

**ORDINANCE NO. 15-29 (10-6-15)**

**AN ORDINANCE OF THE CITY OF SARATOGA SPRINGS,  
UTAH, ADOPTING AMENDMENTS TO THE SARATOGA  
SPRINGS LAND DEVELOPMENT CODE AND GENERAL  
PLAN AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, Title 19 of the City of Saratoga Springs Code, entitled "Land Development Code" was enacted on November 9, 1999 and has been amended from time to time; and

**WHEREAS**, the General Plan was enacted September 13, 2005 and has been amended from time to time; and

**WHEREAS**, the City Council and Planning Commission have reviewed the Land Development Code and General Plan and find that further amendments to the Code and General Plan are necessary to better meet the intent and direction of the General Plan; and

**WHEREAS**, the Saratoga Springs Planning Commission has held a public hearing to receive comment on the proposed modifications and amendments as required by Chapter 9a, Title 10, Utah Code Annotated 1953, as amended; and

**WHEREAS**, the Planning Commission, after the full and careful consideration of all public comment, has forwarded a recommendation to the Saratoga Springs City Council regarding the modifications and amendments; and

**WHEREAS**, the City Council has conducted a public hearing to receive comment on the Planning Commission recommendation pursuant to Chapter 9a, Title 10, Utah Code Annotated 1953, as amended; and

**WHEREAS**, following the public hearing, and after receipt of all comment and input, and after careful consideration, the Saratoga Springs City Council has determined that it is in the best interest of the public health, safety, and welfare of Saratoga Springs citizens that the following modifications and amendments to Title 19 and the General Plan be adopted.

**NOW THEREFORE**, the City Council of the City of Saratoga Springs, Utah hereby ordains as follows:

**SECTION I - ENACTMENT**

The amendments attached hereto as Exhibit A, incorporated herein by this reference, are hereby enacted. Such amendments are shown as underlines and strikethroughs. The remainder of Title 19 and the General Plan shall remain the same.

**SECTION II - AMENDMENT OF CONFLICTING ORDINANCES**

If any ordinances, resolutions, policies, or zoning maps of the City of Saratoga Springs heretofore adopted are inconsistent herewith they are hereby amended to comply with the provisions hereof. If they cannot be amended to comply with the provisions hereof, they are hereby repealed.

**SECTION III - EFFECTIVE DATE**

This ordinance shall take effect upon its passage by a majority vote of the Saratoga Springs City Council and following notice and publication as required by the Utah Code.

**SECTION IV - SEVERABILITY**

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION V - PUBLIC NOTICE**

The Saratoga Springs Recorder is hereby ordered, in accordance with the requirements of Utah Code §§ 10-3-710—711, to do as follows:

- a. deposit a copy of this ordinance in the office of the City Recorder; and
- b. publish notice as follows:
  - i. publish a short summary of this ordinance for at least one publication in a newspaper of general circulation in the City; or
  - ii. post a complete copy of this ordinance in three public places within the City.

**ADOPTED AND PASSED** by the City Council of the City of Saratoga Springs, Utah, this 6 day of October 2015.

Signed: Rebecca Call  
Jim Miller, Mayor      Rebecca Call Mayor Pro Tem

Attest: Nicolette Fike  
Lori Yates, City Recorder  
Nicolette Fike, Deputy

10/06/2015  
Date



	<b>VOTE</b>
Shellie Baertsch	<u>Aye</u>
Rebecca Call	<u>Aye</u>
Michael McOmber	<u>Aye</u>

