



Planning Commission Meeting

Tuesday, March 3, 2020 at 6:30 pm

Attendees: Chairperson Lee Bennett, Commissioner Scott Burgess, Commissioner Mary Cokenour, Commissioner George Matocha, Commissioner Gordon Reeve, City Manager Doug Wright, City Recorder Cindi Holyoak

Meeting Location: 17 N 100 E

1. Call to Order

Chairperson Bennett opened the regularly scheduled Planning Commission Meeting at 6:40 p.m. The following visitors were present

2. Minutes Review/Approval

Attachments:

- 2020-02-04 Minutes (planning-commission-meeting_minutes_2020-02-04.pdf)

3. Public Comment

4. Open and Public Meetings Act Training Reveiw - Training

5. Amendments to City Zoning Ordinance Subdivisions 11-3 - discussion

6. Zoning Review of the NE and SE Quadrants and area between the Hideout and HWY 191 - discussion

7. Clarificaton from Michael Bryant about the UT Fair Housing Act in Permitted Uses in R-1 and R-2 Zoning Ordinance Amendments - Discussion

Attachments:

- Michael Bryant Clarification (Email_Feb_27__2020.pdf)

8. Consider Submission of Amendments to R-1 and R-2 Zoning Ordinance to City Council for Adoption - action

The Monticello Planning Commission has been working to update the zoning codes. Amendments have been considered and discussed. The City Council may adopt the recommended changes when they are submitted by the Planning Commission. An additional public hearing will be scheduled prior to the City Council motion.

Attachments:

- R1- & R-2 Zoning Amendments (Michael_Bryant_Review_R-1_R-2.pdf)

9. Administrative Communications

10. Next Meeting Agenda

11. Adjournment

Contact: Cindi Holyoak (cindi@monticelloutah.org 435-587-2271) | Published on 02/27/2020 at 11:29 AM



Planning Commission Meeting

Minutes

Tuesday, February 4, 2020 at 6:30 pm

Attendees: Chairperson Lee Bennett, Commissioner Mary Cokenour, Commissioner George Matocha, Commissioner Gordon Reeve, Commissioner Scott Burgess, City Manager Doug Wright, City Recorder Cindi Holyoak

Meeting Location: 17 N 100 E

1. Call to Order

Minutes:

Chairperson Lee Bennett called to order the Monticello Planning Commission Meeting at 6:30 p.m. Councilwoman Kim Henderson arrived as a visitor at 6:57 p.m.

2. Minutes Review/Approval

Minutes:

Completion of minutes approval and adjournment occurred at 8:17 p.m. Motion was made by Commissioner Mary Cokenour to approve the minutes, with noted corrections. The motion was seconded by Commissioner George Matocha and passed unanimously.

Vote results:

Ayes: 5 / Nays: 0

3. Public Comment

Minutes:

There was no public comment.

4. Public Hearing to Receive Comment on R-1 and R-2 Zoning Changes

Minutes:

Chairperson Bennett opened the hearing at 6:37 p.m. there was no public comment. The hearing was closed at 6:38 p.m.

5. R-1 & R-2 Zoning Changes Review (discussion)

Minutes:

Michael Bryant provided comments on the proposed changes. Clarification of Bryant's notes was requested, in regards to permitted uses in 10-6-3 for residential facilities for elderly, disabled, youth etc. Title 57, Chapter 21 was cited for the Utah Fair Housing Act. Manager Wright asked if the listed foster care and family care homes on the permitted use list were intended to address the Fair Housing Act. Chairperson Bennett said they were not listed with that intent as far as she can recall. There was discussion about standardizing the set backs properly, considering different variables, such as when the property line is out in the street.

Commissioner Matocha will work on rewriting for these variables. It was decided to leave the accessory building side setback at 5 feet from the property line.

Commissioner Matocha will also clean up 6-6-6 A.

R-2 There was discussion about rear setbacks for accessory buildings. it was decided to leave the required distance at 5 feet.

6. Zone Review for North East Quadrant of Monticello

7. Changes to City Ordinance 11-3 Subdivisions (discussion)

Minutes:

This will be reviewed during a future meeting.

8. Administrative Communications

Minutes:

There were no additional communications.

9. Next Meeting Agenda

Minutes:

Discussion - Changes to City Ordinance Subdivisions: 11-3 [moved from Feb to March] Discussion - Review of the NE and SE quarters of the city and the between the golf course and 191 Discussion - Clarification from Doug/you/Michael Bryant about the UT Fair Housing Act words needed in Permitted Uses in R-1 and R-2 Discussion or Action - Final changes to proposed R-1 and R-2 code, possible motion to forward to CC Information - Open Meetings Act

10. Adjournment

cindi

From: Michael Bryant <mbryant@seualg.utah.gov>
Sent: Thursday, February 27, 2020 11:29 AM
To: cindi
Cc: Doug Wright
Subject: Re: Zoning Amendment Clarification Request

The section on residential facilities for elderly, disabled, youth etc. is kind of difficult to answer

My recommendation for the city would be to consult with legal advice on this subject or allow for all uses of those types to be allowed in all zones perhaps conditionally though (this may be kind of scary however)

The reason for my recommendation is that state law has changed to basically saying that all housing restrictions shall follow the Fair Housing Act. However I can't find anything that limits or restricts what communities can do for residential facility housing such as those mentioned.

