

**DELTA CITY
ORDINANCE 21-290**

**AN ORDINANCE AMENDING TITLES 10, 16, AND 18 OF THE DELTA CITY
CODE PERTAINING TO, AMONG OTHER THINGS, ADOPTION OF A DELTA
CITY TRANSPORTATION PLAN, ADJUSTMENT OF MINIMUM LOT SIZES,
AND CLARIFICATION OF ONSITE AND OFFSITE IMPROVEMENT
NECESSARY FOR THE SUBDIVISION OF LAND WITHIN DELTA CITY.**

WHEREAS, The “Municipal Land Use, Development, and Management Act”, Utah Code Ann. § 10-91-101 et seq., as amended (the "Act"), provides that each municipality of the State of Utah may enact a land use ordinance and a zoning map establishing regulations for land use and development within the municipality;

WHEREAS, Pursuant to the Act, the municipality's planning commission shall prepare and recommend to the municipality's legislative body, following a public hearing, proposed land use ordinances and zoning maps, or amendment thereto, that represent the planning commission's recommendations for land use regulations within the municipality;

WHEREAS, The Delta City Planning Commission has caused to be drafted the attached amendments to Titles 10, 16 and 18 of the Delta City Code, and has recommended to the City Council that the amendments be adopted by Delta City.

NOW THEREFORE, be it ordained by the Council of Delta City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “10 MOTOR VEHICLES AND TRAFFIC” of the Delta Municipal Code is hereby *amended* as follows:

A M E N D M E N T

10 ROADS, MOTOR VEHICLES AND TRAFFIC

SECTION 2: **ADOPTION** “10.01 HIGHWAY DEDICATION” of the Delta Municipal Code is hereby *added* as follows:

A D O P T I O N

10.01 HIGHWAY DEDICATION(*Added*)

SECTION 3: ADOPTION “10.01.10 DEDICATION AND IMPROVEMENT REQUIRED” of the Delta Municipal Code is hereby *added* as follows:

ADOPTION

10.01.10 DEDICATION AND IMPROVEMENT REQUIRED*(Added)*

Except as otherwise provided in Section 10.01.20, no building or structure shall be erected, reconstructed, structurally altered or enlarged, and no building permit shall be issued therefore, on any lot or parcel of land which abuts a major or secondary highway, as shown on the map entitled, "The Delta City Transportation Improvement Plan," on file with the City Recorder and made part of this chapter by reference, or other public street which does not conform to current City width standards, unless the portion of such lot or parcel within the right-of-way of the highway to be widened or additional required street width has been dedicated to the City and improved. The dedication and improvements shall meet the standards for such highway or street as provided in Section 10.01.50.

SECTION 4: ADOPTION “10.01.20 EXCEPTIONS” of the Delta Municipal Code is hereby *added* as follows:

ADOPTION

10.01.20 EXCEPTIONS*(Added)*

- A. The maximum area required to be dedicated shall not exceed twenty-five percent of any lot or parcel which was of record on the effective date of the ordinance codified in this chapter in the county recorder's office. In determining the amount of area required for dedication for purposes of this exception, any highway area which previously has been dedicated to the public through public use shall not be included.
- B. Such required dedication shall not reduce the lot or parcel to less than five thousand square feet.
- C. Dedication shall not be required on those portions of a lot occupied by a main building existing on the effective date of the ordinance codified in this chapter.
- D. Additional improvements shall not be required on a lot where paved surface, curb, gutter and sidewalk improvements in good condition exist within the present right-of-way, unless use is changed from agricultural or single-family dwelling to a commercial, industrial, office or two-family dwelling or more.
- E. Dedication shall not be required for remodelings, additions and accessory buildings incidental to a single-family dwelling used as a residence, existing on the lot as of the effective date of the ordinance codified in this chapter, provided that no additional

dwelling units are created.

- F. Dedication shall not be required for additions or accessory buildings clearly incidental to a main building existing on the lot as of the effective date of the ordinance codified in this chapter, provided that the cumulative floor area of all such additions and accessory buildings does not exceed two hundred square feet or twenty percent of existing square footage, whichever is greater.

SECTION 5: **ADOPTION** “10.01.30 DEDICATION PROCEDURE” of the Delta Municipal Code is hereby *added* as follows:

A D O P T I O N

10.01.30 DEDICATION PROCEDURE(*Added*)

- A. Any person or other entity required to dedicate land under the provisions of this chapter shall execute an offer to dedicate and a warranty deed or other deed form acceptable to the City Attorney, properly executed by all parties of interest in such terms as to be binding on the owner, his/her heirs, assigns or successor in interest. The offer to dedicate, deed, and a title report shall be filed with the City Recorder. No title report need be furnished in cases where the Code Enforcement Officer determines the property in question is within a street being maintained by the City as dedicated to the public by use.
- B. The Code Enforcement Officer shall review the offer to dedicate and deed for completeness and compliance with City requirements which shall thereafter be promptly processed and submitted to the mayor for final acceptance. The dedication shall be complete when the deed is recorded in the office of the county recorder after its acceptance by the mayor.
- C. For the purpose of this chapter, dedication shall be considered as satisfactorily assured when the offer to dedicate and deed have been approved by the Code Enforcement Officer, when the mayor has accepted the deed and it has been recorded

SECTION 6: **ADOPTION** “10.01.40 BUILDING PERMIT ISSUANCE” of the Delta Municipal Code is hereby *added* as follows:

A D O P T I O N

10.01.40 BUILDING PERMIT ISSUANCE(*Added*)

When all dedication and improvements required by this chapter have been completed or assured as provided in this chapter, a building permit may be issued.

SECTION 7: **ADOPTION** “10.01.50 LOTS AFFECTED BY DEDICATION” of the Delta Municipal Code is hereby *added* as follows:

A D O P T I O N

10.01.50 LOTS AFFECTED BY DEDICATION(*Added*)

On a lot affected by the dedication required under the provisions of this chapter, all required yards, setbacks, parking area, loading space and building locations for new buildings or structures or additions to buildings or structures shall be measured and calculated from the new lot lines created by the dedication.

SECTION 8: **ADOPTION** “10.01.60 IMPROVEMENTS STANDARDS AND PROCEDURES” of the Delta Municipal Code is hereby *added* as follows:

A D O P T I O N

10.01.60 IMPROVEMENTS STANDARDS AND PROCEDURES(*Added*)

- A. Roads, highways, and right-of-ways shall be dedicated to the width indicated on the "The Delta City Transportation Improvement Plan" with a cross-section as shown in the City standards, except as provided elsewhere by appropriate authority. If a road, highway or right-of way shown on the "Delta City Transportation Improvement Plan" does not show a width or specific cross section, that road, highway, or right-of-way shall have a minimum width of one hundred feet (100') for major street right-of-ways and sixty feet (60') to eighty feet (80') for collector street right-of-ways.
- B. "Improvements" means those improvements required under the City subdivision ordinance which shall be installed in accordance with the standards required under the subdivision ordinance.
- C. Improvements required under the provisions of this chapter shall be assured when they are completed to the satisfaction of the Code Enforcement Officer as required in this chapter or a bond has been filed, guaranteeing its completion.
- D. In order to protect the health, safety and welfare of the City or its residents from traffic, flood, drainage or other hazards, the mayor may require that improvements be installed in a specific sequence and period which may be less than one year and shall incorporate such requirements in the bond.

