

**CITY OF SARATOGA SPRINGS
CITY COUNCIL WORK SESSION
Tuesday, November 15, 2016 - 6:00 P.M.**

City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

CITY COUNCIL WORK SESSION AGENDA

1. Review of Sports Park Announcer Structure Architectural Sketches and Floor Plans.
2. Pre-Review of Title 19 Code Amendments.
3. Agenda Review:
 - a. City Council policy agenda items.
 - b. Future City Council policy and work session agenda items.
4. Adjourn to Policy Session.

SARATOGA SPRINGS

Councilmembers may participate in this meeting electronically via video or telephonic conferencing.
The order of the agenda items are subject to change by order of the Mayor.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Recorder at 766-9793 at least one day prior to the meeting.

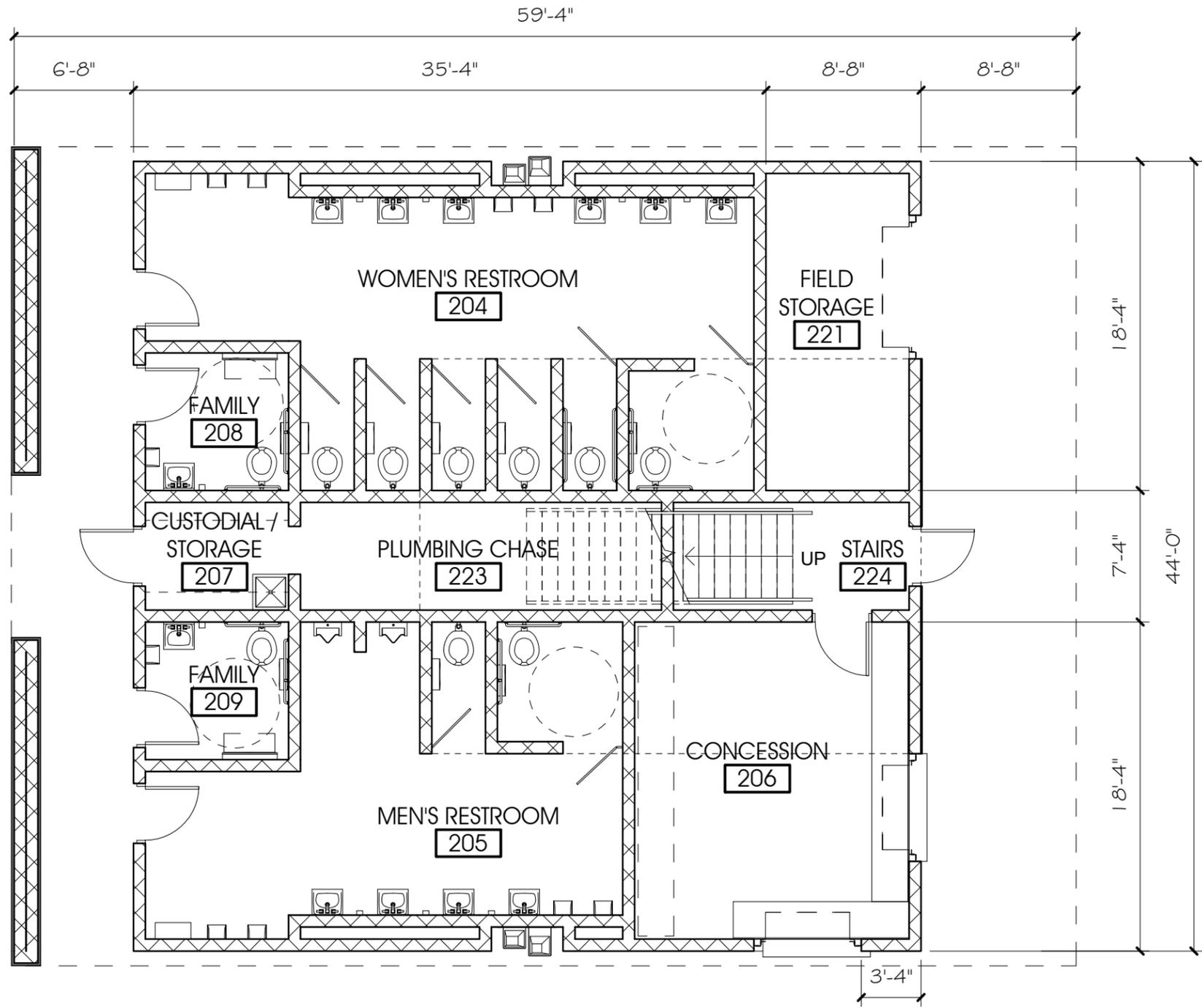
City Council Work Session Staff Report

Author: Mark T. Edwards
Subject: Sports Park Architectural Designs
Date: November 15, 2016
Type of Item: Concept Design Discussion and Approval



Description:

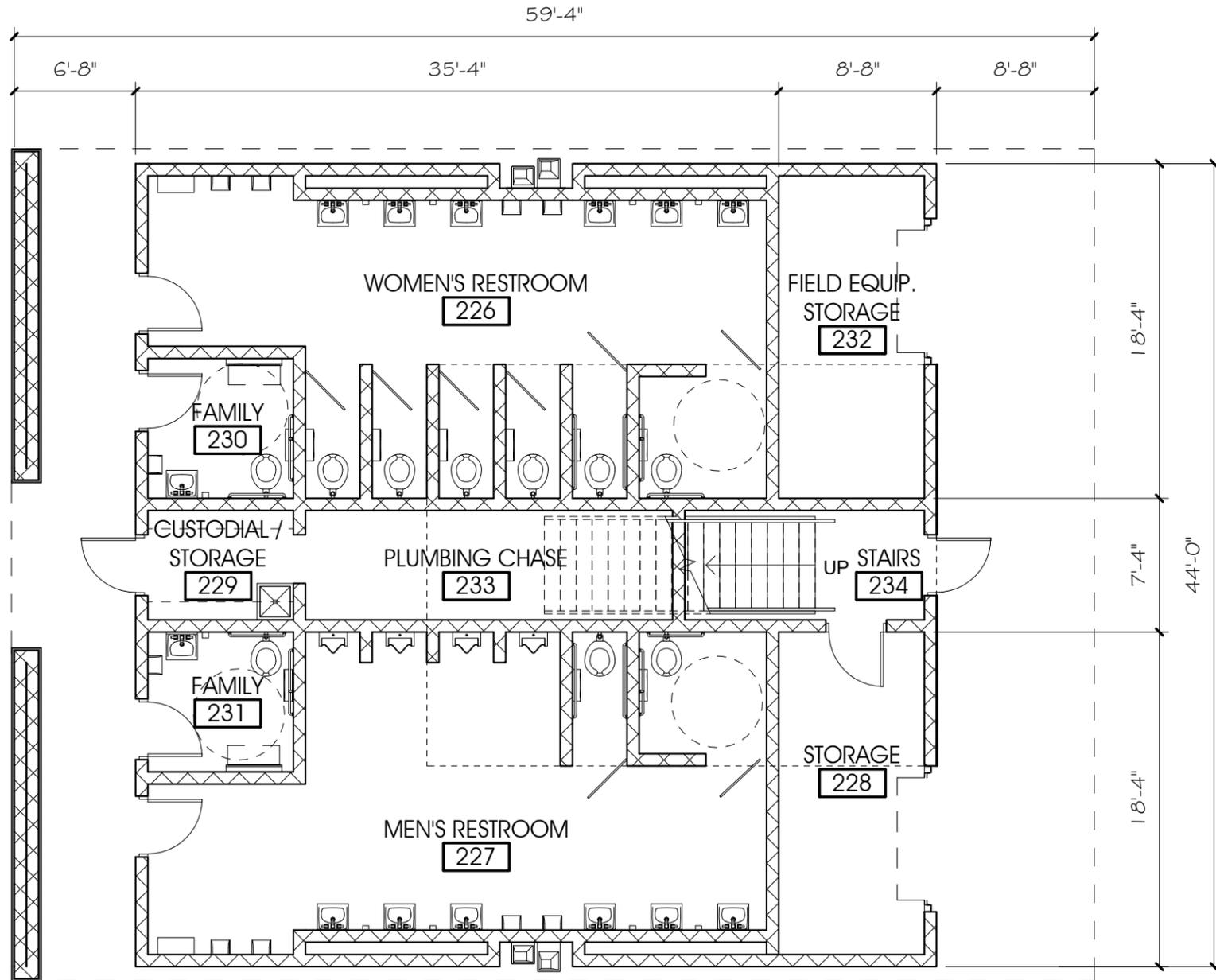
- A. Topic:** This is a discussion item for the newly revised architectural designs for the two story structures used for the scorekeepers, restrooms, storage and concessions.
- B. Background:** Staff is continuing to work on the construction drawings for the first 30 acre phase of the Sports Park which includes two scorekeeper's buildings. On September 6, 2016 Staff met with the Mayor and Council to discuss architectural design options and cost estimates for the scorekeepers building and restroom structures. As discussed on September 6th the west structure will have restrooms and storage on the ground floor and the second structure to the east will have restrooms and a concession area on the ground floor. Other items discussed with consensus concerned the cheaper more modern building design with flat roofs and three sided glass exposures for the scorekeepers, a CMU construction on the ground floor walls with enhanced passive lighting through opaque glass inserts. Hardy board type siding will be used on the upper exterior. The earlier design with exterior privacy walls in front of the restroom doors was replaced with interior privacy walls which would be less expensive. Staff will be looking for comments and consensus so the architectural and floor plans can continue.



FLOOR PLAN
 RESTROOM / STORAGE / CONCESSION / SCOREKEEPER BUILDING

5

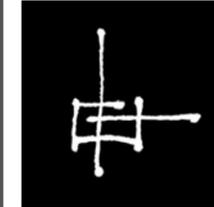
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FLOOR PLAN
RESTROOM / STORAGE / SCOREKEEPER BUILDING

ARCHITECT

1641



ajc architects

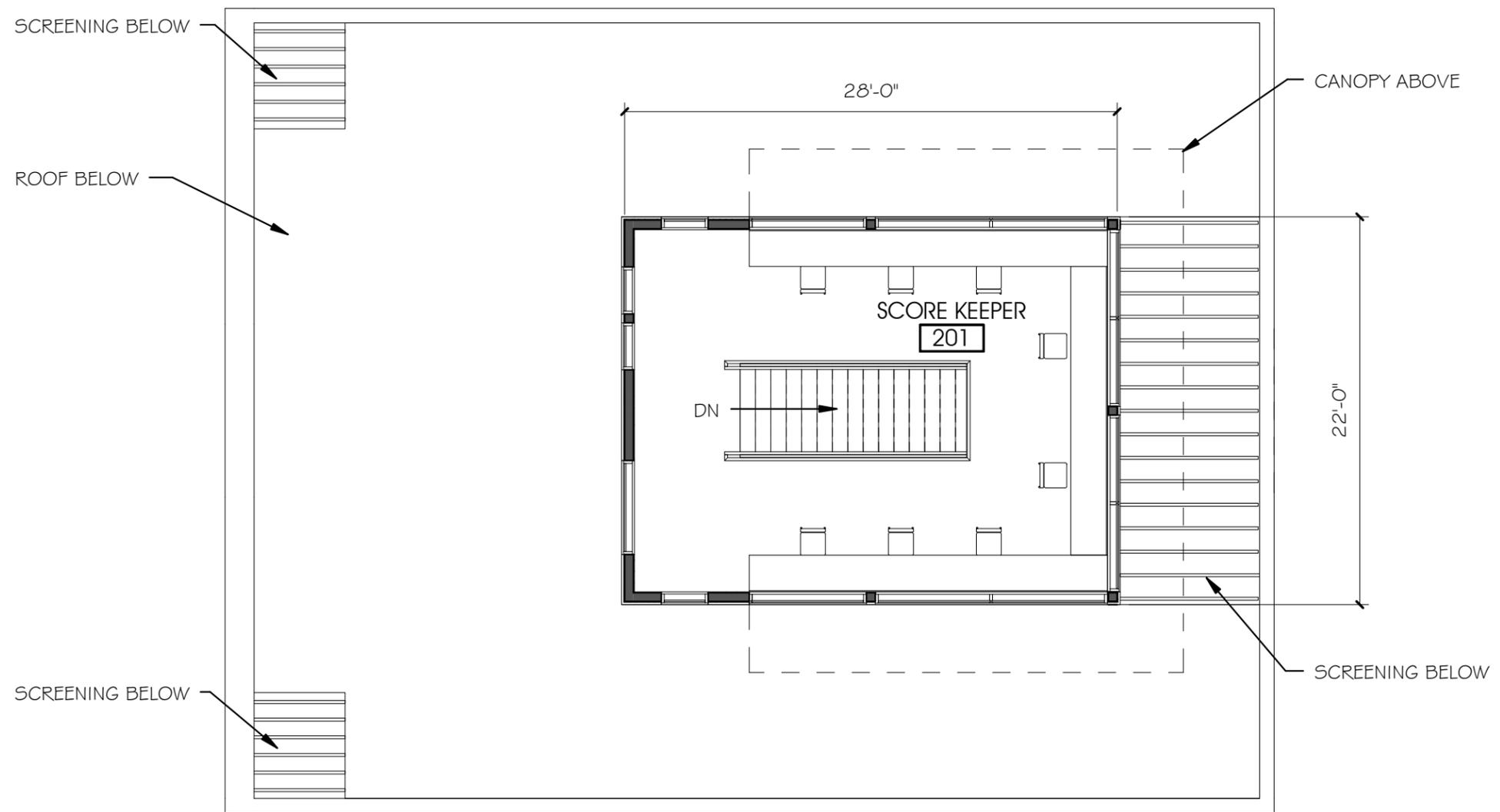
703 east 1700 south
salt lake city, utah 84105
ph: 801.466.8818
fx: 801.466.4411
www.ajcarchitects.com

**NOT FOR
CONSTRUCTION**

CONSULTANT

OWNER INFORMATION

2



UPPER LEVEL FLOOR PLAN
RESTROOM / SCOREKEEPER / STORAGE BUILDING



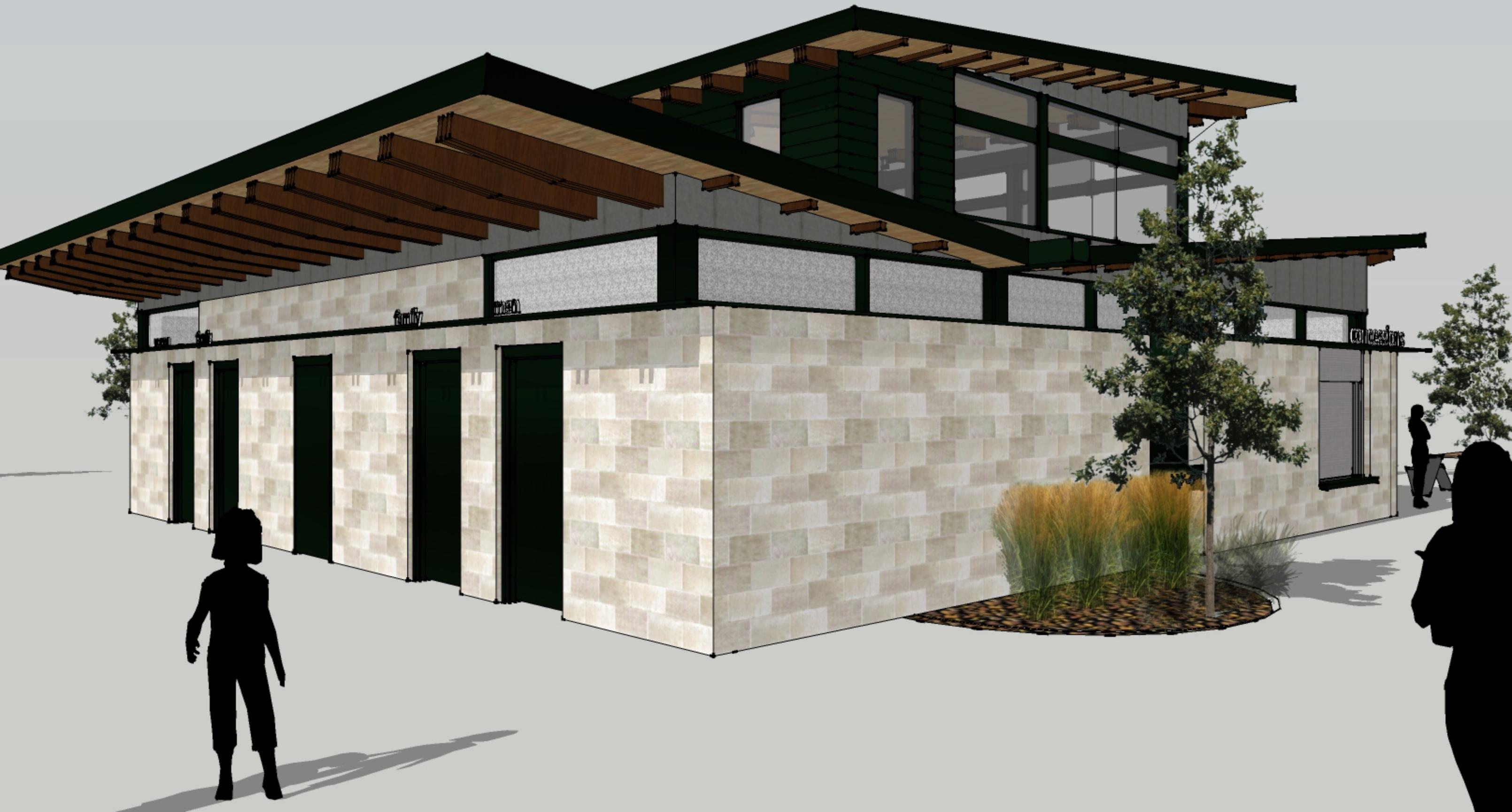


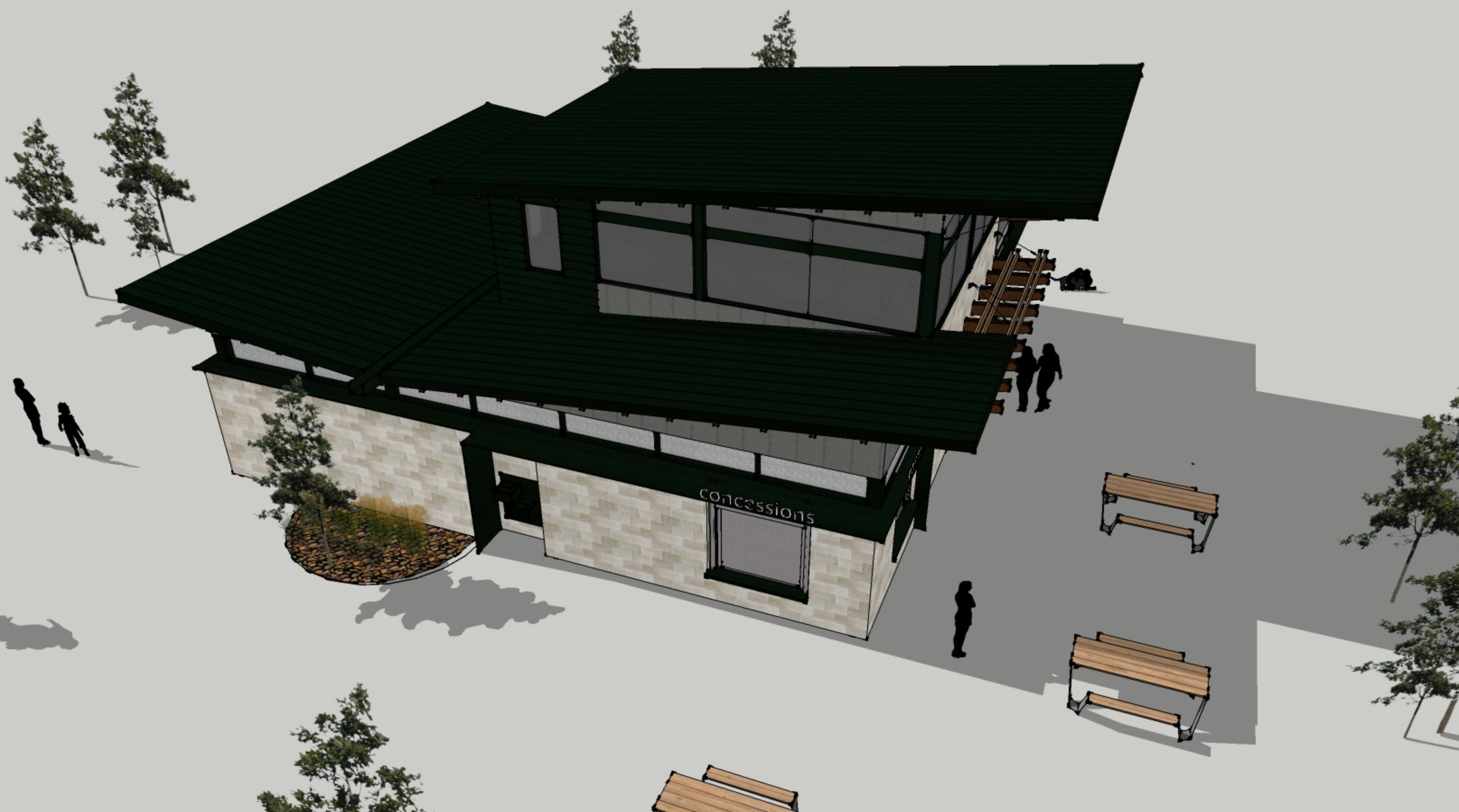


concessions







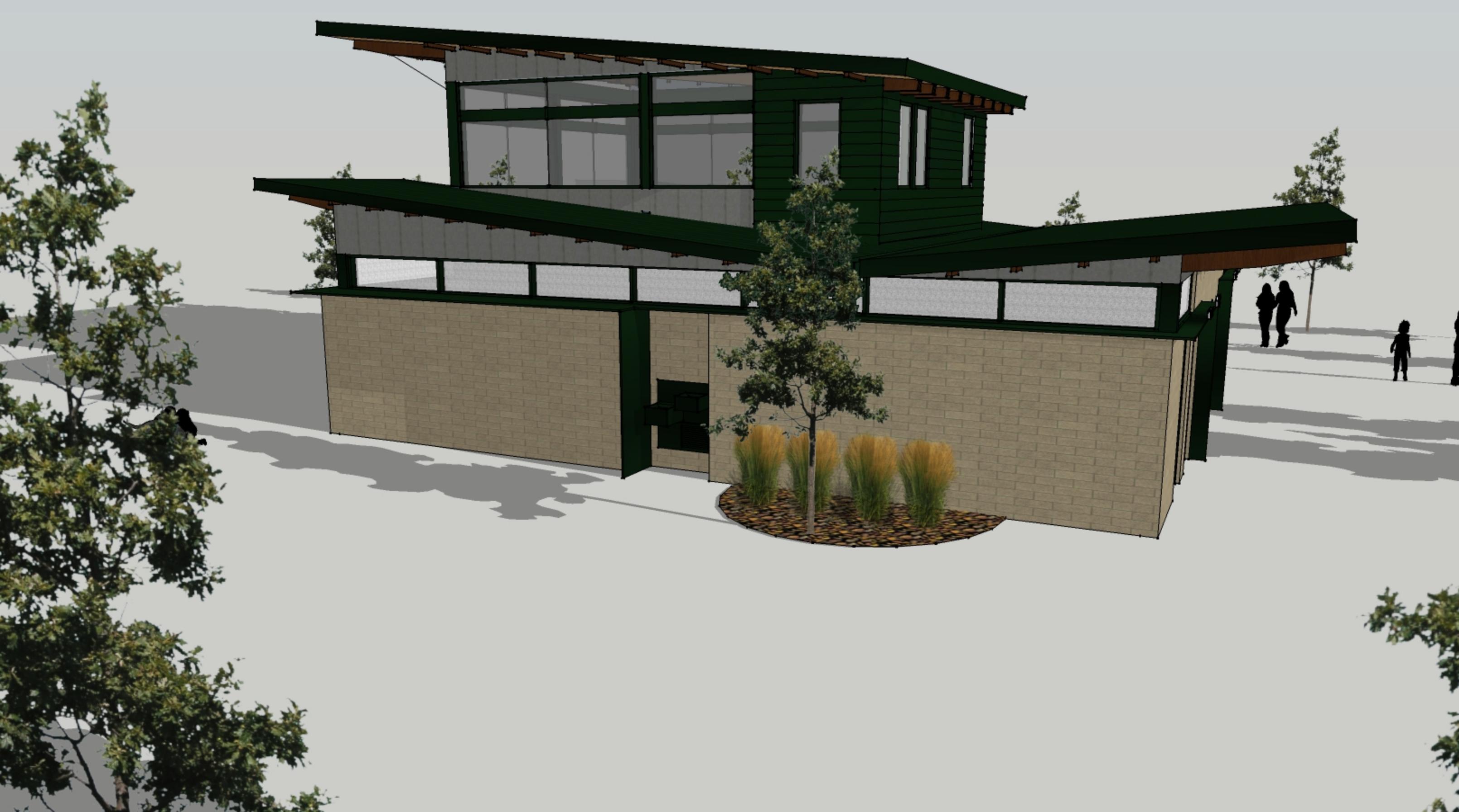


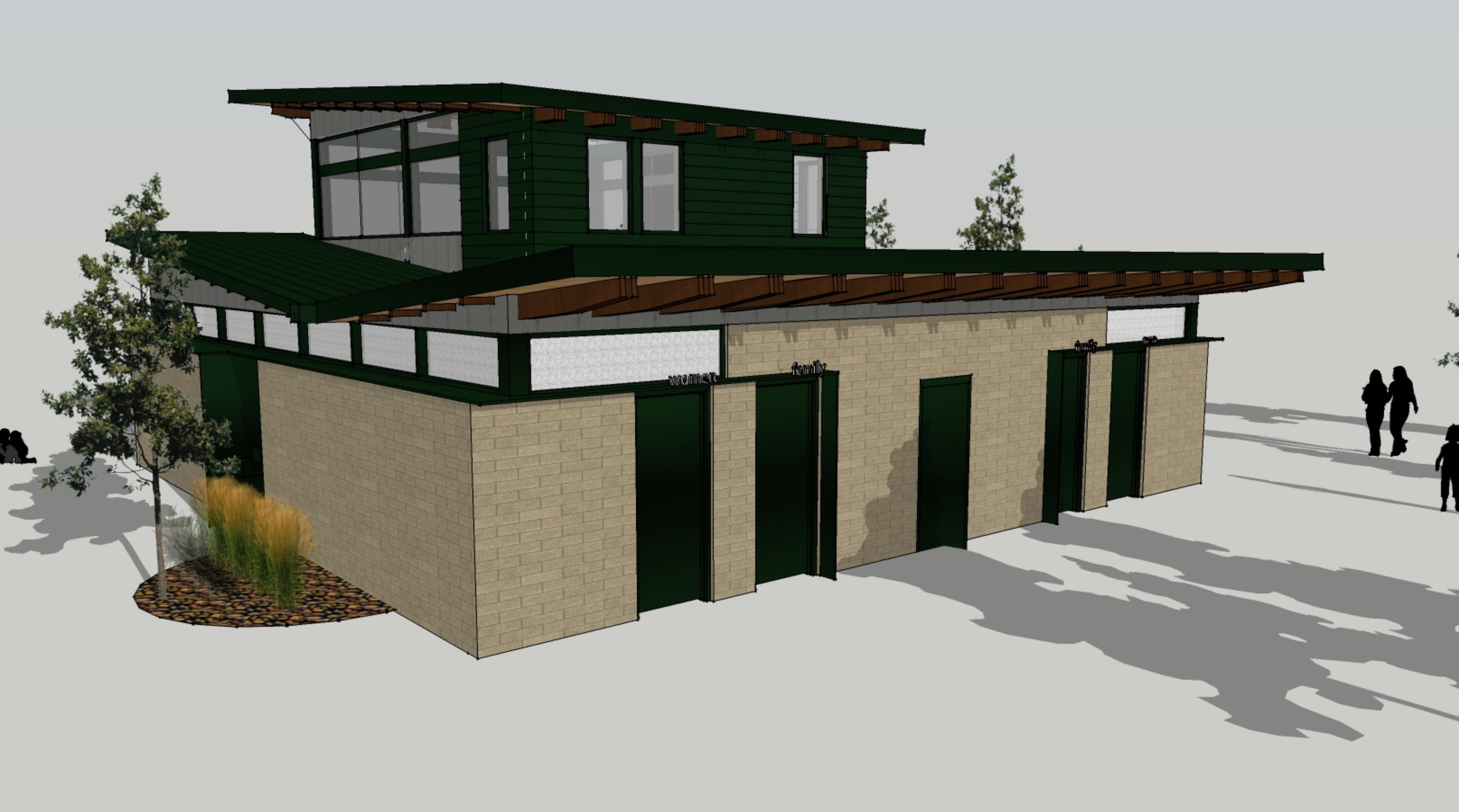


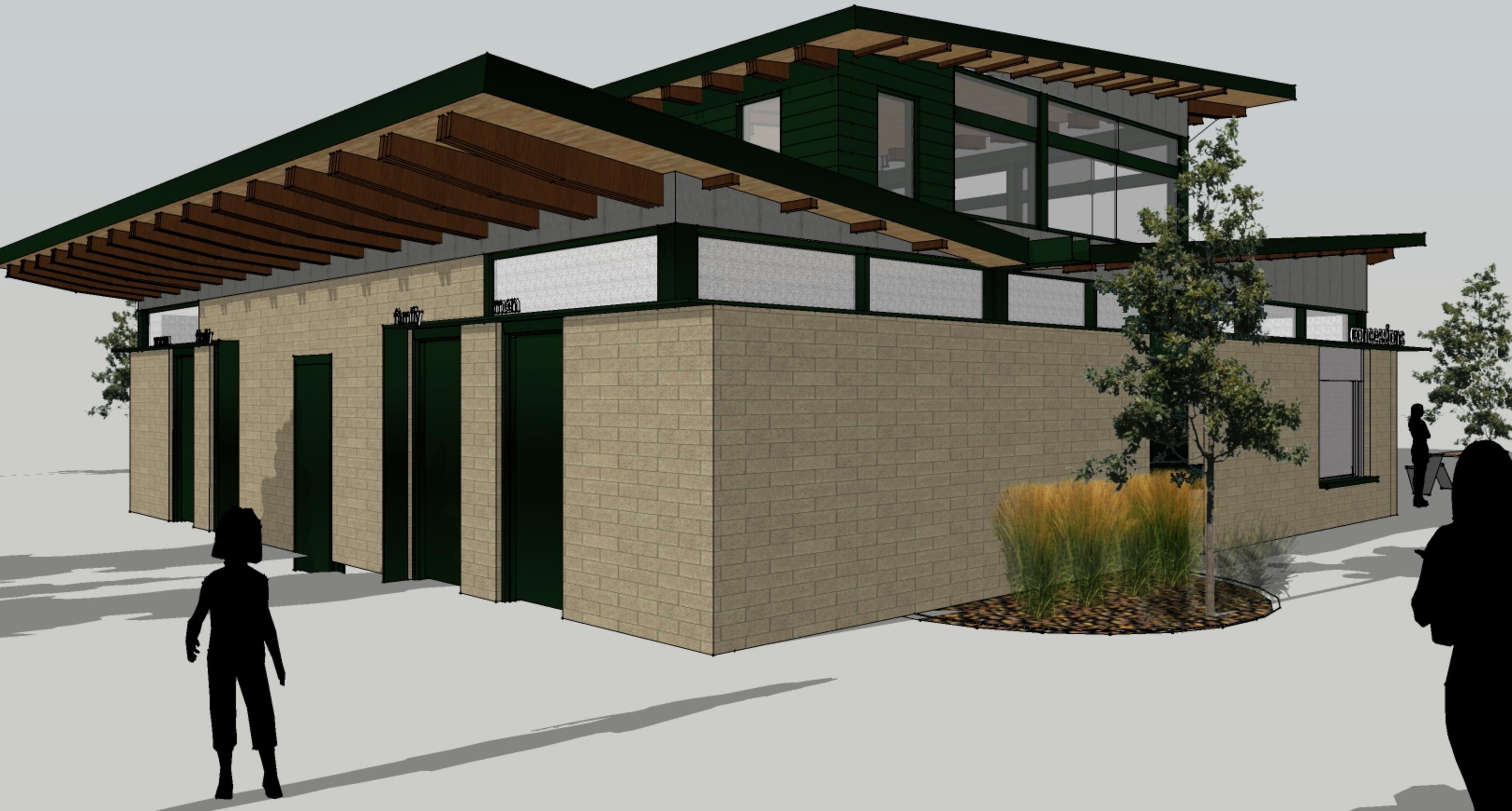


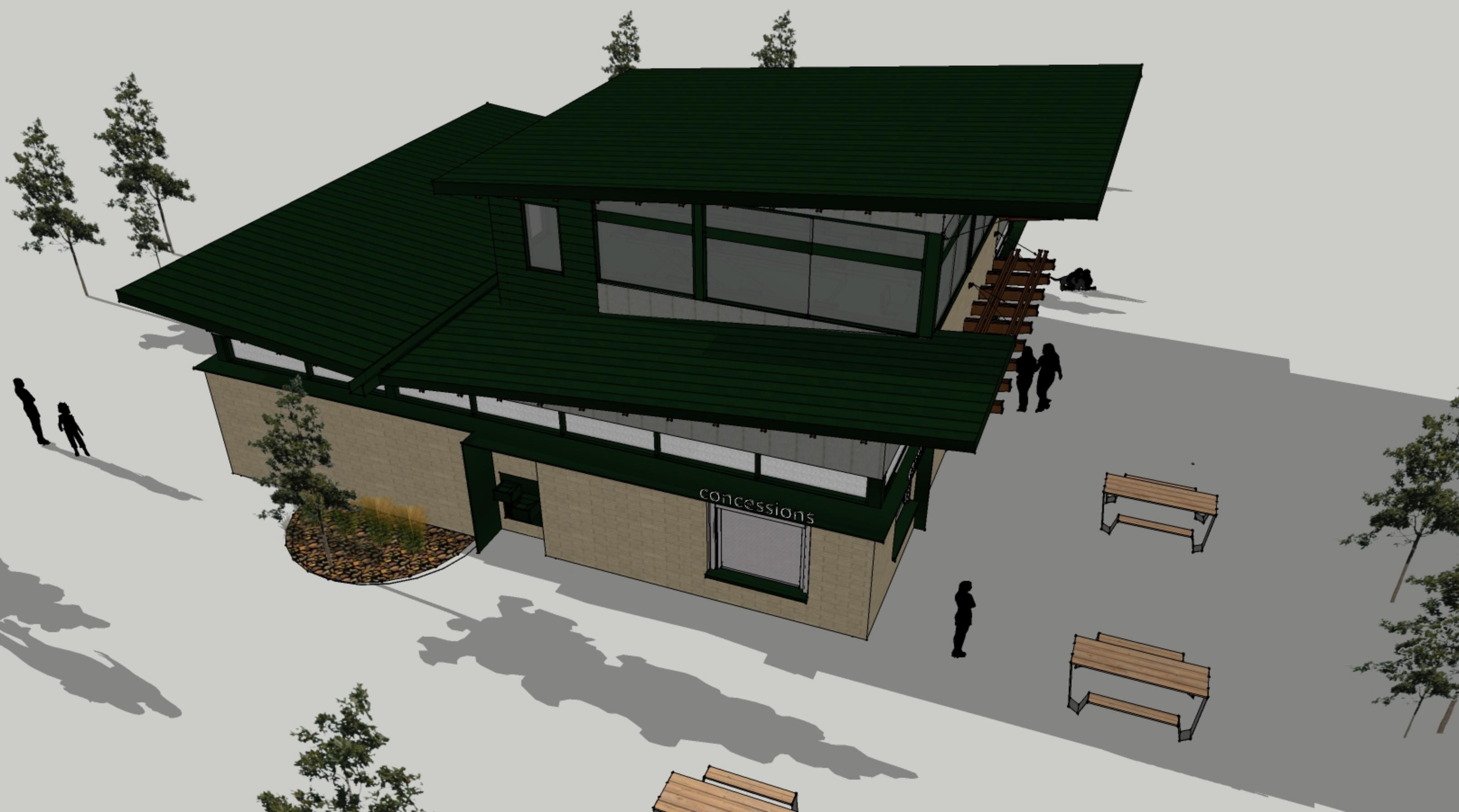












concessions

**City Council
Staff Report**

**Code Amendments
Title 19 Multiple Sections
Tuesday, November 15, 2016
Public Hearing**

Report Date: Monday, November 7, 2016
Applicant: City Initiated
Previous Meetings: Planning Commission Work Sessions 9/22/2016, and 10/13/2016
City Council Work Session 10/18/2016
Planning Commission Public Hearing 10/27/2016
Land Use Authority: City Council
Future Routing: None
Author: Kimber Gabryszak, Planning Director

A. Executive Summary:

The Planning Department keeps a running list of minor and major changes that are needed to provide additional clarity and effectiveness, to remove inconsistencies and typos, to reflect new “best practices” in Planning, and to address changes in the economy or community needs, with the goal of adopting amendments approximately four times a year to keep the Code current. Several major policy changes have also been in the works regarding open space, design standards, waterfront development, and the zoning chapter.

This current Code amendment package contains major policy changes including the creation of new open space standards, a complete reformat of the zoning chapter and new names for multiple zone districts, the relocation and simplification of design standards into one chapter, modification to the Mixed Waterfront Zone, creation of buffer standards along the Jordan River and Utah Lake, and other minor updates to correct inconsistencies and clean up various sections.

RECOMMENDATION:

Staff recommends that the City Council conduct a public hearing, take public comment, discuss the proposed amendments, and choose from the options in Section H of this report. Options include approval of all or some of the amendments with or without modifications, continuing all or some of the amendments to a future meeting, or denial of all or some of the amendments.

B. Background:

Staff has assembled the attached package of amendments to remove inconsistencies (e.g. land use zones), correct unintended consequences from previous amendments. (e.g. landscaping and fencing), create a new Open Space program, compile all design and architectural standards in one location, and create standards for areas adjacent to the Jordan River and Utah Lake.

The Planning Commission held work sessions on September 22, 2016 and October 13, 2016, and discussed the code language. Open space policy changes were also discussed in previous work sessions over the past year, and the program was adopted by Edge Homes as part of their recently approved

Community Plan. The Commission gave direction on several changes, which were incorporated into the attached draft Code. The City Council also held a work session on October 18, 2016, and additional minor modifications have been made as a result. On October 27, 2016, the Planning Commission held a public hearing and forwarded a positive recommendation to the City Council on the draft as contained in Exhibits 1 and 2; items highlighted in green throughout the draft are the result of Planning Commission changes. Draft minutes from the meeting are attached.

C. Specific Request: The proposed amendments are summarized below, with details in Exhibit 1.

- 19.01 and 19.03
 - Clean ups for consistency with other existing standards and procedures
- 19.02. Definitions
 - Add a definition for live/work dwelling units
 - Add a definition for footprint development
- 19.04. Land Use Zones
 - Reformat entire chapter – combine requirements such as lot coverage and square footage into the existing table, combine zone district summaries, and delete the sections for each zone
 - Relocate design standards to the new Site and Architectural Design Standards chapter
 - Decrease or increase various setbacks
 - Create Footprint development standards
 - Overhaul the Mixed Waterfront Zone:
 - Increase flexibility within the Zone
 - Make changes to match the proposed amendments to other Code sections
 - Remove the 80%/20% residential/commercial requirement and replace with a table
 - Add setbacks specific to multifamily and other development including mixed use and commercial for greater clarity
 - Create multiple development standard sections to mitigate impacts and improve livability of the development.
- 19.06. Landscaping and Fencing
 - Remove City Council exception language
 - Remove minimum turf requirements and modify shrub parameters
 - Add minimum live vegetation requirement to mitigate heat island effects
- 19.09. Parking
 - Exempt single rows of parking from the parking island requirement, when adjacent to a similar landscaped area
 - More clearly require connectivity between lots
 - Remove through-access requirements within parking areas
 - Clarify land use authority
 - Relocate some design standards to the new Site and Architectural Design Standards chapter; those standards that impact the number of stalls remained in the Parking chapter
- 19.12. Subdivisions
 - Require data tables on the plat rather than as an accompanying document
- 19.13. Process

- Add concept plans accompanying rezones to the process table
- 19.14. Site plans
 - Clarify requirement for vehicular and pedestrian connections
 - Remove architectural and urban design standards and relocate to the new chapter 19.16
- 19.16. Design Standards (NEW CHAPTER)
 - Create standards for multifamily developments
 - Reorganize the current design standards for clarity
 - Assemble all other design standards from other sections in one place
 - Add new standards for Mixed Use and Mixed Waterfront developments
 - Add new standards for developments in the Buffer Overlay areas.
- 19.18. Signs
 - Allow additional temporary signage in all non-residential zones, for example “for lease” or similar
 - Add and modify signage in the Institutional Zone
- 19.19. Open Space (NEW CHAPTER)
 - Replace current open space standards with requirement for park space per residential unit, with “equivalent acre” system for a variety of open space types (e.g. natural, improved, partially improved)
 - Require minimum amenities in open space through a points system
- 19.25. Waterfront Buffer and Trail
 - Addition of Buffer Overlay requirements
 - Regulation of pedestrian access and experience by requiring developments to provide the following
 - Increased setbacks from the waterway
 - Public access to the Shoreline or Jordan River Trail
 - Public bicycle and vehicular parking
 - Screening between the Jordan River or Shoreline trail and parking areas
 - Landscaping within riparian and trail corridors
 - Site Coverage and Ground Level Public Access
 - Regulating width of structures in relation to the parcel or lot for access
 - Visual and physical penetration from the development to the waterways
- 19.26. Planned Community
 - Correction to Development Agreement reference

D. Process: Section 19.17.03 of the Code outlines the process and criteria for an amendment:

1. The Planning Commission shall review the petition and make its recommendation to the City Council within thirty days of the receipt of the petition.
Complies. There is no application as this is City initiated, and is being presented to the Commission for a recommendation.
2. The Planning Commission shall recommend adoption of proposed amendments only where it finds the proposed amendment furthers the purpose of the Saratoga Springs Land Use Element of

the General Plan and that changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.

Complies. Please see Sections F and G of this report.

3. The Planning Commission and City Council shall provide the notice and hold a public hearing as required by the Utah Code. For an application which concerns a specific parcel of property, the City shall provide the notice required by Chapter 19.13 for a public hearing.

Complies. Please see Section E of this report.

4. For an application which does not concern a specific parcel of property, the City shall provide the notice required for a public hearing except that notice is not required to be sent to property owners directly affected by the application or to property owners within 300 feet of the property included in the application.

Complies. Please see Section E of this report.

E. Community Review: Per Section 19.17.03 of the City Code, this item has been noticed as a public hearing in the *Daily Herald*; as these amendments affect the entire City, no mailed notice was required.

F. General Plan:

Land Use Element – General Goals

The General Plan has stated goals of responsible growth management, the provision of orderly and efficient development that is compatible with both the natural and built environment, establish a strong community identity in the City of Saratoga Springs, and implement ordinances and guidelines to assure quality of development.

Staff conclusion: consistent. The proposed changes will still ensure quality of development, maintain community identity, ensure quality development through the maintenance of high standards, and require mitigation of impacts to existing development (the built environment).

G. Code Criteria:

Code amendments are a legislative decision; therefore the City Council has significant discretion when considering changes to the Code.

The criteria for an ordinance (Code) change are outlined below, and act as guidance to the Council, and to the Commission in making a recommendation. Note that the criteria are not binding.

19.17.04 Consideration of General Plan, Ordinance, or Zoning Map Amendment

The Planning Commission and City Council shall consider, but not be bound by, the following criteria when deciding whether to recommend or grant a general plan, ordinance, or zoning map amendment:

1. The proposed change will conform to the Land Use Element and other provisions of the General Plan;

Consistent. See Section F of this report.

2. the proposed change will not decrease nor otherwise adversely affect the health, safety, convenience, morals, or general welfare of the public;

***Consistent.** The amendments maintain clear and consistent standards for fencing, landscaping, parking, signage, setbacks, and other items, while providing additional flexibility to property owners and businesses that will not adversely affect the health and welfare of the general public*

3. the proposed change will more fully carry out the general purposes and intent of this Title and any other ordinance of the City; and

***Consistent.** The stated purposes of the Code are found in section 19.01.04:*

1. The purpose of this Title, and for which reason it is deemed necessary, and for which it is designed and enacted, is to preserve and promote the health, safety, morals, convenience, order, fiscal welfare, and the general welfare of the City, its present and future inhabitants, and the public generally, and in particular to:
 - a. encourage and facilitate the orderly growth and expansion of the City;
 - b. secure economy in governmental expenditures;
 - c. provide adequate light, air, and privacy to meet the ordinary or common requirements of happy, convenient, and comfortable living of the municipality's inhabitants, and to foster a wholesome social environment;
 - d. enhance the economic well-being of the municipality and its inhabitants;
 - e. facilitate adequate provisions for transportation, water, sewer, schools, parks, recreation, storm drains, and other public requirements;
 - f. prevent the overcrowding of land, the undue concentration of population, and promote environmentally friendly open space;
 - g. stabilize and conserve property values;
 - h. encourage the development of an attractive and beautiful community; and
 - i. promote the development of the City of Saratoga Springs in accordance with the Land Use Element of the General Plan.

***Consistent.** The proposed amendments will provide clarity in development standards to ensure orderly growth, will maintain high standards to ensure a wholesome environment, and will both allow flexibility for property owners while helping ensure an attractive and beautiful community. The modified open space requirements will ensure an attractive and beautiful community, and will enhance property values by ensuring adequate amenities for property owners and residents. The clarification and consolidation of Zone District standards, and the consolidation of design and architectural standards will make the Code more user friendly and effective, and better facilitate orderly growth in the City.*

4. in balancing the interest of the petitioner with the interest of the public, community interests will be better served by making the proposed change.

***Consistent.** The amendments will provide additional clarity and effectiveness through consolidation of standards; the open space and design standard changes will remove ambiguity and inconsistency throughout the code; increased standards along the Jordan River and Utah Lake will benefit the community through increased public access and enhanced aesthetics, while balanced with changes to the Mixed Waterfront will enhance the ability for property owners to develop.*

H. Recommendation / Options:

Option 1 – Approval

The City Council may choose **approve** all or some of the amendments to the Code Sections listed in the motion, as proposed or with modifications:

Motion: “Based upon the evidence and explanations received today, I move to **approve** the proposed amendments to Sections [19.01, 19.02, 19.03, 19.04, 19.06, 19.09, 19.12, 19.13, 19.14, 19.16, 19.18, 19.19, 19.25, and 19.26] with the Findings and Conditions in the staff report dated November 15, 2016:

Findings:

1. The amendments are consistent with Section 19.17.04.1, General Plan, as outlined in Sections F and G of this report and incorporated herein by reference.
2. The amendments are consistent with Section 19.17.04.2 as outlined in Section G of this report and incorporated herein by reference.
3. The amendments are consistent with Section 19.17.04.3 as outlined in Section G of this report and incorporated herein by reference.
4. The amendments are consistent with Section 19.17.04.4 as outlined in Section G of this report, and incorporated herein by reference.

Conditions:

1. The amendments shall be edited as directed by the Council: _____
 - a. _____
 - b. _____

Option 2 – Continuance

Vote to **continue** all or some of the Code amendments to the next meeting, with specific feedback and direction to Staff on changes needed to render a decision.

Motion: “I move to continue the amendments to Section [SECTIONS] of the Code to the [DATE] meeting, with the following direction on additional information needed and/or changes to the draft:

Option 3 – Denial

Vote to **deny** all or some of the proposed Code amendments.

Motion: “Based upon the evidence and explanations received today, I move to **deny** the proposed amendments to Sections [19.01, 19.02, 19.03, 19.04, 19.06, 19.09, 19.12, 19.13, 19.14, 19.16, 19.18, 19.19, 19.25, and 19.26] of the Code with the Findings below:

Findings

1. The amendments do not comply with Section 19.17.04(1), General Plan, as articulated by the Council: _____
2. The amendments do not comply with Section 19.17.04, sub paragraphs 2, 3, and/or 4, as articulated by the Council: _____
3. _____

I. Exhibits:

1. Draft Amendments – clean copypages 7-87
 - Changes sections highlighted in yellow
 - PC additional changes highlighted in green
 - Minor staff corrections highlighted in blue
2. Draft Amendments – working copy with tracked changes (same color scheme)pages 88-233
3. Planning Commission Draft Minutes 10/27/2016pages 234-236

Title 19. LAND DEVELOPMENT CODE.

Chapters:

- 19.01. General Provisions.**
- 19.02. Definitions.**
- 19.03. Land Use Administration and Enforcement.**
- 19.04. Establishment of Land Use Zones and Official Map.**
- 19.05. Supplementary Regulations.**
- 19.06. Landscaping and Fencing.**
- 19.07. Planned Unit Development (PUD).**
- 19.08. Home Occupations.**
- 19.09. Off-Street Parking Requirements.**
- 19.10. Hillside Development Ordinance.**
- 19.11. Lighting.**
- 19.12. Subdivisions.**
- 19.13. Development Review Processes.**
- 19.14. Site Plan Review.**
- 19.15. Conditional Use Permit.**
- 19.16. Site and Architectural Design Standards.**
- 19.17. General Plan, Ordinance, and Zoning Map Amendments.**
- 19.18. Sign Regulations.**
- 19.19. Open Space Regulations.**
- 19.20. [Reserved]**
- 19.21. Agriculture Protection Areas.**
- 19.22. Annexation.**
- 19.23. Sexually Oriented Businesses.**
- 19.24. Procedures for Reviewing Constitutional Taking Claims.**
- 19.25. Waterfront Trails and Buffer Overlay .**
- 19.26. Planned Community Zone.**
- 19.27. Addressing and Street Naming.**

Chapter 19.01. General Provisions.

Sections:

- 19.01.01. Short Title.**
- 19.01.02. Application.**
- 19.01.03. Scope.**
- 19.01.04. Purpose.**
- 19.01.05. Effect of Other Regulations.**
- 19.01.06. Effect of Private Covenants and Agreements.**
- 19.01.07. Establishment of Land Use Zones.**
- 19.01.08. Requirements Declared Minimums.**
- 19.01.09. Property Use Regulations.**
- 19.01.10. Effect on Previous Ordinances and Maps.**
- 19.01.11. Permits and Licenses.**
- 19.01.12. Administrative Reviews, Certificates, and Permits.**
- 19.01.13. Fees.**
- 19.01.14. Expiration of Building Permits.**
- 19.01.15. Cancellation of Permits, Certificates, and Approvals.**
- 19.01.16. Development to Be in Accordance with Terms of Approval.**
- 19.01.17. Public Hearings.**
- 19.01.18. Planning Commission Recommendation.**
- 19.01.19. Incorporation of Standard Technical Specifications and Drawings.**

* * * * *

19.01.13. Administrative Reviews, Certificates, and Permits.

- 1. Land use review for building permits and business licenses.**
 - a. After filing an application with the appropriate department, all applications for **multi-family and non-residential** building permits and business licenses shall be submitted to the Planning Director for land use review.
 - b. All reviews made by the Planning Director pursuant to this Section shall ensure compliance with the requirements of this Code.
 - c. The application for a building permit shall be accompanied by a Lot Layout showing lot lines and dimensions, locations of structures and improvements, building elevations, and all data necessary to ensure provisions of this Code are met. The Building Department shall not issue any **multi-family or non-residential** building permit until approved by the Planning Director to ensure that the requirements of this Title or any applicable development agreement are met.
 - d. The Building Department or City Recorder may consult with the Planning Department to determine whether a **single-family, two-family, or three-family** building permit, or business license application meets the requirements of this Title or any applicable development agreement.
- 2. Site Plan and Architectural review.** The Planning Director shall receive all applications for Site Plan Review, as provided for in Chapter 19.14.

3. **Conditional Use permits.** Applications for a Conditional Use permit shall be submitted to the Planning Director as provided for in Chapter 19.15. The Planning Director shall assure completeness and prepare for submittal to the Development Review Committee for review and the **Land Use Authority** for action.
4. **Land use zone amendments.** Requests for amendments or changes to the land use ordinance or zoning map shall be initiated with the Planning Department. The amendment process shall proceed as provided for in Chapter 19.17.
5. **Home Occupation permit.** An application for a Home Occupation permit shall be presented for review and approval to the Planning Director. Upon such approval, the Planning Director is authorized to issue a permit, as provided in Chapter 19.08.

* * * * *

Chapter 19.02. Definitions

Sections:

19.02.01. Interpretation.

19.02.02. Definitions.

19.02.01. Interpretation.

For the purposes of interpreting this Title, the Rules of Construction in City Code Section 1.02.11 shall apply. Where a use may be interpreted to fall under more than one definition, the more restrictive definition shall apply.

19.02.02. Definitions.

As used in this Title:

* * * * *

TBD. “Footprint Development” means a development where ownership of a lot extends only to the boundary of the exterior building walls, and where yards, open space, and other areas outside of the exterior building walls are owned in common.

TBD. “Dwelling, Live / Work” means a dwelling unit designed to be used jointly for commercial and residential purposes, not including Home Occupations.

* * * * *

Chapter 19.03. Land Use Administration and Enforcement.

Sections:

- 19.03.01. Levels of Administrative Review.
 - 19.03.02. Scope.
 - 19.03.03. Development Review Committee.
 - 19.03.04. Powers and Duties of the Development Review Committee.
 - 19.03.05. Planning Commission Created: Appointment of Members.
 - 19.03.06. Powers and Duties of the Planning Commission: Land Use Element of the General Plan.
 - 19.03.07. Powers and Duties of the Planning Commission: Land Use Ordinance.
 - 19.03.08. Powers and Duties of the Planning Commission: Development Proposals.
 - 19.03.09. Appeal Authority for Certain Limited Matters; Terms.
 - 19.03.10. Hearings Conducted by the Hearing Examiner.
 - 19.03.11. Powers and Duties of the Hearing Examiner.
 - 19.03.12. Powers of the Hearing Examiner Limited.
 - 19.03.13. Requests to Appear Before the Hearing Examiner
 - 19.03.14. Hearing Examiner Appeal Procedure.
 - 19.03.15. Hearing Examiner Appeal Hearing.
 - 19.03.16. Action Taken by the Hearing Examiner; Standard of Review for Appeals.
 - 19.03.17. Rules for Hearing and Deciding Appeals.
 - 19.03.18. Provisions for Hearing and Ruling on Variances.
 - 19.03.19. Notification and Duration of Approval.
 - 19.03.20. Recourse from Actions Taken by the Examiner.
 - 19.03.21. Powers and Duties of the City Council.
- 19.03.01. Levels of Administrative Review.

As set forth in this Chapter, there shall be multiple levels of land use development review in the City to accommodate the advisory, recommendation, approval, and appeal processes, as follows:

1. **Advisory.**
 - a. All proposed land use developments, as impacted under this Title, shall first be reviewed by the Development Review Committee (“DRC”).
 - b. The DRC shall advise the Planning Commission and City Council on all proposed land use developments.
 - c. The DRC is not a public body for purposes of the Utah Open and Public Meetings Act and does not have authority to make final decisions. Rather, the DRC makes recommendations only during informal meetings held by members of City Staff. Meetings held by the DRC are not public meetings and do not require public noticing, written minutes, or audio recordings.
2. **Recommendation.**
 - a. Except as otherwise specified in this Title, all proposed land use developments, as impacted under this Title, shall be reviewed by the Planning Commission prior to submission to the City Council.
 - b. Except as otherwise specified in this Title, all proposed land use developments shall receive a Planning Commission recommendation for approval, denial, or modification before being sent to the City Council.
3. **Approval.**

- a. Except as otherwise specified in this Title, all proposed land use developments, as impacted under this Title, shall be reviewed by the City Council for approval.
- b. All final plat approvals shall implicitly include a requirement for Engineering, legal, and all other necessary or stipulated signatures on the Final Plat prior to recording.

4. Appeal.

- a. All proposed land use development decisions, as impacted under this Title and meeting the requirements of this Title and state statute, shall be entitled to appeal before the Hearing Examiner, upon appropriate application.
- b. As a condition precedent to judicial review, each adversely affected person shall timely and specifically challenge a land use authority's decision, in accordance with this ordinance.