We can talk further if you like, or perhaps we can set up a call with Utah League of Cities and Towns attorney.

On Thu, Feb 27, 2020 at 11:01 AM cindi <cindi@monticelloutah.org> wrote:

Hi Michael, I hope your day is going well. Our Planning Commission requested some clarification for one of your notes. Here are the minutes from that discussion:

Michael Bryant provided comments on the proposed changes. Clarification of Bryant's notes was requested, in regards to permitted uses in 10-6-3 for residential facilities for elderly, disabled, youth etc. Title 57, Chapter 21 was cited for the Utah Fair Housing Act. Manager Wright asked if the listed foster care and family care homes on the permitted use list were intended to address the Fair Housing Act. Chairperson Bennett said they were not listed with that intent as far as she can recall. There was discussion about standardizing the set backs properly, considering different variables, such as when the property line is out in the street. Commissioner Matocha will work on rewriting for these variables. It was decided to leave the accessory building side setback at 5 feet from the property line. Commissioner Matocha will also clean up 6-6-6 A

Their next meeting is Tuesday March 3. Thank you!

Thanks,

Cindi Holyoak

Recorder, CMC

Proposed Changes to R-1 RESIDENTIAL ZONE
City of Monticello
(Planning Commission meeting of January 7, 2020)



10-6-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)



10-6-2: INTENT:

The R-1 residential zone has been established for the purpose of providing a place where single-family detached dwellings can be constructed, having attractively landscaped yards and a favorable environment for family life. Uses such as multiple-family dwellings, apartment houses and commercial and industrial uses are not permitted in this zone. (Ord. 2012-01, 7-10-2012)



10-6-3: PERMITTED USES:

The following buildings, structures and uses of land shall be permitted upon compliance with requirements set forth in this title:

Accessory signs conforming to section 10-2-2 of this title.

Churches, not including temporary revival tents or buildings.

Conditional uses as permitted in section 10-2-4 of this title. *(list here)*

~~Fences, walls and hedges:~~ Fences in conformance with section 10-2-10 of this title.

~~Walls and hedges.~~

Foster care and family care homes.

Household pets.

Keeping of chickens ~~(please reference in conformance with section 10-2-8 of this title).~~

~~Machinery sheds used for storage of equipment used in connection with agricultural activities performed on the premises.~~

Public agency parks and playgrounds.

~~Public buildings and grounds not including storage yards and repair shops.~~

Public, private and parochial schools and grounds.

Residential
Facilities for elderly, disabled, youth etc follow Title 57, chapter 21
Utah Fair Housing Act

Use a table or matrix to list all uses permitted conditional Administrative

Residential accessory uses and structures.

Single-family dwellings of conventional construction and manufactured homes.

Temporary uses subject to the provisions of section 10-2-6 of this title.

~~The growing of field crops and fruit.~~ *Why not?*

Utility lines ~~and buildings~~. (Ord. 2012-01, 7-10-2012)



10-6-4: AREA AND FRONTAGE REQUIREMENTS:

Area and frontage requirements shall be as follows:

Main Use	Minimum Lot Area	Minimum Frontage (At Setback Line)
Single-family dwelling	~~10,000~~ 5,445 square feet	~~80~~ 60 feet
Churches	1 acre	125 feet
Other uses	None	None

(Ord. 2012-01, 7-10-2012)



10-6-5: LOCATION REQUIREMENTS:

Setback distances shall be determined by measuring from the property line to the foundation of the building.

