



CITY OF SARATOGA SPRINGS

Planning Commission Meeting **Thursday, May 8, 2014** **Meeting held at the Saratoga Springs City Offices** **1307 North Commerce Drive, Suite 200, Saratoga Springs**

AGENDA

Regular Session commencing at 6:30 P.M.

Regular Meeting

1. Pledge of Allegiance.
2. Roll Call.
3. Public Input – Time has been set aside for any person to express ideas, concerns, comments, questions or issues that are not listed on the agenda. Comments are limited to three minutes.
4. Public Hearing: Minor Subdivision for West Lake located at 1050 West Lehi-Fairfield Road, Aaron Evans, applicant. Presented by Sarah Carroll
5. Concept Plan for Western Hills Phase II located between 50 West -300 West and Aspen Boulevard, Ron Johnston, applicant. Presented by Sarah Carroll.
6. Concept Plan for Lake Timpanogos located at 8827 West 7350 North, Fieldstone Homes, applicant. Presented by Scott Langford.
7. Sign Permit Site Plan for Anderson Engineering Sign located at 2035 North Hillcrest Drive, Identity Signs LLC, applicant. Presented by Kimber Gabryszak.
8. Public Hearing: Revision to the City of Saratoga Springs Land Development Code. (Section 19.02-Definitions, 19.04-Land Use Zones, 19.05-Temporary Uses, and 19.09-Parking Standards). Presented by Kimber Gabryszak.
9. Approval of Reports of Action.
10. Approval of Minutes:
 1. February 27, 2014.
11. Commission Comments.
12. Director's Report.
13. Adjourn.

*Public comments are limited to three minutes. Please limit repetitive comments.

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.



**Planning Commission
Staff Report**

**Minor Subdivision
West Lake Estates
May 8, 2014
Public Hearing**

Report Date:	May 1, 2014
Applicant/Owner:	Aaron Evans
Location:	Approximately 1050 West Lehi-Fairfield Road
Major Street Access:	800 West
Parcel Number(s) & Size:	55:353:0001, ~21.225 acres
Parcel Zoning:	RA-5, Residential Agricultural
Adjacent Zoning:	RA-5, A, R-3, R-6
Current Use of Parcel:	Residential Agricultural
Adjacent Uses:	Agricultural
Previous Meetings:	None
Previous Approvals:	None
Land Use Authority:	Planning Commission
Future Routing:	None
Author:	Sarah Carroll, Senior Planner

A. Executive Summary:

This is a request for review of a four lot minor subdivision. The applicant owns approximately 21.225 acres in the RA-5 zone and would like to subdivide his property into four lots. The lots will not have utility services.

Recommendation:

Staff recommends that the Planning Commission conduct a public hearing, take public comment, and/or discuss the proposed minor subdivision at their discretion, and choose from the options in Section "H" of this report. Options include approval with conditions, continuing the application, or denial.

B. Background:

This property was annexed into the City in 2010 and was zoned RA-5 at that time. The applicant is requesting to subdivide his property into four lots without any subdivision improvements. This is allowed through the minor subdivision process, outlined in Code Section 19.12.07. It is recommended that these lots receive a City address at the time of recordation. The main property currently has a county address.

Currently all new development in the City is required to connect to City sewer and water services; these services are not currently near this property. However, the attached request does not involve a request for development. The Engineering and Planning Department are working on

potential code amendments to consider septic and wells in limited circumstances, which may allow for homes on these lots in the future, without a connection to City sewer and water services. The applicant is aware of the current code. The proposed property may be subdivided under the current code, but may not be developed until applicable requirements have been met.

C. Specific Request:

Four lots are being requested. All lots are just over five acres in size and have frontage on a public road. No subdivision improvements will be installed with this request.

D. Process:

Section 19.12.07 outlines the process for minor subdivisions. This section was amended on March 25, 2014 to allow a maximum of four parcels to be created through this process. Minor subdivisions require a public hearing and final approval by the Planning Commission.

E. Community Review:

Prior to the Planning Commission review of the Preliminary Plat, this item was noticed as a public hearing in the *Daily Herald*, and notices were mailed to all property owners within 300 feet of the subject property. As of the date of this report, public input has not yet been received.

F. General Plan:

The General Plan designates this area for "Residential Agriculture". The General Plan states:

The Residential Agricultural (RA-5) designation is provided to identify lands that allow for the continuation of agricultural practices and the raising of livestock. This designation covers land along Lehi-Fairfield Road prior to annexation. Dwelling sites may be permitted in the Residential Agricultural (RA-5) areas where the parcel size is 5 acres or larger. Careful consideration shall be given if or when infrastructure is extended through this area. Home sites in the Residential Agricultural areas may be served by individual wells and septic systems. In this land use designation, it is estimated that a 5 acre parcel of land may contain 1 dwelling unit.

Finding: consistent. The proposed plan consists of four lots that are just over five acres in size. The proposed lots are in the RA-5 zone and it is anticipated that future code amendments may allow for homes to be developed on these lots with the use of wells and septic systems. The proposed lots do not have public utilities nearby and under the current code may not be developed without extending public utilities.

G. Code Criteria:

Section 19.12.03 of the City Code states, "All subdivisions are subject to the provisions of Chapter 19.13, Development Review Process". The Minor Subdivision process is outlined in Section 19.12.07 and requirements for lots in the RA-5 zone are in Section 19.04.09. Pertinent requirements from these sections are reviewed below.

19.12.07. Minor Subdivision Criteria:

1. Limitations.
 - a. A Minor Subdivision is a one-time process. Lots created through a Minor Subdivision are not eligible to apply for an additional 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. Minor Subdivisions shall only be considered in the A, RA-5, RR, and R-1 zones.
 - d. Lots created through a Minor Subdivision may not be buildable until all other applicable State and local requirements are met.

Finding: complies. This is the first request for a minor subdivision for the subject property. The proposed lots are all larger than one acre in size. The proposed minor subdivision is in the RA-5

zone. The proposed lots may not be buildable until all other applicable State and local requirements are met.

19.04.09, RA-5 Zone Review:

Permitted or Conditional Uses: complies. Section 19.04.09 (2 & 3) lists all of the permitted and conditional uses allowed in the RA-5 zone. The proposed lots will be used for Agricultural purposes and may be developed with single family dwellings in the future. These are permitted uses in this zone.

Minimum Lot Sizes: complies. 19.04.09(4) states that the minimum lot size in the RA-5 zone is five acres. Each of the proposed lots is just over five acres in size and complies with this requirement.

Setbacks and Yard Requirements: can comply. Section 19.04.09(5) outlines the setbacks required by the RA-5 zone.

All buildings intended for occupancy are required to meet the following setbacks:

- Front: fifty feet
- Sides: twelve feet
- Rear: twenty-five feet

All accessory buildings are required to meet the following setbacks:

- Sides: twenty-five feet
- Rear: twenty-five feet
- Minimum separation between an accessory building used for animals and a dwelling: sixty feet.

There is one existing home on proposed lot 4 and three accessory structures. The attached minor subdivision plat indicates that the structures comply with the setback requirements.

Minimum Lot Width: complies. Every lot in this zone shall be 250 feet at the front building setback. The proposed lots are at all more than 250 feet wide.

Minimum Lot Frontage: complies. Every lot in this zone shall have at least 250 feet of frontage along a public or private street. The proposed lots comply with this requirement and have over 250 feet of frontage.

Maximum Height of Structures, Maximum Lot Coverage, Minimum Dwelling Size: complies. No structure in the RA-5 zone shall be taller than 35 feet. Maximum lot coverage in this zone is 50%. The minimum dwelling size in this zone is 1,600 square feet. These requirements will be reviewed by the building department with each individual building permit application if development occurs.

Open Space: complies. There is no minimum requirement for open space in this zone.

H. Recommendation and Alternatives:

Staff recommends that the Planning Commission review the proposed Minor Subdivision, discuss any public input received at their discretion, and make the following motion:

Recommended Motion:

I move to approve the West Lake Estates Minor Subdivision, located at approximately 1050 West Lehi-Fairfield Road, based on the findings and conditions listed below:

Findings:

1. The Minor Subdivision is consistent with the General Plan as explained in the findings in Section "F" of this report, which findings are incorporated herein by this reference.
2. The Minor Subdivision meets or can conditionally meet all the requirements in the Land Development Code as explained in the findings in Section "G" of this report, which findings are incorporated herein by this reference.

Conditions:

1. That all requirements of the City Engineer be met, including those listed in the attached staff report.
2. That all requirements of the Fire Chief be met.
3. That these lots receive a City address at the time of recordation.
4. That the proposed lots may not be developable until all applicable requirements for development have been met. A note to this affect shall be recorded on the plat.

Alternative Motions:

Alternative Motion A

"I move to **continue** the item to another meeting, with direction to the applicant and Staff on information and / or changes needed to render a decision, as follows:

Alternative Motion B

"Based upon the analysis discussed at the meeting and information received from the public, I move to deny the proposed Minor Subdivision, located at approximately 1050 West Lehi-Fairfield Road, based on the findings below: "

List findings for denial:

H. Exhibits:

1. Engineering Report
2. Zoning / Location map
3. Proposed Minor Subdivision

**City Council
Staff Report**

Author: Jeremy D. Lapin, City Engineer
Subject: West Lake Estates
Date: May 8, 2014
Type of Item: Minor Subdivision Approval



Description:

A. Topic: The Applicant has submitted a Minor Subdivision Plat application. Staff has reviewed the submittal and provides the following recommendations.

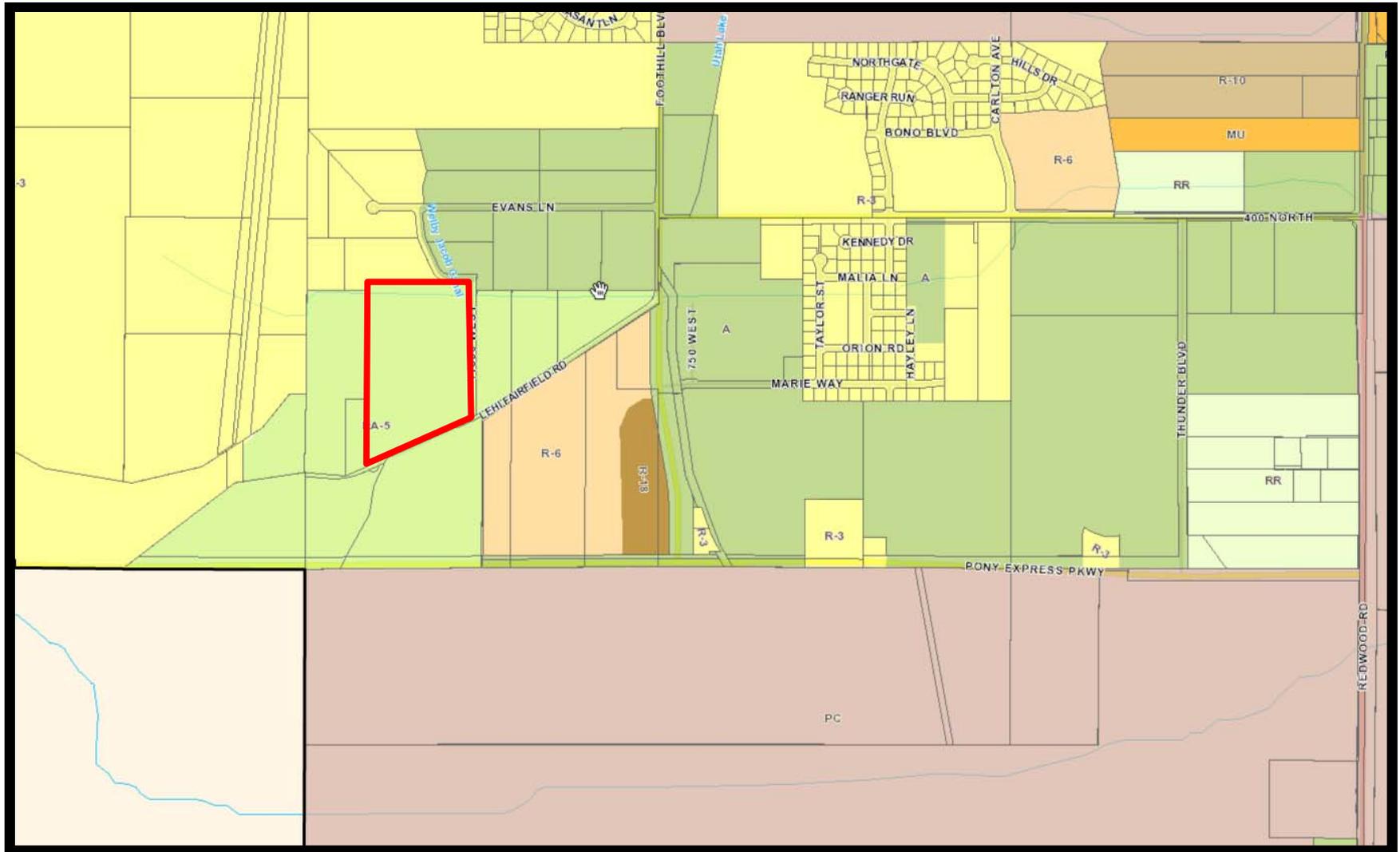
B. Background:

Applicant: Aaron Evans
Request: Minor Subdivision Approval
Location: 2300 S. Redwood Road
Acreage: 21.225 Acres – 4 lots

C. Recommendation: Staff recommends the approval of Minor Subdivision subject to the following conditions:

D. Conditions:

- A. Building permits will not be issued until all improvements have been installed and accepted by the City in writing; all improvements currently meet City Standards; and bonds are posted by the current owner of the project pursuant to City Code.
- B. The owner of this subdivision and any successors and assigns are responsible for ensuring that impact and connection fees are paid and water rights are secured for each individual lot. No building permits shall be issued for any lot in this subdivision until all impact and connection fees, at the rates in effect when applying for building permit, are paid in full and water rights are secured as specified by current City Ordinances and fee schedules.
- C. Buildings may require a NFPA 13R sprinkler system if required by the Fire Marshall. If homes are to be service by private wells, they must be able to meet the culinary demands for the home as well as the volume of water from the fire protection system.
- D. Meet all engineering conditions and requirements in the preparation and recording of the plat.
- E. The Plat shall address any issues or conflicts that may arise from notes from the original West Lake Estates Plat "C". This includes the assignment of water rights, inclusion of prior easements, and identification of existing drainage and irrigation systems.