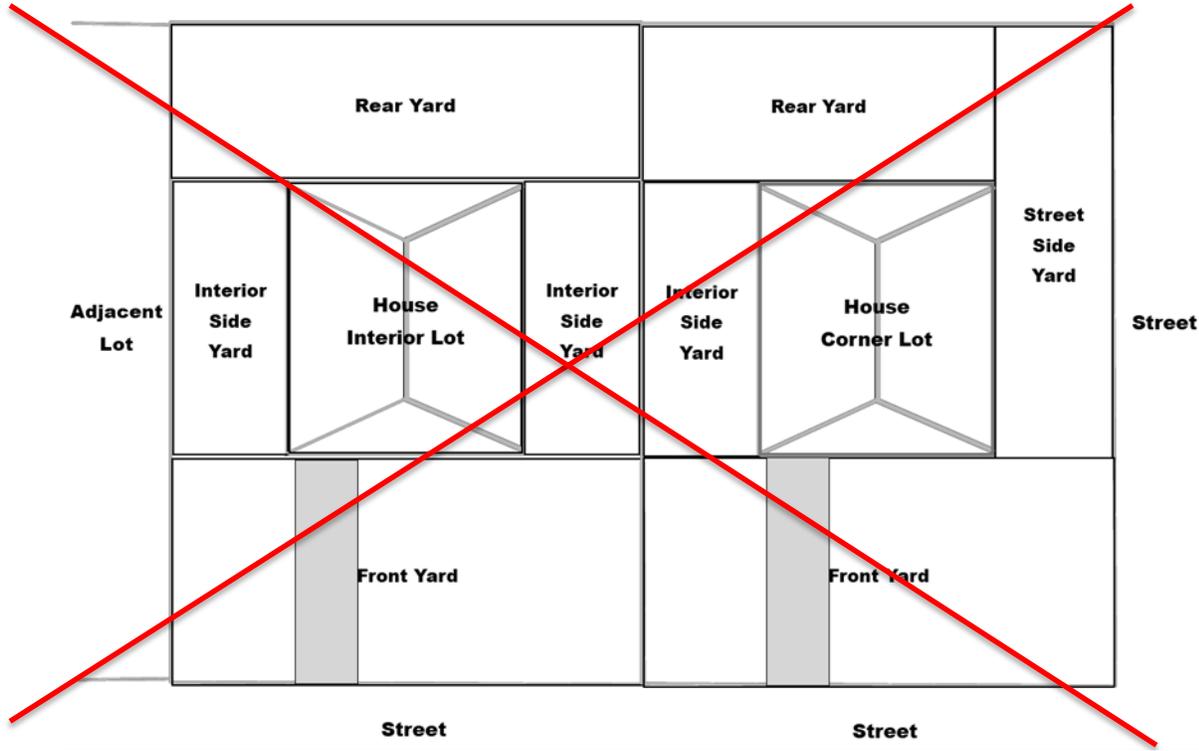
Stephen Wilden  
Bud Poduska

Aye  
Aye

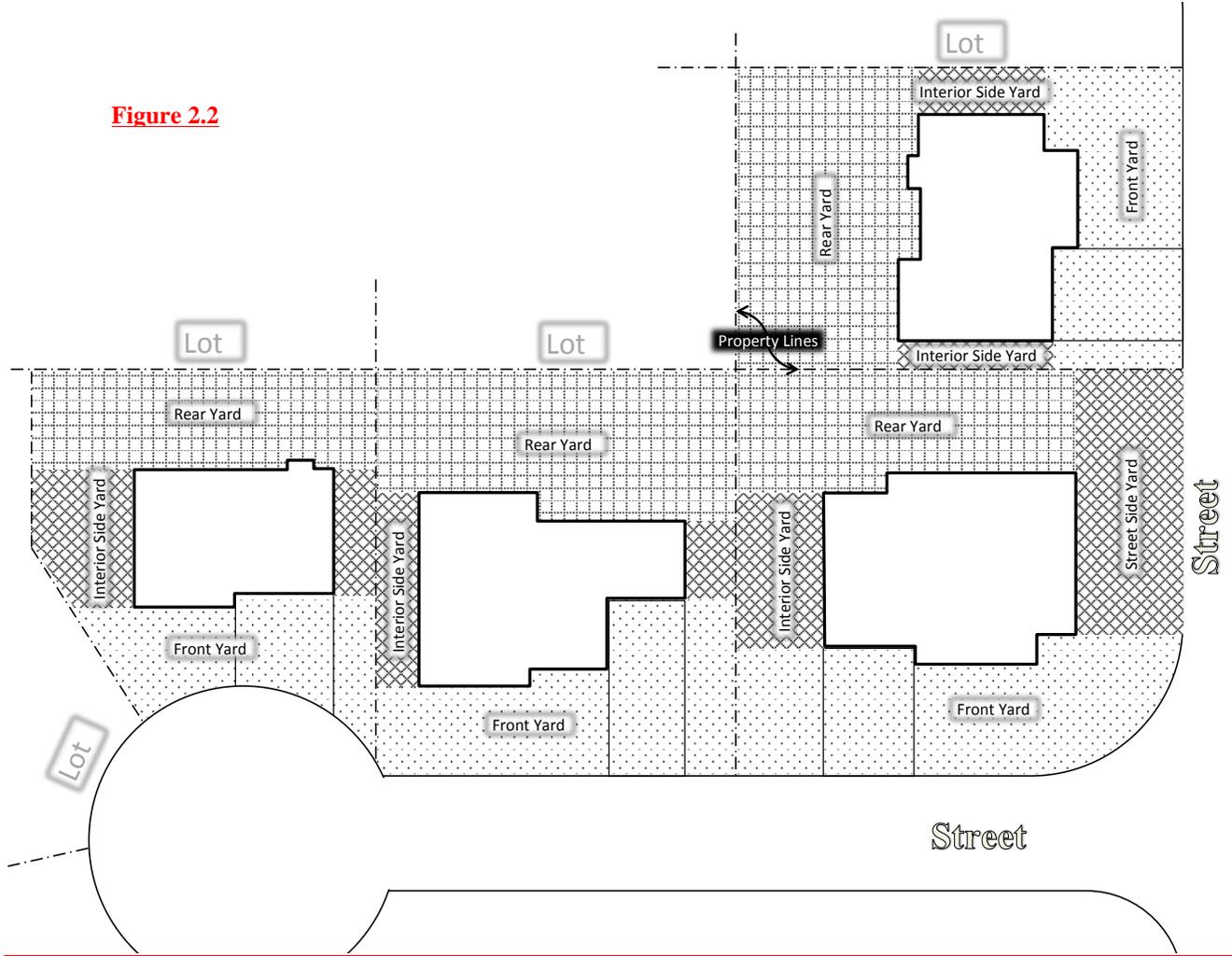
~~+~~ #TBD. “Yard, side”

- a. Interior ~~lot~~side yard: means a yard between the interior side lot line and the side façade of a main building, extending from the front yard to the rear yard, and
- b. ~~Corner lot~~Street side yard: means a yard between the street side lot line and the side façade of a main building on a corner lot, extending from the front yard to the rear lot line, as illustrated in Drawing-Figure 2.2 ~~+~~below.

Drawing 1, Interior and Corner Lot Yards



**Figure 2.2**

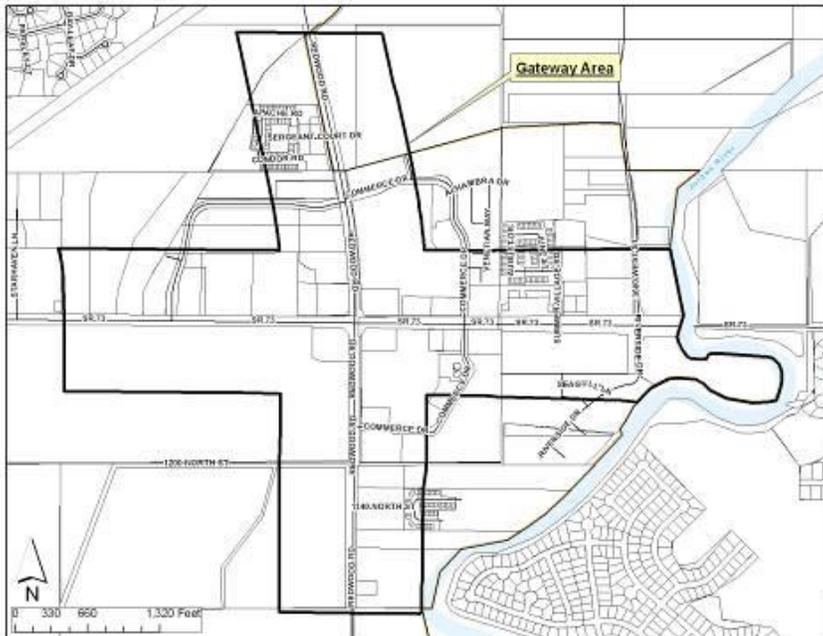


**GATEWAY Sections 19.02, 19.04, 19.15, 19.18, 19.23**

**19.02.02. Definitions.**

- 117. “Gateway Area” means the following areas, as also shown on the exhibit below, which is subject to certain land use restrictions in the Regional Commercial (RC) Zone as identified in Section 19.04.18:**
- a. North and south of the intersection of Redwood Road and SR 73:** The area of land that is located within 600 feet of the edge of right of way along State Route 68 (Redwood Road) and a distance of 2,640 feet north and south of the intersection of the centerlines of State Routes 68 and 73.
  - b. West of the intersection of Redwood Road and SR 73:** The area of land that is located within 600 feet of the edge of right of way along SR 73 and a distance of 2,640 feet west of the intersection of the centerlines of State Routes 68 and 73.
  - c. East of the intersection of Redwood Road and SR 73:** The area of land within 600 feet of the edge of right of way between the west bank of the Jordan River and the intersection of the centerlines of State Routes 68 and 73.

**19.04.07.2**



**Permitted and Conditional Uses by Zone – Commercial**

	NC	MU	RC*	OW	I	ML	BP	IC	PSBL
Automobile Repair, Minor			C**	C	C		CE		
Automobile Sales			C**		C				
Automobile, Boat, All-Terrain Vehicle (ATV), Motorcycle, Recreation Vehicle, Sales & Service			C**	C	P				
Building Material Sales (with outdoor storage)			C**	C	P				
Car Wash (self service)			C**	C	C				
Convenience Store/Fast Food Combination			C**				CE		
Recreational Vehicle Sales			C**						

~~\*\* The noted uses shall only be allowed in the listed zones at locations that are outside the Gateway Area.~~

#### **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) ~~Zone allows the Conditional Uses with some uses as identified in the table only permitted outside the Gateway Area.~~

#### **19.15.06. Special Standards and Considerations Governing Particular Uses.**

In addition to the general standards and considerations set forth in 19.15.08, the following special standards shall be considered in relation to an application for a Conditional Use permit for any of the following uses:

1. **Automobile refueling stations and car wash operations.** As Conditional Uses, automobile refueling stations and car wash (self-serve) operations may be permitted under the following conditions:
  - a. The proposed location of the Conditional Use is in accord with the Land Use Ordinance and land use zone in which the site is located.
  - b. They do not break up contiguity for pedestrians of retail store frontage.
  - c. They will not be a nuisance to residences and other surrounding uses.
  - d. They will not cause traffic hazards or undue traffic congestion.
  - e. For automobile refueling stations or free standing car washes, the lot frontage, if located on a major street, shall not be less than 125 feet.
  - f. For automobile refueling stations or car wash operations with gasoline, diesel, or natural gas pumps shall have buildings of the type of construction as required in applicable building codes, and are to be located at a distance of not less than twenty-five feet from property or building setback lines, whichever is greater.
  - g. Gasoline pumps and pump islands for car wash operations or automobile refueling stations shall have a canopy and the setback, measured from the edge of the canopy, shall be not less than twenty-five feet from any property lines or shall be in conformity with the building setback lines of the zone, whichever is greater.
  - h. Driveway design and spacing for automobile refueling stations or car wash operations shall be reviewed by the City Engineer, whose recommendation will be forwarded to the Planning Commission.
  - i. The minimum closest distance from the automobile refueling stations or car wash with gas pumps site to an existing school, park, playground, museum, or place of public assembly shall not be less than 500 feet.
  - j. No outdoor storage of rental trucks or trailers, stacks of tires, or other merchandise will be provided by the automobile refueling stations or car wash operation except when such equipment or merchandise is screened by an approved fence not less than six feet in height.

~~k. In the Regional Commercial (RC) Land Use Zone, these land uses will not be allowed within the Gateway Area.~~

#### **19.18.04. Signs not requiring a permit.**

- 9.d. Two off-premise development identification signs may be allowed to guide traffic to a site.
  - i. These signs are limited to thirty-two square feet in area and eight feet in height.
  - ii. These signs must be placed entirely upon private property.
  - iii. These signs must have written permission of the property owner and be presented to the Planning Director for approval before they are erected.
  - iv. The duration of display shall be the same as On-Premise development identification signs.
  - v. ~~These off premise signs are prohibited in the City's "Gateway Area" as defined within this Code, unless the development is specifically accessed from within the Gateway.~~

#### **19.23.03. Permitted Locations and Restrictions.**

Sexually oriented businesses shall only be permitted in areas zoned Industrial, as defined in the Saratoga Springs Land Development Code, Section 19.04.20. Sexually oriented businesses are subject to the following additional restrictions:

~~1.~~—No sexually oriented business shall be located within a 1,000 foot radius of any church, park, school, or residential zone, as measured by a straight line without regard to intervening structures. The distance is measured from the property line of the church, park, school, or residential zone nearest the sexually oriented business and the property line of the sexually oriented business nearest the church, park, school, or residential zone.

~~2.1. No sexually oriented business shall be permitted within the Gateway area or within 1,000 feet of the Gateway area.~~

19.05 – MERGING TWO SALES TRAILER SECTIONS

19.05.02. General Supplemental Regulations.

\* \* \* \* \*

19. Model Homes. Model homes may be constructed in approved and recorded residential subdivisions when water, power, and sewer services are available to the site. Sites for model homes must also have improved, all-weather, vehicular access as approved by the City Engineer. Model homes may not be occupied as a dwelling until a permanent Certificate of Occupancy has been issued by the City.

a. \_\_\_\_\_

b. ~~Temporary Sales Trailers. The following regulations shall pertain to all Temporary Sales Trailers:~~

- c. ~~the trailer shall be located within an approved and recorded subdivision area for which the trailer is selling homes or lots. Sales trailers that are off-site from the project area are prohibited;~~
- d. ~~water, power, and sewer services shall be available to service the trailer. Such trailers must have bathroom facilities within the trailer that are accessible to the public and any employees that may work in the trailer;~~
- e. ~~the trailer must be in compliance with the accessibility regulations in Chapter 19.09 and as approved by the City Building official;~~
- f. ~~the trailer must receive a building permit from the City and must also have an approved landscape plan and off-street parking area. Compliance with this provision will be reviewed and approved by planning staff prior to building permit issuance. At the time of building permit issuance a bond shall be posted in the amount of \$3,000.00 to guarantee appropriate removal and clean-up of the site;~~
- g. ~~no trailer will be allowed to be located in any subdivision project for a period of time in excess of twelve months. Trailers shall be removed within thirty days of the expiration of the occupancy permit. A one-time extension of up to twelve months may be approved by City staff. A request for an extension must be made prior to the end of the initial twelve-month period;~~
- h. ~~a signage plan shall be submitted with any application for a temporary sales trailer and must be in compliance with the City's ordinances governing signs; and~~
- i. ~~failure to comply with any of the conditions of a temporary sales trailer permit shall be considered justification for the revocation of such a permit by City Staff.~~

\* \* \* \* \*

19.05.14. Temporary Subdivision Sales Trailers.

1. ~~One temporary sales trailer may be granted per preliminary or final plat so long as it complies with the standards in this Section 19.05.14. Failure to comply with any of the standards herein shall be considered justification for the revocation of the permit by City Staff. An applicant must receive a permit for a subdivision sales trailer from the Planning Director, who is designated as the land use authority, and a building permit from the Building Official. Any of the standards below do not replace or limit any building or fire codes adopted by the City. In the event of a conflict, the more restrictive standard shall apply. The following are the specific land use standards for a temporary subdivision sales trailer:~~

- a. ~~The sales trailer must be is-located in a subdivision of not less than five acres in total acreage. The trailer shall be located within an approved and recorded subdivision area for which the trailer is selling homes or lots.~~
- b. ~~Sales trailers that are off-site from the project area are prohibited.;~~
- c. ~~Sales trailers are not permitted in subdivisions which also have an operational model home; sales trailers approved prior to a model home shall be removed within thirty days of a model home beginning operation.~~
- d. ~~The Sales trailers must be located at least 200 feet from any existing dwelling outside of the subdivision measured along street lines;.~~
  - A. ~~, and issued a subdivision sales office permit.~~
  - a. ~~A permit for a subdivision sales trailer may be issued by the Planning Director and Building Department at any time after recording of the subdivision.;~~
  - b. ~~the trailer shall be located within an approved and recorded subdivision area for which the trailer is selling homes or lots. Sales trailers that are off-site from the project area are prohibited.;~~

~~e. Water, power, and sewer services shall be available to service the sales trailer. Such sales trailers that are accessible to the public or any employee must have bathroom facilities within the sales trailer that are accessible to the public and any employees that may work in the trailer;~~

~~e.~~

~~d. The sales trailer must be in compliance with the accessibility regulations in Chapter 19.09 and as approved by the City Building official;~~

~~f.~~

~~e. The sales trailer must receive a building permit from the City and must also have an approved landscape plan and off-street parking area. Compliance with this provision will be reviewed and approved by planning staff prior to building permit issuance.~~

~~g.~~

~~f. At the time of building permit issuance, a bond shall be posted in the amount of \$3,000.00 to guarantee appropriate removal and clean-up of the site;~~

~~h.~~

~~i. No sales trailer will be allowed to be located in any subdivision project for a period of time in excess of twelve months.~~

~~i. Within this twelve month period, sales trailers shall be removed within thirty days of the expiration of the occupancy permit, or after issuance of the final certificate of occupancy in the development, or after approved construction activity ceases, whichever is shorter.~~

~~g. A one-time extension of up to twelve months may be approved by City staff. A request for an extension must be made prior to the end of the initial twelve month period;~~

~~ii.~~

~~a. A signage plan shall be submitted with any application for a temporary sales trailer and must be in compliance with the City's ordinances governing signs; and.~~