* * * * *

19.03.03. Development Review Committee.

There is hereby authorized the establishment of a Development Review Committee which is comprised of representatives of the professional staff of the City as appointed by the City Manager. The DRC's membership may include the City Manager, City Engineer, Planning Department, Public Works Director, City Fire Chief, City Building Official, City Attorney, and any other person or agent that the City Manager deems appropriate to function as a member of the Committee.

* * * * *

Chapter 19.04. Establishment of Land Use Zones and Official Map.

Sections:

- 19.04.01. Purpose.**
- 19.04.02. Land Use Zones and Classification Established.**
- 19.04.03. Gradual Transition of Uses and Density.**
- 19.04.04. Application of Land Use Zone Regulations.**
- 19.04.05. Official Zoning Map.**
- 19.04.06. Land Use Zone Boundary Interpretation.**
- 19.04.07. Purpose and Intent of Agricultural & Residential Zones.**
- 19.04.08. Land Use Regulations, Agricultural & Residential Zones.**
- 19.04.09. Permitted and Conditional Uses, Agricultural & Residential Zones.**
- 19.04.10. Purpose and Intent of Non-Residential Zones.**
- 19.04.11. Land Use Regulations, Non-Residential Zones.**
- 19.04.12. Permitted and Conditional Uses, Non-Residential Zones.**
- 19.04.13. Mixed Waterfront Zone.**

19.04.01. Purpose.

This Chapter establishes the basic regulations for the development of land in the City of Saratoga Springs. All structures in any zone shall be subject to the restrictions and limitations as stated in the City of Saratoga Springs City Code.

19.04.02. Land Use Zones and Classification Established.

For the purposes of this Title, all land within the boundaries of the City of Saratoga Springs shall have a land use designation in accordance with the City of Saratoga Springs Land Use Element of the General Plan. The following is a non-exhaustive list of the current land use designations:

1. Business Park
2. Developed Open Space
3. High Density Residential
4. Industrial
5. Institutional/Civic
6. Low Density Residential
7. Medium Density Residential
8. Mixed Use
9. Mixed **Waterfront**
10. Natural Open Space
11. Neighborhood Commercial
12. Office Warehouse
13. Planned Community
14. Regional Commercial
15. Residential Agriculture
16. Rural Residential
17. Urban Center

All of the land within the corporate limits of the City of Saratoga Springs, Utah is hereby divided

into Land Use Zones. The boundaries of the Land Use Zones are shown on the Official Zoning Map of the City of Saratoga Springs. The classification of Land Use Zones is as follows:

1. Agricultural (A)
2. Rural Residential (RR)
3. Residential Agricultural (RA-5)
4. Low Density Residential (R-1)
5. Low Density Residential (R-2)
6. Low Density Residential (R-3)
7. Low Density Residential (R-4)
8. Low Density Residential (R-5)
9. Medium Density Residential (R-6)
10. Medium Density Residential (R-10)
11. High Density Residential (R-14)
12. High Density Residential (R-18)
13. Neighborhood Commercial (NC)
14. Mixed Use (MU)
15. Community Commercial (CC)
16. Regional Commercial (RC)
17. Office Warehouse (OW)
18. Industrial (I)
19. Mixed Waterfront (MW)
20. Business Park (BP)
21. Institutional/Civic (IC)
22. Public School Bus Lot (PSBL)

19.04.03. Gradual Transition of Uses and Density.

It is the policy of the City Council, through exercising its zoning authority, to: (a) transition high intensity uses to help prevent the impacts of high density uses on low density areas; and (b) to limit inconsistent uses being located on adjacent parcels. The City Council may implement this policy using its zoning powers. Through amendments to the General Plan and the Zoning Map, the City Council intends to apply the following guidelines to implement this policy:

1. Residential lots, parcels, plats, or developments shall not have a difference of more than 20% of density as compared to adjacent existing lots, parcels, plats, or developments to enable a gradual change of density and uses.

2. Exceptions

- a. The City should avoid allowing high intensity uses (e.g., commercial, industrial, multi-family structures, etc.) adjacent to lower intensity uses (e.g., single family, low density residential, etc.), however may allow these uses to be located adjacent to each other if appropriate transitions and buffers are in place. Appropriate buffers and transitions include a combination of roadways, landscaping, building orientation and facades, increased setbacks, open spaces, parks, and trails.

* * * * *

19.04.07. Purpose and Intent of Agricultural and Residential Zones.

1. **Agricultural (A).** The purpose of the Agricultural Land Use Zone is to allow for the continuation of agricultural practices and rural residential neighborhoods where farming is allowed together with the keeping of large animals. To achieve these goals, the minimum lot size is five acres.
2. **Residential Agricultural (RA-5).** The purpose of the Residential Agricultural (RA-5) Land Use Zone is to allow for the continuation of agricultural practices and the raising of livestock. It covers the portion of the City which historically has been irrigated and utilized for these purposes in Utah County along Lehi-Fairfield Road prior to annexation.
 - a. Although this zone has been established to protect agricultural rights and the raising of livestock, certain non-farm uses, as established herein, and residences on lots five acres or larger to minimize conflict with surrounding properties are allowed in the zone.
3. **Rural Residential (RR).** The purpose of the Rural Residential Land Use Zone is to allow for the establishment of large lot residential developments, minimum of one acre per unit, that preserve natural view corridors, open spaces, environmentally-sensitive lands and that more fully preserves the rural character of Saratoga Springs.

4. **R1-40 (Residential Single Family 40,000).** The purpose of the R1-40 Land Use Zone is to allow for single family homes with a minimum lot size of 40,000 square feet per unit., This zone allows for the establishment of large lot residential developments that preserve natural view corridors, open spaces, environmentally-sensitive lands, and the rural character of Saratoga Springs.
5. **R1-20 (Residential Single Family 20,000).** The purpose of the R1-20 Land Use Zone is to allow single family homes with a minimum lot size of 20,000 square feet per unit. This zone allows for the establishment of single family neighborhoods on large lots that are characteristics of traditional suburban residential neighborhoods.
6. **R1-10 (Residential Single Family 10,000).** The purpose of the R1-10 Land Use Zone is to allow single family homes with a minimum lot size of 10,000 square feet. This zone allows for the establishment of single family neighborhoods on medium-sized lots that are characteristic of traditional suburban residential neighborhoods.
7. **R1-8 (Residential Single Family, 8,000).** The purpose of the R1-8 Land Use Zone is to allow single family homes with a minimum lot size of 8,000 square feet. This zone allows for the establishment of single family neighborhoods on medium-sized lots that are characteristic of traditional suburban residential neighborhoods.
8. **R2-6 (Residential Two-Family 6,000).** The purpose of the R2-6 Land Use Zone is to allow for Medium Density developments with Residential Two-Family buildings. This zone allows for single family lots, two-family buildings, and footprint development.
9. **R3-6 (Residential Three-Family 6,000).** The purpose of the R3-6 Land Use Zone is to allow for Medium Density developments with Residential Three-Family buildings. This zone allows for single family lots, three-family buildings, and footprint development.
10. **MF-10 (Multi-Family, 10 Units Per Acre).** The purpose of the MF-10 Land Use Zone is to allow for the establishment of Medium Density multi-family residential neighborhoods and to allow for footprint development. This zone allows up to 10 units per acre.
11. **MF-14 (Multi-Family, 14 Units Per Acre).** The purpose of the MF-14 Land Use Zone is to allow for the establishment of High Density multi-family residential neighborhoods and to allow for footprint development. This zone allows up to 14 units per acre.
12. **MF-18 (Multi-Family, 18 Units Per Acre).** The purpose of the MF-18 Land Use Zone is to allow for the establishment of High Density multi-family residential neighborhoods and to allow for footprint development. This zone allows up to 18 units per acre.

19.04.08. Land Use Regulations, Agricultural and Residential Zones.

1. Table Summary of Land Use Regulations, Agricultural and Residential Zones.

	A	RA-5	RR	R-1	R-2	R-3	R-4	R-5	R-6	R-10	R-14	R-18
	A	RA-5	RR	R1-40	R1-20	R1-10	R1-8	R2-6	R3-6	MF-10	MF-14	MF-18
Maximum Units per Acre	1 unit/ 5 acre	1 unit/ 5 acres	1 unit/ acre	1 unit/ acre	2 units/ acre	3 units/a cre	4 units/a cre	5 units/a cre**	6 units/ acre**	10 units/a cre**	14 units/a cre**	18 units/a cre**
Minimum Lot Sizes, Residential	5 acres	5 acres	1 acre	1 acre	14,000 sq.ft.	10,000 sq.ft.	8,000 sq.ft.	6,000 sq.ft.	6,000 sq.ft.	5,000 sq.ft.	5,000 sq.ft.	5,000 sq.ft.
(previous min lot size, res)							9,000 sq. ft.	8,000 sq.ft.				
Minimum Lot Size, Non-residential	5 acres	5 acres	1 acre	1 acre	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.
(previous min lot lize, non res)					1 acre	1 acre	1 acre	1 acre	1 acre	1 acre	1 acre	1 acre
Footprint Development:	N/A	N/A	N/A	N/A	N/A	N/A	allowed	allowed	allowed	allowed	allowed	allowed
Minimum Building Separation							10'	10'	10'	10'	10'	10'
Minimum Project Size							5 acres	5 acres	5 acres	5 acres	5 acres	5 acres
Maximum Lot Coverage	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%
Primary Structure Maximum Height	35'	35'	35'	35'	35'	35'	35'	35'	35'	35'	40'	40'
Previous height												35'

	A	RA-5	RR	R-1	R-2	R-3	R-4	R-5	R-6	R-10	R-14	R-18
	A	RA-5	RR	R1-40	R1-20	R1-10	R1-8	R2-6	R3-6	MF-10	MF-14	MF-18
Accessory Structure Height: see 19.05.11												
Minimum Dwelling Size	1,600 sq.ft.	1,600 sq.ft.	1,600 sq.ft.	1,600 sq.ft.	1,500 sq.ft.	1,250 sq.ft.	1,250 sq.ft.	1,250 sq.ft.	1,000 sq.ft.	1,000 sq.ft.	800 sq.ft.	800 sq.ft.
Width	250'	250'	100'	100'	90'	70'	70'	60'	50'	50'	50'	50'
Minimum Lot Frontage***				75'	35'	35'	35'	35'	35'	35'	35'	35'
Minimum Setbacks for Primary Structures:												
Front*	50'	50'	35'	35'	25', An enclosed entry or porch may encroach up to 5' into the required setback				25' to garage, 20' to front plane of the building			
Street side	50'	50'	35'	35'	20'	20'	20'	20'	20'	20'	20'	20'
Interior Side	12'	12'	12'	12'	8/20 (min/c ombine d)	8/20 (min/c ombine d)	8/16 (min/c ombine d)	6/12 (min/c ombine d)	10' between buildings, 5' between exterior walls and property lines.			
Non-residential Interior Side	12'	12'	12'	12'	12'	12'	12'	12'	12'	12'	30'	30'
Rear*	25'	25'	25'	25'	25'	25'	20'	20'	20' between buildings, 20' between exterior walls and property lines.			
Non-residential Rear	25'	25'	25'	25'	25'	25'	20'	20'	30'	30'	30'	30'
Minimum Setbacks for Accessory Structures:												
Front	Same as principal structure											
Street side	Same as principal structure											
Interior Side	25'	12'	12'	12'	5'	5'	5'	5'	5'	5'	5'	5'
Rear	25'	12'	12'	12'	5'	5'	5'	5'	5'	5'	5'	5'
Distance from a Residence	60' for structures housing animals, 5' for all other				5' from dwelling							
*An unenclosed entry, porch, or deck may encroach up to five feet into either the required front setback or rear setback.												
**No density shall be calculated on sensitive lands												
***Frontage exceptions: flag lots and lots on shared driveways subject to the standards in 19.12												

2. Lot Size Reductions: Lot size reductions may be granted by the City Council for residential development in the R1-20, R1-10, R1-8, and R2-6 zones, based on the criteria below.

- a. The City Council may approve a reduction in the lot size if such reduction serves a public or neighborhood purpose such as:
 - i. a significant increase in the amount or number of parks and recreation facilities proposed by the developer of property in this zone;
 - ii. the creation of additional and significant amenities that may be enjoyed by all residents of the neighborhood;
 - iii. the preservation of sensitive lands (these areas may or may not be eligible to be counted towards the open space requirements in this zone – see definition of “open space” in Section 19.02.); or
 - iv. any other public or neighborhood purpose that the City Council deems appropriate.
- b. In making a determination, the City Council shall have sole discretion to make judgments, interpretations, and expressions of opinion with respect to the implementation of the above criteria. In no case shall reductions in lot sizes be considered a development right or a guarantee of approval.
- c. In no case shall the City Council approve a residential lot size reduction greater than ten percent of the minimum lot size required by the underlying zone notwithstanding the amenities that are proposed.
- d. In no case shall the City Council grant a residential lot size reduction for more than 25% of the total lots in the development.

3. Footprint Development:

- a. The minimum lot size shall be equal to the footprint of the unit.
- b. A minimum of 35% of the total project area shall be designated as common area. This may include limited common area for patios or similar uses for each unit, which may be fenced.
- c. In addition to the requirement above, the cumulative total of common space and footprint area shall be equal to or greater than the area that would be occupied by an equivalent number of non-footprint lots, excluding the open space required in Chapter 19.19.
 - i. Example:
 1. 10 unit footprint development in the R1-8 zone;
 2. 10 lots times 8,000 sq.ft. lot minimum = 80,000 sq.ft. (1.836 acres)
 3. Minimum common & footprint area: 80,000 sq.ft. (1.836 acres), plus the required park space in 19.19

4. Open Space and Landscaping Requirements:

- a. New residential development is subject to the requirements of Section 19.19.
- b. Required landscaping shall comply with Section 19.06.
- c. All sensitive lands shall be protected as part of the open space and/or landscaped area of any development.
- d. For non-residential and non-agricultural uses open space is not required; however a minimum of 20% of the total project shall be used for landscaping.

19.04.09. Permitted and Conditional Uses, Agricultural and Residential Zones.

The following table lists the Permitted and Conditional uses for the Residential Zones in the City of Saratoga Springs. Empty boxes mean that the use is prohibited in that zone. Uses not listed are also prohibited.

	A	RA-5	RR	R1-40	R1-20	R1-10	R1-8	R2-6	R3-6	MF-10	MF-14
Agriculture	P	P	P								
Animal Hospital, Large/Large Veterinary Office	P	P									
Apiary (see §§ 19.05.08)	P	P	P	P	P	P	P	P	P	P	P
Bed and Breakfast	C	C	C	C	C	C	C	C			
Cemetery	C	C	C	C	C	C	C	C	C	C	C
Chickens (see §§ 19.05.05 and 19.05.06)	P	P	P	P	P	P	P	P			
Child Care Center	C	C	C	C	C	C	C	C	C	C	C
Church	P	P	P	P	P	P	P	P	P	P	P
Dairy	C	P									
Dwelling, Multi-Family										P	P
Dwelling, Single Family	P	P	P	P	P	P	P	P	P	P	P
Dwelling, Three-Family									P	P	P

Dwelling, Two-Family	I	I	I	I	I	I	I	I	P	P	P
Educational Center	C	C	C	C	C	C	C	C	C	C	C
Equestrian Center	C	C	I	I	I	I	I	I	I	I	I
Farm Animals (see Section 19.05.05)	P	P	P	I	I	I	I	I	I	I	I
Farmer's Market	C	C	C	I	I	I	I	I	I	I	I
Golf Course	P	P	P	P	C	C	C	C	I	I	I
Home Occupations	See §19.08										
Kennel, Private	C	C	C	I	I	I	I	I	I	I	I
Livestock Auction Yard	C	C	I	I	I	I	I	I	I	I	I
	A	RA-5	RR	R1-40	R1-20	R1-10	R1-8	R2-6	R3-6	MF-10	MF-14
Plant and Tree Nursery	P	C	C	I	I	I	I	I	I	I	I
Preschool	I	I	C	C	C	C	C	C	C	C	C
Production of Fruit and Crops	P	P	P	P	P	P	P	P	P	P	P
Public and private utility building or facility	C	C	C	C	C	C	C	C	C	C	C
Public Building or Facilities (City Owned)	C	C	C	C	C	C	C	C	C	C	C
Public Parks, playgrounds, recreation areas, or other park improvements*	P	P	P	P	P	P	P	P	P	P	P
Residential Facilities for Elderly Persons	C	C	C	C	C	C	C	C	C	C	C

Residential Facilities for Persons with a Disability	P	P	P	P	P	P	P	P	P	P	P
Riding Arena (Commercial)	C	C	C	I	I	I	I	I	I	I	I
Riding Arena (Private)	P	P	P	I	I	I	I	I	I	I	I
School, Charter	P	P	P	P	P	P	P	P	P	P	P
School, Private and Quasi-Public	C	C	C	C	I	I	I	I	I	I	I
School, Public	P	P	P	P	P	P	P	P	P	P	P
Stables	P	P	C	I	I	I	I	I	I	I	I
Temporary Sales Trailer	P	P	P	P	P	P	P	P	P	P	P
	A	RA-5	RR	R1-40	R1-20	R1-10	R1-8	R2-6	R3-6	MF-10	MF-14

P = Permitted C = Conditional

*A neighborhood meeting is required for all public parks, public playgrounds, public recreation areas, or other public park improvements prior to new construction. City staff will notify residents within the subdivision or neighborhood area prior to any meeting. Any proposal for a regional park within the City will also be required to go through a Site Plan review according to the requirements within the Land Development Code.

19.04.10. Purpose and Intent of Non-Residential Zones.

1. **Neighborhood Commercial (NC).** The Neighborhood Commercial Land Use Zone is intended to create, preserve, and enhance areas of retail establishments serving frequently recurring needs for goods and services in convenient locations to neighborhoods. This commercial zone is typically appropriate to small shopping clusters or integrated shopping centers in developments of one to three acres, but not greater than five, within, or convenient to, residential neighborhoods. Facilities should be oriented to serve residents’ commercial service needs, to strengthen neighborhood interaction and neighborhood character, to minimize the need for automobile trips and to make commercial services more readily available to residents of adjacent neighborhoods.
 - a. Improvements such as trails, seating and lighting that would help create gathering spaces and promote pedestrian activity are expected, where appropriate, and may be considered an essential part of developments in the Neighborhood Commercial zone. Developments in the Neighborhood Commercial Zone shall also be

characterized by increased landscaping and Architectural compatibility with the surrounding neighborhood.

2. **Community Commercial (CC).** The purpose of the Community Commercial zone is to allow for medium size commercial developments, near residential neighborhoods, with establishments that will serve the nearby community. Improvements such as trails, seating and lighting that would help create gathering spaces and promote pedestrian activity are expected in the Community Commercial zone.
3. **Regional Commercial (RC).** The purpose of the Regional Commercial Land Use Zone is to allow, in appropriate areas, commercial businesses and shopping centers of a scale that will serve neighborhood, community-wide, and regional shopping needs. These regulations should preserve the existing quality and livability of the City while still assuring maximum efficiency of traffic circulation and convenience.
4. **Office Warehouse (OW).** The purpose of the Office Warehouse Land Use Zone is to allow for large lot warehouse and select office development in appropriate locations. Development under these regulations should provide for certain types of offices, commercial, and warehouse and shipping operations in an industrial setting characterized by large buffer strips, open space and landscaping requirements, and quality site development standards.
5. **Industrial (I).** The purpose of the Industrial Land Use Zone is to allow for large lot industrial and manufacturing development in appropriate locations. Development under these regulations should provide for certain types of offices, commercial and industrial operations in a business park setting characterized by large buffer strips, open space and landscaping requirements, and quality site development standards.
6. **Business Park (BP).** The purpose of the Business Park (BP) Land Use Zone is to allow for certain land uses that require large tracts of land in appropriate locations. Development under these regulations should provide for office space, light manufacturing (subject to location restrictions as determined during Site Plan review), and commercial operations in a business park campus-type setting characterized by large buffer strips, open spaces, landscaping, and quality site development standards. Ancillary uses and edge uses may not exceed 20% of the building area within a Master Development Plan contained in a Master Development Agreement. Certain land uses have been identified as either ancillary uses or edge uses only.
7. **Institutional/Civic (IC).** The purpose of the Institutional/Civic (IC) Land Use Zone is to allow for public or quasi-public land uses. Development under these regulations should provide for university or college campuses as well as traditional schools, libraries, hospitals, public buildings or facilities, and other land uses that provide essential services to the general public.
8. **Public School Bus Lot (PSBL).** The purpose of the Public School Bus Lot (PSBL) Land Use Zone is to allow for a specific land area used for the storage or layover of public

school buses or motor coaches. Development under these regulations may only provide for a bus lot, administrative office space, maintenance facilities, fueling stations, or other accessory uses associated with a public school district in a specific setting. Such development is characterized by large buffer strips, open spaces, landscaping, and quality site development standards.

19.04.11. Land Use Regulations, Non-Residential Zones.

1. Table Summary of Land Use Regulations, Non-Residential Zones.

□ NC=15000, CC = 20,000, RC=30,000

	NC	CC	RC	OW	I	BP	I/C	PSBL
Minumim Development Size				40,000 sq. ft.	10 acres	1 acre for single building development; 5 acres for a business park		
Minimum Lot Size	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	30,000 sq.ft.	20,000 sq.ft.	10 acres
Minimum Setback Requirements:								
Front/Corner Side	25'	25'	10'	20'	30'	10'	25'	50'
(Previous Front)	same	n/a	20'	20'	50'	50'	50'	50'
Interior Sides	25'	25'	10'	25'	30'	30' where adjacent to a residential, MU or MW zone. 20' next to all other zones	25'	50'
(Previous Side)	same	n/a	10', or 30' next to A and Res	20'	50' next to res, no min next to other zones	none	30' next to res, no min next to other zones	50'
Rear	25'	25'	30'	30' where adjacent to a residential, MU or MW zone. 20' next to all other zones	50' where adjacent to a residential, MU or MW zone. 20' next to all other zones	50'	25'	50'
(Previous Rear)	same	n/a	20'	50' next to res, no min next to ther zones	50' next to res, no min next to ther zones	30' next to res, 10' next to other zones	30'	50'
Exceptions	X	X	no	no	no	no	no	no
(Previous Exceptions)	x		x	x	x	x	x	x
Minimum Building Separation				20'	20'	20' between single story, 30' between two or more stories	20'	

	NC	CC	RC	OW	I	BP	I/C	PSBL
Minimum Lot Width	100'	100'		70'		80'	80'	
Minimum Lot Frontage	100'	100'				80'	80'	
Maximum Height of Structures	35'	40'	50'	35'	50'	50'	50'	35'
Maximum Lot Coverage	50%	50%	50%	50%	50%	50%	50%	80% for parking lot and buildings
Minimum Building Size			1,000 sq.ft.					
Maximum Building Size	15,000 sq.ft.							

	MU
Maximum Units per Acre	14 units/acre for residential portion of project**
Minimum Project Size	5 acres
Minimum Lot Size:	
Non-residential	15,000 sq. ft.
Single Family Lots	5,000 sq.ft.
Two-Family and Three-Family Dwellings	6,000 sq.ft.
Multi-Family Dwellings	see footprint development requirements
Footprint Development	Allowed
Residential Above Commercial	15,000 sq.ft.
Minimum Setback Requirements:	
Mixed use buildings	first floor: 10' around the perimeter second floor: 20' around the perimeter third floor: 30' around the perimeter fourth floor: 40' around the perimeter
Front*	20'
Interior Sides	5'
Rear*	20'
Corner Side	15'
Accessory Building Setbacks	front and corner side: same as primary structure, Rear and interior side: 5'
Minimum Lot Width	50'

Minimum Lot Frontage:	
Residential	35'
Non-residential	60'
Mixed use buildings	100'
Maximum Height of Structures	Four Stories, 45'
Maximum Lot Coverage	50%
Minimum Dwelling Size	1,000 sq.ft. above grade

*An unenclosed entry, porch, or deck may encroach up to five feet into either the required front setback or rear setback.

** No density shall be calculated on sensitive lands

2. Setback Exceptions:

- a. the City Council may reduce no more than one setback requirement by up to ten feet if:
 - 1. The setback is along a collector or arterial frontage, and
 - 2. The setback does not abut residentially developed or zoned properties.

3. Footprint Development:

- a. The minimum lot size shall be equal to the footprint of the unit.
- b. A minimum of 35% of the total project area shall be designated as common area for the residential portion of the development. This does not apply to mixed use structures with residential above commercial.
 - i. In addition to the requirement above, the cumulative total of common space and footprint area shall be equal to or greater than the area that would be occupied by an equivalent number of non-footprint lots, excluding the open space required in Chapter 19.19.
 - 1. Example:
 - a. 10 unit footprint development in the R1-8 zone
 - b. 10 lots times 8,000 sq.ft. lot minimum = 80,000 sq.ft. (1.836 acres)
 - 2. Minimum common & footprint area: 80,000 sq.ft. (1.836 acres), plus the required open space in 19.19

4. Residential Above Commercial:

- a. Residential is allowed above commercial in the RC and MU zone. The following additional standards shall apply:
 - i. The minimum unit size for residential above commercial in the RC zone is 600 square feet.
 - ii. The maximum residential density for residential above commercial in the RC zone is 14 units per acre.
 - iii. Section 19.19 shall apply to developments in the MU zone for the portion of property that has residential development.

5. Open Space and Landscaping Requirements:

- a. For non-residential uses open space is not required; however a minimum of 20% of the total project shall be used for landscaping.
- b. Non-residential Development. For non-residential development at least 20% of the project area shall be landscaped.
- c. Required landscaping shall comply with Section 19.06
- d. All sensitive lands shall be protected as part of the open space and/or landscaped area of any development.
- e. Residential above Commercial in the MU or RC Zones. At least 25% of the project area shall be landscaped and amenities provided per Section 19.19. Amenities may be provided inside the building to meet the requirements.
- f. Residential in the MU Zone. All new residential development is subject to the requirements of Section 19.19.
- g. Footprint Development in the MU zone. For the commercial portion of the development a minimum of 20% of the project area shall be landscaped. For the residential portion of the development, the requirements of Section 19.19 apply.

19.04.12. Permitted and Conditional Uses, Non-Residential Zones.

The following table lists the Permitted and Conditional uses for the Nonresidential Zones in the City of Saratoga Springs. Empty boxes mean that the use is prohibited in that zone. Uses not listed are also prohibited.

P= Permitted C= Conditional

	NC	CC	MU	RC*	OW	I	MW	BP	IC	PSB
Alcoholic Beverage, Package Agency						C				
Alcoholic Beverage, State Liquor Store						C				
Animal Hospital, Large/Large Veterinary Office				C	C					
Animal Hospital, Small/Small Veterinary Office	C	P	C	P	P					
Arts & Crafts Sales	C	P	P	P			P			
Automobile Refueling Station		C	C	C	C	C				
Automobile Rental & Leasing Agency		C		C	C	P		C ^A		
Automobile Repair, Major					C	C				
Automobile Repair, Minor				C	C	C		C ^E		
Automobile Sales				C		C				

Automobile, Boat, All-Terrain Vehicle (ATV), Motorcycle, Recreation Vehicle, Sales & Service				C	C	P				
Bakery, Commercial					C	C				
Bakery, Retail	P	P	P	P			P	C		
Bed and Breakfast			C				C			
Bookstore	P	P	P	P			P	P ^A C ^E		
Building Material Sales (with outdoor storage)				C	C	P				
Building Material Sales (without outdoor storage)				C	C	C				
Bus Lot										P
Car Wash (full service)		C		C				C ^A		
Car Wash (self service)		C		C	C	C				
	NC		MU	RC*	OW	I	MW	BP	IC	PSB
	NC		MU	RC*	OW	I	MW	BP	IC	PSB
Child Care Center	C	C	C	C			C ^A	C ^A		
Churches	C		C				C		P	
Commercial & industrial laundries					C	P				
Commercial Recreation		C	C	C	C	C	P			
Commuter/Light Rail Station	C	C	C	P	P	P	C	C	C	
Contract construction services establishments					C	P				
Contract Services Office					P	P				
Convenience Store		C	C	P	C			C ^E		
Convenience Store/Fast Food Combination		C		C				C ^E		
Copy Center	C	P	P	P	C			C ^A		
Crematory/Embalming Facility					C	C				
Dry Cleaners	C	P	P	P				C ^{E/A}		
Dwelling, Above commercial		C	P	C			P			
Dwelling, Live / Work			P				P			
Dwelling, Multi-Family			P				P			
Dwelling, Single-Family			P				P			
Dwelling, Three-Family			P				P			
Dwelling, Two-Family			P				P			

Educational Center	C	C	C	C	C			C	P	
Electronic Media Rental & Sales		P	C	P						
Electronic Sales & Repair		P	C	P				C ^A		
Equipment Sales & Services				C		P				
Financial Institution		P	P	P				P ^A		
Fitness Center (5,000 sq. ft. or less)	P	P	P	P	P		P	P ^A		
Fitness Center(5,001 sq. ft. or larger)	C	C	C	C	C			C ^A		
Floral Sales	P	P	P	P			P	P ^A		
Fueling Station										P
Fueling Station, Cardlock Facility										P
Funeral Home	C	C	C	C						
Grocery Store		P	C	P			P			
Hair Salon	P	P	P	P			P			
	NC		MU	RC*	OW	I	MW	BP	IC	PSB

	NC	CC	MU	RC*	OW	I	MW	BP	IC	PSB
Hardware & Home Improvement Retail		C	C	P						
Home Occupations	See §19.08		See §19.08	See §19.08	See §19.08					
Hospital		C		P				C	P	
Hotels		C		C	C	C	C	C		
Ice Cream Parlor	P	P	P	P			P	C ^A		
Impound Yard						C				
Kennel, Commercial				C	C	P				
Laundromat		C		C	C	C				
Library		P	P	P					P	
Light Manufacturing					C	C		C		
Marina							P			
Mining						C				
Mixed Use			P				P			
Neighborhood Grocery Store		P	P				P			
Motels				C	C	C	C			

Non-Depository Institutions				C						
Office, High Intensity					P	C		C		
Office, Medical and Health Care	C	P	C	P				P	C ^A	
Office, Professional	C	P	P	P	P	C	P	P		
Public Parks, playgrounds, recreation areas, or other park improvements	P	P	P	P	P	P	P	P	P	P
Pawn Shop					C	C				
Personal Service Establishment	C	C	C		C		C	C ^A		
Plant & Tree Nursery	C	C		C	C	P				
Postal Center	C	C	C	P	C			P ^A	P	
Preschool	C	C	C	C			C ^A	C ^A		
Printing, lithography & publishing establishments					C	C		P		
Public & private utility building or facility				C	C	C	C		C	C
Public Building or Facilities (City Owned)	P	P	P	P	P	P	P	P	P	
Reception Centers	C		C	P			P	C		
Recreation Center				C		C	C			
Recreation Rentals				P			P			
Recreational Vehicle Sales				C						
Recycling Facilities						C				
Research & Development		C		C	C	C		P	C ^A	
Residential facilities for elderly persons			C				C			
Residential Facilities for Persons with a Disability			C				C			
Restaurant, Casual		P		P	C		C ^E	C ^E		
Restaurant, Deli	P	P	P	P			P	C ^A		
Restaurant, Sit Down	P	P	P	P	P		P	P ^E		
Retail Sales	P	P	P	P	P		P	C ^A		
Retail, Big Box				C						
Retail, Specialty	P	P	P	P	P		P			
Retail, Tobacco					C	C				

Specialty Store										
School, Public	P		P	P	P	P	P	P	P	P
School, Trade or Vocational					P	P		P	P	
Sexually Oriented Businesses						P				
Shooting Range, indoor or outdoor					C	C				
Storage, Self-Storage, or Mini Storage Units					C	C				
Storage, Outdoor						C				
Storage, Vehicle						C				
Tattoo Parlor						C				
Temporary Sales Trailer			T							
Theater		C		C			C			
Transit-Oriented Development (TOD)			P				P	C		
	NC		MU	RC*	OW	I	MW	BP	IC	PSB

^A The noted Uses shall be allowed in the listed zones as an ancillary use only.

^E The noted Uses shall be allowed in the listed zones as an edge use only.

*As an ancillary component of the identified Permitted and Conditional Uses, employers may offer Child Care Center services for their employees. The provision of such services shall require Conditional Use approval.

(Ord. 16-01, Ord. 15-29, Ord. 14-23, Ord. 14-13, Ord. 14-5)

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19.04.13. Mixed Waterfront Zone.

1. Purpose and Intent.

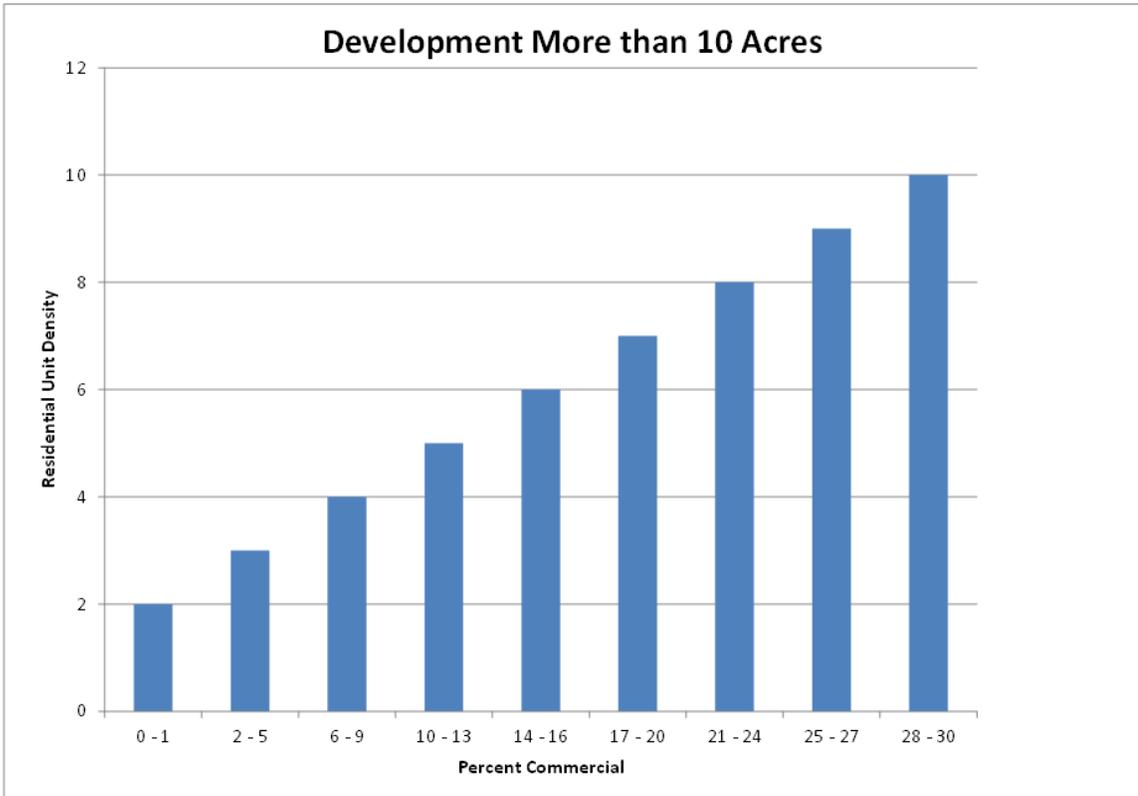
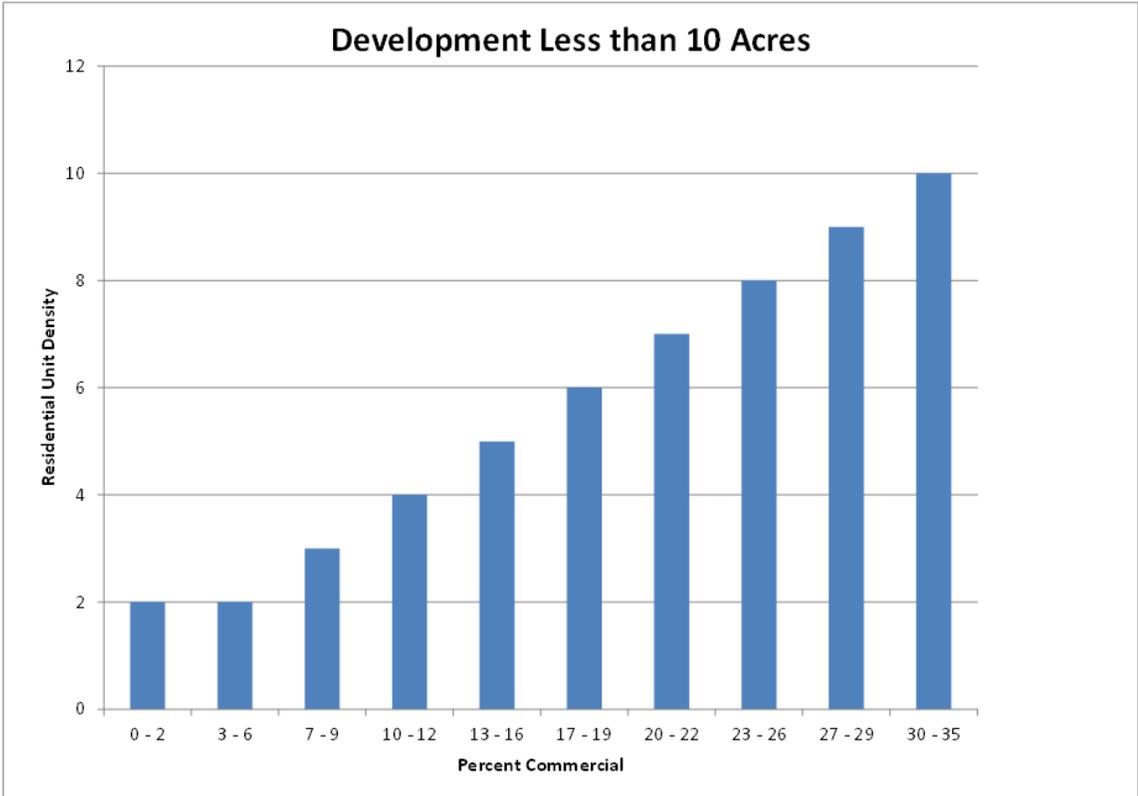
- a. The purpose of the Mixed Waterfront (MW) Land Use Zone is to allow for a wide range of land uses so long as those land uses are combined and arranged to create destination-oriented developments that take full advantage of the scenic and recreational opportunities that their lakeshore and riverside locations provide. Appropriate mixtures of land uses include retail, residential, and resort properties.
- b. Low Density Residential, Medium Density Residential, and Neighborhood Commercial land uses, as listed in the tables in Section 19.04.12, are considered appropriate uses for this zone. The goal is to accomplish a mix of residential and commercial uses with a majority being residential.
- c. This land use zone recognizes that in order for the City to be a well-rounded community, many different housing styles, types, and sizes should be permitted.

Density shall be focused around the water front with density decreasing the farther from the water's edge. In an effort to incentivize commercial along the waterfront allowable residential density will increase based upon the amount of commercial provided.

- d. Other important characteristics that must be addressed in this land use zone include neighborhood services and facilities, social gathering places, attractive landscaping, convenient access to public areas along the lakeshore, appropriately-placed parking, a sense of personal safety, well-maintained housing, and attractive parks.

2. Density

- a. The maximum residential density upon the residential portion of any development shall be based upon the amount of commercial acreage provided, as outlined in the tables below, with smaller amounts of commercial reflecting lower residential density.
 - i. The maximum percentage of commercial development is indicated by the far right category in each table.
 - ii. In developments containing 10 acres or more that contain 21% of commercial or more, up to 30% of the residential development may have up to 14 units per acre, however the overall average residential density shall not exceed the maximum density in the table.
 - iii. Example 1: A 5 acre development with 15% of the acreage for commercial may have up to 5 units per acre on the residential acreage.
 - iv. Example 2: A 15 acre development with 27% of the acreage for commercial may have up to 9 units per acre on the residential acreage. 30% of the residential acreage may have up to 14 units per acre, but the overall density on the residential acreage is limited to 9 units per acre.
- b. Sensitive lands shall not be included in the calculation of density.



3. Permitted Uses. The uses identified in 19.04.12 as Permitted Uses in the Mixed Waterfront Zone, with some uses identified as ancillary uses or edge uses only.

4. Conditional Uses. The uses identified in 19.04.12 as Conditional Uses in the Mixed Waterfront (MW) Zone, with some uses identified as edge or ancillary uses only.

5. Lot, Setback, and Development Requirements.

	MW		
	SF	MF	Other Development (including MU)
Development size- min	1 acre	1 acre	1 acre
(current development size- min.)	1 acre	1 acre	None
Lots size - min	4,000 sq. ft.	No minimum	No minimum
(current lot size-min.)	5,000 sq. ft.	5,000 sq. ft. (based on building rather than unit)	None
Lot Coverage - maximum	60% (Footprint development will be reviewed for overall site coverage rather than individual lot coverage.	60% (Footprint development will be reviewed for overall site coverage rather than individual lot coverage.	60% (Footprint development will be reviewed for overall site coverage rather than individual lot coverage.
(current lot coverage-maximum)	50%	50%	None
Lot Frontage - min	35'	100' along a public or private street. Where each unit is separately owned, the minimum lot frontage shall be based on	100' along a public or private street
Primary structure height - max	40'	40'	40'
Accessory structure height - max	19.05.11	19.05.11	19.05.11
Dwelling size	1,000 sq.ft.	600 sq.ft.	600 sq. ft.
(current dwelling size)	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.
Lot width - min	50'	No minimum	No minimum
(current low width- min.)	50'	50' calculated on building	None
Setbacks, primary structure - min			
Front	25' to the garage, 20' to the front plane of the home.	20' to building, 25' to garage	10'*
(current front)	25'	25'	25'
Street side	20'	20'	10'*
(current street side)	15'	15'	15'
Interior Side/ Building Separation	5'/ 10' combined	20'	5'
(current side)	5'/10'	5' to property line, 10' between structures	None
Rear	15' to property line or between buildings	20' between buildings, 20' between rear property lines and exterior walls	25'
(current rear)	15'	15'	15'
Rear yard adjacent to alley	5' to detached garage, 20' to main structure	5' to detached garage, 20' to main structure	10', 20' driveway required or 5' setback to detached garage
Rear yard adjacent to street	N/A	N/A	10', 20' driveway required or 5' setback to detached garage
Setbacks, accessory structure - min			
Front	Same as principal structure	Same as principal structure	Same as principal structure
Street side	Same as principal structure	Same as principal structure	Same as principal structure
Interior Side	5'	5'	5'
Rear	5'	5'	5'
Building separation	5'	5'	5'
Concept plan required?	Yes	Yes	Yes

** Exception: The front and street side yard setbacks may be decreased to zero feet if the sidewalk width is increased by ten feet and as long as no part of any building, including planter boxes and similar features, shall overhang the public right-of-way and no drainage shall be diverted into said public right-of-way.*

6. Open Space and Landscaping Requirement.

- a. If the open space is common space, the developer shall record a public access easement at plat recordation to any adjacent public open space or access to the waterfront.
- b. Common and private open spaces shall be provided as follows:

- i. Up to 25% of the total open space requirement may be met by counting any private open space areas (patios and balconies) provided within the project.
 - ii. The minimum area of any private open space shall be 25 sq. ft. This may be in the form of patios or balconies accessible only to the abutting unit.
 - iii. The minimum dimension area of eligible common open space areas shall be 150 square feet with a minimum width of 10 feet. These may be located at grade or above grade and may include terraces, courtyards, fitness centers for vertical mixed use and multifamily, rooftop gardens, or other similar areas.
 - iv. Common and private open spaces shall be designed to limit intrusion by nonresidents.
- c. Sharing of common open space between residential and nonresidential uses may be allowed by the applicable Land Use Authority when it is clear that the open space will provide direct benefit to residents and patrons of the project subject to the following limitations.
 - i. Up to 30% of the required open space for residential uses in a horizontal mixed use project may be provided as quasi-public open space within the nonresidential component of the project; or
 - ii. Up to 50% of the required open space for residential uses in a vertical mixed use project may be provided as quasi-public open space within the nonresidential component of the project.
 - iii. The minimum area of shared common open space areas shall be 150 sq. ft. with a minimum width of 10 feet. These areas shall be accessible for use by the general public.
 - iv. Quasi-public open space areas shall not include outdoor dining areas or other outdoor activity areas for exclusive use by an individual business.
 - v. Quasi-public open space areas are areas located on private property and accessible to the general public. These areas may include pedestrian oriented amenities, including enhanced seating, lighting, paving, landscaping, public art, water features, and other similar features deemed appropriate by the land use authority.

(Ord. 16-01, Ord. 15-29, Ord. 14-13)

Chapter 19.06. Landscaping and Fencing.

Sections:

- 19.06.01. Purpose.
- 19.06.02. Required Landscaping Improvements.
- 19.06.03. General Provisions.
- 19.06.04. Landscaping Plan.
- 19.06.05. Completion of Landscape Improvements; Adequate Assurances.
- 19.06.06. Planting Standards and Design Requirements.
- 19.06.07. Amount of Required Landscaping.
- 19.06.08. Additional Landscaping Requirements.
- 19.06.09. Screening and Fencing Requirements and Restrictions.
- 19.06.10. Screening at Boundaries of Residential Zones.
- 19.06.11. Clear Sight Triangle.

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19.06.06. Planting Standards and Design Requirements for Nonresidential and Common Open Space.

1. These planting standards are the minimum standards of landscaping that the City will accept towards meeting the landscaping required in this Chapter for nonresidential development, and open spaces that are held in common or in Homeowner's Association ownership in residential developments. Design requirements identify specific standards as they pertain to landscaping. The planting standards and design requirements shall be used in evaluation of any landscaping plan by the City.
2. The following are planting standards for required landscaping that shall be followed for all new development, with all caliper sizes measured no less than 12 inches above the root ball:
 - a. **Required Trees.** Required trees are subject to the following standards:
 - i. **Deciduous Trees.** All deciduous trees shall have a minimum trunk size of two (2) inches in caliper.
 - ii. **Evergreen Trees.** All evergreen trees shall have a minimum size of 6 feet in height.
 - iii. **Tree base clearance.** An area at the base of the tree a minimum of three feet in diameter shall be kept free of rock and turf. In parking lot islands and other narrow strips of landscaping where strips of turf two feet or less in width would otherwise occur, this clear area may be reduced to two feet in diameter.
 - b. **Shrubs.** At least 25% of the required shrubs shall be a minimum of 5 gallons in size at time of installation; all other required shrubs shall be a minimum of 1 gallon in size.
 - c. **Turf.** No landscaping shall be composed of more than seventy percent turf.

- d. **Drought Tolerant Plants.** Fifty percent of all trees and shrubs shall be required to be drought tolerant species.
 - e. **Rock:** rock may be utilized up to the maximum percentage specified in Section 19.06.07, subject to the following requirements:
 - i. a minimum of two separate colors, and a minimum of two different sizes shall be used;
 - f. rock shall provide contrasting color to pavement and other hard surfaces within the property, and all colors used shall be earth tones.
 - g. **Planting and Shrub Beds.** Planting and shrub beds may be used to satisfy up to the percentage of the total required landscaping as specified in the Section 19.06.07. In addition to the required plants in the chart, planting and shrub beds must meet the following requirements:
 - i. high-quality weed barrier is used;
 - ii. high quality materials such as wood chips, wood mulch, ground cover, decorative rock, landscaping rocks, or similar materials are used, and materials must be heavy enough to not blow away in the wind;
 - iii. edging is used to separate lawns from beds, and all areas except residential must use concrete edging for durability;
 - iv. drip lines are used for irrigation.
 - h. **Artificial Turf.** Artificial turf is not permitted.
3. The following design requirements will be used when reviewing landscaping plans in the City of Saratoga Springs:
- a. **Evergreens.** Evergreens shall be incorporated into landscaped treatment of sites where screening and buffering are required.
 - b. **Softening of Walls and Fences.** Plants shall be placed intermittently against long expanses of building walls, fences, and barriers to create a softening effect.
 - c. **Planting and Shrub Beds.** Planting and shrub beds are encouraged to be used in order to conserve water. Planting and shrub beds shall meet the requirements in subsection 19.06.06(2) above.
 - d. **Water Conservation.** While irrigation systems are required for all landscaped areas, all systems shall be efficient in the use of water such as the installation of drip lines for shrubs and trees.
 - e. **Energy Conservation.** Placement of plants shall be designed to reduce energy consumption. Deciduous trees are encouraged to be planted on the south and west sides of structures to provide shade over the structures in the summer months. Evergreens trees are encouraged to be planted on the north side of structures when feasible to dissipate the effects of winter winds.
 - f. **Preservation of Existing Vegetation.** Where possible and appropriate, existing native vegetation must be incorporated into the landscape treatment of the proposed site.
 - g. **Tree Preservation.** Existing mature evergreen trees of 16 feet in height or greater, and existing mature deciduous or decorative trees of more than four inches (4”) in caliper, shall be identified on the landscape plan and preserved if possible. If a mature tree is preserved, an area around the roots as wide as the existing canopy shall not be disturbed.

- i. If preservation is not possible, the required number of trees shall be increased by double the number of such trees removed.
 - ii. The replacement trees for evergreen trees shall be evergreens, and for deciduous shall be deciduous.
 - iii. Deciduous trees smaller than four inches in caliper, or mature ornamental trees, that are removed shall be replaced on a one to one ratio.
 - iv. Replacement trees shall be in addition to the minimum tree requirements of this Chapter, and shall comply with minimum sizes as outlined in the Chapter.
 - h. **Placement.** Whenever possible, landscaping shall be placed immediately adjacent to structures, particularly where proposed structures have large empty walls.
- 4. No trees shall be planted directly under or in close proximity to power lines, poles, or utility structures unless:
 - a. the City Council gives its approval;
 - b. the power company or owner of the power line gives written consent; and
 - c. the maximum height or width at maturity of the tree species planted is less than 5 feet to any pole, line, or structure.
- 5. Parking Lots.
 - a. Parking areas have additional landscaping standards outlined in Chapter 19.09.

(Ord. 15-29, Ord. 14-23)

19.06.07. Amount of Required Landscaping.

- 1. Portions of property that are not developed with structures, rights of ways, or parking areas shall be required to be landscaped per the definition of Landscaping in Section 19.02 in all land use zones.
- 2. Single-family residential lots shall be required to landscape per Section 19.06.08.
- 3. Multi-family **common space not including parks**, and nonresidential development in all Zones shall be required to adhere to the minimum landscaped standards contained in the table below.
 - a. **At least 50% of the landscaped area shall be covered with live vegetation at maturity, including shrubs, grasses, flowers, tree and shrub canopies and other live vegetation.**
 - b. **This percentage may be reduced to 40% in areas where bark mulch is used instead of rock mulch.**
 - c.

Required Landscaped Area¹	Minimum Deciduous Trees²	Minimum Evergreen Trees²	Minimum Shrubs		
< than 1,000	1	1	7		
1,001 - 3,000	3	1	10		
3,001 - 5,000	5	2	13		
5,001 - 7,000	5	3	14		
7,001 - 9,000	6	3	17		
9,001 - 11,000	6	4	19		
11,001 - 13,000	6	4	22		
13,001 - 15,000	7	5	25		
15,001>	7 + 1 per additional 3000 sq.ft.	5 + 1 per additional 3000 sq.ft.	25 + 1 per additional 3000 sq.ft.		

¹ Areas are measured in square feet. Parking lot landscaping islands may have different standards and are found in Chapter 19.09.

² This number shall be increased per the requirements of Section 19.06.06 above.

(Ord. 15-29, Ord. 14-23, Ord. 14-1)

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Chapter 19.09. Off-Street Parking Requirements.

Sections:

- 19.09.01. Purpose.**
- 19.09.02. Required Parking.**
- 19.09.03. General Provisions.**
- 19.09.04. Submittal and Approval of Parking Areas.**
- 19.09.05. Parking Requirements.**
- 19.09.06. Dimensions for Parking Stalls.**
- 19.09.07. Accessible Parking.**
- 19.09.08. Landscaping in Parking Areas.**
- 19.09.09. Pedestrian Walkways and Accesses.**
- 19.09.10. Shared Parking and Curb Cuts.**
- 19.09.11. Required Parking.**

* * * * *

19.09.03. General Provisions.

1. Materials for Parking Areas. Parking areas shall consist of concrete, asphalt, or other impervious materials approved in the City’s adopted construction standards.
2. Maintenance of Parking Areas. Pavement, striping, landscaping, and lighting are required to be maintained in all parking areas. During times of snowfall, parking areas shall be cleared of snow as soon as practical.
3. Parking Area Access.

- a. **Common access.** Parking areas for one or more structures may have a common access so long as the requirements of all City ordinances, regulations, and standards are met. The determination of the locations for a common access shall be based upon the geometry, road alignment, and traffic volumes of the accessed road **per the Standard Technical Specifications and Drawings.**
- b. **Sidewalk crossing.** All **non-residential** structures are required to provide parking areas where automobiles will not back across a sidewalk to gain access onto a public **or private** street.
- c. **Cross access.** Adjacent non-residential development shall **stub for cross-access where such opportunities exist, and cross-access easements documented.**

* * * * *

19.09.05. Parking Requirements.

This Section describes criteria to be used in assessing required parking. The following criteria shall be used in conjunction with the table found in Section 19.09.11, Required Parking by Zone, when determining required parking for any project:

* * * * *

7. Where no comparative land use standard for parking is found in Section 19.09.11, Required Parking by Zone, the **Land Use Authority for the related development** shall determine an appropriate requirement using the following criteria:
 - a. the intensity of the proposed use;
 - b. times of operation and use;
 - c. whether the hours or days of operation are staggered thereby reducing the need for the full amount of required parking;
 - d. whether there is shared parking agreement in accordance with Section 19.09.10 below—if there is a shared parking agreement, a reduction may not be granted;
 - e. the number of employees;
 - f. the number of customers and patrons;
 - g. trip generation; and
 - h. peak demands.

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19.09.08. Landscaping in Parking Areas.

In addition to the planting standards in Chapter 19.06, the following requirements shall apply to all landscaping of off-street parking areas:

5. Required Parking Islands.

- a. **Islands on Doubled Rows of Parking.** On doubled rows of parking stalls, there shall be one 36-foot by 9-foot landscaped island on each end of the parking rows, plus one 36-foot by 9-foot landscaped island to be placed at a minimum of every twenty parking stalls. Each island on doubled parking rows shall include a minimum of two trees per planter. See 19.06.06, Planting Standards and Design Requirements, for the minimum size of vegetation.
- b. **Islands on Single Rows of Parking.** On single rows of parking or where parking abuts a sidewalk, there shall be one 18-foot by 9-foot landscaped island a minimum of every ten stalls. Islands on a single parking row shall have a minimum of one tree planter. See 19.06.06, Planting Standards and Design Requirements, for the minimum size of vegetation.
 - i. Exception: landscaped islands are not required in single rows of parking that abut a landscaped area containing an equal or greater number of trees as would have been provided in islands. Such trees shall be located within 9 feet of the edge of parking area, and shall have a canopy width that, at maturity, will extend into the parking area.
- c. Landscaped islands at the ends of parking rows shall be placed and shaped in such a manner as to help direct traffic through the parking area.

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Chapter 19.12. Subdivisions.

Sections:

- 19.12.01. Purpose.
- 19.12.02. General.
- 19.12.03. Subdivision Process and Approval Procedure.
- 19.12.04. Condominium Process and Approval Procedure.
- 19.12.05. Performance and Warranty Assurances.
- 19.12.06. General Subdivision Improvement Requirements.
- 19.12.07. Minor Subdivision Approval Procedure.
- 19.12.08. Property Line Adjustments (Exchange of Title).
- 19.12.09. Vacating or Amending a Plat.
- 19.12.10. Vacating or Altering Public Streets, Rights-of-Way, Easements, or Alleys.

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19.12.03. Subdivision Process and Approval Procedure.