ZONING/LOCATION MAP

WEST LAKE ESTATES PLAT "C" LOT 1 AMENDED

AMENDING LOT 1 OF WEST LAKE ESTATES PLAT "C"
 LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 5 SOUTH,
 RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN
 SARATOGA SPRINGS CITY, UTAH COUNTY, UTAH
 3-11-2014
 AN AGRICULTURAL SUBDIVISION

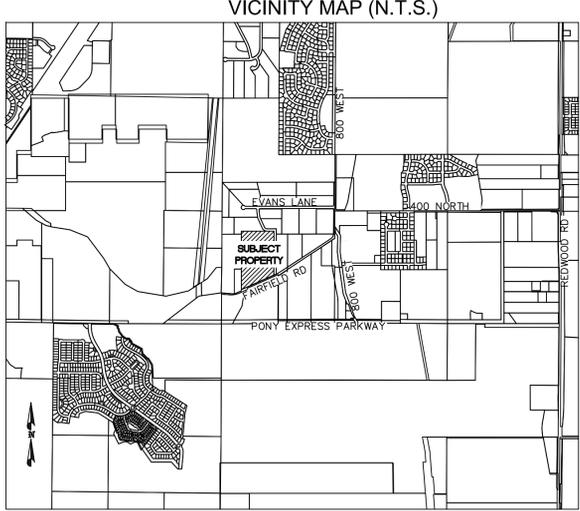
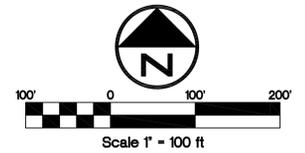
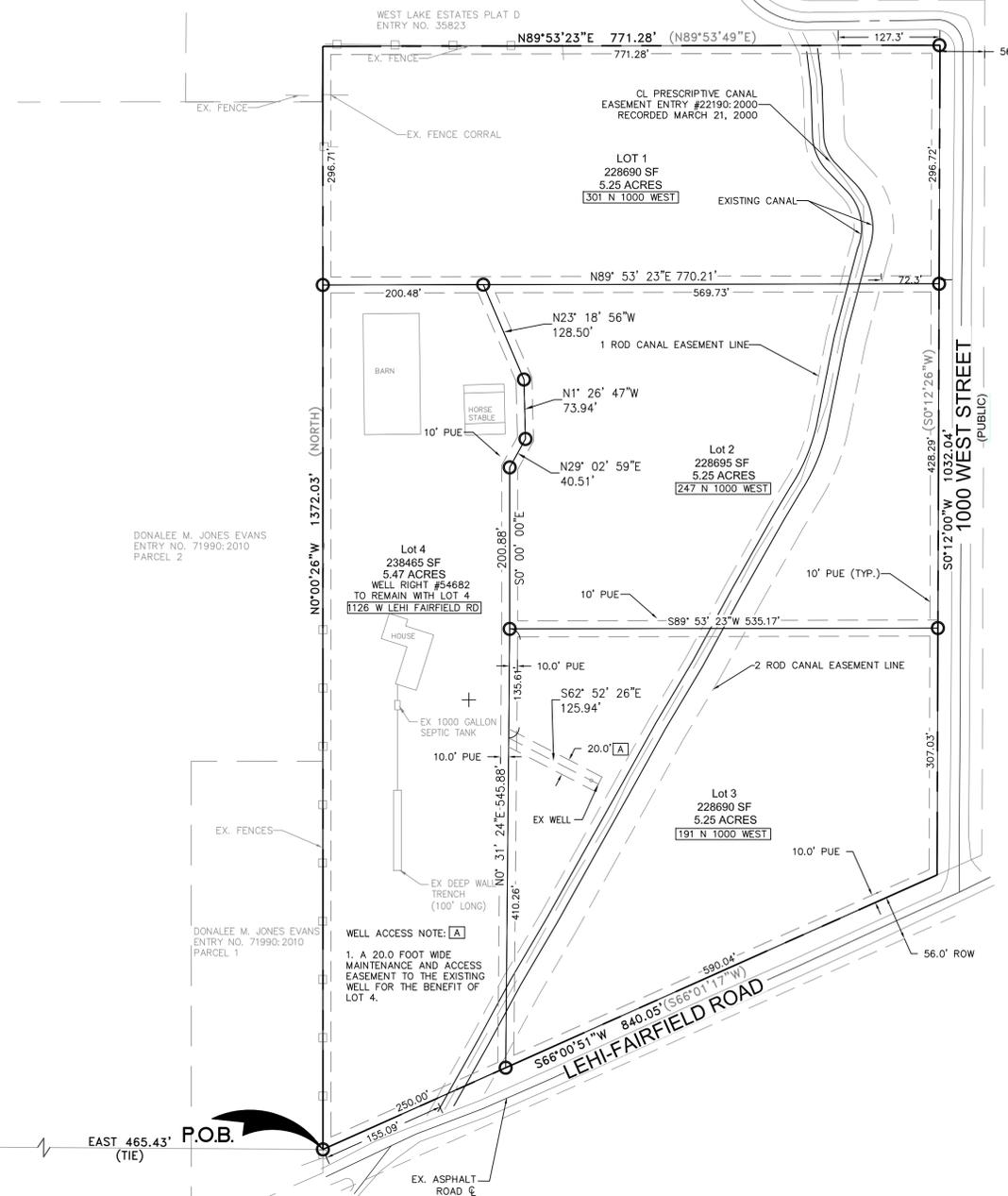
- NOTES:
1. THE INSTALLATION OF IMPROVEMENTS SHALL CONFORM TO ALL CITY RULES, ORDINANCES, REQUIREMENTS, STANDARDS, AND POLICIES REGARDING THE DEVELOPMENT OF THIS PROPERTY.
 2. PRIOR TO BUILDING PERMITS BEING ISSUED, SOIL TESTING STUDIES MAY BE REQUIRED ON EACH LOT AS DETERMINED BY THE CITY BUILDING OFFICIAL.
 3. BUILDING PERMITS WILL NOT BE ISSUED UNTIL ALL IMPROVEMENTS HAVE BEEN INSTALLED AND ACCEPTED BY THE CITY IN WRITING. ALL IMPROVEMENTS CURRENTLY MEET CITY STANDARDS, AND BONDS ARE POSTED BY THE CURRENT OWNER OF THE PROJECT PURSUANT TO CITY CODE.
 4. THE OWNER OF THIS SUBDIVISION AND ANY SUCCESSORS AND ASSIGNS ARE RESPONSIBLE FOR ENSURING THAT IMPACT AND CONNECTION FEES ARE PAID AND WATER RIGHTS ARE SECURED FOR EACH INDIVIDUAL LOT. NO BUILDING PERMITS SHALL BE ISSUED FOR ANY LOT IN THIS SUBDIVISION UNTIL ALL IMPACT AND CONNECTION FEES, AT THE RATES IN EFFECT WHEN APPLYING FOR BUILDING PERMIT, ARE PAID IN FULL AND WATER RIGHTS SECURED AS SPECIFIED BY CURRENT CITY ORDINANCES AND FEE SCHEDULES.
- NOTES FROM THE RECORDED SUBDIVISION PLAT OF WEST LAKE ESTATES PLAT "C":
5. WATER RIGHTS FOR THE LOTS CANNOT BE TRANSFERRED FROM THE LAND.
 6. ALL DRAINAGE WATER TO BE RETAINED ONSITE.
 7. RECORDED IRRIGATION EASEMENT EXISTS- RECORDED AS ENTRY NO. 39521 IN BOOK 6361 AT PAGES 2356-2358 (EXACT LOCATION NOT DEFINED).

WEST QUARTER CORNER OF SECTION 22, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN (FOUND BRASS CAP MONUMENT)

807.27' (TIE)

NO°23'24"E 2646.97' MEASURED (NO°23'51"E 2647.09' BASIS OF BEARING)

SOUTHWEST CORNER OF SECTION 22, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN (FOUND BRASS CAP MONUMENT)



- LEGEND
- FOUND SECTION CORNER
 - SET 5/8 REBAR AND CAP (WILDING ENGINEERING)
 - ADJACENT PROPERTY / ROW LINE
 - RECORD BEARINGS AND DISTANCES IN PARENTHESIS (WHEN DIFFERENT FROM MEASURED)
 - XXX N 1000 WEST LOT ADDRESS

SURVEYOR'S CERTIFICATE

I, CHARLES GALATI, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD A LICENSE, CERTIFICATE NO. 7248891-2201, IN ACCORDANCE WITH THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT FOUND IN TITLE 56, CHAPTER 22 OF THE UTAH CODE. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, AND EASEMENTS, HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH UTAH CODE SECTION 17-23-17, HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT. I FURTHER CERTIFY THAT EVERY EXISTING RIGHT-OF-WAY AND EASEMENT GRANT OF RECORD FOR UNDERGROUND FACILITIES, AS DEFINED IN UTAH CODE SECTION 54-8A-2, AND FOR OTHER UTILITY FACILITIES, IS ACCURATELY DESCRIBED ON THIS PLAT, AND THAT THIS PLAT IS TRUE AND CORRECT. I ALSO CERTIFY THAT I HAVE FILED, OR WILL FILE WITHIN 90 DAYS OF THE RECORDATION OF THIS PLAT, A MAP OF THE SURVEY I HAVE COMPLETED WITH THE UTAH COUNTY SURVEYOR.

BOUNDARY DESCRIPTION

ALL OF LOT 1, PLAT "C", WEST LAKE ESTATES SUBDIVISION, SARATOGA SPRINGS, UTAH, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE UTAH COUNTY RECORDER.

CONTAINS 21.22 ACRES IN 4 LOTS

DATE _____ SURVEYOR (SEE SEAL BELOW)

OWNER'S DEDICATIONS

KNOW ALL MEN BY THESE PRESENTS THAT, THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS

WEST LAKE ESTATES PLAT "C" LOT 1 AMENDED

DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC AND/OR CITY ALL PARCELS OF LAND, EASEMENTS, RIGHT-OF-WAY, AND PUBLIC AMENITIES SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC AND/OR CITY USE. THE OWNER(S) VOLUNTARILY DEFEND, INDEMNIFY, AND SAVE HARMLESS THE CITY AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCE ON A DEDICATED STREET WHICH WILL INTERFERE WITH THE CITY'S USE, MAINTENANCE, AND OPERATION OF THE STREET. THE OWNER(S) VOLUNTARILY DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY FROM ANY DAMAGE CLAIMED BY PERSONS WITHIN OR WITHOUT THIS SUBDIVISION TO HAVE BEEN CAUSED BY ALTERATIONS OF THE GROUND SURFACE, VEGETATION, DRAINAGE, OR SURFACE OR SUB-SURFACE WATER FLOWS WITHIN THIS SUBDIVISION OR BY ESTABLISHMENT OR CONSTRUCTION OF THE ROADS WITHIN THIS SUBDIVISION.

IN WITNESS WHEREOF WE HAVE SE OUR HANDS THIS _____ DAY OF _____, A.D. 20____

OWNER'S ACKNOWLEDGEMENT

STATE OF UTAH } S.S
 COUNTY OF UTAH }

ON THE _____ DAY OF _____, A.D. 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF UTAH IN SAID STATE OF UTAH, THE SIGNER() OF THE ABOVE OWNER'S DEDICATION, _____ IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT _____ THEREIN MENTIONED.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC (SEE SEAL BELOW)

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH
 COUNTY OF _____

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME _____ (NAME OF SIGNER), WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT HE/SHE IS THE _____ OF _____ (NAME OF CORPORATION) AND THAT THE WITHIN OWNER'S DEDICATION WAS SIGNED BY HIM/HER IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BYLAWS, OR BOARD OF DIRECTORS, AND THAT SAID CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC
 MY COMMISSION EXPIRES: _____

APPROVAL BY LEGISLATIVE BODY

THE CITY COUNCIL OF THE CITY OF SARATOGA SPRINGS, COUNTY OF UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR THE PUBLIC PURPOSE OF THE PERPETUAL USE OF THE PUBLIC.

THIS _____ DAY OF _____, A.D. 20____

ATTEST:

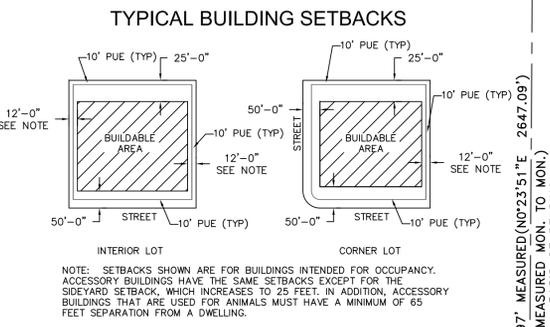
CITY MAYOR _____ CITY RECORDER (SEE SEAL BELOW)

WEST LAKE ESTATES PLAT "C" LOT 1 AMENDED PRELIMINARY PLAT

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN SARATOGA SPRINGS CITY, UTAH COUNTY, UTAH

DATUM
 SCALE: 1" = 100 FEET

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY ENGINEER SEAL	CLEAR-RECORDER SEAL



BY SIGNING THIS PLAT THE FOLLOWING UTILITY COMPANIES ARE APPROVING THE (A) BOUNDARY, COURSE, DIMENSIONS, AND INTENDED USE OF THE RIGHT-OF-WAY AND EASEMENT GRANTS OF RECORD (B) LOCATION OF EXISTING UNDERGROUND AND UTILITY FACILITIES (C) CONDITIONS OR RESTRICTIONS GOVERNING THE LOCATION OF THE FACILITIES WITHIN THE RIGHT-OF-WAY, AND EASEMENT GRANTS OF RECORD, AND UTILITY FACILITIES WITHIN THE SUBDIVISION. "APPROVING" SHALL HAVE THE MEANING IN UTAH CODE SECTION 10-9A-603(4)(c)(ii).

ROCKY MOUNTAIN POWER

APPROVED BY THE FIRE CHIEF ON THIS _____ DAY OF _____, A.D. 20____

ROCKY MOUNTAIN POWER

QWEST

APPROVED BY THE FIRE CHIEF ON THIS _____ DAY OF _____, A.D. 20____

QWEST

QUESTAR GAS COMPANY

APPROVED BY THE FIRE CHIEF ON THIS _____ DAY OF _____, A.D. 20____

QUESTAR GAS COMPANY

COMCAST CABLE TELEVISION

APPROVED BY THE FIRE CHIEF ON THIS _____ DAY OF _____, A.D. 20____

COMCAST CABLE TELEVISION

14721 SOUTH HERITAGE CREST WAY
 BLUFFDALE, UTAH 84065
 801.553.8112
 WWW.WILDINGENGINEERING.COM

FIRE CHIEF APPROVAL

APPROVED BY THE FIRE CHIEF ON THIS _____ DAY OF _____, A.D. 20____

CITY FIRE CHIEF _____

PLANNING COMMISSION REVIEW

APPROVED BY THE PLANNING COMMISSION ON THIS _____ DAY OF _____, A.D. 20____

CHAIRMAN, PLANNING COMMISSION _____

SARATOGA SPRINGS ENGINEER APPROVAL

APPROVED BY THE CITY ENGINEER ON THIS _____ DAY OF _____, A.D. 20____

CITY ENGINEER _____

SARATOGA SPRINGS ATTORNEY

APPROVED BY SARATOGA SPRINGS ATTORNEY ON THIS _____ DAY OF _____, A.D. 20____

SARATOGA SPRINGS ATTORNEY _____

LEHI CITY POST OFFICE

APPROVED BY POST OFFICE REPRESENTATIVE ON THIS _____ DAY OF _____, A.D. 20____

LEHI CITY POST OFFICE REPRESENTATIVE _____



**Planning Commission
Staff Report**

**Concept Plan
Western Hills Residential Subdivision
May 8, 2014
Public Meeting**

Report Date:	May 1, 2014
Applicant/Owner:	Ronald Johnston/Western Hills I, LLC
Location:	Approximately 50-350 West Aspen Hills Boulevard
Major Street Access:	Redwood Road, Aspen Hills Boulevard
Parcel Number(s) & Size:	58:023:0221 (~28.43 acres)
Parcel Zoning:	R-3, Low Density Residential
Adjacent Zoning:	R-3, MU, A, R-14
Current Use of Parcel:	Vacant
Adjacent Uses:	Condominiums, townhomes, elementary school, LDS Church
Previous Meetings:	None
Previous Approvals:	None
Land Use Authority:	Review by Planning Commission and City Council is required
Future Routing:	Public meeting with City Council
Author:	Sarah Carroll, Senior Planner

A. Executive Summary:

This is a request for review of a Concept Plan for a proposed single-family residential development located at approximately 50-350 West Aspen Hills Boulevard. The site is comprised of approximately 28.43 acres and is zoned R-3, Low Density Residential. The R-3 zone permits up to 3 units per acre. The Concept Plan proposes 54 single-family lots and an overall density of 1.90 units per acre.

Recommendation:

Staff recommends that the Planning Commission conduct a public meeting and provide informal direction to the applicant and staff regarding the conceptual subdivision. No official motion or recommendation is provided for Concept Plans.

B. Background:

The concept plan has been reviewed by staff and this report provides direction to the applicant from the Development Review Committee (DRC). The Planning Commission and City Council will also provide direction at the public meetings.

C. Specific Request:

The Concept Plan has 54 lots that are 10,000 square feet or larger and indicates 32% open space, including portions of the canal right of way, portions of the abandoned railroad berm and a pedestrian trail along the southeast property line.

D. Process:

Per section 19.13.04(6) of the City Code, a Concept Plan application shall be submitted before the filing of an application for Subdivision or Site Plan approval. The Concept Plan review involves an informal review of the plan by the DRC, Planning Commission and City Council to guide the developer in the preparation of subsequent applications.

E. Review:

At the west end of the project an illegal subdivision has occurred between the applicant and the Coe property. The parcel that was sold to the Coe's does not meet any code requirements. This will need to be corrected as the subject application proceeds. Staff suggests that the applicant execute a boundary line adjustment simultaneously with recording of the plat to correct this error. Also, code enforcement may need to cite the responsible person for violating the code.

A view of the aerial photo or a site visit indicates there are other properties near the Coe property that are encroaching into the abandoned railroad right of way. This will also need to be resolved as the project moves forward. The City does not want to accept property with encroachment issues since fencing is required around open space areas.