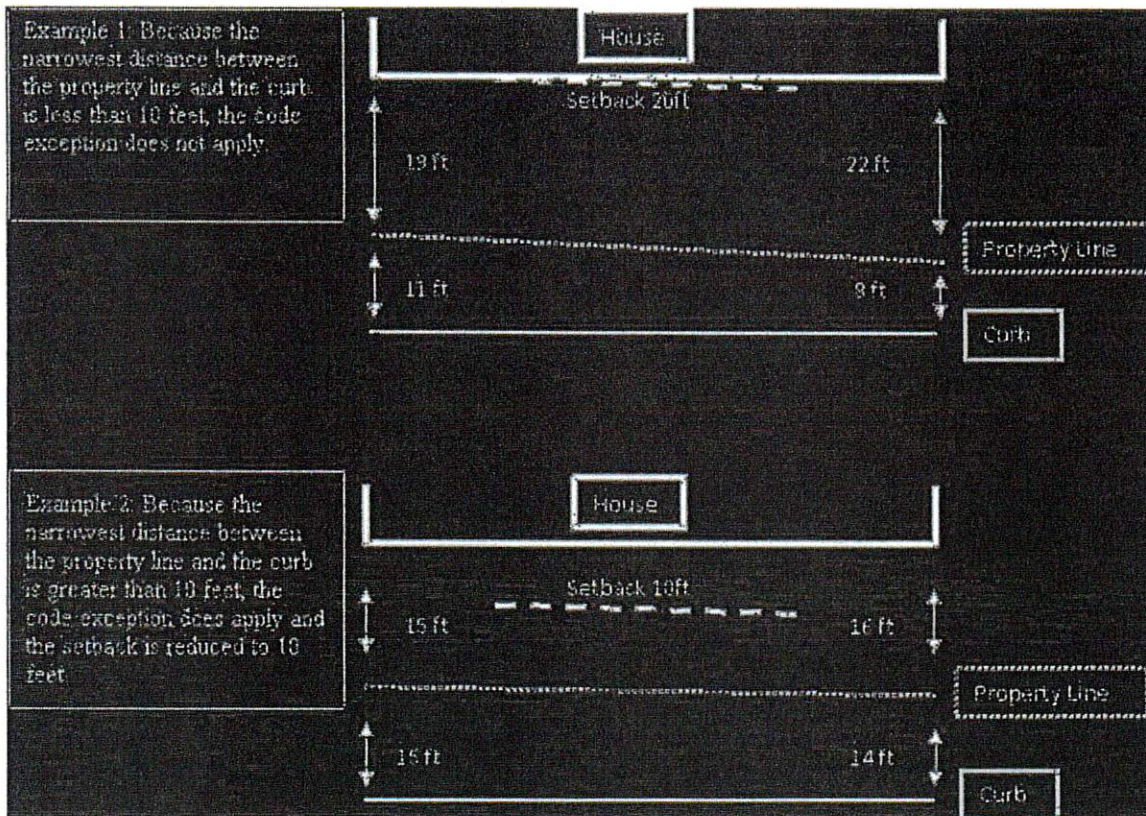
A. Front Setback:

1. Main Buildings: All dwellings and other main buildings and structures shall be set back not less than twenty feet (20') from the front lot line.

a. If the narrowest distance from a resident's front property line and back of curb is greater than ten feet (10'), the owner's setback from property line may be reduced to ten feet (10'). Code exception only applicable to properties with curb to measure from.

So are there two front setbacks?

One for properties with curbing and one without.



(Ord. 2014-4, 4-22-2014)

2. Accessory Buildings: All accessory buildings shall be set back not less than twelve feet (12') to the rear of the closest rear wall line of the main building and not less than twelve feet (12') from any side wall of the main building. ~~Accessory buildings which are located twelve feet (12') or closer to a main building shall be considered as part of the main building. Where no main building exists on a lot, a detached accessory building shall be set back not less than sixty feet (60') from the front lot line.~~

B. Side Setback; Interior Lots:

1. Main Buildings: All dwellings and other main buildings shall be set back at least ~~eight-twelve~~ feet (8'-12') from the side lot line. *on both sides typically turning do 20' total w/ minimum of 8'*
2. Accessory Buildings: All accessory buildings shall be set back at least ~~five-eight~~ feet (5'-8') from *on one side* the lot line, ~~except that no minimum side setback shall be required when all the following conditions are met:~~ *Typically this is smaller or even 0'*
 - a. ~~The accessory building is located more than twelve feet (12') from any existing dwelling on the same or an adjacent lot;~~
 - b. ~~The accessory building contains no openings on the side contiguous to the lot line;~~
 - c. ~~No drainage from the roof will be discharged onto an adjacent lot.~~

C. Side Setback; Corner Lot:

1. Side Abutting A Street: All dwellings and other main and accessory buildings shall be set back at least twenty feet (20') from the side lot line which abuts on a street.
2. Interior Side: Same as required for interior lots.

D. Rear Setback; Interior Lots:

1. Main Buildings: All dwellings or other main buildings shall be set back at least thirty feet (30') from the rear lot line.
2. Accessory Building: Same as required under side setbacks; interior lots.

E. Rear Setback; Corner Lots:

1. Main Buildings: All dwellings and other main buildings shall be set back at least thirty feet (30') from the rear lot line, ~~except that where a carport or garage is attached to the rear of the dwelling, the required rear setback for said carport or garage may be reduced to twenty feet (20') or more as measured from the rear lot line to the closest part of the building.~~
2. Accessory Building: All accessory buildings shall be set back at least ~~five-eight feet (5'8')~~ from the rear lot line, ~~except that no minimum rear setback shall be required when all the following conditions are met:~~
 - a. ~~The accessory building is located more than twelve feet (12') from any existing dwelling on the same or an adjacent lot;~~
 - b. ~~The accessory building contains no openings on the side contiguous to the lot line;~~
 - c. ~~No drainage from the roof will be discharged onto an adjacent lot;~~
 - d. ~~The accessory building will be set back at least fifty feet (50') from the side lot line abutting the~~



~~street-~~ (Ord. 2012-01, 7-10-2012)

10-6-6: HEIGHT OF BUILDINGS:

A. The maximum height of any ~~building-dwelling building~~ (measured from finished grade to the ~~square of the building~~ ^{highest wall plate}) shall be ~~twenty-four feet (20'24') or two (2) stories, whichever is the higher.~~ Where the ground or the ~~square~~ of the building is uneven in height, the average elevation thereof shall apply. Roofs ^{above the highest wall plate} ~~about the square~~, chimneys, flagpoles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height. (Ord. 2012-01, 7-10-2012)



10-6-7: SIZE OF DWELLING:

The ground floor area of any single-family dwelling shall be at least nine hundred (900) square feet of living area exclusive of open porches, carports, garages and similar add ons. (Ord. 2012-01, 7-10-2012)



10-6-8: WIDTH OF BUILDINGS:

The total length or total width of any dwelling or church shall be at least twenty feet (20'), as measured from outside wall to outside wall, exclusive of any carport, garage, shed or similar add on. (Ord. 2012-01, 7-10-2012)



10-6-9: YARD SPACE FOR ONE MAIN BUILDING ONLY:

A. No required yard or other open space around an existing **main** building, or which is hereafter provided around any building, which is needed to comply with the provisions of this title, shall be considered as providing a yard or open space for any other building; nor shall any yard or other

required open space on an adjoining lot be considered as providing the yard or open space on the lot whereon a building is to be erected or established. (Ord. 2012-01, 7-10-2012)

B. No required yard or other open space around an existing main building, or which is hereafter provided around any building, which is needed to comply with provisions of this title, shall be used for parking or storage of operable vehicles unless in compliance with 10-2-1.



10-6-10: EVERY DWELLING TO BE ON ZONING LOT:

Only one building which contains a dwelling shall be located and maintained on a "zoning lot" as defined in this title, ~~except dwellings within a mobile home park, or other large scale development.~~ (Ord. 2012-01, 7-10-2012) ADU's



10-6-11: SALE OR LEASE OF REQUIRED SPACE PROHIBITED:

No space needed to meet the width, yard, area, coverage, ~~parting parking~~ or other requirements of this title for a lot or building may be sold or leased apart from such lot or building unless other space so complying is provided. (Ord. 2012-01, 7-10-2012)



10-6-12: YARDS TO BE UNOBSTRUCTED; EXCEPTIONS:

Every part of a required yard shall be open to the sky and unobstructed except ~~for~~:

A. ~~P~~ermitted accessory buildings and

B. ~~except for~~ ordinary and customary projection of sills, belt courses, cornices and other ornamental features and unenclosed steps and unwallled stoops, porches and carports which may project up to three feet (3') into a required yard. ~~No projection into a required court which is provided in connection with a court apartment shall be constructed except for customary sills, belt courses and cornices which may extend into a court not more than sixteen inches (16").~~ (Ord. 2012-01, 7-10-2012)



10-6-13: ACCESSORY BUILDINGS PROHIBITED AS LIVING QUARTERS:

Living and sleeping quarters in ~~any building~~ other than the main residential building are prohibited. (Ord. 2012-01, 7-10-2012) ADU's



10-6-14: STORAGE OF COMMERCIAL OR OVERSIZED VEHICLES PROHIBITED:

~~The storage and/or continuous parking of trucks, buses, or a combination of vehicles exceeding thirty five feet (35') in length, or having a rated capacity of one ton or greater, and construction equipment such as bulldozers, graders, compressors, etc., shall not be permitted; provided, that construction equipment may be stored on a lot during construction of a building thereon for less than one year. Trucks and equipment parked in residential areas for more than three (3) days in any one month are not allowed. (Ord. 2012-01, 7-10-2012)~~

Storage of commercial or oversized vehicles shall comply with 10-2-3 of this title.



10-6-15: STORAGE OF JUNK, DEBRIS, OR UNLICENSED INOPERABLE VEHICLES PROHIBITED:

No yard or other open space surrounding an existing building, or which is hereafter provided around any building in any zone, shall be used for the storage of junk, debris, or inoperable vehicles; and no land shall be used for such purposes, except as specifically provided by this title. Storage of restorable vehicles may be permitted for a limited time, on a case by case basis, at the discretion of the zoning administrator. (Ord. 2012-01, 7-10-2012)



10-6-16: ADDITIONAL HEIGHT ALLOWED FOR PUBLIC BUILDINGS:

Public buildings and churches may be erected to any height, provided the building is set back from required building setback lines a distance of at least one foot (1') for each additional foot of building height above the maximum height otherwise permitted in the zone in which the building is located. (Ord. 2012-01, 7-10-2012)



10-6-17: MINIMUM HEIGHT OF DWELLINGS:

No dwelling shall be erected which has a ceiling height of less than ~~seven-eight feet six-inches~~ (7'6"-8") or one story above grade, whichever is greater. (Ord. 2012-01, 7-10-2012)



Tiny Homes?

10-6-18: SEWAGE DISPOSAL:

Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the state health department before a building permit shall be issued therefor. ~~Sewer connections shall comply with section 8-4-2.~~ (Ord. 2012-01, 7-10-2012)

10-6-19: WATER CONNECTIONS:

A. Where municipal water is available, all single family dwellings shall be connected in accordance with 8-4-2.

B. Where no municipal water is available, approval of such facilities shall be obtained from the State health department before a building permit shall be issued therefore.

or occupancy permit?