2. **Preliminary Subdivision Plats.** All subdivisions must receive a Preliminary Plat approval. Upon receipt of an application for a Preliminary Plat, City staff shall review the application to determine whether the application is complete. If incomplete, the application shall not be accepted by the City and shall be returned to the applicant, along with a written list of the reasons why the application is incomplete. Once an application is deemed to be complete, City Staff shall review the proposed Preliminary Plat and determine whether it is in compliance with state law, federal law, and City standards, resolutions, and ordinances. The Planning Director is specifically charged with ensuring that all such requirements have been resolved before recommending land use authority action. If the Planning Director recommends that a proposed Preliminary Plat be approved, the City staff shall place it on the agenda of the next available meeting where the application may be properly considered. If the land use authority finds that the preliminary Plat meets state law, federal law, and City standards, resolutions, and ordinances, the land use authority shall approve the Preliminary Plat. If the land use authority finds that the preliminary Plat does not meet state law, federal law, and City standards, resolutions, and ordinances, the land use authority shall deny the Preliminary Plat. An application for a Preliminary Plat shall follow the approved City format and must contain the following information:
 - a. Application form, applicant certification, and application fee.
 - b. Preliminary title report.
 - c. Soils report.
 - d. Preliminary Hydraulic and Hydrologic report and storm drainage calculations.
 - e. Wetland delineation when required by City Engineer, Planning Commission, Development Review Committee, or the Army Corp of Engineers.
 - f. Preliminary traffic report. Said report shall comply with the standards outlined in the City's adopted Transportation Master Plan and shall include the following:
 - i. an analysis of the average daily trips generated by the proposed project;

- ii. an analysis of the distribution of trips on City street systems;
 - iii. a description of the type of traffic generated; and
 - iv. recommendations on what mitigation measures should be implemented with the project to maintain a level of service for existing and proposed residents that meets the standards of the Transportation Master Plan.
- g. Evidence of compliance with all applicable federal, state, and local laws and regulations, if requested by City.
- h. ALTA survey including deeds, easements, trees, utilities, structures, and other existing features and conditions.
- i. Preliminary Plat: Full-size 24" x 36" copies of the Preliminary Plat at a scale no smaller than 1" = 100' and 11 x 17 inch reductions as identified on the application form, along with digital copies as outlined below. Additional copies may be required prior to adding the application to the Planning Commission or City Council agenda. Each copy shall conform to the City's standard plat layout and contain at a minimum the following items:
 - i. General Layout.
 - ii. Name and address of owners of land and name and address of developer if different than owner.
 - iii. Name of land surveyor.
 - iv. The location of the proposed subdivision with respect to surrounding property and streets.
 - v. The name of all adjoining property owners of record, or the names of adjoining developments.
 - vi. The names and location of adjoining streets and all facilities within 100 feet of the platted property.
 - vii. Street and road layout with centerline bearing and distance labels, dimensions, and names of existing and future streets and roads, (with all new names cleared through the City GIS Department).
 - viii. Subdivision name cleared with Utah County.
 - ix. North arrow.
 - x. A tie to a permanent survey monument at a section corner.
 - xi. The boundary lines of the project with bearings and distances and a legal description.
 - xii. Layout and dimensions of proposed lots with lot area in square feet.
 - xiii. Location, dimensions, and labeling of roads, structures, irrigation features, drainage, parks, open space, recreational amenities, and trails.
 - xiv. Location of prominent natural features such as rock outcroppings, woodlands, steep slopes, etc.
 - xv. Proposed road cross sections.
 - xvi. Proposed fencing.
 - xvii. Vicinity map.
 - xviii. Signature blocks for preliminary approval by Planning Commission and City Council.
 - i. Data table including:
 - 1. total project area;
 - 2. total number of lots, dwellings, and buildings;

3. where buildings are included, square footage of proposed building footprints and, if multiple stories, square footage by floor;
 4. for multi-family developments, the number of proposed garage parking spaces and number of proposed total parking spaces;
 5. percentage of buildable land;
 6. acreage of sensitive lands and percentage sensitive lands comprise of total project area and open space area;
 7. area and percentage of open space or landscaping;
 8. area to be dedicated as right-of-way (public and private);
 9. net density of dwellings by acre (sensitive lands must be subtracted from base acreage).
- xix. The Preliminary Plat shall be prepared and stamped by a professional surveyor or engineer licensed in Utah.
 - xx. Proposed methods for the protection or preservation of sensitive lands.
 - xxi. Location of any flood plains, wetlands, and other sensitive lands.
 - xxii. Location of 100-year high water marks of all lakes, rivers, and streams.
 - xxiii. Projected Established Grade of all building lots.
 - j. Preliminary Construction drawings containing, at a minimum, all items specified in the City's "Standard Technical Specification and Drawings" manual. Applicant shall provide full-size 24" x 36" copies and 11 x 17 inch reductions as required on the application form. Additional copies may be required prior to adding the application to the Planning Commission agenda.
 - k. Landscaping plan drawn by certified landscape architect, including planting plan, data table including vegetation types and percentages, percentage of turf, and other information consistent with the standards and requirements in Section 19.06.
 - l. Phasing plan including a data table with the following information for each phase:
 - i. total area in square feet and acres;
 - ii. number of lots or dwelling units;
 - iii. open space area and percentage;
 - iv. utility phasing plan;
 - v. number of parking spaces;
 - vi. recreational facilities to be provided.
 - m. Lighting plan including photometric information for the site and for immediately adjacent properties, and fixture design, height, and placement consistent with the requirements in Section 19.11.
 - n. File of all plans, documents, and reports in pdf format.
 - o. A copy of the Utah County plat map showing ownership and parcel numbers.
 - p. A document from UDOT Region 3 stating that UDOT has granted approval for all proposed accesses onto any State road.
 - q. Geolocated KMZ file or GIS Shapefile including lot line(s), lot number(s), road centerline(s), building footprint(s) where buildings are proposed, open space, and sensitive lands.

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(19.12.03.4)

4. **Final Plat Application Requirements.** Applications for Final Plats shall be on an approved-City form and include the following items:
- a. Application form, applicant certification, and paid application fee.
 - b. Signed easements and agreements with adjacent property owners for necessary off-site facilities.
 - c. Signed and recorded articles of incorporation bylaws, and conditions, covenants, and restrictions of the Home Owners Association, if any.
 - d. Certificate of Existence and Certificate of Good Standing from the State of Utah for the Home Owners Association, if any.
 - e. Final Hydraulic and Hydrologic storm drainage report and calculations
 - f. **Final Traffic report.** Said report shall comply with the standards outlined in the City's adopted Transportation Master Plan and shall include, but not be limited to, the following:
 - i. an analysis of the average daily trips generated by the proposed project;
 - ii. an analysis of the distribution of trips on City street systems;
 - iii. a description of the type of traffic generated; and
 - iv. recommendations on what mitigation measures should be implemented with the project to maintain an level of service for existing and proposed residents acceptable to the City.
 - g. **Final Subdivision Plat:** Full-size 24" x 36" sheets and 11" x 17" copies shall be submitted at a scale no smaller than 1" = 100' as outlined on the application form, along with digital copies as outlined below. Additional copies may be required prior to adding the application to the Planning Commission or City Council agenda. Each Copy shall conform to the City's standard plat layout and contain at a minimum the following items:
 - i. Subdivision name and location.
 - ii. Name and address of owners of land and name and address of developer if different than owner.
 - iii. Name of land surveyor.
 - iv. The location of the proposed subdivision with respect to surrounding property and streets.
 - v. The name of all adjoining property owners of record, or the names of adjoining developments.
 - vi. The names and location and ROW widths of adjoining streets and all facilities within 100 feet of the platted property.
 - vii. Subdivision name cleared with Utah County.
 - viii. North arrow.
 - ix. A tie to a permanent survey monument at a section corner.
 - x. The boundary lines of the project with bearings and distances and a legal description with total project area in SF and acres.
 - xi. Layout and dimensions of proposed lots with lot area in square feet and acres. Lot boundaries shall include dimensions and bearings. Building envelopes shall be shown with dimensions and areas on each lot where slopes are greater than ten percent.
 - xii. Lot Numbers

- xiii. Location, dimensions, and labeling of roads, structures, irrigation features, drainage, parks, open space, trails, and recreational amenities.
- xiv. Location of prominent natural features such as rock outcroppings, woodlands, steep slopes, etc.
- xv. Proposed road ROW widths.
- xvi. Vicinity map.
- xvii. Signature blocks for preliminary approval by Planning Commission and City Council.
- xxviii. The Preliminary Plat shall be prepared by a professional engineer licensed in Utah.
- xix. Proposed methods for the protection or preservation of sensitive lands.
- xx. Fencing plans.
- xxi. Location of any flood plains, wetlands, and other sensitive lands.
- xxii. Flood plain boundaries as indicated by the Federal Emergency Management Agency as well as the location of 100-year high water marks of all lakes, rivers, and streams.
- xxiii. Existing and Proposed easements.
- xxiv. Street monument locations.
- xxv. Fire hydrant locations.
- xxvi. Street light locations (at intersections and every 300 feet, placed on alternating sides of streets).
- xxvii. Lot and road addresses and addresses for each intersection. Road names must meet the requirements of Chapter 19.27 and be approved in writing by the City GIS department before being added to the subdivision plat.

xxviii. Data table including:

- 1. total project area;
- 2. total number of lots, dwellings, and buildings;
- 3. where buildings are included, square footage of proposed building footprints and, if multiple stories, square footage by floor;
- 4. for multi-family developments, the number of proposed garage parking spaces and the total number of proposed parking spaces;
- 5. percentage of buildable land;
- 6. acreage of sensitive lands and what percent sensitive lands comprise of total project area and of open space area;
- 7. area and percentage of open space or landscaping;
- 8. area to be dedicated as right-of-way (public and private);
- 9. net density of dwellings by acre (sensitive lands must be subtracted from base acreage).

xxix. Final Established Grade of all building lots.

- i. **Final Construction Drawings** containing, at a minimum, all items specified in the City's "Standard Technical Specification and Drawings" manual. Applicant shall provide three full-size 24" x 36" copies and five 11 x 17 inch reductions. Additional copies may be required prior to adding the application to the Planning Commission or City Council agenda.

- j. **Landscaping and irrigation plans** drawn by certified landscape architect, including planting plan, data table including vegetation types and percentages, percentage of turf, installation details and other information consistent with the standards in 19.06.
- k. Phasing plan including a data table with the following information for each phase:
 - i. Subtotal area in square feet and acres;
 - ii. number of lots or dwelling units;
 - iii. open space area and percentage;
 - iv. utility phasing plan;
 - v. number of parking spaces;
 - vi. recreational facilities to be provided;
 - vii. overall plan showing existing, proposed, and remaining phases.
- l. **Lighting plan** including photometric information for the site and for immediately adjacent properties, and fixture design, height, and placement consistent with the requirements in Section 19.11.
- m. File of all plans, documents and reports in pdf format.
- n. A document from UDOT Region 3 indicating that UDOT has granted approval for all proposed accesses onto any State road.
- o. **Geolocated KMZ file or GIS Shapefile** including lot line(s), lot number(s), road centerline(s), building footprint(s) where buildings are proposed, open space, and sensitive lands.
- p. **Title Report.** A title report shall be provided that is current within 30 days of recording the final plat.
- q. **Mylar Final Plat:** After receiving Final Plat approval from the Planning Director or City Council and in a form approved by the City, a 24" x 36" copy of the Final Plat shall be provided to the City on reproducible Mylar for recording with Utah County. The Mylar Final Plat shall be presented with all utility and owner signatures and appropriate notarizations.

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19.12.07. Minor Subdivision Approval Procedure.

Applications to subdivide a parcel into a maximum of four parcels may follow the process described herein as the Minor Subdivision Approval Procedure. The process of effectuating the subdivision of land as a Minor Subdivision shall commence with the submission of a complete Minor Subdivision application to the City. Upon receipt of an application for a Minor Subdivision approval, the following process shall be followed and criteria met:

1. Limitations.

- a. A Minor Subdivision is a one-time process. To ensure adequate infrastructure, lots contained in an existing recorded subdivision plat are not eligible to apply for a Minor Subdivision.
- b. The minimum lot size for lots created through a Minor Subdivision shall be one acre, or the minimum allowed by the zone, whichever is greater.

- c. Lots created through a Minor Subdivision may not be buildable until all other applicable State and local requirements are met.
2. **Complete Application.** The Planning Director and City Staff shall have ten business days to determine whether the application is complete. The applicant shall be notified in writing if the application is complete and, if incomplete, shall be notified of the reasons why the application is deficient.
3. **DRC Review.** Once an application is deemed to be complete, the Development Review Committee shall complete a review of the proposed plat and submit a **recommendation to the Planning Director.**
4. **Approval.** The Planning Director shall review the proposed Final Plat to determine whether it is in compliance with the City Code.
 - a. If the proposed plat complies, the Planning Director shall approve the plat and authorize the Mayor to sign the plat.
 - b. If the proposed plat fails to comply, the Planning Director shall deny the plat, or may continue the decision and return it to the developer along with a written list of deficiencies that must be corrected before the Planning Director will authorize the Mayor to sign it.
 - c. The Planning Director is specifically charged with ensuring that all significant conditions required for plat approval have been resolved before taking final action.
5. **Recordation.** The City Recorder, or designee, shall be responsible for recording subdivision plats. The subdivider shall pay for all recording fees at the time of recordation. No Final Plat shall be recorded unless and until the plat is properly approved, signed, and accepted by the City.
6. **Application Requirements.** Applications for Minor Subdivision plats shall include the following items:
 - a. application form completed and application fee paid;
 - b. updated Preliminary Title Report;
 - i. The Title Report must also demonstrate that the proposed minor subdivision has not been involved in any prior minor subdivision;
 - c. Minor Subdivision Plats shall conform to all of the requirements for Final Subdivision Plats layouts as provided in section 19.12.03.

(Ord. 15-29, Ord. 14-23, Ord. 14-4)

Chapter 19.13. Development Review Processes.

Sections:

- 19.13.01. Purpose.**
- 19.13.02. General Considerations.**
- 19.13.03. Application Forms Required.**
- 19.13.04. Specific Development Processes and Submittal Requirements.**
- 19.13.05. The Concept Plan Process.**
- 19.13.06. Change of Use Permits.**
- 19.13.07. Development Agreements.**
- 19.13.08. Improvements Required.**
- 19.13.09. Master Development Agreements.**
- 19.13.10. Payment in Lieu of Open Space.**

19.13.01. Purpose.

The purpose of this Chapter is to promote the health, safety, and general welfare of the residents of the City and the efficient and orderly growth of the City by regulating the development of property and establishing procedures for property development. This Chapter contains requirements for the general development processes in Saratoga Springs. Other regulations governing specific uses and topics are found in separate chapters of the Land Development Code. These chapters must also be consulted when preparing application materials for submittal to the City.

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19.13.04. Specific Development Processes and Submittal Requirements.

1. This Section of the Chapter identifies the development processes for each of the major types of developments within the City of Saratoga Springs. The following table is a non-exhaustive summary of these processes, and specifies who acts as the land use authority for each:

Process and Land Use Authority ☉	Planning Director Approval	Planning Commission Public Hearing	Planning Commission Recommendation	Planning Commission Approval	City Council Approval
Development Type Δ					
Change of Use Permit**	X				
Concept Plan, Single Use	X - <i>Informal review only</i>				
Concept Plan, with a rezone		X	X		X
Conditional Use – New Construction		X	X		X
Conditional Use – Existing Building or Site**	X				
Development Agreement (DA)					X
DA or MDA Amendment – Minor	X				
DA or MDA Amendment – Major					X
Home Occupation*	X				
Lot Line Adjustment	X				
Master Development Agreement (MDA)		X	X		X
Minor Subdivision	X				
Planned Unit Development		X	X		X
Plat, Amendment**	X				
Plat, Condominium and Final	X				
Plat, Preliminary		X	X		X
Site Plan		X	X		X
Site Plan	X				

Amendment - Minor					
Site Plan Amendment - Major		X		X	
Temporary Use	X				

* May be approved by staff unless staff determines Planning Commission approval is necessary based on the criteria in § 19.08.03.

** May be approved by staff unless Planning Commission or Council approval is required per §19.12 or §19.13.

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19.13.05. Concept Plan Process.

1. A Concept Plan application shall be submitted before the filing of an application for subdivision or Site Plan approval unless the subdivision was part of a previous Concept Plan application within the **previous** two years and the application does not significantly deviate from the previous Concept Plan.

2. Concept Plan Review Process

- a. **The review for a Concept Plan** involves an informal review of the plan by the City’s Development Review Committee.
- b. **The review for a Concept Plan** accompanying a rezone application **also** involves an informal review of the plan by the Planning Commission and City Council.
- c. The developer shall receive comments from the Development Review Committee, and when **applicable**, by the Planning Commission and City Council to guide the developer in the preparation of subsequent applications.
- d. The Development Review Committee, and Planning Commission and City Council when **applicable**, shall not take any action on the Concept Plan review.
- e. The comments of the Development Review Committee, and Planning Commission and City Council when **applicable** shall not be binding, but shall only be used for information in the preparation of the development permit application.
- f. The Concept Plan review is intended to provide the developer with an opportunity to receive input on a proposed development prior to incurring the costs associated with further stages of the approval process. This review does not create any vested rights to proceed with development. Developers should anticipate that the City may raise additional issues in further stages not addressed at the Concept Plan stage.

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Chapter 19.14. Site Plan Review.

Sections:

- 19.14.01. Purpose.
- 19.14.02. Approval Required.
- 19.14.03. Site Plan Development Standards.
- 19.14.04. Special Provisions.
- 19.14.05. Application.
- 19.14.06. Issuance of Building Permit.
- 19.14.07. Issuance of a Certificate of Occupancy.
- 19.14.08. Failure to Begin and Complete Development.

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19.14.03. Site Plan Development Standards.

The following are standards required for all Site Plans in any zone:

1. **Site Plan Standards.** The entire parcel area shall be built upon, landscaped, or paved in accordance with the zone's open space and parking requirements.

1. **Utilities.** All utility lines shall be underground in designated easements. No pipe, conduit, cable, water line, gas, sewage, drainage, steam, electrical, or any other energy or service shall be installed or maintained upon any lot outside of any building above the surface of the ground except during construction.
 - a. Transformers shall be grouped with other utility meters where possible and screened with vegetation or fencing.
 - b. Each contractor and owner or developer shall be responsible to know the whereabouts of all underground utilities. Protection of such utilities shall also be their responsibility.
 - c. Prior to construction, contact must be made with Blue Stakes and any other utility company, public or private, not participating in Blue Stakes in the area to identify underground utility lines.
 - d. Exception: electric power transmission lines of 46kV or above are not required to be placed underground.

2. **Grading and Drainage.** Drainage from any lot must follow current City requirements to show on site retention and a maximum allowable discharge of 0.2 cubic feet per second (cfs) per acre. Drainage shall not be allowed to flow upon adjoining lots unless the owner of the lot upon which the water flows has granted an easement for such purpose. The Planning Commission must approve a Site Plan with grading, drainage, and clearing plans before any such activities may begin. Lot grading shall be kept to a minimum.

Roads and development shall be designed for preservation of natural grade except as otherwise approved by the City Engineer based on standards and specifications.

3. **Secondary Water System and Dedication of Water Shares.** The applicant shall comply with the City's adopted Water Utility Ordinance and other adopted standards, regulations, and ordinances and shall dedicate to the City the amount of water specified in those adopted standards, regulations, and ordinances upon approval of the Site Plan.
4. **Piping of Irrigation Ditches.** All existing irrigation canals and ditches which are located on the site or straddle a site property line shall be piped with a sufficient size pipe and shall be approved by the City Engineer.
5. **Preliminary Condominium Plat.** When the proposed Site Plan includes condominium units, the Site Plan submittal shall include a preliminary condominium plat. Said plat shall include a survey of the property, the proposed building locations, proposed floor plans and proposed elevations identifying each building in the development. Approval of the proposed Site Plan may occur simultaneously with the approval of the proposed preliminary condominium plat.

(Ord. 16-17, Ord. 14-23)

19.14.04. Special Provisions.

1. **Nuisances.** All commercial uses shall be free from objectionable odors, noises, hazards, or other nuisances.
2. **Residential Conversions.** No existing residential dwelling or residential lot in any commercial or residential zone may be used or converted into a commercial use unless all of the standards set forth herein are met, including parking regulations, setbacks, landscaping, and architectural design.

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Chapter 19.16. **Site and Architectural Design Standards**

- 19.16.01. **Purpose.**
- 19.16.02. **Applicability and Review Process.**
- 19.16.03. **Site Design Standards: General.**
- 19.16.04. **Site Design Standards: Non-Residential.**
- 19.16.05. **Architectural Design Standards, General.**
- 19.16.06. **Architectural Design Standards, Residential.**
- 19.16.07. **Architectural Design Standards, Non-Residential.**
- 19.16.08. **Mixed Use and Mixed Waterfront Site and Architectural Design Standards.**
- 19.16.09. **Buffer Overlay Standards.**

19.16.01. **Purpose.**

These standards have been adopted to promote high quality development, while enhancing and protecting aesthetics as the City grows. Each new development in the City shall be designed to:

1. Provide for a harmonious arrangement of buildings, site landscaping, open space, driveways, access, parking, and development amenities.
2. Make reasonable efforts to preserve the desirable existing conditions found on a site through minimized removal of desirable trees and other vegetation and soil and minimized site grading.
3. Use high quality building materials, colors, textures, lighting, architectural and landscape forms.
4. Create safe vehicular, pedestrian, and bicycle circulation by way of interior drives, parking areas, pathways, and sidewalks.
5. Provide buffering between adjacent properties.
6. Provide architectural designs that are visually appealing on all visible elevations.
7. Maintain building massing that is scaled to pedestrian and vehicular perspectives.

19.16.02. **Applicability and Review Process.**

1. **Conformance required.** This section applies to all new development in the City unless otherwise exempted in this Title, and expansions to previously existing development in the City.
2. **Exemptions.** The following uses shall be exempt from the requirements of this section:
 - a. New and expanded Agricultural sites and structures.
 - b. Construction of individual single-family homes that are not part of a Planned Community, PUD, or Master Development Agreement.
3. **Review Process.** Site and Architectural Review will be done by the Development Review committee as part of the review process for the related site plan, subdivision plat, or other applicable development application. Such review shall be done prior to approvals or public meetings.

4. **Submittal Requirements.** Scaled building elevations shall be submitted that indicate all colors, styles, materials, and other proposed building treatments. Material and color boards shall also be submitted with the items required accompanying development application.

19.16.03. Site Design Standards, General.

The following standards are applicable to all new non-residential, two-family, three-family, and multi-family development:

1. Pedestrian Connectivity.

- a. All buildings and sites shall be designed to be pedestrian friendly by the use of connecting walkways.
- b. Safe pedestrian connections shall be made between buildings within a development, to any streets adjacent to the property, to any pedestrian facilities that connect with the property, when feasible between developments, and from buildings to the public sidewalk to minimize the need to walk within the parking lot among cars.
- c. All pedestrian connections shall be shown on the related site plan or plat.

2. Parking areas.

- a. On-site parking shall be located primarily to the sides or rear of the building. Variations may be approved by the Land Use Authority, subject to the following criteria:
 - i. The use is a big box with outparcels helping to screen parking, or
 - ii. At least 50% of the parking is located to the side or rear of the building.
- b. Parking lots shall be designed with a hierarchy of circulation: major access drives with no parking; major circulation drives with little or no parking; and then parking aisles for direct access to parking spaces.
- c. The use of shared parking with adjacent sites is encouraged as per the shared parking provision within Section 19.09 of the Land Development Code.
- d. Parking lots adjacent to, and visible from, public streets shall be screened from view through the use of earth berms, screen walls, landscape hedges or combinations thereof with a minimum height of three feet.

3. **Acceleration and Deceleration Lanes.** Acceleration and deceleration lanes shall be required on major arterials when deemed necessary by the City Engineer.

4. Parking structures.

- a. Parking structures shall be architecturally consistent with the project buildings, including the use of the same primary finish materials as the exterior of the adjacent or adjoining buildings.
- b. When placement of parking structures along site frontages is necessary, visual mitigation such as landscape buffers, upper-level setbacks, or additional architectural treatment shall be used.

- c. The view of a parking structure from a public street shall be minimized by placing its shortest dimension along the street edge.
- d. The top deck of parking structures shall include either screen walls, periphery landscape islands, or similar features where visible from public view in order to soften the appearance of the top of the parking structure and screen the view of cars on the top deck of the structure.
- e. All top deck lighting shall be screened and directed downward to avoid light spill onto the street below. Visibility of light poles from the street level is strongly discouraged.

5. Trash Enclosures, Storage Areas, and External Structures. Landscaping, fencing, berms, or other devices integral to overall site and building design shall screen trash enclosures, storage areas, and other external structures.

- a. Service yards, refuse and waste-removal areas, loading docks, truck parking areas and other utility areas shall be screened from view by the use of a combination of walls, fences, and dense planting. Screening shall block views to these areas from on-site as well as from public rights of way and adjacent properties.
- b. All trash dumpsters shall be provided with solid enclosures.
 - a. Enclosures shall be composed of 6-foot-high solid masonry or decorative precast concrete walls, with opaque gates and self-latching mechanisms to keep gates closed when not in use. Bollards are required at the front of the masonry walls to protect the enclosure from trash collection vehicles. Gates shall be made of opaque metal for durability. Chain link gates with or without opaque slats are not acceptable. Colors and materials shall be consistent with the main building or use.
- c. Where trash enclosures, storage areas, or other external structures are adjacent to parking areas, a three foot landscaped buffer shall be provided that does not impede access into and out of vehicles.
- d. These areas shall be well maintained and oriented away from public view.
- e. The consolidation of trash areas between buildings is encouraged.
- f. The use of modern disposal and recycling techniques is encouraged.
- g. This Section shall not apply to community or public recycling bins or drop boxes; however, the location shall be determined by Staff in accordance with the standards herein.

6. Utility Boxes. Dense vegetative buffers which include an evergreen variety of plant materials shall be placed where appropriate to screen all utility boxes and pedestals in order to remain attractive during the winter months.

19.16.04. Site Design Standards: Non-Residential Development.

1. Shopping Cart Corrals.

- a. Shopping cart corrals are required for big box or mid box retail uses.
- b. Roof covers are recommended as the local climate includes wind, rain, and winter snow conditions. If roof covers are utilized they should blend in with the established building design.

- c. If a roof cover is not utilized, the shopping cart corral rail finish should match or compliment the exterior finishes of the main building.

2. Uses Within Buildings. All uses established in any commercial, office warehouse, business park, or industrial zone shall be conducted entirely within a fully enclosed approved building except those uses deemed by the City Council to be customarily and appropriately conducted in the open.

- a. Uses which may qualify for this exception include vegetation nurseries, home improvement centers with lumber, vegetation nurseries, outdoor cafes, outdoor retail display, and auto dealerships.
- b. Approved temporary uses, such as Christmas tree lots, shall be exempt from this requirement.

3. Outdoor Display

- a. All retail product displays shall be located under the buildings' permanent roof structure or on designated display pads within front landscape areas.
- b. All display areas shall be clearly defined on the approved Site Plan and designated on the site with a contrasting colored, painted, or striped surface.
- c. Display areas shall not block building entries or exits, pedestrian walks, or parking spaces in front of the building. Outdoor display areas shall not spill into walkways or any drive aisle adjacent to a building.
- d. Seasonal uses outside of these areas may be approved through the Temporary Use process.

4. Access Requirements. For each commercial lot:

- a. each roadway shall not be more than forty feet in width, measured at right angles to the center line of the driveway except as increased by permissible curb return radii; and
- b. the entire flare of any return radii shall fall within the right-of-way.

5. Off-street Truck Loading Space. Every structure involving the receipt or distribution by vehicles of materials or merchandise shall provide and maintain on the building's lot adequate space for standing, loading, and unloading of the vehicles in order to avoid undue interference with public use of streets, alleys, required parking stalls, or accessible stalls.

6. Screening of Storage & Loading Areas

- a. To alleviate the unsightly appearance of loading facilities, these areas shall not be located on the side(s) of the building facing the public street(s). Such facilities shall be located at the rear or side of the site.
- b. Screening for storage and loading areas shall be composed of 6 foot high solid masonry or architectural precast concrete walls with opaque gates and self-latching mechanisms, to keep gates closed when not in use. Bollards are required at the front of the masonry walls to protect the enclosure from trash collection vehicles.

- c. Gates shall be made of opaque metal for durability. Chain link gates with opaque slats are prohibited.
- d. The method of screening shall be architecturally integrated with the adjacent building in terms of materials and colors.
- e. Trash areas shall be designed to include the screening of large items (e.g. skids and pallets) as well as the trash bin(s) that are needed for the business (unless storage is otherwise accommodated behind required screened storage areas).

7. Buffers.

- a. A wall and landscaping, fencing, or landscaping of acceptable design shall effectively screen the borders of any commercial or industrial lot which abuts an existing agricultural or platted residential use. Such a wall, fence, or landscaping shall be at least six feet in height, unless a wall or fence of a different height is required by the Land Use Authority as part of a site Plan review. Such wall, fence, or landscaping shall be maintained in good condition with no advertising thereon, except as permitted by Chapter 19.18.
- b. No chain link or wood fences are permitted as buffering or screening between commercial and residential. Masonry and solid vinyl are suggested types of fences, and as circumstances require, one or the other may be required.
- c. Unless otherwise required by this Title, walls or fences used as a buffer or screen shall not be less than six feet in height.

8. Parking Lot Buffers. There shall be a minimum of 10 feet of landscaping between parking areas and side and rear property lines adjacent to agricultural and residential land uses. (See Chapter 19.09, Off-street parking requirements.)

9. Interconnection. All parking and other vehicular use areas shall be interconnected with adjacent non-residential properties in order to allow maximum off-street vehicular circulation.

19.16.05. Architectural Design Standards, General.

The following standards are applicable to all new multi-family and non-residential development:

- 1. **Building articulation.** Building elevations exceeding 40 feet shall incorporate a minimum of two of the following spaced at intervals of 30 to 50 feet of horizontal width:
 - a. A single elevation shift, stepping portions of the elevation to create shadow lines and changes in volumetric spaces of at least five feet.
 - b. A combination of vertical and horizontal elevation shifts that together equal at least five feet.
 - c. Addition of horizontal and vertical divisions by use of textures or materials.
 - d. Primary material change.
 - e. Addition of projections such as balconies, cornices, covered entrances, porte-cocheres, trellis', pergolas, arcades, and colonnades. Such trellis' and awnings extend outward from the underlying wall surface at least 36-inches.

- f. Variation in the rooflines by use of dormer windows, overhangs, arches, stepped roofs, gables or other similar devices.

2. Roof treatment.

- a. Sloped roofs shall provide articulation and variations in order to break up the massiveness of the roof. Sloped roofs shall include eaves which are proportional to the roofs slope and scale of the building.
- b. Flat roofs shall be screened with parapets on all sides of the building. If no roof top equipment exists or is proposed, the parapet shall be a minimum of 18 inches in height of the roof.
- c. Roof mounted equipment shall not be visible from adjacent public and private streets as well as from adjacent properties, unless grade differences make visibility unavoidable.
- d. In no case shall wooden or vinyl fences or chain link fencing with slats be used as a roof top equipment screen.

3. Windows. Windows, other than rectangular windows, may be used as accents and trim. Untreated aluminum or metal window frames are prohibited.

4. Awnings, canopies, trellises, pergolas, and similar features.

- a. All such features must be attached to a vertical wall.
- b. All such features shall project at least 4 feet from the building when located over a pedestrian traffic area and no less than 2 feet otherwise.
- c. All such features shall maintain a minimum clearance above sidewalk grade of 8 feet to the bottom of the framework when located over a pedestrian traffic area.
- d. Backlighting is not permitted.

5. Mechanical Equipment.

- a. All mechanical equipment shall be located or screened and other measures shall be taken so as to shield visibility of such equipment from any public or private streets.
- b. Wing walls, screens, or other enclosures shall be shall be integrated into the building and landscaping of the site, whether located on the ground or roof.
- c. Rooftops of buildings shall be free of any mechanical equipment unless completely screened from all horizontal points of view.
- d. Screening materials shall conform to the color scheme and materials of the primary building.

19.16.06. Architectural Design Standards, Residential.

The following standards apply to all new multi-family, two-family, and three-family residential development:

1. Architectural wrap.

- a. Stone, brick, wainscot, and other front elevation materials shall be wrapped a minimum of two feet into interior side elevations.

- b. Stone, brick, wainscot, and other front elevation materials shall extend the full width of any street side yard.

2. Materials and colors.

- a. A minimum of three materials and three colors shall be utilized on front or street side elevations. A minimum of two materials and two colors shall be utilized on interior side and rear elevations.
- b. No more than 75% of any building elevation shall consist of any one material or color.

3. Variation.

- a. Two-family, three-family, and multi-family developments containing more than five buildings shall be designed with at least two color palettes.

19.16.07. Architectural Design Standards, Non-Residential.

The following standards are applicable to all new or amended non-residential development.

1. Four-sided architecture.

- a. All sides of a building that are open to public view (including views from adjacent residential dwellings or probable location of residential dwellings) shall receive equal architectural design consideration as the building front.

2. Colors and materials.

- a. Exterior Building Materials shall be considered any materials that make up the exterior envelope of the building and shall be limited to no more than four and no less than two types of materials per building, window and door openings excluded.
- b. Color of exterior building materials (excluding accent colors) shall be limited to no more than four and no less than two major colors per development.
- c. No more than 75% of any building elevation shall consist of any one material or color.

3. Prohibited materials.

- a. Tiles. Full veneer brick and tiles exceeding ½ inch in thickness is permitted, however veneer tile is prohibited.
- b. Stucco stone patterns and stucco brick patterns.
- c. Wood as a primary exterior finish material.
- d. Plain, grey, unfinished CMU block except as an accent material.

4. All stairways to upper levels shall be located within the building unless otherwise approved by the Land Use Authority for secondary access to outdoor patio decks or other usable outdoor area.

5. All roof drains, conduit and piping, maintenance stairs and ladders, air conditioning units, and other related services shall be located on the interior of the building.

6. To the extent possible, all electric panels and communication equipment should be located in an interior equipment room.

7. Street Orientation.

- a. All Retail or Commercial buildings shall have expansive windows, balconies, terraces, or other design features oriented to the street or adjacent public spaces.
 - b. At least 50 percent of the first floor elevation(s) of multi-story buildings that are viewed from public streets shall include transparent windows, display windows, and/or doors to minimize the expanse of blank walls and encourage a pedestrian friendly atmosphere.
8. Metal Buildings.
- a. Metal buildings are only permitted in the Office Warehouse and Industrial Zones.
 - b. All metal buildings shall be designed to have an exterior appearance of conventionally built structures. Stock, “off the shelf” metal buildings are prohibited.

19.16.08. Mixed Use and Mixed Waterfront Site, Additional Standards.

In addition to the residential and/or non-residential requirements of this Chapter, developments in the Mixed Use and Mixed Waterfront Zones shall be subject to the additional standards below:

- 1. Purpose. The purpose of mixed-use and mixed waterfront standards are to enable developments that are designed to:
 - a. Promote a strong pedestrian environment and active street frontage, and be pedestrian in focus through appropriately scaled elements and materials.
 - b. Locate mixed uses near each other without large parking lots between, in order to be convenient for people to walk rather than drive between uses.
 - c. Provide a transition from commercial to residential uses by reducing building height and increasing building setbacks where possible.
 - d. Ensure consistent and quality architectural details and materials.
 - e. Ensure security for users by:
 - i. Maximizing visibility to common open space areas, internal walkways, and public sidewalks.
 - ii. Using walkways, low fences, lighting, signage, and landscaping to clearly guide people and vehicles to and from the proper entrances.
 - iii. Eliminating areas of concealment, hiding places, and dead spaces.
 - iv. Using appropriate lighting to improve the visibility of common areas while enhancing the pedestrian environment.
- 2. Additional Architectural Standards.
 - a. Pedestrian-oriented features.
 - i. At least 75 percent of the building frontage facing a public street, primary pedestrian way, or parking lot shall be devoted to pedestrian-oriented features (e.g., storefronts, pedestrian entrances to nonresidential uses; transparent display windows; landscaping).
 - ii. 50% of the ground level façade shall be devoted to windows affording view into the interior of the building.
 - b. Upper level features. Upper floor balconies, bays, or windows shall be provided on multiple story buildings.

- c. Entrances. When nonresidential and residential uses are located in a vertical mixed use structure, separate pedestrian entrances shall be provided for each use.
 - i. The entrances for nonresidential uses shall be designed to be visually distinct from the entrances for residential uses.
- d. Entrances to individual residential units in a vertical mixed use project shall not be allowed along a street frontage. Instead shared entrances to residential units located above the ground floor shall be from lobbies that serve multiple units. Façade treatment. All sides of a building that are open to public view (including views from adjacent residential dwellings or probable location of residential dwellings) shall receive equal architectural design consideration as the building front.

3. Additional Site Design Standards.

- a. Parking, loading, and circulation.
 - i. Parking facilities shall be separated for nonresidential uses and residential uses, except that guest parking for residential uses may be shared with nonresidential uses.
 - ii. If enclosed parking, including parking garages and structures, is provided for residential and nonresidential portions of a mixed-use project, separate areas/levels shall be provided for each use and separate entrances shall be provided.
- b. Loading areas. Loading areas for nonresidential uses shall be located as far as possible from residential units and shall be completely screened from view from the residential portion of the project and public streets. Loading areas shall be compatible in architectural design and details with the overall project. The location and design of loading areas shall mitigate nuisances from noise when residential uses might be impacted.
- c. Vehicular circulation.
 - i. Vehicular circulation shall be designed to direct non-residential traffic away from adjacent residential streets outside the mixed use districts, to the greatest extent feasible.
 - ii. Roadways are prohibited between the waterway and buildings nearest the waterway.
- d. Pedestrian design.
 - i. Developments shall provide enhanced pedestrian amenities throughout the project, including seating, pedestrian area lighting, special paving, public art, water features, common open space, directories, and similar items to create a pleasant pedestrian experience.
- e. Mixed Use Layout.

- i. Separate site access driveways shall be provided, whenever possible, for nonresidential and residential uses. Site access driveways shall incorporate distinctive design elements, landscape features, and signs to help differentiate access to nonresidential parking areas from access to residential parking areas.
- ii. For vertical mixed use projects, only nonresidential uses shall be located on the ground floor along public/private street frontages. Residential uses may be located above the ground floor and in areas that do not have frontage on a street. Up to 20% of the ground floor frontage may be occupied by lobby entrances to multiple residential units and pedestrian amenities (e.g., plaza, paseo, or courtyard).
- iii. For horizontal mixed use projects, the residential portion of the project may have frontage on a public/private street.

f. A prominent entrance shall be oriented to the major street on which the structure has frontage, street corner, courtyard, plaza, park, or other structures on the site, but not to interior blocks or parking lots/structures.

g. Live/work units, dwelling units that are used jointly for commercial and residential purposes, shall be designed with the following elements:

- i. Each live/work unit fronting a public street shall have a pedestrian-oriented frontage that allows views into the interior of the nonresidential areas of the unit.
- ii. The living space within the live/work unit shall be contiguous with the commercial space, with direct access between the two areas.

4. Operational standards.

1. Outdoor nonresidential uses in a mixed-use project that includes residential uses shall be prohibited from operating between the hours of 10:00 P.M. and 6:00 A.M.
2. Loading and unloading activities shall not take place after 10:00 P.M. or before 6:00 A.M. on any day of the week.

19.16.09. Buffer Overlay, Additional Standards

In addition to the residential and/or non-residential requirements of this Chapter, developments in the Buffer Overlay shall be subject to the additional standards below:

1. Building standards:

- a. Height and setbacks for buildings and structures that exceed 35 feet in height.
 - i. River facing facades for floors above 35 feet in height shall be set back an additional 5 feet from the floors below. Each additional floor shall be set back an additional 5 feet.
- b. Ground floor transparency.

i. The building façade facing the river shall have at least 50 percent of the river level façade area devoted to display windows and/or windows affording some view into the interior areas. Multi-family residential buildings with no retail or office space are exempt.

c. Prohibited building materials:

- i. High gloss or shiny metal panels as a primary material.
- ii. Mirror glass panels.

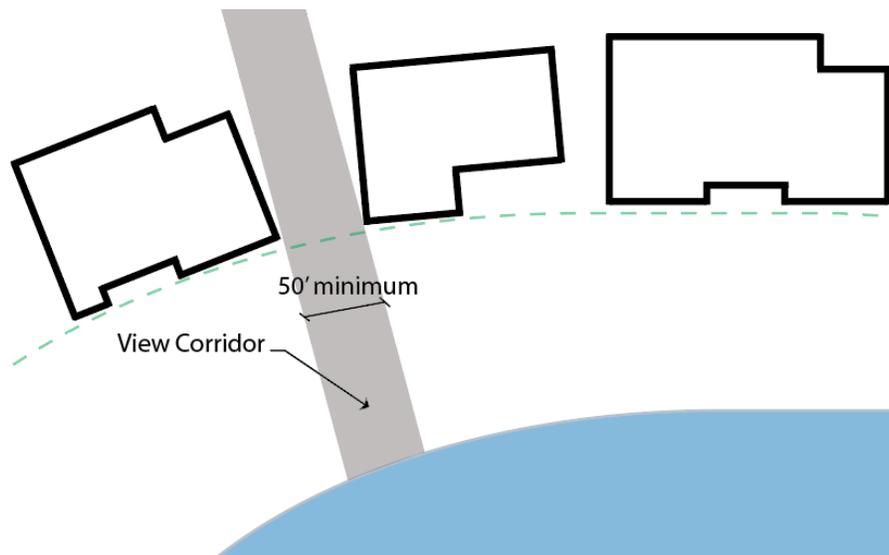
d. Entrances

- i. Entrances shall be as prominent on the waterfront side of a building as on the street side.
- ii. Entrances shall be placed so as to be highly visible.

e. Facades Treatment

- i. Facades on the waterfront shall be pedestrian scale, and not give the appearance of the “back of a building”.
- ii. All sides of a mixed use, multi-family, or non-residential building that are open to public view (including views from adjacent residential dwellings, trails, or probable location of residential dwellings) shall receive equal architectural design consideration as the building front.

2. View corridor: Each development shall provide at least one 50’ wide view corridor for every 3 acres of development. View corridors shall be kept free of structures and other obstructions, and shall extend from the water through the entirety of the development generally perpendicular to the water.



Chapter 19.18. Sign Regulations.

Sections:

- 19.18.01. Intent.
- 19.18.02. Content.
- 19.18.03. Definitions.
- 19.18.04. Prohibited Signs.
- 19.18.05. Signs Not Requiring A Permit.
- 19.18.06. Measurement Standards.
- 19.18.07. Residential Sign Standards.
- 19.18.08. Agricultural, Vacant, and Active Development.
- 19.18.09. Institutional Sign Standards.
- 19.18.10. Commercial Zone Sign Standards.
- 19.18.11. Industrial Zone Sign Standards.
- 19.18.12. Mixed Use and Mixed Waterfront Zone Sign Standards.
- 19.18.13. Permit Process.
- 19.18.14. Nonconforming Signs.

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19.18.09. Institutional/ Civic Zone Standards.

1. Schools, churches, public facilities, and other uses in the Institutional/ Civic Zone are permitted the following signage.
 - a. Primary Building signs.
 - i. Number. Each primary building is permitted **two** building signs.
 - ii. Size. **A** primary building sign shall not exceed eight percent of the façade on which the sign or signs are mounted, or thirty square feet, whichever is larger.
 - iii. Height. **Any** building **sign that protrudes more than two inches from the façade** for single story buildings shall maintain a minimum of eight feet of clearance between the top of the nearest sidewalk or curb and the bottom of the sign; each **such** sign for multiple story buildings shall be mounted no lower than the bottom of the top floor of the building.
 - b. Monument signs.
 - i. Number.
 - i. Single building or use: one monument sign shall be allowed for each frontage in excess of one hundred feet a building or use has on a public street.
 - ii. Multiple buildings or uses: One shared monument sign shall be allowed for each frontage in excess of 200 feet a site has on a public street.

- ii. Size. A monument sign for a single building or use shall not exceed forty-five square feet in size. A monument sign for multiple buildings or uses shall not exceed sixty-four square feet in size.
 - iii. Height. A monument sign for a single building or use shall not exceed 7.5 feet in height. A monument sign for multiple buildings or uses shall not exceed ten feet in height.
- c. Pole signs.
 - i. Not permitted.
- d. Window and Door signs.
 - i. Window and door signs shall not exceed twenty percent of the window or door on which the sign is located.
- e. Temporary signs.
 - i. Banner Signs.
 - i. Banner signs shall only be permitted on a temporary basis.
 - ii. Banner signs shall not exceed four feet in height and thirty-two square feet in size.
 - iii. Banner signs shall be placed in a landscaped area or on a structure, and shall not be located within the clear sight triangle identified in Chapter 19.06.
 - iv. Banner signs shall be limited to a cumulative total of thirty days in a calendar year.
 - ii. Other temporary signs. A commercial lot is permitted one of the following:
 - i. up to two temporary signs, each limited to four feet in height and six square feet in size, for a cumulative total of six months in a calendar year, or
 - ii. multiple temporary signs, each limited to three feet in height, with the face area of all signs limited to a cumulative total of twelve square feet, for a cumulative total of six months in a calendar year, or
 - iii. for a lot or property that is currently for sale or actively for rent, one temporary sign, limited to ~~eight~~six feet in height and ~~3224~~ square feet in size, during the period for which the property is for sale or rent the following additional temporary signage, in lieu of other temporary signage.
- f. Internal Directional Signs
 - i. Type: small pedestal and monument signs are the only freestanding directional signs permitted.
 - ii. Location:
 - i. all signs shall be located interior to the development and shall not be oriented to draw traffic from the exterior of the development.
 - ii. all signs shall be located adjacent to and within ten feet of an internal intersection, or drive-thru, or similar feature needing directional clarification as identified on an approved site plan.
 - iii. Height: a small pedestal or monument sign shall not exceed a height of three feet.

- iv. Size: a small pedestal or monument sign shall not exceed three square feet in size.
- v. Number: no more than two pedestal or monument signs per internal intersection, drive-thru, or similar feature.

(Ord. 16-20, Ord. 16-04)

19.18.10. Commercial Zone Sign Standards.

- 1. Temporary signs in all commercial zones.
 - a. Banner signs.
 - i. Banner signs shall only be permitted on a temporary basis.
 - ii. Banner signs shall not exceed four feet in height and thirty-two square feet in size.
 - iii. Banner signs shall be placed in a landscaped area or on a structure, and shall not be located within the clear sight triangle identified in Chapter 19.06.
 - iv. Banner signs shall be limited to a cumulative total of thirty days in a calendar year.
 - b. Other temporary signs. A commercial lot is permitted one of the following:
 - i. up to two temporary signs, each limited to four feet in height and six square feet in size, for a cumulative total of six months in a calendar year, or
 - ii. multiple temporary signs, each limited to three feet in height, with the face area of all signs limited to a cumulative total of twelve square feet, for a cumulative total of six months in a calendar year, or
- for a lot or property that is currently for sale or actively for rent, one temporary sign, limited to six feet in height and 2432 square feet in size, during the period for which the property is for sale or rent in lieu of other temporary signage.

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19.18.11. Industrial Zone Signage.

- 6. Temporary signs.
 - a. Banner signs.
 - i. Banner signs shall only be permitted on a temporary basis.
 - ii. Banner signs shall not exceed four feet in height and thirty-two square feet in size.
 - iii. Banner signs shall be placed in a landscaped area or on a structure, and shall not be located within the clear sight triangle identified in Chapter 19.06.
 - iv. Banner signs shall be limited to a cumulative total of thirty days in a calendar year.
 - b. Other temporary signs. A developed lot is permitted one of the following:
 - i. up to two temporary signs, each limited to four feet in height and six square feet in size, for a cumulative total of six months in a calendar year, or

- ii. multiple temporary signs, each limited to three feet in height, with the face area of all signs limited to a cumulative total of twelve square feet, for a cumulative total of six months in a calendar year, or
- iii. for a lot or property that is currently for sale or actively for rent, one temporary sign, limited to ~~eight~~six feet in height and ~~322~~4 square feet in size, during the period for which the property is for sale or rent the following additional temporary signage, in lieu of other temporary signage.

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Chapter 19.19. Open Space.

Sections:

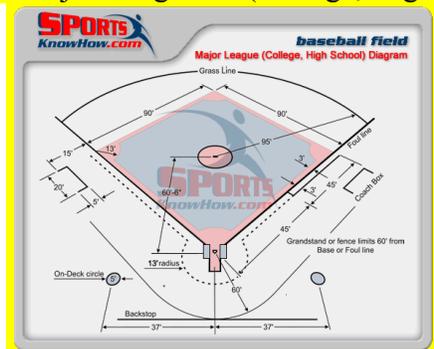
- 19.19.01. Purpose and Applicability.
- 19.19.02. Definitions.
- 19.19.03. Equivalent Acres.
- 19.19.04. Minimum Required Open Space.
- 19.19.05. Minimum Amenities.
- 19.19.06. Payment in Lieu of Open Space Program.
- 19.19.07. Phasing.
- 19.19.08. Maintenance.

19.19.01. Purpose and Applicability.

1. **Purpose.** This Chapter establishes minimum open space requirements for all new residential development to ensure that parks and open space meeting the recreational and scenic needs of new residents are met.
2. **Applicability.** This Chapter applies to all new development in the City and expansions to previously approved developments in the City, excepting development in the A, RA-5, RR, and R1-40 zones.

19.19.02. Definitions.

1. “Amenities” means an improvement for use by park patrons or residents, such as playground equipment, play fields, trails, benches, and restrooms.
2. “Amphitheater” means a curved open-air venue for entertainment, with tiered seating or upward-sloped turfed area suitable for seating surrounding a central level area for performances. Seating capacity is calculated on nine square feet per person on the tiered or turf seating area.
3. “ASTM” means the American Society of Testing Materials.
4. “Baseball Diamond” means a play field improved with turf except for the skinned infield, and striped to support the play of baseball or softball, with each diamond supporting one game at a time. Minimum dimensions by type are shown in the following graphics:
 - a. “Major League©” (College, High School) diagram:

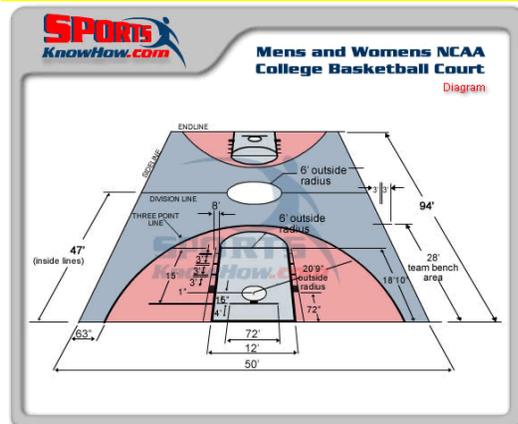


b. “Little League©” diagram:



5. “Basketball Court” means a hard-surfaced area with amenities to support the playing of basketball.

- a. “Half court” means a court a minimum of 47 feet by 50 feet in area and containing one standard (pole and net).
- b. “Full court” means a court a minimum of 50 feet by 94 feet in area and containing a minimum of two standards, with the option of four standards creating two smaller full courts within the main court and perpendicular to the main court.



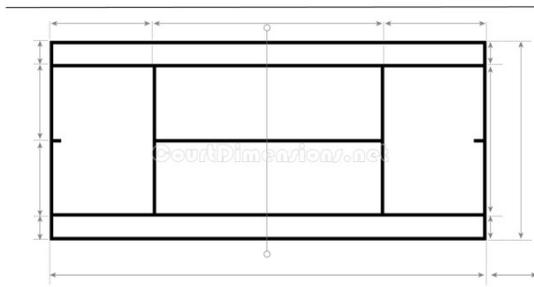
6. “BBQ Grill” means an outdoor appliance for grilling and cooking, constructed of industrial cast iron or similar durable material, and permanently mounted on concrete.
7. “Bike Rack, 4-bike capacity” means a ridged one-piece structure to which bicycles can be locked, permanently mounted on concrete. May be substituted by multiple single-bike racks or poles with capacity for four bikes.
8. “Detention basin – limited access” means a detention basin that is improved to provide access for recreational use when not storing water.
9. “Drinking Fountain” means an industrial or commercial grade outdoor drinking facility, with proper drainage.
10. “Equivalent Acres” means the number of acres of different types of land it takes to equal one acre of fully improved park space.
11. “Fully Improved” means open space completely improved with turf or other live vegetation, and containing amenities equaling at least 75 points per acre.
12. “Fully Improved with limited access” means fully improved open space with limitations to access, such as a pay-for-use golf course, limited hours for a cemetery, or similar limitation.

13. “Fully Improved with full access” means fully improved open space with no limitations on user access.
14. “Horseshoes, tetherball, similar” means an outdoor recreation area designed for the playing of horseshoes, or tetherball, or other permanently installed outdoor game.
15. “Improvements” means any addition or enhancement to open space, such as landscaping, recreational amenities, trails, and grading. See also “Partially Improved”, “Fully Improved”, and “Unimproved”.
16. “Native” means the installation of natural landscaping commonly found in unimproved, un-manicured landscapes. This commonly refers to native species of grasses, forbs, and shrubs commonly found in undisturbed landscapes. Native landscape could include the restoration of disturbed areas by replacement of topsoil, native seeding by drilling method, and covering with a hydraulically applied wood fiber mulch.
17. “Open space with no access” means open space with no user access or recreational benefit provided.
18. “Park Bench” means an industrial or commercial grade outdoor seat, permanently mounted on concrete.
19. “Partially Improved” means open space left in a native state, such as existing or new native grasses instead of turf, and with recreational amenities consisting of less than 75 points per acre.
20. “Pavilion” means a free-standing structure with an open frame and covered by a roof to provide shade for a table or sitting area or other similar use.
 - a. “Small” means a pavilion of up to 400 square feet covering at least one table and related seating, one BBQ grill, or similar facilities.
 - b. “Medium” means a pavilion of up to 750 square feet covering at least two tables and related seating, several BBQ grills, or similar facilities.
 - c. “Large” means a pavilion of up to 1000 square feet covering at least four tables and related seating, or two tables and several BBQ grills, or similar facilities.
 - d. “Extra-large” means a pavilion of over 1000 square feet covering eight to ten tables and related seating, or a combination of tables and BBQ grills of similar amount.
21. “Play Field” means a level grass field that is useable for the play of various sports such as football, lacrosse, soccer, or other field. May or may not be striped for a specific sport.
22. “Play structures” means a structure containing any of the following: swings, post and platform, slides, climbers, rockers, rotational, and interactive features. A single-platform refers to one elevated platform containing multiple features. All playground structures must have a certificate of compliance with current CPSC and ATSM standards.
23. “Restroom” means a room containing a wash basin, toilet, and other facilities for use. Where a restroom is provided, at least one cleaning/maintenance closet shall be included. May consist of a unisex lockable-from-inside restroom, or separate men and women’s restrooms. May include a single or multiple stalls. Restrooms shall comply with ADA requirements, including percentage of stalls that are accessible in design.
24. “Sensitive Lands, limited access” means open space consisting of wetlands, steep slopes, or other sensitive lands with some user access provided such as trails, boardwalks, or pavilions.

25. “Soccer Field” means a play field a minimum of 180 feet by 300 feet in area, and striped to support the play of soccer as shown in the graphic below:

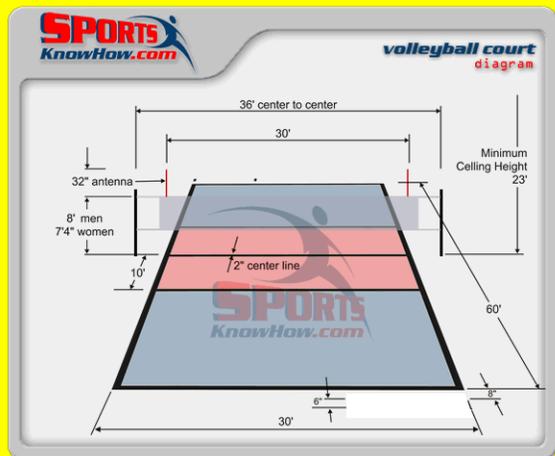


26. “Splash Pad” means a recreation area for water play with little to no standing water. May include fixed or movable spray or drip features and nozzles.
27. “Swimming Pool” means a man-made structure or tank constructed to hold water deep enough to permit swimming and other water based recreation. Minimum depth of six feet where diving is permitted; does not include wading pools. Minimum dimensions of 80 feet by 16 feet for a two-lane lap pool, or 50 feet by 25 feet for a non-lap pool.
28. “Tennis Court” means a level rectangular area for the playing of tennis. Minimum dimensions of 27 feet by 78 feet for a singles court; minimum dimension of 38 feet by 78 feet for a doubles court, striped in the following manner:



29. “Trash Can” means a waste receptacle for either trash or recyclables, minimum capacity of 32 gallons.
30. “Unimproved” means open space left or planted in a native state, without the addition of amenities.
31. “User” means a person accessing open space for recreation, relaxation, or other purpose. Refers to residents of a development for privately maintained open space, or to the public for publicly maintained open space.
32. “Volleyball Court or Pit” means a level rectangular area with a net structure for the playing of volleyball. Minimum area of 1800 square feet. May be a lowered or level sand

surface, or a hard level surface. Minimum dimensions as shown in the graphic below:



- 33. “Wading Pool” means a man-made structure or tank constructed to hold a small amount of water for water play that is not deep enough to permit swimming.
- 34. “Workout Station” means an industrial or commercial grade fitness components or devices designed to offer exercise opportunities to users, permanently mounted and meeting ASTM standards.