F. Community Review:

There is no requirement to notice concept plans because the comments received from the Planning Commission or City Council are not binding. Formal community interaction will occur once a public hearing is scheduled as part of the subdivision review.

G. General Plan:

The General Plan designates this area for Low Density Residential development; the property is zoned R-3, Low Density Residential. The Land Use Element of the General Plan defines Low Density Residential as one to four units per acre.

Finding: consistent. The proposed plan consists of 1.90 units per acre; thus the proposed density is compliant with the General Plan.

H. Code Criteria:

Section 19.12.03 of the City Code states, *"All subdivisions are subject to the provisions of Chapter 19.13, Development Review Process"*. The following criteria are pertinent requirements for Preliminary Plats listed in Sections 19.12 (Subdivision Requirements) and 19.04.13 (R-3 Requirements) of the City Code.

Permitted or Conditional Uses: complies. Section 19.04.13(2 & 3) lists all of the permitted and conditional uses allowed in the R-3 zone. The Concept Plan shows residential building lots for single family dwellings which are supported as a permitted use in the R-3 zone.

Minimum Lot Sizes: complies. 19.04.13(4) states that the minimum lot size for residential lots is 10,000 square feet. The smallest lot on the Concept Plan is 10,000 square feet.

Setbacks and Yard Requirements: can comply. Section 19.04.13(5) outlines the setbacks required by the R-3 zone. These requirements are:

Front: Not less than twenty-five feet.

Sides: 8/20 feet (minimum/combined)

Rear: Not less than twenty-five feet

Corner: Front 25 feet; Side abutting street 20 feet

This requirement will be reviewed in greater detail when the Preliminary Plat is submitted.

Parking, vehicle and pedestrian circulation: can comply. Section 19.09.11 requires single-family homes to have a minimum 2 parking stalls within an enclosed garage. Driveways leading

to the required garages must be a minimum 20 feet in length. Even though this requirement will be reviewed by the building department with each individual building permit application, staff believes that the proposed lots are of sufficient size to support this requirement.

Access to the proposed subdivision comes from Aspen Hills Boulevard. The proposed phasing plan can comply with secondary access requirements which will be reviewed in further depth with the preliminary plat application.

Fencing: can comply. Section 19.06.09 requires fencing along property lines abutting open space, parks, trails, and easement corridors. The Code also states that in an effort to promote safety for citizens using these trail corridors and security for home owners, fences shall be semi-private. Staff recommends that the applicant include fencing details with their Preliminary Plat showing semi-private fencing between the private lots and open space.

Open Space: complies. The City Code requires a minimum 15% open space. The concept plan indentifies open space along the canal, the abandoned railroad berm, and a trail along the southeast boundary line. The Concept Plan indicates that there is 9.168 acres (32% of total acreage) of open space; including 1.22 acres (13% of open space total) of sensitive lands. The 30% slopes on the railroad berm and the canal right of way are sensitive lands. Sensitive lands (defined below) may only be used for up to 50% of the required open space.

Sensitive Lands are defined in Section 19.02.02 as,
"land and natural features including canyons and slopes in excess of 30%, ridge lines, natural drainage channels, streams or other natural water features, wetlands, flood plains, landslide prone areas, detention or retention areas, debris basins, and geologically sensitive areas."

Credit toward meeting the open space requirement may be given for sensitive lands per the following code criteria:

- 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.

It appears the open space and sensitive lands requirement has been met. A more detailed evaluation of the sensitive lands will be required with the preliminary plat application to determine that the open space requirement is in fact met. The applicant will also be required to submit landscape plans for these open space areas with the preliminary plat application.

I. Recommendation and Alternatives:

No official action should be taken. The Planning Commission should provide general direction and input to help the developer prepare for formal subdivision application.

Staff recommends:

1. That all requirements of the City Engineer be met, including those listed in the attached staff report.
2. That all requirements of the Fire Chief be met.
3. That a more detailed open space plan be provided with the preliminary plat application to determine that the open space requirement is in fact met.
4. That the illegal subdivision is corrected and that the encroachment issues are solved.

J.

Exhibits:

1. Engineering Report
2. Zoning / Location map
3. Aerial Photo of Encroachment Issues
4. Concept Plan

City Council Staff Report

Author: Jeremy D. Lapin, City Engineer
Subject: Western Hills Residential Subdivision
Date: May 8, 2014
Type of Item: Concept Plan Review



Description:

A. Topic: The applicant has submitted a concept plan application. Staff has reviewed the submittal and provides the following recommendations.

B. Background:

Applicant: Ronald Johnston / Western Hills I, LLC
Request: Concept Plan
Location: Approximately 50-350 West Aspen Hills Boulevard
Acreage: 28.43 acres - 54 lots

C. Recommendation: Staff recommends the applicant address and incorporate the following items for consideration into the development of their project and construction drawings.

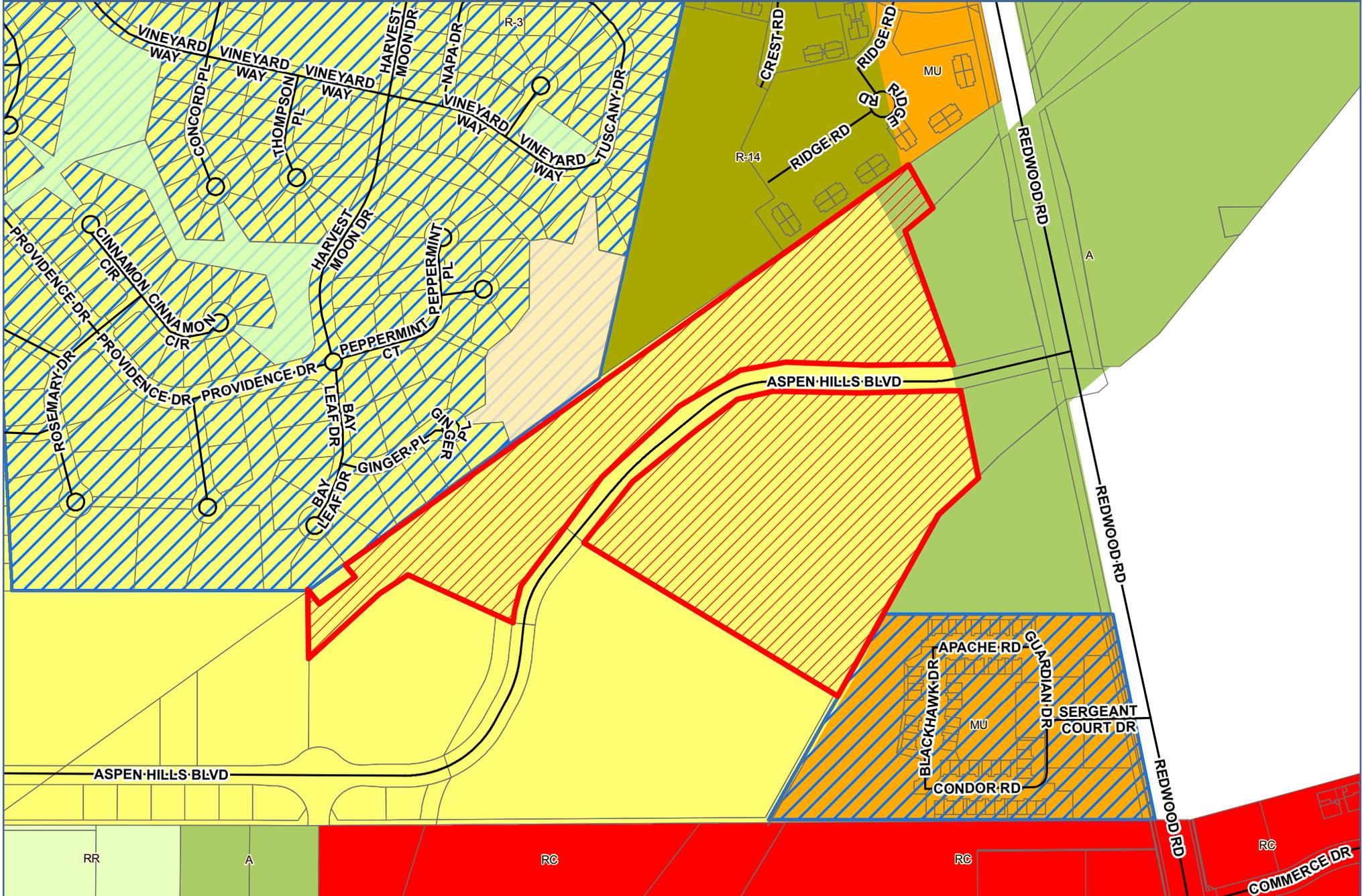
D. Proposed Items for Consideration:

- A. Prepare construction drawings as outlined in the City's standards and specifications and receive approval from the City Engineer on those drawings prior to receiving Final approval from the City Council.
- B. Consider and accommodate existing utilities, drainage systems, detention systems, and water storage systems into the project design. Access to existing facilities shall be maintained throughout the project.
- C. Comply with the Land Development Codes regarding the disturbance of 30%+ slopes.
- D. All sensitive lands must be placed in protected open space.
- E. Incorporate a grading and drainage design that protects homes from upland flows.
- F. Developer may need to provide a traffic study to determine the necessary

improvements to existing and proposed roads to provide an acceptable level of service for the proposed project.

- G. Project must meet the City Ordinance for Storm Water release (0.2 cfs/acre for all developed property) and all UPDES and NPDES project construction requirements.
- H. Developer shall meet all applicable city ordinances and engineering conditions and requirements in the preparation of the Construction Drawings.
- I. Project bonding must be completed as approved by the City Engineer prior to recordation of plats.
- J. All review comments and redlines provided by the City Engineer are to be complied with and implemented into the construction drawings.
- K. All work to conform to the City of Saratoga Springs Standard Technical Specifications, most recent edition.
- L. Developer shall prepare and record easements to the City for all public utilities not located in a public right-of-way.
- M. Developer is required to ensure that there are no adverse effects to adjacent property owners and future homeowners due to the grading and construction practices employed during completion of this project.
- N. The development cannot create remnant parcels
- O. The developer cannot add use Aspen Hills Boulevard as an access until the R-O-W is bonded for, platted and dedicated to the City for public use.
- P. Developer must ensure that lots do not contain utility mains or manholes. The developer must provide paved access roads to all manholes outside the ROW. Existing sewer mains should be located in the ROW or in pedestrian corridors and not in lots.
- Q. There is an illegal subdivision that was created via quit claim deed in the proposed project boundary that must be rectified prior to or simultaneously with this project

Location Map





Aerial Photo

Western Hills Residential Concept Area

Area North of Aspen Hills Blvd

A parcel of land located in the Southwest Quarter of Section 11 and the Southeast Quarter of Section 10, Township 5 South, Range 1 West, Salt Lake Base and Meridian, in the City of Saratoga Springs, Utah County, Utah. Said parcel being more particularly described as follows:

Beginning at a point on the northerly line of Western Hills Plat 1-B Subdivision located N89°55'56"W 29.32 feet along the section line and North 490.75 feet from the Southwest Corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian, and running thence N00°04'04"E 202.51 feet to the southerly boundary of the Harvest Hills Subdivision; thence S36°15'21"E 51.02 feet; thence N53°45'05"E 132.55 feet; thence N36°14'25"W 52.00 feet; thence N53°43'40"E 53.51 feet; thence N53°45'02"E 873.24 feet; thence S12°44'38"W 3.54 feet; thence N55°25'00"E 1085.63 feet; thence S34°34'59"E 145.13 feet; thence S50°30'07"W 92.16 feet; thence S18°48'59"E 42.39 feet; thence S18°49'00"E 385.98 feet to the northerly right of way of Aspen Hills Blvd and the beginning of a non-tangent curve to the right, having a radius of 266.00 feet; thence along the arc of said curve 61.54 feet, passing through a central angle of 16°15'21", chord bears S83°22'20"W 61.40 feet; thence West 466.84 feet to the beginning of a curve to the left having a radius of 334.00 feet; thence along the arc of said curve 227.76 feet, passing through a central angle of 39°04'20", chord bears S70°27'51"W 223.38 feet; thence S50°55'42"W 196.51 feet to the beginning of a curve to the left, having a radius of 984.00 feet; thence along the arc of said curve 194.07 feet, passing through a central angle of 11°18'00", chord bears S45°16'42"W 193.75 feet; thence S 39°37'42"W 302.05 feet to the beginning of a curve to the left having a radius of 334.00 feet; thence along the arc of said curve 195.09 feet, passing through a central angle of 33°28'00", chord bears S22°53'42"W 192.33 feet more or less to the boundary of Western Hills phase 1-B; thence N65°24'16"W 343.76 feet; thence S53°30'54"W 84.23 feet; thence S47°43'19"W 297.39 feet to the point of beginning. Containing 14.12 acres, more or less.

Area South of Aspen Hills Blvd

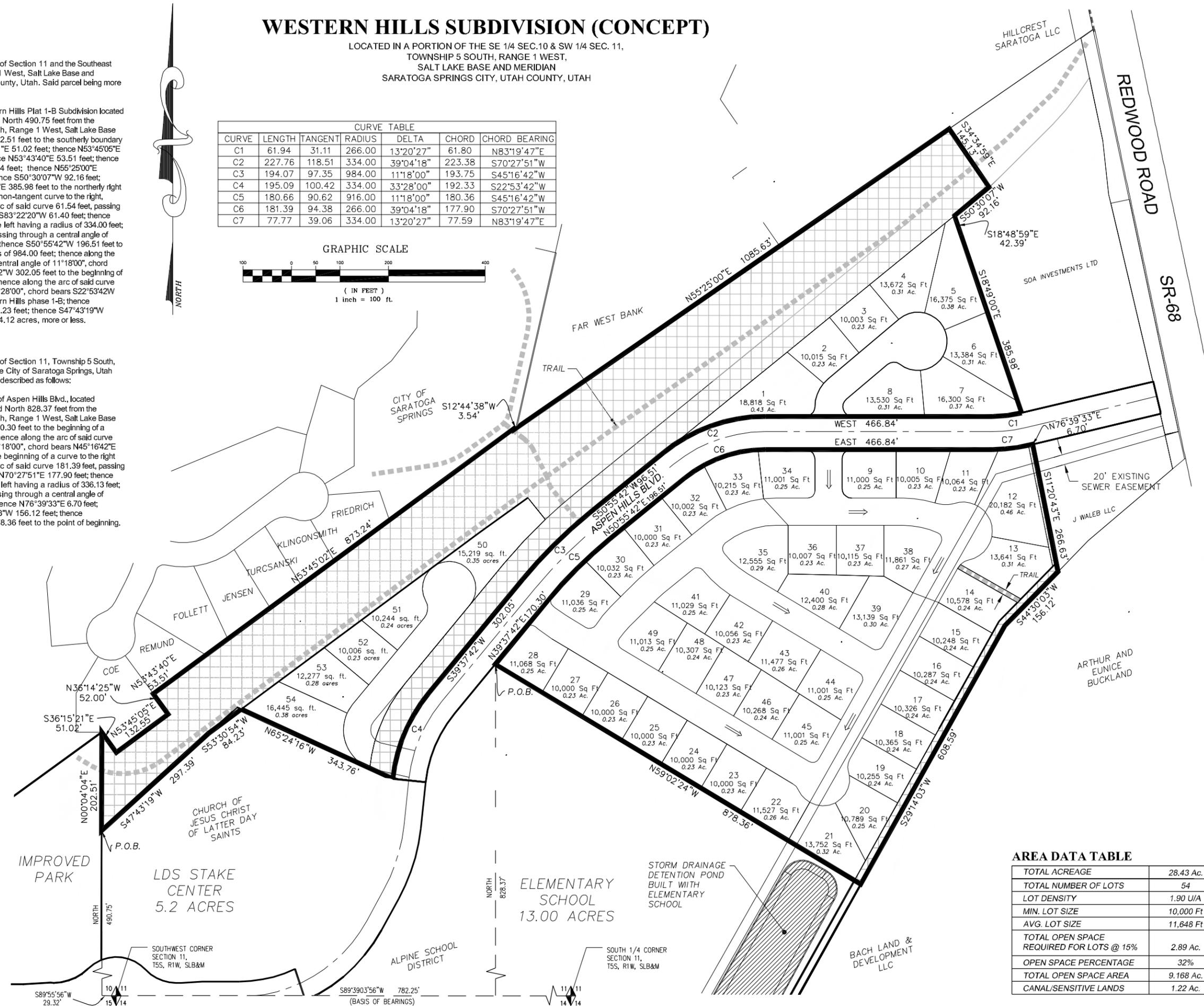
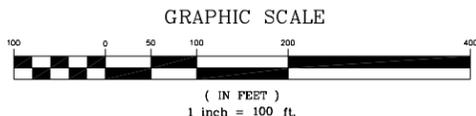
A parcel of land located in the Southwest Quarter of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian, in the City of Saratoga Springs, Utah County, Utah. Said parcel being more particularly described as follows:

Beginning at a point on the southerly right of way of Aspen Hills Blvd, located N89°39'03"E 782.25 feet along the section line and North 828.37 feet from the Southwest Corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian, and running thence N39°37'42"E 170.30 feet to the beginning of a curve to the right having a radius of 916.00 feet; thence along the arc of said curve 180.66 feet, passing through a central angle of 11°18'00", chord bears N45°16'42"E 180.36 feet; thence N50°55'42"E 196.51 feet to the beginning of a curve to the right having a radius of 266.00 feet; thence along the arc of said curve 181.39 feet, passing through a central angle of 39°04'18", chord bears N70°27'51"E 177.90 feet; thence East 466.84 feet to the beginning of a curve to the left having a radius of 336.13 feet; thence along the arc of said curve 84.47 feet, passing through a central angle of 14°23'58", chord bears N82°48'01"E 84.25 feet; thence N76°39'33"E 6.70 feet; thence S11°20'43"E 266.63 feet; thence S44°30'03"W 156.12 feet; thence S29°14'03"W 608.59 feet; thence N59°02'24"W 878.36 feet to the point of beginning. Containing 14.31 acres, more or less.