10-6-1920: DRAINAGE:

A. The owners and users of ditches shall not divert more water into the ditch than its carrying capacity. Runoff from new rooftops or lots shall not exceed the carrying capacity of the natural or previous drainage system. (Ord. 2012-01, 7-10-2012)

B. Drainage corridors shall be protected in accordance with 10-12-2.



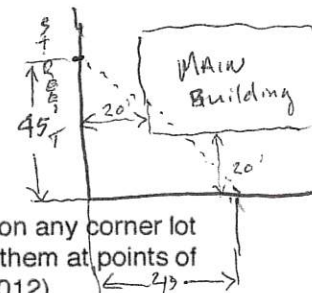
10-6-2021: CLEAR VIEW OF INTERSECTING STREETS:

No obstruction which will obscure the view of automobile drivers shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points of forty five feet (45') from the intersection of the street lines. (Ord. 2012-01, 7-10-2012)



10-6-2122: EFFECT OF STREET PLAN:

this is a huge area many lots may have trouble w/ this



Wherever a front or side yard is required for a building that abuts on a proposed street which has not been constructed, but which has been designated by the planning commission as a future street, the depth of such front or side yard shall be measured from the planned street lines. (Ord. 2012-01, 7-10-2012)



or easement line
where none exists
exists then?

10-6-2223: EXCEPTION TO FRONT AND SIDE SETBACK REQUIREMENTS:

The setback from the street for any dwelling located between two (2) existing dwellings may be the same as the average for said two (2) existing dwellings, provided the existing dwellings are on the same side of the street and are located within one hundred fifty feet (150') of each other. (Ord. 2012-01, 7-10-2012)



10-6-2324: MOTOR VEHICLE ACCESS:

Access to all lots and parcels of land having a frontage on a city street shall be controlled as follows:

A. ~~Access shall be by not more than two (2) driveways from any one street~~ No lot shall have more than two (2) driveways.

B. Driveways shall be not closer to each other than twenty feet (20').

C. On corner lots, no driveways shall be ~~less- closer~~ than ~~fifteen- twenty~~ feet (15'20') to the point of intersection of the front property line with the side property line which abuts upon a street.

D. Where there is no existing curb and gutter or sidewalk, a curb ~~or fence~~ may be required by the city. (Ord. 2012-01, 7-10-2012)



10-6-2425: LANDSCAPING REQUIRED:

Front yards and side yards of all dwellings which front on city streets must be landscaped. (Ord. 2012-01, 7-10-2012)



landscaping? allowed?



10-6-2526: POLLUTION PREVENTION:

Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by Utah state air conservation board or the board of health, and any use which emits or discharges liquids or solid material onto the soil or water in amounts which result in pollutants entering groundwater in amounts exceeding the standards prescribed by the Utah state water pollution control board or the board of health, shall be prohibited. (Ord. 2012-01, 7-10-2012)



10-6-2627: SPECIAL PROVISIONS:

Special provisions shall apply in order to protect its essential characteristics.

~~A. All buildings used for human occupancy shall be furnished with a public water supply and shall be constructed in accordance with the adopted building, plumbing, electrical, fire prevention and similar codes.~~

BA. All buildings and uses shall comply with all applicable supplementary development standards as set forth in this title. (Ord. 2012-01, 7-10-2012)

Proposed Changes R-2 RESIDENTIAL ZONE
City of Monticello
(Planning Commission meeting of January 7, 2020)



10-7-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)



10-7-2: INTENT:

The R-2 zone has been established for the purpose of providing a place where single-, two- and multiple-family dwellings and tiny homes can be constructed. (Ord. 2012-01, 7-10-2012)



10-7-3: PERMITTED USES:

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this title:

~~All uses permitted in the R-1 residential zone, section 10-6-3 of this title.~~

Single-family dwellings of conventional construction and manufactured homes

Accessory signs conforming to section 10-2-2 of this title.

Churches, not including temporary revival tents or buildings.

Conditional uses as permitted in section 10-2-4 of this title. list here

Fences in conformance with section 10-2-10 of this title.

Walls and hedges.

Household pets.

Keeping of chickens in conformance with section 10-2-8 of this title.

Multi-family dwellings, townhouses and condominiums

Short-term or vacation rental of a single-family dwelling for 30 days or less.

Bed and Breakfast business located within a home or inn.

Public agency parks and playgrounds.

Table
or
Matrix
listing
all
uses
permitted
Conditional
Administrative

Residential accessory uses.

Temporary uses subject to the provisions of section 10-2-6 of this title.

Boarding house, hostel, inn, hotel, or motel.

Rest homes, ~~and~~ daycare centers, ~~and senior and assisted living facilities when approved by the city council~~. In approving such uses, the council may attach reasonable conditions in excess to those required within the zone including, but not limited to, an increase in minimum lot size, additional setbacks, and increased parking. (Ord. 2012-01, 7-10-2012)

Small homes erected on foundations.

Mobile homes on foundations with tie down.

Utility lines and buildings

Residential facilities for disabled.