SECTION 9: **ADOPTION** “10.01.70 AMENDMENTS TO HIGHWAY PLAN” of the Delta Municipal Code is hereby *added* as follows:

A D O P T I O N

10.01.70 AMENDMENTS TO HIGHWAY PLAN(*Added*)

Amendments to the "The Delta City Transportation Improvement Plan" may be made by the City Council by resolution.

SECTION 10: **ADOPTION** “10.16 PROHIBITED ROADWAYS” of the Delta Municipal Code is hereby *added* as follows:

A D O P T I O N

10.16 PROHIBITED ROADWAYS(*Added*)

SECTION 11: **ADOPTION** “10.16.10 CUL-DE-SACS” of the Delta Municipal Code is hereby *added* as follows:

A D O P T I O N

10.16.10 CUL-DE-SACS(*Added*)

- A. Cul-de-sacs shall not be permitted in the City unless it can be demonstrated to the satisfaction of the City Planning Commission and the City Council that no reasonable alternative to a cul-de-sac exists. If approved, cul-de-sacs shall not be longer than four hundred feet (400') from the centerline of the adjoining street to the center of the cul-de-sac. Cul-de-sacs over one hundred fifty feet (150') in length must terminate with a turnaround, such that the radius of the right-of-way is not less than one hundred feet (100') in diameter. Cul-de-sacs must be designed such that surface drainage is directed toward the edge of the circle, and the drainage system must be designed and installed to sufficiently handle runoff. If surface water drainage collects within the turnaround due to the grade of the street, necessary catch basins and drainage easements shall be provided.

SECTION 12: **ADOPTION** “10.16.20 DEAD END STREETS” of the Delta Municipal Code is hereby *added* as follows:

A D O P T I O N

10.16.20 DEAD END STREETS(*Added*)

- A. Dead-end streets shall not be permitted in the City unless designed to be temporary stubs which will adjoin with future development. Where a street longer than one hundred fifty feet (150') in length is designed to remain only temporarily as a dead-end street, an adequate temporary turning area not less than seventy feet (70') in diameter shall be provided at the dead end thereof to remain and be available for public use so long as the dead end exists.

SECTION 13: **ADOPTION** “10.16.30 ROUNDABOUTS” of the Delta Municipal Code is hereby *added* as follows:

A D O P T I O N

10.16.30 ROUNDABOUTS(*Added*)

- A. Intersections or roadways known as roundabouts, traffic circles, and continuous flow intersections shall not be permitted in the City

SECTION 14: **ADOPTION** “10.16.40 ALLEYS” of the Delta Municipal Code is hereby *added* as follows:

A D O P T I O N

10.16.40 ALLEYS(*Added*)

Alleys shall not be permitted in the City.

SECTION 15: **AMENDMENT** “16.20.020 IMPROVEMENTS MADE PRIOR TO RECORDING FINAL PLAT” of the Delta Municipal Code is hereby *amended* as follows:

A M E N D M E N T

16.20.020 IMPROVEMENTS MADE PRIOR TO RECORDING FINAL PLAT

- A. The improvements required by this title shall be constructed, installed and maintained by the subdivider until the dedication is accepted by the City and the final plat recorded in the Office of the Millard County Recorder, unless the construction, installation and maintenance is guaranteed in the manner provided in DCC 16.20.040. Improvements shall not be installed or constructed until their location and specifications have been approved by the Public Works Director. (Ord. 18-277, 2-15-2018)
- B. As determined by the Code Enforcement Officer, the Planning Commission, or the City Council, any public improvement contained or shown in a preliminary plat that is reasonably necessary for the orderly development of the subdivision may be required to be constructed, installed, or guaranteed in the manner provided in DCC 16.20.040 prior to the approval of a final plat.
- C. The following public improvements are deemed improvement related to public safety, and the construction, installation, or guarantee in the manner provided by DCC 16.20.040 of any and all such improvements contained or shown in a preliminary plat is required before the approval of any final plat associated with the subdivision:
 - 1. Improvements related to canals and ditches.
 - 2. Full completion of roads such that half roads or dead-end roads will not exist.

SECTION 16: **AMENDMENT** “16.24.040 STREETS CONFORM TO MAJOR STREET PLAN” of the Delta Municipal Code is hereby *amended* as follows:

A M E N D M E N T

16.24.040 STREETS CONFORM TO MAJOR STREET PLAN

- A. Streets shall conform to the placement and width designated on the Delta City Transportation Improvement Plan wherever such Plan is applicable.
- B. If a proposed area to be subdivided is not shown in the Delta City Transportation Improvement Plan, the following standards shall apply:
 - 1. Where feasible and according to terrain or existing built features, efforts should be made such that proposed streets shall be continuous and in

alignment with existing or platted streets, and according to the typical grid-block road layout of the city center as defined in DCC 16.24.110.

"Continuous and in alignment" as used in this section shall mean that streets are to be straight and continue from the existing or platted street with intersections that conform to the typical grid-block road layout.

2. For territory where such Delta City Transportation Improvement Plan has not been completed at the time the subdivision preliminary plat is submitted to the Land Use Authority, major or collector streets shall be provided as required by the Land Use Authority, with minimum widths of one hundred feet (100') for major street right-of-ways and sixty feet (60') to eighty feet (80') for collector street right-of-ways. (Ord. 18-277, 2-15-2018)

SECTION 17: **AMENDMENT** "16.24.110 BLOCK STANDARDS" of the Delta Municipal Code is hereby *amended* as follows:

AMENDMENT

16.24.110 BLOCK STANDARDS

- A. Blocks and road placements shall be consistent with the "The Delta City Transportation Improvement Plan."
- B. If a proposed block is not shown in the Delta City Transportation Improvement Plan, the following standards shall apply:
 1. **Length And Walkways:** Block length shall exceed a three hundred thirty foot (330') minimum length and shall not exceed six hundred and thirty (630') maximum, as measured from the center of the street to the center of the street, with exceptions of up to one thousand three hundred feet (1,300'), as approved by the Planning Commission. However, exceptions that exceed six hundred and thirty feet (630') are disfavored. In the case of blocks exceeding six hundred and thirty feet (630'), the City Council may require the reservation of an easement through the block to accommodate utilities, drainage facilities, or pedestrian traffic. Dedicated walkways six feet (6') wide may be required in the middle of blocks. Where a walkway is required, the subdivider shall surface the full width of the walkway with concrete or asphalt and install a chain-link fence at least four feet (4') high on each side the full length of the walkway. The chain-link fence shall be owned and maintained by the property owner on whose property the fence is located or which abuts the fence.
 2. **Width:** Except in a R-R-2 zones, blocks shall be at least two (2) building lots wide.
 3. **Irregular Shapes:** Irregular-shaped blocks, indented by cul-de-sacs, or containing interior spaces, are prohibited, with the exception for areas where

topography necessitates such modifications from the regular block-grid street pattern of the City. (Ord. 18-277, 2-15-2018)