WESTERN HILLS SUBDIVISION (CONCEPT)

LOCATED IN A PORTION OF THE SE 1/4 SEC.10 & SW 1/4 SEC. 11,
TOWNSHIP 5 SOUTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN
SARATOGA SPRINGS CITY, UTAH COUNTY, UTAH

CURVE	LENGTH	TANGENT	RADIUS	DELTA	CHORD	CHORD BEARING
C1	61.94	31.11	266.00	13°20'27"	61.80	N83°19'47"E
C2	227.76	118.51	334.00	39°04'18"	223.38	S70°27'51"W
C3	194.07	97.35	984.00	11°18'00"	193.75	S45°16'42"W
C4	195.09	100.42	334.00	33°28'00"	192.33	S22°53'42"W
C5	180.66	90.62	916.00	11°18'00"	180.36	S45°16'42"W
C6	181.39	94.38	266.00	39°04'18"	177.90	S70°27'51"W
C7	77.77	39.06	334.00	13°20'27"	77.59	N83°19'47"E



TOTAL ACREAGE	28.43 Ac.
TOTAL NUMBER OF LOTS	54
LOT DENSITY	1.90 U/A
MIN. LOT SIZE	10,000 Ft ²
AVG. LOT SIZE	11,648 Ft ²
TOTAL OPEN SPACE REQUIRED FOR LOTS @ 15%	2.89 Ac.
OPEN SPACE PERCENTAGE	32%
TOTAL OPEN SPACE AREA	9.168 Ac.
CANAL/SENSITIVE LANDS	1.22 Ac.

NO.	DATE	DESCRIPTION	BY

H&H
ENGINEERING AND SURVEYING, INC.
233 EAST MAIN ST., STE 2, AMERICAN FORK, UT 84003
TEL: (801) 756-2488 FAX: (801) 756-3499

WESTERN HILLS
SUBDIVISION
CONCEPT PLAN

PROJECT NO. 13-399-11
DATE 3/15/14
HOR SCALE 1"=120'
VER SCALE NA
ENGINEER VEH
DRAFTED TLH
CHECKED VEH



Concept Plan
Lake Timpanogos
May 8, 2014
Discussion and Feedback

Report Date:	April 24, 2014
Applicant:	Fieldstone Utah Investors
Owner:	Richard Jacobson
Location:	8857 West 7350 North
Major Street Access:	7350 North
Parcel Number(s) & Size:	13:031:0016, 7.76 acres
General Plan Designation:	Mixed Lakeshore
Parcel Zoning:	A, Agricultural
Adjacent Zoning:	A, R-3
Current Use of Parcel:	Single Family Residential
Adjacent Uses:	Residential (north), Vacant/Ag (south, east, & west)
Previous Meetings:	None
Previous Approvals:	None
Land Use Authority:	City Council
Future Routing:	Informal review with City Council prior to Rezone
Author:	Scott Langford, Senior Planner

A. Executive Summary:

The applicant, Fieldstone Utah Investors on behalf of the property owner, is requesting Concept Plan review of a 31 lot single family residential development on approximately 7.76 acres generally located at 8857 West 7350 North.

Recommendation:

Staff recommends that the Planning Commission discuss the application and give informal feedback to the applicant in preparation for a possible rezone request.

- B. Background & Request:** The property is zoned Agricultural (A), which only permits one residential dwelling for every 5 acres. The applicant is proposing a new residential development with a density of approximately 3.99 units per acre, for a total of 31 lots. The average lot size shown on the Concept Plan is 5,464 square feet, with the minimum lot size being 5,000 square feet.

In order to create a subdivision with minimum lot sizes that are 5,000 square feet, the property must be rezoned from the A to the R-10 zone. The applicant has not submitted a rezone request at this time, as they want to first see if this type of subdivision could be supported in this area.

Approximately half of the site is currently located within floodplain Zone AE, which is the 100 year floodplain. An additional portion of the property is within floodplain Zone X, which may also be within the 100 year floodplain. Further clarification and study will be required if there is support to rezone the property and create a new subdivision in this location.

Section 19.02.02(232) defines floodplains as *"Sensitive Land"* and *"cannot be included in the base acreage when calculating the number of ERU's and no credit shall be given for these areas, with the exception that up to 50% of these areas can be counted toward meeting the open space requirement."* The applicant will have to receive approval from FEMA to bring fill in and raise the elevation to get the flood plain amended.

- C. Process:** The Concept Plan process is outlined in Section 19.13.04.6, and includes an informal review of the proposal by the Planning Commission and also by the City Council. Based on the feedback received during the Concept Plan process, the applicant will then choose whether to proceed with a rezone and general plan amendment request. Rezone and general plan amendments are reviewed by the Planning Commission and the Council in a public hearing.

If a rezone and general plan amendment are approved, the applicants will then be required to submit an application for Preliminary and Final Subdivision Plats.

- D. Community Review:** The Concept Plan process does not include a public hearing, therefore no public notice has been sent. Future public hearings will be scheduled at such time as the applicant moves forward with the rezone and general plan amendments.

- E. General Plan:**

Land Use Designation: The property is identified as "Mixed Lakeshore" on the Land Use map. The Mixed Lakeshore land use category states:

"The Mixed Lakeshore designation guides development patterns at key locations along the Utah Lake shoreline. This designation accommodates a wide range of land-uses so long as those land-uses are combined and arranged so as to create destination-oriented developments that take full advantage of the scenic and recreational opportunities that their lakeshore locations provide. Appropriate mixtures of land-uses would include retail, residential, and/or resort properties."

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 area will be required to maintain and enhance public access to the lakeshore and associated facilities (trails, beaches, boardwalks)."

Staff analysis: up for discussion. The proposal contains smaller single family residential lots and provides connectivity to the soon to be completed (Fall 2014) Lakeshore trail that will be located to the south of this property. However, staff finds that there is nothing that stands out with this development that could be considered as creating a "*destination-oriented*" in a unique lakeside development.

The applicant has stated in their letter of intent that the R-10 zone, which they would be seeking, is supported by the Mixed Lakeshore general plan designation because this designation supports a mixture of uses. Staff believes that a standard R-10 development, which is portrayed in the Concept Plan, does not meet the purpose and intent of the Mixed Lakeshore general plan designation. Property designated as Mixed Lakeshore in the general plan should be rezoned to the Mixed Lakeshore zone in order to better ensure that the property is developed in a manner that is consistent with the purpose and intent of this designation.

If the applicant does decide to move forward with requesting a rezone, it should be noted that the City Council is given wide latitude to make legislative land use decisions. A rezone is a legislative land use decision and great deference is given to the Council when exercising its legislative discretion to grant or deny a rezone request.

F. Code Criteria:

Because the applicant has stated that they would seek the R-10 zone if they decide to move forward with this subdivision, staff has performed an analysis of the Concept Plan as if the property were zoned R-10. Section 19.04.17 of the Code outlines the standards for the R-10 zone:

- Minimum lot size, frontage, width, depth, coverage – it appears that these requirements could be met, however this will be monitored and verified with revised plans through the preliminary plat process.
- Density – the proposal includes 31 lots, which creates a development with 3.99 units per acre. The R-10 zone supports densities up to 10 ERU's per acre.
- Setbacks / yard / height – it appears that these requirements will be met, however this will be monitored and verified with revised plans through the preliminary plat process.
- Minimum Dwelling Size – complies.
- Open Space / Sensitive Lands – There are a lot of questions when it comes to open space and sensitive lands on this property. It appears from the information submitted by the applicant that a significant portion of this property lies within various flood zones. The applicant will have to work with FEMA to mitigate and amend these flood zones before the land can be used as buildable lots. Only 50% of Sensitive lands may be counted toward meeting the open space requirements. Therefore the proposed Concept Plan would have to provide approximately double the amount of open space in order to meet the minimum 20% open space required for developments in the R-10 zone. The main open space provided on the Concept Plan is fairly isolated, as it is

hidden away behind private lots. Staff recommends that the open space be more visible to enhance use and mitigate potential delinquent activity.

- Permitted uses – single family and multi-family units are a permitted uses in this zone.
- Access – The Concept Plan shows vehicular connectivity to the west and east of this property. The applicant has revised their original concept to include two stub streets to the west, which is good for connectivity; however, it would be better to provide more spacing between the roads and have a more direct connection to Lakeview Drive.

G. Recommendation and Alternatives:

Staff recommends that the Planning Commission discuss the proposal and give the applicant informal feedback in preparation for a public hearing on possible rezone, general plan, and subdivision applications.

H. Attachments:

1. City Engineer's Report
2. Location & Zone Map
3. Aerial
4. Concept Plan Exhibits

City Council Staff Report

Author: Jeremy D. Lapin, City Engineer
Subject: Lake Timpanogos
Date: May 8, 2014
Type of Item: Concept Plan Review



Description:

A. Topic: The applicant has submitted a concept plan application. Staff has reviewed the submittal and provides the following recommendations.

B. Background:

Applicant: Fieldstone Utah Investors
Request: Concept Plan
Location: 8857 West 7350 North (Just West of Loch Lomond)
Acreage: 63.64 acres - 98 lots

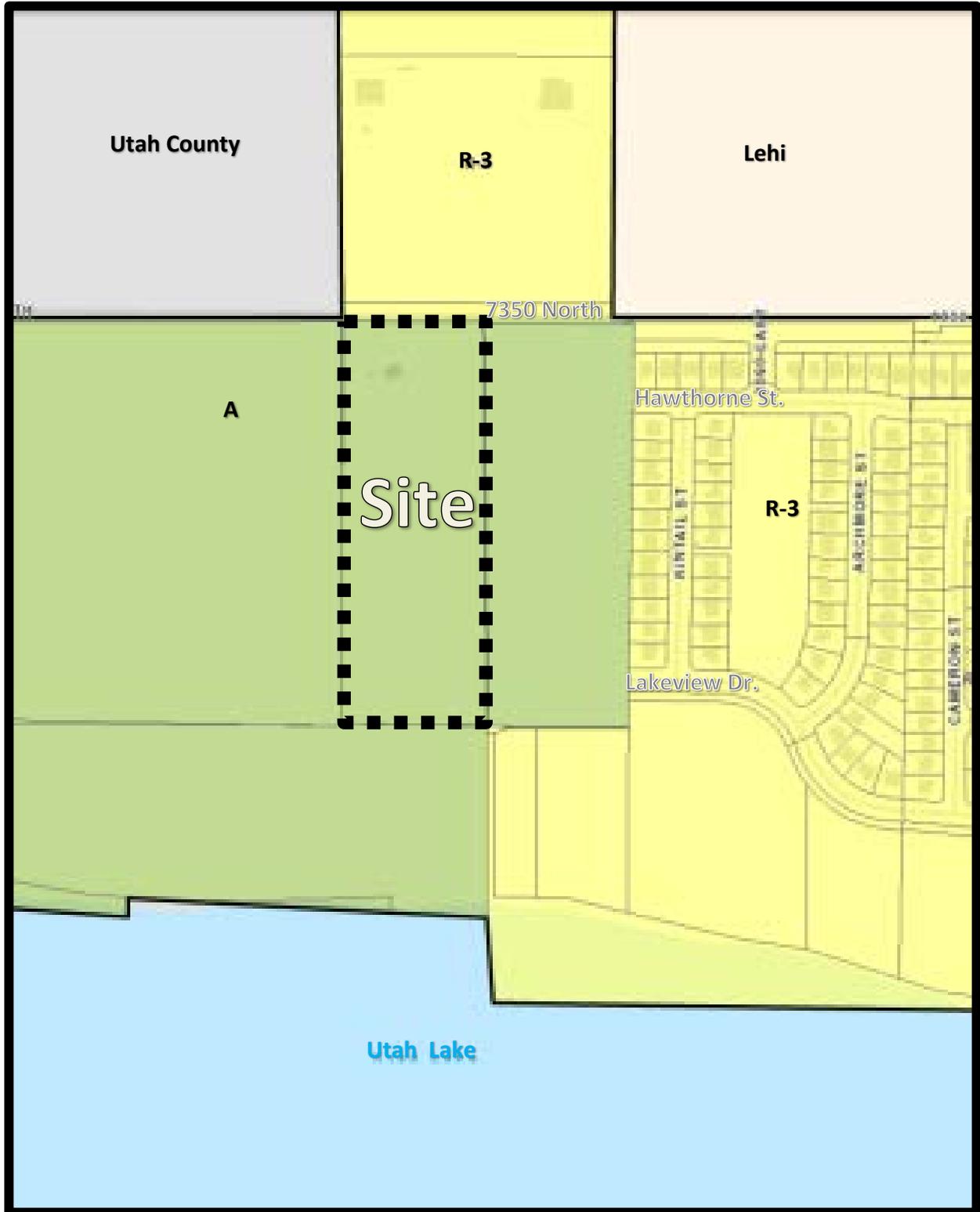
C. Recommendation: Staff recommends the applicant address and incorporate the following items for consideration into the development of their project and construction drawings.

D. Proposed Items for Consideration:

- A. Prepare construction drawings as outlined in the City's standards and specifications and receive approval from the City Engineer on those drawings prior to receiving Final approval from the City Council.
- B. Consider and accommodate existing utilities, drainage systems, detention systems, and water storage systems into the project design. Access to existing facilities shall be maintained throughout the project.
- C. Comply with the Land Development Codes regarding the disturbance of 30%+ slopes.
- D. Incorporate a grading and drainage design that protects homes from upland flows.
- E. Developer shall provide a traffic study to determine the necessary improvements to existing and proposed roads to provide an acceptable level of service for the proposed project.

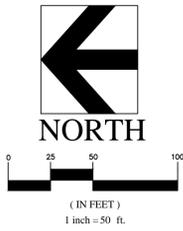
- F. Project must meet the City Ordinance for Storm Water release (0.2 cfs/acre for all developed property) and all UPDES and NPDES project construction requirements.
- G. Developer shall meet all applicable city ordinances and engineering conditions and requirements in the preparation of the Construction Drawings.
- H. Project bonding must be completed as approved by the City Engineer prior to recordation of plats.
- I. All review comments and redlines provided by the City Engineer are to be complied with and implemented into the construction drawings.
- J. All work to conform to the City of Saratoga Springs Standard Technical Specifications, most recent edition.
- K. Developer shall prepare and record easements to the City for all public utilities not located in a public right-of-way.
- L. Developer is required to ensure that there are no adverse effects to adjacent property owners and future homeowners due to the grading and construction practices employed during completion of this project.
- M. Developer will need to install and dedicate to the City the half width improvements and ROW along 7350 North as per the City's Transportation Master Plan for a Major Arterial (180' ROW) .
- N. No lots can contain sensitive lands including the 100 year flood plain.
- O. The developer needs to provide for a connection to the existing Lakeview Drive in Loch Lomond.
- P. This project will need to connect to the existing sewer lines in Loch Lomond as the City does not have any sewer mains in 7350 North. The developer will need to obtain any necessary easements through the adjacent property to make this connection. The City requires a minimum easement width of 20' for sewer lines centered on the pipe.
- Q. The project will have to install a storm drain outfall all the way to the lake and obtain any necessary easements and permits.
- R. A Cross connection will need to be made at the Culinary main in 7350 North to supply water to the irrigation lines within this subdivision. This cross connection will need to be as per City standards with a reduced pressure zone backflow prevention device.

