
5530 E. Exemptions: The following light sources are exempt from the requirements of this
5531 chapter:

5532
5533 a. Federal and state flag lighting.

5534
5535 b. Seasonal lighting: Outdoor lighting, provided it is in compliance with the following:

5536
5537 a. Lighting shall not create a hazard or glare nuisance; and
5538
5539 b. The lighting shall be temporary (less than 90 days in a calendar year) and not
5540 permanently installed.

5541
5542 c. Low output light source: An artificial light source having an output equal to or less
5543 than one hundred five (105) lumens, provided that the cumulative lumen output of all
5544 low output light sources shall not exceed a ratio of one and a half (1.5) lumens per
5545 square foot of cumulative illuminated area. This ratio shall be calculated by
5546 combining the total lumen output of each low output light source divided by the
5547 square footage of the area intended to be illuminated.

5548
5549 d. Motion sensor controlled light source: An artificial light source that has a light output
5550 equal to or less than nine hundred lumens and is controlled by a motion sensor,
5551 provided it is in compliance with the following:

5552
5553 a. That the motion sensor is set to turn the artificial light source off no more than ten
5554 (10) minutes after the last detection of motion; and

5555
5556 b. That the artificial light source is sufficiently shielded in a manner that prevents
5557 light trespass.

5558
5559 e. Tower lighting: Tower lighting required by the FAA or the FCC, provided that it shall
5560 not exceed the minimum requirements of those agencies. Collision markers shall
5561 have a dual mode for day and night to minimize impact to the night sky and migrating
5562 birds.

5563
5564 f. Traffic control devices and city facilities.

5565
5566 E. Procedures for Compliance:

5567
5568 1. Applications: Any application for a permit or approval required under Title 10 shall
5569 contain evidence that the proposed project complies with this section. The contents
5570 of the submittal are as follows:

5571
5572 a. Plans indicating the location of all artificial light sources on the premises, and

5573
5574 b. A photometric plan of estimated foot-candle levels with maximum and average
5575 illumination are required, and

5576

- 5577 c. Description of each artificial light source device and supporting structure. This
5578 description may include, but is not limited to, device specifications from the
5579 manufacturer, drawings, and details.
5580
- 5581 d. The required plans and descriptions shall be complete and shall be presented in
5582 a manner that clearly demonstrates compliance with this section in a manner that
5583 achieves the least light pollution while accomplishing an important public safety
5584 objective.
5585
- 5586

**CHAPTER 15
RESERVED**

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5593 **CHAPTER 16**

5594 **NONCONFORMING USES AND NONCOMPLYING STRUCTURES**

5595 **10-16-1: GENERAL PROVISIONS:**

- 5596 A. Except as provided in this section, a nonconforming use or noncomplying structure may
5597 be continued by the present or a future property owner.
- 5598
- 5599 B. A nonconforming use may be extended through the same building, provided no
5600 structural alteration of the building is proposed or made for the purpose of the extension.
5601 The addition of a solar energy device to a non-complying structure does not alone constitute
5602 a structural alteration for the purposes of this subsection.
- 5603
- 5604 C. It is the property owner's burden to establish the legal existence of a nonconforming use
5605 or noncomplying structure.
- 5606
- 5607 D. A party claiming that a valid, nonconforming use has been abandoned has the burden of
5608 establishing the abandonment.
- 5609
- 5610 E. A nonconforming use is presumed abandoned if:
- 5611
- 5612 1. a majority of the primary structure associated with the nonconforming use has been
5613 voluntarily demolished without prior written agreement with the municipality regarding
5614 an extension of the nonconforming use; or
- 5615
- 5616 2. the use has been discontinued for one year or more; or
- 5617
- 5618 3. the primary structure associated with the nonconforming use remains vacant for a
5619 period of one year or more.
- 5620

5621 Once the presumption of abandonment has been proven, the property owner must prove that
5622 any claimed abandonment has not occurred.

5623

5624 **10-16-2: REPAIRS AND ALTERATIONS:**

5625 Repairs or structural alterations may be made to a nonconforming building, or a building
5626 housing a noncomplying use, provided they do not increase the extent of nonconformity or non-
5627 compliance.

5628

5629 **10-16-3: ADDITIONS, ENLARGEMENTS AND MOVING:**

5630 A structure occupied by a nonconforming use shall not be added to, remodeled, replaced, or
5631 enlarged in any manner, or moved to another location, where such addition, remodel,
5632 replacement, enlargement or relocation would increase the nonconformity or non-compliance
5633 except as follows:

- 5634
- 5635 A. Additions, remodels, replacements or enlargements which are minor may be approved
5636 by the city manager or designee if a determination is made that the change will not
5637 increase the negative impact of the nonconformity.
- 5638
- 5639 B. All other changes must first obtain a recommendation for approval from the planning
5640 commission and approval from the city council. In approving such request, it must be
5641 determined that the proposed change does not impose any unreasonable burden upon

5642 the lands located in the vicinity of the nonconforming use or structure and that the
5643 negative impact of the nonconformity is not increased.
5644

5645 **10-16-4: RESTORATION OF A DAMAGED BUILDING OR A BUILDING HOUSING A**
5646 **NONCONFORMING USE:**

5647 A noncomplying structure, or a building housing a nonconforming use, that is damaged or
5648 destroyed by fire, flood, wind, earthquake or other calamity or act of God, or the public enemy,
5649 may be restored, and the occupancy or use of such building, structure or part thereof that
5650 existed at the time of such damage or destruction, may be continued or resumed; provided,
5651 such restoration is started within a period of one year from the date of destruction, and is
5652 diligently pursued to completion.

5653

CHAPTER 17

PERMITTED WITH STANDARDS AND CONDITIONAL USES

10-17-1: PERMITTED WITH STANDARDS:

- A. Application requirements: Each permitted with standards applicant shall submit a complete application upon forms provided by the city, which, at a minimum, shall include:
 - 1. A description of the proposed use;
 - 2. A site plan and supporting materials;

A design schematic.
 - B. Land use authority: The community development director or designee is the land use authority unless otherwise provided herein.
 - C. Review criteria: In reviewing an application for a project that is permitted with standards, the land use authority shall consider whether the application:
 - 1. Identifies the maximum intensity of the proposed development and use;
 - 2. Complies with all provisions of the code; and
 - 3. Compared to permitted development and uses within the zone, considers:
 - c. The size and location of the site;
 - d. Traffic generation, timing and nature of traffic impacts and the existing condition and capacity of the streets in the area;
 - e. Utility demand and available capacity, including storm water retention;
 - f. Emergency vehicle access and anticipated average and peak day demand;
 - g. Location and amount of off-street parking;
 - h. Internal vehicular and pedestrian circulation system, including delivery vehicles, loading and unloading;
 - i. Fencing, screening, and landscaping to separate the permitted with standards use from adjoining property and uses;
 - j. Generation and screening of trash, and automated garbage collection (dumpsters);
 - k. Recycling program and pickup areas;
 - l. Hours of operation, delivery and use; and

5704

5705 m. Demand for public infrastructure or services.

5706 D. Requirements for Specific Uses Permitted with Standards: The land use authority shall
5707 require the applicant to comply with Title 10 standards, Section 10-17-1 requirements for
5708 each application listed above, and these specific additional standards for the following
5709 uses:

5711 1. Accessory Dwelling Unit. An accessory dwelling unit shall meet the following
5712 additional standards:

5714 a. Ownership: An accessory dwelling unit shall not be sold separately or subdivided
5715 from the principal dwelling unit or lot unless compliant with subdivision
5716 regulations.

5717 c. Owner Occupancy: The City shall only permit an accessory dwelling unit when
5718 an owner occupant lives on the property within either the principal or accessory
5719 dwelling unit.

5720 d. The total number of residents that reside in an accessory dwelling unit may not
5721 exceed the number allowed for a "family" as defined in this title.

5722 e. Number of Accessory Units Per Parcel: An accessory dwelling unit (ADU) shall
5723 be allowed only on parcels containing a single-family dwelling. No more than one
5724 (1) accessory dwelling unit shall be allowed on a lot or parcel.

5725 f. Not a Unit of Density: Accessory dwelling units are not considered a unit of
5726 density and therefore are not included in the density calculation for residential
5727 property.

5728 g. Parking: An additional off street parking space is required. Tandem parking is not
5729 allowed for accessory dwelling units.

5730 h. Size and Location Requirements:

5731 i. If located within a single-family dwelling:

5732 aa. No accessory dwelling unit shall occupy more than forty percent (40%) of
5733 the gross square footage of the single-family dwelling. The square
5734 footage of an attached garage shall not be included in the gross square
5735 footage unless the accessory dwelling unit is located in a basement that
5736 includes habitable space below the garage.

5737 bb. Entrance Locations: Entrances to accessory dwelling units that are
5738 located within a single-family dwelling are permitted in the following
5739 locations:

(i.) An existing entrance to the single-family dwelling.

(ii.) On the side or rear of the building. Stairs leading to an ADU in the basement are permitted to encroach into the side yard.

(iii.) Exterior stairs leading to an entrance above the first level of the principal structure must not be visible from the street.

ii. If located in a detached accessory building:

- 5748 aa. The accessory dwelling unit must meet the setbacks for the main
5749 structure for the zone.
- 5750
- 5751 bb. The accessory dwelling unit and all accessory structures combined on the
5752 parcel must not cover more than twenty-five percent (25%) of the rear
5753 yard area.
- 5754
- 5755 cc. A detached accessory dwelling unit shall not exceed a gross floor area of
5756 six hundred fifty square feet (650 sf).
- 5757
- 5758 dd. Height: The maximum height of a detached accessory building containing
5759 an accessory dwelling unit shall not exceed the height of the single-family
5760 dwelling on the property or exceed twenty feet (20') in height, whichever
5761 is more.

5762 iii. Application Requirement: Any homeowner who resides in a single-family
5763 dwelling and whose property is in a residential zone and desires an
5764 accessory dwelling unit is required to obtain an accessory dwelling permit.
5765 The accessory dwelling permit shall be in addition to any building permits that
5766 may be necessary to create the accessory dwelling unit. The applicant shall
5767 submit the following as part of the application for an accessory dwelling
5768 permit:

5769 aa. A site plan drawn accurately to scale that shows property lines and
5770 dimensions, the location of existing buildings and building entrances, any
5771 proposed building and its dimensions from buildings and property lines,
5772 and the location of parking stalls.

5773 bb. Detailed floor plans drawn to scale with labels on rooms indicating uses
5774 or proposed uses.

5775 cc. Written verification that the applicant is the owner of the property and has
5776 permanent residency in the existing single-family dwelling where the
5777 request is being made. A recorded deed restriction that acknowledges
5778 that the single-family dwelling will remain owner-occupant, in order for an
5779 accessory dwelling unit to be permitted.

5780 2. Guesthouse. A guesthouse shall meet the following additional standards:

- 5781 a. A guesthouse shall be used only by the occupants of the principal dwelling or
5782 their nonpaying guests.
- 5783 b. The guesthouse shall not be leased or rented independent of the main dwelling.
5784 A deed restriction in a form approved by the city prohibiting the lease or rental
5785 shall be recorded against the property, with proof to the community development
5786 director or designee, prior to issuance of a building permit for the guesthouse.
- 5787 c. A guesthouse shall only be permitted on a lot containing an area of ten thousand
5788 (10,000) square feet or larger which has an existing owner occupied single-family
5789 dwelling unit, or where a building permit has been issued and construction is in
5790 process for the single-family dwelling unit. A guesthouse may be constructed on
5791 lots of less than ten thousand (10,000) square feet in an approved planned
5792

5798 development (PD) zone, provided a guesthouse is an allowed use within the
5799 project's PD text, and other standards in 10-17-1 are met.

- 5800
- 5801 d. Only one guesthouse shall be permitted per lot of record.
- 5802
- 5803 e. The guesthouse shall be located outside of all setback areas. The guesthouse
5804 shall meet the setback requirements for the main dwelling.
- 5805
- 5806 f. The guesthouse shall not have less than one hundred fifty (150) square feet of
5807 floor area or more than four hundred (400) square feet floor area.
- 5808
- 5809 g. There shall be no kitchen or cooking facilities within a guesthouse. A microwave,
5810 compact refrigerator (less than 7.75 cubic feet and 36 inches or less in height),
5811 and wet bar sink (12 inches wide or less) is permitted.
- 5812 h. Architectural design, materials, and construction shall match the primary
5813 residential structure.
- 5814
- 5815 i. Utilities shall not be metered separately for a guesthouse.
- 5816
- 5817 j. Building lot coverage including the guesthouse and other accessory structures
5818 shall not exceed twenty five percent (25%) of the rear lot area if the guesthouse
5819 is located in the rear yard. (The rear lot area is the area lying between the rear lot
5820 line and rear wall of the single-family dwelling extended to the side lot lines.)
- 5821
- 5822 k. The guesthouse shall not exceed a height of fifteen feet (15') for gable roofs, and
5823 twelve feet (12') for shed roofs (flat roofs), as measured from the adjacent grade
5824 to the highest part of the roof.
- 5825
- 5826 l. Separation distance from the main dwelling and guesthouse shall conform to the
5827 requirements of the adopted building and fire codes.
- 5828
- 5829 m. A site plan shall be submitted to the community development department to
5830 determine compliance with the requirements herein prior to issuance of a building
5831 permit. A fee as established by the city council shall be paid for the site plan
5832 review. The site plan shall be drawn to scale, clearly showing the location of all
5833 existing and proposed structures, walls, parking, driveways, and walkways.
- 5834
- 5835 n. Guesthouses shall be of new construction only; existing accessory structures
5836 (shed, garage, workshop, gazebo, etc.) may not be converted to a guesthouse.
- 5837
- 5838 o. A guesthouse may not be used as, attached to, or converted into a garage.
- 5839
- 5840 p. A guesthouse may be used as a pool house.
- 5841
- 5842 q. A guesthouse may not be placed in the front yard setback or side yard setback
5843 areas.
- 5844
- 5845 3. Recreational Vehicle Park/Subdivision Development Criteria. Recreational Vehicle
5846 Park/Subdivision development shall meet the following additional standards:
- 5847

- a. Minimum Size: Each recreational vehicle park/subdivision shall have one common owner, and a minimum size of five (5) acres.
- b. Access Roads: A hard surfaced (concrete or asphalt) roadway of at least twenty-five feet (25') in width and constructed to city specifications must serve each recreational vehicle in the park (12 feet wide for one-way streets).
- c. Access: Access to all recreational, vehicle park/subdivision developments shall be from a dedicated and approved public street at an approved point or points. No RV space shall have direct access from a public street.
- d. Off Street Parking: Hard surfaced parking spaces shall be provided for each recreational vehicle located in the RV park/subdivision and at least one additional automobile for each RV space or lot.
- e. Recreation Space: For each RV park/subdivision having ten (10) or more units, at least four thousand (4,000) square feet of common, usable recreation area is required, along with an additional one hundred (100) square feet for each unit in excess of ten (10).
- f. Density: The maximum density for a recreational vehicle park/subdivision shall not exceed sixteen (16) units per gross acre.
- g. Spaces: Each recreational vehicle space shall have a minimum width of twenty feet (20'). All recreational vehicles shall be able to park in designated spaces, and no portion of a driveway or roadway may be used for recreational vehicle parking.
- h. Permitted Vehicles: Only "recreational vehicles," "travel trailers," "motor homes," and "park trailers," as defined in section 10-7D-2 of this article, may be located in an RV park/subdivision.
 - i. Minimum Yard Clearances for Recreational Vehicle Park Subdivision:
 - i. Front or side yard on a public street: Twenty-five feet (25');
 - ii. Side yard bordering adjacent property: Ten feet (10');
 - iii. Rear yard bordering adjacent property: Ten feet (10');
 - iv. All RVs shall maintain at least ten foot (10') spacing between units.
 - v. A six foot (6') high solid fence shall be erected along all side and rear property lines when a recreational vehicle park/subdivision is located adjacent to any use, except other recreational vehicle park/subdivisions.
 - j. Utilities Required: Each recreational vehicle parking space shall have connections available for water, sewer and electricity. All utility connections shall be located underground. All recreational vehicle parks/subdivisions shall be connected to a public sewer system for all sewer connections or dump stations.

- k. Service Building: All recreational vehicle parks/subdivisions shall contain a service building containing all sanitary facilities required by the Utah state department of health code of recreational vehicle, camp or trailer court sanitation regulations, and shall provide a dump station for dependent recreational vehicles.
 - I. Outdoor Living Space: Each recreational vehicle parking space shall be provided with a minimum of three hundred (300) square feet of "outdoor living" space located adjacent to the vehicle parking space. Said outdoor living space shall be maintained in a clean and weed free manner and shall be kept free from garbage or debris of any kind.
 - m. Additions and Awnings: All structures are regulated by the International Building Code in effect at the time of construction. No addition or enclosure shall exceed four hundred twenty-five (425) square feet of total floor area. The maximum allowed size of a dwelling unit within an RV park shall not exceed eight hundred twenty-five feet (825') of total floor area.
 - n. Minimum Separation. In no case shall the RV or the addition be closer to an adjacent RV than ten feet (10'), nor closer than five feet (5') to an interior property line.