~~j.~~

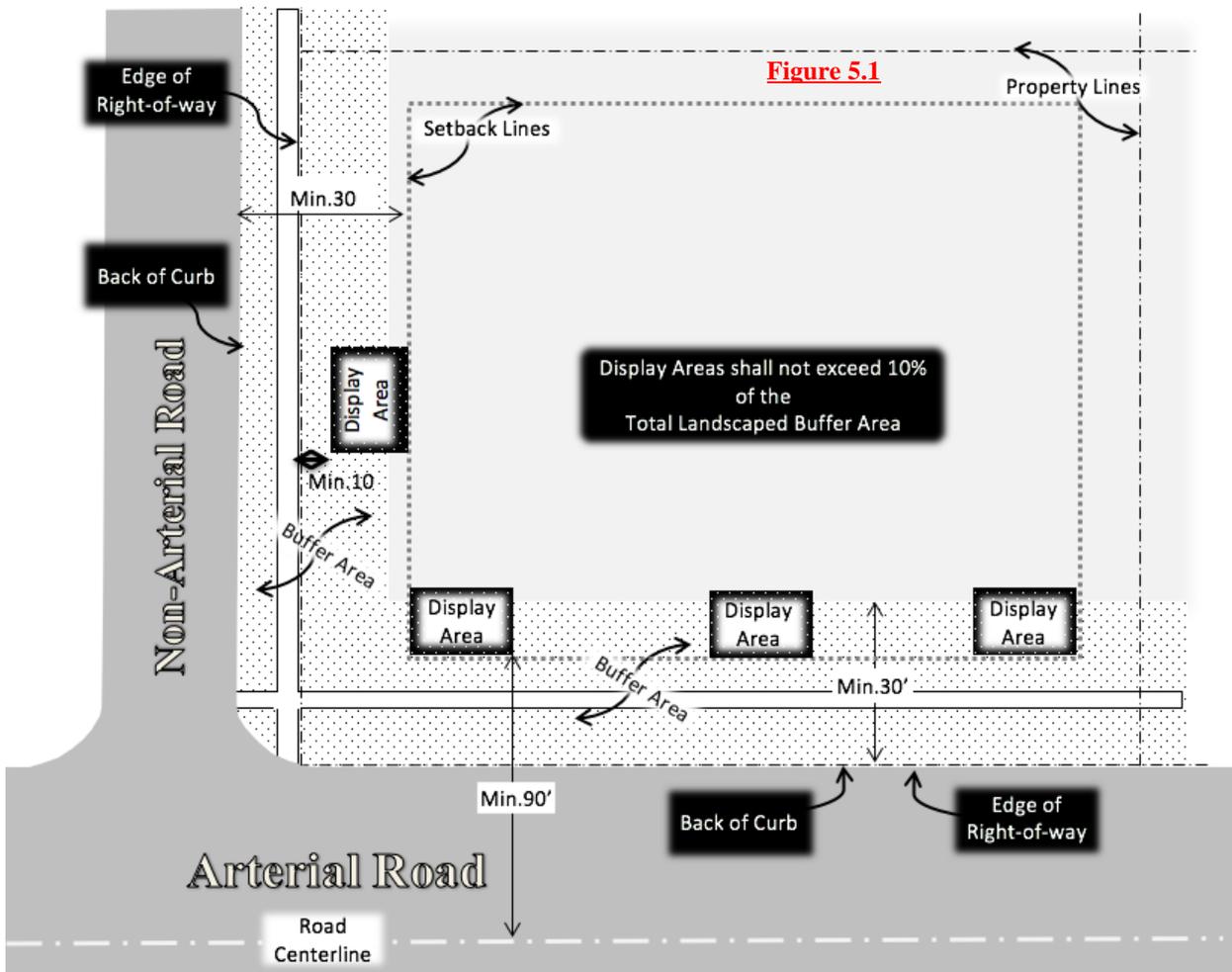
~~h. failure to comply with any of the conditions of a temporary sales trailer permit shall be considered justification for the revocation of such a permit by City Staff.~~

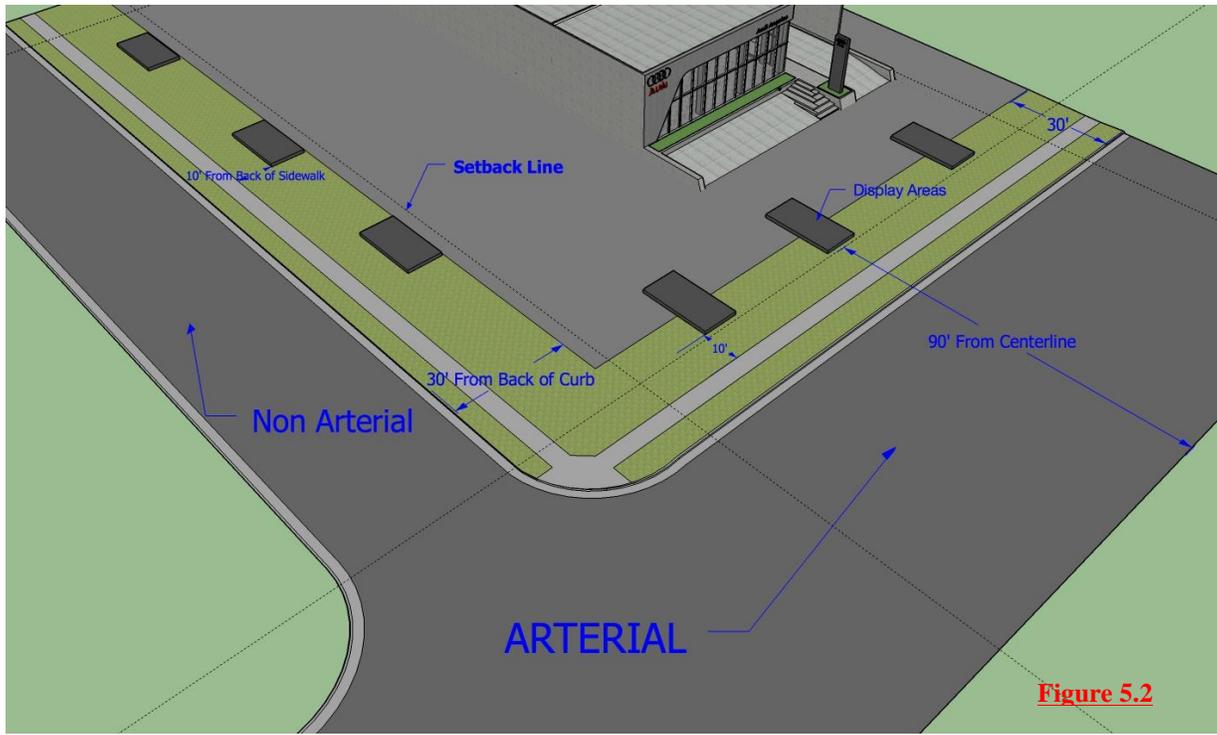
~~a.k. For temporary subdivision sales trailer for which construction begins within 180 days of issuance of the permit, the permit shall become void one year following the date on which the permit was issued. The temporary trailer shall then be removed unless thirty days prior to the expiration of the one year period, a request for an extension of time is made and granted by the Planning Director. In no case will more than one extension be granted, and such extension may not be more than one year. If construction does not begin within 180 days of issuance of the permit, the permit shall expire per the International Building Code.~~

~~A temporary subdivision sales trailer shall be removed no later than 30 days after issuance of the final certificate of occupancy in the development or approved construction activity ceases.~~