Zoning Map



Aerial Photo





DATA TABLE

ORIGINAL PROPERTY	7.76 ACRES
OPEN SPACE	1.52 ACRES (20%)
SINGLE FAMILY LOTS	31
TOTAL DENSITY	3.99 UNITS/ACRE
MIN. LOT SIZE	5000 SF
AVERAGE LOT SIZE	5464 SF

PROPOSED FUTURE DRAINAGE SCHEME

THE SUBDIVISION WILL PROVIDE DETENTION ON-SITE IN ACCORDANCE WITH CITY STANDARDS AND OUTFALL TO AN ACCEPTABLE DISCHARGE POINT LOCATED TO THE EAST IN LAKEVIEW DRIVE. AN EASEMENT MAY BE REQUIRED.

STORM WATER WILL ALSO NEED TO BE CLEANED OF ALL OILS, FLOATABLES AND 80% OF TOTAL SUSPENDED SOLIDS (TSS) 110 MICRONS OR LARGER.

SENSITIVE LANDS

THE PROPERTY MAY CONTAIN SENSITIVE LANDS AS DEFINED IN SECTION 19.02.02 INCLUDING THE FLOOD PLAIN AND WETLANDS. ADDITIONAL INFORMATION AND/OR STUDIES WILL BE REQUIRED PRIOR TO PRELIMINARY APPROVAL.

GENERAL NOTE

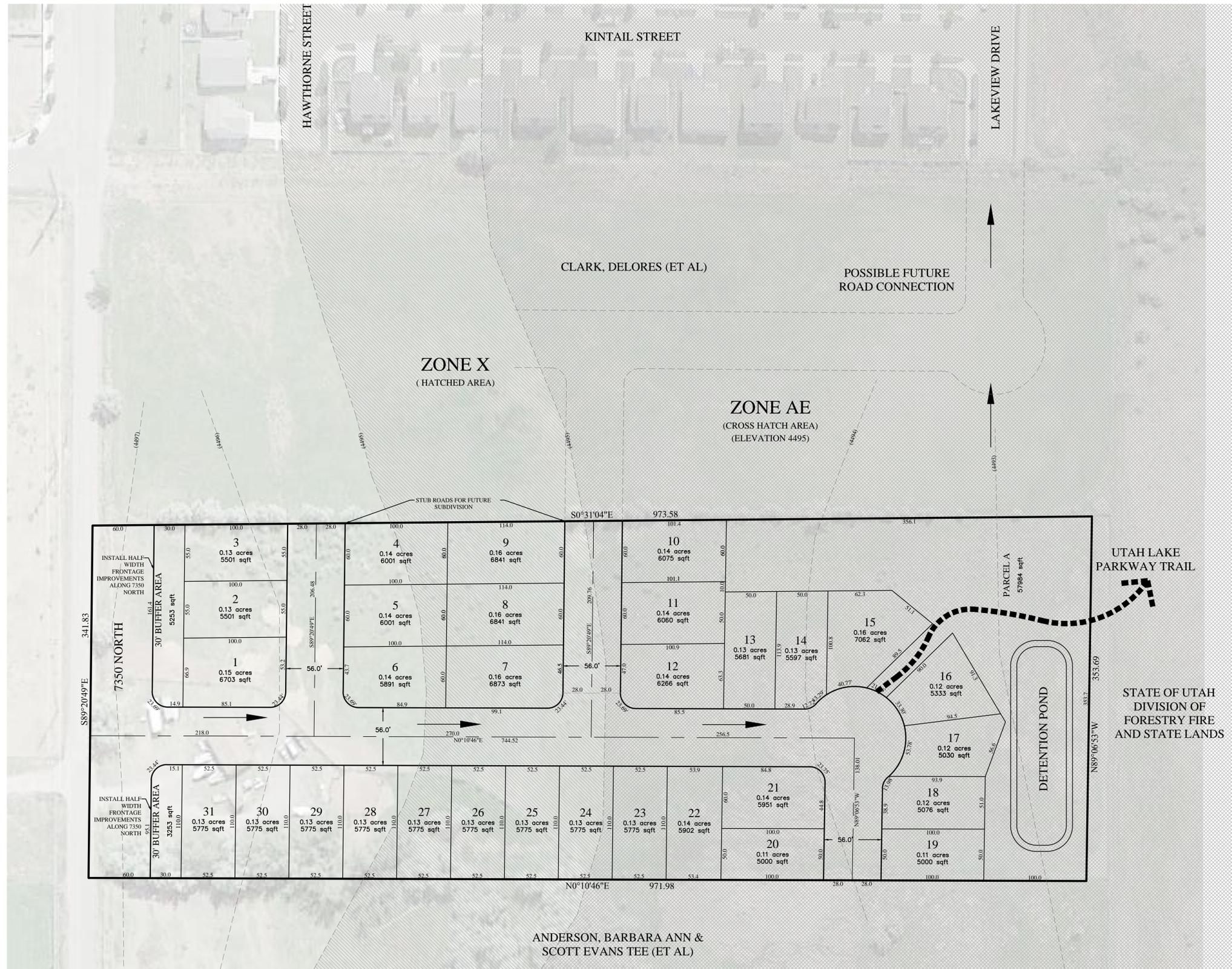
INFORMATION PROVIDED IS THE FROM THE BEST AVAILABLE DATA AT TIME OF PREPARATION AND MAY CHANGE AT ANYTIME FOR ANY REASON. PLAN SHOWN IS FOR ILLUSTRATIVE PURPOSES ONLY.

SEWER NOTE

SEWER WILL NEED TO BE METERED AT THE CONNECTION TO THE EXISTING SEWER LINE IN 7350 NORTH OR CONNECTED TO EXISTING SEWER SYSTEM IN LOCH LOMOND SUBDIVISION.

LEGAL DESCRIPTION

COM S 89 DEG 06'53"E 1.60 FT FR SE COR SEC 19, T5S, R1E, SLM;
 N 31'04"W 973.59; N 89 DEG 20'49"W 341.83 FT; S 10'46"W 971.98 FT;
 S 89 DEG 06'53"E 353.69 FT TO BEG. AREA 7.76 ACRES.



DESIGNED BY:



LAKE TIMPANOGOS SUBDIVISION

April 10th, 2014

Concept Review and Zoning Proposal

Jacobsen Parcel: 8827 W 7350 N

Saratoga Springs City Planning Staff:

Fieldstone has conducted operations in homebuilding, land development, land entitlement, and related business since 1981. Since its founding, Fieldstone has constructed and sold more than 35,000 attached and detached homes in over 300 communities.

Fieldstone would like to move forward with the Concept Plan Review of Richard Jacobson's 7.76 acre parcel at approx. 8827 W. 7350 N. Saratoga Springs. Along with the Concept Plan Review, Fieldstone would like to explore, with city comments, the likelihood of a zone change from Agricultural to R-10 Medium Density Residential, with a condition that the property be Single Family Residential. The R-10 zone matches the description in the General Plan which contemplates small lot single family along with many other uses for this area. Our single family site will serve as one component of several considered for the lake shore area. Because our site is too small to create a mixed use plan, we have shown how other properties can develop with the same general plan goal in mind. Again we would just be one component of a much larger overall view of the area. In addition, there is not sufficient infrastructure or rooftops in the area to justify commercial or high density housing as hoped for in the general plan.

Our plan offers an appropriate use of the property, and will be a stepping stone for future development in the area. In addition, it allows for connectivity to adjacent parcels and future uses. The General Plan suggests that the subject area should be "80% residential and 20% commercial". Since very little of the area is currently residential, the proposed concept is well within the goals of this plan. Also, the general plan requires "public access to the lakeshore and associated trails". We are aware that the Department of Forestry has plans to bring a trail connection from the Utah Lake Parkway Trail to the open area located at the south end of the proposed concept. Refer to attachment "Easement #4000018" provided by the Department of Forestry.



Sign Permit – Site Plan
Anderson Engineering
Thursday, May 8, 2014
Public Meeting, Discussion & Recommendation

Report Date: Thursday, May 1, 2014
Applicant: Identity Signs ,LLC
Owner: ACEI Capital Resources, LLC
Location: ~2035 N. Hillcrest Drive
Major Street Access: Harvest Hills Blvd.
Parcel Number(s) & Size: 41:758:0002 (.23 acres) and 41:758:0003 (.47 acres)
Parcel Zoning: Mixed Use (MU)
Adjacent Zoning: MU, RC, R-10
Current Use of Parcel: Office
Adjacent Uses: Residential, Commercial, Vacant
Previous Meetings: Site Plan Approval, City Council, November 13, 2012
Previous Approvals: Site Plan, 2012
Land Use Authority: City Council
Future Routing: City Council
Author: Kimber Gabryszak, Planning Director

A. Executive Summary:

The applicant, Identity Signs, LLC. on behalf of the property owner, is requesting approval of a sign permit for the Anderson Engineering Building, located on Lots 2 and 3 of the Harvest Village plat at 2013 N. Hillcrest Road. The site plan for the office building was approved in November, 2012, with conditions that signage return to the Commission and Council for approval.

Recommendation:

Staff recommends that the Planning Commission discuss the application and vote to forward a positive recommendation to the City Council for the proposed sign, as outlined in Section H of this report. Alternatives include a positive recommendation with suggested modifications, continuance to a later date, or a negative recommendation.

B. Background: The site plan for the building was originally approved March 12, 2012; the applicants applied for an amendment, which was approved November 13, 2012 (minutes attached). A condition of approval was that any proposed signage must return to the Commission and Council for approval.

C. Specific Request: The applicant is proposing a single non-illuminated wall sign on the east elevation above the business entrance, consisting of 16 sq.ft. and a letter height of 2 feet.

D. Process: Section 19.18.08 of the Code addresses permitted permanent signs, and subsection 2d addresses wall signs for office uses, with the current standards below:

d. Wall Signs. In general, wall signs shall not be permitted for office uses. The Planning Director may allow the Urban Design Committee and Planning Commission the opportunity to review and approve wall signs for office uses. This shall be determined on a case-by-case basis. The standards listed in Subsection 19.18.08.3.e shall be applied when wall signs are considered for office uses.

The Urban Design Committee is scheduled to review the sign on Monday, May 5, 2014, and their comments will be provided at the Planning Commission meeting.

E. Community Review: This item is not a public hearing, so no public notice was done. The site plan itself was approved following public hearings.

F. Code Criteria: If office wall signs are considered, the current standards referenced for these signs are found in Subsection 19.18.08.3.e, which addresses commercial wall signs. This section reads:

e. Wall Signs.

- i. **Number.** The number of signs permitted for each elevation facing a public or private street or parking area for a commercial tenant shall be based on the size of the tenant space as outlined in the following table. The total number of elevations with wall signs shall not:
 - i. exceed two unless otherwise approved through the site plan process for a new project, or administratively approved for an existing project which is already constructed or occupied.

Tenant Size (square feet)	Number of Wall Signs per Elevation	Maximum Letter/Graphic Height (feet)	Maximum Number of Ancillary Business Signs
0 to 9,999	One	Three	N/A
10,000 to 24,999	One	Four	N/A
25,000 to 49,999	Two	Five	Two
50,000 to 99,999	Three	Six	Three
100,000 +	Four	Nine	Four

Sign number: complies. The tenant space for Anderson Engineering is less than 9,999 square feet and means they may be considered for one (1) wall sign on a single elevation.

Sign size: complies. The maximum size for the sign is one (1) square foot of sign space per every one (1) lineal foot of width of the tenant space. The tenant occupies a unit with 125 lineal feet of width; the proposed size of 16 square feet is less than the maximum potential square footage.

Letter height: complies. The table also limits letter / graphic height to a maximum of three feet (3'). The proposal is for a sign with letters that have a combined height of two feet.

Illumination: complies. Section 19.18.06.5 addresses illumination, prohibiting lighting that impairs the vision of drivers and travelers, and permits internal illumination. The proposed sign is not illuminated.

G. Recommendation and Alternatives:

Section 19.18.08.2.d of the Code states that signage MAY be considered, and is therefore not guaranteed. Staff recommends that the Planning Commission review the signage and choose from the following options.

Option 1: make a motion to forward a positive recommendation on the signage either as proposed or at a reduced size:

"I move to forward a positive recommendation to the City Council for the Anderson Engineering wall sign, based on the findings and with the conditions below:

Findings:

1. Code Section 19.18.08 allows consideration of office wall signage upon the recommendation of the Urban Design Committee (UDC) and Planning Commission.
2. Signage for office uses is not guaranteed and is to be reviewed on a case-by-case basis.
3. The intent of case-by-case review is to avoid signage clutter.
4. The UDC reviewed the signage on May 5, 2014.
5. The UDC gave a positive recommendation, with conditions, on the proposed signage on May 5, 2014.
6. Code Section 19.18.08 states that the requirements for office wall signage are outlined in Code Section 19.18.08.3.e.
7. Code Section 19.18.08.3.e permits one sign per tenant space of less than 9,999 square feet.
8. The Anderson Engineering space is less than 9,999 square feet.
9. The applicant has applied for one (1) wall sign.
10. Code Section 19.18.08.3.e limits the height of the sign letters and graphics for this size tenant to a maximum of three feet (3').
11. The proposed sign is a maximum of two feet (2') in height.

12. Code Section 19.18.08.3.e limits the square footage of a wall sign to a maximum of one (1) square foot of sign space per one (1) lineal foot of tenant façade width.
13. The tenant space has a façade width of 125 feet.
14. The proposed sign consists of 16 square feet.
15. Considering the location, orientation, and visibility of the proposed sign, a sign of 16 s.f. is appropriate for the proposed location.

Conditions:

1. The signage shall be limited to 16 square feet 16 s.f.).
2. The signage shall be located as indicated on the approved sign plan.
3. The sign shall be designed and constructed as indicated on the approved sign plan, including any changes required by the Commission.
4. No additional signage shall be permitted on this portion of building façade.
5. The approval of this sign does not imply approval for other signage on the building in the future.
6. A building permit for the signage must be obtained.
7. _____

Option 2

The Commission may also choose to forward a **NEGATIVE** recommendation on the proposed signage with appropriate findings and conditions.