4. Residential Treatment Facility. Residential treatment facilities shall meet the following additional standards:

 - a. Facility is licensed by the Utah department of human services.
 - b. The facility operator must provide prior written notice to the police department of each convicted felon to be treated in such facility.
 - c. Provide at least thirty percent (30%) of the area as open green space or playground and one parking space per staff on the highest shift plus one parking space for each five (5) persons housed in the facility.

5. Short Term Residential Rental. Short Term Residential Rental development shall meet the following additional standards:

 - a. A single-family residence may be permitted as a short term residential rental property if the short term rental property is:
 - i. Located on a lot size of two (2) acres or larger;
 - ii. Contiguous to and fronts on a major collector or arterial street (66 foot right of way or more); and
 - iii. Separated by at least five hundred feet (500') from another property used for short term rental.
 - b. Each single-family and two-family short term rental property shall have two (2) on-site, off-street, parking spaces provided per dwelling unit, one of which shall be covered.

- 5950 c. For multiple family short term rental dwellings, including townhouses and
5951 condominiums, they shall comply with section 10-19-4 of this title.
- 5952 d. Landscape Maintenance: Each short term rental property shall comply with the
5953 landscape requirements outlined in section 4-7-11 of this code.
- 5954 e. License Required: The owner or property manager of each short term residential
5955 rental property shall obtain a short term residential rental property business
5956 license as required in this code prior to commencing the use, and shall comply
5957 with all license conditions, and shall maintain a current license throughout the
5958 duration of the use.

5959 6. Storage Rental Units, Ministorage or Self-Storage. Storage Rental Units, Ministorage
5960 or Self-Storage shall meet the following additional standards:

- 5961
- 5962 a. Storage Rental Units, all zones (except a PD-C zone): Storage rental units shall
5963 be limited to twelve feet (12') overall height for the storage unit portion of the
5964 facility.
- 5965
- 5966 b. Site location of storage facilities shall be:
- 5967
- 5968 i. Located behind a retail, office, or similar "storefront" and other appropriate
5969 mixed uses which effectively screen the storage units from public street
5970 views, or
- 5971
- 5972 ii. Located to the rear of existing commercial developments so the storage units
5973 are not the dominant view from public streets, or
- 5974
- 5975 iii. When located adjacent to a residential zone, shall have the front of the
5976 storage units screened behind a front facade typical of a commercial, retail,
5977 or office building, or similar façade.
- 5978
- 5979 c. Exterior vertical surfaces of the storage facilities shall be covered with fifty
5980 percent (50%) of the area in decorative materials such as: decorative brick
5981 veneer, stone, textured block, or other similar materials, and the remaining fifty
5982 percent (50%) shall be finished with stucco. No unfinished metal or painted metal
5983 buildings are permitted.
- 5984
- 5985 d. Colors are limited to natural, muted tones that emulate the local geologic
5986 formations common to the area and blend with the predominant colors of the
5987 natural surroundings.
- 5988
- 5989 e. Lighting shall comply with dark sky principles and regulations.
- 5990
- 5991 f. Individual storage units shall not be used for manufacturing, retail or wholesale
5992 selling, office functions, other business or service uses, and/or human or animal
5993 habitation.
- 5994 g. Storage facilities shall not permit the storage of any hazardous, flammable, or
5995 explosive materials; hazardous or extremely hazardous waste; or any material which
5996 creates obnoxious dust, odor or fumes.

5997

- 5998 h. Main access shall be permitted only from a public street. Access to individual storage
5999 units shall be permitted only from interior private drives.
- 6000 i. Storage facilities located adjacent to residential zones shall be screened with a solid
6001 block wall no less than six feet (6') in height, and landscaping such as high growing
6002 shrubs or trees placed close together (planted less than 5 feet on center) that will
6003 effectively screen and shield the storage units from public view when abutting the
6004 adjacent residential zone.
- 6005 j. Storage Rental Units in a PD-C zone: In a PD-C zone, storage rental units shall
6006 meet the following additional standards:
6007 i. The property is located in an isolated area. Isolated is defined as:
6008 aa. The property is not conducive to standard commercial, retail, professional
6009 office, or residential development;
6010 aa. The storage rental units provide a transition from a more intense use or
6011 zoning district to a residential zone;
6012 bb. The property is screened from the public street behind other property or
6013 development that fronts the public street; and
6014 cc. The storage rental units are located along a master planned 90' right-of-
6015 way, but not visible from the public street.
6016 ii. Storage rental units accessed from the exterior of the building, must be
6017 located behind a solid fence, which obstructs the buildings from the public
6018 right of way;
6019 iii. Multiple story storage rental units must provide building facades with
6020 architectural articulation. Building facade articulation shall include a variation
6021 in base, middle, and top of a building created by variations in color and
6022 materials. This can be achieved through: a) combinations of stepping back or
6023 extending a portion of the facade (pop outs); and b) vertical divisions using
6024 different textures and materials. Windows must be opaque, unless the
6025 windows are for the business office on the ground floor;
6026 iv. Single story storage facilities can be constructed of prefabricated metal
6027 buildings, provided that the exterior vertical surfaces of the storage facilities
6028 are covered with fifty percent (50%) of the area in decorative materials such
6029 as: decorative brick veneer, stone, textured block, or other similar materials
6030 and the remaining fifty percent (50%) is finished with stucco;
6031 v. Unfinished metal or painted metal buildings are not permitted;
6032 vi. Colors shall be limited to natural, muted tones that emulate the local geologic
6033 formations common to the area and blend with the predominant colors of the
6034 natural surroundings.
6035 vii. Lighting shall be required to be constructed and shielded (dark sky shielding)
6036 to not directly illuminate, or create glare, visible from adjacent properties or

6048 public rights of way. All outdoor lighting shall be fully shielded and downward
6049 directed in compliance with the following:

6050
6051 aa. No artificial light source shall project direct artificial light into the night-time
6052 sky;

6053
6054 bb. No artificial light source shall be placed at a location, angle, or height that
6055 creates a light encroachment; and

6056
6057 cc. Light source shielding shall be made of completely opaque material such
6058 that light escapes only through the bottom. Shielding that is translucent,
6059 transparent, has perforations or slits of any kind, or allows light to escape
6060 through it in any other manner is not permitted;

6061
6062 viii. Individual storage units shall not be used for manufacturing, retail or
6063 wholesale selling, office functions, other business or service uses, and/or
6064 human or animal habitation;

6065
6066 ix. Storage facilities shall not permit the storage of any hazardous, flammable, or
6067 explosive materials; hazardous or extremely hazardous waste; or any
6068 material which creates obnoxious dust, odor or fumes;

6069
6070 x. Main access shall only be allowed from a public street. Access to individual
6071 storage units shall be from interior private drives only; and

6072
6073 xi. Storage facilities located adjacent to any residential zone shall be limited to
6074 two (2) stories, be screened with a solid block wall no less than six feet (6') in
6075 height, and have a ten feet (10') landscape strip along the property line. X.

6076
6077 x. Landscaping shall include shrubs and trees planted at least five feet (5') on
6078 center.

6079
6080 7. Sales Lots for Automobiles and Similar Vehicles. Sales Lots for Automobiles and
6081 Similar Vehicles shall meet the following additional criteria: Sales lots for automobiles,
6082 RVs, boats, trailers, motorcycles, ATVs, and similar vehicles shall be fully improved to
6083 comply with current city standards, including fully paved display area, permanent sales
6084 office built to the current building code, landscaping, streetlights and permanent signage.
6085 Sales lots of automobiles and similar vehicles shall meet the following additional
6086 standards:

6087
6088 a. Minimum Parking Requirements and Customer Parking: Every sales lot for
6089 automobiles and similar vehicles shall have a minimum number of parking spaces
6090 specifically designated for customer parking. Customer parking spaces shall be
6091 clearly striped and marked by an upright pole sign placed at the top of each
6092 customer parking space stating that the space is designated for customer parking.
6093 These spaces shall not be used for parking vehicles which are for sale, or for the
6094 display of any merchandise. The minimum number of customer parking spaces shall
6095 comply with the parking requirements set forth in Chapter 19 of this title.

6096
6097 b. Parking Vehicles Which Are For Sale: All automobiles and other vehicles which
6098 are for sale shall be parked in the automobile showroom or in a parking space which

is specifically designated for displaying merchandise for sale. All vehicles for sale shall be parked and stored solely within the automobile lot. The maximum amount of automobiles which an automobile sales lot is permitted to display for sale shall be based on the amount of approved stalls for noncustomer parking. Noncustomer parking stalls shall not be required to be striped.

c. Minimum Lot Width: Minimum lot width for one side shall be one hundred feet (100') of frontage on a public street.

d. Building Required: A permanent, enclosed building is required on the site of the auto sales lot, which is devoted exclusively to the auto sales business. The building shall be large enough to accommodate the office of the dealership and shall provide restroom facilities. The building or structure shall provide a safe place to keep the books and other records of the business.

e. Display Pads: Display pads for cars may project into the fifteen-foot (15') landscaped area up to ten feet (10') and shall be limited to two (2) display pads (each pad no larger than necessary to accommodate 1 car in any directional orientation) per one hundred (100) linear feet of display frontage.

f. Landscape Replacement: Landscape square footage removed for the display pads shall be replaced with the same square footage elsewhere on the site and noted on the plans.

g. Streets Designated for Automobile Sales Lots: Automobile sales lots shall only be permitted in the zone where it is allowed, and only on the following specified streets within the zone:

- i. Blackridge Drive,
 - ii. Bluff Street,
 - iii. Convention Center Drive,
 - iv. Desert Color Parkway (north of the Sothern Parkway underpass, approximately 3,400 feet in length to the north end of the former “Welcome Center” parcel),
 - v. Hilton Drive,
 - vi. Parcel located at 150 East 1160 South,
 - vii. Red Hills Parkway from 1000 East to the Washington City boundary,
 - viii. St. George Boulevard (excluding the Arts District Overlay Zone),
 - ix. 700 South from the east side of I-15 to River Road,
 - x. Sunland Drive,
 - xi. Sunset Boulevard.

6150
6151 h. Minimum Landscape Requirements: All car lots shall comply with minimum
6152 landscape requirements as set forth in this code for commercial developments.

6153
6154 ii. Limited to sales of vehicles of less than 12,000 lbs. gross vehicle weight.

6155
6156 8. Timeshare Conversions. Timeshare conversions of motels, hotels and other such
6157 buildings at least ten (10) years old shall meet the following additional standards:

6158
6159 a. No ownership rights may be conveyed to users.

6160
6161 b. No undivided ownership interests in common areas may be conveyed to users.

6162
6163 c. Users acquire only a right to use (RTU) timeshare as opposed to a fee simple (FS)
6164 timeshare.

6165
6166 d. Timeshare owners possess only the right to occupy a unit for a period of time
6167 during each calendar year (typically 1 week) and for a specified number of
6168 years.

6169
6170 f. No timeshare owner or their guests or invitees may occupy the unit for more
6171 than fourteen (14) consecutive days during any six (6) month period.

6172
6173 g. Not more than one vehicle may be parked on the premises for each timeshare
6174 unit.

6175
6176 h. The use of such timeshare units must continue to be in the nature of motel or
6177 hotel use but shall not preclude the installation of convenience features such as
6178 kitchenettes.

6179
6180 i. No timeshare unit may be used as a principal residence by any tenant, owner or
6181 their guests or invitees.

6182
6183 9. Wireless Telecommunication Facilities. Wireless Telecommunication Facilities must
6184 meet the following additional standards: A site location development master plan
6185 shall be submitted by each company providing wireless services or a landowner in
6186 joint application with a wireless company desiring placement of wireless
6187 telecommunication facilities. The development master plan shall show the general
6188 location of all proposed sites and show the coverage area provided by the location.
6189 The master plan is intended to show approximate service areas.

6190
6191 a. Wall Mounted Antennas: The following criteria apply to wall mounted antennas:

6192
6193 i. Wall mounted antennas shall not extend above the wall line of the building or
6194 extend more than four feet (4') horizontally from the face of the building.

6195
6196 ii. Antennas, equipment and the supporting structures shall be painted to match the
6197 color of the building or structure of the background against which they are most
6198 commonly seen. Antennas and the supporting structures on buildings must be
6199 architecturally compatible with the building. Whip antennas are not allowed on a
6200 wall mounted antenna structure.

- 6201
- 6202 iii. An antenna mounted directly on an existing parapet wall, penthouse or
- 6203 mechanical equipment room, with no portion of the antenna extending above the
- 6204 roofline of such structure is a wall mounted antenna.
- 6205
- 6206 b. Roof Mounted Antennas:
- 6207
- 6208 i. Allowed on top of existing penthouses or mechanical equipment rooms,
- 6209 provided the antennas and antenna support structures are enclosed by a
- 6210 structure that screens the antenna from public view. The screening structure,
- 6211 antennas and antenna mounting structures shall not extend more than eight
- 6212 feet (8') above the existing roofline of the penthouse or mechanical
- 6213 equipment room.
- 6214
- 6215 ii. For antennas not mounted on a penthouse or mechanical equipment room,
- 6216 the antennas shall be mounted at least five feet (5') from the exterior wall of a
- 6217 building.
- 6218
- 6219 iii. For antennas mounted between five (5) and ten feet (10') from the exterior
- 6220 wall, the maximum height of a roof mounted antenna is directly proportional
- 6221 to the distance the antenna is set back from the exterior wall up to a
- 6222 maximum height of ten feet (10') above the roofline of the building to which
- 6223 the antenna is attached. Antennas shall be mounted at least five feet (5')
- 6224 behind any parapet wall.
- 6225
- 6226 iv. For antennas mounted behind a parapet wall, the maximum height of the
- 6227 antenna is directly proportional to the distance the antenna is set back from
- 6228 the wall up to a maximum height of ten feet (10') as measured from the top of
- 6229 the parapet wall.
- 6230
- 6231 v. Roof mounted antennas on a pitched roof shall be allowed, provided the
- 6232 antennas and antenna support structures do not extend higher than the peak
- 6233 of the roof measured by a horizontal line from the peak extending over the
- 6234 roof.
- 6235
- 6236 vi. Monopole With Antennas And Antenna Support Structures: The maximum
- 6237 visible width of antennas and antenna mounting structures on a monopole
- 6238 shall not exceed eight feet (8') in height or thirteen feet (13') in width as
- 6239 viewed looking directly at the monopole at the same elevation as the
- 6240 antennas and antenna mounting structure. No such antenna shall be located
- 6241 within one hundred fifty feet (150') of a residential zone.
- 6242
- 6243 vii. Lattice Tower: A lattice tower is not allowed within any residential or
- 6244 commercial zone unless it is a lattice tower is the only feasible method of
- 6245 transmission.
- 6246
- 6247 viii. Height Limit: The height limit of any tower or pole is 35' in the M-G zone and
- 6248 one hundred feet (100') in other zones.
- 6249 ix. Prohibited Areas: Monopoles or towers shall not be allowed within any
- 6250 required front yard setback, and not be allowed within any required
- 6251 landscaped area, buffer area or parking area.