**19.05.14. Vehicle Sales.**

1. Uses identified as any type of outdoor vehicle sales shall meet the additional standards below, as shown in Figures 5.1 and 5.2.
  - a. Landscaped buffer. Parking and sales lots shall be separated from adjacent roadways by a minimum 30-foot wide landscaped buffer area, as measured from back of curb. The buffer area may include required setbacks, ROW, walkways, sidewalks, and park strips.
  - b. Screening. Parking lots and large doors shall be placed behind a landscaped berm or screen wall with a minimum height of 3 feet installed in the landscaped buffer.
  - c. Arterials. Along arterial roadways, parking and sales lots shall be set back a minimum of 90 feet from the Right of Way centerline.
  - d. Vehicle Display Areas. Vehicles may be displayed in the landscaped buffer area, subject to the following restrictions:
    - i. Display may only occur in areas outside the ROW, walkways, sidewalks, and park strips.
    - ii. Display areas shall be on locations designated for such display through the site plan approval process.
    - iii. Display areas shall be of concrete, asphalt, or other impervious surface.
    - iv. Display areas shall be a minimum of ten feet from inside the back of sidewalk.
    - v. Display areas shall comply with clear view triangle setbacks.
    - vi. Display areas shall not exceed 10% of the landscaped buffer area.
    - vii. Vehicles in the display area shall not exceed a maximum height of ten feet, such height including both vehicle and display surface as measured from the height nearest sidewalk to the highest point of the vehicle.
    - viii. For arterial roads, display areas shall also be set back a minimum of 90 feet from the centerline of the road.





**Figure 5.2**

Chapter 19.06. Landscaping and Fencing.

\* \* \* \* \*

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

~~2.1.~~ 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 Council.

~~3.2.~~ The following are planting standards for required landscaping that shall be followed for all new development, with all caliper sizes measured at the diameter at breast height (DBH) no less than 12 inches above the root ball:

~~a.~~ All required trees in commonly owned or HOA owned open space shall be planted according to the public planting standards outlined in the City Standard Technical Specifications and Drawings. Required trees are subject to the following standards:

~~b.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.** no rock shall be placed in an area at the base of the plant tree a minimum of three feet in diameter equal in size to the predicted canopy of shrubs and trees at maturity and shall instead be covered with wood chips, mulch, bark, or other non rock cover 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.

~~e.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.

~~d.c.~~ **Turf.** No landscaping shall be composed of more than seventy percent turf.

~~e.d.~~ **Drought Tolerant Plants.** Fifty percent of all trees and shrubs ~~species~~ shall be required to be drought tolerant ~~species.~~

~~f.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;
- ~~ii.~~ rock shall provide contrasting color to pavement and other hard surfaces within the property, and all colors used shall be earth tones, and
- ~~iii.~~ no rock shall be placed in an area at the base of the plant equal in size to the predicted canopy of shrubs and trees at maturity and shall instead be covered with wood chips, mulch, bark, or other non rock cover.

~~g.f.~~ **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.g.~~ **Artificial Turf.** Artificial turf is not permitted ~~in non-residential landscaping, and is not permitted in front or corner street side yards in residential development.~~

~~4.3.~~ The following design requirements will be used when reviewing landscaping plans in the City of Saratoga Springs:

~~h.a.~~ **Selection of Plants.** Plants shall be selected for texture, form, color, pattern of growth, and adaptability to local conditions.

~~i.b.~~ **Evergreens.** Evergreens shall be incorporated into landscaped treatment of sites where screening and buffering are required.

~~j.c.~~ **Softening of Walls and Fences.** Plants shall be placed intermittently against long expanses of building walls, fences, and barriers to create a softening effect.

~~k.d.~~ **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) above.

~~l.e.~~ **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.

~~m.f.~~ **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.

~~n.g.~~ **Preservation of Existing Vegetation.** Where possible and appropriate, existing native vegetation must be incorporated into the landscape treatment of the proposed site.

~~o.h.~~ **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.

- 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. Trees smaller than four inches in caliper 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.

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

~~5.4.~~ No trees shall be planted directly under or in close proximity to power lines, poles, or utility structures unless:

~~q.a.~~ the City Council gives its approval;

~~r.b.~~ the power company or owner of the power line gives written consent; and

~~s.c.~~ the maximum height or width at maturity of the tree species planted is less than 5 feet to any pole, line, or structure.

#### 4.5. Parking Lots.

- a. Parking areas have additional landscaping standards outlined in Chapter 19.09.

(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, improved open space, and nonresidential development in ~~the R-6, R-10, R-14, R-18, NC, MU, RC, OW, I, ML, BP, IC, PSBL~~all Zones shall be required to adhere to the minimum landscaped standards contained in the table below.
4. The City Council shall have authority to adjust these standards as circumstances dictate.

Required Landscaped Area <sup>1</sup>	Minimum Deciduous Trees <sup>3</sup>	Minimum Evergreen Trees <sup>3</sup>	Minimum Shrubs	Minimum Percentage of Required Turf	Percentage of Required Planting and Shrub Beds
< than 1,000	1	1	7	0 % <sup>2</sup>	Up to 100%
1,001 - 3,000	3	1	10	0 % <sup>2</sup>	Up to 100%
3,001 - 5,000	5	2	13	0 % <sup>2</sup>	Up to 100%
5,001 - 7,000	5	3	14	35%	Not more than 65%
7,001 - 9,000	6	3	17	35%	Not more than 65%
9,001 - 11,000	6	4	19	35%	Not more than 65%
11,001 - 13,000	6	4	22	35%	Not more than 65%
13,001 - 15,000	7	5	25	35%	Not more than 65%
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%

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

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

<sup>3</sup>This number shall be increased per the requirements of Section 19.06.06 above.

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

**19.06.08. Additional Single Family Residential and Park Strip Landscaping Requirements.**

**1. Single Family Residential Lots**

~~5.a.~~ All residential lots in all zones except A and RA-5 shall have the front yards, and street-side yards for corner lots, landscaped within one year, and interior side and back yards within two years after (whichever is less restrictive):

- ~~a.i.~~ receiving a Certificate of Occupancy; or
- ~~ii.~~ once ownership is established by the current owner.

~~b.~~ All landscaped areas shall be completely landscaped per the definition of Landscaping in Section 19.02, with the following exceptions:

- ~~i.~~ Bare dirt, meaning ground with no planting, hardscape, rock, or other cover, may occur in limited quantities when in conjunction with features including gardens, and trellis areas, and similar features.
- ~~ii.~~ Trees and shrubs are permitted to have a ring of bare dirt around the trunk and beneath the drip line of the canopy.

~~c.~~ At least 25% of landscaping in front yards and corner street side yards shall consist of non-rock planter beds, shrubs and grasses, or other non-hardscape and non-rock landscaping.

~~d.~~ Artificial turf is not permitted in front or corner street side yards.

~~e.~~ No trees shall be planted directly under or in close proximity to power lines, poles, or utility structures unless:

- ~~i.~~ the power company or owner of the power line gives written consent; and
- ~~a-ii.~~ the maximum height or width at maturity of the tree species planted is less than 5 feet to any pole, line, or structure.

~~6.2.~~ Park strips.

~~b.a.~~ Park strips shall be landscaped when the front yard is landscaped for a residential dwelling, or when site improvements are completed for a non-residential project, and shall thereafter be perpetually maintained by the property owner who abuts the park strip. Only the following shall be installed in park strips: turf, trees, shrubs or other plants, mulch, live plant vegetation (other than trees) below three feet in height, landscape rock, cobble, and removable pavers. When landscape rock, cobble, or pavers are used, at least thirty percent of each park strip shall contain plantings.