10-7-4: AREA AND FRONTAGE REQUIREMENTS:

Area and frontage requirements shall be as follows:

is this defined

Main Use	Minimum Lot Area	Minimum Frontage (At Setback Line)
Small home	3,000 square feet	60 feet
Single-family dwelling	~~10,000~~ 5,445 square feet	~~80~~ 60 feet
Two-family dwelling	~~10,000~~ 7,000 square feet	85 feet
Multiple-family dwelling	10,000 square feet for first 2 units plus 2,500 square feet for each additional unit	85 feet for first 2 units plus 7.5 feet width for each additional unit
Churches	1 acre	125 feet
Other uses	None	None

(Ord. 2012-01, 7-10-2012)

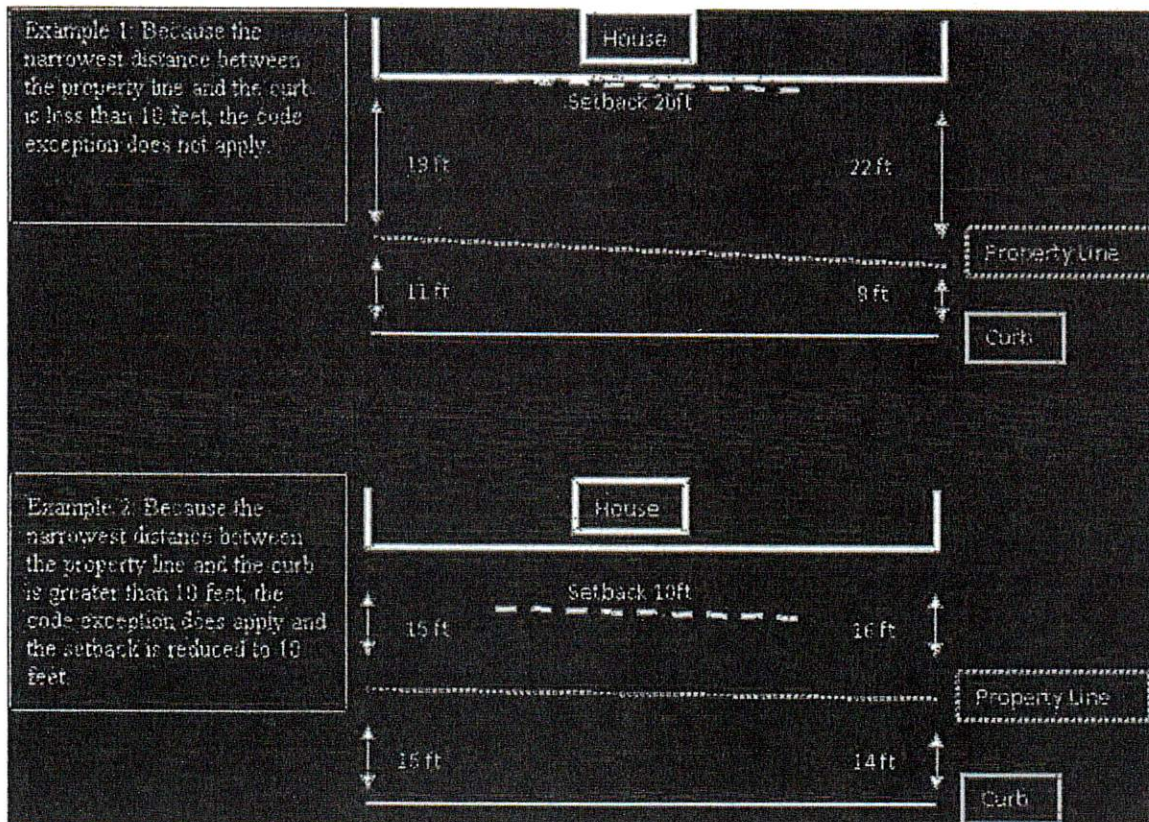


10-7-5: LOCATION REQUIREMENTS:

A. Front Setback:

1. Main Buildings: All ~~single family~~ dwellings and other main buildings and structures shall be set back not less than twenty feet (20') from the front lot line. ~~Multiple family structures shall be set back not less than forty feet (40') from the front lot line.~~

a. If the narrowest distance from a resident's front property line and back of curb is greater than ten feet (10'), the owner's setback from property line may be reduced to ten feet (10'). Code exception only applicable to properties with curb to measure from.



(Ord. 2014-4, 4-22-2014)

2. Accessory Buildings: All accessory buildings shall be set back not less than twelve feet (12') to the rear of the closest rear wall line of the main building and not less than twelve feet (12') from any side wall of the main building. Accessory buildings which are located twelve feet (12') or closer to a main building shall be considered as part of the main building. Where no main building exists on a lot, a detached accessory building shall be set back not less than sixty feet (60') from the front lot line.

was removed from R-1

B. Side Setback; Interior Lots:

1. Main Buildings: All dwellings and other main buildings shall be set back at least **eight-twelve feet (8'-12')** from the side lot line.

total of 24' is pretty big.

2. Accessory Buildings: All accessory buildings shall be set back at least **five-twelve feet (5'-12')** from the lot line, except that no minimum side setback shall be required when all the following conditions are met:

This is huge why so much

- The accessory building is located more than twelve feet (12') from any existing dwelling on the same or an adjacent lot;
- The accessory building contains no openings on the side contiguous to the lot line;
- No drainage from the roof will be discharged onto an adjacent lot.

3. All main buildings and accessory buildings when adjoining an R-1 zone shall be set back twenty feet (20').

why?

