Planning Commission Meeting

Tuesday, September 21, 2021 at 6:30 pm

Attendees: Chairperson Lee Bennett, Commissioner Robert Christensen, Commissioner Scott Burgess, Commissioner Mary Cokenour, Commissioner George Matocha, City Manager Evan Bolt, City Recorder Shalena Black, Deputy City Recorder Melissa Gill

Meeting Location: 648 S Main

1. **Call to Order**
2. **Public Comment**
3. **Review Monticello City Code: Title 10 Chapter 6 Changes for State Compliance (discussion)**
   The Planning Commission will conduct a final review of Title 10 Chapter 1 before scheduling a public hearing for this chapter.

   Attachments:

   - **2021 10 Ch 6 v2 091121** (2021_10_Ch_6_v2_091121.docx)

4. **Review Monticello City Code: Title 10 Chapter 7 Changes for State Compliance (discussion)**
   The Planning Commission will conduct a final review of Title 10 Chapter 1 before scheduling a public hearing for this chapter.

   Attachments:

   - **2021 10 Ch 7 v2 091121** (2021_10_Ch_7_v2_091121.docx)

5. **Administrative Communications**
6. **Next Meeting Agenda**
7. **Adjournment**

Audio File

Notice of Special Accomodations

THE PUBLIC IS INVITED TO ATTEND ALL CITY MEETINGS In accordance with the Americans with Disabilities Act, anyone needing special accommodations to attend a meeting may contact the City Office, 587-2271, at least three working days prior to the meeting. City Council may adjourn to closed session by majority vote, pursuant to Utah

Code §52-4-4 & 5

DISCUSSION PAPER FOR PLANNING COMMISSION USE

TITLE 10
ZONING REGULATIONS

Red = Changes required by Utah law
Blue = Changes previously rdiscussed by PC & CC but not yet submitted to CC

CHAPTER 6
R-1 RESIDENTIAL ZONE

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:

A. The following buildings, structures and uses of land shall be permitted upon compliance with requirements set forth in this title:
   - Single-family dwellings of conventional construction and manufactured homes
   - Foster homes
   - Childcare
   - Daycare, Nursery, Preschool
   - Churches, not including temporary revival tents or buildings
   - Walls and hedges
   - Household pets
   - Accessory buildings
   - Public agency parks and playgrounds.
   - ~~Public buildings and grounds not including storage yards and repair shops.~~
   - Public, private and parochial schools and grounds.
   - Growing of fruit and gardens for household use.
   - Utility lines ~~and buildings~~

B. The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:
   - Accessory signs conforming to section 10-2-6.

Fences in conformance with section 10-2-14.
Keeping of chickens as allowed in section 10-2-12.
Long-term rental of dwelling units subject to the provisions of section 10-2-17.
Solar electricity systems conforming to section 10-2-16.
Temporary uses subject to the provisions of section 10-2-10.

C. The following uses are permitted as conditional uses (see section 10-2-8).
Home occupations.
Machinery sheds used for storage of equipment used in connection with agricultural activities performed on the premises.
Growing of field crops, garden produce, and fruit for sale or trade.
Rest homes, nursing homes, convalescent homes, assisted living homes.
Other uses that conform to 10-2-8 when approved by city council.

10-6-4: AREA AND FRONTAGE REQUIREMENTS:
Area and frontage requirements shall be as follows:

Main Use	**Minimum Lot or Parcel 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. All dwellings and other buildings and structures shall be set back according to the special conditions noted below:~~

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 back of curb.~~
~~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)~~
~~a. Where a curb is not present the setback shall be measured from the center of the city street as determined by the Public Works Department.~~
~~b. If a lot line is angled, a reduced setback requirement may be applied if all of the following conditions are met:~~
~~1. The narrowest distance from a resident's front property line and back of curb is greater than ten feet (10'), and~~
~~2. The greatest distance is over twenty feet (20'), and~~
~~3. The setback conforms with surrounding homes.~~

1. Main Setback: All dwellings and other structures shall be set back according to the special conditions noted below:
    a. Where the legal property line of the residential lot or parcel is located at the back of street curb or back of pavement and there is no curb, the front setback shall be twenty feet (20') from the front lot or parcel line.
    b. Where the legal property line of the residential lot or parcel is located within the street pavement or gravel area, the front setback shall be forty feet (40') from the front lot or parcel line.
    c. Where the legal property line of the residential lot or parcel is located more than ten feet (10') from the street pavement or gravel area, the front setback shall be ten feet (10') from the front lot or parcel line.
    d. Where the legal property line of the residential lot or parcel line is angular to the roadway and there is less than ten feet (10') between the legal property line and the street pavement or gravel area, then the front setback shall be a minimum of twenty feet (20') from the nearest point of the street pavement or gravel area.