- 6252
- 6253 x. Area Limitation for Wall and Roof Mounted Antennas: A combination of both
- 6254 roof and wall mounted antennas are allowed on a building. The total area for
- 6255 all wall and roof mounted antennas and supporting structures combined shall
- 6256 not exceed forty (40) square feet for each exterior wall of the building or a
- 6257 total of one hundred sixty (160) square feet per building. Up to three (3)
- 6258 carriers may utilize each building side as a permitted use subject to
- 6259 compliance with this chapter.
- 6260
- 6261 xi. Accessory Buildings to Antenna Structures: Accessory buildings to antenna
- 6262 structures must comply with the required setback, height and landscaping
- 6263 requirements of the zoning district in which they are located. Monopoles shall
- 6264 be fenced with a six foot (6') solid masonry wall. The climbing pegs shall be
- 6265 removed from the lower twenty feet (20') of the monopole. All power lines on
- 6266 the lot leading to the accessory building and antenna structure shall be
- 6267 underground.
- 6268
- 6269 xii. Antennas and Mounting Structures On or Over Public Right of Way:
- 6270 Antennas and mounting structures are not permitted to encroach on or over
- 6271 the public sidewalk or on or over a public right of way.
- 6272
- 6273 xiii. Non-maintained, Non-operational or Abandoned Facilities: The wireless
- 6274 company and the landowner shall remove all non-maintained, non-
- 6275 operational or abandoned wireless communication tower, antenna, and
- 6276 incidental infrastructure within thirty (30) calendar days.
- 6277
- 6278 xiv. Permits: Prior to construction or installation, applicant shall obtain the proper
- 6279 building permits, encroachment permits and such other permits as required
- 6280 by law.
- 6281
- 6282 xv. The foregoing notwithstanding, outside of the St. George Arts District Overlay
- 6283 Zone, the following facilities are a permitted use:
- 6284
- 6285 aa. Collocation of antennas on existing non-tower structures in Industrial,
- 6286 Commercial, Agricultural, Open Space or Gravel and Grazing zones is a
- 6287 permitted use, provided the additional antennas are no more than ten feet
- 6288 (10') higher than the existing structure, and the color of the antennas
- 6289 blend with the surroundings, and not more than three (3) providers are
- 6290 locating on the structure.
- 6291
- 6292 bb. Wall mounted antennas which do not extend above the wall line of the
- 6293 building or extend more than four feet (4') horizontally from the wall are a
- 6294 permitted use.
- 6295
- 6296 cc. Wireless communication facilities located on city property, subject to
- 6297 complying with standards contained herein, and obtaining a lease
- 6298 agreement with the city.
- 6299
- 6300 dd. Any provider who is authorized to collocate on an existing tower or non-
- 6301 tower structure, or install a new tower as provided above, shall be allowed
- 6302 to install any necessary accessory equipment shelters and related

6303 equipment at or near the base of the tower or structure, or within the
6304 structure, so long as the accessory equipment shelter and related
6305 equipment is either located completely within the existing structure or is
6306 located within the approved fenced area. The equipment shelter shall
6307 comply with the development standards (i.e., setbacks, height limitations,
6308 bulk, etc.) of the base zone. No previously approved landscaping (trees or
6309 shrubs) shall be removed in order to locate the accessory building or
6310 equipment unless it is replaced with the equivalent quantity and type of
6311 landscaping on site. This shall be done in a manner as to achieve the
6312 original intent, or to achieve sufficient screening of any proposed new
6313 shelter and/or equipment if the original intent would no longer be
6314 applicable.
6315

6316 10. Apiaries/Beekeeping. The city authorizes Apiaries in specific zones, subject to
6317 the below requirements intended to mitigate problems that may otherwise be associated
6318 with Beekeeping:

- 6319 a. Property owners in zones in which Apiaries are allowed uses may maintain two
6320 (2) Hives, or equivalent capacity, per 12,000 square feet of property. In no case
6321 shall the total number of Hives located on a property exceed eight (8) Hives, or
6322 equivalent capacity.
- 6323 b. Hives shall not be located on property owned by a person other than the owner
6325 of the Hive.
- 6326 c. Commercial Apiaries are only permitted in Agricultural zones (A-1, A-5, A-10 and
6328 A-20).
- 6329 d. Hives shall be located in the Side Yard or Rear Yard.
- 6330 e. All Hives shall be situated such that the general flight pattern of Bees in each
6333 Colony is in a direction that deters Bee contact with humans and domesticated
6334 animals. If any portion of a Hive is located within twenty-five (25) feet of any
6335 property line or public right-of-way, as measured from the nearest point on the
6336 Hive to the property line, a flyaway barrier of at least six (6) feet in height shall be
6337 constructed and maintained around the Hive, except as necessary to provide
6338 access to the Hive. A flyaway barrier shall consist of a solid wall, fence, dense
6339 vegetation, or combination thereof that extends at least ten (10) feet beyond the
6340 Hive in each horizontal direction so that the Bees are forced to fly at an elevation
6341 of at least six (6) feet above ground level over property lines or public rights-of-
6342 way within the proscribed vicinity of the Hive.
- 6343 f. Hives shall be located at least five (5) feet from any property line and at least six
6345 (6) inches above the ground, as measured from the ground to the lowest portion
6346 of the Hive. Hives shall not exceed six (6) feet in height above ground level, as
6347 measured from the ground to the tallest point of the Hive.
- 6348 g. Every Hive shall be conspicuously marked with the Beekeeper's name, address,
6349 telephone number, and state registration number.
- 6350 h. Each Beekeeper shall ensure that a convenient source of fresh water is available
6351 to the Colony at all times. The water shall be in a location that minimizes any

6354 nuisance created by Bees that might otherwise seek water on neighboring
6355 properties.

- 6356
- 6357 i. Hives shall not be located within 500 feet of a public or private school property.
- 6358
- 6359 j. Hives shall be operated and maintained in accordance with the Utah Bee
6360 Inspection Act, as the same may be amended, restated, and/or replaced, from
6361 time to time.
- 6362
- 6363 k. Notwithstanding compliance with the various requirements of this chapter, it shall
6364 be unlawful for any person to maintain an Apiary on any property in a manner
6365 that creates a nuisance or threatens public health or safety.
- 6366

6367 11. Public Utility Facilities, Primary. Public utilities are permitted with the following
6368 standards:

- 6369
- 6370 a. A six foot (6') in height solid masonry fence is required to screen the facility. The
6371 fence shall not be located in the front yard setback.
- 6372
- 6373 b. The front yard setback shall be landscaped in accordance to the commercial
6374 standards set forth in 10-25-1.
- 6375
- 6376 c. Lots created and intended for the sole purpose to provide a public utility, may be
6377 subdivided with less than required amount of square footage per the zone.
- 6378

6379 **10-17-2: CONDITIONAL USE PERMIT REVIEW:**

6380 A. Application Requirements: Each conditional use permit applicant shall submit a
6381 complete application upon forms provided by the city, which, at a minimum, shall
6382 include:

- 6383
- 6384 1. A description of the proposed use;
- 6385
- 6386 2. A site plan and supporting materials;
- 6387
- 6388 3. A design schematic;
- 6389
- 6390 4. A description of mitigating design elements;
- 6391
- 6392 5. A description of mitigating management practices and plan; and
- 6393
- 6394 6. Any proposed conditions of approval.
- 6395

6396 B. Land use authority: The land use authority for conditional use permit review is the city
6397 council.

6398 C. Review criteria: In reviewing an application for a conditional use permit, the land use
6399 authority shall consider whether the application:

- 6400
- 6401 1. Identifies the maximum intensity of the proposed development and use;
- 6402
- 6403 2. Complies with all provisions of the code; and
- 6404

- 6405
- 6406 3. Compared to permitted development and uses within the zone, substantially
- 6407 mitigates the adverse impacts that are reasonably anticipated from the magnitude
- 6408 and intensity of the development and use, as proposed, considering:
- 6409
- 6410 a. The size and location of the site;
- 6411
- 6412 b. Traffic generation, timing and nature of traffic impacts and the existing condition
- 6413 and capacity of the streets in the area;
- 6414
- 6415 c. Utility demand and available capacity, including storm water retention;
- 6416
- 6417 d. Emergency vehicle access and anticipated average and peak day demand;
- 6418
- 6419 e. Location and amount of off-street parking;
- 6420
- 6421 f. Internal vehicular and pedestrian circulation system, including delivery vehicles,
- 6422 loading and unloading;
- 6423
- 6424 g. Fencing, screening, and landscaping to separate the conditional use from
- 6425 adjoining property and uses;
- 6426
- 6427 h. Building mass, bulk, design and orientation, and the location of buildings on the
- 6428 site including orientation to buildings on adjoining lots or parcels;
- 6429
- 6430 i. Usable open space;
- 6431
- 6432 j. Signs and lighting;
- 6433
- 6434 k. Physical design and compatibility with surrounding structures in terms of mass,
- 6435 scale, style, design, and architectural detailing;
- 6436
- 6437 l. Noise, vibration, odors, steam, or other factors that might adversely affect people
- 6438 and property on-site and off-site;
- 6439
- 6440 m. Control of delivery and service vehicles, loading and unloading zones;
- 6441
- 6442 n. Generation and screening of trash, and automated garbage collection
- 6443 (dumpsters);
- 6444
- 6445 o. Recycling program and pickup areas;
- 6446
- 6447 p. The potential adverse impacts arising from the conduct of patrons, guests,
- 6448 employees, occupants, or their affiliates
- 6449
- 6450 q. Within and adjoining the site, the impacts of the use on public property and
- 6451 environmentally sensitive lands;
- 6452
- 6453 r. Hours of operation, delivery and use;
- 6454

- 6455 s. Special hazards arising from the use, or from its reasonably anticipated
6456 secondary effects, including its potential to attract criminal behavior; and
6457
6458 t. Demand for public infrastructure or services.

- 6459
- 6460 D. Conditional use permit standards: Upon review and consideration of the criteria identified
6461 in Section 10-17-2(A) and (C), compared to the impacts of allowed uses in the zone, the
6462 proposal shall:
- 6463
- 6464 1. Be compatible in use, scale and design with allowed uses in the zone; and
- 6465
- 6466 2. Not compromise the health, safety, or welfare of:
- 6467
- 6468 a. Persons employed within or using the proposed development;
- 6469
- 6470 b. Those residing or working in the vicinity of the proposed use or development;
- 6471
- 6472 c. Property or improvements in the vicinity of the proposed use or development; or
- 6473
- 6474 d. Not impose disproportionate burdens on the citizens of the city.
- 6475
- 6476 e. Conditional use permit determination:
- 6477
- 6478 3. The land use authority shall issue a conditional use permit, if the applicant has
6479 proposed, or if the land use authority can propose, conditions of approval to
6480 substantially mitigate the reasonably anticipated detrimental effects of the proposed
6481 use in accordance with the standards and criteria herein. The conditional use permit
6482 shall describe the scope of the permit, and the conditions of approval.
- 6483
- 6484 4. If the land use authority determines that the applicant has not proposed, and the land
6485 use authority cannot impose additional, reasonable conditions of approval to comply
6486 with the standards and criteria herein, the land use authority may deny the
6487 conditional use permit application.

6488

6489 E. Modification of Conditional Use Permit.

- 6490
- 6491 1. The land use authority may reasonably modify the conditions of a conditional use
6492 permit if the actual detrimental effects of previously identified adverse impacts are
6493 greater than anticipated, or the proposed mitigation has been unsuccessful at
6494 mitigating the actual detrimental effects, in order to comply with the standards herein.
- 6495
- 6496 2. Modification may be initiated by the applicant, the city, or an injured party with
6497 standing. The party seeking the modification shall pay the costs associated with the
6498 modification proceedings and file a petition for modification with the city. Modification
6499 proceedings are conducted in the same manner as an initial review.
- 6500
- 6501 3. The conditional use permit holder is a necessary part to the modification proceedings
6502 and shall be afforded due process.

6503

6504 F. Expansion and growth of conditional use:

6505

- 6506 1. A conditional use may not be expanded without undergoing modification
6507 proceedings, as provided in Section 10-17-2.
- 6508
- 6509 2. A person expands a conditional use if the square footage of a structure on the
6510 property will be increased by greater than ten percent of the square footage existing
6511 at the time of the initial application.
- 6512
- 6513 3. A conditional use has grown if the following occurs:
- 6514
- 6515 a. The pedestrian or vehicle traffic has increased by greater than twenty (20)
6516 percent than was anticipated at the time of the initial application, and the
6517 increased traffic is a result of the use;
- 6518
- 6519 ii. Off-street parking has become inadequate due to the number of customers,
6520 employees or occupants associated with the use; or
- 6521
- 6522 iii. Other detrimental effects, such as noise, odor, or light pollution, have increased
6523 beyond that which was reasonably anticipated at the time of initial application.
- 6524
- 6525 iv. The city may initiate modification proceedings if a conditional use has grown to
6526 the extent provided in this section.

6527

6528 G. Revocation of conditional use permit:

6529

- 6530 1. The conditional use permit may be revoked or suspended if any of the following
6531 occur or are found to have occurred:
- 6532 a. The permit was obtained by fraud or misrepresentation;
- 6533
- 6534 b. One or more of the conditions of the permit have not been met;
- 6535 c. The holder or user of the permit has failed to comply with any local, state or
6536 federal laws governing the conduct of the use;
- 6537
- 6538 d. The holder or user of the permit has failed to construct or maintain the site as
6539 shown on the approved plans; or
- 6540
- 6541 e. A conditional use has been expanded or grown and cannot mitigate the
6542 detrimental effects of that expansion or growth.
- 6543
- 6544 2. Revocation is appropriate when the applicant, holder or user has knowingly engaged
6545 in conduct which violates the conditional use permit, or when the applicant, holder or
6546 user has previously had its permit suspended. Notice shall be given of a pending
6547 revocation, and the property owner will be given reasonable notice, and an
6548 opportunity to cure the violation in the same manner as provided for other violations
6549 of zoning ordinances.

6550

6551 H. Expiration.

6552

- 6553 1. Conditional Use Not Implemented. A conditional use permit expires if the permit has
6554 not been implemented within one year from the date of approval. The permit is
6555 considered implemented if the holder of the permit engages in the conditional use or
6556 commences substantial construction on the site for which the permit was granted.

6557 One extension for one year may be granted if the land use authority finds that the
6558 use still complies with the review standards. A request for an extension shall be filed
6559 not less than thirty (30) calendar days prior to the expiration date.
6560

6561 2. Conditional Use Abandoned. If the approved use or activity ceases for any reason for
6562 a continuous period of six consecutive months or more, the conditional use permit
6563 shall automatically terminate without further notice, as having been abandoned. A
6564 person may only reinstate the conditional use after a new conditional use permit is
6565 issued.
6566

6567 I. Requirements for Specific Conditional Use Permits: The land use authority shall require
6568 the applicant to comply with all Section 10-17-2 requirements, above, and these specific
6569 additional standards for the following conditional uses:
6570

6571 1. Multiple Family Dwellings 20 Units or More or 12 Dwelling Units an Acre or More: A
6572 multiple family development with twenty (20) or more total dwelling units, or with a
6573 density of twelve (12) dwelling units per acre or more, shall meet the following
6574 additional standards, and shall be approved by city council:
6575

- 6576 a. Applicants shall submit a site plan, materials board, and elevation drawings
6577 showing the project's overall design plan, including landscaping and proposed
6578 building exteriors.
6579 b. All elevations shall have an aesthetic variation of materials and colors, design
6580 articulation, and architectural relief.
6581 c. Upon staff evaluation and recommendation, the city council shall review the
6582 design plans to determine whether the proposed development will be compatible
6583 with the character of adjacent and surrounding developments, and whether
6584 aesthetically the development is harmonious with the character of the
6585 neighborhood in terms of style, materials and colors.

6586 2. Buildings with Ground Floor Area of 20,000 ft. or Greater. Buildings with Ground
6587 Floor Area of 20,000 ft. or greater must meet the following additional standards:
6588 Buildings with a ground floor (footprint) area of twenty thousand (20,000) square feet
6589 or more, or a site with an aggregate ground floor (footprint) square footage of twenty
6590 thousand (20,000) square feet or more, shall meet the following additional standards:
6591

- 6592 a. Vehicle access and parking lots properly designed for safety, efficiency and
6593 beauty. Parking lots should be landscaped with shade trees throughout the lot to
6594 avoid major heat islands, and to break up large asphalt areas.
6595 b. Enhanced landscaping of the project site that promotes common community
6596 appearance.
6597 c. Building facade articulation shall include a variation in base, middle, and top of a
6599 building created by variations in color and materials. Articulated tops should
6601 consist of pitch dormers, gable ends, cornice detailing, or similar details. The
6602 base of a building shall include elements that relate to human scale such as
6603 doors, windows, texture, projections, awnings and canopies, ornament, etc.
6604 Buildings shall provide visual interest through articulation of the façade through:
6605

- i. combinations of significant stepping back or extending a portion of the facade (pop outs),
 - ii. vertical divisions using different textures and materials,
 - iii. divisions into storefronts, with separate display windows and entrances, variation in rooflines by alternating dormers, stepped roofs, gables, or other roof elements, and
 - iv. arcades, awnings, window bays, arched windows, and balconies at intervals.
- d. Building colors are limited to natural, muted tones that emulate the local geologic formations common to the area and blend with the predominant colors of the natural surroundings. Bright, white or contrasting colors shall be limited to trim.
- e. A site plan along with colored building elevations of all sides of the building and a three-dimensional rendering shall demonstrate that the application complies with each of these criteria.
- f. Upon staff evaluation and recommendation, the city council shall review the design plans, upon recommendation from the planning commission, to determine whether the proposed development will be compatible with the character of adjacent and surrounding developments, and whether aesthetically the development is harmonious with the character of the neighborhood in terms of style, materials and colors.

CHAPTER 18

WALLS, FENCES AND HEDGES

10-18-1: REQUIREMENTS:

- A. No fence shall exceed six feet and four inches (6' 4") in height in the side and rear yards.
 - B. No rockery wall, retaining wall, or fence shall exceed four feet (4') in height in a front yard. Within the front ten feet (10') behind the sidewalk, or property line if no sidewalk exists, only decorative fences such as picket fences or wrought iron fences with at least fifty percent (50%) of the fence open (up to 50 percent may be solid, or non-see through) are allowed.
 - C. Berms shall not be used to artificially increase the maximum allowed fence height.