— Weeds, dead vegetation, fruit trees, fruit and vegetable gardens, gravel, asphalt, concrete, and large boulders are prohibited in park strips.

b.

c. Four foot wide concrete walkways are allowed in the park strip when the walkway lines up with the main walkway to the front door.

7.

8. ~~Parking Lots.~~

c. ~~Parking areas have additional landscaping standards outlined in Chapter 19.09.~~

(Ord. 14-23)

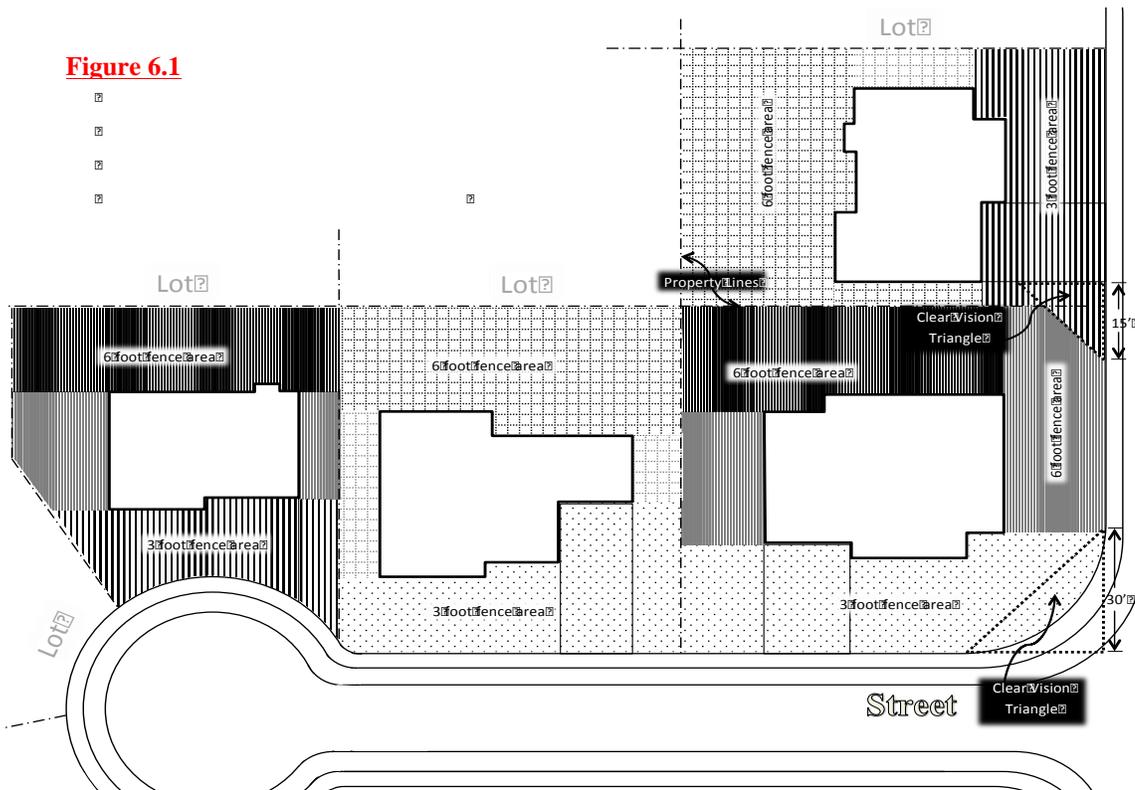
### 19.06.09. Screening and Fencing Requirements and Restrictions.

This Section outlines provisions that govern the heights of screening and fencing.

1. **Front yards:** fences exceeding three feet in height shall not be erected in any front yard ~~space~~ ~~space~~ of any residential lot.

4-2. **Street side yards:** ~~fencing in street side yards adjacent to a driveway shall not exceed three feet for a distance of fifteen feet back from the intersection of driveway and sidewalk, or driveway and ROW property line where no sidewalk exists as shown in the drawing below. Fencing shall also comply with all other clear sight triangle requirements as stated in 19.06. See graphics~~ Figures 6.1 and 6.2 below:

**Figure 6.1**



**Figure 6.2**

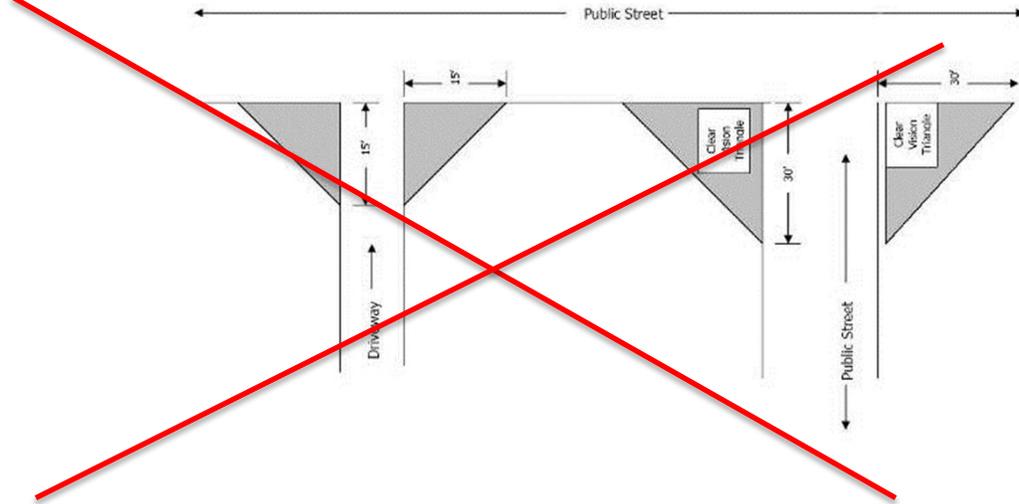


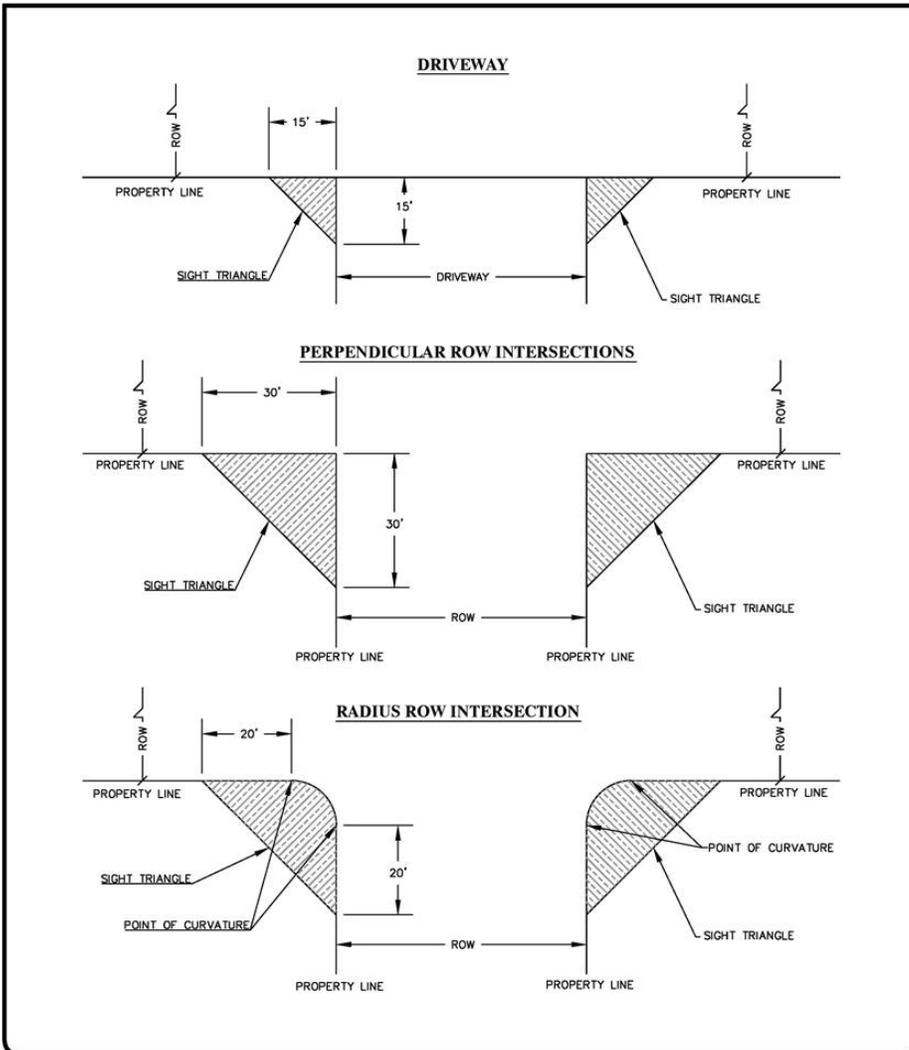
\* \* \* \* \*

**19.06.11. Clear Sight Triangle.**

At all intersections of streets, driveways, or sidewalks, all landscaping, berms, and fencing shall be limited to a height of not more than three feet, and the grade at such intersections shall not be bermed or raised, for a distance of twenty feet back from the point of curvature of curved ROWs and property lines or thirty feet back from the intersection of straight ROWs and property lines, whichever is greater, and fifteen feet back from edge of driveways to allow for clear sight as shown in the graphic below.

**Clear Sight Triangle:**





<b>SIGHT TRIANGLE</b>	DATE JULY 2014	REVISIONS	<b>STANDARD DETAILS</b>
	DRAWING NAME:	REV. DATE BY COMMENTS	
	DRAWN BY: ETL		
	CHECKED: APPROVED:		
<b>SARATOGA SPRINGS CITY</b>		100 N. COMMENCE DR. SUITE 200, SARATOGA SPRINGS, NY 12158 PHONE: 518-766-6799 FAX: 518-766-6794	<b>SIGHT TRIANGLE</b>

(Ord. 14-23)

**Exhibit 3.f1.3 – 19.12, 19.13, 19.14 Process Delegation**

**19.12.03. Subdivision Process and Approval Procedure.**

\* \* \* \* \*

1. **Final Plat.** Upon approval of a preliminary subdivision plat by the City Council, or concurrently with the preliminary plat, the developer must submit a final subdivision plat application to the City.
  - ~~b.a.~~ The developer may submit a Final Plat application with the Planning Director at any time after the Preliminary Plat application for a subdivision has been submitted and all applicable fees have been paid so long as any Preliminary Plat approval has not expired; Final Plat approval may not occur until after Preliminary Plat approval but applications may be processed concurrently and considered at the same meeting.
  - ~~e.b.~~ Upon receipt of an application for a Final Plat, the following process shall be followed:
    - i. 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 deficient.
    - ii. Once an application is deemed to be complete, City Staff shall review the proposed Final Plat and determine whether it is in compliance with the approved Preliminary Plat, other provisions of the City Code, and any modifications, requirements, findings, and conditions made during Preliminary Plat approval. If the proposed Final Plat fails to comply, the Planning Director shall direct the City staff to return it to the developer, along with a written list of deficiencies. The Planning Director is specifically charged with ensuring that all significant conditions required for Final Plat have been resolved before ~~recommending City Council~~ taking action.
    - ~~iii.~~ If the Planning Director ~~recommends that a proposed Final 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 City Council~~ finds that the ~~Final P~~lat is in its final form and complies with the City Code and with the terms and conditions of the approved ~~plat~~Preliminary Plat, it shall authorize the Mayor to sign the proposed Final Plat. If the ~~City Council~~Planning Director~~l~~ determines that the Final Plat does not comply with the City Code and with the terms and conditions of the approved ~~plat~~Preliminary Plat, ~~it they~~ shall ~~direct City staff to~~ return the proposed Final Plat to the developer, along with a written list of deficiencies that must be corrected before the ~~City Council~~Planning Director will authorize the Mayor to sign it.
    - ~~iv.~~ If the Final Plat application contains requested deviations from the approved Preliminary Plat, the City staff shall place it on the agenda of the next available City Council meeting where the application may be properly considered. If the City Council finds that the pFinal Plat and requested deviations are in final form and comply with the City Code and with the terms and conditions of the approved pPreliminary Plat, it shall authorize the Mayor to sign the proposed Final Plat. If the City Council determines that the Final Plat and requested deviations do not comply with the City Code and with the terms and conditions of the approved pPreliminary Plat, it shall return the proposed Final Plat to the developer, along with a written list of deficiencies that must be corrected before the City Council will authorize the Mayor to sign it.
    - ~~iii.~~
    - ~~iv.v.~~ The City Recorder, or his or her designee, shall be responsible for recording subdivision plats. The subdivider shall pay for all recording fees at the time of recordation. No Final Plats shall be recorded unless and until the plat is properly approved, signed, and accepted by the City.

**4. Final Plat Application Requirements.** Applications for Final Plats shall be on an approved-City form and include the following items:

\* \* \* \* \*

- q. Mylar Final Plat:** After receiving Final Plat approval from the ~~City council~~Planning Director or City Council and in a form approved by the City, a 24" x 36" copy of the ~~final plat~~Final Plat shall be provided to the City on reproducible Mylar for recording with Utah County. ~~The Mylar plat-Final Plat~~ shall be presented with all utility and owner signatures and appropriate notarizations.

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

**19.12.04. Condominium Process and Approval Procedure.**

\* \* \* \* \*

4. Upon receipt of an application for a condominium plat, the ~~following-Final Plat~~ process outlined in this Chapter shall be followed.~~;~~

- ~~a. 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.~~
- ~~b. Once an application is deemed to be complete, the Development Review Committee shall complete a review of the proposed condominium plat and submit a report to the Planning Commission at least three days prior to the meeting where the Planning Commission will review the condominium plat application.~~
- ~~c. The Planning Commission shall review the proposed condominium plat and determine whether it is in compliance with the approved Site Plan and other provisions of the City Code and any requirements imposed as a condition of that Site Plan approval.~~
- ~~i. If the proposed condominium plat complies, the Planning Commission shall approve it for signature by the Mayor, after final approval of the Development Agreement (if necessary) by City staff.~~
- ~~ii. If the proposed condominium plat fails to comply, the Planning Commission shall direct the City staff to return it to the developer, along with a written list of deficiencies.~~
- ~~iii. The Planning Commission is specifically charged with ensuring that all significant conditions required for the development have been resolved before recommending City Council action.~~
- ~~d. If the Planning Commission recommends that a proposed condominium plat be approved, the City staff shall place it on the agenda of the next available City Council meeting where the application may be properly considered.~~
- ~~i. If the City Council finds that the plat is in its final form and complies with the City Code and with the terms and conditions of the approved plat, it shall authorize the Mayor to sign the proposed condominium plat when the Development Agreement (if applicable) is completed and approved by City staff.~~
- ~~ii. If the City Council determines that the condominium plat does not comply with the City Code and with the terms and conditions of the approved plat, it shall direct City staff to return the proposed condominium plat to the developer, along with a written list of deficiencies that must be corrected before the City Council will authorize the Mayor to sign it.~~
- ~~e. The City Recorder, or his or her designee, shall be responsible for recording condominium plats. The developer shall pay for all recording fees at the time of recordation. No condominium plats shall be recorded unless and until the plat is properly approved, signed, and accepted by the City.~~

5. Condominium Plats shall be prepared in accordance with all applicable titles of the Utah Code (e.g., Title 57) and all Final Plat requirements deemed necessary by City staff.