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 or parcel, 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 feet (8') from the side lot or parcel line.
2. Accessory Buildings: All accessory buildings shall be set back at least five feet (5') from the lot or parcel line~~, except that no minimum side 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.~~

C. Side Setback; Corner Lot or Parcel:
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 or parcel line which abuts on a street.
2. Interior Side: Same as required for interior lots or parcel.

D. Rear Setback; Interior Lots or Parcel:

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

E. Rear Setback; Corner Lots or Parcel:

1. Main Buildings: All dwellings and other main buildings shall be set back at least thirty feet (30') from the rear lot or parcel 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 or parcel line to the closest part of the building.
2. Accessory Building: All accessory buildings shall be set back at least five feet (5') from the rear lot or parcel 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)

~~F. 10-6-23: 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)~~

10-6-6: HEIGHT OF BUILDINGS:

The maximum height of ~~any building (measured from finished grade to the square of the building) shall be twenty feet (20') 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 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)~~ a dwelling building shall be measured from finished grade at the front of the dwelling to the highest wall plate.

A. The maximum height of a dwelling building shall be as noted below:
   1. Level lot or parcel: Twenty-four feet (24').
   2. Uneven lot or parcel: Where the ground is uneven in height and the ground slopes downward from the front of the dwelling by more than ten feet (10') to the back of the dwelling the maximum height shall be twenty feet (20').

B. Minimum height of a dwelling building:

No dwelling shall be erected which has a ceiling height of less than ~~seven feet six inches (7'6~~") the heigh required by the applicable building code.

C. The maximum height of accessory buildings shall be no greater than twenty feet (20') or two stories, whichever is the higher.

D. 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)

10-6-7: 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 building, or which is hereafter provided around any building, that 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 or parcel be considered as providing the yard or open space on the lot or parcel 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 that 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 A ~~ZONING~~ LOT OR PARCEL:
Only one building which contains a dwelling shall be located and maintained on a ~~"zoning lot" as defined in this title~~ lot or parcel, except dwellings within a mobile home park, or other large scale development.

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

No space needed to meet the width, yard, area, coverage, parking, or other requirements of this title for a lot, parcel, or building may be sold or leased apart from such lot, parcel, 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:

A. Permitted accessory buildings, and

B. Ordinary and customary projection of sills, belt courses, cornices and other ornamental features and unenclosed steps and unwalled 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 or structure other than the main residential building are prohibited. (Ord. 2012-01, 7-10-2012)

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

A. 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 or parcel during construction of a building thereon for less than one year.

B. 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)

C. Storage of recreational vehicles shall comply with 10-2-7 of this title.

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

A. 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;

B. No land shall be used for such purposes, except as specifically provided by this title.

C. Storage of one restorable vehicle may be permitted in the backyard for a period of six (6) months, on a case by case basis, at the discretion of the zoning administrator. Restoration work shall comply with applicable noise and nuisance ordinances.

10-6-16: SEWAGE DISPOSAL:

A. Sewer connections shall comply with section 8-4-2.

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

10-6-17: 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 or certificate of occupancy shall be issued therefore.

10-6-18: DRAINAGE:

A. The owners and users of ditches shall not divert more water into the ditch than it's carrying capacity.

B. 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)

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

10-6-19: 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')~~ forty feet (40') from the intersection of the street lines. (Ord. 2012-01, 7-10-2012)

10-6-20: 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)

10-6-21: 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~~ No lot or parcel shall have more than two (2) driveways ~~from any one street~~.

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

C. On corner lots or parcels, no driveways shall be closer than ~~fifteen feet (15')~~ twenty feet (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)

10-6-22: LANDSCAPING REQUIRED:
Front yards and side yards of all dwellings which front on city streets must be landscaped. (Ord. 2012-01, 7-10-2012)

10-6-23: 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)

10-6-24: 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 water supply in accordance with 10-6-19 of this title.

B. All buildings used for human occupancy shall be constructed in accordance with the adopted building, plumbing, electrical, fire prevention and similar codes.