SECTION 18: **AMENDMENT** “16.28.030 ON-SITE IMPROVEMENTS”
of the Delta Municipal Code is hereby *amended* as follows:

A M E N D M E N T

16.28.030 ON-SITE IMPROVEMENTS

Costs of improvements covered under the provisions of this section are to be paid by the subdivider and are subject to the approval of the City (with exclusions specifically noted in Redevelopment Zone). The owner of any land located in or platted as a subdivision shall install the following improvements in compliance with the specifications determined by City Staff, and to the requirements contained herein:

- A. **Streets On Public Property Or Property Of Utility Companies:** Where it is proposed that streets be constructed on property controlled by a public agency or utility company, approval for the location, improvement, and maintenance of such streets shall be obtained from the public agency or utility company.
- B. **Street Signs:** The subdivider shall furnish and install all necessary street signs.
- C. **Street Lights:** Streetlights of a type approved by the Public Works Director and by the electrical utility company shall be installed at all locations within the subdivision as required by the Land Use Authority or City Council. Installations shall be made by the subdivider and inspected by the Public Works Director. Street Lighting shall be dedicated to the City in the same manner as other improvements to be dedicated under this title and shall be subject to all provisions hereof relating to such improvement.
- D. **Curbs, Gutters, and Sidewalks:** Curbs, gutters, and sidewalks shall be installed by the subdivider on the development side of existing streets, and both sides of the proposed streets in all subdivisions, except the rear of those lots which back on major streets and are not permitted access to such streets. All curb and gutter shall comply with specifications adopted by the City. Roll type gutters shall not be permitted.
- E. **Culinary Water Supply:** A culinary water supply, which must be approved by the Public Works Director and State Board of Health, shall be made available to each lot in the subdivision and shall be provided in conformance with the standards, and rules and regulations of the City. Where an approved public water supply is available, the subdivider shall install water mains and service lines or laterals from such mains shall make connections to the City’s public water system, and supply culinary water via mainlines, service lines, or other lateral connections to each lot within the subdivision prior to the installation of road base, surfacing, curbs and gutters, and sidewalks.
 - 1. Lateral line connections shall be clearly identified either by marking on the curb, measuring to a permanent structure or by other means approved by the

Public Works Director. The locations shall be clearly shown on the as-built drawings.

2. Water meters shall be furnished by the City, at the expense of the subdivider. Water laterals and water meters must be at least three feet (3') but not more than five feet (5') below finished grade.

F. **Fire Hydrants:** The type, size and quantity of fire hydrants shall be approved by the Delta City Public Works Director, in consultation with the Delta City Fire Chief, before being installed by the subdivider. The spacing and placement of hydrants shall be in accordance with adopted fire code, or as otherwise directed by the Fire Chief.

G. **Sewage Disposal:** Individual sewer disposal systems or public disposal facilities shall be provided and must meet Municipal and State codes and regulations for each lot in the subdivision. The subdivider shall, unless waived by the City Council, connect with the City sanitary sewer system and provide sewer mains and extend laterals from the main sewer line for each lot in the subdivision prior to the installation of the road base, surfacing, curbs, gutters, and sidewalks. (Ord. 18-277, 2-15-2018)

H. **Canals & Ditches:** As a means of reducing the safety hazards from open irrigation systems:

1. All inlets to culverts, pipes, or covered ditches or canals that are within or adjoining a subdivision must have weed/debris catchers and be cemented to prevent erosion. Specifications for inlet construction and weed/debris catchers must be approved by the City Engineer and user company or user.
2. For all zones other than A-1, A-5, and R-R-2: Open ditches or canals shall not be allowed within or adjoining a subdivision.
 - a. The subdivider shall work with irrigation, drainage or ditch company[s] or owner[s] as to:
 - (1) Methods of covering, realigning or eliminating ditches or canals within or adjoining the subdivision;
 - (2) The size of pipe and culverts required;
 - (3) The responsibility for the periodic inspection, cleaning and maintenance of such ditches, pipes and culverts.
 - b. The subdivider shall provide the City with a detailed written proposal of such measures that are satisfactory to water users and/or canal companies. Where canals or ditches cross, within or adjacent to public rights-of-way or a proposed public right-of-way, grades and specifications for pipes or culverts must be approved by the City Engineer and user company or user.
3. Within A-1, A-5, and R-R-2 zones: Open ditches or canals shall not be allowed except along rear or side lot lines. That notwithstanding, it shall be the preference that ditches and canals be covered or eliminated where possible.

- a. The subdivider shall work with irrigation, drainage or ditch company[s] or owner[s] as to:
 - (1) Methods of covering, realigning or eliminating ditches or canals within or adjoining the subdivision;
 - (2) The size of pipe and culverts required;
 - (3) The responsibility for the periodic inspection, cleaning and maintenance of such ditches, pipes and culverts.
- b. In cases where canals or ditches cross public roads or proposed public roads, specifications and grades for pipe or culvert must be approved by the City Engineer and user company or user.

Improvements relating to canals and ditches are deemed matters of safety.

- I. **Storm Drainage:** The subdivider shall provide adequate surface drainage for the development, including primary on-site drainage adequate to handle a twenty-four (24) hour, ten (10) year storm event. Design calculations shall be submitted along with the construction plans. Inlets shall be provided so that surface water is not carried across intersections, or for a distance of more than six hundred feet (600') in the gutter. Underground seepage sumps may be approved only after receipt of acceptable engineering calculations.
- J. **Electric Power:** The subdivider shall pay the cost of trenching and installation of electric system extensions to service the subdivision.
- K. **Other utilities:** Utilities including but not limited to electrical, natural gas, telephone and cable television shall be located underground when such underground service does not violate safety standards nor impose any additional maintenance burden on City personnel.
- L. **Landscaping:** The Land Use Authority may require subdividers to provide ground cover where it determines that soil erosion may be a problem, that surface water may flood portions of the City or damage Municipal property or to prevent the growth of noxious weeds which may become a nuisance or fire hazard or danger to the public health. The Land Use Authority may specify the types of ground cover.
- M. **Monuments & Survey:**
 1. Permanent monuments shall be accurately set and established at such points as are necessary to definitely establish all lines of the plat, except those outlining individual lots. Monuments shall 100 be of a type approved by the Public Works Director. All subdivision plats shall be tied to a corner or monument of record or established land office survey corner.
 2. Survey stakes shall be placed at both front and back lot corners to completely

identify the lot boundaries on the ground. Backlot corners shall be marked with a metal pipe or rebar and cap driven into the ground, and front lot corners shall be identified with permanent plugs in the sidewalk or back of the curb, or with a metal pipe or rebar and cap driven into the ground if sidewalks or curbs have not been installed. All stakes shall be in place prior to the issuance of building permits and after the completion of all subdivision improvements, or in accordance with the Sequence of Development and Guarantee of Improvements as outlined in DCC 16.20.030 and DCC 16.20.040.