10-18-2: REQUIREMENTS ON CORNER LOTS:

- A. No fence shall exceed six feet and four inches (6' 4") in height along the rear and side lot lines.
 - B. In all zones requiring a front setback, no obstruction to view in excess of three feet (3') in height shall be placed within the sight distance triangle, defined as a triangular area formed by the street property lines and a line connecting them at points thirty feet (30') from the intersection of the property lines.
 - C. A retaining wall no more than three feet (3') in height may be erected, if setback a minimum of five feet (5'), measured from the back of sidewalk, or back of curb where no sidewalk exists. A combination fence and retaining wall shall not exceed eight feet (8') in height. No fence shall be greater than six feet and four inches (6' 4") in height.
 - D. A retaining wall no more than five feet (5') in height may be erected, if setback a minimum of ten feet (10'), measured from the back of sidewalk, or back of curb where no sidewalk exists. No fence shall be greater than six feet and four inches (6' 4") in height. No combination of retaining wall and fence shall be greater than ten feet (10') in height.

10-18-3: RETAINING WALLS:

- A. The height of any single retaining wall shall not exceed eight feet (8') in all zones, except Manufacturing. In the manufacturing zone, a retaining wall shall not exceed twelve feet (12') in height.
 - B. Terraced retaining walls shall be constructed out of one type of material. For each additional terraced wall, each wall shall be constructed out of material that is similar in look, color, and texture. The landscape and drainage for rockery or retaining walls shall be maintained by the property owner.
 - C. Retaining walls shall be measured from the top of the exposed face to finished grade.
 - D. For interior, rear lot lines, where a solid fence is placed on top of a retaining wall or rockery wall, the combined exposed face shall not exceed thirteen feet (13') in height at any single point, measured from the finished grade of the adjacent retaining wall to the top of the solid fence. Retaining walls that exceed eight feet (8') shall be terraced in accordance to subsection G of this section.

- 6683
- 6684 E. Fences at least fifty percent (50%) open (up to 50 percent may be solid, or non-see
6685 through) may be placed on top of a retaining wall with a combined maximum height of
6686 thirteen feet (13')
- 6687
- 6688 F. Where rockery or retaining walls were erected as part of a subdivision approval, the
6689 design and construction of any additional walls shall first be submitted for review and
6690 approval by the city, based on plans and specifications certified by a qualified structural
6691 engineer, and erected using the colors as were approved for the subdivision.
- 6692
- 6693 G. Retaining walls over eight feet (8') in height shall be stepped to form benches which shall
6694 be a minimum distance of one-half (1/2) the height of the lower retaining wall, and shall
6695 be landscaped. Benches shall be measured from the top back of the lower retaining wall
6696 to bottom face of the terraced retaining wall.
- 6697
- 6698 H. The color, texture and design of retaining walls that may be visible to the public must
6699 blend into the natural surrounding environment
- 6700

6701 **10-18-4: FENCES:**

- 6702 A. Public Right Of Way: No fence approved under this chapter shall be erected beyond a
6703 property line or on the public right of way. If a fence is installed within one foot (1') of a
6704 public sidewalk, concrete or gravel shall be installed between the fence and the sidewalk
6705 to prevent weeds from growing in this area. Maintenance of the area between the back
6706 of sidewalk and the property line shall be the responsibility of the property owner or
6707 homeowners' association as applicable.
- 6708
- 6709 B. Controlled Access Streets: On minor arterial or larger streets, fences or retaining walls
6710 may be erected to a height of six feet and four inches (6' 4") in the front setback area.
6711 The requirements of section 10-18-2B of this chapter apply to private driveways.
- 6712
- 6713 C. Fences And Retaining Walls Contiguous To A Public Street: Where a fence or retaining
6714 wall is located on the property line contiguous to a public street, the fence, or retaining
6715 wall, or combination of a fence on top of a retaining wall, shall not exceed six feet and
6716 four inches (6' 4") above the curb or sidewalk grade. Retaining walls may be terraced to
6717 achieve greater overall height; provided, that no one vertical plane exceeds six feet and
6718 four inches (6' 4") in height, and walls are offset a minimum of three feet (3'). The
6719 retaining wall shall be set back from the sidewalk a minimum of ten feet (10') as required
6720 in subsection 11-5-4C3 of this code.
- 6721
- 6722 D. Clearances From Utility Facilities: No fence, wall or similar structure may be located
6723 closer than:
- 6724 1. Five feet (5') from pad mount transformer or 4-way vault.
- 6725
- 6726 2. Ten feet (10') from the door side of pad mount switch gear, and five feet (5') from the
6727 non-door side of the switch gear.
- 6728
- 6729 3. Five feet (5') from fire hydrants.
- 6730
- 6731 4. Three feet (3') from water meter boxes.
- 6732
- 6733 5. Three feet (3') from video or communication pedestals.

6734
6735 6. Three feet (3') from street lights.

6736
6737 E. Recreation Use:

- 6738
6739 1. On interior side and rear property lines, a chain link or mesh fence may be erected to
6740 a height not exceeding twelve feet (12') for the purpose of enclosing a tennis court,
6741 or other court game area. Said fence may not be located in a front or street side yard
6742 setback.
- 6743
6744 2. Safety nets are permitted along the side and rear property lines, where a property is
6745 adjacent to a golf course. Safety nets that exceed six feet (6') in height require a
6746 permit issued by the building department.

6747
6748 F. Required In Certain Areas: In all administrative and professional office, commercial, and
6749 manufacturing zones being adjacent to a residential zone of any type, or in multiple-
6750 family or planned development zones having a common lot line with a residential zone, a
6751 six foot (6') high solid fence shall be required, but shall be reduced to four feet (4') in
6752 height inside the front setback area.

6753
6754 G. Fences Surrounding Developments:

- 6755
6756 1. Developments without individual residential lots that front on a public street may
6757 include a solid fence in the front setback area to a height of six feet and four inches
6758 (6' 4"), that is reduced to three feet (3') at each driveway entrance and intersection, in
6759 the same manner as required for clear view at intersections in subsection 10-18-2 B
6760 and set back from the back of any sidewalk a minimum of ten feet (10').
- 6761
6762 2. Access Gates: If the back frontage of the lot is adjacent to a public trail or sidewalk,
6763 an access gate shall be permitted that is no wider than five feet (5') and shall be
6764 constructed of decorative iron.
- 6765
6766 a. The gate may be solid or see through.
- 6767
6768 b. The gate shall swing to the interior of the lot.
- 6769
6770 c. A pathway from the gate to the trail shall be installed and lined with a natural
6771 material such as crushed rock, gravel, or flagstones. The pathway shall not be
6772 paved with concrete or asphalt.
- 6773
6774 d. Motor vehicle access shall not be permitted.
- 6775
6776 3. Landscaping required for commercial and manufacturing developments, and any
6777 required "street trees" shall be located on the street side of the fence.

6778 **10-18-5: BARBED WIRE:**

6779 Barbed wire, razor ribbon and similar fencing material is prohibited in all zones except
6780 agricultural, manufacturing and C-2 and C-3 zones. In agricultural, manufacturing and
6781 commercial zones where permitted, and only for agricultural uses in the residential estates
6782 zone, the use of barbed wire, razor ribbon and similar material shall conform to the following
6783 restrictions:

6785
6786 A. Barbed wire, razor ribbon or similar material shall be pulled straight and not rolled or
6787 coiled.

6788
6789 B. Straight strands of barbed wire and similar material on top of fences or walls shall not
6790 exceed a combined fence and barbed wire height of seven feet (7').

6791
6792 In commercial zones, barbed wire or similar material shall not be used within the twenty foot (20')
6793 front setback area and shall not be used along any common lot line with a residential zone or
6794 residential development.

6795
6796 **10-18-6: PERMIT REQUIRED:**

6797 A. Retaining walls and rockery walls shall not be erected over four feet (4') in height,
6798 measured from top of footing to top of wall, without first obtaining a permit from the city
6799 of St. George building department unless shown in detail on an approved subdivision or
6800 site plan.

6801
6802 B. A permit is required prior to construction for any fence, rockery wall, or retaining wall
6803 being erected in a front setback unless shown in detail on an approved subdivision or
6804 site plan.

6805
6806 C. An application for the permit must be submitted with the following information: a site plan
6807 showing property lines, sidewalks, buildings, height, and locations of all fences and
6808 rockery or retaining walls, and a landscape and drainage plan for rockery or retaining
6809 walls.

6810
6811

ARTICLE A. ROCKERY WALLS

10-18A-1: ROCKERY WALLS SUBJECT TO THIS ARTICLE; PERMIT REQUIRED:

Rockery walls four feet (4') high and greater, as measured from the ground surface to the top of the uppermost rock layer shall be subject to the provisions of this article and shall require a permit issued by the city of St. George community development department prior to construction unless the wall was included and approved on the engineered construction drawings for the subdivision.

10-18A-2: DOCUMENTS REQUIRED FOR PERMIT:

The following documentation shall be submitted to the City at the time of application for a permit under this article:

- A. A dimensioned drawing that identifies the location of each rockery wall with respect to the property lines, easements, streets, and other rights-of-way. Existing construction required setbacks as noted below, and drainage features shall clearly be identified on drawings.
- B. A cross section of the wall showing the minimum rock size, for each lift, maximum wall height, reinforcing, backfill specifications, drainage, slope of adjacent ground, embedment, cuts, and batter.
- C. All rockery walls four feet (4') and greater shall require engineering analysis.
- D. All rockery walls four feet (4') and greater shall require an engineering design.

10-18A-3: SITE CONDITIONS:

- A. The following specific site conditions shall be considered for each wall design and noted on the drawings submitted:
 1. Future structures and landscaping.
 2. Location of utilities, utility easements, and written permission in a form acceptable to the city from each affected utility to construct the wall. Notwithstanding any written permission, the city reserves the right to deny a permit for a wall within, or over, a utility easement.
 3. Location of existing or future utility installations within eight feet (8') of the base and top of wall.
 4. Data showing the subgrade soil conditions within eight feet (8') of the wall.
 5. The type of fill material to be replaced or removed.
 6. The drawings shall note the drainage for surface water within sixteen feet (16') of the wall and all walls shall be designed assuming wet conditions.
 7. The drawings shall note the subsurface water conditions within eight feet (8') of the wall.

- 6862 8. The drawings shall note the keyway/foundation depth and width.
6863
6864 9. The drawings shall note the slope conditions and surcharge loads.
6865
6866 10. Maintenance and service access.
6867

6868 **10-18A-4: CONSTRUCTION:**

- 6869 A. Monitoring: All phases of rockery wall construction shall be monitored by the
6870 geotechnical engineer employed by the owner/contractor to verify that the nature and
6871 quality of the materials being used are appropriate and that the construction is in
6872 accordance with the engineered design. The geotechnical engineer shall verify to the
6873 city in writing that the materials and construction of the rockery wall as-built is in
6874 accordance with the engineered design after construction is complete.
6875
6876 B. Fill Compaction: Where the rockery walls are constructed in front of a fill, the fill shall be
6877 placed and compacted in a manner that will provide a competent fill mass as noted in
6878 the drawings. All fills shall consist of quality fill meeting the geotechnical engineer's
6879 recommendations as noted on the drawings or report.
6880
6881 C. Compaction Testing: Density tests to verify compaction shall be taken at random
6882 locations. At least two (2) tests per one hundred feet (100') of wall length per two feet (2')
6883 of backfill shall be taken. In critical locations, the geotechnical engineer may request
6884 additional monitoring. The testing shall be conducted by a certified technician under the
6885 direction of the geotechnical engineer.
6886
6887 D. Fill Construction Reinforcement: All fill placed behind rockery walls shall be reinforced as
6888 recommended by the geotechnical engineer.
6889
6890 E. Rock Selection: The contractor shall have sufficient space and stockpile material
6891 available to select from among a number of rocks for each space in the rockery wall to
6892 be filled. Rock should be of a generally cubical, tabular or rectangular shape. Rounded
6893 rocks should not be used and internal void spaces in the facing should be kept to a
6894 minimum. Prior to being placed, all rock shall be inspected and approved by the
6895 geotechnical engineer. The rock source shall be preapproved by the geotechnical
6896 engineer. Rocks shall be placed to decrease in size with increasing wall height. Rocks
6897 shall be placed to bear on good flat to flat surfaces. The long dimension of the rocks
6898 shall extend back toward the cut/fill face. Rocks shall bear on at least two (2) or more
6899 other rocks.
6900
6901 F. Rock Placement: Rock shall be placed as recommended by the geotechnical engineer.
6902 A keyway (1-foot minimum) as recommended by the geotechnical engineer shall be
6903 constructed into unyielding soil.
6904
6905 G. Drainage: A rock drainage filter or geosynthetic filter fabric shall be installed between the
6906 rear face of the rock wall and soil face being protected. The drainage design shall
6907 consider adjacent conditions and potential for water and erosion and shall be
6908 constructed as directed by the engineer.
6909
6910 H. Surface Drainage: Surface drainage shall be directed away from the rockery wall face to
6911 a positive and permanent discharge well away and beyond the rock wall. The
6912 surrounding site shall be graded such that water cannot flow over the top of the wall.

6913
6914 I. Steepness of Walls: The steepness of the wall shall not exceed one horizontal to six (6)
6915 vertical. Specific recommendations from the engineer are required and shall be noted on
6916 the drawings.

6917
6918 J. Slopes: Slopes above and below walls shall not exceed two (2) horizontal to one vertical.
6919

6920 **10-18A-5: LIMITATIONS:**

- 6921 A. Height: The height of any single rockery wall shall not exceed eight feet (8'), or as limited
6922 by the International Building Code, foundation clearance from slopes, and these
6923 standards, whichever is most restrictive.
6924
6925 B. Alignment: Walls shall be in a continuous alignment without abrupt changes in direction.
6926
6927 C. Terminations, Intersections, And Radii: Terminations, intersections, and radii of rockery
6928 walls shall be included in the engineering analysis.
6929

6930 **10-18A-6: SETBACKS:**

- 6931 A. Minimum Setbacks: The setback from a rockery wall to a building or structure shall meet
6932 all setback requirements as outlined in the International Building Code, foundation
6933 clearance from slopes or the setback from a rockery wall shall be a minimum of the
6934 height of the rockery wall, whichever is greater.
6935
6936 B. Separate Rockery Walls Considered One Wall: For height and setback restrictions
6937 separate rockery walls shall be considered one wall, unless separated by a horizontal
6938 distance greater than the vertical height of the lower wall. The distance shall be
6939 measured from the outside of the foundation of the structure to the exposed face of the
6940 rockery wall. This provision applies to building or structures at the low and high side of
6941 the wall.
6942
6943 C. Terraced Rockery Walls: Multiple rockery walls, designed as terraced retaining walls,
6944 shall be separated a minimum distance of one-half (1/2) the height of the lower rockery
6945 wall to another rockery wall. The height of an upper wall shall not exceed the height of a
6946 lower wall. The total combined height of all rockery walls shall not exceed sixteen feet
6947 (16').
6948
6949 D. Rockery Walls In Utility Easements: Rockery walls shall not be constructed within utility
6950 easements without prior written permission in a form acceptable to the city from each
6951 affected utility. Notwithstanding any written permission, the city reserves the right to
6952 deny a permit for a wall within, or over, a utility easement. Rock walls shall be limited to
6953 a height of three feet (3') within the street frontage utility easement.
6954

6955 **10-18A-7: STRUCTURAL ANALYSIS:**

- 6956 A. Adherence To Requirements: All structural analysis shall be in accordance with adopted
6957 building code of the jurisdiction having authority, the local amendment adopted by the
6958 authority having jurisdiction, and this article.
6959
6960 B. Factor Of Safety; Seismic Forces: The minimum factor of safety for sliding and
6961 overturning of each rock in a rockery wall shall be 2. This shall include load
6962 combinations with seismic forces.

- 6963
6964 C. Analysis Provisions: The following analysis provisions shall apply:
6965
6966 1. The maximum unit weight of the rocks used in the design of a rockery wall shall be
6967 one hundred fifty five (155)pcf unless field verified by special inspection.
6968
6969 2. The maximum coefficient of friction between rocks in a rockery wall shall be 0.5.
6970
6971 3. Surcharge load shall be taken into consideration in the analysis.
6972
6973 4. Specifications shall be provided to clearly define acceptance criteria for rock
6974 materials.

6975
10-18A-8: MATERIALS:

6976 Rock material shall meet the minimum requirements of the "Rock Wall Construction Guidelines",
6977 by the Associated Rockery Contractors, August 15, 2000 edition, unless other materials are
6978 specifically preapproved by the geotechnical engineer.