"I move to forward a negative recommendation to the City Council for the Anderson Engineering wall sign, based on the Findings below:

Findings:

1. _____
2. _____
3. _____
4. _____
5. _____

J. Attachments:

- | | |
|---|---------------|
| A. Location & Zone Map | (page 5) |
| B. November 13, 2012 City Council Minutes | (page 6) |
| C. November 13, 2012 Staff Report Text | (pages 7-11) |
| D. Approved Site Plan | (pages 12-15) |
| E. Proposed Sign | (pages 16-18) |

Zoning & Planning

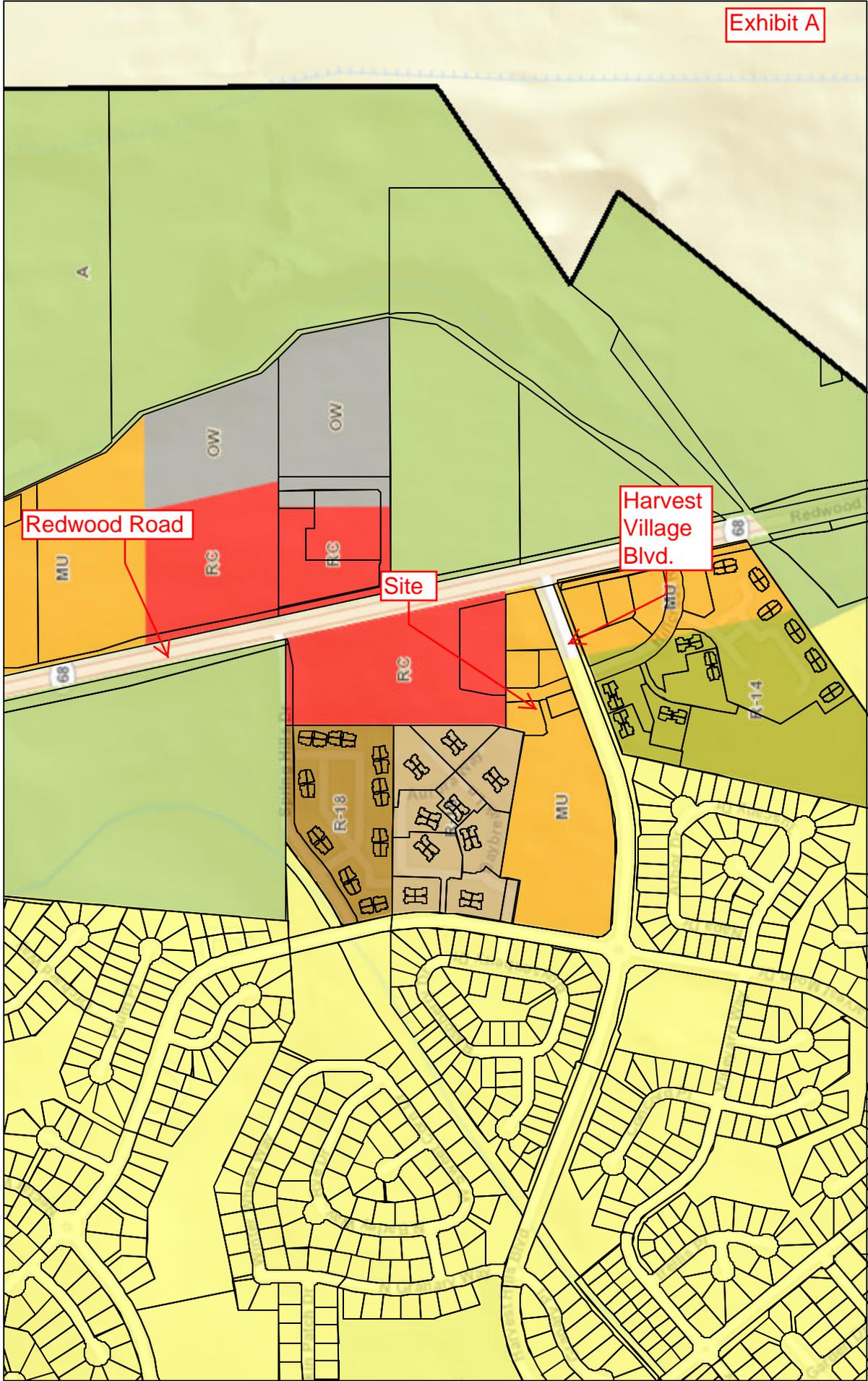
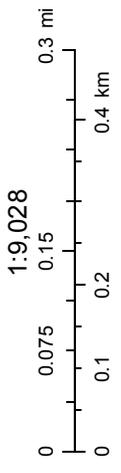


Exhibit A



Sources: Esri, DeLorme, HERE, USGS, Intermap, increment P Corp.,
NPCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand),

SaratogaSprings

April 30, 2014

- City Parcels
- City Boundary

condition listed in the November 13, 2012 staff report along with the condition that Code parking requirements are met and original approval requirement are met. Aye: Councilwoman Call, Councilman Poduska, Councilman Miller, Councilman McOmber and Councilwoman Baertsch.

Item 3.h. of the consent calendar:

Councilwoman Call stated that the current crosswalk doesn't meet the needs of the surrounding neighborhood. She asked if the applicant would be willing to move the crosswalk to meet those concerns. Councilwoman Call also expressed concerns with the drop-off and pick-up layout.

Tina Smith, Lakeview Academy applicant, reviewed the intent and design with the Council. Joylin Lincoln stated that the access road to the south will not have vehicle access during the school hours due to the use of the playfields.

The Council, staff and applicant discussed the parking stalls and those requirements.

A motion was made by Councilman Poduska and seconded by Councilman McOmber to approve item 3.h. Site Plan and Development Agreement for Lakeview Academy Expansion located at approximately 527 West 400 South, Jennifer Perry, applicant including the findings and conditions listed in the November 13, 2012 staff report. Aye: Councilman Poduska, Councilman McOmber, Councilman Miller, Councilwoman Baertsch and Councilwoman Call.

Item 3.i. of the consent calendar:

Councilwoman Baertsch asked if the frontage shown on the smaller lot meets the Code requirements. Sarah Carroll stated that this lot does meet Code and this would be considered a triple frontage. Councilwoman Baertsch feels that the proposed office space is unacceptable and is unusable business space. She also stated that the Harvest Hills Master HOA does not allow for RV parking outside of enclosed garages. She stated that this would need to be approved by the Master HOA. Scott Carlson, applicant, stated that they have not recently discussed this with the Master HOA, but stated that there has been a 6 foot fence added to fulfill this request. Councilwoman Baertsch stated that this particular usage doesn't fit the area. Sarah Carroll stated that the RV parking doesn't need to be allowed. Sarah Carroll also stated that the City Code allows for smaller office spaces which are considered useable professional office space.

Councilwoman Call asked staff if the City Code specifies a minimum office size. Staff stated that the Code doesn't have a minimum size for office space.

A motion was made by Councilwoman Baertsch and seconded by Councilwoman Call to approve 3.i. Site Plan and Development Agreement for Harvest Village, Lots 2 & 3 located at approximately 2055 North Hillcrest Road, Anderson Engineering Co. Inc., including the findings and conditions listed in the November 13, 2012 staff report. Aye: Councilwoman Baertsch, Councilwoman Call, Councilman McOmber, Councilman Miller and Councilman Poduska.

Subject to:

- 1. That the RV parking be removed from the Site Plan.**
- 2. That condition #4 & #6 be removed since it addresses fencing for the RV parking.**

- 4. Financial quarterly reports.**

Chelese Rawlings presented the Financial Quarterly reports to the Mayor and Council.

The Council had no comments regarding this item at this time.

Mayor Love stated that this give her great confidence that the City is moving in the right direction financial and appreciates the updates.

5. Allied Waste adjustment of service dates.

Mark Christensen stated that Allied Waste would like to split the garbage service dates into two days rather than one day due to the growth of the City.



CITY COUNCIL
STAFF REPORT

HARVEST VILLAGE, LOT 2 AND 3
SITE PLAN
NOVEMBER 13, 2012

Applicant/Owner:	Anderson Engineering Co., Inc.
Location:	Approximately 2055 North Hillcrest Road
Major Street Access:	Redwood Road, Harvest Hills Blvd.
Land area:	Approximately 0.466 acres and 0.233 acres
Land Use Plan Designation:	Mixed Use
Zone:	MU, Mixed Use
Zoning of Adjacent Parcels:	MU, Mixed Use; R-10, Medium Density Residential; RC, Regional Commercial
Current Use:	Vacant
Previous Approvals:	Harvest Village Site Plan 6-10-2008

DESCRIPTION:

The applicant is requesting site plan approval for Lots 2 and 3 of the Harvest Village Development. An application was reviewed and approved earlier this year for Lot 3 by the Planning Commission (1-26-12) and City Council (2-7-12). The applicant would like to make some minor modifications to Lot 3 and would like Lot 2 to be reviewed at this time as well. The attached plans show an office building on Lot 3 and a small office building with an attached two-car garage on lot 2.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission reviewed the proposed plans on October 25, 2012 and recommended approval of the Harvest Village, Lot 2 and Lot 3 Site Plan, located at approximately 2055 North Hillcrest Road, based on the findings stated in this report and subject to the conditions listed below. A discussion took place regarding appropriate screening around the proposed RV parking area and whether or not modifications could possibly be made to the building on Lot 2 in the future that would require additional parking. Conditions 6 and 7 were added by the Planning Commission to address these concerns. Draft minutes from that meeting are attached. The applicant has since proposed a six foot tall vinyl fence and gate around the RV parking area.

Conditions:

1. That all requirements of the City Engineer be met, including those detailed in the attached report.

Delete #4

2. That all requirements of the Fire Chief be met.
3. That a 6' tall privacy fence shall be required along the property line that borders the Daybreak property line.
4. That a 3' tall rock wall be installed on lot 2 to screen the RV parking from Harvest Hills Boulevard. This wall shall match the rock used on the building.
5. 35 parking spaces are required for the proposed buildings. A shared parking agreement shall be executed prior to the issuance of a building permit.
6. That a fence be installed around the RV parking area that is compatible with the architecture and that the proposed fence be reviewed and approved by staff.
7. That if the garage is modified in the future to include more space for office use that the overall parking and parking agreement shall be re-evaluated to determine if the parking is adequate.

URBAN DESIGN COMMITTEE:

The Urban Design Committee reviewed the proposed site and elevations on October 4, 2012 and the only concern was the location of the RV parking on Lot 2. The Urban Design Committee recommended that the applicant add a three foot tall rock wall along the south side of the RV parking area to screen these vehicles from Harvest Hills Boulevard. They reviewed the berming, the landscaping and the change in elevation between Harvest Hills Boulevard and the parking lot and decided that a three foot tall rock wall would adequately screen this area.

FINDINGS:

General Plan:

The General Plan recommends Mixed Use for this area. The Land Use Element of the General Plan states that the Mixed Use designation is designed to provide for developments that have a combination of well integrated residential and commercial uses. The proposed office buildings are located within the Harvest Village Mixed Use development that was approved in 2008.

Zoning:

The property is zoned MU, Mixed Use. Section 19.04.170 regulates the MU zone. Section 19.04.170 (1) states "The purpose of the Mixed Use Land Use Zone is to allow for establishment of medium density residential neighborhoods mixed with commercial properties. Planned Unit Developments are required in this zone". The proposed buildings will allow for office buildings within this MU zoned property and will provide an office component to the Harvest Village project as was anticipated in the 2008 site plan approval.

MU Zone Requirements:

Permitted or Conditional Use:

Section 19.04.170 (3) lists "Professional Office" as a permitted use in the MU zone.

Minimum Lot Size:

Section 19.04.170(4) was recently updated and requires a minimum lot size of 4,000 sq. ft. for single family dwellings, but does not have a minimum lot size requirement for the commercial lots.

The lots are 0.466 acres and 0.233 acres in size and were approved by the City Council during the final plat review on September 28, 2010. The plat was recorded in May of this year.

Setbacks/Yard Requirements:

Section 19.04.170(5) outlines the setbacks required by the MU zone. These requirements are listed below.

Front: 20 feet. The front setback may be reduced to 12 feet if the garage is setback from the front plane of the home, in no case shall the garage be located closer than 20 feet to the front property line. An unenclosed front entry/porch may encroach up to five feet into the 25' 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.

Sides: single family residences: 5/10 feet (both combined – minimum); multi-family buildings: 10 feet

Rear: 20 feet

Section 19.07.070 (2) states “The Planning Commission and City Council may, in the process of approving preliminary or final PUD plans, approve variations from the minimum standards of the underlying zone, including minimum densities, lot sizes, setbacks and open space requirements where there is sufficient evidence that the variations will not adversely affect neighboring property and that the designation standards of this Chapter are met.

The setbacks shown on the attached site plan were approved by the Planning Commission and City Council with the approval of the Harvest Village site plan in 2008 and are listed below. However, the Planning Commission and City Council are not bound to these setbacks since substantial construction has not occurred since 2008.

Front: 10 feet

Sides: 10 feet

Rear: 20 feet

Minimum Lot Width:

Section 19.04.170(6) states “For single family homes, the minimum lot width shall be at least 40 feet. This may not apply to multi-family units where each unit is separately owned. There is no minimum lot width requirement for other land uses or projects in this zone.”

The present application is for a office/commercial use, therefore there is no minimum lot width requirement.

Minimum Lot Frontage:

Section 19.04.170(7) states, for single family homes, 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 street. This may not apply to multi-family units where each unit is separately owned.

Lot 3 has 104.5 feet of frontage and lot 2 has 113.89 feet of frontage along Hillcrest Road and thus meets this requirement.

Maximum Height of Structures:

Section 19.04.170(8) states that no structure in this zone shall exceed a maximum of four stories in height. The proposed structures are one story buildings.

Maximum Lot Coverage:

Section 19.04.170(9) states “The maximum lot coverage in this zone is 50%.” The area of the lot that will be covered by buildings and/or structures does not exceed 50% with this proposal.

Minimum Dwelling Size:

Section 19.04.170(10) states "Every dwelling unit in this zone shall contain a minimum of 900 square feet of living space."

This is an office/commercial structure; therefore, this requirement does not apply to this application.

Landscaping Requirement:

Section 19.04.170 (11) states "There shall be a minimum requirement of 25% 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."

The present proposal includes 26% landscaping on Lot 3 and 38% landscaping on Lot 2, thus meeting this requirement. No sensitive lands are included with this proposal.

Lot 3 will have 5,438 square feet of landscaping. For this amount of landscaping, Section 19.06.070 requires 4 deciduous trees, 2 evergreen trees and 11 shrubs. The landscape plans exceed these requirements.

Lot 2 will have 3,901 square feet of landscaping. For this amount of landscaping, Section 19.06.070 requires 4 deciduous trees, 1 evergreen tree and 9 shrubs. The landscape plans exceed these requirements.

Trash Storage

Section 19.04.170(12) states "No trash, used materials, or wrecked or abandoned vehicles or equipment shall be stored in an open area. All such materials shall be kept within a fully walled enclosure that is architecturally compatible with the main building. 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."

The proposed dumpster is located on the south end of Lot 3 and will be constructed of materials that match the building. Staff has reviewed this location and finds it to be acceptable.

Parking/Fencing:

The applicant is proposing a three-rail fence around the north and west property lines.

Section 19.09.080 outlines the landscaping requirements for parking lots. 19.09.080 (6) states "All landscaped boundary strips shall be a minimum of eight (8) feet in width. A landscaped screen, berming or fence may be required by the Planning Commission or City Council around the perimeter of the parking area to mitigate intrusion of lighting from headlights and other lighting on surrounding property.

When the site plan was approved in 2008, it was approved without a landscape boundary on the west edge of the project because directly west of this site is are plans for some landscaping and a clubhouse for the project and there is also a detention basin for the Daybreak Condominiums which provides a landscaping buffer between the structures on these properties.

Staff does not recommend additional screening, berming or fencing along the west property line as this will keep the visual site lines open when a fence would create visual barriers. However, Section 19.06.090 requires a 6 foot tall privacy fence between Mixed Use and Residential zones. Thus, a fence shall be required along the property line that borders the Daybreak property line, which is in the northwest corner of the project.

This project requires 1 stall per 250 square feet of building space. The applicant has stated that there is 6,119 square feet on the main floor of the office, 2,361 square feet on the basement floor of the office

and, 154 square feet of office space in the building on lot 2. This totals 8,634 square feet of office space which requires 35 parking stalls. Including the two spaces in the garage, Lot 2 and 3 have a total of 35 parking spaces. This layout will require a shared parking agreement. Staff recommends that a shared parking agreement be finalized and recorded prior to the issuance of a building permit for either lot.

Signage:

Section 19.14.060(2)(k) states "The Planning Commission shall approve an overall signage plan during the Site Plan approval process. All information to be provided for the sign approval shall be submitted concurrent with Site Plan application materials."

No signage is being proposed at this time.