N. Bridges:

1. On-site: The cost and responsibility for the construction of any bridge located within a subdivision, which has been deemed necessary by the Public Works Director, shall be the full burden of the subdivider.
2. Off-site and Adjoining Properties: In the event that any road or street in any subdivision shall terminate at or within fifty feet (50') of any ditch, canal, creek, waterway or other obstruction which, in the opinion of the Public Works Director requires a bridge or other structures in order to continue the road over or across the obstruction and onto an adjacent tract of land, not owned by the subdivider, the subdivider shall deposit with the City Recorder the full estimated cost, as determined by the Public Works Director for constructing a proper and suitable bridge over the same. The Public Works Director shall, on request, furnish to the subdivider a cost breakdown for any such structure. The deposited funds shall then be applied by the City toward ensuring the full completion of the structure.

O. Site Cleanup & Obstructions In Street:

1. The construction process shall create no traffic hazards or other nuisances, except as properly planned-for, presented-to, and approved-by the Director of Public Works.
2. Upon construction completion, all lots shall be left free from construction materials and debris.
3. Construction which affects street shoulders, curbs, sidewalks or adjacent driveways must be properly planned-for in order to mitigate hazards toward pedestrians, vehicles, and other users. For example, if driveway access to an existing property is impeded due to the removal of curb and gutter, a temporary ramp must be provided to allow access to the affected property.
4. When making utility connections which require making cuts into existing City streets, the subdivider shall bear the cost of replacing any affected existing features, such as sidewalk, curb and gutter, and street surfaces, using proper base and fill materials, adequate compaction strengths of asphalt, and sufficient roadway paint striping to the satisfaction and approval of the Public Works Director.

P. Fences And Cattle Guards:

1. In locations where a land subdivision abuts or is adjacent to public or private grazing land, a fence of material and quality satisfactory to the Land Use

Authority shall be erected around the outer limits of the subdivision on the side abutting such grazing land. Any fencing utilized for the corralling, penning, or holding of animals, including household pets, shall be of sufficient durability, strength, and design so as to prevent any encroachment or damage by such contained animals upon adjacent properties. The Land Use Authority may also require the installation of cattle guards where it deems such is needed.

2. Animal fencing which consists of electrical barriers, razed wire or barbed strands may not be used.

Q. Other improvements, such as parks, trails, open space or other amenities, fencing, etc. as may be required. (Ord. 18-277, 2-15-2018)

SECTION 19: **AMENDMENT** “16.32.030 PROHIBITED WAIVERS” of the Delta Municipal Code is hereby *amended* as follows:

AMENDMENT

16.32.030 PROHIBITED WAIVERS

The Planning Commission and City Council may not waive the following public improvement requirements:

- A. **Water Supply:** Any and all improvements applicable to water supply to lots within the proposed subdivision;
- B. **Fire Protection:** Any and all improvements applicable to fire hydrants and fire suppression;
- C. **Sewage:** Any and all improvements applicable to sewage disposal; and
- D. **Sidewalks:** Any and all improvements applicable to sidewalks.
- E. **Canals & Ditches:** Any and all improvements applicable to canals and ditches.

(Ord. 18-277, 2-15-2018)

SECTION 20: **AMENDMENT** “18.16.010 USE TABLE” of the Delta Municipal Code is hereby *amended* as follows:

AMENDMENT

18.16.010 USE TABLE

The following Use Table is to establish the permitted uses within the designated zones of Delta City. If the use is not specifically designated as allowed as contained in the Use Table, then it is prohibited.

Use Type	A-1	A-5	R-1-A	R-1-B	R-2	R-4	R-R	R-R-2	L-R-R	M-H	C-B	H-C	I-1	P/QP
Accessory unit, occupied	X	X					X	X						
Accessory structure, unoccupied	X	X	X	X	X	X	X	X		X	X	X	X	X
Adult oriented business													X	
Agriculture	X	X											X	
Agriculture (if lot is 1 or greater)							X	X						
Agriculture industry	X	X										X	X	
Animal Hospital	X	X											X	
Apartment hotel														
Apartment house						X								
Athletic club	X	X				X					X	X	X	
Auto self serve station											X	X	X	
Auto service station											X	X	X	
Auto truck, RV sales and rental											X	X	X	
Automotive body/paint repair establishment											X	X	X	
Automotive repair establishment											X	X	X	
Aviation airport - accessory living quarters														X

Aviation airport - services													X	X
Banking - financial services											X	X		
Bar, tavern, lounge											X	X		
Bed and breakfast	X	X									X	X		
Business, commercial, less intensive	X	X												
Business, retail (limited, inside e.g., C-store, specialty, repair shops etc.)						X								
Business, service (limited, inside e.g., professional office, dental/medical clinic)						X								
Cemetery														X
Child care for business center: 8 children or less	X	X	X	X	X	X	X	X		X	X			
Child care for business facility: 9 children or more	X	X				X	X	X			X			
Church	X	X					X	X			X	X		X
Church (forty feet (40') from all property lines, no residence within)			X	X	X	X								
Church, accessory living quarters														
Cinema, indoor											X	X	X	
Civic club	X	X	X			X	X	X			X	X	X	
Coal yard													X	
Community														

facilities (mortuary, dance studio, private school, etc.)						X								
Condominium			X			X								
Convenience goods - sales											X	X	X	
Cultural, civic services											X			X
Dry cleaning establishment											X	X	X	
Dwelling, four family						X								
Dwelling, multiple family						X								
Dwelling, single-family	X	X	X	X	X	X	X	X	X	X				
Dwelling, three family						X								
Dwelling, two family					X	X								
Farm animals/livestock	X	X										X	X	
Farm animals/livestock (non-commercial uses)							X	X						
Fence, corner lot	X	X												
Fence, electric	X	X					X	X					X	
Fence, wildlife/large animal	X	X					X	X				X	X	X
Fencing														
Fireworks sales/stands											X	X	X	
General merchandise sales											X	X	X	

and services														
Group home, assisted living facility	X		X		X	X	X	X						
Group home, disabled	X		X		X	X	X	X						
Group home, elderly	X		X	X	X	X	X	X						
Health care center											X	X		X
Heavy/farm equipment sales	X	X									X	X	X	
Home occupation	X	X	X	X	X	X	X	X		X				
Hospital											X	X		X
Hotel											X	X		
Household pets (less than or equal to 3)	X	X	X	X	X	X	X	X		X	X	X	X	
Industrial park													X	
Industry, medium													X	
Kennel (more than 3 pets)	X	X											X	
Laundromat										X	X	X		
Laundry										X	X	X		
Light industry												X	X	
Liquor store											X			
Lumber sales - storage	X	X									X	X	X	
Master planned development			X	X	X	X	X	X						
Mental health center											X	X		X
Military surplus store											X	X	X	
Mobile home										X				