6979
10-18A-9: INSPECTIONS:

- 6980 A. Qualified Geotechnical Engineer Required: Construction of rockery walls shall be
6981 supervised and inspected by a qualified geotechnical engineer employed by the
6982 owner/contractor. Supervision and testing shall be at the frequency specified by the
6983 geotechnical engineer, and shall include all phases of construction.
6984
6985 B. Final Compliance Report Required: Upon completion of the wall, the geotechnical
6986 engineer shall submit a final compliance report to the authority having jurisdiction. The
6987 report shall include a description of the rock wall, including type of rock, size of rock,
6988 rock placement, embedment, and inclination, property line setback, separations, and
6989 height of wall. The report shall provide a professional opinion as to the compliance with
6990 all of the design recommendations and acceptance of the construction.
6991
6992 C. Schedule Required: A schedule for the continuous or periodic supervision and inspection
6993 of construction shall be specified on the construction documents and all such
6994 supervision and inspection shall be verified in writing.
6995
6996

6999

CHAPTER 19

OFF STREET PARKING REQUIREMENTS

7000

7001

10-19-1: OFF STREET PARKING REQUIRED:

7002 At the time any building or structure is erected, enlarged or increased in capacity, or the use is
7003 changed to a more parking intensive use, there shall be provided safe access to, and sufficient,
7004 improved, off street parking spaces on site for automobiles in accordance with the following
7005 requirements. Buildings shall not be added, enlarged, or building uses changed, unless parking
7006 requirements are met.

7007

7008

7009 **10-19-2: SIZE:**

- 7010 A. Dimensions: The dimensions of each off street parking space or stall shall be at least
7011 nine feet by eighteen feet (9' x 18') for diagonal or ninety degree (90°) spaces; or nine
7012 feet by twenty two feet (9' x 22') for parallel spaces, exclusive of access drives or aisles.
7013
- 7014 B. Reduction: A parking stall area may be reduced by two feet (2') lengthwise if landscaping
7015 separated from the paved area of the parking stall, by a curb or tire bumper guard, is
7016 provided in the remaining two feet (2') of the parking stall. All areas within the parking
7017 area not paved shall be landscaped.

7018

7019 **10-19-3: ACCESS TO INDIVIDUAL PARKING SPACES:**

7020 Except for single-family and two-family dwellings, access to each parking space shall be from a
7021 private driveway and not from a public street, unless all driveway separation requirements are
7022 met.

- 7023 A. One-Way Driveway Width: One-way driveways shall be a minimum of twelve feet (12') in
7024 width.
- 7025
- 7026 B. Two-Way Driveway Width: Two-way driveways shall be of a minimum width as follows:
- 7027
- 7028 1. Twelve feet (12') for a single-family dwelling, providing access to parking spaces
7029 directly off of a street without having to go past another building.

7030

 - 7031 2. Sixteen feet (16') for a single-family or a two-family dwelling that must go past
7032 another building to access parking spaces, with a minimum unobstructed two foot
7033 (2') width on both sides of the driveway; or a two-family dwelling, providing access to
7034 parking spaces directly off of a street without having to go past another building.

7035

 - 7036 3. Eighteen feet (18') for a single-family or a two-family dwelling that must go past
7037 another building to access parking spaces where there are obstructions (i.e., walls,
7038 trees, etc.) adjacent to one or both sides of the driveway.

7039

 - 7040 4. Twenty-eight feet (28') for commercial, manufacturing and all other residential
7041 developments for the drive approach, and twenty five feet (25') for the drive aisles.

7042

 - 7043 5. Additionally, a minimum of twenty feet (20') is required for any dwelling or building
7044 when any portion of an exterior wall of the first story is located more than one
7045 hundred fifty feet (150') from fire department vehicle access. Vertical clearance,
7046 surface, turnarounds and other requirements contained in the international fire code
7047 shall apply. Exceptions and modifications may apply as approved by the fire chief.

7048

- 7049
- 7050 6. Garages accessed by a twenty-foot (20') wide paved rear alley shall have a minimum
7051 five foot (5') setback from the alley, provided the dwelling fronts on:
- 7052
- 7053 a. a public street, or
- 7054
- 7055 b. a private street which meets the public street pavement width standard.
- 7056
- 7057 C. Garage and Carport Spaces: Garage and carport spaces shall be counted as one
7058 parking space unless such garage or carport is a minimum of four hundred eighty (480)
7059 square feet with a minimum width of twenty feet (20').

7060

10-19-4: RESIDENTIAL AREA REQUIREMENTS:

- 7061 A. Number Of Spaces For Residential Development: The number of off street parking
7062 spaces required for residential development and mixed use residential shall be as
7063 follows:
- 7064
- 7065
- 7066 1. Single-Family Dwelling: Two (2) parking spaces per single-family dwelling, one of
7067 which shall be covered. Tandem parking shall be allowed in single-family
7068 subdivisions only.
- 7069
- 7070 2. Planned Development-Student Housing (PD-SH): One parking space for each
7071 student/occupant, plus one space for a manager, where an on-site office is
7072 established. All parking shall be on site; no street parking or tandem parking shall be
7073 counted toward meeting the parking requirement. No parking area shall be located
7074 within the required front setback facing a public street, or more than one hundred
7075 feet (100') away from the premises it is intended to serve.
- 7076
- 7077 3. Required student/occupant parking in a PD-SH shall be reduced to 0.75 parking
7078 space per student/occupant, where the following criteria are met:
- 7079
- 7080 a. The student/occupant housing is new multi-family construction with ten (10) or
7081 more units and is located within the "student pedestrian emphasis area" as
7082 shown on figure 1 attached to the ordinance codified herein; and
- 7083
- 7084 b. Each property that utilizes this parking reduction shall specify on all rental
7085 contracts whether or not an automobile parking space is provided for that
7086 individual tenant, and no more than seventy five percent (75%) of the tenants
7087 may be in possession of an automobile; and
- 7088
- 7089 c. The property owner shall enter into an agreement with the city and with Dixie
7090 State University stating that the property owner is responsible for monitoring
7091 compliance with the above stated criteria for a student/occupant parking
7092 reduction. Monitoring shall include a semiannual report to the city and Dixie State
7093 University prepared by the property owner indicating the number and percentage
7094 of tenants in possession of an automobile; and
- 7095
- 7096 d. Lighted bicycle parking is provided on a hard surface area adjacent to the
7097 student housing at a ratio of one space per every ten (10) students/occupants;
7098 and
- 7099

- 7100 e. Half of the parking spaces are covered; and
- 7101
- 7102 f. The student/occupant parking reduction does not reduce or alter the other
- 7103 parking requirements in this section.
- 7104
- 7105 4. All Other Dwellings:
- 7106
- 7107 a. All other dwellings, including mixed use residential, townhouses and
- 7108 condominiums, shall have two (2) parking spaces per dwelling unit, at least one
- 7109 of which shall be covered. Covered parking may be located within the side and
- 7110 rear setback areas. For projects with more than one hundred (100) dwelling
- 7111 units, with commonly accessed parking, the land use authority may reduce the
- 7112 parking space requirement to one and one-half (1.5) spaces per unit upon proof
- 7113 that two (2) spaces per unit is an excessive amount of parking.
- 7114
- 7115 b. No street parking shall be counted toward meeting the parking requirement.
- 7116
- 7117 c. Tandem parking shall not count toward the parking requirement. However, if
- 7118 covered parking is provided within a garage, each dwelling unit may tandem park
- 7119 in the front setback, if the garage and tandem parking spaces are associated with
- 7120 the same unit. Garage must be set back a minimum of twenty feet (20')
- 7121 measured from back of sidewalk or curb where no sidewalk exists to qualify for
- 7122 tandem parking. Interior of garage must be unobstructed and accessible to
- 7123 qualify as covered parking.
- 7124
- 7125 d. No parking area shall be located within the required front setback facing a public
- 7126 street, or more than four hundred feet (400') away from the premises it is
- 7127 intended to serve. All required parking shall be on site.
- 7128
- 7129 e. Minimum of two (2) bicycle parking per project and an additional two (2) per one-
- 7130 hundred (100) vehicle parking spaces.
- 7131
- 7132 5. Guest Parking: For housing projects with a density of six (6) dwelling units per acre
- 7133 or more there shall be provided guest parking spaces in the amount of one guest
- 7134 parking space per three (3) dwelling units. The guest parking spaces shall be located
- 7135 on premises and within two hundred feet (200') of the dwelling unit it is intended to
- 7136 serve.
- 7137
- 7138 6. Parking Vehicles On Front Lawns Or Setback Areas: Parking vehicles is prohibited
- 7139 on front lawns, sidewalks, required landscape area, front setback or street side
- 7140 setback areas. Parking is permitted in the front setback on an approved paved
- 7141 surface. Parking is permitted in the side front setback area on gravel.
- 7142
- 7143 7. Short Term Rental Parking: For each single-family and two-family short term rental
- 7144 property:
- 7145
- 7146 a. Two (2) parking spaces provided per dwelling unit, one of which shall be
- 7147 covered.
- 7148
- 7149 b. On street parking does not qualify for parking requirements.
- 7150

7151 **10-19-5: NONRESIDENTIAL AREA REQUIREMENTS:**
 7152 The number of off-street parking spaces required for all nonresidential developments shall be as
 7153 follows:
 7154

Automotive repair and supply	1 space for each 400 square feet of gross floor area.
Bowling alleys and billiard halls	5 spaces for each alley, plus 2 spaces for each billiard table contained therein.
Business or professional offices	1 space for each 250 square feet of gross floor area.
Call centers or telemarketing business	1 space per employee on the highest shift, or 1 space per 100 square feet of gross floor area, whichever is greater; except that call centers occupying no more than 15 percent of a building's total floor area (or 15 percent of an office park's cumulative floor area), up to 3,000 square feet maximum, shall provide at least 1 space per 250 square feet of gross floor area.
Commercial uses in the C-4 zoning district from 300 West to 300 East	1 space for each 500 square feet of floor area. Change of use for an existing building does not require additional parking.
Dance facilities	1 space for every 3.5 people of maximum capacity allowed in the facility.
Child care center	1 space for each staff member, plus 1 space for each 10 children for which said establishment is licensed.
Educational uses:	
Elementary	2.5 spaces per classroom/teaching station.
Intermediate (6th and 7th) and middle (8th and 9th)	4.5 spaces per classroom/teaching station.
High school (10th through 12th)	12 spaces per classroom/teaching station.
College, universities, trade schools, etc.	1 space for each faculty member, plus 1 space for each 3 students.
Schools having an arena or auditorium shall meet this requirement or the requirements of Religious Facilities, sports arenas, auditoriums, etc., of this section, whichever is greater.	
Furniture stores, appliance stores and lumber yards	1 space for each 600 square feet of floor area.
Golf courses	6 spaces per hole.
Golf driving ranges	1 space per tee.
Health studios, gym, and spas	1 space for each 250 square feet of gross floor area or 10 spaces minimum, whichever is greater.
Hospitals	2 parking spaces for each bed and 1:250 sq. ft. for office

Business or professional office, hospital	area
Hotels, motels, motor hotels	1 space for each living or sleeping unit, plus 2 spaces for resident manager or owner.
Libraries	1 space for each 300 square feet of gross floor area.
Manufacturing plants, warehouses, storage buildings or structures especially for storage purposes	1 space for each 1,000 square feet of gross floor area and 1 space for each 250 square feet of office or sales area.
Mortuaries and funeral homes	5 spaces, plus 1 space for each 35 square feet of assembly room floor area.
Nursing homes, care centers and assisted living	1 parking space for each 3 beds, except where skilled care (long term care) is provided, the requirement is 1 parking space for each 2 beds.
Outdoor sales lots for autos, mobile homes and RVs	1 space for each 7 vehicles or items of equipment to be displayed, plus 2 spaces for manager and employee parking.
Religious Facilities, sports arenas, auditoriums, theaters, assembly halls, lodge halls or other meeting rooms	1 space for each 3.5 fixed seats of maximum seating capacity, or 1 space for each 35 square feet of seating area within the main auditorium where there are no fixed seats. 18 linear inches of bench shall be considered a fixed seat.
Restaurants and other establishments where food or beverages are consumed on site	1 space for every 100 square feet of dining room area and 1 space for every 250 square feet of kitchen or office area.
Retail stores and shops, commercial banks, savings and loan offices, and other financial institutions, general retail stores, food stores, supermarkets, drugstores and other similar commercial businesses	1 space for each 250 square feet of gross floor area. For commercial centers containing 500 or more spaces, spaces in excess of 500 shall be calculated based on 1 space for each 500 square feet of gross floor area for retail uses.
Service commercial businesses; businesses such as electrical, plumbing, cabinets, printing and other similar shops	1 space for each 250 square feet of retail or office area and 1 space for each 500 square feet of additional building area.
Skating rinks, ice or roller	1 space for each 300 square feet of gross floor area.
Swimming pools (commercial)	1 space for each 100 square feet of water surface or 10 stalls, whichever is greater.
Tennis, handball and racquetball courts (commercial)	6 spaces minimum or 3 spaces per court, whichever is greater.
Veterinary hospitals	5 spaces for each doctor.

Waterpark

38 spaces per acre.

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10-19-6: DEVELOPMENT STANDARDS:

- A. All property used as a parking lot shall comply with adopted parking lot and pavement standards.
- B. Electric Vehicle Charging Stations (EVCS): All new parking areas shall provide the electrical expansion capacity and conduit to parking spaces for at least one-percent (1%) of the required parking spaces, in order to accommodate the future hardwire installation of EVCS.

10-19-7: SHARED PARKING:

- A. Shared Facilities: Shared parking facilities may be used jointly with parking facilities for other uses when operations are not normally conducted during the same hours, or when peak uses vary.
- B. Requests; Guidelines: Shared parking allowed subject to the following guidelines:
 - 1. No substantial conflict in the periods of peak demand of uses for which the joint use is proposed or an excess of required parking stales are available.
 - 2. The number of parking stalls which may be credited against the requirements for the uses involved will not exceed the number of spaces that may normally be required for any one of the uses sharing the parking.
 - 3. Parking facilities are no farther than two hundred fifty feet (250') from any use proposing to use shared parking.
 - 4. A written agreement shall be executed by all parties, and recorded against the properties, assuring the continued availability of shared parking facilities in the event that one of the uses shall be sold or otherwise change ownership or management. The agreement shall provide that the shared parking facilities cannot be removed or changed without the express written consent of city.

10-19-8: PARKING FOR DISABLED:

- A. Required; Number: Any parking area to be used by the general public shall provide parking spaces designated and located to adequately accommodate the disabled.
- B. Dimensions; Van Space, Access Aisle: In addition, for every eight (8) accessible parking spaces, one accessible van space must be provided. The dimensions of a standard accessible parking space shall be at least nine feet by eighteen feet (9' x 18') with a five foot (5') wide access aisle (total of 14 feet x 18 feet). The dimensions of an accessible van space shall be at least nine feet by eighteen feet (9' x 18') with an eight foot (8') wide access aisle (total of 17 feet x 18 feet).

CHAPTER 20

MOTOR VEHICLE ACCESS AND LOADING

10-20-1: ACCESS REQUIREMENTS:

Adequate vehicular ingress and egress to and from all uses of land shall be provided as follows in this chapter.

10-20-2: RESIDENTIAL LOTS; DRIVEWAYS:

- A. Number Of Driveways: No residential lot shall have more than two (2) driveways or curb cuts for access; the existence of a modified curb does not alter the number of driveways. A circular driveway that fronts a major collector or arterial street (sixty-six [66'] feet right-of-way or more) shall count as one (1) driveway or curb cut for access.
 - B. Minimum Separation: No driveway shall be closer than twelve feet (12') to another driveway. No driveway shall be located within six feet (6') of a property line, except when two adjacent property owners share one curb cut for two driveways at the shared lot line. Each driveway shall be a minimum of twelve feet (12') in width.
 - C. Maximum Width: No driveway shall be more than fifty feet (50') wide and shall not exceed 50% of the frontage width.
 - D. Corner Lots: In no event shall a driveway be placed on any corner lot within a distance of twenty feet (20') from the point of curvature of the radius.
 - E. Unused Curb Cuts: Prior to certificate of occupancy, the applicant shall replace any unused curb cuts for driveways with standard curb, gutter, sidewalk, and pavement.
 - F. Right Of Way Width: No single-family residential lot shall have individual access on a public street with a right of way width greater than sixty six feet (66') except as provided in this section.
 - G. All driveways shall be paved with concrete or asphalt in accordance with St. George Standard Specifications for Design and Construction. Concrete pavers are an approved driveway surface if built to city standards.

10-20-3: NONRESIDENTIAL LOTS: DRIVEWAYS:

All nonresidential driveways shall comply with the St. George Access Management Policy.

10-20-4: SCREENING OF PARKING LOTS:

The sides and rear of any parking lot that faces a residential zone shall be screened from such zone by a masonry wall, or as may otherwise be required by Chapter 18 of this title.

10-20-5: MAINTENANCE:

Each parking lot shall be permanently paved, configured and maintained.