19.19.03. Equivalent Acres.

1. **Equivalent Acres.** As used in this Chapter, open space requirements shall be calculated based on Equivalent Acres, where different types of open space qualify as more or fewer acres. For each acre of required open space, the requirement may be met through a variety of open space types, according to the table below and as defined in this Section:

a. **Method:** Multiply each acre or portion thereof, for each category provided, by the multiplier to determine the Equivalent Acres:

EQUIVALENT ACRE FORMULA	
Category of Open Space Provided:	Multiplier:
Unimproved, not Sensitive Lands	0.15
Open Space with no access	0.15
Sensitive Lands - limited access	0.33
Improvement of existing City owned open space	0.67
Detention basin - limited access	0.67
Detention basin - no access	0 - no credit
Partially Improved	0.75
Fully improved with limited access	0.75
Fully Improved with full access	1

b. **Example:** A project providing 10 acres of open space that consists of 2.5 acres of hillside with trails (Sensitive Lands with Limited Access), 1 acre of detention basin with limited access, 1/2 acre of detention basin with no access, 2 acres of

sensitive lands with no access, 3 acres of native park space, and 1 acre of fully improved park space with full access would be calculated as follows, resulting in credit of 5.05 Equivalent Acres:

EQUIVALENT ACRE FORMULA		Actual Acres provided	Equivalent Acre Formula:	Equivalent Acres Provided:
Category:	Multiplier:			
Unimproved, not Sensitive Lands	0.15			
Open Space with no access	0.15	2.00	2 acres x .15	0.30
Sensitive Lands - limited access	0.33	2.50	2.5 acres x .33	0.83
Improvement of existing City owned open space	0.67			n/a
Detention basin - limited access	0.67	1.00	1 acre x .67	0.67
Detention basin - no access	0 - no credit	0.50	.5 x 0	0.00
Partially Improved	0.75	3.00	3 x .75	2.25
Fully improved with limited access	0.75			
Fully Improved with full access	1	1.00	1 x 1	1.00
TOTALS		10.00		5.05

19.19.04. Minimum Required Open Space.

1. **Open Space Required.** A minimum of one Equivalent Acre of park space is required for every 40 residential units in a development, or fraction thereof.
 - a. **Example:** a development with 150 units must provide 3.75 Equivalent Acres:
 $150 \div 40 = 3.75$.
 - b. **Exception:** any development where a minimum of 75% of the lots are one acre in size or larger shall not be required to provide Equivalent Acres.

2. **Minimum percentage by development.** In addition to the minimum Equivalent Acres, to ensure a livable community, in no case shall the percentage of total open space acreage provided in the following types of development be less than the listed percentage:
 - a. Single family developments: 10% of overall development acreage
 - b. Multi-family developments: 15% of overall development acreage
 - c. Mixed Use and Mixed Waterfront developments: 25% of overall development acreage
 - d. Developments with both single family and multi-family: combination of the requirement based on the acreage for each type of housing.

3. **Other Limitations.**
 - a. In no case may the cumulative total of the following categories qualify for more than 50% of a development's Equivalent Acre requirement.
 - i. Unimproved, not Sensitive Lands
 - ii. Open space with no access

19.19.05. Minimum Required Amenities.

1. **Methodology.** In order to meet the needs of new residents in each development, each development is required to provide amenities equaling a minimum number of points per required Equivalent Acre of open space.

2. **Minimum Points.** A minimum number of points is required per required Equivalent Acre, based on the total number of required Equivalent Acres provided in an individual park. The amenities may be distributed across all provided acres, but the points requirement is based only on the required Equivalent Acres.

a. Required points: minimum required points are based on the number of required Equivalent Acres provided in a contiguous park and are outlined in the table below:

Park Size	Min Points Per Required Equivalent Acre:
0 - 2.49 Equivalent Acres	100
2.5 - 4.99 Equivalent Acres	80
5 - 9.99 Equivalent Acres	60
10+ Equivalent Acres	40

b. Example of application: a development with 150 units is required to provide 3.75 Equivalent Acres ($150 \div 40 = 3.75$), and must provide amenities averaging 80 points per Equivalent Acre, for a total of 300 points ($3.75 \times 80 = 300$). If the development provides 6 Equivalent Acres instead of the minimum 3.75, the total point requirement is still 300 and does not increase based on additional acreage.

3. **Points Per Amenity.** Each recreational amenity is worth a number of points. For appropriate spacing of amenities, each item also has a minimum square footage requirement.

4. **Mixture of Amenities and Required Amenities.**

a. All parks are required to provide a mixture of amenities, including at least one separate item each from Categories C, D, and E.

b. No more than 25% of the points may be met by one specific item type in any one category.

c. All parks over 5 Equivalent Acres are also required to provide at least one item from Category A or B, and three items from category P, and a minimum 1-toilet restroom per each 5 acres or fraction thereof.

d. Items in Categories A and B may qualify for impact fee credits, if identified in the Parks and Trails Master Plan.

Item	Min sq.ft per item	Category	Points per Item
Ice rink - indoor facility	n/a	A	1750.0
Marina - public access (ramp to accommodate 4 boats min.)	n/a	A	500.0

Amphitheater (structure)	2500	A	375.0
Ice rink - outdoor facility	10000	A	250.0
Baseball Diamond - Little League© size	56000	A	216.0
Skate Park - one pit	10000	A	200.0
Swimming Pool, 2 lane equivalent	3000	A	150.0
Amphitheater (100 person seating area)	1000	A	125.0
Splash Pad (25 people)	2250	B	90.0
Restroom 3+ Toilets	400	B	82.0
Play Field - full size (soccer, football, etc.)	56000	B	56.0
Tennis Court (post tension concrete with fencing)	7200	B	50.4
Trail, hard surface, per 1000 linear feet	10000	B	41.3
Restroom 1-2 Toilets	200	B	41.0
Additional Equivalent Acre Above Requirement	See Tables	B	40.0
Pavilion - extra large (30'x40')	1200	C	39.0
Pavilion - large (30'x32')	960	C	31.2
Play field - half size	28000	C	28.0
Play or skate feature - eg rock wall or kicker, large	200	C	25.0
Playground Structure (1-platform)	250	C	25.0
Pavilion - (medium, 30'x24')	720	C	23.4
Pickleball Court	3000	D	22.5
Zipline - per 75' linear rideable line	n/a	D	17.5
Basketball 1/2 court	2350	D	16.5
Pavilion (small, 30'x16')	400	D	15.6
Personal Watercraft Dock	2000	D	12.5
Swingset	100	D	12.5
Trail, soft surface, per 1000 linear feet	5000	D	8.3
Drinking fountain (freeze resistant w/pet bowl & bottle filler)	9	D	6.0
Horseshoes or similar	250	E	3.0
Bleachers - per section	450	E	2.8
Volleyball pit	1800	E	1.3
Art - 1 statue, sculpture, or other single piece	50	E	1.0
Table (6' aluminum)	75	E	0.8
Tetherball or similar	250	E	0.6
Trash Receptacle (32 gal)	25	E	0.6
Workout station	100	E	0.5
Bench	50	E	0.4
BBQ Grill	25	E	0.3
Bike Rack, 4-bike capacity	30	E	0.3
Parking - 1 space (hard surface with drive aisle)	320	P	0.4

Parking - 1 space (soft surface with drive aisle)	320	P	0.1
Additional options for stacked residential and residential above commercial:			
Fitness room / gym	400	B	41
Rooftop Garden	150	C	25

* When an amenity is proposed that is not listed, Planning Director shall compare the cost and capacity of the amenity with amenities in this table to determine a comparable points value and category.

** A minimum of one trash can is required with every pavilion and one for every park without pavilions.

19.19.06. Payment in Lieu of Open Space Program.

1. **Applicability:** the City’s Payment in Lieu of Open Space Program may be utilized for all or a portion of the requirement for developments that meet one or more of the following criteria:

- a. any single-family development where a minimum of 75 percent of the lots are 10,000 square feet or larger, or
- b. any single-family development with a park requirement of less than one acre, or
- c. up to 25% of the requirement for any multi-family development, or
- d. that portion of a development that is located within ¼ mile of an existing improved regional public park.

2. **Arrangements and Handling of Payment.**

- a. The developer shall pay as a Payment-in-Lieu the amount of money equivalent to the land value in subsection 2.b below, plus the cost of open space improvements identified in subsection 2.c below.
- b. The City shall maintain an annually updated list of land values for the cost of a non-sensitive developable acre, and apply the land value to the required Equivalent Acres for which the applicant desires to pay a fee in lieu.
- c. The City shall calculate the minimum required points per this chapter, and multiply the points by \$2,000 to determine the cost of the minimum required open space improvements, including landscaping, parks, trails, and other amenities.
- d. Upon receipt of the payment, the City shall deposit those funds in an account that has been established for the purchase of park lands, the construction of parks and recreation improvements, or for upgrading or repairing existing park facilities. The City may expend the Payment in Lieu of Open Space funds at its discretion so long as they are only used for the purchase of parks, construction of parks and recreation improvements, or for upgrading or repairing existing parks facilities.
- e. The City and developer may also agree to make other arrangements for the Payment in Lieu of Open Space if acceptable terms can be reached, but in no case shall the value of the Payment be less than the expected appraised value, estimated cost of open space improvements, and estimated water costs as described herein.

3. Voluntary Participation.

- a. This program is completely voluntary and developers who participate in it shall do so on a voluntary basis only. Written development agreements shall contain a description of the terms of this program.
- b. This program is also voluntary for the City and approval of all payments in lieu of open space are made at the sole discretion of the City Council. No entitlements are granted by virtue of this Chapter and all proposals to participate in this program are subject to the total and complete review and discretion of the City Council.

19.19.07. Phasing.

1. If the construction of various portions of the project is proposed to occur in stages, then the following standards shall be met.
 - a. A Phasing Plan, including size and order of each phase and schedule of improvements to be installed, shall be approved by the Planning Director.
 - b. Open Space improvements shall be installed with a value or acreage in proportion to the acreage developed with any given phase. The Developer may install open space in excess of the proportionate amount for each phase and bank open space credits towards later phases; however the open space installed must be a part of the open space shown in the Phasing Plan.
 - c. A perpetual instrument running with the land shall be recorded against the entire project prior to or concurrently with the recordation of the first plat, that includes the standards, location, funding mechanism, values, and timing for all open space, recreational facilities, amenities, open space easements, and other improvements. An open space plat, conservation easement, development agreement, or other perpetual instrument may qualify as determined by the City Attorney.

19.19.08. Maintenance and City Acceptance.

1. **General Maintenance.** All open space shall be maintained regularly, by the property owner or HOA as appropriate, to maintain a clean, weed-free, and healthy appearance.
2. **Turf and Plantings.**
 - a. Turf shall be maintained at a maximum height of 3-4 inches.
 - b. Turf and plantings shall be fully established and kept free of broadleaf weeds and other invasive species.
 - c. Fertilizer shall be applied as necessary.
3. **Irrigation.**
 - a. Irrigation shall comply with all City watering restrictions and guidelines, and shall begin no earlier than April 15th and shall end no later than October 15th of every year.
 - b. Irrigation systems shall be maintained to operate efficiently, with leaks and malfunctions repaired promptly.

- c. Components and nozzles shall be utilized to keep a uniform distribution of spray per irrigation zone.
- d. Water shall be limited to irrigable areas and shall not cross onto hardscape such as sidewalks and streets.
- e. Water-saving devices, including smart timers and rain sensors, shall be utilized to ensure efficient use of water, and to prevent watering during precipitation.

4. Amenities.

- a. Amenities shall be maintained in clean, safe, working order. Rust shall be removed annually.
- b. Broken or malfunctioning amenities shall be repaired or replaced promptly.
- c. Proper maintenance schedules as recommended by the manufacturer or industry for each amenity shall be followed.

5. City Acceptance: the City shall be responsible for the maintenance of all open space dedicated to and accepted by the City for public ownership and use, or where a permanent public use and City maintenance agreement has been recorded. The City Council shall consider, but not be bound by, the following criteria when deciding whether to accept dedication or easements for open space:

- a. the trail is a regional trail corridor identified on the City Trails Master Plan and built to City standards, as well as crucial connections between such corridors.
 - i. Trail corridors dedicated to the City shall have a minimum width of fifteen feet.
 - ii. Public access trail easements through privately owned open space shall include only the area from exterior edge of trail surface to exterior edge of trail surface with adjacent landscaping maintained by the owner of the adjacent property, or
- b. the open space is a public park over 5 Equivalent Acres with a minimum average of 80 points of amenities per Equivalent Acre, or,
- c. the open space is a public park of less than 5 Equivalent Acres only when offering a major public benefit such as trailhead parking or other need identified in the City Parks and Trails Master Plan, and containing a minimum average of 100 points of amenities per Equivalent Acre.

19.25. Waterfront Trails and Buffer Overlay Zone.

Sections:

19.25.01. Purpose and Applicability.

19.25.02. Waterway Setbacks.

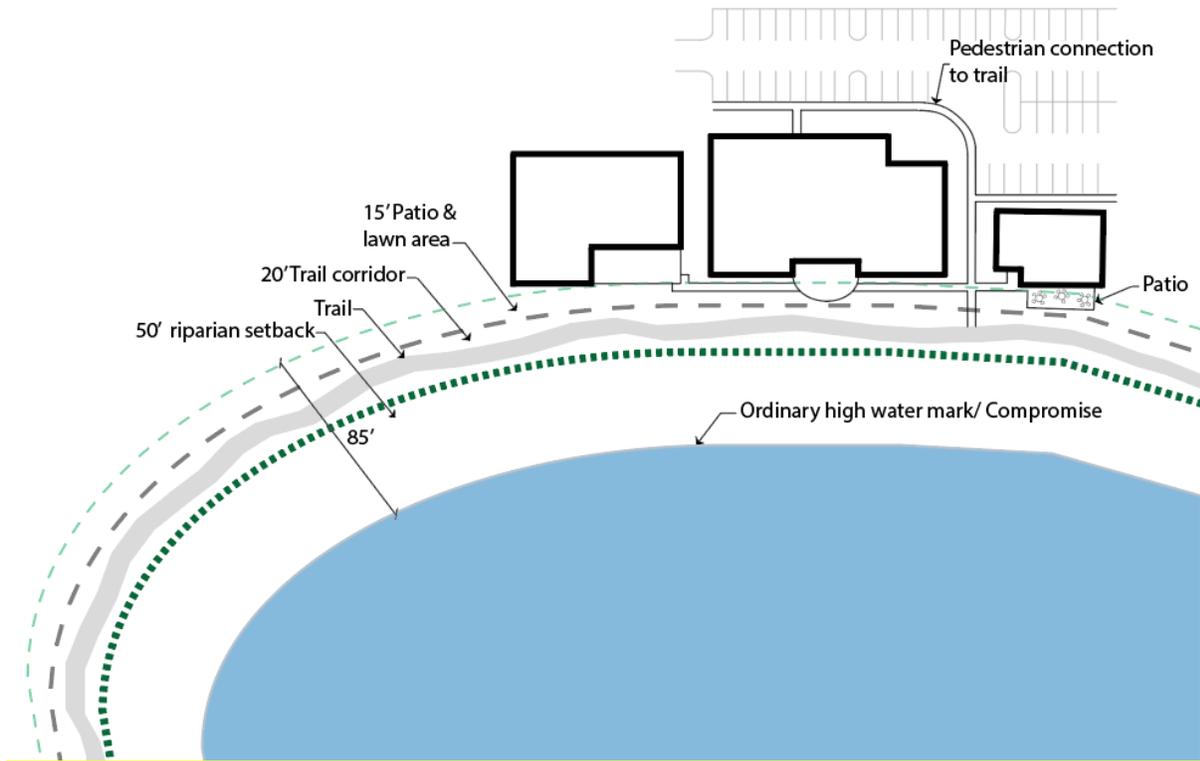
19.25.03. Utah Lake and Jordan River Shoreline Trails.

19.25.01. Purpose and Applicability.

1. Purpose. This chapter promotes the health, safety, and general welfare of the public by enhancing the natural features of the City including the Utah Lake, preserving trail connections and corridors, enhancing the pedestrian experience, and articulating building facades within the overlay area of the Utah Lake.
2. Applicability.
 - a. Utah Lake Buffer:
 - i. The buffer overlay shall apply to all properties and zones within 250' of the ordinary high water mark or the compromise, whichever is higher.
 - b. Jordan River Buffer
 - i. The buffer overlay shall apply to all properties and zones within 200' of the ordinary high water mark, or within the Jordan River Meander Corridor boundary, whichever is higher.

19.25.02. Waterway Setbacks.

1. Riparian setback. No disturbance shall occur within 50 feet of the Jordan River ordinary high water mark, Jordan River Meander Corridor, or the Utah Lake Compromise line, whichever is higher.
2. Shoreline trails. Jordan River and Utah Lake shoreline trail corridors shall be a minimum of 20 feet in width measured landward from the edge of the riparian setback.
3. Patio / lawn area. A minimum of 15 feet shall be maintained between the Shoreline or Jordan River trail corridor and structures/parking areas to allow for lawns, patios, restaurant eating areas, and similar low-impact uses. Roads shall be located outside this 15 foot setback.
4. Landscaping in riparian and trail setbacks shall utilize native or naturalized plant materials that provide wildlife food and shelter. Manicured landscaping and lawns are prohibited in riparian setbacks.
5. Bank Stabilization: The goal is to create a natural channel, the specific method may be determined by the developer and approved by the City Engineer/ Public Works Director. Options may include, but are not limited to bio-engineering, hydro-seeding, controlled planting, etc. The use of riprap or other hard armoring techniques are prohibited.



19.25.03. Utah Lake and Jordan River Shoreline Trails.

1. All Developments whose projects are adjacent to or abut Utah Lake or the Jordan River shall provide an improved pedestrian shoreline trail throughout the length of their project.
 - a. The shoreline trail shall at all times be accessible to the public.
 - b. The developer will work with the City, and any state or federal agency whose approval is necessary, in order to determine the exact location of the shoreline trail.
 - c. It is the objective of this ordinance to construct the shoreline trail as close to the waterway as reasonably possible in order for the public to enjoy the diverse ecosystem and natural resources of the area.
 - d. The trail shall be hard surfaced and shall be a minimum of twelve feet in width.
 - e.

2. In the event that a portion of the planned shoreline trail throughout a developer's project is located on property not in the possession of or under control of the developer, the developer will work with the City to identify a proper location through the developer's project on which to construct the trail.

3. The developer will work with the City to determine which party will construct the shoreline trail throughout the developer's project.

- a. If the developer constructs the shoreline trail throughout the developer's project, the developer may receive credit for the cost of the trail against the park impact fee that will be assessed.
 - b. The shoreline trail shall be constructed in accordance with the City's design guidelines, standards, and regulations.
4. The developer may be entitled to receive open space credit for the shoreline trail constructed on the developer's property. If the developer constructs a portion of the shoreline trail on property not in the possession of or under control the developer, the developer may still be entitled to receive open space credit.
5. If the City specifically agrees in writing, the shoreline trail will be maintained by the City after the initial 1-year warranty period that is required for all improvements within a development and after the City issues a Certificate of Final Acceptance.

19.25.04 Public Access and Parking

1. Public access and parking:
 - a. Developments shall provide a public access to the Shoreline or Jordan River trail
 - b. Developments shall provide public parking for bicycles and shall permit a portion of their motor vehicle parking to be available to the public in non-residential areas.
 - c. Public pedestrian access shall include clearly marked travel pathways from the public street through parking areas to primary building entries.
2. Screening Requirements
 - a. Parking areas visible from the Shoreline or Jordan River trail or the waterway shall be screened from view by landscaping or decorative fencing at least 3 feet in height.
 - b. Appropriate landscaping should be utilized to screen habitat areas within the riparian setback from new development.

19.25.05 Site Coverage and Building Permeability

1. Purpose and Applicability. The intent of these standards is to ensure that new buildings and other constructed objects do not create barriers that wall off the river. These standards shall be applied in addition to the Design Standards in Section 19.16. The more restrictive standards of the underlying zone, the design standards, or this section shall apply.
 - a. Maximum structure width
 - i. On lots or sites with a width greater than 100 feet that are generally parallel to the river corridor, structures shall not exceed 70 percent of the width of the site.
 - ii. On lots or sites with a 50 to 80 foot width that are generally parallel to the river, structures shall not exceed 50 feet in width or seventy percent

of the width of the site, whichever is greater.

2. Visual and Pedestrian Connections

- i. At a maximum interval of 300 feet that is generally parallel to the river, there shall be a clear visual and pedestrian connection at the ground level from a public street to the river corridor. Such connections may consist of pathways, landscaping, transparent entrances and lobbies that provide the ability to see through a building, and other features with a similar effect.
- ii. The visual and pedestrian connection shall not be less than 30 feet wide.
- iii. Exemption: lots or sites with a width of less than 50 feet that generally run parallel to the river are not required to provide a visual and pedestrian connection.

Chapter 19.26. Planned Community Zone.

Sections:

- 19.26.01. Purpose.**
- 19.26.02. Definitions.**
- 19.26.03. Community Plan Required.**
- 19.26.04. Uses Permitted within a Planned Community District.**
- 19.26.05. Adoption and Amendment of Community Plans.**
- 19.26.06. Guiding Standards of Community Plans.**
- 19.26.07. Contents of Community Plans.**
- 19.26.08. Effect of a Community Plan.**
- 19.26.09. Village Plan Approval.**
- 19.26.10. Contents of a Village Plan.**
- 19.26.11. Master Development Agreement.**
- 19.26.12. Subsequent Permits Required.**
- 19.26.13. Large-scale Planned Community Districts.**

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19.26.11. Master Development Agreement.

Subject to the legislative discretion of the City Council pursuant to Section 10-9a-102 of the Utah Code, a Master Development Agreement may be entered into upon District Area Plan or Community Plan approval and shall generally conform to and include by reference, if appropriate, the requirements found in Section 19.13., except for the following sections:

1. **Plat.** A final plat, record of survey, or Site Plan is not required until submission of the subdivision application.
2. **Declaration.** Declaration of covenants and restrictions, declaration of condominium, or architectural elevations are not required until the site plan review or submission of the subdivision application.
3. **Duration.** Master Development Agreements shall run with the life of the Community Plan.

(Ord. 14-4)

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Title 19. LAND DEVELOPMENT CODE.

Chapters:

- 19.01. General Provisions.
- 19.02. Definitions.
- 19.03. Land Use Administration and Enforcement.
- 19.04. Establishment of Land Use Zones and Official Map.
- 19.05. Supplementary Regulations.
- 19.06. Landscaping and Fencing.
- 19.07. Planned Unit Development (PUD).
- 19.08. Home Occupations.
- 19.09. Off-Street Parking Requirements.
- 19.10. Hillside Development Ordinance.
- 19.11. Lighting.
- 19.12. Subdivisions.
- 19.13. Development Review Processes.
- 19.14. Site Plan Review.
- 19.15. Conditional Use Permit.
- 19.16. **Site and Architectural [Reserved] Design Standards.**
- 19.17. General Plan, Ordinance, and Zoning Map Amendments.
- 19.18. Sign Regulations.
- 19.19. **[Reserved] Open Space Regulations.**
- 19.20. [Reserved]
- 19.21. Agriculture Protection Areas.
- 19.22. Annexation.
- 19.23. Sexually Oriented Businesses.
- 19.24. Procedures for Reviewing Constitutional Taking Claims.
- 19.25. **Waterfront Trails and Buffer Overlay ~~Lake Shore Trail.~~**
- 19.26. Planned Community Zone.
- 19.27. Addressing and Street Naming.

Chapter 19.01. General Provisions.

Sections:

- 19.01.01. Short Title.**
- 19.01.02. Application.**
- 19.01.03. Scope.**
- 19.01.04. Purpose.**
- 19.01.05. Effect of Other Regulations.**
- 19.01.06. Effect of Private Covenants and Agreements.**
- 19.01.07. Establishment of Land Use Zones.**
- 19.01.08. Requirements Declared Minimums.**
- 19.01.09. Property Use Regulations.**
- 19.01.10. Effect on Previous Ordinances and Maps.**
- 19.01.11. Permits and Licenses.**
- 19.01.12. Administrative Reviews, Certificates, and Permits.**
- 19.01.13. Fees.**
- 19.01.14. Expiration of Building Permits.**
- 19.01.15. Cancellation of Permits, Certificates, and Approvals.**
- 19.01.16. Development to Be in Accordance with Terms of Approval.**
- 19.01.17. Public Hearings.**
- 19.01.18. Planning Commission Recommendation.**
- 19.01.19. Incorporation of Standard Technical Specifications and Drawings.**

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19.01.13. Administrative Reviews, Certificates, and Permits.

- 1. Land use review for building permits and business licenses.**
 - a. After filing an application with the appropriate department, all applications for **multi-family and non-residential** building permits and business licenses shall be submitted to the Planning Director for land use review.
 - b. All reviews made by the Planning Director pursuant to this Section shall ensure compliance with the requirements of this Code.
 - c. The application for a building permit shall be accompanied by a Lot Layout showing lot lines and dimensions, locations of structures and improvements, building elevations, and all data necessary to ensure provisions of this Code are met. The Building Department shall not issue any **multi-family or non-residential** building permit until approved by the Planning Director to ensure that the requirements of this Title or any applicable development agreement are met.
 - d. The Building Department or City Recorder may consult with the Planning Department to determine whether a **single-family, two-family, or three-family** building permit, or business license application meets the requirements of this Title or any applicable development agreement.
- 2. Site Plan and Architectural review.** The Planning Director shall receive all applications for Site Plan Review, as provided for in Chapter 19.14.

3. **Conditional Use permits.** Applications for a Conditional Use permit shall be submitted to the Planning Director as provided for in Chapter 19.15. The Planning Director shall assure completeness and prepare for submittal to the Development Review Committee for review -and the ~~City Council~~**Land Use Authority** for action.
4. **Land use zone amendments.** Requests for amendments or changes to the land use ordinance or zoning map shall be initiated with the Planning Department. The amendment process shall proceed as provided for in Chapter 19.17.
5. **Home Occupation permit.** An application for a Home Occupation permit shall be presented for review and approval to the Planning Director. Upon such approval, the Planning Director is authorized to issue a permit, as provided in Chapter 19.08.

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Chapter 19.02. Definitions

Sections:

19.02.01. Interpretation.

19.02.02. Definitions.

19.02.01. Interpretation.

For the purposes of interpreting this Title, the Rules of Construction in City Code Section 1.02.11 shall apply. Where a use may be interpreted to fall under more than one definition, the more restrictive definition shall apply.

19.02.02. Definitions.

As used in this Title:

* * * * *

TBD. “Footprint Development” means a development where ownership of a lot extends only to the boundary of the exterior building walls, and where yards, open space, and other areas outside of the exterior building walls are owned in common.

78. TBD. “Dwelling, Live / Work” means a dwelling unit designed to be used jointly for commercial and residential purposes, not including Home Occupations.

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Chapter 19.03. Land Use Administration and Enforcement.

Sections:

- 19.03.01. Levels of Administrative Review.
 - 19.03.02. Scope.
 - 19.03.03. Development Review Committee.
 - 19.03.04. Powers and Duties of the Development Review Committee.
 - 19.03.05. Planning Commission Created: Appointment of Members.
 - 19.03.06. Powers and Duties of the Planning Commission: Land Use Element of the General Plan.
 - 19.03.07. Powers and Duties of the Planning Commission: Land Use Ordinance.
 - 19.03.08. Powers and Duties of the Planning Commission: Development Proposals.
 - 19.03.09. Appeal Authority for Certain Limited Matters; Terms.
 - 19.03.10. Hearings Conducted by the Hearing Examiner.
 - 19.03.11. Powers and Duties of the Hearing Examiner.
 - 19.03.12. Powers of the Hearing Examiner Limited.
 - 19.03.13. Requests to Appear Before the Hearing Examiner
 - 19.03.14. Hearing Examiner Appeal Procedure.
 - 19.03.15. Hearing Examiner Appeal Hearing.
 - 19.03.16. Action Taken by the Hearing Examiner; Standard of Review for Appeals.
 - 19.03.17. Rules for Hearing and Deciding Appeals.
 - 19.03.18. Provisions for Hearing and Ruling on Variances.
 - 19.03.19. Notification and Duration of Approval.
 - 19.03.20. Recourse from Actions Taken by the Examiner.
 - 19.03.21. Powers and Duties of the City Council.
- 19.03.01. Levels of Administrative Review.

As set forth in this Chapter, there shall be multiple levels of land use development review in the City to accommodate the advisory, recommendation, approval, and appeal processes, as follows:

1. **Advisory.**
 - a. All proposed land use developments, as impacted under this Title, shall first be reviewed by the Development Review Committee (“DRC”).
 - b. The DRC shall advise the Planning Commission and City Council on all proposed land use developments.
 - c. The DRC is not a public body for purposes of the Utah Open and Public Meetings Act and does not have authority to make final decisions. Rather, the DRC makes recommendations only during informal meetings held by members of City Staff. Meetings held by the DRC are not public meetings and do not require public noticing, written minutes, or audio recordings.
2. **Recommendation.**
 - a. Except as otherwise specified in this Title, all proposed land use developments, as impacted under this Title, shall be reviewed by the Planning Commission prior to submission to the City Council.
 - b. **Except as otherwise specified in this Title, Each-all** proposed **land use** developments shall receive a Planning Commission recommendation for approval, denial, or modification before being sent to the City Council.
3. **Approval.**

- a. Except as otherwise specified in this Title, all proposed land use developments, as impacted under this Title, shall be reviewed by the City Council for approval.
- ~~b. Each such proposed development shall receive both preliminary and final approval by the City Council.~~
- ~~e.b.~~ All final plat approvals ~~by the City Council~~ shall implicitly include a requirement for Engineering, legal, and all other necessary or stipulated signatures on the Final Plat prior to recording.

4. **Appeal.**

- a. All proposed land use development decisions, as impacted under this Title and meeting the requirements of this Title and state statute, shall be entitled to appeal before the Hearing Examiner, upon appropriate application.
- b. As a condition precedent to judicial review, each adversely affected person shall timely and specifically challenge a land use authority's decision, in accordance with this ordinance.

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19.03.03. Development Review Committee.

There is hereby authorized the establishment of a Development Review Committee which is comprised of representatives of the professional staff of the City as appointed by the City Manager. The DRC's membership ~~may~~ includes the City Manager, City Engineer, Planning Department, Public Works Director, City Fire Chief, City Building Official, City Attorney, and any other person or agent that the City Manager deems appropriate to function as a member of the Committee.

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Chapter 19.04. Establishment of Land Use Zones and Official Map.

Sections:

- 19.04.01. Purpose.
- 19.04.02. Land Use Zones and Classification Established.
- 19.04.03. Gradual Transition of Uses and Density.
- 19.04.04. Application of Land Use Zone Regulations.
- 19.04.05. Official Zoning Map.
- 19.04.06. Land Use Zone Boundary Interpretation.
- 19.04.07. Purpose and Intent of Agricultural & Residential Zones.
- 19.04.0708. Summary of Land Use Regulations, Agricultural & Residential Zones.
- 19.04.09. Permitted and Conditional Uses, Agricultural & Residential Zones.
- 19.04.10. Purpose and Intent of Non-Residential Zones.
- 19.04.11. Land Use Regulations, Non-Residential Zones.
- 19.04.12. Permitted and Conditional Uses, Non-Residential Zones.
- 19.04.13. Mixed Waterfront Zone.
- 19.04.08. Agricultural (A).
- 19.04.09. Residential Agricultural (RA-5).
- 19.04.10. Rural Residential (RR).
- 19.04.11. Low Density Residential (R-1).
- 19.04.12. Low Density Residential (R-2).
- 19.04.13. Low Density Residential (R-3).
- 19.04.14. Low Density Residential (R-4).
- 19.04.15. Low Density Residential (R-5).
- 19.04.16. Medium Density Residential (R-6).
- 19.04.17. Medium Density Residential (R-10).
- 19.04.18. High Density Residential (R-14).
- 19.04.19. High Density Residential (R-18).
- 19.04.20. Neighborhood Commercial (NC).
- 19.04.21. Mixed Use (MU).
- 19.04.22. Regional Commercial (RC).
- 19.04.23. Office Warehouse (OW).
- 19.04.24. Industrial (I).
- 19.04.25. Mixed Lakeshore (ML).
- 19.04.26. Business Park (BP).
- 19.04.27. Institutional/Civic (IC).
- 19.04.28. Public School Bus Lot (PSBL).

19.04.01. Purpose.

This Chapter establishes the basic regulations for the development of land in the City of Saratoga Springs. All structures in any zone shall be subject to the restrictions and limitations as stated in the City of Saratoga Springs City Code.

19.04.02. Land Use Zones and Classification Established.

For the purposes of this Title, all land within the boundaries of the City of Saratoga Springs shall have a land use designation in accordance with the City of Saratoga Springs Land Use Element of the General Plan. The following is a non-exhaustive list of the current land use designations:

1. Business Park
2. Developed Open Space
3. High Density Residential
4. Industrial
5. Institutional/Civic
6. Low Density Residential
7. Medium Density Residential
8. Mixed Use
9. Mixed **Lakeshore Waterfront**
10. Natural Open Space
11. Neighborhood Commercial
12. Office Warehouse
13. Planned Community
14. Regional Commercial
15. Residential Agriculture
16. Rural Residential
17. Urban Center

All of the land within the corporate limits of the City of Saratoga Springs, Utah is hereby divided into Land Use Zones. The boundaries of the Land Use Zones are shown on the Official Zoning Map of the City of Saratoga Springs. The classification of Land Use Zones is as follows:

1. Agricultural (A)
2. Rural Residential (RR)
3. Residential Agricultural (RA-5)
4. Low Density Residential (R-1)
5. Low Density Residential (R-2)
6. Low Density Residential (R-3)
7. Low Density Residential (R-4)
8. Low Density Residential (R-5)
9. Medium Density Residential (R-6)
10. Medium Density Residential (R-10)
11. High Density Residential (R-14)
12. High Density Residential (R-18)
13. Neighborhood Commercial (NC)
14. Mixed Use (MU)
- 15. Community Commercial (CC)**
- ~~15.~~16. Regional Commercial (RC)
- ~~16.~~17. Office Warehouse (OW)
- ~~17.~~18. Industrial (I)
- ~~18.~~19. Mixed **Lakeshore Waterfront (MLMW)**
- ~~19.~~20. Business Park (BP)
- ~~20.~~21. Institutional/Civic (IC)
- ~~21.~~22. Public School Bus Lot (PSBL)

19.04.03. Gradual Transition of Uses and Density.

It is the policy of the City Council, through exercising its zoning authority, to: (a) transition high intensity uses to help prevent the impacts of high density uses on low density areas; and (b) to limit inconsistent uses being located on adjacent parcels. The City Council may implement this policy using its zoning powers. Through amendments to the General Plan and the Zoning Map, the City Council intends to apply the following guidelines to implement this policy:

1. Residential lots, parcels, plats, or developments ~~should shall~~ not have a difference of more than 20% of density as compared to adjacent ~~existing~~ lots, parcels, plats, or developments. ~~The intent is for to enable~~ a gradual change of density and uses.

2. Exceptions

- ~~2.a.~~ The City should avoid allowing high intensity uses (e.g., commercial, industrial, multi-family structures, etc.) adjacent to lower intensity uses (e.g., single family, low density residential, etc.), ~~however may allow these uses to be located adjacent to each other if unless~~ appropriate transitions and buffers are in place. Appropriate buffers and transitions ~~may consist of include a combination of~~ roadways, landscaping, building orientation and facades, increased setbacks, open spaces, parks, and trails.
3. ~~Despite these guidelines, the City Council recognizes that it will become necessary to allow high intensity next to low intensity uses in order to allow for the implementation of multiple zones in the City. The City Council should use their best efforts to limit inconsistent uses and zones being located on adjacent parcels and to mitigate inconsistent uses and zones through transitions and buffers.~~

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19.04.07. Purpose and Intent of Agricultural and Residential Zones.

1. **Agricultural (A).** The purpose of the Agricultural Land Use Zone is to allow for the continuation of agricultural practices and rural residential neighborhoods where farming is allowed together with the keeping of large animals. ~~To achieve these goals, the minimum lot size is five acres.~~
2. **Residential Agricultural (RA-5).** The purpose of the Residential Agricultural (RA-5) Land Use Zone is to allow for the continuation of agricultural practices and the raising of livestock. It covers the portion of the City which historically has been irrigated and utilized for these purposes in Utah County along Lehi-Fairfield Road prior to annexation.
 - a. Although this zone has been established to protect agricultural rights and the raising of livestock, certain non-farm uses, as established herein, and residences ~~on lots five acres or larger~~ to minimize conflict with surrounding properties are allowed in the zone.

3. **Rural Residential (RR).** The purpose of the Rural Residential Land Use Zone is to allow for the establishment of large lot residential developments, **minimum of one acre per unit** that preserve natural view corridors, open spaces, environmentally-sensitive lands and that more fully preserves the rural character of Saratoga Springs.
4. **R1-40 (Residential Single Family 40,000).** The purpose of the R1-40 Land Use Zone is to allow for single family homes with a minimum lot size of 40,000 square feet per unit. This zone allows for the establishment of large lot residential developments that preserve natural view corridors, open spaces, environmentally-sensitive lands, and the rural character of Saratoga Springs.
5. **R1-20 (Residential Single Family 20,000).** The purpose of the R1-20 Land Use Zone is to allow single family homes with a minimum lot size of 20,000 square feet per unit. This zone allows for the establishment of single family neighborhoods on large lots that are characteristics of traditional suburban residential neighborhoods.
6. **R1-10 (Residential Single Family 10,000).** The purpose of the R1-10 Land Use Zone is to allow single family homes with a minimum lot size of 10,000 square feet. This zone allows for the establishment of single family neighborhoods on medium-sized lots that are characteristic of traditional suburban residential neighborhoods.
7. **R1-8 (Residential Single Family, 8,000).** The purpose of the R1-8 Land Use Zone is to allow single family homes with a minimum lot size of 8,000 square feet. This zone allows for the establishment of single family neighborhoods on medium-sized lots that are characteristic of traditional suburban residential neighborhoods.
8. **R2-6 (Residential Two-Family 6,000).** The purpose of the R2-6 Land Use Zone is to allow for Medium Density developments with Residential Two-Family buildings. This zone allows for single family lots, two-family buildings, and footprint development.
9. **R3-6 (Residential Three-Family 6,000).** The purpose of the R3-6 Land Use Zone is to allow for Medium Density developments with Residential Three-Family buildings. This zone allows for single family lots, three-family buildings, and footprint development.
10. **MF-10 (Multi-Family, 10 Units Per Acre).** The purpose of the MF-10 Land Use Zone is to allow for the establishment of Medium Density multi-family residential neighborhoods and to allow for footprint development. This zone allows up to 10 units per acre.
11. **MF-14 (Multi-Family, 14 Units Per Acre).** The purpose of the MF-14 Land Use Zone is to allow for the establishment of High Density multi-family residential neighborhoods and to allow for footprint development. This zone allows up to 14 units per acre.
12. **MF-18 (Multi-Family, 18 Units Per Acre).** The purpose of the MF-18 Land Use Zone is to allow for the establishment of High Density multi-family residential neighborhoods and to allow for footprint development. This zone allows up to 18 units per acre.

19.04.0708. Summary of Land Use Regulations, Agricultural and Residential Zones.

1. Table Summary of Land Use Regulations, Agricultural and Residential Zones.

	A	RA-5	RR	R-1	R-2	R-3	R-4	R-5	R-6	R-10	R-14	R-18
	A	RA-5	RR	R1-40	R1-20	R1-10	R1-8	R2-6	R3-6	MF-10	MF-14	MF-18
Maximum Units per Acre	1 unit/5 acre	1 unit/5 acres	1 unit/acre	1 unit/acre	2 units/acre	3 units/a cre	4 units/a cre	5 units/a cre**	6 units/acre**	10 units/a cre**	14 units/a cre**	18 units/a cre**
Minimum Lot Sizes, Residential	5 acres	5 acres	1 acre	1 acre	14,000 sq.ft.	10,000 sq.ft.	8,000 sq.ft.	6,000 sq.ft.	6,000 sq.ft.	5,000 sq.ft.	5,000 sq.ft.	5,000 sq.ft.
(previous min lot size, res)							9,000 sq. ft.	8,000 sq.ft.				
Minimum Lot Size, Non-residential	5 acres	5 acres	1 acre	1 acre	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.
(previous min lot lize, non res)					1 acre	1 acre	1 acre	1 acre	1 acre	1 acre	1 acre	1 acre
Footprint Development:	N/A	N/A	N/A	N/A	N/A	N/A	allowed	allowed	allowed	allowed	allowed	allowed
Minimum Building Separation							10'	10'	10'	10'	10'	10'
Minimum Project Size							5 acres	5 acres	5 acres	5 acres	5 acres	5 acres
Maximum Lot Coverage	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%
Primary Structure Maximum Height	35'	35'	35'	35'	35'	35'	35'	35'	35'	35'	40'	40'
Previous height												35'

	A	RA-5	RR	R-1	R-2	R-3	R-4	R-5	R-6	R-10	R-14	R-18
	A	RA-5	RR	R1-40	R1-20	R1-10	R1-8	R2-6	R3-6	MF-10	MF-14	MF-18
Accessory Structure Height: see 19.05.11												
Minimum Dwelling Size	1,600 sq.ft.	1,600 sq.ft.	1,600 sq.ft.	1,600 sq.ft.	1,500 sq.ft.	1,250 sq.ft.	1,250 sq.ft.	1,250 sq.ft.	1,000 sq.ft.	1,000 sq.ft.	800 sq.ft.	800 sq.ft.
Width	250'	250'	100'	100'	90'	70'	70'	60'	50'	50'	50'	50'
Minimum Lot Frontage***				75'	35'	35'	35'	35'	35'	35'	35'	35'
Minimum Setbacks for Primary Structures:												
Front*	50'	50'	35'	35'	25', An enclosed entry or porch may encroach up to 5' into the required setback				25' to garage, 20' to front plane of the building			
Street side	50'	50'	35'	35'	20'	20'	20'	20'	20'	20'	20'	20'
Interior Side	12'	12'	12'	12'	8/20 (min/c ombine d)	8/20 (min/c ombine d)	8/16 (min/c ombine d)	6/12 (min/c ombine d)	10' between buildings, 5' between exterior walls and property lines.			
Non-residential Interior Side	12'	12'	12'	12'	12'	12'	12'	12'	12'	12'	30'	30'
Rear*	25'	25'	25'	25'	25'	25'	20'	20'	20' between buildings, 20' between exterior walls and property lines.			
Non-residential Rear	25'	25'	25'	25'	25'	25'	20'	20'	30'	30'	30'	30'
Minimum Setbacks for Accessory Structures:												
Front	Same as principal structure											
Street side	Same as principal structure											
Interior Side	25'	12'	12'	12'	5'	5'	5'	5'	5'	5'	5'	5'
Rear	25'	12'	12'	12'	5'	5'	5'	5'	5'	5'	5'	5'
Distance from a Residence	60' for structures housing animals, 5' for all other				5' from dwelling							
*An unenclosed entry, porch, or deck may encroach up to five feet into either the required front setback or rear setback.												
**No density shall be calculated on sensitive lands												
***Frontage exceptions: flag lots and lots on shared driveways subject to the standards in 19.12												

1. General Development Standards-Residential: The following table summarizes the general development standards adopted for individual residential land use zone regulations in the City of Saratoga Springs:

Development Standard	A	RA-5	RR	R-1	R-2	R-3	R-4	R-5	R-6	R-10	R-14	R-18
Maximum ERUs	1 unit/5 acre*	1 unit/5 acres*	1 unit/acre*	1 unit/acre*	2 units/acre*	3 units/acre*	4 units/acre*	5 units/acre*	6 units/acre*	10 units/acre*	14 units/acre*	18 units/acre*
Minimum Lot Size:												
Residential per Residential Building	5 acres	5 acres	1 acre	1 acre	14,000 sq. ft.	10000 sq. ft.	9000 sq. ft.	8000 sq. ft.	6000 sq. ft.	5000 sq. ft.	5000 sq. ft.	5000 sq. ft.
Non-residential Use**	5+ acres	5+ acres	1+ acre	1+ acre	1+ acre	1+ acre	1+ acre	1+ acre	1+ acre	1+ acre	1+ acre	1+ acre
Minimum Setbacks (Primary Structure):												
Front	50 ²	50 ²	35 ²	35 ²	25 ²	25 ²	25 ²	25 ²	25 ²	25 ²	25 ²	25 ²
Side	12 ²	12 ²	12 ²	12 ²	8 ² /20 ²	8 ² /20 ²	8 ² /16 ²	6 ² /12 ²	5 ² /10 ²			
Rear	25 ²	25 ²	20 ²									
Corner Lots:												
Front	50 ²	50 ²	35 ²	35 ²	25 ²	25 ²	25 ²	25 ²	25 ²	20 ²	25 ²	20 ²
Side (corner side)	12 ²	12 ²	12 ²	12 ²	20 ²	20 ²	20 ²	20 ²	20 ²	15 ²	20 ²	15 ²
Minimum Setbacks (accessory buildings requiring a building permit): See § 19.05.11 for additional requirements												
Interior Side, Rear	25 ²	25 ²	25 ²	25 ²	5 ²	5 ²	5 ²	5 ²	5 ²	5 ²	5 ²	5 ²
Front:	X	X	X	X	X	X	X	X	X	X	X	X

Same as Primary Structure													
Corner Lots: street side: Same as Primary Structure	X	X	X	X	X	X	X	X	X	X	X	X	X
Distance away from any DU	60'	60'	60'	60'	5'	5'	5'	5'	5'	5'	5'	5'	5'

Minimum Setbacks (accessory buildings not requiring a building permit):

	See § 19.05-11												
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Bulk: Width, Frontage, Height, Coverage, Dwelling Size, Open Space

Lot Width	250'	250'	100'	100'	90'	80'	70'	60'	50'	50'	50'	50'	50'
Lot Frontage	250'	250'	75'	75'	35'	35'	35'	35'	35'	35'	35'	35'	35'
Maximum Building Height	35'	35'	35'	35'	35'	35'	35'	35'	35'	35'	35'	40'	35'
Maximum Lot Coverage	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%
Minimum Dwelling Size	1,600 sq. ft.	1,600 sq. ft.	1,600 sq. ft.	1,600 sq. ft.	1,500 sq. ft.	1,250 sq. ft.	1,250 sq. ft.	1,250 sq. ft.	1,000 sq. ft.	1,000 sq. ft.	800 sq. ft.	800 sq. ft.	800 sq. ft.
Minimum % Open Space	None	None	None	None	15%	15%	15%	20%	20%	20%	20%	20%	20%

**Sensitive lands shall not be included in the base acreage when calculating the number of units permitted in any development. No development credit shall be given for sensitive lands. Also see Chapter 19.12 for Subdivision Layout requirements.*

*** Lot sizes shall be a minimum of the stated number but a larger size may be required as stated*

~~in the applicable zone districts.~~

~~Lot sizes may be reduced as outlined in the applicable zone districts.~~

~~See applicable zone district for limitations.~~

2. Lot Size Reductions: Lot size reductions may be granted by the City Council for residential development in the R1-20, R1-10, R1-8, and R2-6 zones, based on the criteria below.

- a. The City Council may approve a reduction in the lot size if such reduction serves a public or neighborhood purpose such as:
 - i. a significant increase in the amount or number of parks and recreation facilities proposed by the developer of property in this zone;
 - ii. the creation of additional and significant amenities that may be enjoyed by all residents of the neighborhood;
 - iii. the preservation of sensitive lands (these areas may or may not be eligible to be counted towards the open space requirements in this zone – see definition of “open space” in Section 19.02.); or
 - iv. any other public or neighborhood purpose that the City Council deems appropriate.
- b. In making a determination, the City Council shall have sole discretion to make judgments, interpretations, and expressions of opinion with respect to the implementation of the above criteria. In no case shall reductions in lot sizes be considered a development right or a guarantee of approval.
- c. In no case shall the City Council approve a residential lot size reduction greater than ten percent of the minimum lot size required by the underlying zone notwithstanding the amenities that are proposed.
- d. In no case shall the City Council grant a residential lot size reduction for more than 25% of the total lots in the development.

3. Footprint Development:

- a. The minimum lot size shall be equal to the footprint of the unit.
- b. A minimum of 35% of the total project area shall be designated as common area. This may include limited common area for patios or similar uses for each unit, which may be fenced.
- c. In addition to the requirement above, the cumulative total of common space and footprint area shall be equal to or greater than the area that would be occupied by an equivalent number of non-footprint lots, excluding the open space required in Chapter 19.19.
 - i. Example:
 1. 10 unit footprint development in the R1-8 zone;
 2. 10 lots times 8,000 sq.ft. lot minimum = 80,000 sq.ft. (1.836 acres)

3. Minimum common & footprint area: 80,000 sq.ft. (1.836 acres), plus the required openpark space in 19.19

4. Open Space and Landscaping Requirements:

- a. New residential development is subject to the requirements of Section 19.19.
- b. Required landscaping shall comply with Section 19.06.
- c. All sensitive lands shall be protected as part of the open space and/or landscaped area of any development.
- d. For non-residential and non-agricultural uses open space is not required; however a minimum of 20% of the total project shall be used for landscaping.

19.04.09. Permitted and Conditional Uses, Agricultural and Residential Zones.

2. Permitted and Conditional Uses by Zone-Residential:

The following table lists the Permitted and Conditional uses for the Residential Zones in the City of Saratoga Springs. Empty boxes mean that the use is prohibited in that zone. Uses not listed are also prohibited.

	A	RA-5	RR	R-1 R1-40	R-2 R1-20	R-3 R1-10	R-4 R1-8	R-5 R2-6	R-6 R3-6	R-10 MF-10	R-14 MF-14
Agriculture	P	P	P								
Animal Hospital, Large/Large Veterinary Office	P	P									
Apiary (see §§ 19.05.08)	P	P	P	P	P	P	P	P	P	P	P
Bed and Breakfast	C	C	C	C	C	C	C	C			
Cemetery	C	C	C	C	C	C	C	C	C	C	C
Chickens (see §§ 19.05.05 and 19.05.06)	P	P	P	P	P	P	P	P			
Child Care Center	C	C	C	C	C	C	C	C	C	C	C
Church	P	P	P	P	P	P	P	P	P	P	P
Dairy	C	P									
Dwelling, Multi-Family										P	P
Dwelling,	P	P	P	P	P	P	P	P	P	P	P

Single Family												
Dwelling, Three-Family	I	I	I	I	I	I	I	I	P	P	P	
Dwelling, Two-Family	I	I	I	I	I	I	I	I	P	P	P	
Educational Center	C	C	C	C	C	C	C	C	C	C	C	C
Equestrian Center	C	C	I	I	I	I	I	I	I	I	I	I
Farm Animals (see Section 19.05.05)	P	P	P	I	I	I	I	I	I	I	I	I
Farmer's Market	C	C	C	I	I	I	I	I	I	I	I	I
Golf Course	P	P	P	P	C	C	C	C	I	I	I	I
Home Occupations	See §19.08											
Kennel, Private	C	C	C	I	I	I	I	I	I	I	I	I
Livestock Auction Yard	C	C	I	I	I	I	I	I	I	I	I	I
	A	RA-5	RR	R1-40	R1-20	R1-10	R1-8	R2-6	R3-6	MF-10	MF-14	
Plant and Tree Nursery	P	C	C	I	I	I	I	I	I	I	I	I
Preschool	I	I	C	C	C	C	C	C	C	C	C	C
Production of Fruit and Crops	P	P	P	P	P	P	P	P	P	P	P	P
Public and private utility building or facility	C	C	C	C	C	C	C	C	C	C	C	C
Public Building or Facilities (City Owned)	C	C	C	C	C	C	C	C	C	C	C	C
Public Parks, playgrounds, recreation areas, or other park improvements*	P	P	P	P	P	P	P	P	P	P	P	P

Residential Facilities for Elderly Persons	C	C	C	C	C	C	C	C	C	C	C
Residential Facilities for Persons with a Disability	P	P	P	P	P	P	P	P	P	P	P
Riding Arena (Commercial)	C	C	C	I	I	I	I	I	I	I	I
Riding Arena (Private)	P	P	P	I	I	I	I	I	I	I	I
School, Charter	P	P	P	P	P	P	P	P	P	P	P
School, Private and Quasi-Public	C	C	C	C	I	I	I	I	I	I	I
School, Public	P	P	P	P	P	P	P	P	P	P	P
Stables	P	P	C	I	I	I	I	I	I	I	I
Temporary Sales Trailer	P	P	P	P	P	P	P	P	P	P	P
	A	RA-5	RR	R1-40	R1-20	R1-10	R1-8	R2-6	R3-6	MF-10	MF-14
	A	RA-5	RR	R-1	R-2	R-3	R-4	R-5	R-6	R-10	R-14

P = Permitted C = Conditional

*A neighborhood meeting is required for all public parks, public playgrounds, public recreation areas, or other public park improvements prior to new construction. City staff will notify residents within the subdivision or neighborhood area prior to any meeting. Any proposal for a regional park within the City will also be required to go through a Site Plan review according to the requirements within the Land Development Code.

19.04.10. Purpose and Intent of Non-Residential Zones.

1. Neighborhood Commercial (NC). The Neighborhood Commercial Land Use Zone is intended to create, preserve, and enhance areas of retail establishments serving frequently recurring needs for goods and services in convenient locations to neighborhoods. This commercial zone is typically appropriate to small shopping clusters or integrated shopping centers in developments of one to three acres, but not greater than five, within, or convenient to, residential neighborhoods. Facilities should be oriented to serve residents' commercial service needs, to strengthen neighborhood interaction and

neighborhood character, to minimize the need for automobile trips and to make commercial services more readily available to residents of adjacent neighborhoods.

- a. Improvements such as trails, seating and lighting that would help create gathering spaces and promote pedestrian activity are expected, where appropriate, and may be considered an essential part of developments in the Neighborhood Commercial zone. Developments in the Neighborhood Commercial Zone shall also be characterized by increased landscaping and Architectural compatibility with the surrounding neighborhood.

2. **Community Commercial (CC).** The purpose of the Community Commercial zone is to allow for medium size commercial developments, near residential neighborhoods, with establishments that will serve the nearby community. Improvements such as trails, seating and lighting that would help create gathering spaces and promote pedestrian activity are expected in the Community Commercial zone.

3. **Regional Commercial (RC).** The purpose of the Regional Commercial Land Use Zone is to allow, in appropriate areas, commercial businesses and shopping centers of a scale that will serve neighborhood, community-wide, and regional shopping needs. These regulations should preserve the existing quality and livability of the City while still assuring maximum efficiency of traffic circulation and convenience.

4. **Office Warehouse (OW).** The purpose of the Office Warehouse Land Use Zone is to allow for large lot warehouse and select office development in appropriate locations. Development under these regulations should provide for certain types of offices, commercial, and warehouse and shipping operations in an industrial setting characterized by large buffer strips, open space and landscaping requirements, and quality site development standards.

5. **Industrial (I).** The purpose of the Industrial Land Use Zone is to allow for large lot industrial and manufacturing development in appropriate locations. Development under these regulations should provide for certain types of offices, commercial and industrial operations in a business park setting characterized by large buffer strips, open space and landscaping requirements, and quality site development standards.

6. **Business Park (BP).** The purpose of the Business Park (BP) Land Use Zone is to allow for certain land uses that require large tracts of land in appropriate locations. Development under these regulations should provide for office space, light manufacturing (subject to location restrictions as determined during Site Plan review), and commercial operations in a business park campus-type setting characterized by large buffer strips, open spaces, landscaping, and quality site development standards. Ancillary uses and edge uses may not exceed 20% of the building area within a Master Development Plan contained in a Master Development Agreement. Certain land uses have been identified as either ancillary uses or edge uses only.