Mobile home park										X				
Modular home										X				
Mortuary						X					X	X	X	
Motel											X	X		
Nursery											X	X	X	
Nursery (including retail sales)	X	X												
Nursery (personal use)	X	X												
Office, business, government											X	X		X
Office, professional											X	X		
Outdoor recreation - park - play	X	X					X	X		X	X			X
Pawn shops											X	X	X	
Personal services						X		X			X	X		
Pet grooming											X	X		
Preschool	X	X	X	X			X	X			X			X
Preschool (play area enclosed by fence approved by Code Enforcement Officer)					X									
Preschool (play area enclosed on all sides by four feet (4') fence)						X								
Public - rights-of- way	X	X	X	X	X	X	X	X		X	X	X	X	X
Public services			X	X	X	X	X	X			X	X	X	X
Public utilities - except sewer							X	X			X	X	X	
Public utility														

stations	X	X											X	X
Recreational activity specialties													X	
Recreational vehicle park										X		X		
Repair services, small app											X	X	X	
Restaurant, cafe											X	X		
Restaurant, fast food											X	X		
Restaurant (limited, no drive through service)						X								
School, public							X	X			X	X		X
School, public (forty feet (40') from all property lines, no residence within)			X	X	X	X								
Schools, private, quasi-public							X	X			X	X		X
Schools, private, quasi-public (forty feet (40') from all property lines, no residence within)			X	X	X	X								
Shopping center - community											X	X		
Skating - rollerboard park											X	X		
Small engine repair	X	X					X	X			X	X	X	
Solar energy system	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Stable, public													X	
Stables, private							X	X						

Stables, private (provided structures housing animals shall not be closer than two-hundred feet (200') to any property line)	X	X												
Stables, public (provided structures housing animals shall not be closer than two-hundred feet (200') to any property line)	X	X												
Stables, public/commercial								X						
Storage container	X	X						X					X	
Storage unit - commercial												X	X	
Subdivision			X	X	X	X	X	X		X	X	X		
Surplus, secondhand store											X	X		
Telecommunication s facility < Thirty- Five Feet (35') height											X	X	X	
Telecommunication s facility < Two- Hundred feet (200') height												X	X	X
Temporary outdoor use											X	X	X	
Tobacco specialty business, retail											X		X	
Theatre, concert hall											X	X		X
Warehouse - commercial												X	X	

Welding machine shop														
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SECTION 21: **AMENDMENT** “18.24.020 SINGLE-FAMILY RESIDENTIAL MEDIUM DENSITY (R-1-B) ZONE” of the Delta Municipal Code is hereby *amended* as follows:

AMENDMENT

18.24.020 SINGLE-FAMILY RESIDENTIAL MEDIUM DENSITY (R-1-B) ZONE

- A. **Purpose:** The purpose of this zone is to create a single-family residential zone that provides for an area of medium density residential development. (Ord. 18-277, 2-15-2018)
- B. **Minimum Lot And Development Standards:**

ZONE DISTRICT R-1-B MINIMUM LOT AND DEVELOPMENT STANDARDS

		Area	Width	Setbacks	Height
Lot	Single-family	7,500sq . ft.	70' Corner Lots shall have frontage of 75'	Minimum front yard: 25' (principal or accessory structure) Corner lots having frontage shall require a 25' front yard setback and a setback of 20' from the other street frontage Minimum side yard: 8' (principal or accessory structure) Minimum rear yard: 20' principal, 2' accessory structure	35'
	Additional regulation	Private garages and accessory buildings located at least 10' behind the main dwelling may have a side yard of 5' and a rear yard of 2'; provided, that all corner lots shall maintain a 25' minimum front yard setback and a 20' minimum setback on the other side			
	Sidewalks	Yes. Sidewalk required along all properties abutting streets. Required only on new construction of a primary structure			

(Ord. 18-277, 2-15-2018)

SECTION 22: **AMENDMENT** “18.24.030 SINGLE AND TWO-FAMILY RESIDENTIAL (R-2) ZONE” of the Delta Municipal Code is hereby *amended* as follows:

A M E N D M E N T

18.24.030 SINGLE AND TWO-FAMILY RESIDENTIAL (R-2) ZONE

- A. **Purpose:** The purpose of this zone is to create a residential zone that provides for a compatible mixture of single and two-family dwellings with relatively medium densities. (Ord. 18-277, 2-15-2018)
- B. **Minimum Lot And Development Standards:**

ZONE DISTRICT R-2 MINIMUM LOT AND DEVELOPMENT STANDARDS

		Area	Width	Setbacks	Height
Lot	Single-family and two-family	Single-family 7,500sq. ft. Multi-family 7,500 sq. ft. for each additional unit after the first plus 2,000 sq. ft.	70' Corner lots shall have frontage of 75'	Minimum front yard: 25' (principal or accessory structure) Corner lots having frontage shall require a 25' front yard setback and a setback of 20' from the other street frontage Minimum side yard: 8' (principal or accessory structure) Minimum rear yard: 10' principal, 2' accessory structure	35'
	Additional regulation	Private garages and accessory buildings located at least 10' behind the main dwelling may have a side yard of 5' and a rear yard of 2'; provided, that all corner lots shall maintain a 25' minimum front yard setback and a 20' minimum setback on the other side			
	Sidewalks	Yes. Sidewalk required along all properties abutting streets. Required only on new construction of a primary structure			

(Ord. 18-277, 2-15-2018)

SECTION 23: **AMENDMENT** “18.24.040 SINGLE AND MULTI-FAMILY RESIDENTIAL (R-4) ZONE” of the Delta Municipal Code is hereby *amended* as follows:

AMENDMENT

18.24.040 SINGLE AND MULTI-FAMILY RESIDENTIAL (R-4) ZONE

- A. **Purpose:** The purpose of this zone is to create a residential zone that provides for a mixture of single- and multiple-family dwellings and uses of an institutional, semi-public or commercial nature compatible with a residential environment. (Ord. 18-277, 2-15-2018)
- B. **Minimum Lot And Development Standards:**
ZONE DISTRICT R-4 MINIMUM LOT AND DEVELOPMENT STANDARDS

		Area	Width	Setback	Height
Lot	Single-family and two-family	<p>Single-family 7,500,000 sq. ft.</p> <p>Multi-family 7,500,000 sq. ft. plus 2,000 sq. ft. for each additional unit after the first</p>	70' Corner lots shall have frontage of 75'	<p>Minimum front yard: 25' (principal or accessory structure) Corner lots having frontage shall require a 25' front yard setback and a setback of 20' from the other street frontage Minimum side yard: 8' (principal or accessory structure) Minimum rear yard: 10' principal, 2' accessory structure</p> <p>Corner lots having frontage shall require a 25' front yard setback and a setback of 20' from the other street frontage</p> <p>Accessory structure same as principal structure</p> <p>Minimum side yard: 10' (principal or accessory structure)</p> <p>Minimum rear yard: 10' (principal or accessory structure)</p>	35'
	Additional regulation	Private garages and accessory buildings located at least 10' behind the main dwelling may have a side yard of 5' and a rear yard of 2'; provided, that all corner lots shall maintain a 25' minimum front yard setback and a 20' minimum setback on the other side			
	Sidewalks	Yes. Sidewalk required along all properties abutting streets. Required only on new construction of a primary structure			

(Ord. 18-277, 2-15-2018)

SECTION 24: **AMENDMENT** “18.28.020 MINIMUM LOT AND DEVELOPMENT STANDARDS” of the Delta Municipal Code is hereby *amended* as follows:

AMENDMENT

18.28.020 MINIMUM LOT AND DEVELOPMENT STANDARDS

ZONE DISTRICT M-H

MINIMUM LOT AND DEVELOPMENT STANDARDS

	Minimum Lot Area	Minimum Lot Width	Setbacks	Height	Sidewalks
Lot	7,500 square ft.	60' Corner lots shall have frontage of 75'	Minimum front yard: 20' (principal or accessory structure) Corner lots having frontage shall require a 20' front yard setback and a setback of 20' from the other street frontage Minimum Side Yard: 10' (principal or accessory structure) Minimum Rear Yard: 10' (principal or accessory structure)	35'	Yes

Accessory structures must be at least 10' behind the principal structures.