10-20-6: OFF STREET LOADING SPACE:

On the same premises with every building, structure or part thereof, erected and occupied or increased in capacity after the effective date hereof, for manufacturing, storage, warehouse, goods display, department store, grocery store, hotel, hospital, or any similar use involving the

7247 receipt or distribution by vehicle of materials or merchandise, the applicant shall provide and
7248 maintain, adequate on-site space for standing, loading and unloading services to avoid
7249 interference with private drive aisles and parking, and public use of streets and alleys. In no
7250 case shall required loading and unloading spaces be part of the area used to satisfy access or
7251 parking requirements.

7252

10-20-7: GARBAGE COLLECTION ACCESS:

7254 All projects requiring automated garbage collection (dumpsters) shall provide convenient access
7255 to and from collection areas. Collection areas shall be screened from street views and shall be
7256 maintained in a clean and sanitary manner.

7257

10-20-8: RESIDENTIAL PRIVATE STREETS; ACCESS:

- 7259 A. No turnaround or cul-de-sac shall be required on dead end private streets one hundred
7260 fifty feet (150') or less in length measured from the centerline of the intersecting road
7261 with three (3) units or less fronting.
- 7262 B. On dead end private streets with up to eight (8) units, a turnaround or a cul-de-sac must
7263 be constructed to applicable city standards.
- 7264 C. On dead end private streets with nine (9) or more units, a cul-de-sac must be
7265 constructed to applicable city standards.
- 7266 D. The maximum length of any dead end private street shall be six hundred feet (600').
- 7267 E. All turnarounds shall be used solely as a turnaround and not as a joint use for such
7268 things as parking, trash pickup or other streets.
- 7269 F. For subdivisions served with a dead end private street having twelve (12) or more units,
7270 at least one approved cul-de-sac is required within the subdivision. All other dead-end
7271 private streets within said subdivision shall conform to subsections A through E of this
7272 section.

7273

**10-20-9: ALLEY ACCESS IN RESIDENTIAL AND COMMERCIAL DEVELOPMENTS
7274 AND SUBDIVISIONS:**

- 7275 A. Residential: In residential developments and subdivisions, an alley may provide access
7276 to a garage located to the rear of a dwelling. An alley is permitted only if it provides a
7277 secondary vehicular access to a dwelling unit.
- 7278 B. Commercial: In commercial developments and subdivisions, an alley shall be permitted
7279 only if it provides a secondary vehicular access to the rear entrance of a commercial
7280 building or unit. Alleys shall not face a public street.

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**CHAPTER 21
RESERVED**

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**CHAPTER 22
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CHAPTER 23

LANDSCAPE STANDARDS

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10-23-1: MINIMUM LANDSCAPING STANDARDS:

7303 Minimum landscaping standards are required for development within all zones except
7304 Agriculture, Gravel and Grazing, Open Space, and Single Family Residential, as follows:

- 7305 A. Application: The requirements of this section apply to all new development and to the
7306 remodeling of existing development where there is an increase in the building's footprint.
- 7308 B. Design:
- 7309 1. All landscape and irrigation designers and installers shall have all required state and
7310 local licenses, insurance, bonding requirements, and be able to show proof of such.
- 7312 2. Landscape plans shall make provisions for erosion control on all graded sites. No turf
7313 shall be planted on slopes greater than thirty percent (30%). Turf should be reserved
7314 for areas where it is functional, including high traffic play areas, or areas needing
7315 erosion mitigation. Choose turf species with lower water requirements. Choose turf
7316 configurations for irrigation efficiency.
- 7318 3. A landscape and irrigation plan prepared by a Utah licensed landscape architect
7319 shall be submitted to the city for review at the same time as the drawings and plans
7320 are submitted for development of the site.
- 7322 4. Plants that are well adapted to the St. George area climate zone shall be used.
- 7324 5. Plants with similar water needs shall be grouped together in "hydro zones." Spray
7325 heads and drip emitters shall not be connected to the same irrigation valve.
- 7327 6. Drought tolerant plants with low fuel volume or high moisture content that will blend
7328 with the native vegetation shall be used for projects located at the interface between
7329 urban areas and natural (non-irrigated) open space.
- 7331 7. Stormwater detention and retention basins shall be landscaped.
- 7333 8. Landscape plans for projects proposed for development in multiple phases shall
7334 clearly specify the landscape improvements required in conjunction with each phase.
- 7336 9. At least one-half (50%) of the required landscaped area shall be covered with foliage
7337 of shrubs, grass and live vegetative ground cover within five (5) years of planting.
7338 Trees and the tree canopy shall not be counted in this fifty percent (50%)
7339 requirement. In addition to the shrubs, grass, and ground cover, one tree with a
7340 minimum one and one-half inch (11/2") caliper trunk shall be planted for every four
7341 thousand (4,000) square feet of landscaped area with a minimum of one tree per
7342 property. The trees may be arranged by the landscape architect as best fits the plan
7343 either in rows or clusters. Tree species suitable for desert landscapes are acceptable
7344 to meet this requirement.
- 7346 10. A plan for ongoing maintenance of right of way areas shall be included when
7347 landscape and irrigation plans are submitted.

7348 C. Installation:

- 7349 1. Landscaping and irrigation installation shall be completed prior to the issuance of a
7350 certificate of occupancy as outlined in section 10-1-15 of this title.
- 7351 2. Landscape and irrigation installers shall follow the plans that have been signed and
7353 approved by the city.
- 7354 3. Landscaping shall follow the city of St. George access management policy to
7355 properly define the safe sight distances for intersections or driveways and follow
7357 height limitations and zoning requirement.
- 7358 4. The city may inspect landscaping improvements and require corrective measures
7359 regarding the installation of site landscaping and irrigation system improvements
7360 found not to comply with the approved plan.
- 7361 5. Soil preparation shall be provided to assure healthy growing conditions for the plants.
- 7362 6. The landscape contractor or irrigation contractor shall provide the city with a letter
7365 certifying that all improvements have been installed in accordance with the approved
7366 plan and specifications prior to issuance of a certificate of occupancy.
- 7367 7. All irrigation installers shall be supervised by an irrigation contractor.

7369 D. Irrigation:

- 7371 1. Landscape areas shall be provided with a permanent, fixed automatic irrigation
7372 system installed by a licensed landscape contractor.
- 7373 2. The distribution uniformity shall be sixty percent (60%) for all fixed spray systems
7375 and seventy percent (70%) for all rotor systems.
- 7376 3. Decorative water features such as pools, ponds and waterfalls used in landscaped
7377 areas shall have a water recirculation system.
- 7378 4. A water performance audit shall be conducted by a certified water auditor within thirty
7379 (30) days following the installation of the irrigation system. A minimum of ten percent
7380 (10%) of the irrigation zones shall be audited at the discretion of the auditor.
- 7381 5. A backflow prevention assembly shall be properly installed and tested to meet city
7382 requirements and meet all state and local health safety laws and ordinances.

7383 E. Trees:

- 7384 1. All street trees shall be planted and maintained in accordance with Title 7, Chapter 4
7385 of this code.
- 7386 2. All healthy trees within ten feet (10') of the right of way having a trunk caliper of at
7387 least four inches (4") at one foot (1') above the ground shall be preserved during
7388 construction unless removal is approved by the shade tree board.
- 7389 3. Preserved trees shall be credited toward the satisfaction of the tree planting
7390 requirements.

- 7396
- 7397 4. Trees to be preserved shall be protected and watered during construction with the
7398 following:
- 7399 i. A tree protection barrier (fence) shall be installed before any demolition, grading
7400 or construction begins, and shall not be removed until final completion of the
7401 project.
- 7402
- 7403 ii. The tree protection barrier shall be erected around the tree with a radius of no
7404 less than seven feet (7') unless otherwise directed or approved by the land use
7405 authority.
- 7406
- 7407 iii. The tree protection barrier shall be constructed of any material substantial
7408 enough to protect the roots, trunk, and the crown of the tree, such as:
- 7409 a. Three feet (3') high orange safety fencing on metal posts.
- 7410 b. Three feet (3') high silt fencing staked with flagging.
- 7411
- 7412 aa. Trees or shrubs that are planted under or near power lines shall not grow above
7413 twenty-five feet (25') in height at maturity. Tree trunks and branches shall not
7414 encroach within ten feet (10') of power lines when fully grown as required by
7415 applicable state and federal regulations.
- 7416
- 7417 bb. Trees shall not be planted within three feet (3') horizontal distance of electric or
7418 gas lines.
- 7419
- 7420 cc. The city may remove any tree that is interfering with power lines.
- 7421
- 7422 dd. Trees on the approved landscape and irrigation plan shall not be removed
7423 without permission from the city.
- 7424
- 7425
- 7426 5. Maintenance:
- 7427 a. Landscaping of detention/retention basins shall be maintained by the property
7428 owner. If the detention/retention basin is in common area, then an owners'
7429 association (OA) shall own and maintain the detention/retention basin. If an
7430 owners' association is dissolved maintenance becomes the joint and several
7431 responsibility of the individual property owner's.
- 7432
- 7433 b. An owners' association shall own and maintain all common areas including park
7434 strips between the street and any privacy walls. If an owners' association is
7435 dissolved maintenance becomes the joint and several responsibility of the
7436 individual property owner's.
- 7437
- 7438 c. It shall be unlawful for any person owning real property within city, to:
- 7439
- 7440 a. Fail to provide landscaping and irrigation in all areas where it is required to
7441 exist. This shall apply to all real property throughout the city regardless of the
7442 age of the development, zone or status.
- 7443
- 7444 b. Fail to install, maintain, replace or repair landscaping and irrigation systems
7445 in all areas where it is required to exist or does exist.

- 7446
7447 c. Modify an approved landscape and irrigation plan or approved site plan
7448 without permission from the city. "Modifying the plan" means changing the
7449 type of large plant greater than six feet (6') tall at maturity; or decreasing the
7450 plant quantities or the size of the landscape area. Minor adjustments required
7451 to suit field conditions are permitted. Replacing a plant with the same type of
7452 plant is considered maintenance not modification.

7453
7454 **10-23-2: ADDITIONAL REQUIREMENTS FOR NONRESIDENTIAL**
7455 **DEVELOPMENTS:**

- 7456 A. Application: The requirements of this section shall apply to all new development or
7457 remodeling of existing development where landscaping is required by zoning ordinance
7458 in planned development commercial zones, commercial zones, planned development
7459 administrative and professional office zones, administrative and professional office
7460 zones, airport vicinity zones and overlay commercial zones.
- 7462 B. Landscape Strip: A landscape strip, outside the public right of way along the front of the
7463 property on public streets, not less than six feet (6') wide and an average of at least
7464 fifteen feet (15') wide shall be landscaped. This requirement does not apply in C-4 zones
7465 except where the parking lot abuts the public street in which case the parking lot street
7466 frontage shall provide a landscape strip along the street frontage that is a minimum of six
7467 feet (6') wide and an average of at least fifteen feet (15') wide.
- 7469 1. Interior Parking Lot Landscaping: If a site includes thirty (30) or more off-street
7470 parking spaces, at least five percent (5%) of the parking lot area shall contain interior
7471 parking lot landscaping, in addition to the fifteen foot (15') wide landscape strip
7472 required in subsection B of this section. This requirement shall not apply to
7473 vehicle/equipment storage yards or display areas of vehicle sales.
- 7475 2. Terminal Islands; Divider Medians: Interior parking lot landscape requirements may
7476 be met using terminal islands or divider medians with a minimum width of nine feet
7477 (9') by sixteen feet (16'). One parking credit shall be given for every terminal island
7478 or divider median which meets the above standard.
- 7480 3. Shade Trees: Shade trees shall be provided within each island or median to meet
7481 the landscape requirements.
- 7483 4. New Plantings: New plantings shall be incorporated into building entrances, drop off
7484 and pick up, and outdoor dining areas in order to separate these areas from on-site
7485 vehicular circulation and parking facilities and from off-site traffic, enhance
7486 pedestrian comfort, convenience and safety, and facilitate outdoor dining with
7487 maximum insulation from vehicular traffic impacts.
- 7489 5. Landscaping On Rights Of Way: All road rights of way not utilized for pavement, curb
7490 or sidewalk shall be planted and maintained as landscaped area, except that on Bluff
7491 Street, the landscaping requirement shall be satisfied in the following way:
- 7493 6. For property along Bluff Street: In addition to the fifteen foot (15') wide landscaping
7494 strip on the private lot area, all of the road right of way up to a twenty foot (20') wide
7495 strip running parallel to the road shall be planted and maintained as a landscaped
7496 area.

7497

7498 **10-23-6: LANDSCAPING COMPLETION AND MAINTENANCE REQUIREMENTS**

7499 **FOR SINGLE-FAMILY RESIDENTIAL ZONES, RESIDENTIAL ESTATE ZONES, AND**

7500 **SINGLE FAMILY RESIDENCES:**

- 7501 A. Applicability: The requirements of this section to complete the front yard and street side
7502 yard and install landscaping shall apply to all new development, and to the remodeling of
7503 existing dwelling units when a dwelling unit's footprint increases for single-family
7504 residential zones, residential estate zones, and all other single family residences.
7505 Completion and maintenance of landscaping shall apply to all residential properties.
- 7506
- 7507 B. Landscaping Requirements: A minimum of thirty percent (30%) of the overall front yard
7508 area shall be landscaped. At least half of the landscaped area shall contain live
7509 vegetation.
- 7510
- 7511 C. Completion Requirements: Landscaping shall be completed within one year of the
7512 issuance of a certificate of occupancy, or the final inspection of a remodeled dwelling
7513 unit.
- 7514
- 7515 D. A minimum of one tree with at least a one and one-half inch (1 1/2") caliper shall be
7516 planted in the front yard. The tree may be a desert tree variety.
- 7517
- 7518 E. The use of native plants and other low water use plants (xeriscape) is encouraged to
7519 promote water conservation.
- 7520
- 7521 F. Requests For Modification of Landscaping Requirement: The community development
7522 director or designee may approve "landscaping," as defined in this section, that covers
7523 less than thirty percent (30%) of the front yard area in landscape where the shape of the
7524 lot imposes a hardship in meeting the thirty percent (30%) requirement. If such a
7525 modification is granted, all other landscaping requirements outlined in this section, shall
7526 still apply and may not be waived or modified.
- 7527
- 7528 G. Maintenance of Owner's Association Property: A property owners' association shall own
7529 and diligently maintain all common areas, including park strips between the street and
7530 any privacy walls. If a property owners' association is dissolved, maintenance of the
7531 common area becomes the joint and several responsibility of the individual owners of
7532 property that once formed the dissolved property owners' association.
- 7533
- 7534 H. It shall be unlawful for any person owning a single family residence, to:
- 7535
- 7536 1. Fail to provide landscaping and irrigation in all areas where landscaping is required
7537 or exists, regardless of the age of the development, zone, or status.

7538

 - 7539 2. Fail to install, maintain, replace or repair landscaping and irrigation systems in all
7540 areas where it is required to exist or does exist.

7541

 - 7542 3. Modify an approved landscape and irrigation plan or approved site plan without prior
7543 written permission from the city. "Modifying an approved landscape and irrigation
7544 plan or approved site plan" means changing the type of large plant (greater than six
7545 feet (6') tall at maturity), decreasing the plant quantities, or decreasing the size of the
7546 landscape area. Minor adjustments required to suit field conditions are permitted.

7547 Replacing a plant with the same type of plant is considered maintenance and not
7548 modification.
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**CHAPTER 24
(RESERVED)**

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CHAPTER 25

SUBDIVISION REGULATIONS

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10-25-1: GENERAL PROVISIONS:

- 7576 A. Purpose: The provisions of this title are enacted for the purpose of adopting subdivision
7577 regulations for the division of land within the city. The regulations, requirements, data,
7578 exceptions, suggestions and conditions set forth in this title are designed to allow for
7579 quality growth and development within the city and to assist the subdivider in the
7580 preparation of plans for subdivisions
- 7581 B. Applicability: The provisions of this title are applicable to all developments and
7582 improvements to land and to all subdivisions, as defined in Utah Code title 10,
7583 chapter 9a, the municipal land use, development, and management act, or its
7584 amendment.
- 7585 C. Procedure: The procedure for dividing any tract of land into two (2) or more lots,
7586 parcels, sites, units, plots or other division of land, shall be consistent with the provisions
7587 of Utah code, this title and the policies and procedures established by the city.