7. **Institutional/Civic (IC).** The purpose of the Institutional/Civic (IC) Land Use Zone is to allow for public or quasi-public land uses. Development under these regulations should

provide for university or college campuses as well as traditional schools, libraries, hospitals, public buildings or facilities, and other land uses that provide essential services to the general public.

8. Public School Bus Lot (PSBL). The purpose of the Public School Bus Lot (PSBL) Land Use Zone is to allow for a specific land area used for the storage or layover of public school buses or motor coaches. Development under these regulations may only provide for a bus lot, administrative office space, maintenance facilities, fueling stations, or other accessory uses associated with a public school district in a specific setting. Such development is characterized by large buffer strips, open spaces, landscaping, and quality site development standards.

19.04.11. Land Use Regulations, Non-Residential Zones.

1. Table Summary of Land Use Regulations, Non-Residential Zones.

NC=15000, CC = 20,000, RC=30,000

	NC	CC	RC	OW	I	BP	I/C	PSBL
Minumim Development Size				40,000 sq. ft.	10 acres	1 acre for single building development; 5 acres for a business park		
Minimum Lot Size	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	30,000 sq.ft.	20,000 sq.ft.	10 acres
Minimum Setback Requirements:								
Front/Corner Side	25'	25'	10'	20'	30'	10'	25'	50'
(Previous Front)	same	n/a	20'	20'	50'	50'	50'	50'
Interior Sides	25'	25'	10'	25'	30'	30' where adjacent to a residential, MU or MW zone. 20' next to all other zones	25'	50'
(Previous Side)	same	n/a	10', or 30' next to A and Res	20'	50' next to res, no min next to other zones	none	30' next to res, no min next to other zones	50'
Rear	25'	25'	30'	30' where adjacent to a residential, MU or MW zone. 20' next to all other zones	50' where adjacent to a residential, MU or MW zone. 20' next to all other zones	50'	25'	50'
(Previous Rear)	same	n/a	20'	50' next to res, no min next to ther zones	50' next to res, no min next to ther zones	30' next to res, 10' next to other zones	30'	50'
Exceptions	X	X	no	no	no	no	no	no
(Previous Exceptions)	x		x	x	x	x	x	x
Minimum Building Separation				20'	20'	20' between single story, 30' between two or more stories	20'	

	NC	CC	RC	OW	I	BP	I/C	PSBL
Minimum Lot Width	100'	100'		70'		80'	80'	
Minimum Lot Frontage	100'	100'				80'	80'	
Maximum Height of Structures	35'	40'	50'	35'	50'	50'	50'	35'
Maximum Lot Coverage	50%	50%	50%	50%	50%	50%	50%	80% for parking lot and buildings
Minimum Building Size			1,000 sq.ft.					
Maximum Building Size	15,000 sq.ft.							

	MU
Maximum Units per Acre	14 units/acre for residential portion of project**
Minimum Project Size	5 acres
Minimum Lot Size:	
Non-residential	1015,000 sq. ft.
Single Family Lots	5,000 sq.ft.
Two-Family and Three-Family Dwellings	6,000 sq.ft.
Multi-Family Dwellings	see footprint development requirements
Footprint Development	Allowed
Residential Above Commercial	1015,000 sq.ft.
Minimum Setback Requirements:	
Mixed use buildings	first floor: 10' around the perimeter second floor: 20' around the perimeter third floor: 30' around the perimeter fourth floor: 40' around the perimeter
Front*	20'
Interior Sides	5'
Rear*	20'
Corner Side	15'
Accessory Building Setbacks	front and corner side: same as primary structure, Rear and interior side: 5'
Minimum Lot Width	50'

Minimum Lot Frontage:	
Residential	35'
Non-residential	60'
Mixed use buildings	100'
Maximum Height of Structures	Four Stories, 45'
Maximum Lot Coverage	50%
Minimum Dwelling Size	1,000 sq.ft. above grade

*An unenclosed entry, porch, or deck may encroach up to five feet into either the required front setback or rear setback.

** No density shall be calculated on sensitive lands

2. Setback Exceptions:

a. the City Council may reduce no more than one setback requirement by up to ten feet if:

1. The setback is along a collector or arterial frontage, and
2. The setback does not abut residentially developed or zoned properties.

3. Footprint Development:

a. The minimum lot size shall be equal to the footprint of the unit.

b. A minimum of 35% of the total project area shall be designated as common area for the residential portion of the development. This does not apply to mixed use structures with residential above commercial.

i. In addition to the requirement above, the cumulative total of common space and footprint area shall be equal to or greater than the area that would be occupied by an equivalent number of non-footprint lots, excluding the open space required in Chapter 19.19.

1. Example:

a. 10 unit footprint development in the R1-8 zone

b. 10 lots times 8,000 sq.ft. lot minimum = 80,000 sq.ft. (1.836 acres)

2. Minimum common & footprint area: 80,000 sq.ft. (1.836 acres), plus the required open space in 19.19

4. Residential Above Commercial:

a. Residential is allowed above commercial in the RC and MU zone. The following additional standards shall apply:

i. The minimum unit size for residential above commercial in the RC zone is 600 square feet.

ii. The maximum residential density for residential above commercial in the RC zone is 14 units per acre.

iii. Section 19.19 shall apply to developments in the MU zone for the portion of property that has residential development.

5. Open Space and Landscaping Requirements:

- a. For non-residential uses open space is not required; however a minimum of 20% of the total project shall be used for landscaping.
- b. Non-residential Development. For non-residential development at least 20% of the project area shall be landscaped.
- c. Required landscaping shall comply with Section 19.06
- d. All sensitive lands shall be protected as part of the open space and/or landscaped area of any development.
- e. Residential above Commercial in the MU or RC Zones. At least 25% of the project area shall be landscaped and amenities provided per Section 19.19. Amenities may be provided inside the building to meet the requirements.
- f. Residential in the MU Zone. All new residential development is subject to the requirements of Section 19.19.
- g. Footprint Development in the MU zone. For the commercial portion of the development a minimum of 20% of the project area shall be landscaped. For the residential portion of the development, the requirements of Section 19.19 apply.

19.04.12. Permitted and Conditional Uses, Non-Residential Zones.

3. Permitted and Conditional Uses by Zone-Commercial:

The following table lists the Permitted and Conditional uses for the Nonresidential Zones in the City of Saratoga Springs. Empty boxes mean that the use is prohibited in that zone. Uses not listed are also prohibited.

P= Permitted C= Conditional

	NC	CC	MU	RC*	OW	I	MW	BP	IC	PSB
Alcoholic Beverage, Package Agency						C				
Alcoholic Beverage, State Liquor Store						C				
Animal Hospital, Large/Large Veterinary Office	C		C	PC	PC					
Animal Hospital, Small/Small Veterinary Office	C	P	C	P	P					
Arts & Crafts Sales	C	P	P	P			P			
Automobile Refueling Station		C	C	C	C	C				
Automobile Rental & Leasing Agency		C		C	C	P		C ^A		
Automobile Repair, Major					C	C				
Automobile Repair, Minor				C	C	C		C ^E		

Automobile Sales				C		C				
Automobile, Boat, All-Terrain Vehicle (ATV), Motorcycle, Recreation Vehicle, Sales & Service				C	C	P				
Bakery, Commercial					C	C				
Bakery, Retail	P	P	P	P			P	C		
Bed and Breakfast			C				C			
Bookstore	P	P	P	P			P	P ^A C ^E		
Building Material Sales (with outdoor storage)				C	C	P				
Building Material Sales (without outdoor storage)				C	C	C				
Bus Lot										P
Car Wash (full service)		C		C				C ^A		
Car Wash (self service)		C		C	C	C				
	NC		MU	RC*	OW	I	MW	BP	IC	PSB
	NC		MU	RC*	OW	I	MW	BP	IC	PSB
Child Care Center	C	C	C	C			C ^A	C ^A		
Churches	C		C				C		P	
Commercial & industrial laundries					C	P				
Commercial Recreation		C	C	C	C	C	P			
Commuter/Light Rail Station	C	C	C	P	P	P	C	C	C	
Contract construction services establishments					C	P				
Contract Services Office					P	P				
Convenience Store		C	C	P	C			C ^E		
Convenience Store/Fast Food Combination		C		C				C ^E		
Copy Center	C	P	P	P	C			C ^A		
Crematory/Embalming Facility					C	C				
Dry Cleaners	C	P	P	P				C ^{E/A}		
Dwelling, Above commercial		C	P	C			P			
Dwelling, Live / Work			P				P			
Dwelling, Multi-Family			P				P			
Dwelling, Single-Family			P				P			
Dwelling, Three-Family			P				P			

Dwelling, Two-Family			P				P			
Educational Center	C	C	C	C	C			C	P	
Electronic Media Rental & Sales		P	C	P						
Electronic Sales & Repair		P	C	P				C ^A		
Equipment Sales & Services				C		P				
Financial Institution		P	P	P				P ^A		
Fitness Center (5,000 sq. ft. or less)	P	P	P	P	P		P	P ^A		
Fitness Center(5,001 sq. ft. or larger)	C	C	C	C	C			C ^A		
Floral Sales	P	P	P	P			P	P ^A		
Fueling Station										P
Fueling Station, Cardlock Facility										P
Funeral Home	C	C	C	C						
Grocery Store		P	C	P			P			
Hair Salon	P	P	P	P			P			
	NC		MU	RC*	OW	I	MW	BP	IC	PSB

	NC	CC	MU	RC*	OW	I	MW	BP	IC	PSB
Hardware & Home Improvement Retail		C	C	P						
Home Occupations	See §19.08		See §19.08	See §19.08	See §19.08					
Hospital		C		P				C	P	
Hotels		C		C	C	C	C	C		
Ice Cream Parlor	P	P	P	P			P	C ^A		
Impound Yard						C				
Kennel, Commercial				C	C	P				
Laundromat		C		C	C	C				
Library		P	P	P					P	
Light Manufacturing					C	C		C		
Marina							P			
Mining						C				
Mixed Use			P				P			
Neighborhood Grocery Store		P	P				P			

Motels				C	C	C	C			
Non-Depository Institutions				C						
Office, High Intensity					P	C		C		
Office, Medical and Health Care	C	P	C	P				P	C ^A	
Office, Professional	C	P	P	P	P	C	P	P		
Public Parks, playgrounds, recreation areas, or other park improvements	P	P	P	P	P	P	P	P	P	P
Pawn Shop					C	C				
Personal Service Establishment	C	C	C		C		C	C ^A		
Plant & Tree Nursery	C	C		C	C	P				
Postal Center	C	C	C	P	C			P ^A	P	
Preschool	C	C	C	C			C ^A	C ^A		
Printing, lithography & publishing establishments					C	C		P		
Public & private utility building or facility				C	C	C	C		C	C
Public Building or Facilities (City Owned)	P	P	P	P	P	P	P	P	P	
Reception Centers	C		C	P			P	C		
Recreation Center				C		C	C			
Recreation Rentals				P			P			
Recreational Vehicle Sales				C						
Recycling Facilities						C				
Research & Development		C		C	C	C		P	C ^A	
Residential facilities for elderly persons			C				C			
Residential Facilities for Persons with a Disability			C				C			
Restaurant, Casual		P		P	C		C ^E	C ^E		
Restaurant, Deli	P	P	P	P			P	C ^A		
Restaurant, Sit Down	P	P	P	P	P		P	P ^E		
Retail Sales	P	P	P	P	P		P	C ^A		
Retail, Big Box				C						
Retail, Specialty	P	P	P	P	P		P			

Retail, Tobacco Specialty Store					C	C				
School, Public	P		P	P	P	P	P	P	P	P
School, Trade or Vocational					P	P		P	P	
Sexually Oriented Businesses						P				
Shooting Range, indoor or outdoor					C	C				
Storage, Self-Storage, or Mini Storage Units					C	C				
Storage, Outdoor						C				
Storage, Vehicle						C				
Tattoo Parlor						C				
Temporary Sales Trailer			T							
Theater		C		C			C			
Transit-Oriented Development (TOD)			P				P	C		
	NC		MU	RC*	OW	I	MW	BP	IC	PSB

^A The noted Uses shall be allowed in the listed zones as an ancillary use only.

^E The noted Uses shall be allowed in the listed zones as an edge use only.

*As an ancillary component of the identified Permitted and Conditional Uses, employers may offer Child Care Center services for their employees. The provision of such services shall require Conditional Use approval.

(Ord. 16-01, Ord. 15-29, Ord. 14-23, Ord. 14-13, Ord. 14-5)

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19.04.13. Mixed Waterfront Zone.

1. Purpose and Intent.

- a. The purpose of the Mixed Waterfront (MW) Land Use Zone is to allow for a wide range of land uses so long as those land uses are combined and arranged to create destination-oriented developments that take full advantage of the scenic and recreational opportunities that their lakeshore and riverside locations provide. Appropriate mixtures of land uses include retail, residential, and resort properties.
- b. Low Density Residential, Medium Density Residential, and Neighborhood Commercial land uses, as listed in the tables in Section 19.04.12, are considered appropriate uses for this zone. The goal is to accomplish a mix of residential and commercial uses with a majority being residential.

c. This land use zone recognizes that in order for the City to be a well-rounded community, many different housing styles, types, and sizes should be permitted. Density shall be focused around the water front with density decreasing the farther from the water's edge. In an effort to incentivize commercial along the waterfront allowable residential density will increase based upon the amount of commercial provided.

d. Other important characteristics that must be addressed in this land use zone include neighborhood services and facilities, social gathering places, attractive landscaping, convenient access to public areas along the lakeshore, appropriately-placed parking, a sense of personal safety, well-maintained housing, and attractive parks.

2. Density

a. The maximum residential density upon the residential portion of any development shall be based upon the amount of commercial acreage provided, as outlined in the tables below, with smaller amounts of commercial reflecting lower residential density.

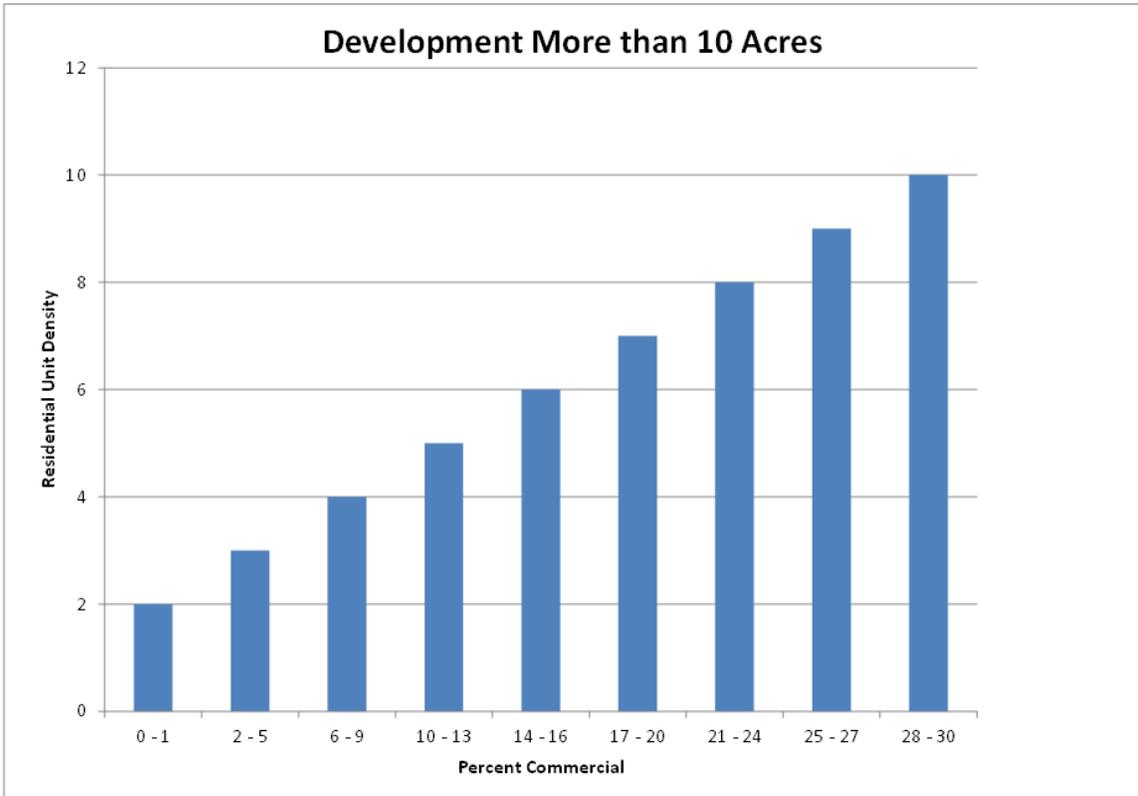
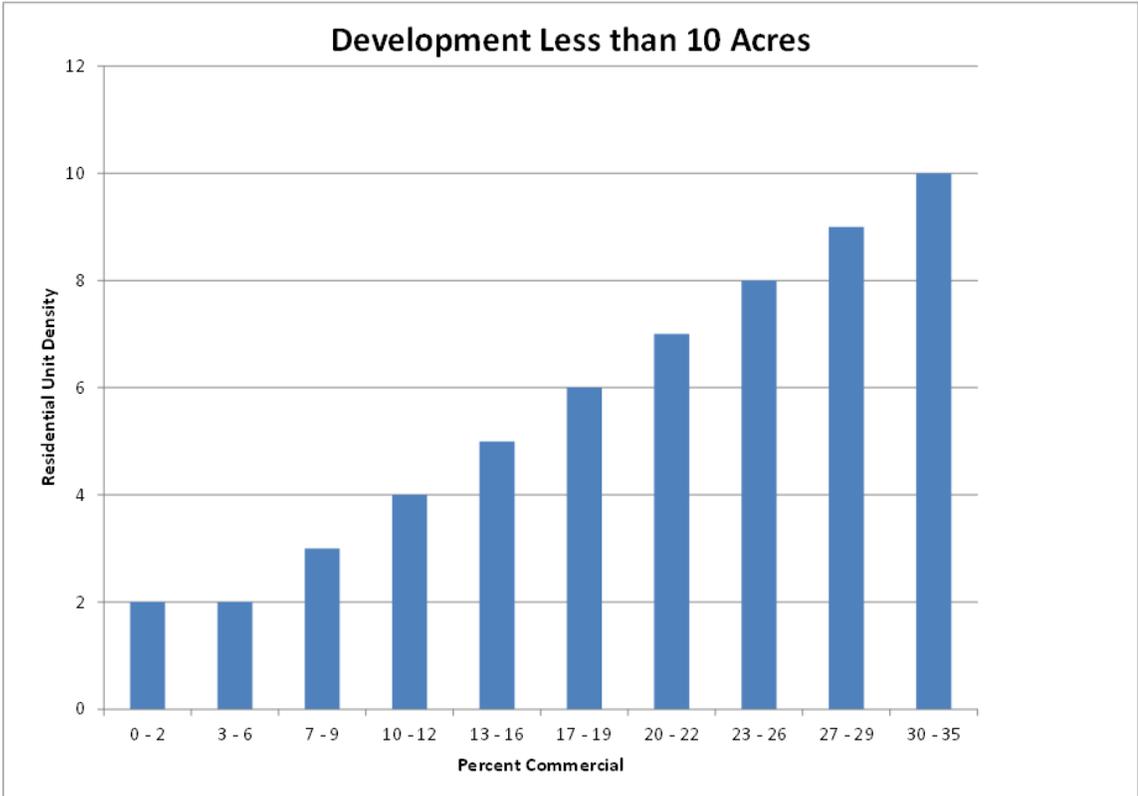
i. The maximum percentage of commercial development is indicated by the far right category in each table.

ii. In developments containing 10 acres or more that contain 21% of commercial or more, up to 30% of the residential development may have up to 14 units per acre, however the overall average residential density shall not exceed the maximum density in the table.

iii. Example 1: A 5 acre development with 15% of the acreage for commercial may have up to 5 units per acre on the residential acreage.

iv. Example 2: A 15 acre development with 27% of the acreage for commercial may have up to 9 units per acre on the residential acreage. 30% of the residential acreage may have up to 14 units per acre, but the overall density on the residential acreage is limited to 9 units per acre.

a-b. Sensitive lands shall not be included in the calculation of density.



3. Permitted Uses. The uses identified in 19.04.12 as Permitted Uses in the Mixed Waterfront Zone, with some uses identified as ancillary uses or edge uses only.

4. Conditional Uses. The uses identified in 19.04.12 as Conditional Uses in the Mixed Waterfront (MW) Zone, with some uses identified as edge or ancillary uses only.

5. Lot, Setback, and Development Requirements.

	MW		
	SF	MF	Other Development (including MU)
Development size- min	1 acre	1 acre	1 acre
(current development size- min.)	1 acre	1 acre	None
Lots size - min	4,000 sq. ft.	No minimum	No minimum
(current lot size-min.)	5,000 sq. ft.	5,000 sq. ft. (based on building rather than unit)	None
Lot Coverage - maximum	60% (Footprint development will be reviewed for overall site coverage rather than individual lot coverage.	60% (Footprint development will be reviewed for overall site coverage rather than individual lot coverage.	60% (Footprint development will be reviewed for overall site coverage rather than individual lot coverage.
(current lot coverage-maximum)	50%	50%	None
Lot Frontage - min	35'	100' along a public or private street. Where each unit is separately owned, the minimum lot frontage shall be based on	100' along a public or private street
Primary structure height - max	40'	40'	40'
Accessory structure height - max	19.05.11	19.05.11	19.05.11
Dwelling size	1,000 sq. ft.	600 sq. ft.	600 sq. ft.
(current dwelling size)	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.
Lot width - min	50'	No minimum	No minimum
(current low width- min.)	50'	50' calculated on building	None
Setbacks, primary structure - min			
Front	25' to the garage, 20' to the front plane of the home.	20' to building, 25' to garage	10'*
(current front)	25'	25'	25'
Street side	20'	20'	10'*
(current street side)	15'	15'	15'
Interior Side/ Building Separation	5'/ 10' combined	20'	5'
(current side)	5'/10'	5' to property line, 10' between structures	None
Rear	15' to property line or between buildings	20' between buildings, 20' between rear property lines and exterior walls	25'
(current rear)	15'	15'	15'
Rear yard adjacent to alley	5' to detached garage, 20' to main structure	5' to detached garage, 20' to main structure	10', 20' driveway required or 5' setback to detached garage
Rear yard adjacent to street	N/A	N/A	10', 20' driveway required or 5' setback to detached garage
Setbacks, accessory structure - min			
Front	Same as principal structure	Same as principal structure	Same as principal structure
Street side	Same as principal structure	Same as principal structure	Same as principal structure
Interior Side	5'	5'	5'
Rear	5'	5'	5'
Building separation	5'	5'	5'
Concept plan required?	Yes	Yes	Yes

** Exception: The front and street side yard setbacks may be decreased to zero feet if the sidewalk width is increased by ten feet and as long as no part of any building, including planter boxes and similar features, shall overhang the public right-of-way and no drainage shall be diverted into said public right-of-way.*

6. Open Space and Landscaping Requirement.

- a. If the open space is common space, the developer shall record a public access easement at plat recordation to any adjacent public open space or access to the waterfront.
- b. Common and private open spaces shall be provided as follows:

- i. Up to 25% of the total open space requirement may be met by counting any private open space areas (patios and balconies) provided within the project.
 - ii. The minimum area of any private open space shall be 25 sq. ft. This may be in the form of patios or balconies accessible only to the abutting unit.
 - iii. The minimum dimension area of eligible common open space areas shall be 150 square feet with a minimum width of 10 feet. These may be located at grade or above grade and may include terraces, courtyards, fitness centers for vertical mixed use and multifamily, rooftop gardens, or other similar areas.
 - iv. Common and private open spaces shall be designed to limit intrusion by nonresidents.
- c. Sharing of common open space between residential and nonresidential uses may be allowed by the applicable Land Use Authority when it is clear that the open space will provide direct benefit to residents and patrons of the project subject to the following limitations.
- i. Up to 30% of the required open space for residential uses in a horizontal mixed use project may be provided as quasi-public open space within the nonresidential component of the project; or
 - ii. Up to 50% of the required open space for residential uses in a vertical mixed use project may be provided as quasi-public open space within the nonresidential component of the project.
 - iii. The minimum area of shared common open space areas shall be 150 sq. ft. with a minimum width of 10 feet. These areas shall be accessible for use by the general public.
 - iv. Quasi-public open space areas shall not include outdoor dining areas or other outdoor activity areas for exclusive use by an individual business.
 - v. Quasi-public open space areas are areas located on private property and accessible to the general public. These areas may include pedestrian oriented amenities, including enhanced seating, lighting, paving, landscaping, public art, water features, and other similar features deemed appropriate by the land use authority.

(Ord. 16-01, Ord. 15-29, Ord. 14-13)

19.04.08. — Agricultural (A).

1. **Purpose and Intent.** The purpose of the Agricultural Land Use Zone is to allow for the continuation of agricultural practices and rural residential neighborhoods where farming is allowed together with the keeping of large animals. Residential densities in this zone shall not exceed 1 ERU per five acres.
2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Agricultural (A) Zone.
3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Agricultural (A) Zone.

4. **Minimum Lot Sizes.** The minimum residential lot size in this zone is 5 acres. Schools or other nonresidential uses may require a minimum size greater than 5 acres and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use.
5. **Setbacks and Yard Requirements.**
 - a. All buildings intended for occupancy or principal buildings in this zone are required to maintain setbacks as follows:
 - i. Front: 50 feet (for corner lots, this applies to both street frontages)
 - ii. Sides: 12 feet
 - iii. Rear: 25 feet
 - b. All accessory buildings requiring a building permit in this zone are required to maintain distances from property lines and other dwellings as follows:
 - i. Sides: 25 feet
 - ii. Rear: 25 feet
 - iii. Front: same as principal structure
 - iv. Minimum separation between accessory buildings used for animals and dwellings: 60 feet.
 - c. All accessory buildings not requiring a building permit shall comply with the standards in §19.05.
6. **Minimum Lot Width.** Every lot in this zone shall be at least 250 feet in width at the front building setback.
7. **Minimum Lot Frontage.** Every lot in this zone shall have at least 250 feet of frontage along a public or private street.
8. **Maximum Height of Structures.** No structure in this zone shall be taller than 35 feet or less if otherwise restricted by local, state, or federal height restrictions.
9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is 50%.
10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,600 square feet of living space above grade.
11. **Open Space Requirement.** There is no minimum requirement for open space in this zone.
12. **Sensitive Lands.** Sensitive lands shall not be included in the base acreage when calculating the number of ERUs permitted in any development and no development credit shall be given for sensitive lands.
13. **Trash Storage.** All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference

(Ord. 14-23, Ord. 14-13)

19.04.09. Residential Agricultural (RA-5).

1. **Purpose and Intent.** The purpose of the Residential Agricultural (RA-5) Land Use Zone is to allow for the continuation of agricultural practices and the raising of livestock. It covers the portion of the City which historically has been irrigated and utilized for these purposes in Utah County along Lehi-Fairfield Road prior to annexation.
 - a. Although this zone has been established to protect agricultural rights and the raising of livestock, certain non-farm uses, as established herein, and residences on lots large enough to minimize conflict with surrounding properties are allowed in the zone.
 - b. Residential densities in this zone shall not exceed one ERU per five acres.
2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Residential Agricultural (RA-5) Land Use Zone.
3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Residential Agricultural (RA-5) Zone.
4. **Minimum Lot Sizes.** The minimum residential lot size in this zone is five acres. Schools or other nonresidential uses may require a minimum size greater than five acres and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use.
5. **Setbacks and Yard Requirements.**
 - a. All buildings intended for occupancy or principal buildings in this zone are required to maintain setbacks as follows:
 - i. Front: fifty feet (for corner lots, this applies to both street frontages)
 - ii. Sides: twelve feet
 - iii. Rear: twenty-five feet
 - b. All accessory buildings requiring a building permit in this zone are required to maintain distances from property lines and other dwellings as follows:
 - i. Sides: twenty-five feet
 - ii. Rear: twenty-five feet
 - iii. Front: same as principal structure
 - iv. Minimum separation between an accessory building used for animals and a dwelling: sixty feet.
 - c. All accessory buildings not requiring a building permit shall comply with the standards in §19.05.
6. **Minimum Lot Width.** Every lot in this zone shall be at least 250 feet in width at the front building setback.
7. **Minimum Lot Frontage.** Every lot in this zone shall have at least 250 feet of frontage along a public or private street.

8. **Maximum Height of Structures.** No structure in this zone shall be taller than thirty five feet or less if otherwise restricted by local, state or federal height restrictions.
9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent.
10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,600 square feet of living space above grade.
11. **Open Space Requirement.** There is no minimum requirement for open space in this zone.
12. **Sensitive Lands.** Sensitive lands shall not be included in the base acreage when calculating the number of ERUs permitted in any development and no development credit shall be given for sensitive lands.
13. **Trash Storage.** All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference.

(Ord. 14-23, Ord. 14-13)

19.04.10. Rural Residential (RR):

1. **Purpose and Intent.** The purpose of the Rural Residential Land Use Zone is to allow for the establishment of large lot residential developments that preserve natural view corridors, open spaces, environmentally sensitive lands and that more fully preserves the rural character of Saratoga Springs. Residential densities in this zone shall not exceed one ERU per acre.
2. **Permitted Uses.** The identified in 19.04.07.2 as Permitted Uses in the Rural Residential (RR) Zone.
3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Rural Residential (RR) Zone.
4. **Minimum Lot Sizes.** The minimum residential lot size in this zone is one acre, and may be greater for Conditional Uses. Conditional uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in this Title, including Chapters 19.06, 19.09, 19.13, 19.14, and 19.15, as the basis for setting site-by-site requirements.
5. **Setbacks and Yard Requirements.**
 - a. Setbacks and yard requirements describe the amount of space required between buildings and property lines.
 - b. All buildings intended for occupancy or principal buildings in this zone are required to maintain a minimum distance from property lines as follows:
 - i. Front: thirty five feet (for corner lots, this applies to both street frontages)
 - ii. Sides: twelve feet
 - iii. Rear: twenty five feet
 - c. All accessory buildings requiring a building permit in this zone are required to maintain distances from property lines and other dwellings as follows:
 - i. Sides: twenty five feet
 - ii. Rear: twenty five feet
 - iii. Front: same as principal structure
 - iv. Minimum separation between an accessory building used for animals and a dwelling: sixty feet.
 - d. All accessory buildings not requiring a building permit shall comply with the standards in §19.05.
6. **Minimum Lot Width.** Every lot in this zone shall be at least 100 feet in width at the front building setback.
7. **Minimum Lot Frontage.** Every lot in this zone shall have at least seventy five feet of frontage along a public or private street.

8. **Maximum Height of Structures.** No structure in this zone shall be taller than thirty five feet.
9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent.
10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,600 square feet of living space above grade.
11. **Open Space Requirement.** There is no minimum requirement for open space in this zone.
12. **Sensitive Lands.** Sensitive lands shall not be included in the base acreage when calculating the number of ERUs permitted in any development and no development credit shall be given for sensitive lands.
13. **Trash Storage.** All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference.

(Ord. 14-23, Ord. 14-13)

19.04.11. Low Density Residential (R-1).

1. **Purpose and Intent.** The purpose of the Low Density Residential (R-1) is to allow for the establishment of large lot residential developments that preserve natural view corridors, open spaces, environmentally sensitive lands, and the rural character of Saratoga Springs. Residential densities in this zone shall not exceed one ERU per acre.
2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Low Density Residential (R-1) Zone.
3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Low Density Residential (R-1) Zone.
4. **Minimum Lot Sizes.** The minimum residential lot size in this zone is one acre, and may be greater for Conditional Uses. Conditional uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in this Title, including Chapters 19.06, 19.09, 19.13, 19.14, and 19.15, as the basis for setting site-by-site requirements.
5. **Setbacks and Yard Requirements.**
 - a. All buildings intended for occupancy or principal buildings in this zone are required to maintain minimum setbacks as follows:
 - i. Front: thirty five feet (for corner lots, this applies to both street frontages)
 - ii. Sides: twelve feet
 - iii. Rear: twenty five feet
 - b. All accessory buildings requiring a building permit in this zone are required to maintain distances from property lines and other dwellings as follows:
 - i. Sides: twenty five feet
 - ii. Rear: twenty five feet
 - iii. Front: same as principal structure
 - iv. Minimum separation between an accessory building used for animals and a dwelling: sixty feet.
 - c. All accessory buildings not requiring a building permit shall comply with the standards in §19.05.
6. **Minimum Lot Width.** Every lot in this zone shall be at least 100 feet in width at the front building setback.
7. **Minimum Lot Frontage.** Every lot in this zone shall have at least seventy five feet of frontage along a public or private street.

8. **Maximum Height of Structures.** No structure in this zone shall be taller than thirty five feet.
9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent.
10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,600 square feet of living space above grade.
11. **Open Space Requirement.** There is no minimum requirement for open space in this zone.
12. **Sensitive Lands.** Sensitive lands shall not be included in the base acreage when calculating the number of ERUs permitted in any development and no development credit shall be given for sensitive lands.
13. **Trash Storage.** All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference

(Ord. 14-23, Ord. 14-13)

19.04.12. — Low Density Residential (R-2).

1. **Purpose and Intent.** The purpose of the Low Density Residential (R-2) Land Use Zone is to allow for the establishment of single family neighborhoods on large lots that are characteristics of traditional suburban residential neighborhoods. Residential densities in this zone shall not exceed two ERUs per acre.
2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Low Density Residential (R-2) Zone.
3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Low Density Residential (R-2) Zone.
4. **Minimum Lot Sizes.**
 - a. The minimum lot size for any residential use in this zone is 14,000 square feet, and may be greater for Conditional Uses. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in Title 19, including Chapters 19.06, 19.09, 19.13, 19.14, and 19.15, as the basis for setting site-by-site requirements.
 - b. Residential lots may be proposed that are less than 14,000 square feet as indicated in this Subsection.
 - i. The City Council may approve a reduction in the lot size if such reduction serves a public or neighborhood purpose such as:
 1. a significant increase in the amount or number of parks and recreation facilities proposed by the developer of property in this zone;
 2. the creation of additional and significant amenities that may be enjoyed by all residents of the neighborhood;
 3. the preservation of sensitive lands (these areas may or may not be eligible to be counted towards the open space requirements in this zone—see definition of “open space” in Section 19.02.02); or
 4. any other public or neighborhood purpose that the City Council deems appropriate.
 - ii. In no case shall the overall density in any approved project be increased above what is allowed within the underlying zone as a result of an approved decrease in lot size pursuant to these regulations.
 - iii. In making a determination, the City Council shall have sole discretion to make judgments, interpretations, and expressions of opinion with respect to the implementation of the above criteria. In no case shall reductions in lot sizes be considered a development right or a guarantee of approval.
 - iv. In no case shall the City Council approve a residential lot size reduction greater than ten percent notwithstanding the amenities that are proposed.
 - v. In no case shall the City Council grant a residential lot size reduction for more than 25% of the total lots in the development.
 - c. The minimum lot size for any non-residential use in this zone is one acre.
 - i. Schools, churches or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more

property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre in size:

1. the maximum number of individuals using the building at one time;
2. the number of required off-street parking spaces required in this Title;
3. traffic and transportation concerns;
4. compatibility with adjacent uses;
5. adverse impacts on adjacent uses; and
6. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.)

5. **Setbacks and Yard Requirements.**

a. All primary and accessory buildings requiring a building permit in this zone are required to maintain a minimum distance from property lines as follows:

- i. Front: twenty five feet. An unenclosed front entry or porch may encroach up to five feet into the required front setback.
- ii. Sides: 8/20 feet (minimum/combined)
- iii. Rear: twenty five feet

b. **Corner Lots:**

i. There shall be a minimum setback on corner lots as follows:

1. Front: twenty five feet
2. Side abutting the street: twenty feet

ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty five and twenty feet.

c. All accessory buildings in this zone are also required to maintain a five-foot minimum separation between accessory buildings and dwellings in this land use zone.

d. All accessory buildings not requiring a building permit shall comply with the standards in §19.05.

6. **Minimum Lot Width.** Every lot in this zone shall be at least ninety feet in width at the front building setback.

7. **Minimum Lot Frontage.** Every lot in this zone shall have at least thirty five feet of frontage along a public or private street.

8. **Maximum Height of Structures.** No structure in this zone shall be taller than thirty five feet.

9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent.

10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,500 square feet of living space above grade.

11. **Open Space Requirement.** There shall be a minimum requirement of fifteen percent of the total project area to be installed and dedicated as open space not reserved in individual lots. Such open space shall meet the definition in Section 19.02.02. Credit towards meeting minimum open space requirements may be given for sensitive lands as provided for in subsection (12) below. All open space in this zone shall have at least thirty five feet of frontage along a public or private street.
12. **Sensitive Lands.**
 - a. Sensitive lands shall not be included in the base acreage when calculating the number of ERUs permitted in any development and no development credit shall be given for sensitive lands.
 - b. All sensitive lands shall be placed in protected open space.
 - c. Sensitive lands may be used for credit towards meeting the minimum open space requirements. However, no more than fifty percent of the required open space area shall be comprised of sensitive lands.
13. **Trash Storage.** All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference (Ord. 14-23, Ord. 14-13)

19.04.13. — Low Density Residential (R-3).

1. **Purpose and Intent.** The purpose of the Low Density Residential (R-3) Land Use Zone is to allow for the establishment of single family neighborhoods on medium sized lots that are characteristic of traditional suburban residential neighborhoods. Residential densities in this zone shall not exceed three ERUs per acre.
2. **Permitted Uses.** The uses identified in 19.04.07.2 are Permitted Uses in the Low Density Residential (R-3) Zone.
3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Low Density Residential (R-3) Zone.
4. **Minimum Lot Sizes.**
 - a. The minimum lot size for any residential use in this zone is 10,000 square feet.
 - b. Residential lots may be proposed that are less than 10,000 square feet as indicated in this Subsection:
 - i. The City Council may approve a reduction in the lot size if it finds that such a reduction serves a public or neighborhood purpose such as:
 1. a significant increase in the amount or number of parks and recreation facilities proposed by the developer of property in this zone;
 2. the creation of significant amenities that may be enjoyed by all residents of the neighborhood;
 3. the preservation of sensitive lands (these areas may or may not be eligible to be counted towards the open space requirements in this zone — see the definition of “open space” in § 19.02.02);
 - or
 4. any other public or neighborhood purpose that the City Council deems appropriate.
 - ii. In no case shall the overall density in any approved project be increased as a result of an approved decrease in lot size pursuant to these regulations.
 - iii. In making its determination, the City Council shall have sole discretion to make judgments, interpretations, and expressions of opinion with respect to the implementation of the above criteria. In no case shall reductions in lot sizes be considered a development right or a guarantee of approval.
 - iv. In no case shall the City Council approve a residential lot size reduction greater than ten percent notwithstanding the amenities that are proposed.
 - v. In no case shall the City Council grant a residential lot size reduction for more than 25% of the total lots in the development.
 - d. The minimum lot size for any non-residential use in this zone is one acre. Schools, churches or other uses may require a minimum size greater than one

acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:

- i. the maximum number individuals using the building at one time;
 - ii. the number of required off-street parking spaces required in this Title;
 - iii. traffic and transportation concerns;
 - iv. compatibility with adjacent uses;
 - v. adverse impacts on adjacent uses; and
 - vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc).
- e. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in Title 19, including Chapters 19.13, 19.14, and 19.15, as the basis for setting site by site requirements.

5. Setbacks and Yard Requirements.

- a. All principal buildings in this zone are required to maintain a minimum distance from property lines as follows:
 - i. Front: twenty five feet. An unenclosed front entry and porch may encroach up to five feet into the required front setback.
 - ii. Sides: 8/20 feet (minimum/combined)
 - iii. Rear: twenty five feet
- b. Corner Lots:
 - i. There shall be a minimum setback on corner lots as follows:
 1. Front: twenty five feet
 2. Side abutting the street: twenty feet
 - ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty-five and twenty feet.
- c. All accessory buildings requiring a building permit in this zone are required to maintain distances from property lines and other dwellings as follows:
 - i. Interior: five feet
 - ii. Rear: five feet
 - iii. Corner front and street side: same as principal structure
- d. All accessory buildings not requiring a building permit shall comply with the standards in §19.05.
- e. There shall be a five-foot minimum separation between accessory buildings and dwellings in this zone.

6. Minimum Lot Width. Every lot in this zone shall be at least 70 feet in width at the front building setback.

7. Minimum Lot Frontage. Every lot in this zone shall have at least thirty-five feet of frontage along a public or private street.

8. **Maximum Height of Structures.** No structure in this zone shall be taller than thirty five feet.
9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent.
10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,250 square feet of living space above grade.
11. **Open Space Requirement.** There shall be a minimum requirement of fifteen percent of the total project area to be installed as open space not reserved in individual lots. Such open space shall meet the definition in Section 19.02.02. Credit towards meeting minimum open space requirements may be given for sensitive lands as provided for in subsection (12) below. All open space in this zone shall have at least thirty five feet of frontage along a public or private street.
12. **Sensitive Lands.**
 - a. Sensitive lands shall not be included in the base acreage when calculating the number of ERUs permitted in any development and no development credit shall be given for sensitive lands.
 - b. All sensitive lands shall be placed in protected open space.
 - c. Sensitive lands may be used for credit towards meeting the minimum open space requirements. However, no more than fifty percent of the required open space area shall be comprised of sensitive lands.
13. **Trash Storage.** All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference.

(Ord. 14-23, Ord. 14-13, Ord. 14-5).

19.04.14. Low Density Residential (R-4).

1. **Purpose and Intent.** The purpose of the Low Density (R-4) Land Use Zone is to allow for the establishment of single family neighborhoods on medium-sized lots that are characteristic of traditional suburban residential neighborhoods. Residential densities in this zone are limited to minimum lot size requirements and shall not exceed four ERUs per acre.
2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Low Density Residential (R-4) Zone.
3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Low Density Residential (R-4) Zone.
4. **Minimum Lot Sizes.**
 - a. The minimum lot size for any residential use in this zone is 9,000 square feet.
 - b. Residential lots may be proposed that are less than 9,000 square feet as indicated in this Subsection.
 - i. The City Council may approve a reduction if it finds that such a reduction serves a public or neighborhood purpose such as:
 1. A significant increase in the amount or number of parks and recreation facilities proposed by the developer of the property in this zone;
 2. The creation of significant amenities that may be enjoyed by all residents of the neighborhood;
 3. The preservation of sensitive lands (these areas may or may not be eligible to be counted towards the open space requirements in this zone — see definition of “open space” in § 19.02.02); or
 4. Any other public or neighborhood purpose that the City Council deems appropriate.
 5. In no case shall the City Council grant a residential lot size reduction for more than 25% of the total lots in the development.
 - ii. In no case shall the overall density in any approved project be increased as a result of an approved decrease in lot size pursuant to these regulations.
 - iii. In making its determination, the City Council shall have sole discretion to make judgments, interpretations, and expressions of opinion with respect to the implementation of the above criteria. In no case shall reductions in lot sizes be considered a development right or a guarantee of approval.
 - iv. In no case shall the City Council approve a residential lot size reduction greater than ten percent notwithstanding the amenities that are proposed.
 - c. The minimum lot size for any non-residential use in this zone is one acre. Schools, churches, or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:
 - i. the maximum number individuals using the building at one time;

- ii. the number of required off-street parking spaces required in this Title;
 - iii. traffic and transportation concerns;
 - iv. compatibility with adjacent uses;
 - v. adverse impacts on adjacent uses; and
 - vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc).
- d. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in Title 19, including Chapters 19.13, 19.14, and 19.15, as the basis for setting site-by-site requirements.
5. **Setbacks and Yard Requirements.**
- a. All principal buildings in this zone are required to maintain setbacks as follows
 - i. Front: twenty-five feet. An unenclosed front entry and porch may encroach up to five feet into the required front setback.
 - ii. Sides: 8/16 (minimum/combined)
 - iii. Rear: twenty feet
 - b. **Corner Lots:**
 - i. There shall be a minimum setback on corner lots as follows:
 - 1. Front: twenty-five feet
 - 2. Side abutting the street: twenty feet
 - ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty-five and twenty feet.
 - c. All accessory buildings requiring a building permit in this zone are required to maintain distances from property lines and other dwellings as follows:
 - i. Interior Sides: five feet
 - ii. Rear: five feet
 - iii. Front: same as principal structure
 - iv. Corner front and street-side: same as principal structure
 - d. All accessory buildings not requiring a building permit shall comply with the standards in §19.05.
 - e. There shall be a five-foot minimum separation between accessory buildings and dwellings in this zone.
6. **Minimum Lot Width.** Every lot in this zone shall be at least 70 feet in width at the front building setback.
7. **Minimum Lot Frontage.** Every lot in this zone shall have at least thirty-five feet of frontage along a public or private street.
8. **Maximum Height of Structures.** No structure in this zone shall be taller than thirty-five feet.
9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent.
10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,250

square feet of living space above grade.

11. **Open Space Requirement.** There shall be a minimum requirement of fifteen percent of the total project area to be installed as open space not reserved in individual lots. Such open space shall meet the definition in Section 19.02.02. Credit towards meeting minimum open space requirements may be given for sensitive lands as provided for in subsection (12) below. All open space in this zone shall have at least thirty five feet of frontage along a public or private street.
12. **Sensitive Lands.**
 - a. Sensitive lands shall not be included in the base acreage when calculating the number of ERUs permitted in any development and no development credit shall be given for sensitive lands.
 - b. All sensitive lands shall be placed in protected open space.
 - c. Sensitive lands may be used for credit towards meeting the minimum open space requirements. However, no more than fifty percent of the required open space area shall be comprised of sensitive lands.
13. **Trash Storage.** All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference.

(Ord. 14-23, Ord. 14-13)

19.04.15. ~~Low Density Residential (R-5).~~

1. ~~**Purpose and Intent.** The purpose of the Low Density (R-5) Land Use Zone is to allow for the establishment of single family neighborhoods on medium-sized lots that are characteristic of traditional suburban residential neighborhoods. Residential densities in this zone are limited to minimum lot size requirements and shall not exceed five ERUs per acre.~~
2. ~~**Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Low Density Residential (R-5) Zone.~~
3. ~~**Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Low Density Residential (R-5) Zone.~~
4. ~~**Minimum Lot Sizes.**~~
 - a. ~~The minimum lot size for any residential use in this zone is 8,000 square feet.~~
 - b. ~~Residential lots may be proposed that are less than 8,000 square feet as indicated in this Subsection.~~
 - i. ~~The City Council may approve a reduction if it finds that such a reduction serves a public or neighborhood purpose such as:~~
 1. ~~A significant increase in the amount or number of parks and recreation facilities proposed by the developer of the property in this zone;~~
 2. ~~The creation of significant amenities that may be enjoyed by all residents of the neighborhood;~~
 3. ~~The preservation of sensitive lands (these areas may or may not be eligible to be counted towards the open space requirements in this zone—see definition of “open space” in § 19.02.02; or~~
 4. ~~Any other public or neighborhood purpose that the City Council deems appropriate.~~
 5. ~~In no case shall the City Council grant a residential lot size reduction for more than 25% of the total lots in the development.~~
 - ii. ~~In no case shall the overall density in any approved project be increased as a result of an approved decrease in lot size pursuant to these regulations.~~
 - iii. ~~In making its determination, the City Council shall have sole discretion to make judgments, interpretations, and expressions of opinion with respect to the implementation of the above criteria. In no case shall reductions in lot sizes be considered a development right or a guarantee of approval.~~
 - iv. ~~In no case shall the City Council approve a residential lot size reduction greater than ten percent notwithstanding the amenities that are proposed.~~
 - c. ~~The minimum lot size for any non-residential use in this zone is one acre. Schools, churches or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:~~
 - i. ~~the maximum number individuals using the building at one time;~~
 - ii. ~~the number of required off-street parking required in this Title;~~

- iii. traffic and transportation concerns;
 - iv. compatibility with adjacent uses;
 - v. adverse impacts on adjacent uses; and
 - vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc).
- d. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in Title 19, including Chapters 19.13, 19.14, and 19.15, as the basis for setting site-by-site requirements.

5. Setbacks and Yard Requirements.

- a. All principal buildings in this zone are required to maintain minimum setbacks as follows:
 - i. Front: twenty-five feet. An unenclosed front entry and porch may encroach up to five feet into the required front setback.
 - ii. Sides: 6/12 (minimum/combined)
 - iii. Rear: twenty feet
- b. Corner Lots:
 - i. There shall be a minimum setback on corner lots as follows:
 - 1. Front: twenty-five feet
 - 2. Side abutting the street: twenty feet
 - ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty-five and twenty feet.
- c. All accessory buildings requiring a building permit in this zone are required to maintain distances from property lines and other dwellings as follows:
 - i. Interior side: five feet
 - ii. Rear: five feet
 - iii. Front: same as principal structure
 - iv. Corner: same as principal structure
- d. All accessory buildings not requiring a building permit shall comply with the standards in §19.05.
- e. There shall be a five-foot minimum separation between accessory buildings and dwellings in this zone.

6. **Minimum Lot Width.** Every lot in this zone shall be at least 60 feet in width at the front building setback.

7. **Minimum Lot Frontage.** Every lot in this zone shall have at least thirty-five feet of frontage along a public or private street.

8. **Maximum Height of Structures.** No structure in this zone shall be taller than thirty-five feet.

9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent.

10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,250

square feet of living space above grade.

11. **Open Space Requirements.** There shall be a minimum requirement of twenty percent of the total project area to be installed as open space not reserved in individual lots. Such open space shall meet the definition in Section 19.02.02. Credit towards meeting minimum open space requirements may be given for sensitive lands as provided for in subsection (12) below. All open space in this zone shall have at least thirty five feet of frontage along a public or private street.
12. **Sensitive Lands.**
 - a. Sensitive lands shall not be included in the base acreage when calculating the number of ERUs permitted in any development and no development credit shall be given for sensitive lands.
 - b. All sensitive lands shall be placed in protected open space.
 - c. Sensitive lands may be used for credit towards meeting the minimum open space requirements. However, no more than fifty percent of the required open space area shall be comprised of sensitive lands.
13. **Trash Storage.** All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference

(Ord.14-23, Ord. 14-13)

19.04.16. Medium Density Residential (R-6).

1. **Purpose and Intent.** The purpose of Medium Density Residential (R-6) Land Use Zone is to allow for a mix of permitted housing types. Residential densities in this zone shall not exceed six ERUs per acre.
2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Medium Density Residential (R-6) Zone.
3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Medium Density Residential (R-6) Zone.
4. **Minimum Lot Sizes.**
 - a. The minimum lot size for any residential use in this zone is 6,000 square feet. For Two Family and Three Family Structures where each dwelling is separately owned, the minimum lot size shall be based on each building rather than each individual dwelling.
 - b. The minimum lot size for any non-residential use in this zone is one acre. Schools, churches or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:
 - i. the maximum number individuals using the building at one time;
 - ii. the number of required off-street parking required in this Title;
 - iii. traffic and transportation concerns;
 - iv. compatibility with adjacent uses;
 - v. adverse impacts on adjacent uses; and
 - vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc).
 - c. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in Title 19, including Chapters 19.13, 19.14, and 19.15, as the basis for setting site by site requirements.
5. **Setbacks and Yard Requirements.**
 - a. All principal buildings in this zone are required to maintain minimum setbacks as follows:
 - i. Front: twenty five feet.

1. The front plane of the home may encroach by up to five feet into the required setback if the garage is set back an increased distance from the required setback in an equal amount to the front plane's encroachment. For example, if the setback for the front plane is 20 feet, the setback of the garage must be 30 feet. Likewise, if the setback for the front plane is 22 feet, the setback of the garage must be at least 28 feet.
 2. An unenclosed front entry or porch may encroach up to five feet into the twenty-foot front setback. This encroachment may be combined with a reduced setback for the front plane (accompanied by an increased setback to the garage) but in no case shall the front plane and porch combined be set back less than 15 feet.
 - ii. Sides:
 1. single family residences: 5/10 feet (minimum/combined);
 2. two-family and three-family structures: ten feet
 - iii. Rear: twenty feet
 - b. Corner Lots:
 - i. There shall be a minimum setback on corner lots as follows:
 1. Front: twenty five feet
 2. Side abutting the street: twenty feet
 - ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty five and twenty feet.
 - e. All accessory buildings requiring a building permit in this zone are required to maintain distances from property lines and other dwellings as follows:
 - i. Interior side: five feet
 - ii. Rear: five feet
 - iii. Front: same as principal structure
 - iv. Corner: same as principal structure
 - d. All accessory buildings not requiring a building permit shall comply with the standards in §19.05.
 - e. There shall be a five foot minimum separation between accessory buildings and dwellings in this zone.
6. **Minimum Lot Width.** Every lot in this zone shall be at least 50 feet in width at the front building setback. For Two-Family and Three-Family Structures where each dwelling is separately owned, the minimum lot width shall be based on each building rather than each individual dwelling or lot.
 7. **Minimum Lot Frontage.** Every lot in this zone shall have at least thirty five feet of frontage along a public or private street. For Two-Family and Three-Family Structures where each dwelling is separately owned, the minimum lot frontage shall be based on each building rather than each individual dwelling.

8. **Maximum Height of Structures.** No structure in this zone shall be taller than thirty five feet.
9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent. For Two Family and Three Family Structures where each dwelling is separately owned, the maximum lot coverage shall be based on all of the buildings combined rather than each dwelling.
10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,000 square feet of living space above grade.
11. **Open Space Requirement.** There shall be a minimum requirement of twenty percent of the total project area to be installed as open space not reserved in individual lots. Such open space shall meet the definition of open space in § 19.02.02. Credit towards meeting minimum open space requirements may be given for sensitive lands as provided for in subsection (12) below. All open space in this zone shall have at least thirty five feet of frontage along a public or private street.
12. **Sensitive Lands.**
 - a. Sensitive lands shall not be included in the base acreage when calculating the number of ERUs permitted in any development and no development credit shall be given for sensitive lands.
 - a. All sensitive lands shall be placed in protected open space.
 - b. Sensitive lands may be used for credit towards meeting the minimum open space requirements. However, no more than fifty percent of the required open space area shall be comprised of sensitive lands.
13. **Trash Storage.** All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference

(Ord. 14-23, Ord. 14-13)

19.04.17. Medium Density Residential 10 (R-10).

1. **Purpose and Intent.** The purpose of the Medium Density Residential (R-10) Zone is to allow for the establishment of medium density residential neighborhoods. This land use zone recognizes that in order for the City to be a well-rounded community, many different housing styles, types, and sizes should be permitted. Residential densities in this zone shall not exceed ten ERUs per acre.
2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Medium Density Residential (R-10) Zone.
3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Medium Density Residential (R-10) Zone.
4. **Minimum Lot Sizes.**
 - a. The minimum lot size for single family dwellings is 5,000 square feet. For multi-family structures where each dwelling is separately owned, the minimum lot size shall be based on each building rather than each individual dwelling.
 - b. The minimum lot size for any non-residential use in this zone is one acre. Schools, churches or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:
 - i. the maximum number individuals using the building at one time;
 - ii. the number of required off-street parking required in this Title;
 - iii. traffic and transportation concerns;
 - iv. compatibility with adjacent uses;
 - v. adverse impacts on adjacent uses; and
 - vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc).
 - c. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in Title 19, including Chapters 19.13, 19.14, and 19.15, as the basis for setting site by site requirements.
 - d. Projects containing multi-family structures shall be located on property at least five acres in size.
5. **Setbacks and Yard Requirements.**
 - a. All principal buildings in this zone are required to maintain setbacks as follows:
 - i. Front: twenty five feet.
 1. The front plane of the home may encroach by up to five feet into the required setback if the garage is set back an increased distance from the required setback in an equal amount to the front plane's encroachment. For example, if the setback for the front plane is 20 feet, the setback of the garage must be 30 feet. Likewise, if the

setback for the front plane is 22 feet, the setback of the garage must be at least 28 feet.

2. An unenclosed front entry or porch may encroach up to five feet into the twenty-foot front setback. This encroachment may be combined with a reduced setback for the front plane but in no case shall the front plane and porch combined be set back less than 15 feet.

ii. Sides:

1. single family residences: 5/10 feet (minimum/combined)
2. multi-family structures: ten feet

iii. Rear: twenty feet

b. Corner Lots:

i. There shall be a minimum setback on corner lots as follows:

1. Front: twenty feet
2. Side abutting the street: fifteen feet

ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty and fifteen feet.

e. All accessory building requiring a building permit in this zone are required to maintain distances from property lines and other dwellings as follows:

- i. Interior sides: five feet
- ii. Rear: five feet
- iii. Front: same as principal structure
- iv. Corner: same as principal structure

d. All accessory buildings not requiring a building permit shall comply with the standards in §19.05.

e. There shall be a five foot minimum separation between accessory buildings and dwellings in this zone.