Sidewalk required along all properties sides abutting streets. Required only on new construction of primary structures.

SECTION 25: **AMENDMENT** “18.48.030 ZONING AND REGULATORY REQUIREMENTS” of the Delta Municipal Code is hereby *amended* as follows:

AMENDMENT

18.48.030 ZONING AND REGULATORY REQUIREMENTS

A. Permits:

1. No person shall construct, maintain or operate any mobilehome park within the City limits without first obtaining a permit for the mobilehome park from the City Recorder and a certificate of occupancy from the City Building Inspector.
2. Any person or other entity who commences development or operation of a mobilehome park without first securing the necessary permits and licenses from the City shall be guilty of developing or operating a mobilehome park without a proper permit. When the building inspector or other authorized person learns of a violation, he or she shall have authority to require that the work or operation stop immediately and that it not continue until an authorized person acquires a permit.
3. Any person or entity that violates this paragraph A shall be guilty of an infraction, and shall be fined an amount not to exceed seven hundred fifty dollars (\$750.00) for each offense. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.
4. Before a permit shall be issued for a mobilehome park, the overall site plan of the development must be submitted to the Planning Commission for its review and approval. The overall site plan must show:
 - a. Sufficient information to locate accurately the property under review;
 - b. The topography represented by contours shown at intervals no greater than two feet (2');
 - c. The proposed street and typical mobilehome layout;
 - d. Proposed reservations for parks, playgrounds and open spaces;
 - e. Size and character of recreation buildings, pergolas, arbors and other structures associated with land and facilities to be used by the mobilehome park occupants;
 - f. Proposed location of parking spaces;
 - g. Proposed landscape planting plan, including the type and location of plant materials, location of water and sewer lines, fire hydrants, curbs and other improvements;
 - h. Tabulations showing
 - (1) Proposed road layout and trailer space;
 - (2) Proposed reservations for parks, playgrounds, and other open spaces;
 - (3) Proposed location for service facilities;
 - (4) A generalized landscape plan;
 - i. Proposed location of water and sewer lines, fire hydrants, curbs and other improvements;
 - j. Any other data that the Planning Commission may require.

5. No person shall use, permit or cause to be used a mobilehome which is structurally unsound, which constitutes a safety hazard, or which does not adequately protect its occupants against the elements.
6. No person shall construct, enlarge, alter, improve or convert any lands within the City limits for use as a mobilehome park without first obtaining a valid permit for such work from the City office.
7. Applications for a mobilehome park shall be submitted to the Planning Commission at its regular meeting and shall be granted or denied only after a public hearing preceded by a two (2) week notice officially published by the Planning Commission.
8. In addition to any applicable regulations in this title, all development of mobile home parks shall strictly conform to the procedures and standards set forth in the City subdivision ordinance (See DCC 16.28).

B. Inspections:

1. The Building Inspector or Code Enforcement Officer shall make such inspections of the mobilehome park, at the expense of the owner, during development and upon completion, as may be necessary to determine satisfactory compliance with this and other applicable ordinances and regulations and shall take such steps as necessary to enforce compliance. (See also DCC 16.08 and DCC 18.08.120).
2. The Building Inspector and/or Fire Chief may have the power to enter annually or at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this title or regulations issued under it for the purpose of its enforcement.
3. The Building Inspector and Fire Chief are hereby authorized and directed to inspect the mobilehome park, at least yearly, by the first business day in December, to determine satisfactory compliance with this chapter and the regulations issued hereunder.
4. The Building Inspector and Fire Chief, or their representatives, are hereby authorized to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this chapter.
5. As a condition of the issuance of a permit, an applicant shall, upon demand, allow continuing inspections of the place of business or other activity to ensure compliance with all applicable zoning, health, or safety regulations.
 - a. The City may refuse to issue a permit or may suspend or revoke a permit if an applicant should, for any reason, fail or refuse to cooperate with such an inspection.
 - b. No fee shall be charged for inspection to the tenant of a rental dwelling.

- C. Certificate Of Occupancy:** Upon the final approval by the building inspector that the newly developed mobile home park complies with all applicable City and State regulations, the building inspector shall issue the developer a certificate of occupancy.

D. Physical Requirements For Mobile Home Parks: The soil conditions, groundwater level, drainage and topography of mobile home parks shall not create hazards to the property, adjacent properties or to the health and safety of the occupants. The site shall not be exposed to objectionable smoke, dust, noise, odors or other adverse environmental influences, and no portion shall be subject to predictable sudden flooding or erosion. The site shall not be used for any purpose which would expose persons or property to hazards to health or safety. The site must comply with HUD standards.

E. Common-use Areas:

1. No less than ten percent (10%) of the gross area of the mobilehomepark shall be set aside for common use. The land covered by vehicular roadways, sidewalks, off-street parking and landscaped areas surrounding trailer spaces that are pertinent to each trailer space and area devoted to service facilities shall not be construed as being part of the area required for common use areas, parks and playgrounds.
2. A strip of land at least eight feet (8') wide surrounding the mobilehomepark shall be left unoccupied by mobilehomes and shall be landscaped and maintained.

F. Final Plans And Lot Placement:

1. Within one (1) year after approval of the preliminary plan, the subdivider shall submit to the Planning Commission a final site plan of either the entire mobilehomepark or the first phase of such development that is to be constructed. The plan shall show:
 - a. Area of land within the development;
 - b. Number of lots provided;
 - c. Number of mobilehomes provided;
 - d. Number of parking spaces provided;
 - e. Storm drainage and runoff calculations, as specified in DCC 16.28.030 paragraph H;
 - f. Percentage of the area to be devoted to common-use areas;
 - g. Any other data the Planning Commission may require.
2. Mobile home parks within the City shall have acceptable lot markers for each individual mobilehome lot. Lot markers for individual mobilehome lots shall substantially conform to the depicted lot markers and lot size on the approved plan. The mobilehomepark owner shall have responsibility to ensure that lot markers conform to this chapter.

G. Lot Markers: The limits of each mobile home lot shall be clearly marked on the ground by permanent flush stakes or other suitable means.