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

DISCUSSION PAPER FOR PLANNING COMMISSION USE

TITLE 10
ZONING REGULATIONS

Red = Changes required by Utah law
Blue = Changes previously discussed by PC & CC but not yet submitted to CC

CHAPTER 7
R-2 RESIDENTIAL ZONE

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 small homes can be constructed. (Ord. 2012-01, 7-10-2012)

10-7-3: PERMITTED USES:
A. The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this title:
   Accessory Buildings
   ~~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
   Multi-family dwellings, townhouses and condominiums.
   Small homes erected on foundations
   ~~Boarding house, hostel, inn, hotel, or motel~~
   Boarding house, lodging house, bed and breakfast, rooming house
   Childcare
   Churches, not including temporary revival tents or buildings
   Daycare, Nursery, Preschool
   Foster care homes
   Household pets
   Mobile homes on foundations with tie down
   Public agency parks and playgrounds
   ~~Rest homes and daycare centers, and senior assisted living facilities. In approving such uses 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)~~

Utility lines and buildings
Walls and hedges

B. The following uses are permitted when in conformance with the specified sections of Title 10, Zoning Regulations:
   Accessory signs conforming to section 10-2-6
   Fences in conformance with section 10-2-14
   Keeping of chickens in conformance with section 10-2-12
   Long-term rental of a dwelling unit as permitted in 10-2-17
   Short-term rental of a dwelling unit as permitted in 10-2-17
   Solar electricity systems in conformance with 10-2-16
   Temporary uses subject to the provisions of section 10-2-10

C. The following uses are permitted as conditional uses (see section 10-2-8).
   Home occupations
   Machinery sheds used for storage of equipment used in connection with agricultural activities performed on the premises.
   Growing of field crops, garden produce, and fruit for sale or trade.
   Rest homes, nursing homes, convalescent homes, assisted living homes.
   Other uses that conform to 10-2-8 when approved by city council.

10-7-4: AREA AND FRONTAGE REQUIREMENTS:
Area and frontage requirements shall be as follows

Main Use	Minimum Lot or Parcel Area	Minimum Frontage (At Setback Line)
Single-family dwelling	~~10,000~~ 5,445 square feet	~~80~~ 60 feet
Small home	3,000 square feet	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

10-7-5: LOCATION REQUIREMENTS:

A. Front Setback:

1. ~~Main Buildings:~~ All single-family, small homes, and two-family dwellings and other main buildings and structures shall be set back according to the special conditions noted below:
    a. Where the legal property line of the residential lot or parcel is located at the back of street curb or back of pavement and there is no curb, the front setback shall be twenty feet (20') from the front lot or parcel line.
    b. Where the legal property line of the residential lot or parcel is located within the street pavement or gravel area, the front setback shall be forty feet (40') from the front lot or parcel line.
    c. Where the legal property line of the residential lot or parcel is located more than ten feet (10') from the street pavement or gravel area, the front setback shall be ten feet (10') from the front lot or parcel line.
    d. Where the legal property line of the residential lot or parcel line is angular to the roadway and there is less than ten feet (10') between the legal property line and the street pavement or gravel area, then the front setback shall be a minimum of twenty feet (20') from the nearest point of the street pavement or gravel area.

2. All multi-family dwellings shall be set back not less than forty feet (40') ~~from the front lot line~~ back of curb.
3. ~~Where a curb is not present the setback of a dwelling unit shall be measured from the center of the city street as determined by the Public Works Department.~~
4. ~~If a lot line is angled, a reduced setback requirement may be applied to the dwelling unit if all of the following conditions are met:~~
    ~~a. The narrowest distance from a resident's front property line and back of curb is greater than ten feet (10'), and~~
    ~~b. The greatest distance is over twenty feet (20'), and~~
    ~~c. The setback conforms with surrounding homes.~~ (Ord. 2014-4, 4-22-2014)

5. 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 or parcel, a detached accessory building shall be set back not less than sixty feet (60') from the front lot line.

B. Side Setback; Interior Lot or Parcel:

1. Main Buildings: All dwellings and other main buildings shall be set back at least eight feet (8') from the side lot or parcel line.
2. Accessory Buildings: All accessory buildings shall be set back at least five feet (5') from the lot or parcel line, except that no minimum side setback shall be required when all the following conditions are met:

a. The accessory building is located more than ~~twelve feet (12')~~ five feet (5’) from any existing dwelling on the same or an adjacent lot or parcel;
b. The accessory building contains no openings on the side contiguous to the lot or parcel line;
c. No drainage from the roof will be discharged onto an adjacent lot or parcel.