6. **Minimum Lot Width.** Every lot in this zone shall be at least 50 feet in width at the front building setback. For multi-family, two-family, and three-family structures where each dwelling is separately owned, the minimum lot width shall be based on each building rather than each individual dwelling.

7. **Minimum Lot Frontage.** Every lot in this zone shall have at least thirty-five feet of frontage along a public or private street. For multi-family structures where each dwelling is separately owned, the minimum lot frontage shall be based on each building rather than each individual dwelling.

8. **Maximum Building Height.** No building in this zone shall be taller than thirty-five feet.

9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent. For multi-family, two-family, and three-family structures where each dwelling is separately owned, the maximum lot coverage shall be based on all of the buildings combined rather than each individual dwelling.

10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,000 square feet of living space above grade.
11. **Open Space Requirement.** There shall be a minimum requirement of twenty percent of the total project area to be installed as open space not reserved in individual lots. Such open space shall meet the definition in Section 19.02.02. Credit towards meeting minimum open space requirements may be given for sensitive lands as provided for in subsection (12) below. All open space in this zone shall have at least thirty-five feet of frontage along a public or private street.
12. **Sensitive Lands.**
 - a. Sensitive lands shall not be included in the base acreage when calculating the number of ERUs permitted in any development and no development credit shall be given for sensitive lands.
 - b. All sensitive lands shall be placed in protected open space.
 - c. Sensitive lands may be used for credit towards meeting the minimum open space requirements. However, no more than fifty percent of the required open space area shall be comprised of sensitive lands.
13. **Trash Storage.** All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference.

(Ord. 14-23, Ord. 14-13)

19.04.18. High Density Residential 14 (R-14).

1. **Purpose and Intent.** The purpose of the High Density Residential (R-14) Zone is to allow for the establishment of single family neighborhoods on small lots and to allow for a mix of single family and multi-family housing types. Residential densities in this zone shall not exceed fourteen ERUs per acre.
2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the High Density Residential (R-14) Zone.
3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the High Density Residential (R-14) Zone.
4. **Minimum Lot Sizes.**
 - a. The minimum lot size for single family dwellings is 5,000 square feet. For multi-family, two-family, and three-family structures where each dwelling is separately owned, the minimum lot size shall be based on each building rather than each individual dwelling.
 - b. Projects containing multi-family structures shall be located on property at least five acres in size.
 - c. The minimum lot size for any non-residential use in this zone is one acre. Schools, churches, or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:
 - i. the maximum number of individuals using the building at one time;
 - ii. the amount of required off-street parking required in this Title;
 - iii. traffic and transportation concerns;
 - iv. compatibility with adjacent uses;
 - v. adverse impacts on adjacent uses; and
 - vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc).
 - d. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in Title 19, including Chapters 19.13, 19.14, and 19.15, as the basis for setting site by site requirements
5. **Setbacks and Yard Requirements.**
 - a. Setbacks and yard requirements describe the amount of space required between buildings and property lines.
 - b. All principal buildings in this zone are required to maintain minimum setbacks as follows:
 - i. Front: twenty-five feet.
 1. The front plane of the home may encroach by up to five feet into the required setback if the garage is setback an increased distance from the required setback in an equal amount to the front plane's

encroachment. For example, if the setback for the front plane is 20 feet, the setback of the garage must be 30 feet. Likewise, if the setback for the front plane is 22 feet, the setback of the garage must be at least 28 feet.

2. An unenclosed front entry or porch may encroach up to five feet into the twenty-five-foot front setback. This encroachment may be combined with a reduced setback for the front plane (accompanied by an increased setback to the garage) but in no case shall the front plane and porch combined be set back less than 20 feet.

ii. Sides:

1. single family residences: 5/10 feet (minimum/combined)

2. multi-family structures: ten feet

iii. Rear: twenty feet

e. Corner Lots:

i. There shall be a minimum setback on corner lots as follows:

1. Front: twenty-five feet

2. Side abutting the street: twenty feet

ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty-five and twenty feet.

d. All accessory buildings requiring a building permit in this zone are required to maintain distances from property lines and other dwellings as follows:

i. Interior sides: five feet

ii. Rear: five feet

iii. Front: same as principal structure

iv. Corner street side: same as principal structure

e. All accessory buildings not requiring a building permit shall comply with the standards in §19.05.

f. There shall be a five-foot minimum separation between accessory buildings and dwellings in this zone.

6. **Minimum Lot Width.** Every lot in this zone shall be at least 50 feet in width at the front building setback. For multi-family, two-family, and three-family structures where each dwelling is separately owned, the minimum lot width shall be based on each building rather than each individual dwelling.

7. **Minimum Lot Frontage.** Every lot in this zone shall have at least thirty-five feet of frontage along a public or private street. For multi-family, two-family, and three-family structures where each dwelling is separately owned, the minimum lot frontage shall be based on each building rather than each individual dwelling.

8. **Maximum Height of Structures.** No building in this zone shall be taller than forty feet.

9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent. For multi-family, two-family, and three-family structures where each dwelling is separately

owned, the maximum lot coverage shall be based on all of the buildings combined rather than each individual dwelling.

10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 800 square feet of living space above grade.
11. **Open Space Requirement.** There shall be a minimum requirement of twenty percent of the total project area to be installed as open space not reserved in individual lots. Such open space shall meet the definition in Section 19.02.02. Credit towards meeting minimum open space requirements may be given for sensitive lands as provided for in subsection (12) below. All open space in this zone shall have at least thirty five feet of frontage along a public or private street.
12. **Sensitive Lands.**
 - a. Sensitive lands shall not be included in the base acreage when calculating the number of ERUs permitted in any development and no development credit shall be given for sensitive lands.
 - b. All sensitive lands shall be placed in protected open space.
 - c. Sensitive lands may be used for credit towards meeting the minimum open space requirements. However, no more than fifty percent of the required open space area shall be comprised of sensitive lands.
13. **Trash Storage.** All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference.

(Ord. 14-23, Ord. 14-13)

19.04.19. High Density Residential (R-18).

1. **Purpose and Intent.** The purpose of the High Density Residential 18 Land Use Zone is to allow for the establishment of single family neighborhoods on small lots and to allow for a mix of single family and multi-family housing types. Residential densities in this zone shall not exceed eighteen ERUs per acre.
2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the High Density Residential (R-18) Zone.
3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the High Density Residential (R-18) Zone.
4. **Minimum Lot Sizes.**
 - a. The minimum lot size for any residential use in this zone is 5,000 square feet. For multi-family structures where each dwelling is separately owned, the minimum lot size shall be based on each building rather than each individual dwelling.
 - b. Home Occupations or other uses may require a minimum size greater than 5,000 square feet and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. In making this determination, the City Council shall use the following criteria to determine whether a minimum lot size greater than 5,000 square feet shall be required:
 - i. the maximum number individuals using the building at one time;
 - ii. the number of required off-street parking required in this Title;
 - iii. traffic and transportation concerns;
 - iv. compatibility with adjacent uses;
 - v. adverse impacts on adjacent uses; and
 - vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.
 - c. The minimum lot size for any non-residential use in this zone is one acre. Schools, churches or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:
 - i. the maximum number individuals using the building at one time;
 - ii. the number of required off-street parking required in this Title;
 - iii. traffic and transportation concerns;
 - iv. compatibility with adjacent uses;
 - v. adverse impacts on adjacent uses; and
 - vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.

- d. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in Title 19, including Chapters 19.13, 19.14, and 19.15, as the basis for setting site by site requirements.

5. **Setbacks and Yard Requirements.**

- a. Setbacks and yard requirements describe the amount of space required between buildings and property lines.
- b. All principal buildings in this zone are required to maintain minimum setbacks as follows:
 - i. Front: twenty-five feet.
 - 1. The front plane of the home may encroach by up to five feet into the required setback if the garage is set back an increased distance from the required setback in an equal amount to the front plane's encroachment. For example, if the setback for the front plane is 20 feet, the setback of the garage must be 30 feet. Likewise, if the setback for the front plane is 22 feet, the setback of the garage must be at least 28 feet.
 - 2. An unenclosed front entry or porch may encroach up to five feet into the twenty-foot front setback. This encroachment may be combined with a reduced setback for the front plane (accompanied by an increased setback to the garage) but in no case shall the front plane and porch combined be set back less than 20 feet.
 - ii. Sides: single-family residences: 5/10 feet (minimum/combined); multi-family structures: ten feet
 - iii. Rear: twenty feet
- e. Corner Lots:
 - i. There shall be a minimum setback on corner lots as follows:
 - 1. Front: twenty feet
 - 2. Side abutting the street: fifteen feet
 - ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty and fifteen feet.
- d. All accessory buildings requiring a building permit in this zone are required to maintain distances from property lines and other dwellings as follows:
 - i. Interior sides: five feet
 - ii. Rear: five feet
 - iii. Front: same as principal structure
 - iv. Corner street side: same as principal structure
- e. All accessory buildings not requiring a building permit shall comply with the standards in §19.05.
- f. There shall be a five-foot minimum separation between accessory buildings and dwellings in this zone.

6. **Minimum Lot Width.** Every lot in this zone shall be at least 50 feet in width at the front building setback. For multi-family, two-family, and three-family structures where each

dwelling is separately owned, the minimum lot width shall be based on each building rather than each individual dwelling.

7. **Minimum Lot Frontage.** Every lot in this zone shall have at least thirty-five feet of frontage along a public or private street. For multi-family, two-family, and three-family structures where each dwelling is separately owned, the minimum lot frontage shall be based on each building rather than each individual dwelling.
8. **Maximum Height of Structures.** No building in this zone shall be taller than thirty-five feet.
9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent. For multi-family, two-family, and three-family structures where each dwelling is separately owned, the maximum lot coverage shall be based on all buildings combined rather than each individual dwelling.
10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 800 square feet of living space above grade.
11. **Open Space Requirement.** There shall be a minimum requirement of twenty percent of the total project area to be installed as open space not reserved in individual lots. Such open space shall meet the definition in Section 19.02.02. Credit towards meeting minimum open space requirements may be given for sensitive lands as provided for in subsection (12) below. All open space in this zone shall have at least thirty-five feet of frontage along a public or private street.
12. **Sensitive Lands.**
 - a. Sensitive lands shall not be included in the base acreage when calculating the number of ERUs permitted in any development.
 - b. All sensitive lands shall be placed in protected open space.
 - c. Sensitive lands may be used for credit towards meeting the minimum open space requirements. However, no more than fifty percent of the required open space area shall be comprised of sensitive lands.
13. **Trash Storage.** All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference.

(Ord. 14-13)

19.04.20. Neighborhood Commercial (NC).

1. Purpose and Intent.

- a. The Neighborhood Commercial Land Use Zone is intended to create, preserve, and enhance areas of retail establishments serving frequently recurring needs for goods and services in convenient locations to neighborhoods. This commercial zone is typically appropriate to small shopping clusters or integrated shopping centers in developments of one to three acres, but not greater than five, within, or convenient to, residential neighborhoods. Facilities should be oriented to serve residents' commercial service needs, to strengthen neighborhood interaction and neighborhood character, to minimize the need for automobile trips and to make commercial services more readily available to residents of adjacent neighborhoods.
- b. Improvements such as trails, seating and lighting that would help create gathering spaces and promote pedestrian activity are expected, where appropriate, and may be considered an essential part of developments in the Neighborhood Commercial zone. Developments in the Neighborhood Commercial Zone shall also be characterized by increased landscaping and Architectural compatibility with the surrounding neighborhood.

2. Permitted Uses. The uses identified in 19.04.07.3 as Permitted Uses in the Neighborhood Commercial (NC) Zone.

3. Conditional Uses.

- a. The uses identified in 19.04.07.3 as Conditional Uses in the Neighborhood Commercial Zone.
- b. Additional standards for Conditional Uses in the Neighborhood Commercial Zone:
 - i. Drive through windows shall in no case be allowed in the Neighborhood Commercial Zone.
 - ii. Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m.

4. Minimum Lot Sizes. The minimum lot size is 20,000 square feet.

5. Setbacks and Yard Requirements.

- a. All structures in this zone are required to maintain minimum setbacks as follows:
 - i. Front: twenty five feet
 - ii. Sides: twenty five feet
 - iii. Rear: twenty five feet
 - iv. Exceptions: the City Council may reduce no more than one setback requirement by up to ten feet if:
 1. The setback is along a collector or arterial frontage, and
 2. The setback does not abut residentially developed or zoned properties.

6. **Minimum Lot Width.** All uses in this zone shall have at least 100 feet of lot width.
7. **Minimum Lot Frontage.** All uses in this zone shall have at least 100 feet of frontage along a public or private street.
8. **Maximum Height of Structures.** No structure in this zone shall be taller than thirty-five feet.
9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent.
10. **Maximum Building Size.** Commercial structures in this zone shall have a maximum size of 15,000 square feet.
11. **Landscaping Requirement.**
 - a. There shall be a minimum requirement of twenty-five percent of the total project area to be used for landscaping.
 - b. All sensitive lands shall be protected as part of the landscaped area of any development.
12. **Trash Storage.** All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference.
13. **Sensitive Lands.** Sensitive lands shall not be included in the base acreage when calculating the number of ERUs permitted in any development and no development credit shall be given for sensitive lands.

(Ord. 14-13)

19.04.21. Mixed Use (MU).

1. Purpose and Intent.

- a. The purpose of the Mixed Use Land Use Zone is to allow for the establishment of medium density residential neighborhoods mixed with commercial properties. Developments in the Mixed Use zone shall be designed so as to integrate the residential and commercial components into one harmonious development and to be compatible with the existing or anticipated uses on the surrounding properties.
- b. The goal of the MU zone is to accomplish a mix of approximately 1/3 residential, 1/3 commercial, and 1/3 professional office use in the Mixed Use Zone. The City will review proposals on an individual basis in determining an acceptable ratio for the residential and commercial components. Project designs that fail to sufficiently integrate commercial and residential uses will not be considered for approval. Creativity in both site design and architecture is expected.
- e. This land use zone recognizes that in order for the City to be a well-rounded community, many different housing styles, types and sizes should be permitted. Residential densities in this zone shall not exceed fourteen ERUs per acre for the portion of the project devoted to the residential use.

2. Permitted Uses. The uses identified in 19.04.07.3 as Permitted Uses in the Mixed Use Zone.

3. Conditional Uses. The uses identified in 19.04.07.3 as Conditional Uses in the Mixed Use Zone.

4. Minimum Lot Sizes.

- a. The minimum lot size for single family dwellings is 5,000 square feet. For multi-family, two-family, and three-family structures where each dwelling is separately owned, the minimum lot size shall be based on each building rather than each individual dwelling.
- b. Home Occupations may require a minimum size greater than 5,000 square feet and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use.
- e. The minimum lot size for any non-residential use in this zone is one acre. Schools, churches or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:
 - i. the maximum number individuals using the building at one time;
 - ii. the number of required off-street parking required in this Title;
 - iii. traffic and transportation concerns;
 - iv. compatibility with adjacent uses;
 - v. adverse impacts on adjacent uses; and

- vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc).
 - d. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in Title 19, including Chapters 19.13, 19.14, and 19.15, as the basis for setting site by site requirements
5. **Setbacks and Yard Requirements.**
- a. All buildings in this zone are required to maintain minimum setbacks as follows:
 - i. Front: twenty feet.
 - 1. The front setback may be reduced to twelve feet if the garage is setback from the front plane of the home, but in no case shall the garage be located closer than twenty feet to the front property line.
 - 2. An unenclosed front entry or porch may encroach up to five feet into the twenty-foot front setback but only if the front setback is not reduced due to a garage that is set back from the front plane of the home.
 - ii. Sides: single family residences: 5/10 feet (both combined—minimum); multi-family structures: ten feet
 - iii. Rear: twenty feet
 - b. Corner Lots, there shall be a minimum setback on corner lots as follows:
 - i. Front: twenty feet
 - ii. Side: fifteen feet
 - iii. The front and side setbacks can be reversed, but in no case will the setback combination for the two street sides be less than twenty and fifteen feet.
 - c. All accessory buildings in this zone are required to maintain distances from property lines and other dwellings as follows:
 - i. Sides: five feet
 - ii. Rear: five feet
6. **Minimum Lot Width.** For single family homes, the minimum lot width shall be at least 50 feet. There is no minimum lot width requirement for other land uses or projects in this zone.
7. **Minimum Lot Frontage.** For single family homes, minimum lot frontage shall be no less than thirty-five feet. All other uses in this zone shall have at least 100 feet of frontage along a public or private street. For multi-family, two-family, and three-family structures where each dwelling is separately owned, the minimum lot frontage shall be based on each building rather than each individual dwelling.
8. **Maximum Height of Structures.** No structure in this zone shall exceed a maximum of four stories in height.

9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent. For multi-family, two-family, and three-family structures where each dwelling is separately owned, the minimum lot frontage shall be based on each building rather than each individual dwelling.
10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,000 square feet of living space above grade.
11. **Landscaping Requirement.** There shall be a minimum requirement of twenty-five percent of the total project area to be used for landscaping. All sensitive lands shall be protected as part of the landscaped area of any development.
12. **Sensitive Lands.** Sensitive lands shall not be included in the base acreage when calculating the number of ERUs permitted in any development and no development credit shall be given for sensitive lands. Sensitive lands shall be included in protected landscaping.
13. **Trash Storage.**
 - a. All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference.

(Ord. 14-13)

19.04.22. Regional Commercial (RC).

1. **Purpose.** The purpose of the Regional Commercial Land Use Zone is to allow, in appropriate areas, commercial businesses and shopping centers of a scale that will serve neighborhood, community-wide, and regional shopping needs. These regulations should preserve the existing quality and livability of the City while still assuring maximum efficiency of traffic circulation and convenience.
2. **Permitted Uses.** The uses identified in 19.04.07.3 as Permitted Uses in the Regional Commercial (RC) Zone.
3. **Conditional Uses.** The uses identified in the table in 19.04.07.3 as Conditional Uses in the Regional Commercial (RC).
4. **Minimum Lot Size.** Minimum lot size for all uses is 20,000 square feet.
5. **Setbacks and Yard Requirements.**
 - a. All buildings in this zone are required to maintain minimum setbacks as follows:
 - i. **Front:** Not less than twenty feet.
 - ii. **Sides:** Thirty feet where adjacent to a residential or agricultural zone, twenty feet when adjacent to all other zones.
 - iii. **Rear:** Twenty feet for all uses except where a rear yard is located adjacent to a residential or agricultural zone. In those cases, the rear yard shall be increased to thirty feet.
 - iv. **Exceptions:** The City Council may reduce no more than one setback requirement by up to ten feet if in its judgment the reduction provides a more attractive and efficient use of the property.
 - v. **Other general requirements:** In addition to the specific setback requirements noted above, no building shall be closer than five feet from any private road, driveway, or parking space. The intent of this requirement is to provide for building foundation landscaping and to provide protection to the building. Exceptions may be made for any part of the building that may contain an approved drive-up window.
6. **Structure Height.** No structure in this zone shall be taller than fifty feet.
7. **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent.
8. **Minimum Building Size.** Individual structures within this land use zone shall be a minimum of 1,000 square feet above grade.
9. **Development Standards.** The following development standards shall apply to the Regional Commercial Zone:
 - a. **Architectural Review.** The Planning Commission shall review the Site Plan and building elevations. The Planning Commission may offer recommendations for Architectural design of buildings and structures to assure compatibility with

adjacent development and the vision of the Land Use Element of the General Plan.

b. Landscaping:

- i. Required front yard areas, and other yard areas facing a public street, shall have a landscaped area of not less than twenty feet (or as reduced in Subsection 5.b. above) as approved through the Site Plan review process.
- ii. There shall be a minimum of ten feet of landscaping between parking areas and side or rear property lines adjacent to agricultural and residential land uses.
- iii. All landscaping shall be completed in accordance with the approved Site Plan and shall be installed prior to the issuance of a Certificate of Occupancy for the building.
- iv. The Building Official may approve exceptions as seasonal conditions warrant.
- v. Any proposed change to the approved landscaping plan will require an amended Site Plan approval.
- vi. It shall be the responsibility of the property owner to maintain all approved landscaping in accordance with the approved Site Plan and in compliance with the requirements of Chapter 19.06, Landscaping.

10. Uses Within Buildings:

- a. All uses in the Regional Commercial Zone shall be conducted entirely within a fully enclosed building except those uses deemed by the City Council to be customarily and appropriately conducted outside.
- b. Such uses include, automobile refueling stations, gas pumps, plant nurseries, home improvement material yards, automobile sales, etc.
- c. Outside storage of merchandise shall be accommodated entirely within an enclosed structure unless the City Council deems such storage to be customarily and appropriately conducted outside.

11. Trash Storage. All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference.

12. Buffering/Screening Requirements:

- a. A wall, fencing, or landscaping of acceptable design shall effectively screen the borders of any commercial or industrial lot which abuts an existing platted agricultural or residential use. Such a wall, fence, or landscaping shall be at least six feet in height, unless a wall or fence of a different height is required by the City Council as part of a Site Plan review. Such wall, fence, or landscaping shall be maintained in good condition with no advertising thereon, except as permitted by the Chapter 19.18.
- b. All developments shall have a minimum number of both deciduous and evergreen trees and shall further comply with the requirements of Chapter 19.06, Landscaping.

13. **Landscaping Requirements.** There shall be a minimum requirement of twenty percent of the total project area to be used for landscaping. All sensitive lands shall be protected as part of the landscaped area of any development.

14. **Sensitive Lands.** Sensitive lands shall not be included in the base acreage when calculating the number of ERUs permitted in any development and no development credit shall be given for sensitive lands. Sensitive lands shall be included in protected landscaping.

(Ord. 16-01, Ord. 14-13)

19.04.23. Office Warehouse (OW):

1. **Purpose.** The purpose of the Office Warehouse Land Use Zone is to allow for large lot warehouse and select office development in appropriate locations. Development under these regulations should provide for certain types of offices, commercial, and warehouse and shipping operations in an industrial setting characterized by large buffer strips, open space and landscaping requirements, and quality site development standards.
2. **Permitted Uses.** The uses identified in 19.04.07.3 as Permitted Uses in the Office Warehouse Zone.
3. **Conditional Uses.** The uses identified in 19.04.07.3 as Conditional Uses in the Office Warehouse Zone.
4. **Child Care Center Services.**
 - a. As an ancillary component of the above listed Permitted and Conditional Uses, employers in this zone may offer Child Care Center services for their employees.
 - b. The provision of such services shall require Conditional Use approval.
5. **Minimum Development Size and Lot Size.**
 - a. The minimum size requirement for developments in this zone is 40,000 square feet.
 - b. Lots within a 40,000 square foot development may be created based upon an approved Master Development Agreement as described herein; however, in no case shall any parcel in this zone be smaller than 20,000 square feet.
 - c. All developments in this zone are required to submit a Master Development Plan as part of a Master Development Agreement that includes maps and descriptions of how the entire property is anticipated to be developed (see Chapters 19.13 and 19.14 for details regarding how to process developments under these regulations).
 - d. All uses, lots or parcels in this zone shall be of sufficient size to assure compliance with the City's parking, landscaping, utilities, Site Plan, and other land development regulations that may govern all or a portion of each project.
6. **Setbacks and Yard Requirements.**
 - a. All buildings in this zone are required to maintain minimum setbacks as follows:
 - i. **Front:** Not less than fifty feet.
 - ii. **Sides:** Fifty feet where adjacent to a residential zone. There is no specified minimum setback required where the side property line abuts a commercial, industrial or agricultural zone. Such setbacks will be determined during the Site Plan review process.
 - iii. **Rear:** Fifty feet where adjacent to a residential zone. There is no specified minimum setback required where the side property line abuts a commercial, industrial or agricultural zone. Such setbacks will be determined during the Site Plan review process. In the event that the rear of a building faces an arterial or collector street, there shall be a setback of fifty feet.
 - iv. **Exceptions:** The City Council may reduce no more than one setback requirement by up to ten feet if in its judgment the reduction provides a more

attractive and efficient use of the property. The City Council may consider the quality of the proposed materials, landscaping improvements, or other buffers to determine if an aesthetically pleasing public view of the site will be created.

- v. **Other general requirements:** In addition to the specific setback requirements noted above, no building shall be closer than five feet from any private road, driveway, or parking space. The intent of this requirement is to provide for building foundation landscaping and to provide protection to the building. Exceptions may be made for any part of the building that may contain an approved drive-up window.

7. **Maximum Height of Structures.** No building in this zone shall be taller than thirty five feet.
8. **Lot Coverage.** Buildings shall not cover more than fifty percent of the total lot area.
9. **Minimum Lot Width.** The minimum lot width in this zone is seventy feet.
10. **Development Standards.** The following development standards shall apply to this zone:
 - a. **Architectural Review.** The Development Review Committee shall review the Site Plan and building elevations. The Development Review Committee shall offer recommendations for architectural design of buildings and structures to assure compatibility with adjacent development and the vision of the Land Use Element of the General Plan and with the City's policies and regulations concerning architecture and design.
 - b. **Landscaping Buffers.** Required front yard areas, and other yard areas facing a public street, shall have a landscaped area of not less than fifteen feet as approved through the Site Plan review process. There shall be a minimum of ten feet of landscaping between parking areas and side or rear property lines adjacent to agricultural and residential land uses. See Chapter 19.09, Off-street Parking Requirements.
 - c. **Landscaping Required.** All landscaping shall be completed in accordance with the approved Site Plan and shall be installed prior to the issuance of a Certificate of Occupancy for the building. The Building Official may approve exceptions as seasonal conditions warrant. Any proposed change to the approved landscaping plan will require an amended Site Plan approval. It shall be the responsibility of the property owner to maintain all approved landscaping in accordance with the approved Site Plan and in compliance with the requirements of Chapter 19.06, Landscaping.
11. **Uses Within Buildings.**
 - a. All uses in the OW zone shall be conducted entirely within a fully enclosed building except those uses deemed by the City Council to be customarily and appropriately conducted outside. Such uses include: automobile refueling stations, gas pumps, plant nurseries, home improvement material yards, automobile sales, etc.

- b. Outside storage of merchandise shall be accommodated entirely within an enclosed structure unless the City Council deems such storage to be customarily and appropriately conducted outside.
 - e. Due to the inherent dangers of some Office Warehouse uses and environments, the City Council reserves the right to preclude or restrict the ancillary provision of Child Care services within a building.
12. **Trash Storage.** All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference.
13. **Buffering/Screening Requirements.**
- a. A wall, fencing, or landscaping of acceptable design shall effectively screen the borders of any commercial or industrial lot which abuts an agricultural or residential use. Such a wall, fence, or landscaping shall be at least six feet in height, unless a wall or fence of a different height is required by the City Council as part of a Site Plan review. Such wall, fence, or landscaping shall be maintained in good condition with no advertising thereon.
 - b. All developments shall have a minimum number of both deciduous and evergreen trees and shall further comply with the requirements of Chapter 19.06, Landscaping.
14. **Open Space Requirements.** There shall be a minimum requirement of twenty percent of the total project area to be used for landscaping. All sensitive lands shall be protected as part of the landscaped area of any development.

(Ord. 16-01, Ord. 14-13)

19.04.24. Industrial (I).

1. **Purpose.** The purpose of the Industrial Land Use Zone is to allow for large lot industrial and manufacturing development in appropriate locations. Development under these regulations should provide for certain types of offices, commercial and industrial operations in a business park setting characterized by large buffer strips, open space and landscaping requirements, and quality site development standards.
2. **Permitted Uses.** The uses identified in 19.04.07.3 as Permitted Uses in the Industrial Zone.
3. **Conditional Uses.** The Industrial Zone allows the Conditional Uses uses identified in 19.04.07.3.
4. **Child Care Center Services.**
 - a. As an ancillary component of the above listed Permitted and Conditional Uses, employers in this zone may offer Child Care Center services for their employees. The provision of such services shall require Conditional Use approval.
 - b. Due to the inherent dangers of some Industrial uses and environments, the City Council reserves the right to preclude or restrict the ancillary provision of Child Care services within a building.
5. **Minimum Development Size and Lot Size.**
 - a. The minimum size requirement for developments in this zone is ten acres. Lots within a ten acre development may be created based upon an approved Master Development Agreement as described herein; however, in no case shall any parcel in this zone be smaller than 20,000 square feet.
 - b. All developments in this zone are required to submit a Master Development Plan as part of the Master Development Agreement that includes maps and descriptions of how the entire ten acres is anticipated to be developed. See Chapters 19.13 and 19.14 for details regarding how to process developments under these regulations.
 - c. All uses, lots or parcels in this zone shall be of sufficient size to assure compliance with the City's parking, landscaping, utilities, Site Plan, and other land development regulations that may govern all or a portion of each project.
6. **Setbacks and Yard Requirements**
 - a. The yard requirements in this Subsection are intended to describe the amount of space required between buildings and property lines.
 - b. All buildings in this zone are required to maintain minimum setbacks as follows:
 - i. **Front:** Not less than fifty feet.
 - ii. **Sides:** Fifty feet where adjacent to a residential zone. There is no specified minimum setback required where the side property line abuts a commercial, industrial or agricultural zone. Such setbacks will be determined during the Site Plan review process.

- iii. **Rear:** Fifty feet where adjacent to a residential zone. There is no specified minimum setback required where the side property line abuts a commercial, industrial or agricultural zone. Such setbacks will be determined during the Site Plan review process. In the event that the rear of a building faces an arterial or collector street, there shall be a setback of fifty feet.
- iv. **Exceptions:** The City Council may reduce no more than one setback requirement by up to ten feet if in its judgment the reduction provides a more attractive and efficient use of the property. The City Council may consider the quality of the proposed building materials, landscaping improvements, or other buffers to determine if an aesthetically pleasing public view of the site will be created.
- v. **Other general requirements:** In addition to the specific setback requirements noted above, no building shall be closer than five feet from any private road, driveway, or parking space. The intent of this requirement is to provide for building foundation landscaping and to provide protection to the building. Exceptions may be made for any part of the building that may contain an approved drive-up window.

7. **Maximum Height of Structures.** No structure in this zone shall be taller than fifty feet.

8. **Lot Coverage.** Buildings shall not cover more than fifty percent of the total lot area.

9. **Development Standards.** The following development standards shall apply to this zone:
- a. **Architectural Review.** The Development Review Committee shall review the Site Plan and building elevations. The Development Review Committee shall offer recommendations for architectural design of buildings and structures to assure compatibility with adjacent development and the vision of the Land Use Element of the General Plan and with the City's policies and regulations concerning architecture and design.
 - b. **Landscaping Buffers.** Required front yard areas, and other yard areas facing a public street, shall have a landscaped area of not less than fifteen feet as approved through the Site Plan review process. There shall be a minimum of ten feet of landscaping between parking areas and side or rear property lines adjacent to agricultural and residential land uses. See Chapter 19.09, Off-street Parking Requirements.
 - c. **Landscaping Required.** All landscaping shall be completed in accordance with the approved Site Plan and shall be installed prior to the issuance of a Certificate of Occupancy for the building. The Building Official may approve exceptions as seasonal conditions warrant. Any proposed change to the approved landscaping plan will require an amended Site Plan approval. It shall be the responsibility of the property owner to maintain all approved landscaping in accordance with the approved Site Plan and in compliance with the requirements of Chapter 19.06, Landscaping.

10. **Uses Within Buildings.**

- a. All uses in the Industrial Zone shall be conducted entirely within a fully enclosed building except those uses deemed by the City Council to be customarily and appropriately conducted outside. Such uses include, automobile refueling stations, gas pumps, plant nurseries, home improvement material yards, automobile sales, etc.
 - b. Outside storage of merchandise shall be accommodated entirely within an enclosed structure unless the City Council deems such storage to be customarily and appropriately conducted outside.
11. **Trash Storage.** All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference.
12. **Buffering/Screening Requirements.**
- a. A wall, fencing, or landscaping of acceptable design shall effectively screen the borders of any commercial or industrial lot which abuts an agricultural or residential use. Such a wall, fence, or landscaping shall be at least six feet in height, unless a wall or fence of a different height is required by the City Council as part of a Site Plan review. Such wall, fence, or landscaping shall be maintained in good condition with no advertising thereon.
 - b. All developments shall have a minimum number of both deciduous and evergreen trees and shall further comply with the requirements of Chapter 19.06, Landscaping.
13. **Landscaping Requirements**
- a. A minimum of twenty percent of the gross area of land to be developed in the Industrial zone shall be devoted to use as parks, recreation areas, open space, planting or other public purposes other than rights of way, utility easements, and parking areas.
 - b. Public and private trails and any natural or man-made floodways, lakes, or storm water retention areas may be used to satisfy the requirement in Subsection a.

(Ord. 14-13)

19.04.25. Mixed Waterfront (MW).

1. Purpose and Intent.

- b. The purpose of the Mixed Waterfront (MW) Land Use Zone is to allow for a wide range of land uses so long as those land uses are combined and arranged to create destination-oriented developments that take full advantage of the scenic and recreational opportunities that their lakeshore and riverside locations provide. Appropriate mixtures of land uses include retail, residential, and resort properties.
- e. Low Density Residential, Medium Density Residential, and Neighborhood Commercial land uses, as listed in the tables in Section 19.04.07, are considered appropriate uses for this zone. The goal is to accomplish a mix of 80% residential land area and 20% commercial land area in this zone.
- d. This land use zone recognizes that in order for the City to be a well-rounded community, many different housing styles, types, and sizes should be permitted. Residential densities in this zone shall not exceed 6 ERUs per acre.
- e. Other important characteristics that must be addressed in this land use zone include neighborhood services and facilities, social gathering places, attractive landscaping, convenient access to public areas along the lakeshore, appropriately-placed parking, a sense of personal safety, well-maintained housing, and attractive parks.
- f. Certain land uses have been identified as either ancillary uses or edge uses only.

2. Permitted Uses. The uses identified in 19.04.07.3 as Permitted Uses in the Mixed Waterfront Zone.

3. Conditional Uses. The uses identified in 19.04.07.3 as Conditional Uses in the Mixed Waterfront (MW) Zone, with some uses identified in that section limited to edge or ancillary use only.

4. Minimum Development Size and Lot Sizes.

- a. The minimum size requirement for development in this zone is one acre.
- b. Lots within a one acre or larger development may be created based upon an approved Master Development Plan contained in a Master Development Agreement.
- e. All developments in this zone are required to develop a Master Development Plan that includes maps and descriptions of how the entire property is anticipated to develop (see Chapters 19.12, 19.13, and 19.14) and to enter into a Master Development Agreement.
- d. The minimum lot size for single family dwellings is 5,000 square feet. For multi-family structures where each unit is separately owned, the minimum lot size shall be based on each building rather than each individual unit.
- e. Home Occupations may require a minimum lot size greater than 5,000 square feet based on the requirements of Chapter 19.08. Each Home Occupation will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use.

- f. Schools, churches or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:
 - 1. the maximum number individuals using the building at one time;
 - 2. the number of required off street parking required in this Title;
 - 3. traffic and transportation concerns;
 - 4. compatibility with adjacent uses;
 - 5. adverse impacts on adjacent uses; and
 - 6. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.)
- g. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in Title 19, including Chapters 19.13, 19.14, and 19.15, as the basis for setting site-by-site requirements.

5. Setbacks and Yard Requirements.

- a. Setbacks and yard requirements describe the amount of space required between buildings and property lines.
- b. All primary buildings in this zone are required to maintain minimum setbacks as follows:
 - i. Front: Twenty five feet.
 - 1. For single family structures or multi-family structures, the front plane of the home may encroach by up to ten feet into the required setback, if the garage is set back an increased distance from the required setback in an equal amount to the front plane's encroachment. For example, if the setback for the front plane is 20 feet, the setback for the garage must be 30 feet. Likewise, if the setback for the front plane is 22 feet, the setback of the garage must be at least 28 feet.
 - 2. An unenclosed front entry or porch may encroach up to five feet into the twenty-five foot front setback. This encroachment may be combined with a reduced setback for the front plane (accompanied by an increased setback to the garage) but in no case shall the front plane and porch combined be set back less than 20 feet.
 - ii. Sides:
 - 1. single family structures: 5/10 feet (minimum/combined);
 - 2. multi-family and non-residential structures: 5 feet to property line or 10 feet between structures, whichever is greater.
 - iii. Rear: 15 feet
- c. Corner Lots:
 - i. There shall be a minimum setback on corner lots as follows:
 - 1. Front: 20 feet
 - 2. Side abutting street: 15 feet
 - ii. The front setback and the side setback abutting the street can be reversed, but in no case shall the two setbacks be less than 20 and 15 feet.

- d. All accessory structures in this zone are subject to the standards identified in Section 19.05.
 - e. Accessory structures requiring a building permit shall be set back a minimum of 5 feet from rear and interior side property lines, and shall not be placed within any front or street-side yard area.
 - f. There shall be a five-foot minimum separation between all sides of the accessory buildings and any other structure in this zone.
6. **Minimum Lot Width.** For single family homes, the minimum lot width shall be no less than 50 feet. For multi-family structures where each unit is separately owned, the minimum lot width shall be based on each building rather than each individual unit.
 7. **Minimum Lot Frontage.** For single family homes, the minimum lot frontage shall be no less than 35 feet. All other uses in this zone shall have at least 100 feet of frontage along a public or private street. For multi-family structures where each dwelling is separately owned, the minimum lot frontage shall be based on each building rather than each individual unit.
 8. **Maximum Height of Structures.** No structure in this zone shall exceed 40 feet in height.
 9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is 50%. For multi-family units where each dwelling is separately owned, the maximum lot coverage shall be based on each building rather than each individual unit.
 10. **Minimum Dwelling Size.** Every dwelling unit in this zone shall contain a minimum of 1,000 square feet of living space above grade.
 11. **Development Standards.** The following development standards shall apply to this zone:
 - a. **Architectural Review.** The Design Review Committee shall review the Site Plan and building elevations and offer recommendations for architectural design of buildings and structures to assure compatibility with adjacent development and the vision of the Land Use Element of the General Plan and with the City's policies and regulations concerning architecture and design.
 - b. **Landscaping Buffers.** For multi-family and non-residential structures, Front yards and other yard areas facing a public street shall have a landscaped area of not less than 15 linear feet. There shall be a minimum of 10 feet of landscaping between parking areas and side and rear property lines adjacent to agricultural and residential land uses. (See Chapter 19.09, Off-street Parking Requirements.)
 12. **Open Space and Landscaping Requirement.** There shall be a minimum requirement of 25% of the total residential project area to be installed as open space for either public or common space not reserved in individual lots, and a minimum requirement of 25% of the total commercial project area to be installed as landscaping. Open space shall meet the definition in Section 19.02.02. If the open space is common space, the developer shall record a public access easement at plat recordation. Credit towards meeting minimum open

space requirements may be given for sensitive lands as provided for in subsection (13) below.

13. **Sensitive Lands.**

- a. Sensitive lands shall not be included in the base acreage when calculating the number of units permitted in any development and no development credit shall be given for sensitive lands.
- b. All sensitive lands shall be placed in protected open space.
- c. Sensitive lands may be used for credit towards meeting the minimum open space requirements. However, no more than fifty percent of the required open space area shall be comprised of sensitive lands.

14. **Timing of Open Space and Landscaping Installation.** All open space and landscaping shall be completed in accordance with the approved Site Plan or Plat Approval and shall be installed prior to the issuance of a Certificate of Occupancy for any building. A Performance and Warranty Bond will be required in accordance with Section 19.12.05. The Planning Director may approve exceptions where weather conditions prohibit the completion of approved and required improvements in accordance with Section 19.06.05. It shall be the responsibility of the property owner to maintain all approved open space and landscaping in accordance with the approved Site Plan and in compliance with the requirements of Chapter 19.06, Landscaping and Fencing.

15. **Trash Storage.** All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference.

(Ord. 16-01, Ord. 15-29, Ord. 14-13)

19.04.26. Business Park (BP).

1. Purpose and Intent.

- a. The purpose of the Business Park (BP) Land Use Zone is to allow for certain land uses that require large tracts of land in appropriate locations.
- b. Development under these regulations should provide for office space, light manufacturing (subject to location restrictions as determined during Site Plan review), and commercial operations in a business park campus-type setting characterized by large buffer strips, open spaces, landscaping, and quality site development standards. Ancillary uses and edge uses may not exceed 20% of the building area within a Master Development Plan contained in a Master Development Agreement.
- c. Certain land uses have been identified as either ancillary uses or edge uses only.

2. Permitted Uses. The uses identified in 19.04.07.3 as Permitted Uses in the Business Park Zone.

3. Conditional Uses. The uses identified in 19.04.07.3 as Permitted Uses in the Business Park Zone, with some uses identified in that section limited to edge or ancillary use only.

4. Minimum Development Size and Lot Size.

- a. The minimum size requirement for single building development in this zone is 1 acre; the minimum size requirement for business park or multiple building development in this zone is 5 acres.
- b. Lots within a 5-acre or larger development may be created based upon an approved Master Development Plan contained in a Master Development Agreement. However, in no case shall any lot in this zone be smaller than 30,000 square feet.
- c. All developments in this zone are required to develop a Master Development Plan that includes maps and descriptions of how the entire 5 acres is anticipated to be developed (see Chapters 19.12, 19.13, and 19.14) and to enter into a Master Development Agreement.
- d. All uses, lots, or parcels in this zone shall be of sufficient size to assure compliance with the City's development standards.

5. Setbacks and Yard Requirements.

- a. All buildings in this zone, including accessory buildings, are required to maintain minimum setbacks as follows:
 - i. **Front:** 50 feet.
 - ii. **Sides:** 30 feet where adjacent to a residential zone. The City Council may reduce the side yard setbacks to 10 feet where the side property line abuts a commercial, industrial, or agricultural zone. Such setbacks will be determined during the Site Plan review process. In the event that the side of the building faces an arterial or collector street, there shall be a setback of 30 feet.

- iii. **Rear:** 30 feet where adjacent to a residential zone. The City Council may reduce the rear setback to 10 feet where the rear property line abuts a commercial, industrial, or agricultural zone. Such setbacks will be determined during the Site Plan review process. In the event that the rear of the building faces an arterial or collector street, there shall be a setback of 30.
- iv. **Exceptions:** The City Council may reduce no more than one setback requirement by up to ten feet if in its judgment the reduction provides a more attractive and efficient use of the property. The City Council may consider the quality of the proposed materials, landscaping improvements, or other buffers to determine if an aesthetically pleasing public view of the site will be created.
- v. **Other general requirements:** In addition to the specific setback requirements noted above, no building shall be closer than five feet to any private road, driveway, or parking space to provide for building foundation landscaping and to provide protection to the building.

6. **Minimum Lot Width.** The minimum lot width in this zone is 80 feet.

7. **Minimum Lot Frontage.** All uses in this zone shall have at least 80 feet of frontage along a public or private street.

8. **Maximum Height of Structures.** No structure in this zone shall exceed 50 feet in height.

9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is 50%.

10. **Development Standards.**

- a. **Architectural Review.** The Development Review Committee shall review the Site Plan and building elevations and offer recommendations for architectural design of buildings and structures to assure compatibility with adjacent development and the vision of the Land Use Element of the General Plan and the City's policies and regulations concerning architecture and design.
- b. **Landscaping Buffers.** Front yards and other yard areas abutting a public street, shall have a landscaped area of not less 15 linear feet. There shall be a minimum of 10 feet of landscaping between parking areas and side and rear property lines adjacent to agricultural and residential land uses. (See Chapter 19.09, Off-street Parking Requirements.)

11. **Uses Within Buildings.**

- a. All uses in the BP zone shall be conducted entirely within a fully enclosed building except those uses deemed by the City Council to be customarily and appropriately conducted outside.
- b. Outside storage of merchandise shall be accommodated within an enclosed structure unless the City Council deem such storage to be customarily and appropriately conducted outside.

12. **Buffering/Screening Requirements.**

- a. A solid wall, solid fencing, or landscaping of acceptable design shall effectively screen the borders of any commercial or industrial lot which abuts an agricultural or residential use. Such a solid wall, solid fence, or landscaping shall be at least six feet in height, unless otherwise allowed by the City Council during Site Plan review. Such solid wall, solid fence, or landscaping shall be maintained in good condition with no advertising thereon.
- b. All developments shall have a minimum number of both deciduous and evergreen trees and shall comply with the requirements of Chapter 19.06, Landscaping.

13. Landscaping Requirements.

- a. There shall be a minimum of 20% of the total project area to be used for landscaping.
- b. All sensitive lands shall be protected. Subject to subsection (14) below and the discretion of the City Council, credit towards meeting minimum landscaping requirements may be given for sensitive lands defined in Chapter 19.02. However, no more than 50% of the required landscaping shall be comprised of sensitive lands or detention areas.

14. Sensitive Lands.

- a. Sensitive lands shall not be included in the base acreage when calculating the number of units permitted in any development and no development credit shall be given for sensitive lands.
- b. All sensitive lands shall be placed in protected open space.
- c. Sensitive lands may be used for credit towards meeting the minimum landscaping requirements. However, no more than fifty percent of the required landscaping area shall be comprised of sensitive lands.

15. Timing of Landscaping Installation. All landscaping shall be completed in accordance with the approved Site Plan or Plat Approval and shall be installed prior to the issuance of a Certificate of Occupancy for any building. A Performance and Warranty Bond will be required in accordance with Section 19.12.05. The Planning Director may approve exceptions where weather conditions prohibit the completion of approved and required landscaping improvements in accordance with Section 19.06.05. It shall be the responsibility of the property owner to maintain all approved landscaping in accordance with the approved Site Plan and in compliance with the requirements of Chapter 19.06, Landscaping and Fencing.

16. Trash Storage. All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference.

(Ord. 16-01, Ord. 14-13)

19.04.27. Institutional/Civic (IC).

1. Purpose and Intent.

- a. The purpose of the Institutional/Civic (IC) Land Use Zone is to allow for public or quasi-public land uses.
- b. Development under these regulations should provide for university or college campuses as well as traditional schools, libraries, hospitals, public buildings or facilities, and other land uses that provide essential services to the general public.

2. Permitted Uses. The uses identified in 19.04.07.3 as Permitted Uses in the Institutional/Civic Zone.

3. Conditional Uses. The uses identified in 19.04.07.3 as Permitted Uses in the Institutional/Civic Zone.

4. Minimum Lot Sizes. Minimum lot size for all uses is 20,000 square feet.

5. Setbacks and Yard Requirements.

- a. All buildings in this zone, including accessory buildings, are required to maintain minimum setbacks as follows:
 - i. **Front:** 30 feet.
 - ii. **Sides:** 30 feet when adjacent to a residential zone; 20 feet when adjacent to all other zones. In the event that the side of the building faces an arterial or collector street, there shall be a side setback of 30 feet.
 - iii. **Rear:** 30 feet when adjacent to a residential zone; 20 feet when adjacent to all other zones. In the event that the rear of the building faces an arterial or collector street, there shall be a rear setback of 30 feet.
 - iv. **Exceptions:** The City Council may reduce no more than one setback requirement by up to ten feet if in its judgment the reduction provides a more attractive and efficient use of the property. The City Council may consider the quality of the proposed materials, landscaping improvements, or other buffers to determine if an aesthetically pleasing public view of the site will be created.
 - v. **Other general requirements:** In addition to the specific setback requirements noted above, no building shall be closer than five feet from any private road, driveway, or parking space to provide for building foundation landscaping and to provide protection to the building.

6. Minimum Lot Width. The minimum lot width in this zone is 80 feet.

7. Minimum Lot Frontage. All uses in this zone shall have at least 80 feet of frontage along a public or private street.

8. Maximum Height of Structures. No structure in this zone shall exceed 50 feet in height.

9. Maximum Lot Coverage. The maximum lot coverage in this zone is 50%.

10. Development Standards.

- a. **Architectural Review.** The Development Review Committee shall review the Site Plan and building elevations and offer recommendations for architectural design of buildings and structures to assure compatibility with adjacent development and the vision of the Land Use Element of the General Plan and with the City's policies and regulations concerning architecture and design.
- b. **Landscaping Buffers.** Front yards and other yard areas abutting a public street, shall have a landscaped area of not less 15 linear feet. There shall be a minimum of 10 feet of landscaping between parking areas and side and rear property lines adjacent to agricultural and residential land uses. (See Chapter 19.09, Off-street Parking Requirements.)

11. Landscaping Requirements.

- a. There shall be a minimum of 20% of the total project area to be used for landscaping.
- b. Subject to subsection (12) below and the discretion of the City Council, credit towards meeting minimum landscaping requirements may be given for sensitive lands defined in Chapter 19.02. However, no more than 50% of the required landscaping shall be comprised of sensitive lands or detention areas.

12. Sensitive Lands.

- a. Sensitive lands shall not be included in the base acreage when calculating the number of units permitted in any development and no development credit shall be given for sensitive lands.
- b. All sensitive lands shall be placed in protected open space.
- c. Sensitive lands may be used for credit towards meeting the minimum landscaping requirements. However, no more than fifty percent of the required landscaping shall be comprised of sensitive lands.

13. Timing of Landscaping Installation. All landscaping shall be completed in accordance with the approved Site Plan or Plat Approval and shall be installed prior to the issuance of a Certificate of Occupancy for any building. A Performance and Warranty Bond will be required in accordance with Section 19.12.05. The Planning Director may approve exceptions where weather conditions prohibit the completion of approved and required landscaping improvements in accordance with Section 19.06.05. It shall be the responsibility of the property owner to maintain all approved landscaping in accordance with the approved Site Plan and in compliance with the requirements of Chapter 19.06, Landscaping and Fencing.

14. Trash Storage. All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference.

(Ord. 16-01, Ord. 14-13)

19.04.28. Public School Bus Lot (PSBL).

1. **In General.**
 - a. The purpose of the Public School Bus Lot (PSBL) Land Use Zone is to allow for a specific land area used for the storage or layover of public school buses or motor coaches.
 - b. Development under these regulations may only provide for a bus lot, administrative office space, maintenance facilities, fueling stations, or other accessory uses associated with a public school district in a specific setting. Such development is characterized by large buffer strips, open spaces, landscaping, and quality site development standards.
2. **Permitted Uses.** The uses identified in 19.04.07.3 as Permitted Uses in the Public School Bus Lot Zone.
3. **Conditional Uses.** The uses identified in 19.04.07.3 as Conditional Uses in the Public School Bus Lot Zone.
4. **Minimum Lot Sizes.** The minimum lot size requirement for development in this zone is 10 acres.
5. **Setbacks/Yard Requirements.** All buildings in this zone, including accessory buildings, are required to maintain minimum setbacks as follows:
 - a. **Front:** 50 feet. The City Council may reduce the front setback to 30 feet if in its judgment the reduction provides a more attractive and efficient use of property. The City Council may consider the quality of the proposed building materials, landscaping improvements, or other buffers to determine if an aesthetically pleasing public view of the site will be created.
 - b. **Sides:** 50 feet when adjacent to a residential zone. The City Council may reduce the side yard setbacks to 30 feet where the side property line abuts a commercial, industrial, school or agricultural zone. Such setbacks will be determined during the Site Plan review process. In the event that the side of the building faces an arterial or collector street, there may be a setback of 30 feet.
 - c. **Rear:** 50 feet when adjacent to a residential zone. The City Council may reduce the rear setback to 30 feet where the rear property line abuts a commercial, industrial, school or agricultural zone. Such setbacks will be determined during the Site Plan review process. In the event that the rear of the building faces an arterial or collector street, there may be a setback of 30.
 - d. **Other general requirements:** In addition to the specific setback requirements noted above, no building shall be closer than 5 feet to any private road, driveway or parking space. The intent of this requirement is to provide for landscaping and protection to the building.
6. **Maximum Height of Structures.** No structure in this zone shall be taller than 35 feet.

7. **Maximum Lot Coverage.** The maximum building and parking lot coverage in this zone is 80%.
8. **Development Standards.**
 - a. **Architectural Review.** The Design Review Committee shall review the Site Plan and building elevations and offer recommendations for architectural design of buildings and structures to assure compatibility with adjacent development and the vision of the Land Use Element of the General Plan and with the City's policies and regulations concerning architecture and design.
 - b. **Landscaping Buffers.** Front yards and other yard areas abutting a public street, shall have a landscaped area of not less 15 linear feet. There shall be a minimum of 20 feet of landscaping between parking areas and side and rear property lines adjacent to agricultural and residential land uses. *See Chapter 19.09, Off-street Parking Requirements.*
9. **Uses Within Buildings.** All uses in the Public School Bus Lot Zone shall be conducted entirely within a fully enclosed building except those uses deemed by the City Council to be customarily and appropriately conducted outside. Such outdoor uses include bus and vehicle storage (with a required structure to cover passenger buses or motor coaches), fueling stations, and other associated accessory uses.
10. **Buffering/Screening Requirements.** A solid wall and landscaping shall be required to effectively screen the borders of any public school bus lot which is located within 300 feet of an agricultural or residential use. A solid wall that is 8 feet in height is required. Such 8' solid wall, and landscaping shall be maintained in good condition with no advertising thereon. Wall covers may be required at specific locations which allow for site lines into a site. This will be determined during the Site Plan review process. Appropriate berming shall also be incorporated into the site design to screen and buffer any public school bus lot. This will include sculptured berms placed in required landscaping areas. All developments shall have a minimum number of both deciduous and evergreen trees and shall further comply with the requirements of Chapter 19.06, Landscaping and Fencing.
11. **Landscaping Requirements.**
 - a. There shall be a minimum of 20% of the total project area to be used for landscaping.
 - b. All sensitive lands shall be protected as part of the landscaped area of any development.
 - c. Subject to the discretion of the City Council, credit towards meeting minimum open space requirements may be given for sensitive lands defined in Chapter 19.02. However, no more than 50% of the required landscaping area shall be comprised of sensitive lands or detention areas.
12. **Timing of Landscaping Installation.**
 - a. All landscaping shall be completed in accordance with the approved Site Plan or Plat approval and shall be installed prior to the issuance of a Certificate of Occupancy for any building.

- b. ~~A Performance and Warranty Bond will be required in accordance with Section 19.12.05.~~
- e. ~~The Planning Director may approve exceptions where weather conditions prohibit the completion of approved and required landscaping improvements in accordance with Section 19.06.05.~~
- d. ~~It shall be the responsibility of the property owner to maintain all approved landscaping in accordance with the approved Site Plan and in compliance with the requirements of Chapter 19.06, Landscaping and Fencing.~~

13. ~~**Trash Storage.** All trash or garbage storage (other than individual garbage cans) shall comply with Section 19.14.04(4), which section is incorporated herein by this reference.~~

~~(Ord. 16-01, Ord. 14-13, Ord. 14-1; Ord. 13-22)~~

Chapter 19.06. Landscaping and Fencing.

Sections:

- 19.06.01. Purpose.
- 19.06.02. Required Landscaping Improvements.
- 19.06.03. General Provisions.
- 19.06.04. Landscaping Plan.
- 19.06.05. Completion of Landscape Improvements; Adequate Assurances.
- 19.06.06. Planting Standards and Design Requirements.
- 19.06.07. Amount of Required Landscaping.
- 19.06.08. Additional Landscaping Requirements.
- 19.06.09. Screening and Fencing Requirements and Restrictions.
- 19.06.10. Screening at Boundaries of Residential Zones.
- 19.06.11. Clear Sight Triangle.

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19.06.06. Planting Standards and Design Requirements for Nonresidential and Common Open Space.

1. These planting standards are the minimum standards of landscaping that the City will accept towards meeting the landscaping required in this Chapter for nonresidential development, and open spaces that are held in common or in Homeowner's Association ownership in residential developments. Design requirements identify specific standards as they pertain to landscaping. The planting standards and design requirements shall be used in evaluation of any landscaping plan by the City.
2. The following are planting standards for required landscaping that shall be followed for all new development, with all caliper sizes measured no less than 12 inches above the root ball:
 - a. **Required Trees.** Required trees are subject to the following standards:
 - i. **Deciduous Trees.** All deciduous trees shall have a minimum trunk size of two (2) inches in caliper.
 - ii. **Evergreen Trees.** All evergreen trees shall have a minimum size of 6 feet in height.
 - iii. **Tree base clearance.** An area at the base of the tree a minimum of three feet in diameter shall be kept free of rock and turf. In parking lot islands and other narrow strips of landscaping where strips of turf two feet or less in width would otherwise occur, this clear area may be reduced to two feet in diameter.
 - b. **Shrubs.** At least 25% of the required shrubs shall be a minimum of 5 gallons in size at time of installation; all other required shrubs shall be a minimum of 1 gallon in size.
 - c. **Turf.** No landscaping shall be composed of more than seventy percent turf.