H. Livable Open Space: Livable open space shall be provided on each mobile home lot in an amount equal to at least ten percent (10%) of the lot area; provided, that in no case shall livable space be required to be less than three hundred (300) square feet. Such required livable open space shall not have a dimension of less than fifteen feet

(15').

- I. **Utilities:** Each mobile home space shall be provided with underground electric, natural gas, and telephone service. All other utility lines and communication systems to individual lots, which may be installed, shall also be underground. Risers for connections, meters, necessary service attachments, etc., which must be above-ground, shall be as uniform in appearance and as unobtrusive as practicable.

J. **Water Supply And Distribution:**

1. The park culinary water supply system shall be connected to the City water system and shall be the only water system used. The City will supply the master meter connecting to the park. All other water lines shall remain private. All water piping fixtures and other equipment shall be constructed in accordance with applicable local, State and Federal regulations and shall be of a type and in locations approved by appropriate health agencies.
2. Each lot shall have an approved shutoff valve of sufficient depth and approved by the Water Superintendent to allow and provide for water control. Installation of backflow valves are encouraged and shall be in accordance with the applicable code.
3. Fire hydrants shall be constructed within or adjacent to a mobilehome park as required by the Fire Chief to comply with the Fire Code; provided, however, the maximum distance from any mobilehome is no more than 500 feet from a fire hydrant.

K. **Gas And Electricity:**

1. Gas equipment and installations within the mobilehome park shall be designed and constructed in accordance with applicable codes and regulations.
2. All electrical wiring, fixtures and other material or equipment shall be designed and constructed in accordance with applicable Electrical Codes.

- L. **Telephone And Television:** When telephone or cable television service is provided, the distribution system shall be underground unless evidence can be presented demonstrating that such installation is impractical.

- M. **Sewage Disposal:** Sewage systems shall meet local and State codes and regulations for each lot in the park. All sewage systems within the park shall remain private. Connections shall be made to a public sewage system. All joints shall be watertight. Provisions shall be made for sealing riser pipes on unoccupied lots. Surface drainage shall be diverted away from risers. Rims of risers shall extend at least four inches (4") above ground elevation.

- N. **Setback, Yard Size, Separation Buildings:** No two (2) mobile homes shall have any point less than twenty feet (20') apart, and all mobile homes shall be set back at least ten feet (10') from the roadway within the mobile home park. The minimum distance from the shorter dimension side of a mobile home to a boundary of the mobile home park shall be eight feet (8'). The minimum distance from the longer dimension side of a mobile home to a boundary of the mobile home park shall be twenty feet (20'). A strip of land at least eight feet (8') wide surrounding the mobile home park shall be left unoccupied.

- O. **Skirting:** Each mobile home shall be skirted within thirty (30) days after installation in a mobile home park. Skirting shall be of aluminum or other durable and noncorrosive metal or other material so constructed and attached to the mobile home as to deter and prevent the entry of animals and to screen from view any materials that might be stored under the mobile home.
- P. **Carports, Awnings, Patio Covers Etc.:** All carports, awnings, patio covers or similar accessory structures or constructions shall meet all applicable City Building Codes, including building permit and inspection requirements.
- Q. **Individual Structures:** Accessory buildings shall be located at least twenty feet (20') from the back of the sidewalk. An accessory building may be located on the side or rear line of a space provided it is located more than forty feet (40') from the street, is located more than ten feet (10') from any mobile home or dwelling unit on the space or any adjacent space or property line, has not openings on the side or sides contiguous to the space boundaries, and discharges not roof drainage onto the adjoining space. All other accessory buildings shall be located at least five feet (5') from the space boundary.
- R. **Streets And Street Lighting:**
1. Ingress/Egress: There shall be no more than two (2) entrances from the mobilehomepark onto any one (1) street, which entrances shall be no closer than twenty-five feet (25') from each other. Mobilehomeparks must have immediate access to one or more collector or arterial streets. No mobile home lot within a mobilehomepark may be accessed by a public right-of-way, road, or street, and shall be accessible by a private road, street or drive meeting the standards provided by this Chapter.
 2. Streets, drives, parking and service areas within the mobilehomepark shall provide safe and convenient access to dwelling units and supporting facilities and shall allow convenient access for service and emergency vehicles. Access to individual lots within the mobilehomepark shall be limited to streets internal to the park. .
 3. All streets in a mobilehomepark shall have a paved width of not less than thirty-five feet (35'). All streets shall be constructed in accordance with the standard specification of the City for construction of City streets, including, but not limited to, type and thickness of the base, compaction, thickness and type of pavement. No street shall be constructed until the design thereof has been approved by the Public Works Director or his assignee.
 4. Dead-end streets are not allowed.
 5. Lighting shall be designed to produce a minimum of 0.1 foot-candles throughout the street system. Potentially hazardous locations, such as major street intersections, shall be illuminated with a minimum of 0.3 foot-candles.
 6. Street lighting must be provided at each street intersection, or in cases where blocks exceed six-hundred and sixty feet (660'), every four hundred to five hundred feet (400'-500').
- S. **Parking:** Each mobile home space shall include a paved parking space with a

minimum size of eighteen feet (18') by twenty feet (20'). The parking space shall be paved with concrete (to the Public Works Director specification) and shall be provided with paved access to the street. There shall be a minimum of one (1) space of visitor parking for every four (4) mobile home spaces in the mobile home park. All visitor parking shall be located within a reasonable distance of a group of mobile home spaces as approved by the Planning Commission.

T. Curb, Gutter, And Sidewalks:

1. All streets in a mobilehome park shall have a concrete curb, gutter, and sidewalk on each side. The curb and gutter must comply with the standards in DCC 16.28.030 paragraph D. The sidewalk shall be four feet (4') in width. All concrete shall conform to the City's specifications for curb, gutter, and sidewalk.
2. Each mobilehome space shall abut the sidewalk along the street frontage or a paved parking space bounded by a paved walkway with a width of not less than four feet (4').

U. Penalty For Violation; Penalty And Procedure For Violating This Chapter:

1. Any person or other entity who violates any provision of this chapter shall be guilty of an infraction and shall be fined an amount not to exceed seven hundred fifty dollars (\$750.00) for each offense and shall be required to correct the violation.
2. Before issuing a citation for an infraction, the building inspector or other authorized person shall issue a warning notice, describing the alleged offense, the location, the ordinance or Code section involved, and a statement of what must be done to correct the violation. The notice shall state the date by which such correction must be completed. Such date shall give five (5) calendar days from the date of the notice; provided, that a shorter time shall be specified if there is substantial immediate danger to persons or property. A longer time than five (5) days shall be stated if there would be practical physical difficulties in completing the correction within five (5) days and there is no emergency.
3. Failure of the City to issue a warning as described in paragraph U,2 shall not affect the validity of any prosecution for an infraction.