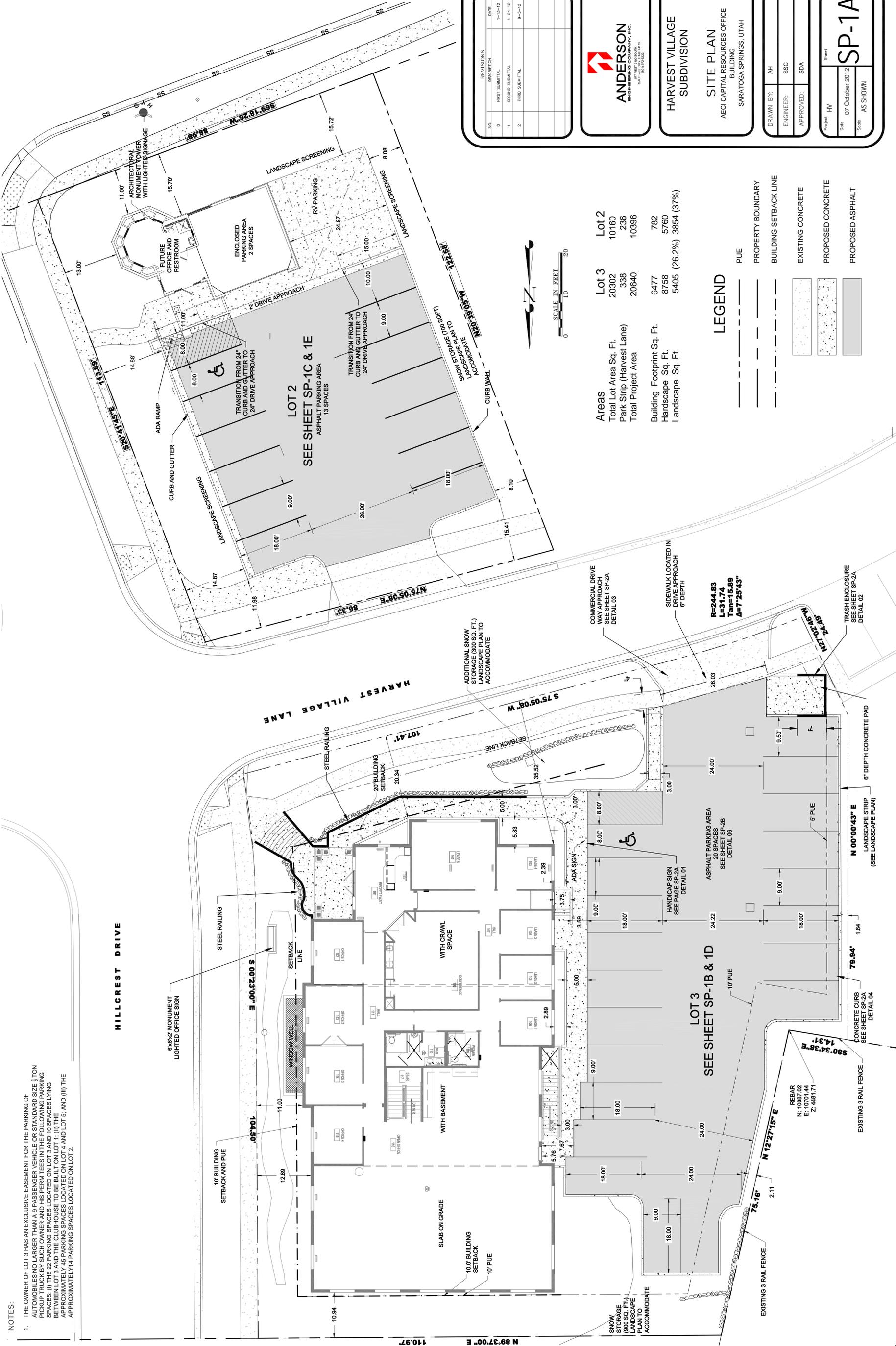
ATTACHMENTS:

1. Engineering Staff Report
2. Location Map
3. Development Agreement
4. Project Plans

STAFF CONTACT:

Sarah Carroll
Senior Planner
801-766-9793 x 106
scarroll@saratogaspringscity.com

The applicant is proposing a 6' privacy vinyl fence along the property line that is shared with Daybreak property and around the RV parking. No other fencing is proposed.



NOTES:
 1. THE OWNER OF LOT 3 HAS AN EXCLUSIVE EASEMENT FOR THE PARKING OF AUTOMOBILES NO LARGER THAN A 9 PASSENGER VEHICLE OR STANDARD SIZE 1/2 TON PICKUP TRUCK BY SUCH OWNER AND HIS PERMITTEES IN THE FOLLOWING PARKING SPACES: (i) THE 22 PARKING SPACES LOCATED ON LOT 3 AND 10 SPACES LYING BETWEEN LOT 3 AND THE CLUBHOUSE TO BE BUILT ON LOT 1; (ii) THE APPROXIMATELY 45 PARKING SPACES LOCATED ON LOT 4; AND LOT 5; AND (iii) THE APPROXIMATELY 14 PARKING SPACES LOCATED ON LOT 2.

NO.	REVISIONS	DATE
0	FIRST SUBMITTAL	1-13-12
1	SECOND SUBMITTAL	7-24-12
2	THIRD SUBMITTAL	9-5-12



**HARVEST VILLAGE
SUBDIVISION**

SITE PLAN
 AECI CAPITAL RESOURCES OFFICE
 BUILDING
 SARATOGA SPRINGS, UTAH

DRAWN BY:	AH
ENGINEER:	SSC
APPROVED:	SDA

Project:	HV
Date:	07 October 2012
Scale:	AS SHOWN
Sheet:	SP-1A

Areas	Lot 3	Lot 2
Total Lot Area Sq. Ft.	20302	10160
Park Strip (Harvest Lane)	338	236
Total Project Area	20640	10396

Building Footprint Sq. Ft.	6477	782
Hardscape Sq. Ft.	8758	5760
Landscape Sq. Ft.	5405 (26.2%)	3854 (37%)

LEGEND

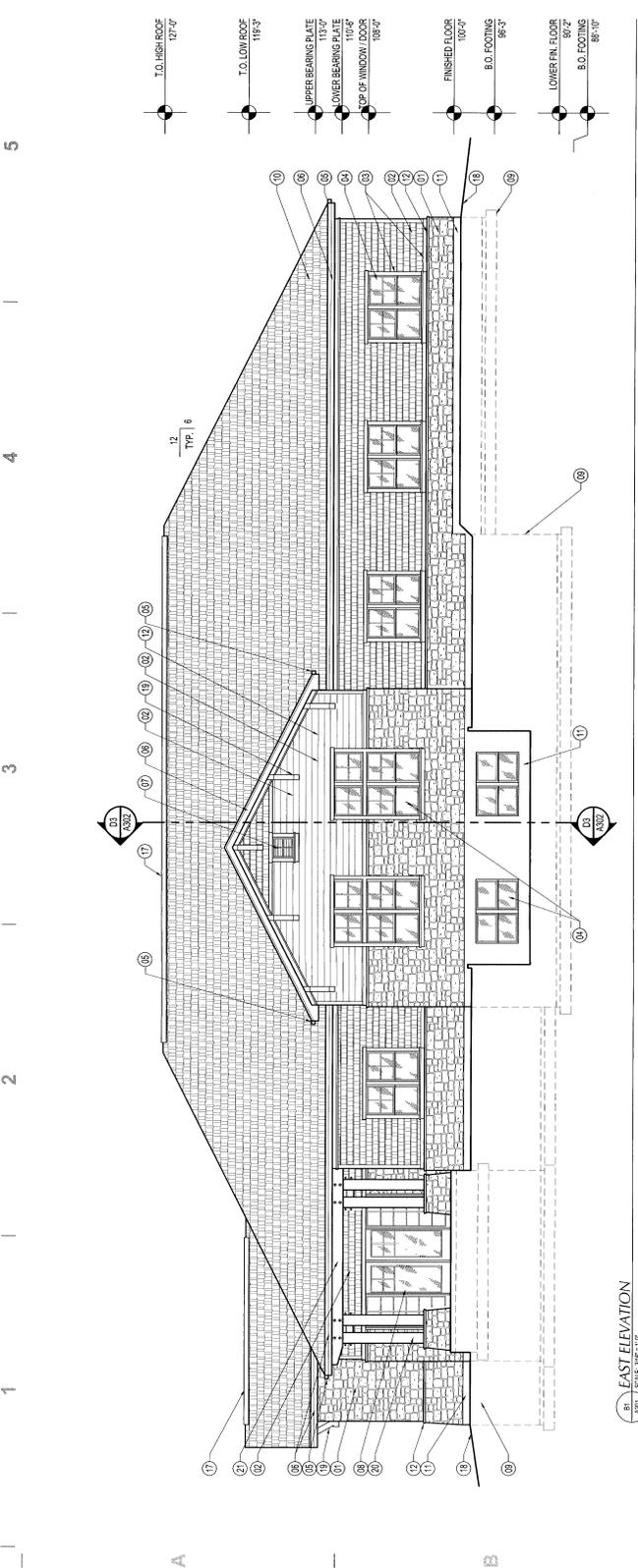
- PUE
- PROPERTY BOUNDARY
- BUILDING SETBACK LINE
- EXISTING CONCRETE
- PROPOSED CONCRETE
- PROPOSED ASPHALT



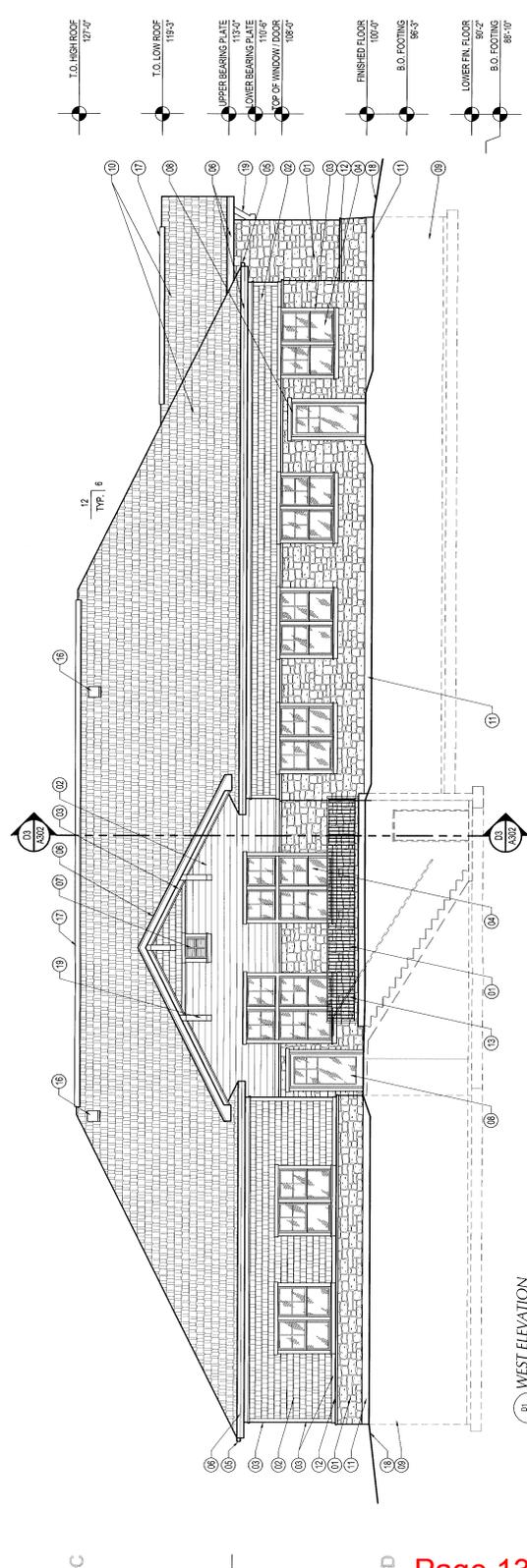
MARK	REVISION	DATE

SHEET NOTES

- 01- CULTURED STONE VENEER.
- 02- CEMENT FIBER BOARD (CFB) PERMANENTLY FASTENED TO STUDS.
- 03- VINYL WINDOW SYSTEM. SEE A601.
- 04- PRE-FINISHED METAL RAIN GUTTERS & DOWNSPOUTS. CONNECT TO BARRIED CORRUGATED DRAIN PIPE AT GROUND LEVEL & DISCHARGE MINIMUM 2' FEET FROM FOUNDATION.
- 05- PRE-FINISHED FASCIA AND SOFFIT.
- 06- PRE-FINISHED ALUMINUM STOREFRONT ENTRY SYSTEM. SEE DOOR SCHEDULE.
- 07- CONCRETE FOOTING & FOUNDATION BELOW GRADE. SEE STRUCTURAL DRAWING.
- 08- 3" YEAR MINIMUM CLASS 'A' ASPHALT SINGLE ROOF OVER 30' FEET EXCEPT WHERE ICE AVERTER SHIELD IS REQUIRED. INSTALL PER MANUFACTURERS RECOMMENDATIONS.
- 09- FOUNDATION COATING AT ALL EXPOSED CONCRETE.
- 10- CULTURED STONE CAP FEATURE.
- 11- WROUGHT IRON GUARDRAIL & ADA COMPLIANT HANDRAIL W/ PAINTED FINISH. SEE SCHEDULE.
- 12- GAS METERS SEE MECH.
- 13- COMMERCIAL GRADE TURTLE VENT. RATED FOR 12.5 SQ. IN. FREE VENTILATION AREA PER LINEAR FOOT. INSTALL PER MANUFACTURERS REQUIREMENTS. COLOR TO MATCH ROOF.
- 14- COMMERCIAL GRADE ROUGE VENT. RATED FOR 12.5 SQ. IN. FREE VENTILATION AREA PER LINEAR FOOT. INSTALL PER MANUFACTURERS REQUIREMENTS. COLOR TO MATCH ROOF.
- 15- GRADE AWAY FROM THE BUILDING & INCHES IN THE FIRST 10 FEET.
- 16- WOOD CORBEL FEATURE.
- 17- WOOD TRIMMER FRAMED COLUMN, STAINED AND SEALED.
- 18- WOOD TRIMMER FRAMED BEAM, STAINED AND SEALED.



EAST ELEVATION
SCALE 3/8" = 1'-0"



WEST ELEVATION
SCALE 3/8" = 1'-0"

GENERAL NOTES

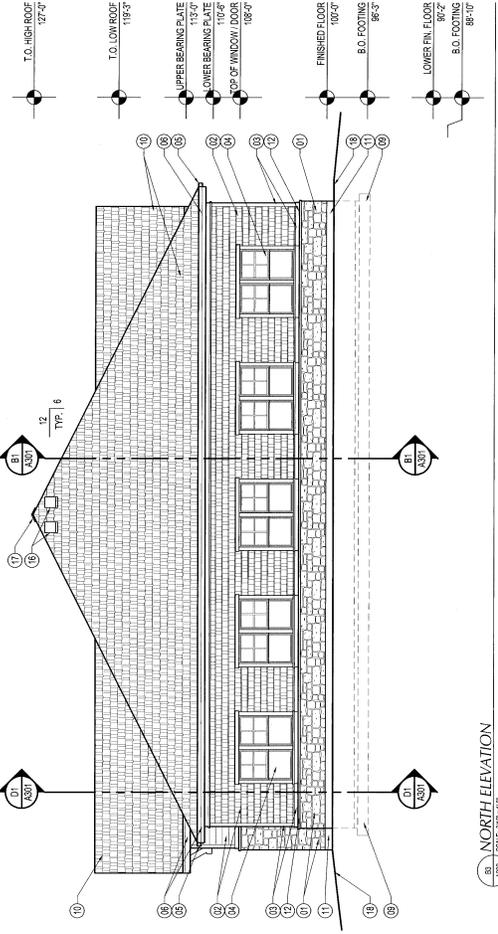
- A- GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS, DIMENSIONS, AND ASSEMBLIES PRIOR TO CONSTRUCTION. REPORT ANY SIGNIFICANT DISCREPANCIES TO THE ARCHITECT.
- B- ALL WINDOW WALLS TO HAVE CONTROL JOINTS AT 3'-0" O.C. MAXIMUM.
- C- CONCRETE FOUNDATION AND RETAINING WALLS TO RECEIVE RUBBED FINISH.
- D- CONCRETE WALL RETAINING EARTH TO RECEIVE TWO COATS OF BITUMINOUS DAMP PROOFING MATERIAL.
- E- INDICATING THE BUILDING ADDRESS NUMBER ASSIGNED BY THE CITY IN ACCORDANCE WITH CURRENT CITY ORDINANCE. COLOR OF PRE-FINISHED NUMBERS TO CONTRAST SIGNIFICANTLY WITH BACKGROUND COLOR OF EXTERIOR WALLS. NUMBERS TO BE PERMANENTLY PASTERED TO THE EXTERIOR OF THE BUILDING PRIOR TO OCCUPANCY.
- F- SEE PLUMBING SHEETS FOR LOCATION OF GAS METER ALONG EXTERIOR WALL.
- G- WALL CONTROL SHEETS FOR ELECTRICAL FIXTURE LOCATIONS ALONG EXTERIOR WALLS.
- H- OWNER IS RESPONSIBLE TO OBTAIN A SEPARATE PERMIT FOR AN EXTERIOR SIGN IN ACCORDANCE WITH CURRENT CITY SIGN ORDINANCE.