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10-25-2: ADMINISTRATION AND ENFORCEMENT

- 7606 A. CONFORMANCE TO APPLICABLE RULES AND REGULATIONS: In addition to the
7607 requirements established herein, all subdivision plats shall comply with the applicable
7608 laws, plans and regulations, including, but not limited to:
- 7609 a. The zoning ordinance of the city of St. George, standard specifications for design
7610 and construction and all other applicable ordinances of the city.
- 7611 b. The official city general plan, including all streets, drainage and utility systems and
7612 parks shown in the general plan, as adopted.
- 7613 c. Requirements of the Utah Department of Transportation, Utah Department of
7614 Health and other appropriate state agencies.
- 7615 d. The standards, regulations and policies adopted by the city, including all boards,
7616 commissions, agencies and officials of the city who may be authorized to adopt
7617 the same.
- 7618 B. SELF IMPOSED RESTRICTIONS: If the subdivider places restrictions on any of the
7619 land contained in the subdivision greater than those required by the zoning ordinance or
7620 these regulations, such restrictions or reference thereto may be required to be indicated
7621 on the subdivision plat, or the city may require that restrictive covenants be recorded
7622 with the county recorder in a form to be approved by the city attorney.
- 7623 C. SPECIAL CONDITIONS: Land which the city finds to be unsuitable for subdivision or
7624 development due to steep hillsides, geologic hazards, adverse construction conditions,
7625 flooding, improper drainage, slopes, rock formations, adverse earth formations or
7626 topography, unavailability of utility facilities, suitable access or resources, utility
7627 easements, or other features which would be harmful to the health, safety, and general
7628 welfare of the present or future inhabitants of the development or subdivision or its
7629 surrounding areas, shall not be subdivided or developed unless adequate methods are

7606 formulated by the developer or subdivider and approved by the city council, upon
7607 recommendation of the city engineer or designee, to solve the problems created by the
7608 unsuitable land conditions. Such land shall be set aside for uses as shall not involve
7609 such dangers.

7610

7611 D. COORDINATION OF PLANNED DEVELOPMENT APPLICATIONS: At the time an
7612 application for planned development (PD) projects is submitted to the city, the owner or
7613 subdivider shall submit an application to change the proposed development property's
7614 zoning designation to planned development (PD). Simultaneous with filing a planned
7615 development application, the subdivider or subdivider's authorized representative shall:

- 7616
- 7617 1. Apply to change the zoning designation to planned development (PD) for the real
7618 property on which the proposed development will be located;

7619

 - 7620 2. Submit all information required by this code for a planned development (PD) zone,
7621 including, but not limited to, a conceptual plan when required; and

7622

 - 7623 3. Meet with city staff to discuss the proposed development.

7624

7625 E. BUILDING ON SINGLE LOTS; MERGING LOTS:

- 7626
- 7627 1. The improvements built upon any single lot or two (2) adjoining lots held under
7628 ownership separate from that of adjacent lots and not otherwise affected by this title
7629 shall nonetheless be subject to, and regulated by, chapter 5 of this title. The
7630 provisions of this title shall be applicable to prevent the granting of a license, or utility
7631 services, by any city officer when any property encompassed by this section is in
7632 violation of any of the aforesaid sections, and enforcement and penalty shall be as is
7633 further provided in this title.

7634

 - 7635 2. When previously subdivided lots are merged together, all frontages along streets are
7636 considered to be front setbacks and shall comply with the setback requirements in
7637 the zoning ordinance of the city of St. George.

7638

7639 F. FEES: Any and all persons seeking approvals under this title shall pay fees as adopted
7640 through resolution by the city council.

7641

7642 G. ENFORCEMENT: The city manager shall be charged with the enforcement powers of
7643 this title.

7644

7645 H. PERMITS AND CERTIFICATES:

- 7646
- 7647 1. Compliance With Title: No city officer or employee shall issue any license or permit
7648 for the use of any land, or the construction or alteration of any building or structure, in
7649 violation of the provisions of Utah state law, or any other provisions of this title. Any
7650 license or permit issued in conflict with Utah state law, or any other provisions of this
7651 title is void.

7652

 - 7653 2. Building Permits; Conditions For Issuance: In addition to all other conditions required
7654 by law for the issuance of a building permit, no building permit for any development
7655 or subdivision shall be issued until the following conditions have been met:

7657 a. The city has approved the preliminary plat, or the lot layout if the property is
7658 exempt from platting requirements, and all conditions have been met for the
7659 preliminary plat, and for recording of the final subdivision plat, as set forth in Utah
7660 code and as determined by the community development department and the city
7661 attorney;

7662 b. The construction drawings are stamped "approved for construction" by the city;

7663 c. All required improvements under chapter 25 of this title are completed and the
7664 city has conducted a final inspection and issued a final approval of the
7665 improvements; and

7666 d. The final subdivision plat is recorded in the county recorder's office.

7667 3. Occupancy Permit: For all subdivisions, occupancy will not be granted, and
7668 structures shall not be occupied, until the final subdivision plat is recorded and all
7669 required improvements are completed and approved by the city. This includes all
7670 required addressing and signs.

7671 I. COMPLIANCE WITH TITLE: No person shall subdivide any tract or parcel of land
7672 located wholly or in part within the city except in compliance with the provisions of this
7673 title.

7674 J. SUBDIVISION CREATED PURSUANT TO PROVISIONS: No person shall purchase,
7675 sell or exchange any parcel of land which is any part of a subdivision or a proposed
7676 subdivision submitted to the commission, nor offer for recording in the office of the
7677 county recorder, any deed conveying such parcel of land or any fee interest therein,
7678 unless such subdivision has been created pursuant to and in accordance with the
7679 provisions of this title.

7680 K. RECORDING WITHOUT APPROVAL VOID: A subdivision plat recorded without the
7681 approval of the city as required by Utah code, this title, and all other applicable statutes
7682 and regulations, is void.

7683 L. METES AND BOUNDS DESCRIPTION APPLICABLE: The description by metes and
7684 bounds in the instrument of transfer, or other documents used in the process of selling or
7685 transferring, does not exempt the transaction from being a violation of, or from the
7686 penalties or remedies provided in, this title.

7687 M. FINAL SUBDIVISION PLAT RECORDED PRIOR TO APPROVAL UNLAWFUL: It shall
7688 be unlawful for any person to offer to sell or lease, to contract to sell or lease, or to sell
7689 or lease, any such final subdivision, or any part thereof, which is located in the city, until
7690 a final subdivision plat thereof, in full compliance with the provisions of this title, has
7691 been duly recorded in the Office of the County Recorder.

7692 N. PENALTY: A violation of any provisions of this title shall constitute a class C
7693 misdemeanor and, upon conviction, subject to penalty as provided in section 1-4-1 of
7694 this code. Each separate act in violation of the provisions of this title shall constitute a
7695 separate offense. In addition to the criminal penalties provided herein, the city is
7696 authorized to seek injunctive or other relief to terminate or prevent violations hereof or
7697 otherwise enforce the provisions of this title.

7708

7709 **10-25-3: PLATS AND PLANS:**

- 7710 A. GENERAL PROCEDURES: Before any real property is developed or subdivided, the
7711 subdivider or subdivider's authorized representative shall follow the procedures set forth
7712 in this chapter and as established by the city council by policy, in applying for and
7713 obtaining approval of the proposed subdivision. The general procedure consists of the
7714 following principal steps:
7715 1. Planning discussion;
7716
7717 2. Preliminary plat review;
7718
7719 3. Construction drawing review; and
7720
7721 4. Final subdivision plat review.
7722
- 7723 B. PLANNING DISCUSSION: Prior to submitting a planned development zone change
7724 application or a preliminary plat for any type of development or zone, the subdivider shall
7725 meet with the city.
- 7726 C. PRELIMINARY PLAT:
- 7727 1. Preparation Of Preliminary Plat: It is anticipated that as long as the preliminary plat
7728 complies with all requirements under this title, upon final approval of the preliminary
7729 plat, the preliminary plat shall be the basis for the construction drawings and final
7730 plat. Prior to preparing the preliminary plat, the subdivider shall meet with the
7731 planning staff to discuss the subdivision proposal and review the preliminary plat and
7732 the requirements for the required plans, construction drawings, studies and reports.
7733 The general requirements as to the layout of streets, street improvements, traffic
7734 impact studies, drainage, sewerage, fire protection, availability of existing services,
7735 and similar matters shall be discussed. The planning staff may also advise or direct
7736 the subdivider, when appropriate, to discuss the proposed subdivision or portions
7737 thereof with those officials who must eventually approve certain aspects of the
7738 subdivision plat or portions thereof within their jurisdiction, including, but not limited
7739 to, the fire marshal, joint utility committee, hillside review board and city staff. Where
7740 special issues or conditions exist which require resolution by the commission or city
7741 council, resolution of such matters shall be obtained prior to consideration of the
7742 preliminary plat by the planning staff.
7743
- 7744 2. Preliminary Plat Requirements: The preliminary plat shall be clear and legible, be
7745 labeled and dimensioned, and be of sufficient scale to adequately describe the
7746 conditions of this title. The preliminary subdivision plat and plan shall be
7747 accompanied by a completed application form provided by the city, and show the
7748 following information:
7749
- 7750 a. Title block:
7751
7752 i. The name and type of subdivision, which name the subdivider must have
7753 approved by the county recorder and community development director or
7754 designee.
7755
7756 i. The location and dimensions of the subdivision.

ii. The name of the subdivider.

b. General plans:

i. North arrow and scale.

ii. The boundary and phasing plan of the subdivision.

iii. Existing and proposed contour lines at vertical intervals of not greater than five feet (5') when requested by the city engineer or designee.

b. Existing conditions:

iv. Location, width and names of all streets and driveways within two hundred feet (200') of the subdivision.

v. All public streets, rights-of-way, easements, parks, other public open spaces, and all section and city boundary lines within or adjacent to the proposed subdivision.

vi. Sewers, water mains, power lines, storm drains or other facilities within and adjacent within one hundred feet (100') of the proposed subdivision.

vii. Ditches, drainage channels, waterways and major washes.

viii. The location of the floodplain and floodway, and elevations as designated by FEMA. Also, the location of the erosion hazard boundary for property adjacent to the Virgin and Santa Clara Rivers and Ft. Pearce Wash.

ix. Exceptional topography.

x. Air traffic approaches when requested by the city engineer or designee.

xi. Information required by the hillside ordinance, if the proposed subdivision is within the hillside overlay zone, a geologic hazard area, or an adverse construction condition area.

xii. vicinity map.

c. Proposed plan:

- i. The layout of streets, driveways, public parks and trails, and utility easements showing identification and dimensions. Where double frontage lots are proposed, the general design of the privacy wall shall be shown.

ii. The layout, number and typical dimensions of lots.

- iii. Parcels of land intended to be dedicated for public use or set aside for use of property owners in the subdivision as common or limited common areas.

7810 iv. A drainage plan by which the subdivider proposes to handle storm water
7811 drainage for the subdivision, including proposed realignment or regrading of
7812 existing drainageways upstream, within and downstream of the subdivision.
7813 All residential drainage shall be conveyed from each lot to the street. Shared
7814 drainage is not permitted unless it is in common or limited common area,
7815 owned and maintained by a property owners association.

7816 v. A general plan for primary water, sewer, power systems and related
7817 accessories.
7818 vi. A grading plan by which the subdivider proposes to handle elevation
7819 changes, retaining walls, and other related design issues as requested by the
7820 city.

7821 c. Application Procedure And Requirements:

- 7822 1. The subdivider shall file the preliminary plat along with a preliminary plat review
7823 application on forms provided by the city.
- 7824 2. At the time of filing the application, the subdivider shall schedule an appointment
7825 with the city. The city shall review the application for completeness and may
7826 request that the subdivider present additional information to assist in determining
7827 the adequacy, quality and characteristics of the subdivision proposal.
- 7828 3. Once the application has been considered and determined to be complete, the
7829 application shall be reviewed according to the procedure set forth in subsection D
7830 of this section. If the city finds that the application is not complete, the application
7831 shall be rejected, returned to the subdivider, and the subdivider shall submit a
7832 complete application.

7833 4. Approval Procedure:

- 7834 i. The community development department shall concurrently transmit the
7835 preliminary plat, and preliminary plat review application, along with all
7836 accompanying plans, reports and studies to the appropriate city officials and
7837 other official agencies or bodies as deemed necessary or as required by law,
7838 to allow such persons to review the preliminary plat and preliminary plat
7839 review application.
- 7840 ii. After the preliminary plat review application is found to meet the requirements
7841 of this title, and all comments have been received from those to whom a
7842 request to review was made, the community development director or
7843 designee shall cause the preliminary plat to be placed on the next available
7844 planning commission agenda, and shall notify the subdivider of the date, time
7845 and place of the meeting at which the preliminary plat shall be reviewed.
- 7846 iii. The planning commission shall only approve a preliminary plat which it finds
7847 to be in accordance with the standards and criteria set forth by the city in this
7848 title and all other ordinances, plans and policies of the city. The planning
7849 commission may conditionally approve a preliminary plat, imposing such
7850 conditions as it may require in order to bring the preliminary plat into
7851 compliance with the requirements of the city's ordinances, plans and policies.

- 7859
- 7860 iv. After reviewing the preliminary plat, the planning commission shall make a
- 7861 recommendation to the city council that the preliminary plat be approved,
- 7862 conditionally approved, or disapproved. The preliminary plat will then be
- 7863 placed on the next available city council agenda, after all legally required
- 7864 notification requirements have been complied with, and the city shall advise
- 7865 the subdivider of the date, time and place of the meeting at which the
- 7866 preliminary plat shall be reviewed. After review, the city council shall approve,
- 7867 conditionally approve, or disapprove the preliminary plat.
- 7868
- 7869 v. If the final subdivision plat, or phase thereof, is not approved by the city within
- 7870 one year after city council approval of the preliminary plat, the subdivider
- 7871 shall submit for approval a new preliminary plat in accordance with this
- 7872 subsection, unless it is determined by the community development director or
- 7873 designee that substantial progress toward completion of the final subdivision
- 7874 plat has been done and the final plat cannot be submitted due to reasons
- 7875 beyond the control of the subdivider. In such case, the community
- 7876 development director or designee may agree to a single reasonable
- 7877 extension of time to complete the final subdivision plat, but no longer than
- 7878 one year.
- 7879
- 7880 vi. Approval of the preliminary plat does not constitute full approval of the
- 7881 development as additional requirements may be imposed that are a result of
- 7882 more detailed and thorough review of all plans, specifications, reports,
- 7883 investigations, etc.

7884

D. FINAL SUBDIVISION PLAT:

- 7885
- 7886 1. After the preliminary plat has been approved by the city council, and all conditions
- 7887 are complied with, a final subdivision plat may be prepared and submitted to the
- 7888 community development department for consideration and approval or denial. The
- 7889 final plat shall be recorded within one year of final approval by community
- 7890 development department, or the plat is void.
- 7891
- 7892 2. All applications to subdivide real property shall comply with the requirements of Utah
- 7893 code Title 10, Chapter 9a, the Utah land use and development management act, as
- 7894 amended.
- 7895

7896

E. EXEMPTION FROM PLAT REQUIREMENT: If the requirements of Utah code title 10,

7897 chapter 9a, as amended, this title, and all other applicable laws and regulations are

7898 satisfied, and the subdivider has obtained written approval from the city council,

7899 following the planning commission's recommendation, a person may submit to the

7900 county recorder's office for recording a document that subdivides property by metes and

7901 bounds into less than ten (10) lots, without the necessity of recording a plat.

7902

7903

F. VACATING, ALTERING OR AMENDING A SUBDIVISION PLAT:

- 7904
- 7905 1. Vacating, Altering Or Amending Subdivision Plat: All applications for vacating,
- 7906 altering or amending a subdivision plat shall comply with the requirements of Utah
- 7907 code title 10, chapter 9a, as amended.
- 7908

7909

- 7910 2. Lot Mergers: All applications seeking to merge lots, parcels, sites, units, plots or
7911 other division of land shall comply with the requirements for the adjustment of lot
7912 lines as set forth in Utah code title 10, chapter 9a, as amended.
7913
- 7914 3. Vacating A Street, Right-Of-Way, Or Easement: All applications for vacating a street,
7915 right-of-way, or easement shall comply with the requirements of Utah code title 10,
7916 chapter 9a, as amended.

7917 **10-25-4: IMPROVEMENTS:**

7919 A. DRAWINGS:

- 7921 1. Construction Drawings: Construction drawings which are required by the city,
7922 including, but not limited to, drawings required for review by the JUC, shall be
7923 reviewed concurrently by city staff in accordance with policies, guidelines and
7924 procedures set forth by the city. If the final plat has not already been submitted, then
7925 the final plat shall be submitted with the construction drawings so that this concurrent
7926 review can take place.
- 7928 2. Approved Construction Drawings: Prior to commencement of construction, plans
7929 prepared by the subdivider's engineer for improvements as outlined in the city's
7930 standard specifications for design and construction, as amended and supplemented
7931 from time to time, shall be approved by all required departments. The construction
7932 drawings shall identify those improvements which are to be accepted and maintained
7933 by the city and improvements which are to be maintained by private entities.
- 7935 3. Submittal Of Construction Drawings: Following city council approval of the
7936 preliminary subdivision plat and while the preliminary subdivision plat is effective, the
7937 subdivider or subdivider's authorized representative shall submit the required
7938 number of construction drawings and JUC drawings, along with the required number
7939 of copies of the final plat to the city engineer or designee for review and approval by
7940 all required departments, agencies and bodies. No work of any kind shall commence
7941 until all construction drawings are stamped "approved for construction." Once the
7942 final plat and the construction drawings are approved by the appropriate city officials
7943 and other agencies and bodies, construction may begin. If the final plat has received
7944 staff approval and is ready to be scheduled for final approval by the commission and
7945 city council, construction of improvements may begin; provided, that the subdivider
7946 executes an indemnity agreement, approved by the city attorney. After the
7947 completion of all improvements, drawings of record shall be submitted to the city. In
7948 any event, drawings of record shall be submitted no later than the time the guarantee
7949 of improvements is released and prior to building permit issuance.