V. Safety And Fire Protection:

1. Mobile home parks shall be subject to the fire and safety rules and regulations as set up by the City Council.
2. Mobile home parks shall be kept free of litter, rubbish, and other flammable materials.
3. Portable fire extinguishers of a type approved by the Fire Chief or his authorized representative shall be kept in mobilehome park service buildings and at all other locations designated by the Fire Chief and shall be maintained in good operating condition.
4. Cooking shelters, barbecue pits, fireplaces, and stoves shall be so located,

constructed, maintained and used to minimize fire hazards and smoke nuisance, both on the property on which they are used and on neighboring property. Installation of stoves and fireplaces must meet current Building Code regulations. Stoves must be UL approved for mobilehomes. An inspection shall be made by the Fire Chief prior to the operation of such stoves and/or fireplaces.

5. Fire hydrants shall be installed in accordance with all applicable Fire and Building Codes. Fire hydrants shall be constructed within or adjacent to a mobilehome park as required by the Fire Chief to comply with the Fire Code; provided, however, the maximum distance between hydrants, when measured along the street shall be five hundred (500').
6. Fire hydrants shall be of the type, size and number as approved by the Delta City Public Works Director and installed by the subdivider. Spacing and placement of hydrants shall be in accordance with adopted fire code, or as otherwise directed by the Fire Department.

- W. **Age Limit of Mobile Homes:** All trailers and mobile homes must comply with current HUD standards.
- X. **Mobile Home Storage:** It shall be unlawful for any person to place, keep, maintain, or permit to be placed, kept, or maintained, a mobile home upon any lot, piece, or parcel of land within the City except in the Mobile Home (M-H) Zone.
- Y. **Risers:** All risers must comply with HUD standards.
- Z. **Responsibilities Mobile Home Park Occupants:** Mobile home park occupants shall comply with all applicable requirements of this chapter and regulations issued hereunder, and shall maintain their mobile home lots, facilities and equipment in good repair, in a clean and sanitary condition and in a manner free of fire hazards.
- AA. **Permit Required Prior To Relocation And Occupancy:** A mobile home permit shall be required to move any mobile home into a mobile home park. Occupancy may occur after inspection and approval by the City building inspector.
- AB. **Conflict With State Or Federal Law:** Nothing in this chapter or in its interpretation, application or enforcement shall act or be allowed to operate in conflict with any State or Federal law. (Ord. 18-277, 2-15-2018)

SECTION 26: **AMENDMENT** “18.64.010 General Development Standards” of the Delta Municipal Code is hereby *amended* as follows:

AMENDMENT

18.64.010 General Development Standards

- A. **Erection Of More Than One Principal Structure On Lot:** The following restriction is applicable in these zone districts: C-B, H-C, and I-1:

1. **Erection Of More Than One Principal Structure On The Lot:** More than one structure housing a permitted principal use may be erected on a single lot; provided, that yard setbacks and other requirements of this title shall be met for each structure. (Ord. 18-277, 2-15-2018)
 2. Erection of more than one principal structure on a lot is prohibited in all other zones.
- B. Structure To Have Access:** The following restriction is applicable in these zone districts: A-1, A-5, C-B, H-C, I-D, L-R-R, P-D, P/QP, R-1-A, R-1-B, R-2, R-4, R-D, and R-R:
1. **Structure To Have Access:** All structures shall be on a lot adjacent to a public street or with access to an approved private street, and shall be so located on lots as to provide safe and convenient access for fire protection. (Ord. 18-277, 2-15-2018)
- C. Setbacks:**
1. **Cul-de-sacs, elbows, knuckle streets, or irregular frontage.**
 - a. Front Setback Requirements: Where a lot fronts a cul-de-sac or some other irregularly shaped frontage, the front setback may be measured from a straight line drawn joining the front corners of the lot; however, in no case may the living area be any closer than fifteen feet (15') from the back of the property line and the garage may not be any closer than twenty feet (20') from the back of the property line.
 - b. Rear Setback Requirements: On irregularly shaped lots and cul-de-sacs, the rear setbacks for a principle structure may be reduced by five (5') feet; however in no case may the principal structure be any closer than ten (10') feet from the rear property line.

SECTION 27: **AMENDMENT** “18.64.040 (Reserved)” of the Delta Municipal Code is hereby *amended* as follows:

AMENDMENT

18.64.040 DITCHES AND CANALS

As a means of reducing the safety hazards from open irrigation systems:

- A. All inlets to culverts, pipes, or covered ditches or canals that are within or adjoining a project site must have weed/debris catchers and be cemented to prevent erosion. Specifications for inlet construction and weed/debris catchers shall be approved by the City Engineer and user company or user.
- B. This section shall be applicable to the following uses: Bed and breakfast, Child care for business center, any dwelling greater than single family, any form of group home,

health care center, mental health center, mobile home park, preschool, recreational vehicle park, or school (public or private).

1. Open ditches or canals shall not be allowed within or adjoining a project site.
 - a. The owner shall work with irrigation, drainage or ditch company[s] or owner[s] as to:
 - (1) Methods of covering, realigning or eliminating ditches or canals within or adjoining the subject site;
 - (2) The size of pipe and culverts required;
 - (3) The responsibility for the periodic inspection, cleaning and maintenance of such ditches, pipes and culverts.
 - b. The owner shall provide the City with a detailed written proposal of such measures that are satisfactory to water users and/or canal companies. Where canals or ditches cross, within or adjacent to public rights-of-way or a proposed public right-of-way, grades and specifications for pipes or culverts must be approved by the City Engineer and user company or user.
- C. For all other uses, Open ditches or canals shall not be allowed except along rear or side lot lines. That notwithstanding, it shall be the preference that ditches and canals be covered or eliminated where possible.
 1. The owner shall work with irrigation, drainage or ditch company[s] or owner[s] as to:
 - a. Methods of covering, realigning or eliminating ditches or canals within or adjoining the subject site;
 - b. The size of pipe and culverts required;
 - c. The responsibility for the periodic inspection, cleaning and maintenance of such ditches, pipes and culverts.
 2. In cases where canals or ditches cross public roads or proposed public roads, specifications and grades for pipe or culvert must be approved by the City Engineer and user company or user.

SECTION 28: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 29: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 30: **REPEAL OF ORDINANCE NUMBER 21-289** Ordinance Number 21-289, an ordinance adopting a moratorium on receiving or processing certain land use applications based pursuant to Utah Code Ann. § 10-3-717, is hereby repealed in its entirety.

EFFECTIVE DATE This Ordinance shall be in full force and effect after the required approval and publication according to law.

PASSED AND ADOPTED BY THE DELTA CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Robert W. Banks	_____	_____	_____	_____
Brett C. Bunker	_____	_____	_____	_____
Kiley J. Chase	_____	_____	_____	_____
Nicholas W. Killpack	_____	_____	_____	_____
Betty Jo Western	_____	_____	_____	_____

Presiding Officer

Attest

John W. Niles, Mayor, Delta City

Sherri Westbrook, City Recorder
Delta City

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code §10-3-711, I hereby certify that the foregoing Ordinance was duly passed and published or posted at: Delta City Municipal Complex, Delta City Website, and Utah Public Notice Website.

1) *76 N 200 W, Delta, Utah 84624*

2) *<http://delta.utah.gov/>*

3) *<https://www.utah.gov/pmn/>*

on the above referenced dates.

Attest

Sherri Westbrook, City Recorder,
Delta City