- d. **Drought Tolerant Plants.** Fifty percent of all trees and shrubs shall be required to be drought tolerant species.
 - e. **Rock:** rock may be utilized up to the maximum percentage specified in Section 19.06.07, subject to the following requirements:
 - i. a minimum of two separate colors, and a minimum of two different sizes shall be used;
 - f. rock shall provide contrasting color to pavement and other hard surfaces within the property, and all colors used shall be earth tones.
 - ~~f.g.~~ **Planting and Shrub Beds.** Planting and shrub beds may be used to satisfy up to the percentage of the total required landscaping as specified in the Section 19.06.07. In addition to the required plants in the chart, planting and shrub beds must meet the following requirements:
 - i. high-quality weed barrier is used;
 - ii. high quality materials such as wood chips, wood mulch, ground cover, decorative rock, landscaping rocks, or similar materials are used, and materials must be heavy enough to not blow away in the wind;
 - iii. edging is used to separate lawns from beds, and all areas except residential must use concrete edging for durability;
 - iv. drip lines are used for irrigation.
 - ~~g.h.~~ **Artificial Turf.** Artificial turf is not permitted.
3. The following design requirements will be used when reviewing landscaping plans in the City of Saratoga Springs:
- ~~a.~~ **Selection of Plants.** Plants shall be selected for texture, form, color, pattern of growth, and adaptability to local conditions.
 - ~~b.a.~~ **Evergreens.** Evergreens shall be incorporated into landscaped treatment of sites where screening and buffering are required.
 - ~~e.b.~~ **Softening of Walls and Fences.** Plants shall be placed intermittently against long expanses of building walls, fences, and barriers to create a softening effect.
 - ~~d.c.~~ **Planting and Shrub Beds.** Planting and shrub beds are encouraged to be used in order to conserve water. Planting and shrub beds shall meet the requirements in subsection 19.06.06(2) ~~g.g.~~ above.
 - ~~e.d.~~ **Water Conservation.** While irrigation systems are required for all landscaped areas, all systems shall be efficient in the use of water such as the installation of drip lines for shrubs and trees.
 - ~~f.e.~~ **Energy Conservation.** Placement of plants shall be designed to reduce energy consumption. Deciduous trees are encouraged to be planted on the south and west sides of structures to provide shade over the structures in the summer months. Evergreens trees are encouraged to be planted on the north side of structures when feasible to dissipate the effects of winter winds.
 - ~~g.f.~~ **Preservation of Existing Vegetation.** Where possible and appropriate, existing native vegetation must be incorporated into the landscape treatment of the proposed site.
 - ~~h.g.~~ **Tree Preservation.** Existing mature evergreen trees of 16 feet in height or greater, and existing mature deciduous or decorative trees of more than four inches (4") in caliper, shall be identified on the landscape plan and preserved if

possible. If a mature tree is preserved, an area around the roots as wide as the existing canopy shall not be disturbed.

- i. If preservation is not possible, the required number of trees shall be increased by double the number of such trees removed.
- ii. The replacement trees for evergreen trees shall be evergreens, and for deciduous shall be deciduous.
- iii. Deciduous trees smaller than four inches in caliper, or mature ornamental trees, that are removed shall be replaced on a one to one ratio.
- iv. Replacement trees shall be in addition to the minimum tree requirements of this Chapter, and shall comply with minimum sizes as outlined in the Chapter.

i.h. Placement. Whenever possible, landscaping shall be placed immediately adjacent to structures, particularly where proposed structures have large empty walls.

4. No trees shall be planted directly under or in close proximity to power lines, poles, or utility structures unless:
 - a. the City Council gives its approval;
 - b. the power company or owner of the power line gives written consent; and
 - c. the maximum height or width at maturity of the tree species planted is less than 5 feet to any pole, line, or structure.
5. Parking Lots.
 - a. Parking areas have additional landscaping standards outlined in Chapter 19.09.

(Ord. 15-29, Ord. 14-23)

19.06.07. Amount of Required Landscaping.

1. Portions of property that are not developed with structures, rights of ways, or parking areas shall be required to be landscaped per the definition of Landscaping in Section 19.02 in all land use zones.
2. Single-family residential lots shall be required to landscape per Section 19.06.08.
3. ~~The~~ Multi-family common space not including parks, improved open space, and nonresidential development in all Zones shall be required to adhere to the minimum landscaped standards contained in the table below.
 - a. At least 50% of the landscaped area shall be covered with live vegetation at maturity, including shrubs, grasses, flowers, tree and shrub canopies and other live vegetation.
 - b. This percentage may be reduced to 40% in areas where bark mulch is used instead of rock mulch.
 - ~~c.~~
- ~~4. The City Council shall have authority to adjust these standards as circumstances dictate.~~

Required Landscaped Area ¹	Minimum Deciduous Trees ^{2,3}	Minimum Evergreen Trees ^{2,3}	Minimum Shrubs	Minimum Percentage of Required Turf	Minimum Percentage of Required Planting and Shrub Beds Area Covered with Live Vegetation ³
< than 1,000	1	1	7	0% ²	Up to 100%60%
1,001 - 3,000	3	1	10	0% ²	Up to 100%60%
3,001 - 5,000	5	2	13	0% ²	Up to 100%50%
5,001 - 7,000	5	3	14	35%	Not more than 65%40%
7,001 - 9,000	6	3	17	35%	Not more than 65%40%
9,001 - 11,000	6	4	19	35%	Not more than 65%40%
11,001 - 13,000	6	4	22	35%	Not more than 65%30%
13,001 - 15,000	7	5	25	35%	Not more than 65%30%
15,001>	7 + 1 per additional 3000 sq.ft.	5 + 1 per additional 3000 sq.ft.	25 + 1 per additional 3000 sq.ft.	25%	Not more than 75%30%

¹Areas are measured in square feet. Parking lot landscaping islands may have different standards and are found in Chapter 19.09.

²The City Council may require a certain percentage of turf on a case-by-case basis.

^{3,2}This number shall be increased per the requirements of Section 19.06.06 above.

(Ord. 15-29, Ord. 14-23, Ord. 14-1)

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Chapter 19.09. Off-Street Parking Requirements.

Sections:

- 19.09.01. Purpose.**
- 19.09.02. Required Parking.**
- 19.09.03. General Provisions.**
- 19.09.04. Submittal and Approval of Parking Areas.**
- 19.09.05. Parking Requirements.**
- 19.09.06. Dimensions for Parking Stalls.**
- 19.09.07. Accessible Parking.**
- 19.09.08. Landscaping in Parking Areas.**
- 19.09.09. Pedestrian Walkways and Accesses.**
- 19.09.10. Shared Parking and Curb Cuts.**
- 19.09.11. Required Parking.**

* * * * *

19.09.03. General Provisions.

1. Materials for Parking Areas. Parking areas shall consist of concrete, asphalt, or other impervious materials approved in the City’s adopted construction standards.
2. Maintenance of Parking Areas. Pavement, striping, landscaping, and lighting are required to be maintained in all parking areas. During times of snowfall, parking areas shall be cleared of snow as soon as practical.

3. Parking Area Access.

a. Common access. Parking areas for one or more structures may have a common access so long as the requirements of all City ordinances, regulations, and standards are met. The determination of the locations for a common access shall be based upon the geometry, road alignment, and traffic volumes of the accessed road per the Standard Technical Specifications and Drawings.

b. Sidewalk crossing. All non-residential structures other than residential are required to provide parking areas where automobiles will not back across a sidewalk to gain access onto a public or private street.

3-c. Cross access. Adjacent non-residential development shall stub for cross-access where such opportunities exist, and cross-access easements documented.

* * * * *

19.09.05. Parking Requirements.

This Section describes criteria to be used in assessing required parking. The following criteria shall be used in conjunction with the table found in Section 19.09.11, Required Parking by Zone, when determining required parking for any project:

* * * * *

7. Where no comparative land use standard for parking is found in Section 19.09.11, Required Parking by Zone, the ~~City Development Review Committee, Planning Commission, or City Council~~ Land Use Authority for the related development shall determine an appropriate requirement using the following criteria:
 - a. the intensity of the proposed use;
 - b. times of operation and use;
 - c. whether the hours or days of operation are staggered thereby reducing the need for the full amount of required parking;
 - d. whether there is shared parking agreement in accordance with Section 19.09.10 below—if there is a shared parking agreement, a reduction may not be granted;
 - e. the number of employees;
 - f. the number of customers and patrons;
 - g. trip generation; and
 - h. peak demands.

* * * * *

19.09.08. Landscaping in Parking Areas.

In addition to the planting standards in Chapter 19.06, the following requirements shall apply to all landscaping of off-street parking areas:

5. Required Parking Islands.

- a. **Islands on Doubled Rows of Parking.** On doubled rows of parking stalls, there shall be one 36-foot by 9-foot landscaped island on each end of the parking rows, plus one 36-foot by 9-foot landscaped island to be placed at a minimum of every twenty parking stalls. Each island on doubled parking rows shall include a minimum of two trees per planter. See 19.06.06, Planting Standards and Design Requirements, for the minimum size of vegetation.
- b. **Islands on Single Rows of Parking.** On single rows of parking or where parking abuts a sidewalk, there shall be one 18-foot by 9-foot landscaped island a minimum of every ten stalls. Islands on a single parking row shall have a minimum of one tree planter. See 19.06.06, Planting Standards and Design Requirements, for the minimum size of vegetation.
 - i. Exception: landscaped islands are not required in single rows of parking that abut a landscaped area containing an equal or greater number of trees as would have been provided in islands. Such trees shall be located within 9 feet of the edge of parking area, and shall have a canopy width that, at maturity, will extend into the parking area.

- c. Landscaped islands at the ends of parking rows shall be placed and shaped in such a manner as to help direct traffic through the parking area. ~~There shall be a break in parking rows at a minimum of forty parking stalls for each double row of parking for the purpose of facilitating traffic circulation on the site.~~

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Chapter 19.12. Subdivisions.

Sections:

- 19.12.01. Purpose.
- 19.12.02. General.
- 19.12.03. Subdivision Process and Approval Procedure.
- 19.12.04. Condominium Process and Approval Procedure.
- 19.12.05. Performance and Warranty Assurances.
- 19.12.06. General Subdivision Improvement Requirements.
- 19.12.07. Minor Subdivision Approval Procedure.
- 19.12.08. Property Line Adjustments (Exchange of Title).
- 19.12.09. Vacating or Amending a Plat.
- 19.12.10. Vacating or Altering Public Streets, Rights-of-Way, Easements, or Alleys.

* * * * *

19.12.03. Subdivision Process and Approval Procedure.

2. **Preliminary Subdivision Plats.** All subdivisions must receive a Preliminary Plat approval. Upon receipt of an application for a Preliminary Plat, City staff shall review the application to determine whether the application is complete. If incomplete, the application shall not be accepted by the City and shall be returned to the applicant, along with a written list of the reasons why the application is incomplete. Once an application is deemed to be complete, City Staff shall review the proposed Preliminary Plat and determine whether it is in compliance with state law, federal law, and City standards, resolutions, and ordinances. The Planning Director is specifically charged with ensuring that all such requirements have been resolved before recommending land use authority action. If the Planning Director recommends that a proposed Preliminary Plat be approved, the City staff shall place it on the agenda of the next available meeting where the application may be properly considered. If the land use authority finds that the preliminary Plat meets state law, federal law, and City standards, resolutions, and ordinances, the land use authority shall approve the Preliminary Plat. If the land use authority finds that the preliminary Plat does not meet state law, federal law, and City standards, resolutions, and ordinances, the land use authority shall deny the Preliminary Plat. An application for a Preliminary Plat shall follow the approved City format and must contain the following information:
 - a. Application form, applicant certification, and application fee.
 - b. Preliminary title report.
 - c. Soils report.
 - d. Preliminary Hydraulic and Hydrologic report and storm drainage calculations.
 - e. Wetland delineation when required by City Engineer, Planning Commission, Development Review Committee, or the Army Corp of Engineers.
 - f. Preliminary traffic report. Said report shall comply with the standards outlined in the City's adopted Transportation Master Plan and shall include the following:
 - i. an analysis of the average daily trips generated by the proposed project;

- ii. an analysis of the distribution of trips on City street systems;
- iii. a description of the type of traffic generated; and
- iv. recommendations on what mitigation measures should be implemented with the project to maintain a level of service for existing and proposed residents that meets the standards of the Transportation Master Plan.

~~g. Data table including:~~

- ~~i. total project area;~~
- ~~ii. total number of lots, dwellings, and buildings;~~
- ~~iii. square footage of proposed building footprints and, if multiple stories, square footage by floor;~~
- ~~iv. number of proposed garage parking spaces;~~
- ~~v. number of proposed total parking spaces;~~
- ~~vi. percentage of buildable land;~~
- ~~vii. acreage of sensitive lands and percentage sensitive lands comprise of total project area and open space area;~~
- ~~viii. area and percentage of open space or landscaping;~~
- ~~ix. area to be dedicated as right of way (public and private);~~
- ~~x. net density of dwellings by acre (sensitive lands must be subtracted from base acreage).~~

~~h.g.~~ Evidence of compliance with all applicable federal, state, and local laws and regulations, if requested by City.

~~i.h.~~ ALTA survey including deeds, easements, trees, utilities, structures, and other existing features and conditions.

~~j.i.~~ Preliminary Plat: Full-size 24" x 36" copies of the Preliminary Plat at a scale no smaller than 1" = 100' and 11 x 17 inch reductions as identified on the application form, along with digital copies as outlined below. Additional copies may be required prior to adding the application to the Planning Commission or City Council agenda. Each copy shall conform to the City's standard plat layout and contain at a minimum the following items:

- i. General Layout.
- ii. Name and address of owners of land and name and address of developer if different than owner.
- iii. Name of land surveyor.
- iv. The location of the proposed subdivision with respect to surrounding property and streets.
- v. The name of all adjoining property owners of record, or the names of adjoining developments.
- vi. The names and location of adjoining streets and all facilities within 100 feet of the platted property.
- vii. Street and road layout with centerline bearing and distance labels, dimensions, and names of existing and future streets and roads, (with all new names cleared through the City GIS Department).
- viii. Subdivision name cleared with Utah County.
- ix. North arrow.
- x. A tie to a permanent survey monument at a section corner.

- xi. The boundary lines of the project with bearings and distances and a legal description.
- xii. Layout and dimensions of proposed lots with lot area in square feet.
- xiii. Location, dimensions, and labeling of roads, structures, irrigation features, drainage, parks, open space, recreational amenities, and trails.
- xiv. Location of prominent natural features such as rock outcroppings, woodlands, steep slopes, etc.
- xv. Proposed road cross sections.
- xvi. Proposed fencing.
- xvii. Vicinity map.
- xviii. Signature blocks for preliminary approval by Planning Commission and City Council.

a.i. Data table including:

- i. total project area;
- ii. total number of lots, dwellings, and buildings;
- iii. where buildings are included, square footage of proposed building footprints and, if multiple stories, square footage by floor;
- iv. for multi-family developments, the number of proposed garage parking spaces; and
- v. number of proposed total parking spaces;
- vi. percentage of buildable land;
- vii. acreage of sensitive lands and percentage sensitive lands comprise of total project area and open space area;
- viii. area and percentage of open space or landscaping;
- ix. area to be dedicated as right-of-way (public and private);
- x. net density of dwellings by acre (sensitive lands must be subtracted from base acreage).

- xix. The Preliminary Plat shall be prepared and stamped by a professional surveyor or engineer licensed in Utah.
- xx. Proposed methods for the protection or preservation of sensitive lands.
- xxi. Location of any flood plains, wetlands, and other sensitive lands.
- xxii. Location of 100-year high water marks of all lakes, rivers, and streams.
- xxiii. Projected Established Grade of all building lots.

k.j. Preliminary Construction drawings containing, at a minimum, all items specified in the City’s “Standard Technical Specification and Drawings” manual. Applicant shall provide full-size 24” x 36” copies and 11 x 17 inch reductions as required on the application form. Additional copies may be required prior to adding the application to the Planning Commission agenda.

l.k. Landscaping plan drawn by certified landscape architect, including planting plan, data table including vegetation types and percentages, percentage of turf, and other information consistent with the standards and requirements in Section 19.06.

m.l. Phasing plan including a data table with the following information for each phase:

- i. total area in square feet and acres;
- ii. number of lots or dwelling units;
- iii. open space area and percentage;
- iv. utility phasing plan;

- v. number of parking spaces;
- vi. recreational facilities to be provided.
- ~~n.m.~~ Lighting plan including photometric information for the site and for immediately adjacent properties, and fixture design, height, and placement consistent with the requirements in Section 19.11.
- ~~o.n.~~ File of all plans, documents, and reports in pdf format.
- ~~p.o.~~ A copy of the Utah County plat map showing ownership and parcel numbers.
- ~~q.p.~~ A document from UDOT Region 3 stating that UDOT has granted approval for all proposed accesses onto any State road.
- ~~r.q.~~ Geolocated KMZ file or GIS Shapefile including lot line(s), lot number(s), road centerline(s), building footprint(s) where buildings are proposed, open space, and sensitive lands.

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(19.12.03.4)

4. **Final Plat Application Requirements.** Applications for Final Plats shall be on an approved-City form and include the following items:
- a. Application form, applicant certification, and paid application fee.
 - b. Signed easements and agreements with adjacent property owners for necessary off-site facilities.
 - c. Signed and recorded articles of incorporation bylaws, and conditions, covenants, and restrictions of the Home Owners Association, if any.
 - d. Certificate of Existence and Certificate of Good Standing from the State of Utah for the Home Owners Association, if any.
 - e. Final Hydraulic and Hydrologic storm drainage report and calculations
 - f. **Final Traffic report.** Said report shall comply with the standards outlined in the City's adopted Transportation Master Plan and shall include, but not be limited to, the following:
 - i. an analysis of the average daily trips generated by the proposed project;
 - ii. an analysis of the distribution of trips on City street systems;
 - iii. a description of the type of traffic generated; and
 - iv. recommendations on what mitigation measures should be implemented with the project to maintain an level of service for existing and proposed residents acceptable to the City.
 - ~~g. Data table including:~~
 - ~~i. total project area;~~
 - ~~ii. total number of lots, dwellings, and buildings;~~
 - ~~iii. square footage of proposed building footprints and, if multiple stories, square footage by floor;~~
 - ~~iv. number of proposed garage parking spaces;~~
 - ~~v. number of proposed parking spaces;~~
 - ~~vi. percentage of buildable land;~~
 - ~~vii. acreage of sensitive lands and what percent sensitive lands comprise of total project area and of open space area;~~
 - ~~viii. area and percentage of open space or landscaping;~~

~~ix. area to be dedicated as right of way (public and private);~~

~~x. net density of dwellings by acre (sensitive lands must be subtracted from base acreage);~~

h.g. Final Subdivision Plat: Full-size 24" x 36" sheets and 11" x 17" copies shall be submitted at a scale no smaller than 1" = 100' as outlined on the application form, along with digital copies as outlined below. Additional copies may be required prior to adding the application to the Planning Commission or City Council agenda. Each Copy shall conform to the City's standard plat layout and contain at a minimum the following items:

- i. Subdivision name and location.
- ii. Name and address of owners of land and name and address of developer if different than owner.
- iii. Name of land surveyor.
- iv. The location of the proposed subdivision with respect to surrounding property and streets.
- v. The name of all adjoining property owners of record, or the names of adjoining developments.
- vi. The names and location and ROW widths of adjoining streets and all facilities within 100 feet of the platted property.
- vii. Subdivision name cleared with Utah County.
- viii. North arrow.
- ix. A tie to a permanent survey monument at a section corner.
- x. The boundary lines of the project with bearings and distances and a legal description with total project area in SF and acres.
- xi. Layout and dimensions of proposed lots with lot area in square feet and acres. Lot boundaries shall include dimensions and bearings. Building envelopes shall be shown with dimensions and areas on each lot where slopes are greater than ten percent.
- xii. Lot Numbers
- xiii. Location, dimensions, and labeling of roads, structures, irrigation features, drainage, parks, open space, trails, and recreational amenities.
- xiv. Location of prominent natural features such as rock outcroppings, woodlands, steep slopes, etc.
- xv. Proposed road ROW widths.
- xvi. Vicinity map.
- xvii. Signature blocks for preliminary approval by Planning Commission and City Council.
- xviii. The Preliminary Plat shall be prepared by a professional engineer licensed in Utah.
- xix. Proposed methods for the protection or preservation of sensitive lands.
- xx. Fencing plans.
- xxi. Location of any flood plains, wetlands, and other sensitive lands.
- xxii. Flood plain boundaries as indicated by the Federal Emergency Management Agency as well as the location of 100-year high water marks of all lakes, rivers, and streams.
- xxiii. Existing and Proposed easements.

- xxiv. Street monument locations.
- xxv. Fire hydrant locations.
- xxvi. Street light locations (at intersections and every 300 feet, placed on alternating sides of streets).
- xxvii. Lot and road addresses and addresses for each intersection. Road names must meet the requirements of Chapter 19.27 and be approved in writing by the City GIS department before being added to the subdivision plat.

xxviii. **Data table including:**

- 1. total project area;
- 2. total number of lots, dwellings, and buildings;
- 3. where buildings are included, square footage of proposed building footprints and, if multiple stories, square footage by floor;
- 4. for multi-family developments, the number of proposed garage parking spaces; and the total
- 5. number of proposed parking spaces;
- 6. percentage of buildable land;
- 7. acreage of sensitive lands and what percent sensitive lands comprise of total project area and of open space area;
- 8. area and percentage of open space or landscaping;
- 9. area to be dedicated as right-of-way (public and private);
- 10. net density of dwellings by acre (sensitive lands must be subtracted from base acreage).

xxix. Final Established Grade of all building lots.

- i. **Final Construction Drawings** containing, at a minimum, all items specified in the City’s “Standard Technical Specification and Drawings” manual. Applicant shall provide three full-size 24” x 36” copies and five 11 x 17 inch reductions. Additional copies may be required prior to adding the application to the Planning Commission or City Council agenda.
- j. **Landscaping and irrigation plans** drawn by certified landscape architect, including planting plan, data table including vegetation types and percentages, percentage of turf, installation details and other information consistent with the standards in 19.06. .
- k. Phasing plan including a data table with the following information for each phase:
 - i. Subtotal area in square feet and acres;
 - ii. number of lots or dwelling units;
 - iii. open space area and percentage;
 - iv. utility phasing plan;
 - v. number of parking spaces;
 - vi. recreational facilities to be provided;
 - vii. overall plan showing existing, proposed, and remaining phases.
- l. **Lighting plan** including photometric information for the site and for immediately adjacent properties, and fixture design, height, and placement consistent with the requirements in Section 19.11.
- m. File of all plans, documents and reports in pdf format.
- n. A document from UDOT Region 3 indicating that UDOT has granted approval for all proposed accesses onto any State road.

- o. **Geolocated KMZ file or GIS Shapefile** including lot line(s), lot number(s), road centerline(s), building footprint(s) where buildings are proposed, open space, and sensitive lands.
- p. **Title Report.** A title report shall be provided that is current within 30 days of recording the final plat.
- q. **Mylar Final Plat:** After receiving Final Plat approval from the Planning Director or City Council and in a form approved by the City, a 24" x 36" copy of the Final Plat shall be provided to the City on reproducible Mylar for recording with Utah County. The Mylar Final Plat shall be presented with all utility and owner signatures and appropriate notarizations.

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19.12.07. Minor Subdivision Approval Procedure.

Applications to subdivide a parcel into a maximum of four parcels may follow the process described herein as the Minor Subdivision Approval Procedure. The process of effectuating the subdivision of land as a Minor Subdivision shall commence with the submission of a complete Minor Subdivision application to the City. Upon receipt of an application for a Minor Subdivision approval, the following process shall be followed and criteria met:

1. Limitations.

- a. A Minor Subdivision is a one-time process. To ensure adequate infrastructure, lots contained in an existing recorded subdivision plat are not eligible to apply for a Minor Subdivision.
 - b. The minimum lot size for lots created through a Minor Subdivision shall be one acre, or the minimum allowed by the zone, whichever is greater.
 - c. Lots created through a Minor Subdivision may not be buildable until all other applicable State and local requirements are met.
2. **Complete Application.** The Planning Director and City Staff shall have ten business days to determine whether the application is complete. The applicant shall be notified in writing if the application is complete and, if incomplete, shall be notified of the reasons why the application is deficient.
3. **DRC Review.** Once an application is deemed to be complete, the Development Review Committee shall complete a review of the proposed plat and submit a **report recommendation to the Planning Commission prior to the meeting where the Planning Commission will review the Final Plat application** Planning Director.
4. **Approval.** The Planning Director shall review the proposed Final Plat to determine whether it is in compliance with the City Code.
- a. If the proposed plat complies, the Planning Director shall approve the plat and authorize the Mayor to sign the plat.
 - b. If the proposed plat fails to comply, the Planning Director shall deny the plat, or may continue the decision and return it to the developer along with a written list

of deficiencies that must be corrected before the Planning Director will authorize the Mayor to sign it.

- c. The Planning Director is specifically charged with ensuring that all significant conditions required for plat approval have been resolved before taking final action.
5. **Recordation.** The City Recorder, or designee, shall be responsible for recording subdivision plats. The subdivider shall pay for all recording fees at the time of recordation. No Final Plat shall be recorded unless and until the plat is properly approved, signed, and accepted by the City.
 6. **Application Requirements.** Applications for Minor Subdivision plats shall include the following items:
 - a. application form completed and application fee paid;
 - b. updated Preliminary Title Report;
 - i. The Title Report must also demonstrate that the proposed minor subdivision has not been involved in any prior minor subdivision;
 - c. Minor Subdivision Plats shall conform to all of the requirements for Final Subdivision Plats layouts as provided in section 19.12.03.

-(Ord. 15-29, Ord. 14-23, Ord. 14-4)

Chapter 19.13. Development Review Processes.

Sections:

- 19.13.01. Purpose.
- 19.13.02. General Considerations.
- 19.13.03. Application Forms Required.
- 19.13.04. Specific Development Processes and Submittal Requirements.
- 19.13.05. The Concept Plan Process.
- 19.13.06. Change -of Use Permits.
- 19.13.07. Development Agreements.
- 19.13.08. Improvements Required.
- 19.13.09. Master Development Agreements.
- 19.13.10. Payment in Lieu of Open Space.

19.13.01. Purpose.

The purpose of this Chapter is to promote the health, safety, and general welfare of the residents of the City and the efficient and orderly growth of the City by regulating the development of property and establishing procedures for property development. This Chapter contains requirements for the general development processes in Saratoga Springs. ~~Specific Other~~ regulations governing ~~Site Plan Reviews, Conditional Uses, Subdivisions, and Home Occupations~~ specific uses and topics are found in separate chapters of the Land Development Code. These chapters must also be consulted when preparing application materials for submittal to the City.

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19.13.04. Specific Development Processes and Submittal Requirements.

1. This Section of the Chapter identifies the development processes for each of the major types of developments within the City of Saratoga Springs. The following table is a non-exhaustive summary of these processes, and specifies who acts as the land use authority for each:

Process and Land Use Authority ☉	Planning Director Approval	Planning Commission Public Hearing	Planning Commission Recommendation	Planning Commission Approval	City Council Approval
Development Type Δ					
Change of Use Permit**	X				
Concept Plan, <u>Single Use</u>	X - <i>Informal review only</i>				
<u>Concept Plan, with a rezone</u>		X	X		X
Conditional Use – New Construction		X	X		X
Conditional Use – Existing Building or Site**	X				
Development Agreement (DA)					X
DA or MDA Amendment – Minor	X				
DA or MDA Amendment – Major					X
Home Occupation*	X				
Lot Line Adjustment	X				
Master Development Agreement (MDA)		X	X		X
Minor Subdivision	X				
Planned Unit Development		X	X		X
Plat, Amendment**	X				
Plat, Condominium and Final	X				
Plat, Preliminary		X	X		X
Site Plan		X	X		X
Site Plan	X				

Amendment - Minor					
Site Plan Amendment - Major		X		X	
Temporary Use	X				

* May be approved by staff unless staff determines Planning Commission approval is necessary based on the criteria in § 19.08.03.

** May be approved by staff unless Planning Commission or Council approval is required per §19.12 or §19.13.

* * * * *

19.13.05. Concept Plan Process.

1. A Concept Plan application shall be submitted before the filing of an application for subdivision or Site Plan approval unless the subdivision was part of a previous Concept Plan application within the **last previous** two years and the application does not significantly deviate from the previous Concept Plan.

2. Concept Plan Review Process

~~a.~~ **The review for a Concept Plan review** involves an informal review of the plan by the City’s Development Review Committee;

~~2.b.~~ **The review for a Concept Plan when** accompanying a rezone application, **the review also also** involves an informal review of the plan by the Planning Commission and City Council.

~~3.c.~~ The developer shall receive comments from the Development Review Committee, and when **accompanying a rezone application applicable**, by the Planning Commission, and City Council to guide the developer in the preparation of subsequent applications.

~~a.d.~~ The Development Review Committee, and Planning Commission and City Council when **accompanying a rezone applicable**, shall not take any action on the Concept Plan review.

~~b.e.~~ The comments of the Development Review Committee, and Planning Commission and City Council when **accompanying a rezone applicable** shall not be binding, but shall only be used for information in the preparation of the development permit application.

~~4.f.~~ The Concept Plan review is intended to provide the developer with an opportunity to receive input on a proposed development prior to incurring the costs associated with further stages of the approval process. This review does not create any vested rights to proceed with development. Developers should anticipate that the City may raise additional issues in further stages not addressed at the Concept Plan stage.

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19.13.10. Payment in Lieu of Open Space.

1. **Purpose.** In order to meet the City's recreational needs and to create a more attractive community, Open Space shall be dedicated to the City of Saratoga Springs in accordance with the standards provided in Chapters 19.04 and 19.07 of the Land Development Code. In cases where the City Council finds that a voluntary payment to the City in lieu of providing all of the open space required by the City's Land Development Code will better meet the City's recreational needs, the City Council may allow a developer to utilize the City's Payment in Lieu of Open Space Program as described in this Section.
2. **Payment in Lieu of Open Space Program.** The City's Payment in Lieu of Open Space Program may be utilized for developments in the R-2, R-3, and R-4 zones, or any other development in any zone containing equal to or less than four units per acre. The percentage of open space that may be satisfied with a Payment in Lieu of Open Space shall be determined by the City Council taking into account the following:
 - a. The proximity of regional parks;
 - b. The size of the development;
 - c. The need of the residents of the proposed subdivision for open space amenities;
 - d. The density of the project;
 - e. Whether the Payment in Lieu furthers the intent of the General Plan; and
 - f. Whether the Payment in Lieu will result in providing open space and parks in more desirable areas.
3. **Excluded Open Space.** Specific types of open space do not qualify for this program including landscaping strips, regional trail segments, landscaping buffers, sensitive lands, landscaping in parking areas, or other types of open space that may be specifically required by City ordinances and standards.
4. **Qualification for the Program.** Developments that the developers or the planning staff believe would result in better projects and would meet the above described standards may qualify for the Payment in Lieu of Open Space Program.
 - a. Such developments will be presented to the Planning Commission and City Council as part of the review process for Concept Plans or Master Development Plans. Said payments in lieu of open space shall be presented for approval in connection with preliminary and final plat approval. During that review, the Planning Commission will make a recommendation to the City Council on the implementation of the Payment in Lieu of Open Space program.
 - b. Subsequent to the Planning Commission's review, the City Council may approve, approve with modifications, or deny a request to implement the Payment in Lieu of Open Space Program. The City Council maintains complete discretion as to whether a request to provide Payment in Lieu of Open Space shall be granted.
5. **Arrangements and Handling of Payment.** If the City Council approves a request to implement the Payment in Lieu of Open Space for a particular development, the following procedure will be followed:

- a. The City shall maintain a list of no less than three appraisers whom the City has approved for purposes of appraising lands participating in this program. Using one of the City's approved appraisers, an appraisal of the entire project will be performed at the developer's expense. This appraisal will be performed on the basis that the property has received development entitlements of the approved development covered by the payment in lieu of open space.
- b. An estimate of the required open space improvements, including landscaping, parks, trails, and other amenities, shall be performed by a landscaping company or landscape architect.
- c. Once complete, the appraisal and estimate shall be submitted to the City Recorder. The City shall have thirty days to review the appraisal and estimate to determine whether they are acceptable without further review.
- d. If the City finds that the appraisal and estimate are acceptable without additional review, the developer shall be notified in writing:
 - i. In the event that the City finds it necessary to further review the appraisal and estimate, the City shall employ, at the City's expense, an appraiser or landscape architect (or other professional) approved by the City to either review the original appraisal of the property or estimate or conduct a new appraisal or estimate. The City may, at the City's discretion, accept the original appraisal or use the average land value between the City's appraisal, if one is conducted, and the original appraisal. In addition, the City may, at the City's discretion, accept the original estimate of the open space improvements or use the average estimate of the developer's and City's estimate.
 - ii. Upon completion of this process the City shall notify the developer in writing of its findings.
- e. The City and the developer may agree as to the market value of the land or estimated open space improvements without an appraisal or estimate so long as there are circumstances that assure that the agreed value is at least equal to the expected appraised or actual value.
- f. The developer shall pay as a Payment in Lieu the amount of money equivalent to the overall appraised value of the entire project times the percentage of land required for open space, plus the estimate of the anticipated open space improvements as follows:
 - i. Example: $\$100,000$ (appraised value of entire project acreage) \times .30 (30% required open space) = $\$30,000$ plus the estimated cost of the open space improvements.
 - ii. In addition, the developer shall be required to pay an amount equal to the estimated costs of water connections and water rights for the land if it were developed as open space.
 - iii. Before any subdivision plats are recorded, the developer shall pay to the City (a) the land value, (b) estimated cost of the open space improvements based upon an average per square foot cost of improvements for the six most recent City parks with the highest and lowest park removed, and (c) estimated water rights costs.
- g. Upon receipt of the payment, the City shall deposit those funds in an account that has been established for the purchase of park lands, the construction of parks and recreation improvements, or for upgrading or repairing existing park facilities. The

City may expend the Payment in Lieu of Open Space funds at its discretion so long as they are only used for the purchase of parks, construction of parks and recreation improvements, or for upgrading or repairing existing parks facilities.

- h. The City and developer may also agree to make other arrangements for the Payment in Lieu of Open Space if acceptable terms can be reached, but in no case shall the value of the Payment be less than the expected appraised value, estimated cost of open space improvements, and estimated water costs as described herein.

6. Voluntary Participation.

- a. This program is completely voluntary and developers who participate in it shall do so on a voluntary basis only. Written development agreements shall contain a description of the terms of this program.
- b. This program is also voluntary for the City and approval of all payments in lieu of open space are made at the sole discretion of the City Council. No entitlements are granted by virtue of this Chapter and all proposals to participate in this program are subject to the total and complete review and discretion of the City Council.

(Ord. 14-23)

Chapter 19.14. Site Plan Review.

Sections:

- 19.14.01. Purpose.
- 19.14.02. Approval Required.
- 19.14.03. Site Plan Development Standards.
- ~~19.14.04. Architectural and Urban Design Requirements.~~
- ~~19.14.0504. Special Provisions.~~
- ~~19.14.0605. Application.~~
- ~~19.14.0706. Issuance of Building Permit.~~
- ~~19.14.0807. Issuance of a Certificate of Occupancy.~~
- ~~19.14.0908. Failure to Begin and Complete Development.~~

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19.14.03. Site Plan Development Standards.

The following are standards required for all Site Plans in any zone:

1. **Site Plan Standards.** The entire parcel area shall be built upon, landscaped, or paved in accordance with the zone's open space and parking requirements.
- ~~2. **Buffering and Screening Requirements.** Any commercial use which abuts an agricultural use shall be effectively screened by a wall and landscaping, fencing, or landscaping of acceptable design; any commercial use which abuts a residential use shall be screened per the standards of 19.06. No chain link or wood fences are permitted as buffering or screening between commercial and agricultural uses. Masonry and solid white vinyl are suggested types of fences, and as circumstances require, one or the other may be required. Unless otherwise required by this Title, walls or fences used as a buffer or screen shall not be less than six feet in height. Landscaped berms with sufficient trees may be reduced to 4-5 feet depending on specific adjacent uses. Such wall, fence and landscaping shall be maintained in good condition with no advertising thereon. All developments shall have a minimum number of both deciduous and evergreen trees to provide for shade and visual relief.~~
- ~~3. **Access Requirements.**
 - ~~a. **Access dimensions.** For each commercial access:
 - ~~i. the access shall not be more than forty feet in width, measured at right angles to the center line of the access except as increased by permissible curb return radii; and~~
 - ~~ii. the entire flare of any return radius shall fall within the right-of-way.~~~~
 - ~~b. **Interconnection.** All parking and other vehicular use areas shall be interconnected with adjacent properties in order to allow maximum off-street vehicular circulation.~~~~

- ~~e. **Acceleration and Deceleration Lanes.** Acceleration and deceleration lanes shall be required on major arterials when deemed necessary by the City Engineer.~~
- ~~d. **Off-street Truck Loading Space.** Every structure involving the receipt or distribution by vehicles of materials or merchandise shall provide and maintain on the building's lot adequate space for standing, loading, and unloading of the vehicles in order to avoid undue interference with public use of streets or alleys.~~

2.1. Utilities. All utility lines shall be underground in designated easements. No pipe, conduit, cable, water line, gas, sewage, drainage, steam, electrical, or any other energy or service shall be installed or maintained upon any lot outside of any building above the surface of the ground except during construction.

- a. Transformers shall be grouped with other utility meters where possible and screened with vegetation or fencing.
- b. Each contractor and owner or developer shall be responsible to know the whereabouts of all underground utilities. Protection of such utilities shall also be their responsibility.
- c. Prior to construction, contact must be made with Blue Stakes and any other utility company, public or private, not participating in Blue Stakes in the area to identify underground utility lines.
- ~~e.d. **Exception: electric power transmission lines of 46kV or above are not required to be placed underground.**~~

3.2. Grading and Drainage. Drainage from any lot must follow current City requirements to show on site retention and a maximum allowable discharge of 0.2 cubic feet per second (cfs) per acre. Drainage shall not be allowed to flow upon adjoining lots unless the owner of the lot upon which the water flows has granted an easement for such purpose. The Planning Commission must approve a Site Plan with grading, drainage, and clearing plans before any such activities may begin. Lot grading shall be kept to a minimum. Roads and development shall be designed for preservation of natural grade except as otherwise approved by the City Engineer based on standards and specifications.

4.3. Secondary Water System and Dedication of Water Shares. The applicant shall comply with the City's adopted Water Utility Ordinance and other adopted standards, regulations, and ordinances and shall dedicate to the City the amount of water specified in those adopted standards, regulations, and ordinances upon approval of the Site Plan.

5.4. Piping of Irrigation Ditches. All existing irrigation canals and ditches which are located on the site or straddle a site property line shall be piped with a sufficient size pipe and shall be approved by the City Engineer.

6.5. Preliminary Condominium Plat. When the proposed Site Plan includes condominium units, the Site Plan submittal shall include a preliminary condominium plat. Said plat shall include a survey of the property, the proposed building locations, proposed floor plans and proposed elevations identifying each building in the development. Approval of the proposed Site Plan may occur simultaneously with the approval of the proposed preliminary condominium plat.

(Ord. 16-17, Ord. 14-23)

19.14.04. Architectural and Urban Design Requirements.

1. **Process.** Architectural and Urban Design review shall be conducted by the DRC prior to the first Planning Commission or City Council meeting, whichever comes first.
2. **Mechanical Equipment.** All mechanical equipment shall be located or screened and other measures shall be taken so as to shield visibility of such equipment from any public or private streets.
 - a. Screens shall be aesthetically incorporated into the design of the building whether located on the ground or roof.
 - b. Rooftops of buildings shall be free of any mechanical equipment unless completely screened from all horizontal points of view.
 - c. Screening materials shall conform to the color scheme of the primary building.
 - d. Measures taken to shield mechanical equipment from view, other than screening, must be approved by the City Council.
3. **Windows.** Windows, other than rectangular windows, may be used as accents and trim. Untreated aluminum or metal window frames are prohibited.
4. **Building Lighting.** Plans for exterior building lighting shall be approved as part of the Site Plan approval. Building lighting shall be shielded and directed downward so that the light source is not visible from beyond the property where the structure is located. Lighting shall not project above or beyond the property line.
5. **Trash Enclosures, Storage Areas, and External Structures.** Landscaping, fencing, berms, or other devices integral to overall site and building design shall screen trash enclosures, storage areas, and other external structures.
 - a. Trash and storage areas shall be comparable to the proposed or existing building and with surrounding structures. These areas shall be well maintained and oriented away from public view.
 - b. The consolidation of trash areas between buildings is encouraged.
 - c. The use of modern disposal and recycling techniques is encouraged.
 - d. Chain link fences and chain link fencing with vinyl slats are prohibited. Solid fences and gates shall be required so as to help shield trash areas from public or private view.
 - e. Where trash enclosures, storage areas, or other external structures are adjacent to parking areas, a three foot landscaped buffer shall be provided that does not impede access into and out of vehicles.
 - f. This Section shall not apply to community or public recycling bins or drop boxes; however, the location shall be determined by Staff in accordance with the standards herein.

6. ~~Exterior Materials.~~ The DRC shall ensure that all buildings are finished with high quality materials that conform to the City's Architectural Design Standards and an overall master design theme or plan. Building elevations shall be submitted that indicate all colors, styles, materials, and other proposed building treatments.

7. ~~Landscape Requirements.~~ All Site Plans shall conform to the landscaping requirements established in Chapter 19.06 of this Title.

8. ~~Parking Lot, Building, and Street Lighting.~~ All Site Plans shall conform to the lighting requirements established in Chapter 19.11 of this Title.

~~(Ord. 16-01, Ord. 14-23)~~

19.14.0504. Special Provisions.

1. ~~Uses Within Buildings.~~ All uses established in any commercial, office warehouse, business park, or industrial zone shall be conducted entirely within a fully enclosed approved building except those uses deemed by the City Council to be customarily and appropriately conducted in the open.

a. ~~Uses which may qualify for this exception include vegetation nurseries, home improvement centers with lumber, vegetation nurseries, outdoor cafes, and auto dealerships.~~

b. ~~Outdoor display areas shall be clearly delineated through contrasting colored, painted, or striped surface.~~

c. ~~Approved temporary uses, such as Christmas tree lots, shall be exempt from this requirement.~~

~~2.1. Nuisances.~~ All commercial uses shall be free from objectionable odors, noises, hazards, or other nuisances.

~~3.2. Residential Conversions.~~ No existing residential dwelling or residential lot in any commercial or residential zone may be used or converted into a commercial use unless all of the standards set forth herein are met, including parking regulations, setbacks, landscaping, and architectural design.

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Chapter 19.16. Site and Architectural Design Standards~~Reserved~~

19.16.01. Purpose.

19.16.02. Applicability and Review Process.

19.16.03. Site Design Standards: General.

19.16.04. Site Design Standards: Non-Residential.

19.16.05. Architectural Design Standards, General.

19.16.06. Architectural Design Standards, Residential.

19.16.07. Architectural Design Standards, Non-Residential.

19.16.08. Mixed Use and Mixed Waterfront Site and Architectural Design Standards.

19.16.09. Buffer Overlay Standards.

19.16.01. Purpose.

These standards have been adopted to promote high quality development, while enhancing and protecting aesthetics as the City grows. Each new development in the City shall be designed to:

1. Provide for a harmonious arrangement of buildings, site landscaping, open space, driveways, access, parking, and development amenities.
2. Make reasonable efforts to preserve the desirable existing conditions found on a site through minimized removal of desirable trees and other vegetation and soil and minimized site grading.
3. Use high quality building materials, colors, textures, lighting, architectural and landscape forms.
4. Create safe vehicular, pedestrian, and bicycle circulation by way of interior drives, parking areas, pathways, and sidewalks.
5. Provide buffering between adjacent properties.
6. Provide architectural designs that are visually appealing on all visible elevations.
7. Maintain building massing that is scaled to pedestrian and vehicular perspectives.

19.16.02. Applicability and Review Process.

1. **Conformance required.** This section applies to all new development in the City unless otherwise exempted in this Title, and expansions to previously existing development in the City.
2. **Exemptions.** The following uses shall be exempt from the requirements of this section:
 - a. New and expanded Agricultural sites and structures.
 - b. Construction of individual single-family homes that are not part of a Planned Community, PUD, or Master Development Agreement.
3. **Review Process.** Site and Architectural Review will be done by the Development Review committee as part of the review process for the related site plan, subdivision plat, or other applicable development application. Such review shall be done prior to approvals or public meetings.

4. **Submittal Requirements.** Scaled building elevations shall be submitted that indicate all colors, styles, materials, and other proposed building treatments. Material and color boards shall also be submitted with the items required accompanying development application.

19.16.03. Site Design Standards, General.

The following standards are applicable to all new non-residential, two-family, three-family, and multi-family development:

1. Pedestrian Connectivity.

- a. All buildings and sites shall be designed to be pedestrian friendly by the use of connecting walkways.
- b. Safe pedestrian connections shall be made between buildings within a development, to any streets adjacent to the property, to any pedestrian facilities that connect with the property, when feasible between developments, and from buildings to the public sidewalk to minimize the need to walk within the parking lot among cars.
- c. All pedestrian connections shall be shown on the related site plan or plat.

2. Parking areas.

- a. On-site parking shall be located primarily to the sides or rear of the building. Variations may be approved by the Land Use Authority, subject to the following criteria:
 - i. The use is a big box with outparcels helping to screen parking, or
 - ii. At least 50% of the parking is located to the side or rear of the building.
- b. Parking lots shall be designed with a hierarchy of circulation: major access drives with no parking; major circulation drives with little or no parking; and then parking aisles for direct access to parking spaces.
- c. The use of shared parking with adjacent sites is encouraged as per the shared parking provision within Section 19.09 of the Land Development Code.
- d. Parking lots adjacent to, and visible from, public streets shall be screened from view through the use of earth berms, screen walls, landscape hedges or combinations thereof with a minimum height of three feet.

3. **Acceleration and Deceleration Lanes.** Acceleration and deceleration lanes shall be required on major arterials when deemed necessary by the City Engineer.

4. Parking structures.

- a. Parking structures shall be architecturally consistent with the project buildings, including the use of the same primary finish materials as the exterior of the adjacent or adjoining buildings.
- b. When placement of parking structures along site frontages is necessary, visual mitigation such as landscape buffers, upper-level setbacks, or additional architectural treatment shall be used.

- c. The view of a parking structure from a public street shall be minimized by placing its shortest dimension along the street edge.
- d. The top deck of parking structures shall include either screen walls, periphery landscape islands, or similar features where visible from public view in order to soften the appearance of the top of the parking structure and screen the view of cars on the top deck of the structure.
- e. All top deck lighting shall be screened and directed downward to avoid light spill onto the street below. Visibility of light poles from the street level is strongly discouraged.

5. Trash Enclosures, Storage Areas, and External Structures. Landscaping, fencing, berms, or other devices integral to overall site and building design shall screen trash enclosures, storage areas, and other external structures.

- a. Service yards, refuse and waste-removal areas, loading docks, truck parking areas and other utility areas shall be screened from view by the use of a combination of walls, fences, and dense planting. Screening shall block views to these areas from on-site as well as from public rights of way and adjacent properties.
- b. All trash dumpsters shall be provided with solid enclosures.
 - a. Enclosures shall be composed of 6-foot-high solid masonry or decorative precast concrete walls, with opaque gates and self-latching mechanisms to keep gates closed when not in use. Bollards are required at the front of the masonry walls to protect the enclosure from trash collection vehicles. Gates shall be made of opaque metal for durability. Chain link gates with or without opaque slats are not acceptable. Colors and materials shall be consistent with the main building or use.
- c. Where trash enclosures, storage areas, or other external structures are adjacent to parking areas, a three foot landscaped buffer shall be provided that does not impede access into and out of vehicles.
- d. These areas shall be well maintained and oriented away from public view.
- e. The consolidation of trash areas between buildings is encouraged.
- f. The use of modern disposal and recycling techniques is encouraged.
- g. This Section shall not apply to community or public recycling bins or drop boxes; however, the location shall be determined by Staff in accordance with the standards herein.

6. Utility Boxes. Dense vegetative buffers which include an evergreen variety of plant materials shall be placed where appropriate to screen all utility boxes and pedestals in order to remain attractive during the winter months.

19.16.04. Site Design Standards: Non-Residential Development.

1. Shopping Cart Corrals.

- a. Shopping cart corrals are required for big box or mid box retail uses.
- b. Roof covers are recommended as the local climate includes wind, rain, and winter snow conditions. If roof covers are utilized they should blend in with the established building design.

c. If a roof cover is not utilized, the shopping cart corral rail finish should match or compliment the exterior finishes of the main building. Exposed galvanized steel finish is not encouraged.

2. Uses Within Buildings. All uses established in any commercial, office warehouse, business park, or industrial zone shall be conducted entirely within a fully enclosed approved building except those uses deemed by the City Council to be customarily and appropriately conducted in the open.

a. Uses which may qualify for this exception include vegetation nurseries, home improvement centers with lumber, vegetation nurseries, outdoor cafes, outdoor retail display, and auto dealerships.

b. Approved temporary uses, such as Christmas tree lots, shall be exempt from this requirement.

3. Outdoor Display

a. All retail product displays shall be located under the buildings' permanent roof structure or on designated display pads within front landscape areas.

b. All display areas shall be clearly defined on the approved Site Plan and designated on the site with a contrasting colored, painted, or striped surface.

c. Display areas shall not block building entries or exits, pedestrian walks, or parking spaces in front of the building. Outdoor display areas shall not spill into walkways or any drive aisle adjacent to a building.

d. Seasonal uses outside of these areas may be approved through the Temporary Use process.

4. Access Requirements. For each commercial lot:

a. each roadway shall not be more than forty feet in width, measured at right angles to the center line of the driveway except as increased by permissible curb return radii; and

b. the entire flare of any return radii shall fall within the right-of-way.

5. Off-street Truck Loading Space. Every structure involving the receipt or distribution by vehicles of materials or merchandise shall provide and maintain on the building's lot adequate space for standing, loading, and unloading of the vehicles in order to avoid undue interference with public use of streets, ~~or~~ alleys, ~~required parking stalls, or accessible stalls.~~

6. Screening of Storage & Loading Areas

a. To alleviate the unsightly appearance of loading facilities, these areas shall not be located on the side(s) of the building facing the public street(s). Such facilities shall be located at the rear or side of the site.

b. Screening for storage and loading areas shall be composed of 6 foot high solid masonry or architectural precast concrete walls with opaque gates and self-latching mechanisms, to keep gates closed when not in use. Bollards are required at the front of the masonry walls to protect the enclosure from trash collection vehicles.

- c. Gates shall be made of opaque metal for durability. Chain link gates with opaque slats are ~~not acceptable~~ prohibited.
- d. The method of screening shall be architecturally integrated with the adjacent building in terms of materials and colors.
- e. Trash areas shall be designed to include the screening of large items (e.g. skids and pallets) as well as the trash bin(s) that are needed for the business (unless storage is otherwise accommodated behind required screened storage areas).

7. Buffers.

- a. A wall and landscaping, fencing, or landscaping of acceptable design shall effectively screen the borders of any commercial or industrial lot which abuts an existing agricultural or platted residential use. Such a wall, fence, or landscaping shall be at least six feet in height, unless a wall or fence of a different height is required by the Land Use Authority as part of a site Plan review. Such wall, fence, or landscaping shall be maintained in good condition with no advertising thereon, except as permitted by Chapter 19.18.
- b. No chain link or wood fences are permitted as buffering or screening between commercial and residential. Masonry and solid vinyl are suggested types of fences, and as circumstances require, one or the other may be required.
- c. Unless otherwise required by this Title, walls or fences used as a buffer or screen shall not be less than six feet in height.

8. Parking Lot Buffers. There shall be a minimum of 10 feet of landscaping between parking areas and side and rear property lines adjacent to agricultural and residential land uses. (See Chapter 19.09, Off-street parking requirements.)

9. Interconnection. All parking and other vehicular use areas shall be interconnected with adjacent non-residential properties in order to allow maximum off-street vehicular circulation.

19.16.05. Architectural Design Standards, General.

The following standards are applicable to all new multi-family and non-residential development:

- 1. **Building articulation.** Building elevations exceeding 40 feet shall incorporate a minimum of two of the following spaced at intervals of 30 to 50 feet of horizontal width:
 - a. A single elevation shift, stepping portions of the elevation to create shadow lines and changes in volumetric spaces of at least five feet.
 - b. A combination of vertical and horizontal elevation shifts that together equal at least five feet.
 - c. Addition of horizontal and vertical divisions by use of textures or materials.
 - d. Primary material change.
 - e. Addition of projections such as balconies, cornices, covered entrances, porte-cocheres, trellis', pergolas, arcades, and colonnades. Such trellis' and awnings extend outward from the underlying wall surface at least 36-inches.

- f. Variation in the rooflines by use of dormer windows, overhangs, arches, stepped roofs, gables or other similar devices.

2. Roof treatment.

- a. Sloped roofs shall provide articulation and variations in order to break up the massiveness of the roof. Sloped roofs shall include eaves which are proportional to the roofs slope and scale of the building.
- b. Flat roofs shall be screened with parapets on all sides of the building. If no roof top equipment exists or is proposed, the parapet shall be a minimum of 18 inches in height of the roof.
- c. Roof mounted equipment shall not be visible from adjacent public and private streets as well as from adjacent properties, unless grade differences make visibility unavoidable.
- d. In no case shall wooden or vinyl fences or chain link fencing with slats be used as a roof top equipment screen.

3. Windows. Windows, other than rectangular windows, may be used as accents and trim. Untreated aluminum or metal window frames are prohibited.

4. Awnings, canopies, trellises, pergolas, and similar features.

- a. All such features must be attached to a vertical wall.
- b. All such features shall project at least 4 feet from the building when located over a pedestrian traffic area and no less than 2 feet otherwise.
- c. All such features shall maintain a minimum clearance above sidewalk grade of 8 feet to the bottom of the framework when located over a pedestrian traffic area.
- d. Backlighting is not permitted.

5. Mechanical Equipment.

- a. All mechanical equipment shall be located or screened and other measures shall be taken so as to shield visibility of such equipment from any public or private streets.
- b. Wing walls, screens, or other enclosures shall be shall be integrated into the building and landscaping of the site, whether located on the ground or roof.
- c. Rooftops of buildings shall be free of any mechanical equipment unless completely screened from all horizontal points of view.
- d. Screening materials shall conform to the color scheme and materials of the primary building.

19.16.06. Architectural Design Standards, Residential.

The following standards apply to all new multi-family, two-family, and three-family residential development:

1. Architectural wrap.

- a. Stone, brick, wainscot, and other front elevation materials shall be wrapped a minimum of two feet into interior side elevations.

- b. Stone, brick, wainscot, and other front elevation materials shall extend the full width of any street side yard.

2. Materials and colors.

- a. A minimum of three materials and three colors shall be utilized on front or street side elevations. A minimum of two materials and two colors shall be utilized on interior side and rear elevations.
- b. No more than 75% of any building elevation shall consist of any one material or color.

3. Variation.

- a. Two-family, three-family, and multi-family developments containing more than five buildings shall be designed with at least two color palettes.

19.16.07. Architectural Design Standards, Non-Residential.

The following standards are applicable to all new or amended non-residential development.

1. Four-sided architecture.

- a. All sides of a building that are open to public view (including views from adjacent residential dwellings or probable location of residential dwellings) shall receive equal architectural design consideration as the building front.

2. Colors and materials.

- a. Exterior Building Materials shall be considered any materials that make up the exterior envelope of the building and shall be limited to no more than four and no less than two types of materials per building, window and door openings excluded.
- b. Color of exterior building materials (excluding accent colors) shall be limited to no more than four and no less than two major colors per development.
- c. No more than 75% of any building elevation shall consist of any one material or color.