7951 B. COMPLETION OR GUARANTEE OF IMPROVEMENTS PRIOR TO RECORDING FINAL
7952 SUBDIVISION PLAT OR DEVELOPING REAL PROPERTY: ACCEPTANCE PROCESS:

- 7954 1. Completion Or Guarantee: The improvements required by this chapter shall be
7955 constructed and installed by the subdivider and maintained by the subdivider until
7956 accepted by the city. Improvements shall be completed prior to recording the final
7957 plat in the office of the county recorder, unless the construction, installation and
7958 maintenance are guaranteed in the manner provided in section 25-5-5 of this
7959 chapter.

7960

- 7961 2. Acceptance Process: Required improvements shall not be accepted by the city and
7962 the warranty period thereon shall not expire until the required improvements have
7963 been fully installed and been in successful operation for the one year warranty
7964 period, except when the city determines for good cause that a two (2) year warranty
7965 is necessary as provided in Utah Code Annotated section 10-9a-604.5, or its
7966 amendment.
- 7967
- 7968 a. Approval Of Improvements: After the completion of all subdivision improvements,
7969 the subdivider shall make a written request to the city for an approval inspection
7970 to be made by all affected city departments. Upon receipt of inspection reports
7971 from all affected departments, the city will either approve the improvements or
7972 provide the subdivider with a list of defective work to be completed before
7973 approval. The subdivider shall correct all defective work and materials and make
7974 written requests to the city for additional inspections, as may be required. Once
7975 the city approves the improvements, a summary of the inspections and approval
7976 shall be provided to the subdivider.
- 7977
- 7978 b. Warranty Period: The warranty period shall start on the date the city approves all
7979 of the improvements and the subdivider provides the city with a warranty
7980 document in a form approved by the city. Subdivider shall warrant all
7981 improvements for a period of time as set forth in this subsection B. If, during the
7982 warranty period, the city finds any improvements to be defective, the city shall
7983 provide subdivider or developer with a list of the defective work and subdivider
7984 shall correct all defects immediately except for improvements which, at the city's
7985 discretion, must be repaired by the city. Subdivider shall pay city for all repairs to
7986 defects in improvements which are repaired by the city during the warranty.
- 7987
- 7988 c. City Acceptance Of Improvements: The subdivider shall schedule with the city an
7989 inspection on the improvements at the end of the warranty.
- 7990
- 7991 i. If the city finds that the work on the required improvements is defective and
7992 does not meet city standards, the city shall provide the subdivider with a list
7993 of the defective work which the subdivider must correct. The subdivider shall
7994 schedule additional inspections as necessary and shall, in a timely manner,
7995 completely correct all defective work which is identified by the city. After the
7996 city finds the subdivider has completely and satisfactorily completed all of the
7997 corrections to the defective work on the required improvements, then the city
7998 shall accept the improvements, commence maintenance of the
7999 improvements, and any warranty held by the city shall be released.
- 8000
- 8001 ii. If the city finds that the work on the required improvements does not meet the
8002 city standards, the warranty, including, but not limited to, any applicable
8003 warranty bonds, escrow funds, or other warranty funds, shall be forfeited to
8004 the city and the city shall make the corrections to the improvements. The city
8005 shall accept the improvements after completion of the corrections.
- 8006
- 8007 d. Release Of The Warranty: Release of the warranty or forfeiture of the warranty
8008 and city acceptance of the improvements does not waive the city's right to any
8009 other remedy available at law.
- 8010

8011 C. IMPROVEMENTS REQUIRED: The design, installation, connection, and construction of
8012 all improvements required by this section shall comply with the city of St. George
8013 Standard Specifications for Design and Construction and shall be approved by the city
8014 before work begins. The improvements required to be completed before issuance of a
8015 building permit under this title shall include, but are not limited to, the following:

8016 1. Utilities And Services:

- 8019 a. Required utilities and services include, but are not limited to, the following:
8020 power, water, sewer, fire protection, lighting, telephone and cable conduits,
8021 signing and addressing, all weather fire and emergency access, and other
8022 utilities and services as required by the city or by law.
- 8024 b. All subdivision lots shall be served by the utility systems of the city unless
8025 otherwise approved by the city council.
- 8027 c. All utility improvements, including street lighting, shall comply with all official
8028 standards of the city.
- 8030 d. All electrical, telephone and television cable shall be installed underground,
8031 except as otherwise directed by the city council.

8033 2. Storm Drainage And Nuisance Water Control: A storm or nuisance water drainage
8034 system shall be provided, and shall be separate and independent from the sanitary
8035 sewer system. Drainage, flood control, and adequate erosion protection shall be
8036 designed in conformance with the city flood control master plan and drainage
8037 guidelines and hydrology manual as detailed in the city of St. George standard
8038 specifications for design and construction.

8040 3. Street Improvements:

- 8042 a. Required; Exception: All streets within the city shall be improved with streetlights
8043 and pavement bounded by integral concrete curbs, gutters and sidewalks,
8044 handicapped ramps, etc. The sole exception shall be in large lot rural
8045 subdivisions where street construction shall conform to large lot requirements as
8046 detailed in the city of St. George standard specifications for design and
8047 construction. Property owners of large lot rural subdivisions shall acknowledge by
8048 a recorded certificate that any further subdividing will require full compliance with
8049 standard lot improvement requirements, including streetlights, curb and gutter,
8050 sidewalks and roadway width, etc. Said acknowledgment shall waive the property
8051 owners' rights to oppose a special improvement district where necessary to
8052 comply with this requirement.
- 8054 b. Continuation Of Streets: The arrangement of streets in new subdivisions shall
8055 make provision for the continuation of the streets in adjoining areas insofar as
8056 such continuation or access shall be deemed necessary by the city engineer or
8057 designee. All access roads leading to any subdivision shall be improved as may
8058 be determined by the city engineer or designee.
- 8060 c. Traffic Control And Street Name Signs: All traffic control and street name signs,
8061 conforming to the city of St. George standard specifications for design and

8062 construction and approved by the city engineer or designee shall be provided by
8063 the subdivider. When required by the city, mitigation of off site impacts will be the
8064 responsibility of the developer. A traffic impact study may be required to help
8065 determine project impacts.

- 8066
- 8067 d. Frontage: All subdivision lots shall have frontage on a dedicated public street
8068 improved to city standards, unless the use of a private street has been approved
8069 by the council. Private streets, alleys or ways shall not be approved except when
8070 the city engineer or designee finds that public dedication is not necessary. Where
8071 determined that public streets are needed for area circulation, property access,
8072 or the overall benefit of the driving public, private streets shall not be used.
8073 Master planned roads cannot be private.
- 8074
- 8075 e. Private Streets And Improvements:
- 8076
- 8077 i. In the event private streets are used, they shall conform to the city of St.
8078 George standard specifications for design and construction as to the quality
8079 of construction. Private streets shall include curb, gutter, sidewalks or
8080 adequate pedestrian facilities, etc. Street width may be adjusted based upon
8081 traffic needs and information provided in a traffic impact study (TIS) when
8082 required.
- 8083
- 8084 ii. The city may observe the construction of private streets. However, in all
8085 cases, the developer shall retain the services of a professional engineer and
8086 testing firm to provide adequate inspection services and to submit the proper
8087 reports and certifications to the city. All private developments shall be
8088 required to submit to the city the private development improvements
8089 certification, on the approved form prior to certificate of occupancy and
8090 acceptance of the development.
- 8091
- 8092 iii. Continuation Of Principal Streets: The arrangement of streets shall provide
8093 for the continuation of principal streets between adjacent properties when
8094 such continuation is necessary for convenient movement of traffic, effective
8095 fire protection, and efficient continuation of utilities and where such
8096 continuation is in accordance with the transportation element of the city's
8097 general plan. If the adjacent property is undeveloped and the street must be a
8098 dead end street temporarily, the right-of-way shall be extended to the
8099 property line and a temporary turnaround shall be provided.
- 8100
- 8101 iv. Intersections: Intersections shall comply with city specifications and access
8102 management requirements.
- 8103
- 8104 4. Access To City Street: No subdivision shall be approved which does not have access
8105 to an improved and dedicated city street. Where a subdivision obtains access from a
8106 street which does not meet minimum city standards, the access road shall be
8107 improved to a minimum width of twenty five feet (25'), meeting applicable safety
8108 standards, including shoulders and constructed to final grade. Additional road width
8109 may be required to meet safety standards.
- 8110
- 8111 5. Improvements To Full Length Of Project: Where a subdivision abuts a master
8112 planned road, utilities or drainage system, the subdivider shall complete his portion

8113 of such improvements the full length of his project in conformance with the approved
8114 city plans, including the general plan.

- 8115
- 8116 6. Mitigation Of Off Site Impacts: When required by the city, mitigation of off site
8117 impacts, as well as providing adequate public infrastructure to the development, will
8118 be the responsibility of the developer. A traffic impact study (TIS) will be required
8119 unless otherwise approved by the city engineer or designee. The TIS may aid in the
8120 determination of off site impact mitigation.

8121

8122 D. LAYOUT OF LOTS:

- 8123
- 8124 1. Lot Arrangement: The arrangement of lots shall be such that there will be no
8125 foreseeable difficulties, for reasons of topography or other conditions, in securing
8126 building permits to build on all lots in compliance with the zoning ordinance and in
8127 providing safe driveway access in accordance with city requirements to buildings on
8128 such lots from an approved street.
- 8129
- 8130 2. Lot Dimensions: Lot dimensions shall comply with the minimum standards of the
8131 zoning ordinance. In general, side lot lines shall be at right angles to street lines (or
8132 radial to curving street lines) unless a variation from this rule will give a better street
8133 or lot plan. Dimensions of corner lots shall be large enough to allow for erection of
8134 buildings, observing the minimum front yard setback from both streets, and providing
8135 safe access. Depth and width of properties reserved or laid out for business,
8136 commercial or industrial purposes shall be adequate to provide for the access, off
8137 street parking and loading facilities required for the type of use and development
8138 contemplated, as established in the zoning ordinance.
- 8139
- 8140 3. Double Frontage Lots And Access To Lots:
- 8141
- 8142 a. Double frontage lots shall be avoided where feasible. However, double frontage
8143 lots may be necessary to provide separation of residential development from
8144 arterials and major collectors or to overcome specific disadvantages of
8145 topography and orientation.
- 8146
- 8147 b. Residential lots shall not derive access from an arterial street. Access may be
8148 limited on major collector streets for safety reasons as determined by the city
8149 engineer or designee. In cases where driveway access from such streets may be
8150 necessary for several adjoining lots, the city engineer or designee may require
8151 that such lots be served by a combined access drive in order to limit possible
8152 traffic hazards on such street. The city engineer or designee may also require
8153 that access be designed and arranged so as to avoid requiring vehicles to back
8154 into traffic. This may include such items as increased building setbacks,
8155 increased lot width, shared access, U-shaped driveways, etc.
- 8156
- 8157 c. Where double frontage lots are platted, a six foot (6') high solid masonry wall
8158 shall be constructed along the public road for a privacy and noise screen. All
8159 walls shall comply with the standards set forth in title 10, chapter 18 of this code.
8160 The city may approve modifications to the masonry wall to allow for architectural
8161 elements such as wrought iron within sections of the wall. The privacy wall shall
8162 be set back from the sidewalk a minimum of ten feet (10') in order to provide
8163 access to and utilization of the utility easement and a landscape area for the

planting of shrubs and trees. Where the developer provides both public right-of-way and a deceleration/acceleration lane as required by the city, the utility-landscape strip may be reduced to five feet (5') for the length of the deceleration/acceleration lane. Along arterial streets, the city council, upon recommendation from the planning commission, may require a planter area greater than ten feet (10') in width. In addition, in order to provide proper intersection and driveway sight distance, it will be necessary in some cases to set the wall back a distance greater than ten feet (10') from the sidewalk. Where the developer or property owner dedicates the landscape and utility area described herein to the city, the developer will receive an area credit for the perimeter lots adjacent to the dedicated landscape and utility area equal to the amount of the dedicated area. Such area credit will be applied to the adjacent lots for the purpose of complying with the minimum lot size requirements.

- d. The subdivider shall plant trees along the street frontage in conformance with the city's community forestry program. Trees shall be planted so as not to obstruct visibility at drives and intersections, nor obstruct traffic control devices.
 - e. For planned developments or other residential developments where a homeowners' association exists, the homeowners' association may provide water and maintenance for the landscape strip on the street side of the wall.
 - f. If a residential development creates double frontage lots the city shall require a homeowners' association to be created for maintenance of landscaping on the street side of the wall, unless an alternate maintenance agreement has been approved by the city.
 - g. In some cases where no homeowners' association exists, the city may choose to provide maintenance for landscaping within the right-of-way for streets of sixty-six feet (66'), eighty feet (80') or more, provided the landscaping and irrigation system has been installed to city standards.
 - h. The privacy wall and landscaping area shall be completed prior to occupancy of any homes in the subdivision, or where unusual circumstances exist which prevent such completion, a guarantee shall be posted as detailed in subsection 25-4-B of this chapter, escrow agreement or irrevocable letter of credit.
4. Flag Lots: After determination by the commission that standard lots are not feasible, the commission may, in order to encourage more efficient use of land, allow flag lots to be developed subject to the following conditions:
- a. The property cannot be subdivided with typical public street frontage either at the present or in the foreseeable future.
 - b. The staff portion of said lot shall front on a dedicated public street. The minimum width of the staff shall be twenty-five feet (25').
 - c. No building or construction, except for driveways, shall be allowed on the staff portion of said lot.

- 8214 d. All lot size and setback requirements shall be the same as may be required by
8215 the zone in which the lot is located. The staff portion of the lot shall not be used
8216 to calculate the minimum lot size. Setbacks shall be shown on the preliminary
8217 plat and approved by the planning commission and city council.
8218
- 8219 e. No more than two (2) flag lots or four (4) dwelling units may be served by one 25-
8220 foot wide staff.
8221
- 8222 f. Each flag lot shall be specifically approved by the planning commission and city
8223 council.

8224 E. GUARANTEE OF IMPROVEMENTS AND WARRANTY:

8225 1. Guarantee Of Improvements:

- 8226 a. When Required: The city, in its discretion, may allow a subdivider to record the
8227 final plat if the subdivider guarantees the installation and construction of the
8228 required improvements free from defects in material and workmanship and in
8229 compliance with all city standards.
8230
- 8231 b. Form; Amount: The guarantee of improvements required under this subsection
8232 shall be in the form of a corporate surety bond, escrow agreement, or irrevocable
8233 letter of credit in a form acceptable to the city for an amount equal to one
8234 hundred twenty percent (120%) of the cost of improvements not previously
8235 accepted. The cost of improvements shall be approved by the city. All
8236 improvements not completed within one year shall thereafter require a bond or
8237 other guarantee arrangement in an amount equal to one hundred fifty percent
8238 (150%) of the cost of the remaining improvements.
8239
- 8240 c. Release: The city shall release the guarantee of improvements under this
8241 subsection once all improvements are inspected and approved by the city as
8242 required by this chapter and the subdivider has submitted to the city a warranty in
8243 a form acceptable to the city.
8244

8245 2. Warranty Of Improvements:

- 8246 a. Required: Each subdivider shall warrant that all improvements required under
8247 section 25-4 of this chapter shall be free from defects in material and
8248 workmanship and that the improvements are in compliance with all city
8249 standards. The warranty period shall start on the date the city approves all of the
8250 improvements pursuant to section 25-4 of this chapter and the subdivider
8251 provides the city with a warranty in a form approved by the city.
8252
- 8253 b. Form; Amount: The warranty required by this chapter shall be in the form of a
8254 corporate surety bond, escrow agreement, or irrevocable letter of credit in a form
8255 acceptable to the city for an amount equal to at least ten percent (10%) of the
8256 total improvement value for the warranty period.
8257
- 8258 c. Release: After the expiration of the warranty period, the city shall release the
8259 warranty held by the city under this chapter after the final inspection and
8260 acceptance of the improvements pursuant to section 25-4 of this chapter.
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3. Approval Of City Attorney: The form of any guarantee of improvements or warranty submitted under this section shall be reviewed and approved by the city attorney or designee before acceptance by the city.