3. All accessory buildings when adjoining an R-2 zone shall be set back twenty feet (20’).

C. Side Setback; Corner Lot or Parcel:

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 or parcel line which abuts on a street.
2. Interior Side: Same as required for interior lots.

D. Rear Setback; Interior Lot or Parcel:

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-2 zone shall be set back twenty feet (20’).

E. Rear Setback; Corner Lot or Parcel:

1. Main Buildings: All dwellings and other main buildings shall be set back at least thirty feet (30') from the rear lot or parcel 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 or parcel line to the closest part of the building.
2. Accessory Building: All accessory buildings shall be set back at least five feet (5') from the rear lot or parcel 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 or parcel;
   b. The accessory building contains no openings on the side contiguous to the lot or parcel line;
   c. No drainage from the roof will be discharged onto an adjacent lot or parcel;
   d. The accessory building will be set back at least fifty feet (50') from the side lot or parcel line abutting the street. (Ord. 2012-01, 7-10-2012)

~~F. 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)~~

10-7-6: HEIGHT OF BUILDINGS:

~~A.~~ The maximum height of any building (measured from finished grade ~~to the square of the building)~~ shall be ~~twenty feet (20')~~ twenty-four feet (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 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)~~.~~

B. 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)

C. No dwelling shall be erected which has a ceiling height less than required by applicable building codes.

10-7-7: SIZE OF DWELLING:

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)

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

B. 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.

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

D. 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).

~~**10-7-8: WIDTH OF BUILDING:**~~

~~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)~~

10-7-8: 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 or parcel be considered as providing the yard or open space on the lot or parcel 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 hereinafter provided around any building, that is needed to comply with provisions of this title, shall be used for parking or storage or operable vehicles unless in compliance with 10-2-5.

10-7-9: EVERY DWELLING TO BE ON A LOT OR PARCEL:
Only one building which contains a dwelling shall be located and maintained on a lot or parcel as defined in this title, except dwellings within a mobile home park, or other large scale development.

10-7-10: SALE OR LEASE OF REQUIRED SPACE PROHIBITED:
No space needed to meet the width, yard, area, coverage, parking or other requirements of this title for a lot or parcel or building may be sold or leased apart from such lot or building unless other space so complying is provided.

10-7-11: YARDS TO BE UNOBSTRUCTED; EXCEPTIONS:
Every part of a required yard shall be open to the sky and unobstructed except:

A. Permitted accessory buildings;

B. Ordinary and customary projection of sills, belt courses, cornices and other ornamental features and unenclosed steps and unwalled stoops, porches and carports which may project up to three feet (3') into a required yard;

C. 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)

10-7-12: 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)

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

A. 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 or parcel during construction of a building thereon for less than one year.

B. 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)

C. Storage of recreational vehicles must conform with 10-2-7 of this title.

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

A. 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;

B. No land shall be used for such purposes, except as specifically provided by this title.

C. Storage of one restorable vehicle may be permitted in the backyard for a period of six (6) months, on a case by case basis, at the discretion of the zoning administrator. Restoration work shall comply with applicable noise and nuisance ordinances.

10-7-15: SEWAGE DISPOSAL:

A. Sewer connections shall comply with 8-4-2.

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

10-7-16: WATER CONNECTION:

A. Where municipal water is available, all users in this zone shall be connected.

B. Where no public water is available, approval of such facilities shall be obtained from the state health department before a building permit or certificate of occupancy is issued.

10-7-17: DRAINAGE:

A. The owners and users of ditches shall not divert more water into the ditch than it's carrying capacity.

B. 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)

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

10-7-18: 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')~~ forty feet (40') from the intersection of the street lines. (Ord. 2012-01, 7-10-2012)

10-7-19: 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)

10-7-20: MOTOR VEHICLE ACCESS:
Access to all lots and parcels of land having a frontage on a city street shall be controlled as follows:

A. No lot or parcel shall have 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 or parcels, no driveways shall be closer than ~~fifteen feet (15')~~ twenty feet (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)

10-7-21: LANDSCAPING REQUIRED:
Front yards and side yards of all dwellings which front on city streets must be landscaped. (Ord. 2012-01, 7-10-2012)

10-7-22: 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)

10-7-23: 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 water supply in accordance with 10-6-19 of this title.

B. All buildings used for human occupancy shall be constructed in accordance with the adopted building, plumbing, electrical, fire prevention and similar codes.

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