#### **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 to the Planning Commission prior to the meeting where the Planning Commission will review the Final Plat application.

4. **Planning Commission Approval.** The Planning ~~Commission-Director~~ shall ~~conduct a public hearing and~~ review the proposed Final Plat to determine whether it is in compliance with the City Code.
- If the proposed plat complies, the Planning ~~Commission-Director~~ shall approve the plat and authorize the Mayor to sign the plat.
  - If the proposed plat fails to comply, the Planning ~~Commission-Director~~ shall deny the plat, or may continue the decision ~~with direction to the City staff to and~~ return it to the developer along with a written list of deficiencies that must be corrected before the Planning ~~Commission-Director~~ will authorize the Mayor to sign it.
  - The Planning ~~Commission-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.

\* \* \* \* \*

**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:

<b>Process and Land Use Authority →</b>	<b>Planning Director Approval</b>	<b>Planning Commission Public Hearing</b>	<b>Planning Commission Recommendation</b>	<b>Planning Commission Approval</b>	<b>City Council Approval</b>
<b>Development Type ↓</b>					
Change of Use Permit**	X				
Concept Plan	<i>X - Informal review only</i>				
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	<del>X</del>		<del>X</del>	
Planned Unit Development		X	X		X
Plat, Amendment**	X				
Plat, Condominium and Final	X				<del>X</del>

Plat, Preliminary		X	X		X
Site Plan		X	X		X
Site Plan Amendment - Minor	X	✗		✗	
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.

**19.14.06. Application.**

\* \* \* \* \*

**8. Site Plan Application and Approval Process.**

- a. All persons seeking Site Plan approval shall submit an application to the Planning Department for review by the City's Development Review Committee (DRC).
- b. Complete engineering drawings for all on-site and off-site improvements must be provided prior to the Site Plan application being scheduled for any public meeting or hearing. The Engineering Department and Development Review Committee shall review the drawings for compliance with City ordinances, regulations, and standards.
- c. New site plans shall follow the process below:
  - i. Prior to being scheduled for any public meeting or hearing, the developer shall provide a soils report for the development.
  - ii. Upon compliance with the Development Review Committee's recommendations, the revised application shall be forwarded to the Planning Commission for a public hearing and possible recommendation.
  - iii. Upon recommendation by the Planning Commission, the application shall be forwarded to the City Council.
  - iv. The City Council shall review and take action to table, approve, deny, or to modify the same.
  - v. Upon action by the City Council on the Site Plan application, the City Recorder shall prepare written minutes of the decision.
- d. Amended site plans shall follow the process below:
  - i. Minor amendment: an amendment that does not alter the density, intensity of use, amount of open space, or unit type, and may be approved by the Planning ~~Commission~~Director.
  - ii. Major amendment: an amendment that alters the density, intensity of use, amount of open space or unit type, and may be approved by the Planning Commission following a public hearing. ~~shall follow the same process as a new site plan.~~

## **GENERAL PLAN**

h. **Mixed Lakeshore Waterfront.** The Mixed ~~Lakeshore Waterfront~~ designation guides development patterns at key locations along the Utah Lake shoreline and Jordan River. This designation accommodates 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 riverfront locations provide. Appropriate mixtures of land-uses would include retail, residential, and/or resort properties. Low Density Residential, Medium Density Residential, and Neighborhood Commercial land uses would be considered appropriate for this land use designation. A mix of 80% residential and 20% commercial use in the Mixed ~~Lakeshore Waterfront~~ designation is the goal. The City will review each proposal on an individual basis to determine an acceptable ratio for the residential and commercial components.

Given the broad range of land-uses that will be included in this area, a sense of consistency, place and arrival will be established with the integration of stylized architecture and proper site design. Developments in the Mixed ~~Lakeshore Waterfront~~ area will be required to maintain and enhance public access to the lakeshore and riverfront and associated facilities (trails, beaches, boardwalks).

Developments in these areas shall contain landscaping and recreational features as per the City's Parks, Recreation, Trails, and Open Space Element of the General Plan. In this land use designation, it is estimated that a typical acre of land may contain 3 equivalent residential units (ERU's).

## **CODE**

### **19.04.25. Mixed ~~Lakeshore Waterfront~~ (MLMW).**

#### **1. Purpose and Intent.**

- a. The purpose of the Mixed ~~Lakeshore Waterfront~~ (MLMW) 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 19.04.07, are considered appropriate uses for this zone. The goal is to accomplish a mix of 80% residential ~~uses land area~~ and 20% commercial ~~uses land area~~ in this zone. ~~The City will review each proposal on an individual basis to determine an acceptable ratio for the residential and commercial components.~~
- 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. Residential densities in this zone shall not exceed 6 ERUs per acre.
- 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.
- e. 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 ~~Lakeshore Waterfront~~ Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.3 as Conditional Uses in the Mixed ~~Lakeshore Waterfront~~ (MLMW) 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 ~~40,000 square feet~~ one acre.
- b. Lots within a ~~40,000 square foot~~ one acre or larger development may be created based upon an approved Master Development Plan contained in a Master Development Agreement.
- c. 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.

~~d.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.f.~~ ~~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:

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.

~~f.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, ~~including accessory buildings~~, 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 ~~required to subject to the standards identified in Section 19.05.~~

~~d.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. maintain at least five feet of distance from all sides of the accessory structure to any other structure.~~

~~e.f.~~ There shall be a five foot minimum separation between all sides of the accessory buildings and ~~dwelling units~~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 Urban Design 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. ~~Such~~ 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 ~~landscaping~~ 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. 14-13)

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#### 19.26.04. Uses Permitted within a Planned Community District.

1. **Permitted and Conditional Uses.** Since the character and land use designations of each Community Plan may vary widely, a specific list of uses that are permitted by-right or conditionally permitted is not dictated in this zone. Instead, the detailed list of uses that are permitted by right or conditionally permitted shall be established in each Village Plan. Generally, however, the establishment of uses that are permitted by right, or conditionally permitted within a particular Village Plan, shall be guided but not limited to the following Sections of the Land Development Code:
  - a. Agricultural: Subsections 19.04.08 (2) and (3).
  - b. Residential: Subsections 19.04.09 (2) and (3).
  - c. Neighborhood Commercial: Subsections 19.04.20 (2) and (3).
  - d. Mixed Use: Subsections 19.04.21 (2) and (3).

- e. Regional Commercial: Subsections 19.04.22 (2) and (3).
- f. Office Warehouse: Subsections 19.04.23 (2) and (3).
- g. Industrial: Subsections 19.04.24 (2) and (3).
- h. Mixed ~~Lakeshore~~Waterfront: Subsections 19.04.25 (2) and (3).
- i. Business Park: Subsections 19.04.26 (2) and (3).