3. Prohibited materials.

- a. Tiles. Full veneer brick and tiles exceeding 1/2 inch in thickness is permitted, however veneer tile is prohibited.
- b. Stucco stone patterns and stucco brick patterns
- c. Wood as a primary exterior finish material.
- d. Plain, grey, unfinished CMU block except as an accent material.

4. All stairways to upper levels shall be located within the building unless otherwise approved by the Land Use Authority for secondary access to outdoor patio decks or other usable outdoor area.

5. All roof drains, conduit and piping, maintenance stairs and ladders, air conditioning units, and other related services shall be located on the interior of the building.

6. To the extent possible, all electric panels and communication equipment should be located in an interior equipment room.

7. Street Orientation.

- a. All Retail or Commercial buildings shall have expansive windows, balconies, terraces, or other design features oriented to the street or adjacent public spaces.
- b. At least 50 percent of the first floor elevation(s) of multi-story buildings that are viewed from public streets shall include transparent windows, display windows, and/or doors to minimize the expanse of blank walls and encourage a pedestrian friendly atmosphere.

8. Metal Buildings.

- a. Metal buildings are only permitted in the Office Warehouse and Industrial Zones.
- b. All metal buildings shall be designed to have an exterior appearance of conventionally built structures. Stock, “off the shelf” metal buildings are prohibited.

19.16.08. Mixed Use and Mixed Waterfront Site, Additional Standards.

In addition to the residential and/or non-residential requirements of this Chapter, developments in the Mixed Use and Mixed Waterfront Zones shall be subject to the additional standards below:

1. Purpose. The purpose of mixed-use and mixed waterfront standards are to enable developments that are designed to:
 - a. Promote a strong pedestrian environment and active street frontage, and be pedestrian in focus through appropriately scaled elements and materials.
 - b. Locate mixed uses near each other without large parking lots between, in order to be convenient for people to walk rather than drive between uses.
 - c. Provide a transition from commercial to residential uses by reducing building height and increasing building setbacks where possible.
 - d. Ensure consistent and quality architectural details and materials.
 - e. Ensure security for users by:
 - i. Maximizing visibility to common open space areas, internal walkways, and public sidewalks.
 - ii. Using walkways, low fences, lighting, signage, and landscaping to clearly guide people and vehicles to and from the proper entrances.
 - iii. Eliminating areas of concealment, hiding places, and dead spaces.
 - iv. Using appropriate lighting to improve the visibility of common areas while enhancing the pedestrian environment.
2. Additional Architectural Standards.
 - a. Pedestrian-oriented features.
 - i. At least 75 percent of the building frontage facing a public street, primary pedestrian way, or parking lot shall be devoted to pedestrian-oriented features (e.g., storefronts, pedestrian entrances to nonresidential uses; transparent display windows; landscaping).
 - ii. 50% of the ground level façade shall be devoted to windows affording view into the interior of the building.
 - b. Upper level features. Upper floor balconies, bays, or windows shall be provided on multiple story buildings.

- c. Entrances. When nonresidential and residential uses are located in a vertical mixed use structure, separate pedestrian entrances shall be provided for each use.
 - i. The entrances for nonresidential uses shall be designed to be visually distinct from the entrances for residential uses.
 - ~~†~~Entrances to individual residential units in a vertical mixed use project shall not be allowed along a street frontage. Instead shared entrances to residential units located above the ground floor shall be from lobbies that serve multiple units.
- d. Façade treatment. All sides of a building that are open to public view (including views from adjacent residential dwellings or probable location of residential dwellings) shall receive equal architectural design consideration as the building front.

3. Additional Site Design Standards.

- a. Parking, loading, and circulation.
 - i. Parking facilities shall be separated for nonresidential uses and residential uses, except that guest parking for residential uses may be shared with nonresidential uses.
 - ii. If enclosed parking, including parking garages and structures, is provided for residential and nonresidential portions of a mixed-use project, separate areas/levels shall be provided for each use and separate entrances shall be provided.
- b. Loading areas. Loading areas for nonresidential uses shall be located as far as possible from residential units and shall be completely screened from view from the residential portion of the project and public streets. Loading areas shall be compatible in architectural design and details with the overall project. The location and design of loading areas shall mitigate nuisances from noise when residential uses might be impacted.
- c. Vehicular circulation.
 - i. Vehicular circulation shall be designed to direct non-residential traffic away from adjacent residential streets outside the mixed use districts, to the greatest extent feasible.
 - ii. Roadways are prohibited between the waterway and buildings nearest the waterway.
- d. Pedestrian design.
 - ~~Providing direct pedestrian linkages to adjacent public sidewalks.~~
 - ~~Creating enhanced pedestrian connections throughout the project between residential and nonresidential uses and parking areas.~~
 - i. Developments shall provide enhanced pedestrian amenities throughout the project, including seating, pedestrian area lighting, special paving, public

art, water features, common open space, directories, and similar items to create a pleasant pedestrian experience.

e. **Mixed Use Layout.**

i. Separate site access driveways shall be provided, whenever possible, for nonresidential and residential uses. Site access driveways shall incorporate distinctive design elements, landscape features, and signs to help differentiate access to nonresidential parking areas from access to residential parking areas.

ii. For vertical mixed use projects, only nonresidential uses shall be located on the ground floor along public/private street frontages. Residential uses may be located above the ground floor and in areas that do not have frontage on a street. Up to 20% of the ground floor frontage may be occupied by lobby entrances to multiple residential units and pedestrian amenities (e.g., plaza, paseo, or courtyard).

iii. For horizontal mixed use projects, the residential portion of the project may have frontage on a public/private street.

f. A prominent entrance shall be oriented to the major street on which the structure has frontage, street corner, courtyard, plaza, park, or other structures on the site, but not to interior blocks or parking lots/structures.

g. Live/work units, dwelling units that are used jointly for commercial and residential purposes, shall be designed with the following elements:

i. Each live/work unit fronting a public street shall have a pedestrian-oriented frontage that allows views into the interior of the nonresidential areas of the unit.

ii. The living space within the live/work unit shall be contiguous with the commercial space, with direct access between the two areas.

4. **Operational standards.**

1. Outdoor nonresidential uses in a mixed-use project that includes residential uses shall be prohibited from operating between the hours of 10:00 P.M. and 6:00 A.M.

2. Loading and unloading activities shall not take place after 10:00 P.M. or before 6:00 A.M. on any day of the week.

19.16.09. Buffer Overlay, Additional Standards

In addition to the residential and/or non-residential requirements of this Chapter, developments in the Buffer Overlay shall be subject to the additional standards below:

1. **Building standards:**

a. Height and setbacks for buildings and structures that exceed 35 feet in height.

i. River facing facades for floors above 35 feet in height shall be set back an additional 5 feet from the floors below. Each additional floor shall be set back an additional 5 feet.

b. Ground floor transparency.

i. The building façade facing the river shall have at least 50 percent of the river level façade area devoted to display windows and/or windows affording some view into the interior areas. Multi-family residential buildings with no retail or office space are exempt.

c. Prohibited building materials:

- i. High gloss or shiny metal panels as a primary material.
- ii. Mirror glass panels.

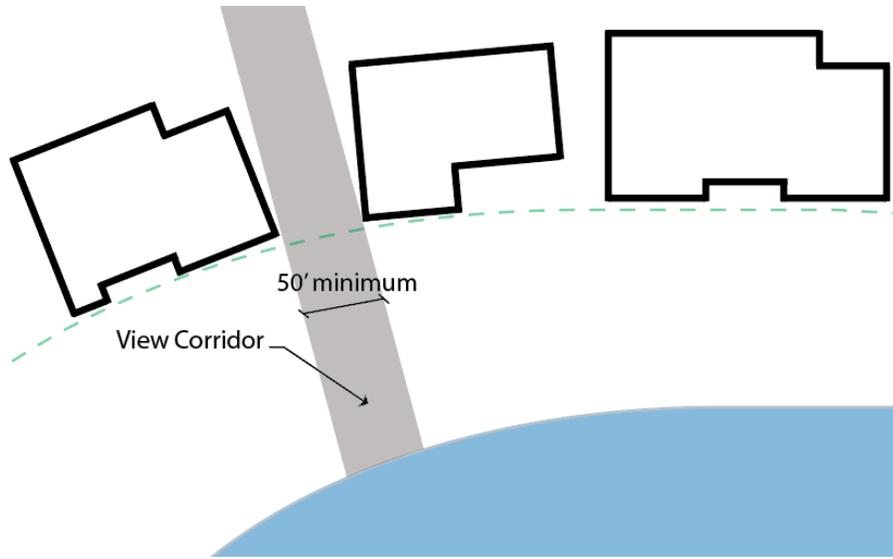
d. Entrances

- i. Entrances shall be as prominent on the waterfront side of a building as on the street side.
- ii. Entrances shall be placed so as to be highly visible.

e. Facades Treatment

- i. Facades on the waterfront shall be pedestrian scale, and not give the appearance of the “back of a building”.
- ii. All sides of a mixed use, multi-family, or non-residential building that are open to public view (including views from adjacent residential dwellings, trails, or probable location of residential dwellings) shall receive equal architectural design consideration as the building front.

a-2. View corridor: Each development shall provide at least one 50’ wide view corridor for every 3 acres of development. View corridors shall be kept free of structures and other obstructions, and shall extend from the water through the entirety of the development generally perpendicular to the water.



Chapter 19.18. Sign Regulations.

Sections:

- 19.18.01. Intent.
- 19.18.02. Content.
- 19.18.03. Definitions.
- 19.18.04. Prohibited Signs.
- 19.18.05. Signs Not Requiring A Permit.
- 19.18.06. Measurement Standards.
- 19.18.07. Residential Sign Standards.
- 19.18.08. Agricultural, Vacant, and Active Development.
- 19.18.09. Institutional Sign Standards.
- 19.18.10. Commercial Zone Sign Standards.
- 19.18.11. Industrial Zone Sign Standards.
- 19.18.12. Mixed Use and Mixed Waterfront Zone Sign Standards.
- 19.18.13. Permit Process.
- 19.18.14. Nonconforming Signs.

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19.18.09. Institutional/ Civic Zone Standards.

1. Schools, churches, public facilities, and other uses in the Institutional/ Civic Zone are permitted the following signage.
 - a. Primary Building signs.
 - i. Number. Each primary building is permitted ~~one~~ two building signs.
 - ii. Size. ~~The A~~ primary building sign shall not exceed eight percent of the façade on which the sign or signs are mounted, or thirty square feet, whichever is larger.
 - iii. Height. ~~Each primary~~ Any building sign that protrudes more than two inches from the façade for single story buildings shall maintain a minimum of eight feet of clearance between the top of the nearest sidewalk or curb and the bottom of the sign; each primary buildingsuch sign for multiple story buildings shall be mounted no lower than the bottom of the top floor of the building.
 - b. Monument signs.
 - i. Number.
 - i. Single building or use: one monument sign shall be allowed for each frontage in excess of one hundred feet a building or use has on a public street.
 - ii. Multiple buildings or uses: One shared monument sign shall be allowed for each frontage in excess of 200 feet a site has on a public street.

- ii. Size. A monument sign for a single building or use shall not exceed forty-five square feet in size. A monument sign for multiple buildings or uses shall not exceed sixty-four square feet in size.
- iii. Height. A monument sign for a single building or use shall not exceed 7.5 feet in height. A monument sign for multiple buildings or uses shall not exceed ten feet in height.
- c. Pole signs.
 - i. Not permitted.
- d. Window and Door signs.
 - i. Window and door signs shall not exceed twenty percent of the window or door on which the sign is located.

e. Temporary signs.

e.i. Banner Signs.

- i. Banner signs shall only be permitted on a temporary basis.
- ii. Banner signs shall not exceed four feet in height and thirty-two square feet in size.
- iii. Banner signs shall be placed in a landscaped area or on a structure, and shall not be located within the clear sight triangle identified in Chapter 19.06.
- iv. Banner signs shall be limited to a cumulative total of thirty days in a calendar year.

ii. Other temporary signs. A commercial lot is permitted one of the following:

- i. up to two temporary signs, each limited to four feet in height and six square feet in size, for a cumulative total of six months in a calendar year, or
- ii. multiple temporary signs, each limited to three feet in height, with the face area of all signs limited to a cumulative total of twelve square feet, for a cumulative total of six months in a calendar year, or
- iii. for a lot or property that is currently for sale or actively for rent, one temporary sign, limited to eight feet in height and 32 square feet in size, during the period for which the property is for sale or rent the following additional temporary signage, in lieu of other temporary signage.

f. Internal Directional Signs

- i. Type: small pedestal and monument signs are the only freestanding directional signs permitted.
- ii. Location:
 - i. all signs shall be located interior to the development and shall not be oriented to draw traffic from the exterior of the development.
 - ii. all signs shall be located adjacent to and within ten feet of an internal intersection, or drive-thru, or similar feature needing directional clarification as identified on an approved site plan.
- iii. Height: a small pedestal or monument sign shall not exceed a height of three feet.

- iv. Size: a small pedestal or monument sign shall not exceed three square feet in size.
- v. Number: no more than two pedestal or monument signs per internal intersection, drive-thru, or similar feature.

(Ord. 16-20, Ord. 16-04)

19.18.10. Commercial Zone Sign Standards.

1. Banner Signs Temporary signs in all commercial zones.

~~1~~ a. Banner signs.

- ~~a~~.i. Banner signs shall only be permitted on a temporary basis.
- ~~b~~.ii. Banner signs shall not exceed four feet in height and thirty-two square feet in size.
- ~~e~~.iii. Banner signs shall be placed in a landscaped area or on a structure, and shall not be located within the clear sight triangle identified in Chapter 19.06.
- ~~e~~.iv. Banner signs shall be limited to a cumulative total of thirty days in a calendar year.

b. Other temporary signs. A commercial lot is permitted one of the following:

- i. up to two temporary signs, each limited to four feet in height and six square feet in size, for a cumulative total of six months in a calendar year, or
- ii. multiple temporary signs, each limited to three feet in height, with the face area of all signs limited to a cumulative total of twelve square feet, for a cumulative total of six months in a calendar year, or
—for a lot or property that is currently for sale or actively for rent, one temporary sign, limited to ~~six~~eight feet in height and ~~24~~32 square feet in size, during the period for which the property is for sale or rent ~~in lieu of other temporary signage.~~ the following additional temporary signage, in lieu of other temporary signage.

* * * * *

19.18.11. Industrial Zone Signage.

6. Temporary signs.

a. Banner signs.

- i. Banner signs shall only be permitted on a temporary basis.
- ii. Banner signs shall not exceed four feet in height and thirty-two square feet in size.
- iii. Banner signs shall be placed in a landscaped area or on a structure, and shall not be located within the clear sight triangle identified in Chapter 19.06.
- iv. Banner signs shall be limited to a cumulative total of thirty days in a calendar year.

- b. Other temporary signs. A developed lot is permitted one of the following:
- i. up to two temporary signs, each limited to four feet in height and six square feet in size, for a cumulative total of six months in a calendar year, or
 - ii. multiple temporary signs, each limited to three feet in height, with the face area of all signs limited to a cumulative total of twelve square feet, for a cumulative total of six months in a calendar year, or
 - iii. for a lot or property that is currently for sale or actively for rent, one temporary sign, limited to ~~eight~~six feet in height and ~~3224~~ square feet in size, during the period for which the property is for sale or rent the following additional temporary signage, in lieu of other temporary signage.
- a.

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Chapter 19.19. ~~{Reserved}~~ Open Space.

Sections:

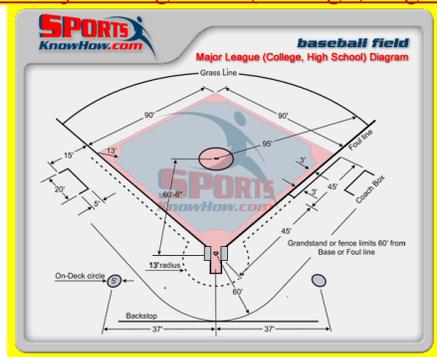
- 19.19.01. Purpose and Applicability.**
- 19.19.02. Definitions.**
- 19.19.03. Equivalent Acres.**
- 19.19.04. Minimum Required Open Space.**
- 19.19.05. Minimum Amenities.**
- 19.19.06. Payment in Lieu of Open Space Program.**
- 19.19.07. Phasing.**
- 19.19.08. Maintenance.**

19.19.01. Purpose and Applicability.

- 1. Purpose.** This Chapter establishes minimum open space requirements for all new residential development to ensure that parks and open space meeting the recreational and scenic needs of new residents are met.
- 2. Applicability.** This Chapter applies to all new development in the City and expansions to previously approved developments in the City, excepting development in the A, RA-5, RR, and R1-40 zones.

19.19.02. Definitions.

- 1. “Amenities”** means an improvement for use by park patrons or residents, such as playground equipment, play fields, trails, benches, and restrooms.
- 2. “Amphitheater”** means a curved open-air venue for entertainment, with tiered seating or upward-sloped turfed area suitable for seating surrounding a central level area for performances. Seating capacity is calculated on nine square feet per person on the tiered or turf seating area.
- 3. “ASTM”** means the American Society of Testing Materials.
- 4. “Baseball Diamond”** means a play field improved with turf except for the skinned infield, and striped to support the play of baseball or softball, with each diamond supporting one game at a time. Minimum dimensions by type are shown in the following graphics:
 - a. “Major League©” (College, High School) diagram:**



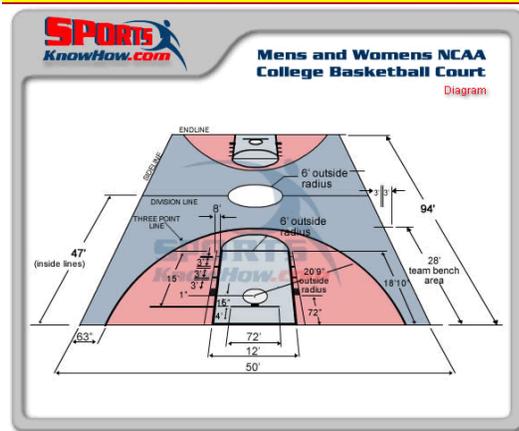
b. "Little League©" diagram:



5. "Basketball Court" means a hard-surfaced area with amenities to support the playing of basketball.

a. "Half court" means a court a minimum of 47 feet by 50 feet in area and containing one standard (pole and net).

b. "Full court" means a court a minimum of 50 feet by 94 feet in area and containing a minimum of two standards, with the option of four standards creating two smaller full courts within the main court and perpendicular to the main court.



6. "BBQ Grill" means an outdoor appliance for grilling and cooking, constructed of industrial cast iron or similar durable material, and permanently mounted on concrete.

7. "Bike Rack, 4-bike capacity" means a ridged one-piece structure to which bicycles can be locked, permanently mounted on concrete. May be substituted by multiple single-bike racks or poles with capacity for four bikes.

8. "Detention basin – limited access" means a detention basin that is improved to provide access for recreational use when not storing water.

9. "Drinking Fountain" means an industrial or commercial grade outdoor drinking facility, with proper drainage.

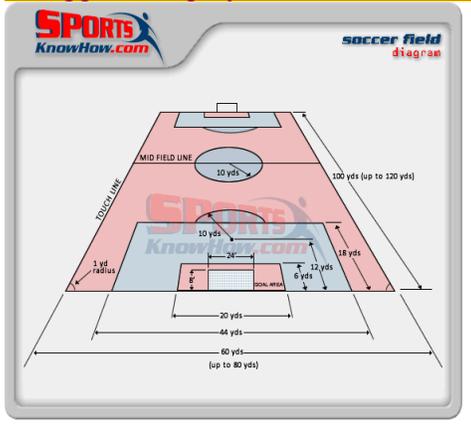
10. "Equivalent Acres" means the number of acres of different types of land it takes to equal one acre of fully improved park space.

11. "Fully Improved" means open space completely improved with turf or other live vegetation, and containing amenities equaling at least 75 points per acre.

12. "Fully Improved with limited access" means fully improved open space with limitations to access, such as a pay-for-use golf course, limited hours for a cemetery, or similar limitation.

13. "Fully Improved with full access" means fully improved open space with no limitations on user access.
14. "Horseshoes, tetherball, similar" means an outdoor recreation area designed for the playing of horseshoes, or tetherball, or other permanently installed outdoor game.
15. "Improvements" means any addition or enhancement to open space, such as landscaping, recreational amenities, trails, and grading. See also "Partially Improved", "Fully Improved", and "Unimproved".
16. "Native" means the installation of natural landscaping commonly found in unimproved, un-manicured landscapes. This commonly refers to native species of grasses, forbs, and shrubs commonly found in undisturbed landscapes. Native landscape could include the restoration of disturbed areas by replacement of topsoil, native seeding by drilling method, and covering with a hydraulically applied wood fiber mulch.
17. "Open space with no access" means open space with no user access or recreational benefit provided.
18. "Park Bench" means an industrial or commercial grade outdoor seat, permanently mounted on concrete.
19. "Partially Improved" means open space left in a native state, such as existing or new native grasses instead of turf, and with recreational amenities consisting of less than 75 points per acre.
20. "Pavilion" means a free-standing structure with an open frame and covered by a roof to provide shade for a table or sitting area or other similar use.
 - a. "Small" means a pavilion of up to 400 square feet covering at least one table and related seating, one BBQ grill, or similar facilities.
 - b. "Medium" means a pavilion of up to 750 square feet covering at least two tables and related seating, several BBQ grills, or similar facilities.
 - c. "Large" means a pavilion of up to 1000 square feet covering at least four tables and related seating, or two tables and several BBQ grills, or similar facilities.
 - d. "Extra-large" means a pavilion of over 1000 square feet covering eight to ten tables and related seating, or a combination of tables and BBQ grills of similar amount.
21. "Play Field" means a level grass field that is useable for the play of various sports such as football, lacrosse, soccer, or other field. May or may not be striped for a specific sport.
22. "Play structures" means a structure containing any of the following: swings, post and platform, slides, climbers, rockers, rotational, and interactive features. A single-platform refers to one elevated platform containing multiple features. All playground structures must have a certificate of compliance with current CPSC and ATSM standards.
23. "Restroom" means a room containing a wash basin, toilet, and other facilities for use. Where a restroom is provided, at least one cleaning/maintenance closet shall be included. May consist of a unisex lockable-from-inside restroom, or separate men and women's restrooms. May include a single or multiple stalls. Restrooms shall comply with ADA requirements, including percentage of stalls that are accessible in design.
24. "Sensitive Lands, limited access" means open space consisting of wetlands, steep slopes, or other sensitive lands with some user access provided such as trails, boardwalks, or pavilions.

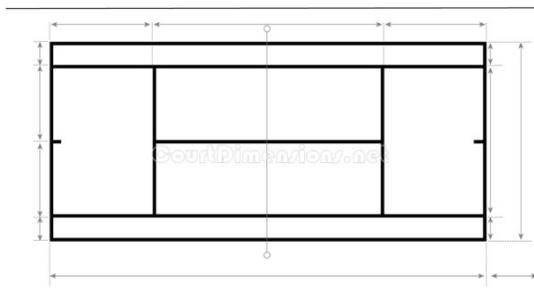
25. “Soccer Field” means a play field a minimum of 180 feet by 300 feet in area, and striped to support the play of soccer as shown in the graphic below:



26. “Splash Pad” means a recreation area for water play with little to no standing water. May include fixed or movable spray or drip features and nozzles.

27. “Swimming Pool” means a man-made structure or tank constructed to hold water deep enough to permit swimming and other water based recreation. Minimum depth of six feet where diving is permitted; does not include wading pools. Minimum dimensions of 80 feet by 16 feet for a two-lane lap pool, or 50 feet by 25 feet for a non-lap pool.

28. “Tennis Court” means a level rectangular area for the playing of tennis. Minimum dimensions of 27 feet by 78 feet for a singles court; minimum dimension of 38 feet by 78 feet for a doubles court, striped in the following manner:



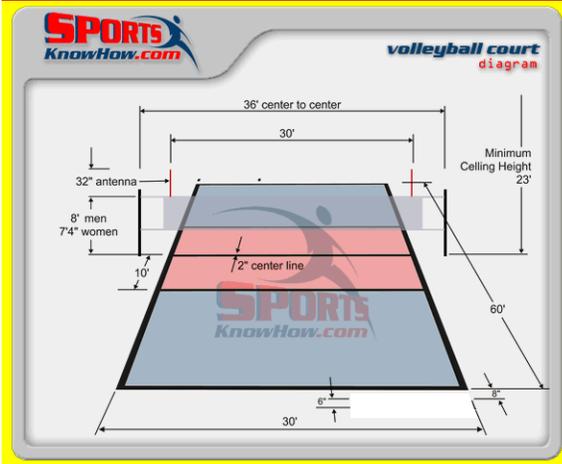
29. “Trash Can” means a waste receptacle for either trash or recyclables, minimum capacity of 32 gallons.

30. “Unimproved” means open space left or planted in a native state, without the addition of amenities.

31. “User” means a person accessing open space for recreation, relaxation, or other purpose. Refers to residents of a development for privately maintained open space, or to the public for publicly maintained open space.

32. “Volleyball Court or Pit” means a level rectangular area with a net structure for the playing of volleyball. Minimum area of 1800 square feet. May be a lowered or level sand

surface, or a hard level surface. Minimum dimensions as shown in the graphic below:



- 33. “Wading Pool” means a man-made structure or tank constructed to hold a small amount of water for water play that is not deep enough to permit swimming.
- 34. “Workout Station” means an industrial or commercial grade fitness components or devices designed to offer exercise opportunities to users, permanently mounted and meeting ASTM standards.

19.19.03. Equivalent Acres.

1. **Equivalent Acres.** As used in this Chapter, open space requirements shall be calculated based on Equivalent Acres, where different types of open space qualify as more or fewer acres. For each acre of required open space, the requirement may be met through a variety of open space types, according to the table below and as defined in this Section:

a. **Method:** Multiply each acre or portion thereof, for each category provided, by the multiplier to determine the Equivalent Acres:

EQUIVALENT ACRE FORMULA	
Category of Open Space Provided:	Multiplier:
Unimproved, not Sensitive Lands	0.15
Open Space with no access	0.15
Sensitive Lands - limited access	0.33
Improvement of existing City owned open space	0.67
Detention basin - limited access	0.67
Detention basin - no access	0 - no credit
Partially Improved	0.75
Fully improved with limited access	0.75
Fully Improved with full access	1

b. **Example:** A project providing 10 acres of open space that consists of 2.5 acres of hillside with trails (Sensitive Lands with Limited Access), 1 acre of detention basin with limited access, ½ acre of detention basin with no access, 2 acres of

sensitive lands with no access, 3 acres of native park space, and 1 acre of fully improved park space with full access would be calculated as follows, resulting in credit of 5.05 Equivalent Acres:

EQUIVALENT ACRE FORMULA		Actual Acres provided	Equivalent Acre Formula:	Equivalent Acres Provided:
Category:	Multiplier:			
Unimproved, not Sensitive Lands	0.15			
Open Space with no access	0.15	2.00	2 acres x .15	0.30
Sensitive Lands - limited access	0.33	2.50	2.5 acres x .33	0.83
Improvement of existing City owned open space	0.67			n/a
Detention basin - limited access	0.67	1.00	1 acre x .67	0.67
Detention basin - no access	0 - no credit	0.50	.5 x 0	0.00
Partially Improved	0.75	3.00	3 x .75	2.25
Fully improved with limited access	0.75			
Fully Improved with full access	1	1.00	1 x 1	1.00
TOTALS		10.00		5.05

19.19.04. Minimum Required Open Space.

1. **Open Space Required.** A minimum of one Equivalent Acre of park space is required for every 40 residential units in a development, or fraction thereof.
 - a. **Example:** a development with 150 units must provide 3.75 Equivalent Acres:
 $150 \div 40 = 3.75$.
 - b. **Exception:** any development where a minimum of 75% of the lots are one acre in size or larger shall not be required to provide Equivalent Acres.

2. **Minimum percentage by development.** In addition to the minimum Equivalent Acres, to ensure a livable community, in no case shall the percentage of total open space acreage provided in the following types of development be less than the listed percentage:
 - a. Single family developments: 10% of overall development acreage
 - b. Multi-family developments: 15% of overall development acreage
 - c. Mixed Use and Mixed Waterfront developments: 25% of overall development acreage
 - d. Developments with both single family and multi-family: combination of the requirement based on the acreage for each type of housing.

3. **Other Limitations.**
 - a. In no case may the cumulative total of the following categories qualify for more than 50% of a development's Equivalent Acre requirement.
 - i. Unimproved, not Sensitive Lands
 - ii. Open space with no access

19.19.05. Minimum Required Amenities.

1. **Methodology.** In order to meet the needs of new residents in each development, each development is required to provide amenities equaling a minimum number of points per required Equivalent Acre of open space.

2. **Minimum Points.** A minimum number of points is required per required Equivalent Acre, based on the total number of required Equivalent Acres provided in an individual park. The amenities may be distributed across all provided acres, but the points requirement is based only on the required Equivalent Acres.

a. Required points: minimum required points are based on the number of required Equivalent Acres provided in a contiguous park and are outlined in the table below:

Park Size	Min Points Per Required Equivalent Acre:
0 - 2.49 Equivalent Acres	100
2.5 - 4.99 Equivalent Acres	80
5 - 9.99 Equivalent Acres	60
10+ Equivalent Acres	40

b. Example of application: a development with 150 units is required to provide 3.75 Equivalent Acres ($150 \div 40 = 3.75$), and must provide amenities averaging 80 points per Equivalent Acre, for a total of 300 points ($3.75 \times 80 = 300$). If the development provides 6 Equivalent Acres instead of the minimum 3.75, the total point requirement is still 300 and does not increase based on additional acreage.

3. **Points Per Amenity.** Each recreational amenity is worth a number of points. For appropriate spacing of amenities, each item also has a minimum square footage requirement.

4. **Mixture of Amenities and Required Amenities.**

a. All parks are required to provide a mixture of amenities, including at least one separate item each from Categories C, D, and E.

b. No more than 25% of the points may be met by one specific item type in any one category.

c. All parks over 5 Equivalent Acres are also required to provide at least one item from Category A or B, and three items from category P, and a minimum 1-toilet restroom per each 5 acres or fraction thereof.

d. Items in Categories A and B may qualify for impact fee credits, if identified in the Parks and Trails Master Plan.

Item	Min sq.ft per item	Category	Points per Item
Ice rink - indoor facility	n/a	A	1750.0
Marina - public access (ramp to accommodate 4 boats min.)	n/a	A	500.0

Amphitheater (structure)	2500	A	375.0
Ice rink - outdoor facility	10000	A	250.0
Baseball Diamond - Little League© size	56000	A	216.0
Skate Park - one pit	10000	A	200.0
Swimming Pool, 2 lane equivalent	3000	A	150.0
Amphitheater (100 person seating area)	1000	A	125.0
Splash Pad (25 people)	2250	B	90.0
Restroom 3+ Toilets	400	B	82.0
Play Field - full size (soccer, football, etc.)	56000	B	56.0
Tennis Court (post tension concrete with fencing)	7200	B	50.4
Trail, hard surface, per 1000 linear feet	10000	B	41.3
Restroom 1-2 Toilets	200	B	41.0
Additional Equivalent Acre Above Requirement	See Tables	B	40.0
Pavilion - extra large (30'x40')	1200	C	39.0
Pavilion - large (30'x32')	960	C	31.2
Play field - half size	28000	C	28.0
Play or skate feature - eg rock wall or kicker, large	200	C	25.0
Playground Structure (1-platform)	250	C	25.0
Pavilion - (medium, 30'x24')	720	C	23.4
Pickleball Court	3000	D	22.5
Zipline - per 75' linear rideable line	n/a	D	17.5
Basketball 1/2 court	2350	D	16.5
Pavilion (small, 30'x16')	400	D	15.6
Personal Watercraft Dock	2000	D	12.5
Swingset	100	D	12.5
Trail, soft surface, per 1000 linear feet	5000	D	8.3
Drinking fountain (freeze resistant w/pet bowl & bottle filler)	9	D	6.0
Horseshoes or similar	250	E	3.0
Bleachers - per section	450	E	2.8
Volleyball pit	1800	E	1.3
Art - 1 statue, sculpture, or other single piece	50	E	1.0
Table (6' aluminum)	75	E	0.8
Tetherball or similar	250	E	0.6
Trash Receptacle (32 gal)	25	E	0.6
Workout station	100	E	0.5
Bench	50	E	0.4
BBQ Grill	25	E	0.3
Bike Rack, 4-bike capacity	30	E	0.3
Parking - 1 space (hard surface with drive aisle)	320	P	0.4

Parking - 1 space (soft surface with drive aisle)	320	P	0.1
Additional options for stacked residential and residential above commercial:			
Fitness room / gym	400	B	41
Rooftop Garden	150	C	25

** When an amenity is proposed that is not listed, Planning Director shall compare the cost and capacity of the amenity with amenities in this table to determine a comparable points value and category.*

*** A minimum of one trash can is required with every pavilion and one for every park without pavilions.*

19.19.06. Payment in Lieu of Open Space Program.

1. Applicability: the City's Payment in Lieu of Open Space Program may be utilized for all or a portion of the requirement for developments that meet one or more of the following criteria:

- a. any single-family development where a minimum of 75 percent of the lots are 10,000 square feet or larger, or
- b. any single-family development with a park requirement of less than one acre, or
- c. up to 25% of the requirement for any multi-family development, or
- d. that portion of a development that is located within ¼ mile of an existing improved regional public park.

2. Arrangements and Handling of Payment.

- a. The developer shall pay as a Payment-in-Lieu the amount of money equivalent to the land value in subsection 2.b below, plus the cost of open space improvements identified in subsection 2.c below.
- b. The City shall maintain an annually updated list of land values for the cost of a non-sensitive developable acre, and apply the land value to the required Equivalent Acres for which the applicant desires to pay a fee in lieu.
- c. The City shall calculate the minimum required points per this chapter, and multiply the points by \$2,000 to determine the cost of the minimum required open space improvements, including landscaping, parks, trails, and other amenities.
- d. Upon receipt of the payment, the City shall deposit those funds in an account that has been established for the purchase of park lands, the construction of parks and recreation improvements, or for upgrading or repairing existing park facilities. The City may expend the Payment in Lieu of Open Space funds at its discretion so long as they are only used for the purchase of parks, construction of parks and recreation improvements, or for upgrading or repairing existing parks facilities.
- e. The City and developer may also agree to make other arrangements for the Payment in Lieu of Open Space if acceptable terms can be reached, but in no case shall the value of the Payment be less than the expected appraised value, estimated cost of open space improvements, and estimated water costs as described herein.

3. Voluntary Participation.

- a. This program is completely voluntary and developers who participate in it shall do so on a voluntary basis only. Written development agreements shall contain a description of the terms of this program.
- b. This program is also voluntary for the City and approval of all payments in lieu of open space are made at the sole discretion of the City Council. No entitlements are granted by virtue of this Chapter and all proposals to participate in this program are subject to the total and complete review and discretion of the City Council.

19.19.07. Phasing.

1. If the construction of various portions of the project is proposed to occur in stages, then the following standards shall be met.
 - a. A Phasing Plan, including size and order of each phase and schedule of improvements to be installed, shall be approved by the Planning Director.
 - b. Open Space improvements shall be installed with a value or acreage in proportion to the acreage developed with any given phase. The Developer may install open space in excess of the proportionate amount for each phase and bank open space credits towards later phases; however the open space installed must be a part of the open space shown in the Phasing Plan.
 - c. A perpetual instrument running with the land shall be recorded against the entire project prior to or concurrently with the recordation of the first plat, that includes the standards, location, funding mechanism, values, and timing for all open space, recreational facilities, amenities, open space easements, and other improvements. An open space plat, conservation easement, development agreement, or other perpetual instrument may qualify as determined by the City Attorney.

19.19.08. Maintenance and City Acceptance.

1. **General Maintenance.** All open space shall be maintained regularly, by the property owner or HOA as appropriate, to maintain a clean, weed-free, and healthy appearance.

2. Turf and Plantings.

- a. Turf shall be maintained at a maximum height of 3-4 inches.
- b. Turf and plantings shall be fully established and kept free of broadleaf weeds and other invasive species.
- c. Fertilizer shall be applied as necessary.

3. Irrigation.

- a. Irrigation shall comply with all City watering restrictions and guidelines, and shall begin no earlier than April 15th and shall end no later than October 15th of every year.
- b. Irrigation systems shall be maintained to operate efficiently, with leaks and malfunctions repaired promptly.

- c. Components and nozzles shall be utilized to keep a uniform distribution of spray per irrigation zone.
- d. Water shall be limited to irrigable areas and shall not cross onto hardscape such as sidewalks and streets.
- e. Water-saving devices, including smart timers and rain sensors, shall be utilized to ensure efficient use of water, and to prevent watering during precipitation.

4. Amenities.

- a. Amenities shall be maintained in clean, safe, working order. Rust shall be removed annually.
- b. Broken or malfunctioning amenities shall be repaired or replaced promptly.
- c. Proper maintenance schedules as recommended by the manufacturer or industry for each amenity shall be followed.

5. City Acceptance: the City shall be responsible for the maintenance of all open space dedicated to and accepted by the City for public ownership and use, or where a permanent public use and City maintenance agreement has been recorded. The City Council shall consider, but not be bound by, the following criteria when deciding whether to accept dedication or easements for open space:

- a. the trail is a regional trail corridor identified on the City Trails Master Plan and built to City standards, as well as crucial connections between such corridors.
 - i. Trail corridors dedicated to the City shall have a minimum width of fifteen feet.
 - ii. Public access trail easements through privately owned open space shall include only the area from exterior edge of trail surface to exterior edge of trail surface with adjacent landscaping maintained by the owner of the adjacent property, or
- b. the open space is a public park over 5 Equivalent Acres with a minimum average of 80 points of amenities per Equivalent Acre, or.
- c. the open space is a public park of less than 5 Equivalent Acres only when offering a major public benefit such as trailhead parking or other need identified in the City Parks and Trails Master Plan, and containing a minimum average of 100 points of amenities per Equivalent Acre.

19.25. Waterfront Trails and Buffer Overlay Zone.

Chapter 19.25. Lake Shore Trail.

Sections:

19.25.01. Purpose and Applicability.

19.25.02. Waterway Setbacks.

19.25.03. Utah Lake and Jordan River Shoreline Trails.

19.25.01. Purpose and Applicability.

1. Purpose. This chapter promotes the health, safety, and general welfare of the public by enhancing the natural features of the City including the Utah Lake, preserving trail connections and corridors, enhancing the pedestrian experience, and articulating building facades within the overlay area of the Utah Lake.

2. Applicability.

a. Utah Lake Buffer:

i. The buffer overlay shall apply to all properties and zones within 250' of the ordinary high water mark or the compromise, whichever is higher.

b. Jordan River Buffer

i. The buffer overlay shall apply to all properties and zones within 200' of the ordinary high water mark, or within the Jordan River Meander Corridor boundary, whichever is higher.

19.25.02. Waterway Setbacks.

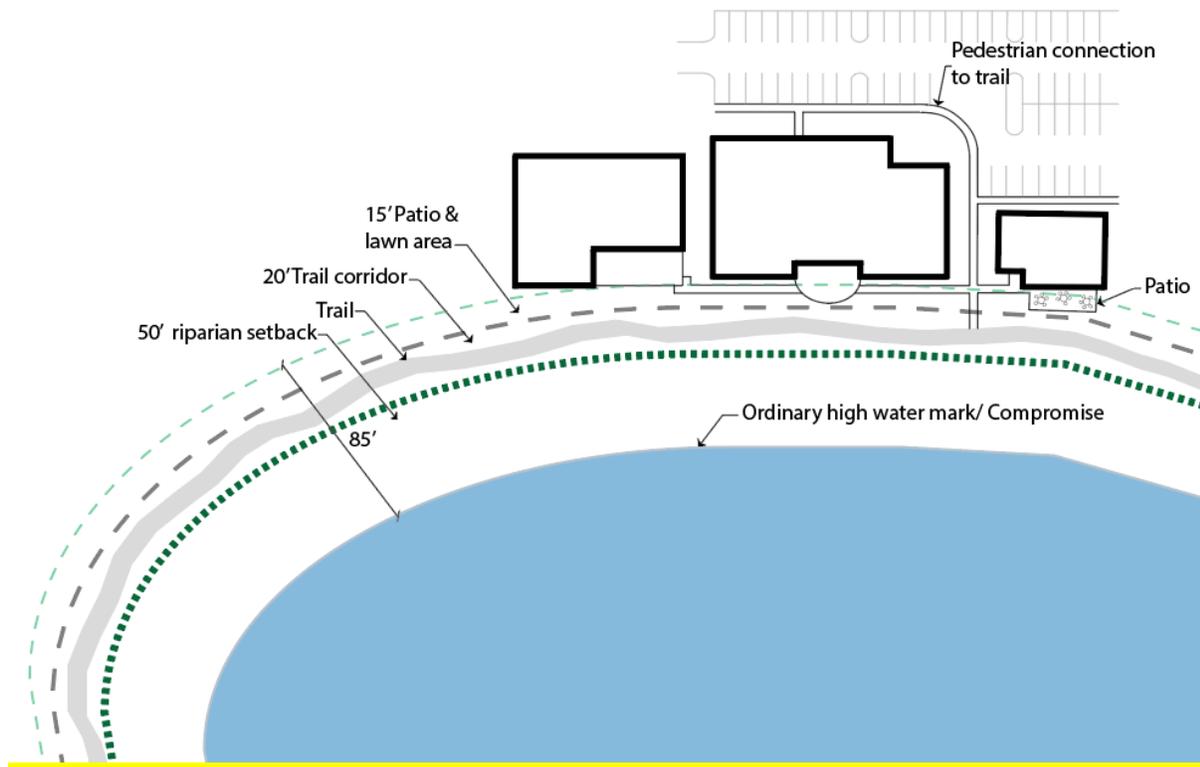
1. Riparian setback. No disturbance shall occur within 50 feet of the Jordan River ordinary high water mark, Jordan River Meander Corridor, or the Utah Lake Compromise line, whichever is higher.

2. Shoreline trails. Jordan River and Utah Lake shoreline trail corridors shall be a minimum of 20 feet in width measured landward from the edge of the riparian setback.

3. Patio / lawn area. A minimum of 15 feet shall be maintained between the Shoreline or Jordan River trail corridor and structures/parking areas to allow for lawns, patios, restaurant eating areas, and similar low-impact uses. Roads shall be located outside this 15 foot setback.

4. Landscaping in riparian and trail setbacks shall utilize native or naturalized plant materials that provide wildlife food and shelter. Manicured landscaping and lawns are prohibited in riparian setbacks.

5. Bank Stabilization: The goal is to create a natural channel, the specific method may be determined by the developer and approved by the City Engineer/ Public Works Director. Options may include, but are not limited to bio-engineering, hydro-seeding, controlled planting, etc. The use of riprap or other hard armoring techniques are prohibited.



19.25.03. Utah Lake and Jordan River Shoreline Trails.

1. All Developments whose projects are adjacent to or abut Utah Lake or the Jordan River shall provide an improved pedestrian lakeshore-shoreline trail throughout the length of their project.
 - a. The lakeshore-shoreline trail shall at all times be accessible to the public.
 - b. The developer will work with the City, and any state or federal agency whose approval is necessary, in order to determine the exact location of the lakeshore shoreline trail.
 - c. It is the objective of this ordinance to construct the lakeshore shoreline trail as close to Utah Lakethe waterway as reasonably possible in order for the public to enjoy the diverse ecosystem and natural resources of the area.
 - ~~e.~~ d. The trail shall be hard surfaced and shall be a minimum of twelve feet in width.
 - ~~d.~~ c. No dwellings may be constructed between the lakeshore trail and Utah Lake.

2. In the event that a portion of the planned shoreline trail throughout a developer's project is located on property not in the possession of or under control of the developer, the developer will work with the City to identify a proper location through the developer's project on which to construct the trail.

3. The developer will work with the City to determine which party will construct the lakeshore-shoreline trail throughout the developer's project.
 - a. If the developer constructs the lakeshore-shoreline trail throughout the developer's project, the developer may receive credit for the cost of the trail against the park impact fee that will be assessed.
 - b. The lakeshore-shoreline trail shall be constructed in accordance with the City's design guidelines, standards, and regulations.
4. The developer may be entitled to receive open space credit for the lakeshore-shoreline trail constructed on the developer's property. If the developer constructs a portion of the lakeshore-shoreline trail on property not in the possession of or under control the developer, the developer may still be entitled to receive open space credit.
5. If the City specifically agrees in writing, the lakeshore-shoreline trail will be maintained by the City after the initial 1-year warranty period that is required for all improvements within a development and after the City issues a Certificate of Final Acceptance.

19.25.04 Public Access and Parking

1. Public access and parking:

- a. Developments shall provide a public access to the Shoreline or Jordan River trail
- b. Developments shall provide public parking for bicycles and shall permit a portion of their motor vehicle parking to be available to the public in non-residential areas.
- c. Public pedestrian access shall include clearly marked travel pathways from the public street through parking areas to primary building entries.

2. Screening Requirements

- a. Parking areas visible from the Shoreline or Jordan River trail or the waterway shall be screened from view by landscaping or decorative fencing at least 3 feet in height.
- b. Appropriate landscaping should be utilized to screen habitat areas within the riparian setback from new development.

19.25.05 Site Coverage and Building Permeability

1. Purpose and Applicability. The intent of these standards is to ensure that new buildings and other constructed objects do not create barriers that wall off the river. These standards shall be applied in addition to the Design Standards in Section 19.16. The more restrictive standards of the underlying zone, the design standards, or this section shall apply.
 - a. Maximum structure width
 - i. On lots or sites with a width greater than 100 feet that are generally parallel to the river corridor, structures shall not exceed 70 percent of the width of the site.

- ii. On lots or sites with a 50 to 80 foot width that are generally parallel to the river, structures shall not exceed 50 feet in width or seventy percent of the width of the site, whichever is greater.

2. Visual and Pedestrian Connections

- i. At a maximum interval of 300 feet that is generally parallel to the river, there shall be a clear visual and pedestrian connection at the ground level from a public street to the river corridor. Such connections may consist of pathways, landscaping, transparent entrances and lobbies that provide the ability to see through a building, and other features with a similar effect.
- ii. The visual and pedestrian connection shall not be less than 30 feet wide.
- iii. Exemption: lots or sites with a width of less than 50 feet that generally run parallel to the river are not required to provide a visual and pedestrian connection.

Chapter 19.26. Planned Community Zone.

Sections:

- 19.26.01. Purpose.**
- 19.26.02. Definitions.**
- 19.26.03. Community Plan Required.**
- 19.26.04. Uses Permitted within a Planned Community District.**
- 19.26.05. Adoption and Amendment of Community Plans.**
- 19.26.06. Guiding Standards of Community Plans.**
- 19.26.07. Contents of Community Plans.**
- 19.26.08. Effect of a Community Plan.**
- 19.26.09. Village Plan Approval.**
- 19.26.10. Contents of a Village Plan.**
- 19.26.11. Master Development Agreement.**
- 19.26.12. Subsequent Permits Required.**
- 19.26.13. Large-scale Planned Community Districts.**

* * * * *

19.26.11. Master Development Agreement.

Subject to the legislative discretion of the City Council pursuant to Section 10-9a-102 of the Utah Code, a Master Development Agreement may be entered into upon District Area Plan or Community Plan approval and shall generally conform to and include by reference, if appropriate, the requirements found in Section **19.13.06**, except for the following sections:

1. **Plat.** A final plat, record of survey, or Site Plan is not required until submission of the subdivision application.
2. **Declaration.** Declaration of covenants and restrictions, declaration of condominium, or architectural elevations are not required until the site plan review or submission of the subdivision application.
3. **Duration.** Master Development Agreements shall run with the life of the Community Plan.

(Ord. 14-4)

* * * * *

far as the canal, she would hope that someone would have gone to the canal company to find out what they wanted. (Applicants noted the canal company had changed their mind). As far as the units along Redwood Road they mentioned the noise, maybe it would benefit them to do a sound study to see if we need sound mitigation. That goes for any housing development that goes there because sound travels up. She would stay with what was given in 2014 and nothing more, this is too high of density.

Commissioner Funk commented that higher density is not necessarily what they are looking for, especially in this neighborhood. If we did give them a rezone, once we did that we would be bound by that. It was rezoned once already. He is not opposed to progress but to changes that would negatively affect neighborhoods.

Commissioner Wilkins would hope they could find a plan that could work for them and with the current residents. The whole city has said they don't like high density. If he votes for a higher density he feels he would be ignoring the residents. He thanked them for working with the City and the Canal Company.

Commissioner Kilgore clarified that it was approved for R4 previously but it was not recorded so it was not rezoned yet. Senior Planner Sarah Carroll said the R4 was approved and it can still stand with a plat approval.

Rick Bennion mentioned in regards to the commercial zoning the reason they wanted to change that zone was to meet the needs of the doctor's office. Regarding high density, the area leans to more commercial. They were trying to proceed with the previous plat but it didn't work. They then went to the community and listened to ideas and comments. He noted that across the street they are putting in higher density than this. The sound walls don't really work. No one is going to want to put a large home right along Redwood Road. The open space is bigger than the previous plan as well.

In response to question from Commissioner Wilkins about the open canal Senior Planner Sarah Carroll noted the City is discussing a policy on open water ways, the City Council is discussing that in a work session in the near future. The code doesn't address open waterways right now.

City Manager Mark Christensen noted the canal issue is challenging, when certain conditions change along the canal the Canal Company tries to put more things on us like trail maintenance. It's very burdensome for us to take care of those trials. It includes liability on our part which transfers onto the residents.

Motion made by Commissioner Steele to forward a Negative recommendation to the City Council for the proposed General Plan Amendment and Rezone for ~27.66 acres located at ~2300 North Redwood Road, based on the findings in the staff report. Seconded by Commissioner Williamson. Aye: Sandra Steele, David Funk, Kirk Wilkins, Hayden Williamson, Troy Cunningham, Ken Kilgore. Motion passed 6 - 0.

A short break was taken at this time.

7. Public Hearing: Code Amendments, Entire Title 19 including Definitions, Zones & Setbacks, Design Standards, Open Space, Mixed Waterfront, Landscaping, Signs, and multiple clean-ups. – Presented by Planning Staff.

Planning Director Kimber Gabryszak gave summary of the changes. She reviewed changes in some of the sections and highlighted changes made since the recent City Council work session.

19.01 and 19.03 – Clean ups for consistency, clarified multi-family and non-residential building permits.

Commissioner Steele feels the planning department should do an overview of the building permits.

City Manager Mark Christensen said last month they did almost 150 building permits. It's a full time job just to go through those plans. That would overload the planners. Senior Planner Sarah Carroll commented that we know they are getting done. If there are concerns they can look at specific situations.

19.02- added definitions.

19.04. Land Use Zones - Reformat entire chapter – Reformat, Development Standards, Setback changes, Footprint Development, Open Space move to 19.19. Added minimum lot sizes, modified open space to park space. Proposed new Community Commercial zone, and increased minimum lot size in mixed use.

19.06. Landscaping and Fencing - Remove City Council exception language, remove minimum turf requirements, add minimum live vegetation coverage.

19.09. Parking - Exempt single rows of parking at edges of lots with trees, require connectivity, remove through rows, and clarify land use authority. Canopy width defined. Loading and unloading

Commissioner Williamson asked if there was a more efficient way to determine parking. He asked if we are trying to hit a minimum.

Planning Director Kimber Gabryszak responded that they have looked at other cities, many are moving to a maximum allowed. It becomes more difficult for restaurants. We have reduced parking in a lot of sections and there is a ceiling to help minimize over parking. It does depend on use. We are typically higher than minimum. We reduced many requirements except for restaurants and medical offices. Really it's the big box uses that have the worst impact. The new Smiths required 4.6 a little higher than our code.

19.12. Subdivisions - Require data tables on the plats.

19.13. Process - Add concept plans accompanying rezones to the process table.

19.14. Site plans - Clarify requirement for vehicular and pedestrian connections.

Commissioner Wilkins asked about burying the utility lines. Planning Director Kimber Gabryszak advised that once it reaches the 46kV level it really shouldn't be buried.

19.16. Design Standards (New Chapter) - Create standards for multifamily developments, Reorganize the current design standards for clarity, Assemble all other design standards from other sections in one place, Add new standards for Mixed Use and Mixed Waterfront developments, Add new standards for developments in the Buffer Overlay areas. Prohibited materials

Commissioner Steele noted that in off-street loading spaces if it's before hours it's not a problem but if deliveries are coming in during business hours like a coke truck that is a problem. They discussed changing it to say avoid undue interference with public use of streets, alleys, required parking stalls, or accessible stalls.

19.18. Signs – Add provision for real estate signs and similar.

19.19. Open Space (New Chapter) – New program, park space vs. percentage, Require minimum amenities in open space per a points system, interior amenities for stacked and mixed buildings.

Planning Director Kimber Gabryszak took time to demonstrate a proposed equivalent acres calculator developers could use.

Commissioner Steele commented on allowing native landscaping, for people who have put in nice sod and try to maintain it, it suddenly becomes weeds because the native landscaping is growing where it's not supposed to. Planning Director Kimber Gabryszak noted they have only allowed that in backyards with a solid fence with native landscaping it's not usually just left alone it is usually kept up a little.

19.25. Lakeshore Trail - Addition of Buffer Overlay requirements.

Public Hearing Open by Chairman Kirk Wilkins

There was no public comment given.

Public Hearing Closed by Chairman Kirk Wilkins

Motion made by Commissioner Cunningham Based upon the evidence and explanations received today, I move to forward a positive recommendation to the City Council for the proposed amendments to Sections 19.01, 19.02, 19.03, 19.04, 19.06, 19.09, 19.12, 19.13, 19.14, 19.16, 19.18, 19.19, 19.25, and 19.26 with the Findings and Conditions in the staff report dated October 27, 2016. Seconded by Commissioner Williamson.

Commissioner Williamson asked about mentioning changes in the motion

Commissioner Cunningham amended the motion to include: With changes presented to the planning commission and made in the packet.

Aye: Sandra Steele, David Funk, Kirk Wilkins, Hayden Williamson, Troy Cunningham, Ken Kilgore. Motion passed 6 - 0.

8. Approval of Minutes:

a. October 13, 2016

Motion made by Commissioner Williamson to approve the minutes of October 13, 2016. Seconded by Commissioner Kilgore. Aye: David Funk, Kirk Wilkins, Hayden Williamson, Troy Cunningham, Ken Kilgore. Abstain: Sandra Steele, Motion passed 5- 0.

9. Reports of Action. – No reports of Action.

10. Commission Comments. –

Commissioner Steele noted elections signs put up in the right-of-ways that needed removed.

11. Director's Report:

a. Council Actions

b. Applications and Approval – memo included in the packet

c. Upcoming Agendas – IHC Amendment

d. Other - working on end of year report for Council. We are maintaining about the same work load with the changes in approvals process.

12. Motion to enter into closed session. – No Closed Session.

13. Meeting Adjourned without objection at 9:45 p.m. by Chairman Kirk Wilkins

Date of Approval

Planning Commission Chair
Kirk Wilkins

City Recorder



CITY OF SARATOGA SPRINGS

Memo

To: Mayor & City Council
From: Planning Department
Date: November 7, 2016
Meeting Date: November 15, 2016
Re: New Applications & Resubmittals

New Projects:

- 10.24.16 Fox Hollow Second Amendment Rezone & GPA (Village Parkway & Redwood Rd)
- 10.27.16 Jordan View Landing Phase 2 Final Plat (1590 N & 400 E)
- 11.04.16 Legacy Farms Village Plan 4 Plats 4A-4D Preliminary and Final (400 S. Redwood Rd)
- 11.07.16 ABC Great Beginnings Conditional Use Permit (3300 South Redwood Rd)

Resubmittals & Supplemental Submittals:

- 10.27.16 Intermountain Saratoga Springs Clinic Addition Major Site Plan Amendment (Existing Location-North: 354 UT-73)
- 10.28.16 Discount Tires Site Plan (1413 North 250 West)
- 10.28.16 River Heights Phase IV Plat D Final Plat- Amendment Plats (Cardoba Dr & Verano Way)
- 10.28.16 Harvest Village Site Major Amendment (164 W. 2000 N.)
- 10.31.16 Madison Ridge Final Plat (700 W 400 N)
- 10.31.16 Legacy Farms Village Plan 3 Plats A-E Final (400 S. Redwood Rd)
- 11.04.16 Discount Tire Site Plan (1413 North 250 West)

Staff Approvals:

- Sargent Court Minor Site Plan Amendment
- Verizon Permanent Sign