C. Side Setback; Corner Lot:

1. Side Abutting Street: All dwellings and other main and accessory buildings shall be set back at least

twenty feet (20') from the side lot line which abuts on a street.

2. Interior Side: Same as required for interior lots.

D. Rear Setback; Interior Lots:

1. Main Buildings: All dwellings or other main buildings shall be set back at least thirty feet (30') from the rear lot line.

2. Accessory Building: Same as required under subsection B, "Side Setback; Interior Lots", of this section.

3. All accessory buildings when adjoining an R-1 zone shall be set back twenty feet (20'). ← why?

E. Rear Setback; Corner Lots:

1. Main Buildings: All dwellings and other main buildings shall be set back at least thirty feet (30') from the rear lot line, except that where a carport or garage is attached to the rear of the dwelling, the required rear setback for said carport or garage may be reduced to twenty feet (20') or more as measured from the rear lot line to the closest part of the building. carport or garage

2. Accessory Building: All accessory buildings shall be set back at least ~~five-ten~~ feet (5'-10') from the rear lot line, except that no minimum rear setback shall be required when all the following conditions are met: why 10 ft that is huge?

a. The accessory building is located more than twelve feet (12') from any existing dwelling on the same or an adjacent lot;

b. The accessory building contains no openings on the side contiguous to the lot line;

c. No drainage from the roof will be discharged onto an adjacent lot;

d. The accessory building will be set back at least fifty feet (50') from the side lot line abutting the street.



(Ord. 2012-01, 7-10-2012)

10-7-6: HEIGHT OF BUILDINGS:

The maximum height of any building (measured from finished grade to the ~~top plate of the second floorsquare of the building~~) shall be ~~twenty-twenty-four~~ feet (20'-24') or two (2) stories, whichever is the higher. Where the ground or the square of the building is uneven in height, the average elevation thereof shall apply. Roofs ~~about~~ ^{above} the square, chimneys, flagpoles, television antennas, church towers and similar



structures not used for human occupancy are excluded in determining height. (Ord. 2012-01, 7-10-2012)

10-7-7: SIZE OF DWELLING:

A. The ground floor area of a single-family dwelling shall be not less than eight hundred (800) square feet.

B. A two-family dwelling shall contain a ground floor area of one thousand two hundred (1,200) square feet.

C. A multiple-family dwelling shall contain a ground floor area of one thousand two hundred (1,200) square feet for the first two (2) units, plus six hundred (600) square feet of living area for each unit over two (2).

D. The ground-floor area of a small home shall be not less than six hundred (600) square feet and not more than eight hundred (800) square feet. This is huge as far as typical "tiny" homes go. most are not more than 200-3 hundred sq. ft.

All area shall be exclusive of open porches, carports, garages, sheds and similar add ons. This requirement shall not apply to mobile homes located within an approved mobile home park. (Ord. 2012-01, 7-10-2012)

This seems out of place



10-7-8: WIDTH OF BUILDING:

leave this section and perhaps state that there shall be no minimum width for a building or structure

The total width or total length of any dwelling or other main building shall be at least twenty feet (20'), as measured from outside wall to outside wall, exclusive of any carport, garage, shed, patio or similar add on. This requirement shall not apply to mobile homes located within an approved mobile home park. (Ord. 2012-01, 7-10-2012)



10-7-98: YARD SPACE FOR ONE MAIN BUILDING ONLY:

A. No required yard or other open space around an existing building, or which is hereafter provided around any building, which is needed to comply with the provisions of this title, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing the yard or open space on the lot whereon a building is to be erected or established. (Ord. 2012-01, 7-10-2012)

B. No required yard or other open space around an existing main building, or which is hereafter provided around any building, which is needed to comply with provisions of this title, shall be used for parking or storage of operable vehicles unless in compliance with 10-2-1.



10-7-109: EVERY DWELLING TO BE ON ZONING LOT:

Only one building which contains a dwelling shall be located and maintained on a "zoning lot" as defined in this title, ~~except dwellings within a mobile home park, or other large scale development.~~ (Ord. 2012-01, 7-10-2012)

ADU's ?



10-7-1110: SALE OR LEASE OF REQUIRED SPACE PROHIBITED:

No space needed to meet the width, yard, area, coverage, ~~parting-parking~~ or other requirements of this title for a lot or building may be sold or leased apart from such lot or building unless other space so complying is provided. (Ord. 2012-01, 7-10-2012)



10-7-1211: YARDS TO BE UNOBSTRUCTED; EXCEPTIONS:

Every part of a required yard shall be open to the sky and unobstructed except for permitted accessory buildings and except for ordinary and customary projection of sills, belt courses, cornices and other ornamental features and unenclosed steps and unwallled stoops, porches and carports which may project up to three feet (3') into a required yard. No projection into a required court which is provided in connection with a court apartment shall be constructed except for customary sills, belt courses and cornices which may extend into a court not more than sixteen inches (16"). (Ord. 2012-01, 7-10-2012)



10-7-1312: ACCESSORY BUILDINGS PROHIBITED AS LIVING QUARTERS:

Living and sleeping quarters in any building other than the main residential building are prohibited. (Ord. 2012-01, 7-10-2012)

ADU's ?



10-7-~~14~~13: STORAGE OF COMMERCIAL OR OVERSIZED VEHICLES PROHIBITED:

Storage of commercial or oversized vehicles must conform with 10-2-3 of this title.

~~The storage and/or continuous parking of trucks, buses, or a combination of vehicles exceeding thirty five feet (35') in length, or having a rated capacity of one ton or greater, and construction equipment such as bulldozers, graders, compressors, etc., shall not be permitted; provided, that construction equipment may be stored on a lot during construction of a building thereon for less than one year. Trucks and equipment parked in residential areas for more than three (3) days in any one month are not allowed. (Ord. 2012-01, 7-10-2012)~~



10-7-~~15~~14: STORAGE OF JUNK, DEBRIS, OR UNLICENSED INOPERABLE VEHICLES PROHIBITED:

No yard or other open space surrounding an existing building in any zone, or which is hereafter provided around any building in any zone, shall be used for the storage of junk, debris or inoperable vehicles; and no land shall be used for such purposes, except as specifically provided by this title. Storage of restorable vehicles may be permitted for a limited time, on a case by case basis, at the discretion of the zoning administrator. (Ord. 2012-01, 7-10-2012)



10-7-~~16~~15: ADDITIONAL HEIGHT ALLOWED FOR PUBLIC BUILDINGS:

Public buildings and churches may be erected to any height, provided the building is set back from required building setback lines a distance of at least one foot (1') for each additional foot of building height above the maximum height otherwise permitted in the zone in which the building is located. (Ord. 2012-01, 7-10-2012)



10-7-~~17~~16: MINIMUM HEIGHT OF DWELLINGS:

No dwelling shall be erected which has a ceiling height of less than ~~seven-eight feet six-inches (7'6"8")~~ or one story above grade, whichever is greater. (Ord. 2012-01, 7-10-2012)



Tiny Homes?

10-7-~~18~~17: SEWAGE DISPOSAL:

Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the state health department before a building permit shall be issued therefor. ~~Sewer connections shall comply with 8-4-2.~~ (Ord. 2012-01, 7-10-2012)

10-7-18: WATER CONNECTIONS:

Where municipal water is available, all users in this zone shall be connected. Where no public water is available, approval of such facilities shall be obtained from the State health departments before a building permit shall be issued.

*or
occupancy
permit?*



10-7-19: DRAINAGE:

The owners and users of ditches shall not divert more water into the ditch than its carrying capacity. Runoff from new rooftops or lots shall not exceed the carrying capacity of the natural or previous drainage system. (Ord. 2012-01, 7-10-2012)



10-7-20: CLEAR VIEW OF INTERSECTING STREETS:

In all zones which require a front yard, no obstruction which will obscure the view of automobile drivers shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points of forty five feet (45') from the intersection of the street lines. (Ord. 2012-01, 7-10-2012)

See site triangle problem diagram.



10-7-21: EFFECT OF STREET PLAN:

Wherever a front or side yard is required for a building that abuts on a proposed street which has not been constructed, but which has been designated by the planning commission as a future street, the depth of such front or side yard shall be measured from the planned street lines. (Ord. 2012-01, 7-10-2012)

easement lines, proposed street center line or other agreed upon point of reference



10-7-22: EXCEPTION TO FRONT AND SIDE SETBACK REQUIREMENTS:

The setback from the street for any dwelling located between two (2) existing dwellings may be the same as the average for said two (2) existing dwellings, provided the existing dwellings are on the same side of the street and are located within one hundred fifty feet (150') of each other. (Ord. 2012-01, 7-10-2012)



10-7-23: MOTOR VEHICLE ACCESS:

Access to all lots and parcels of land having a frontage on a city street shall be controlled as follows:

- A. Access shall be by not more than two (2) driveways from any one street.
- B. Driveways shall be not closer to each other than twenty feet (20').
- C. On corner lots, no driveways shall be ~~less closer~~ than ~~fifteen-twenty~~ feet (15'20') to the point of intersection of the front property line with the side property line which abuts upon a street.
- D. Where there is no existing curb and gutter or sidewalk, a curb ~~or fence~~ may be required by the city. (Ord. 2012-01, 7-10-2012)



10-7-24: LANDSCAPING REQUIRED:

Front yards and side yards of all dwellings which front on city streets must be landscaped. (Ord. 2012-01,



*xeriscaping
acceptable?*

7-10-2012)

10-7-25: POLLUTION PREVENTION:

Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by Utah state air conservation board or the board of health, and any use which emits or discharges liquids or solid material onto the soil or water in amounts which result in pollutants entering groundwater in amounts exceeding the standards prescribed by the Utah state water pollution control board or the board of health, shall be prohibited. (Ord. 2012-01, 7-10-2012)



10-7-26: SPECIAL PROVISIONS:

~~A. All buildings used for human occupancy shall be furnished with a public water supply and shall be constructed in accordance with the adopted building, plumbing, electrical, fire prevention and similar codes.~~

~~BA.~~ All buildings and uses shall comply with all applicable supplementary development standards as set forth in this title.

~~CB.~~ Landscape plans shall be required in connection with all multiple-family dwellings. (Ord. 2012-01, 7-10-2012)