	ANDERSON ENGINEERING OFFICE 2055 N. HILLOCKST ROAD (101 WEST) SARGOLDS SPRINGS, UT 84045
	PROJECT: _____ SHEET DESCRIPTION: EXTERIOR ELEVATIONS
DATE: 17 SEPTEMBER 2012 PROJECT #: CMA 1046 PROJ. MAN.: CURTIS MINER PHONE: (801) 740-3400 ARCHITECTURE: CURTIS MINER ARCHITECTURE, INC. cma@cmainside.com	
SHEET: A201	

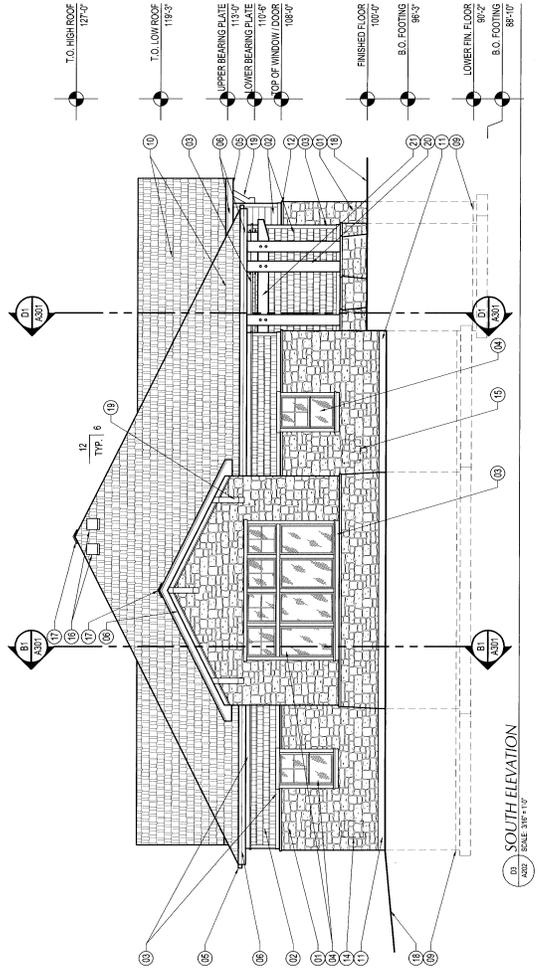
MARK	REVISION	DATE

SHEET NOTES

- 01- CULTURED STONE VENEER.
- 02- CEILING FIBER SIDING W/ PATTERNS AS SHOWN.
- 03- VINYL SIDING SYSTEM - SEE 6401.
- 04- VINYL WINDOW SYSTEM - SEE 6401.
- 05- PREFINISHED METAL RAIN GUTTER & DOWNSPOUTS. CONNECT TO BURIED CORRUSSATED DRAIN PIPE AT GROUND LEVEL & DISCHARGE MINIMUM 20 FEET AWAY INTO UNDESIRABLE SOFT.
- 06- PREFINISHED ALUMINUM STOREFRONT ENTRY SYSTEM. SEE DOOR SCHEDULE AND TYPES ON SHEET ABOVE ON GRADE. SEE STRUCT.
- 07- PREFINISHED ALUMINUM STOREFRONT ENTRY SYSTEM. SEE DOOR SCHEDULE AND TYPES ON SHEET ABOVE ON GRADE. SEE STRUCT.
- 08- 30 YEAR MINIMUM CLASS "A" ASPHALT SHINGLE ROOF CHIES 30# FELT EXCEPT WHERE ICE & WATER SHIELD IS REQUIRED. INSTALL PER MANUFACTURERS REQUIREMENTS.
- 09- FINISHING AT ALL EXPOSED CONCRETE.
- 10- CULTURED STONE CAP FEATURE.
- 11- WROUGHT IRON GUARDRAIL & ADA COMPLIANT HANDRAIL W/ PAINTED FINISH. STYLE & COLOR SELECTED BY OWNER.
- 12- GAS METERS SEE 6424.
- 13- COMMERCIAL GRADE TURTLE VENT. RATED FOR R-5.0. IN FREE VENTILATION AREA PER UNIT. INSTALL PER MANUFACTURERS REQUIREMENTS. COLOR TO MATCH DOOR.
- 14- COMMERCIAL GRADE ROOF. RATED FOR 12.5.0. IN FREE VENTILATION AREA PER LINEAR FOOT. INSTALL PER MANUFACTURERS REQUIREMENTS. COLOR TO MATCH ROOF.
- 15- FINISHED GRADE LINE 6" BELOW TOP OF FOUNDATION WALL. SLOPE FINISHED WOOD CORBEL FEATURE.
- 16- WOOD TIMBER FRAMED COLUMN. STAINED AND SEALED.
- 17- WOOD TIMBER FRAMED BEAM. STAINED AND SEALED.



(N) NORTH ELEVATION
SCALE 1/8" = 1'-0"



(S) SOUTH ELEVATION
SCALE 1/8" = 1'-0"

GENERAL NOTES

- A. GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS, DIMENSIONS, AND ASSEMBLIES PRIOR TO CONSTRUCTION. REPORT ANY SIGNIFICANT DISCREPANCIES TO ARCHITECT IMMEDIATELY.
- B. EXPOSED CONCRETE FOUNDATION AND RETAINING WALLS TO RECEIVE RUBBED FINISH.
- C. CONCRETE WALL RETAINING EARTH TO RECEIVE TWO COATS OF BITUMINOUS CONCRETE WATERPROOFING.
- D. PROVIDE PREFINISHED NUMBERS ON THE FRONT EXTERIOR OF THE BUILDING INDICATING THE BUILDING ADDRESS NUMBER ASSIGNED BY CREW CITY IN ACCORDANCE WITH CURRENT CITY ORDINANCE. COLOR OF PREFINISHED NUMBERS SHALL BE PERMANENTLY FASTENED TO THE EXTERIOR OF THE BUILDING PRIOR TO OCCUPANCY.
- E. SEE PLUMBING SHEETS FOR LOCATION OF GAS METER ALONG EXTERIOR EXTERIOR WALLS.
- F. SEE ELECTRICAL SHEETS FOR ELECTRICAL FIXTURE LOCATIONS ALONG EXTERIOR WALLS.
- G. OWNER IS RESPONSIBLE TO OBTAIN A SEPARATE PERMIT FOR ANY EXTERIOR SIGNING IN ACCORDANCE WITH CURRENT CITY SIGN ORDINANCE.


 233 SOUTH PLEASANT CIRCLE, SUITE 100
 PLEASANT CANYON, UTAH 84662
 PHONE: (801) 796-3007
 FAX: (801) 796-3007
 www.curtissminer.com

PROJECT:
ANDERSON ENGINEERING OFFICE
 205 N. WILBET ROAD, SUITE 100
 SARASOTA SPRINGS, FL 34749

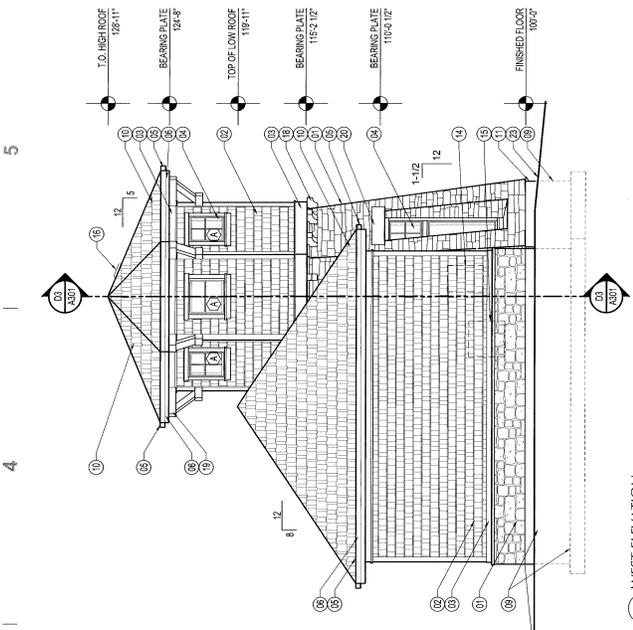
DATE: 11 SEPTEMBER, 2012
 PROJECT: CHALMERS
 DRAWING NO.: 001
 CHECKED BY: CMN
 DESIGNED BY: CMN
 SHEET: **A202**

EXTERIOR ELEVATIONS
SHEET DESCRIPTION:

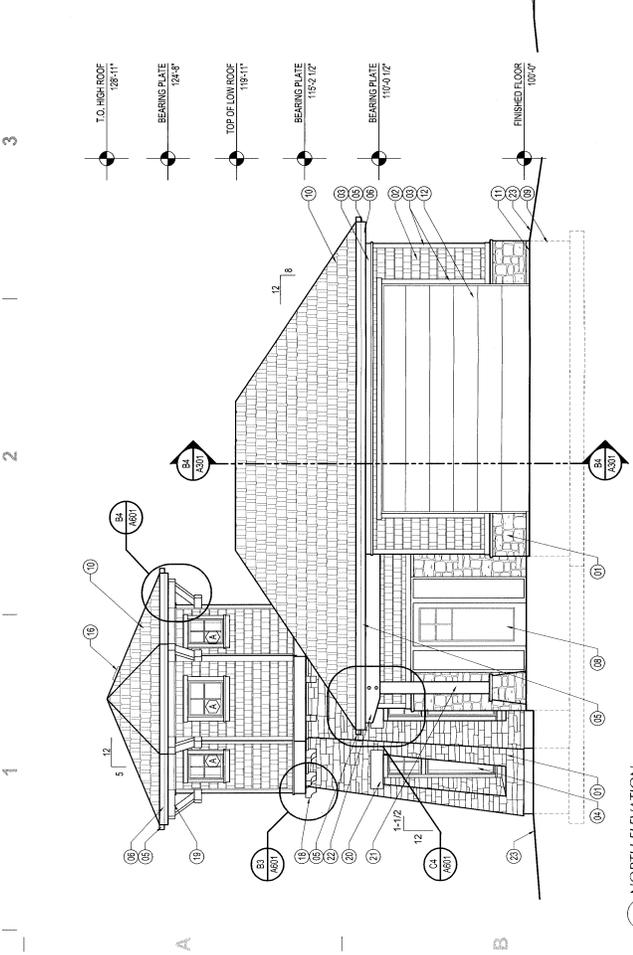
MARK	REVISION	DATE

SHEET NOTES

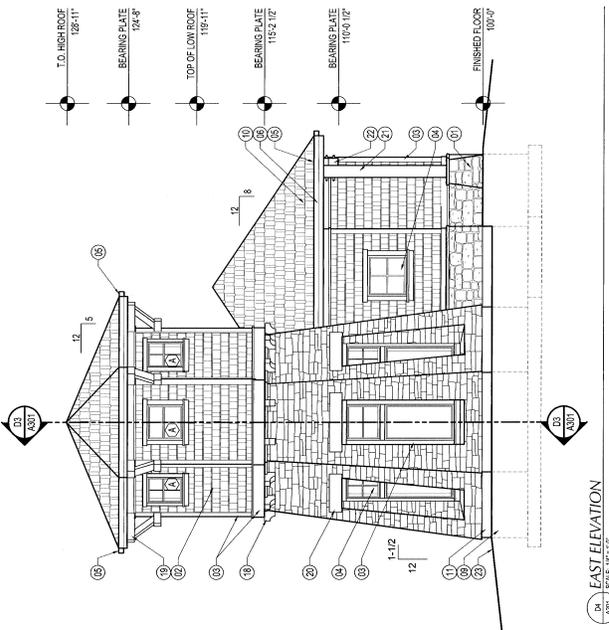
- 01- CULTURED STONE VENEER. TERMS AS SHOWN.
- 02- 1" CLEARANCE FROM FINISH TO FINISH.
- 03- 1" CLEARANCE FROM FINISH TO FINISH.
- 04- VINYL WINDOW SYSTEM. SEE A601.
- 05- PRE-FINISHED METAL RAIN GUTTER & DOWNSPOUTS. CONNECT TO BURIED DOWNSPOUT SYSTEM AT GROUND LEVEL & DISCHARGE. MINIMUM 20 FEET FROM FOUNDATION.
- 06- PRE-FINISHED FASCIA AND SOFFIT.
- 07- PRE-FINISHED ALUMINUM VENT W/ SCREEN.
- 08- PRE-FINISHED ALUMINUM STOREFRONT ENTRY SYSTEM. SEE DOOR SCHEDULE.
- 09- CONCRETE FOOTING & FOUNDATION BELOW GRADE. SEE STRUCT.
- 10- 30 YEAR MINIMUM CLASS "A" ASPHALT SHINGLE ROOF OVER 3/8" FEET EXCEPT WHERE ICE & WATER SHIELD IS REQUIRED. INSTALL PER MANUFACTURERS' INSTRUCTIONS.
- 11- ALUMINUM INSULATED SECTIONAL DOOR OR LOW OVERHEAD CLEARANCES. SEE STRUCT.
- 12- PAINTED GALVANIZED STEEL PIPE GUARD & RAILING. SEE STRUCT.
- 13- GAS MATERIAL. SEE MECH.
- 14- COMMERCIAL GRADE TURTLE VENT. RATED FOR 60 S.D. IN. FREE VENTILATION AREA PER UNIT. INSTALL PER MANUFACTURER'S REQUIREMENTS. COLOR TO MATCH EXTERIOR FINISH.
- 15- ALUMINUM INSULATED SECTIONAL DOOR OR LOW OVERHEAD CLEARANCES. SEE STRUCT.
- 16- COMMERCIAL GRADE TURTLE VENT. RATED FOR 60 S.D. IN. FREE VENTILATION AREA PER UNIT. INSTALL PER MANUFACTURER'S REQUIREMENTS. COLOR TO MATCH EXTERIOR FINISH.
- 17- STAINED AND SEALED CORBEL. SEE SHEET B6001.
- 18- STAINED AND SEALED CORBEL. SEE SHEET B6001.
- 19- PRECAST CONCRETE FEATURE. COLORED TO MATCH ADJACENT STONE VENEER.
- 20- STAINED AND SEALED WOOD TRIMBER COLUMN.
- 21- STAINED AND SEALED WOOD TRIMBER BEAM.
- 22- STAINED AND SEALED WOOD TRIMBER BEAM.



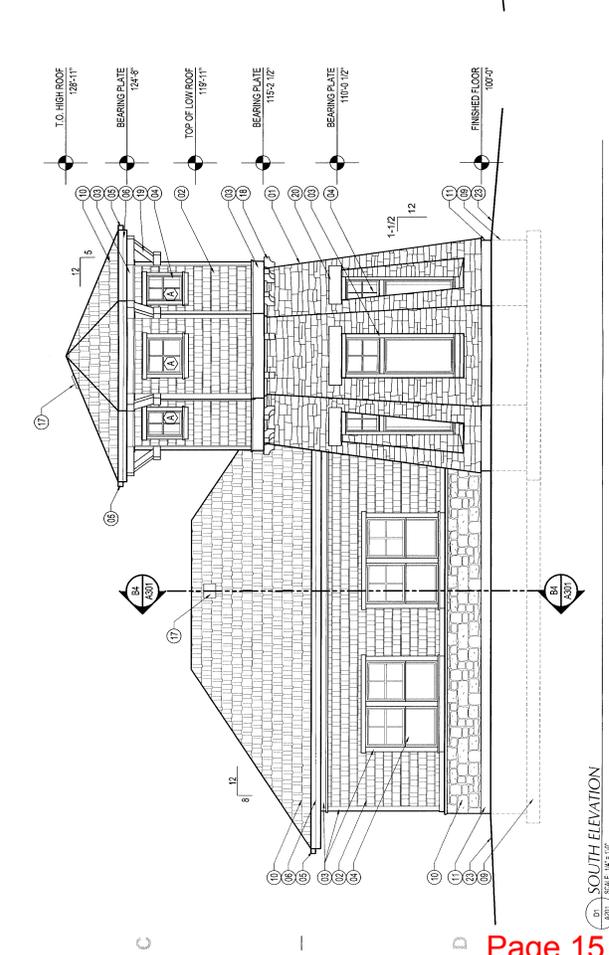
WEST ELEVATION
SCALE: 1/4"=1'-0"



NORTH ELEVATION
SCALE: 1/4"=1'-0"



WEST ELEVATION
SCALE: 1/4"=1'-0"



SOUTH ELEVATION
SCALE: 1/4"=1'-0"

GENERAL NOTES

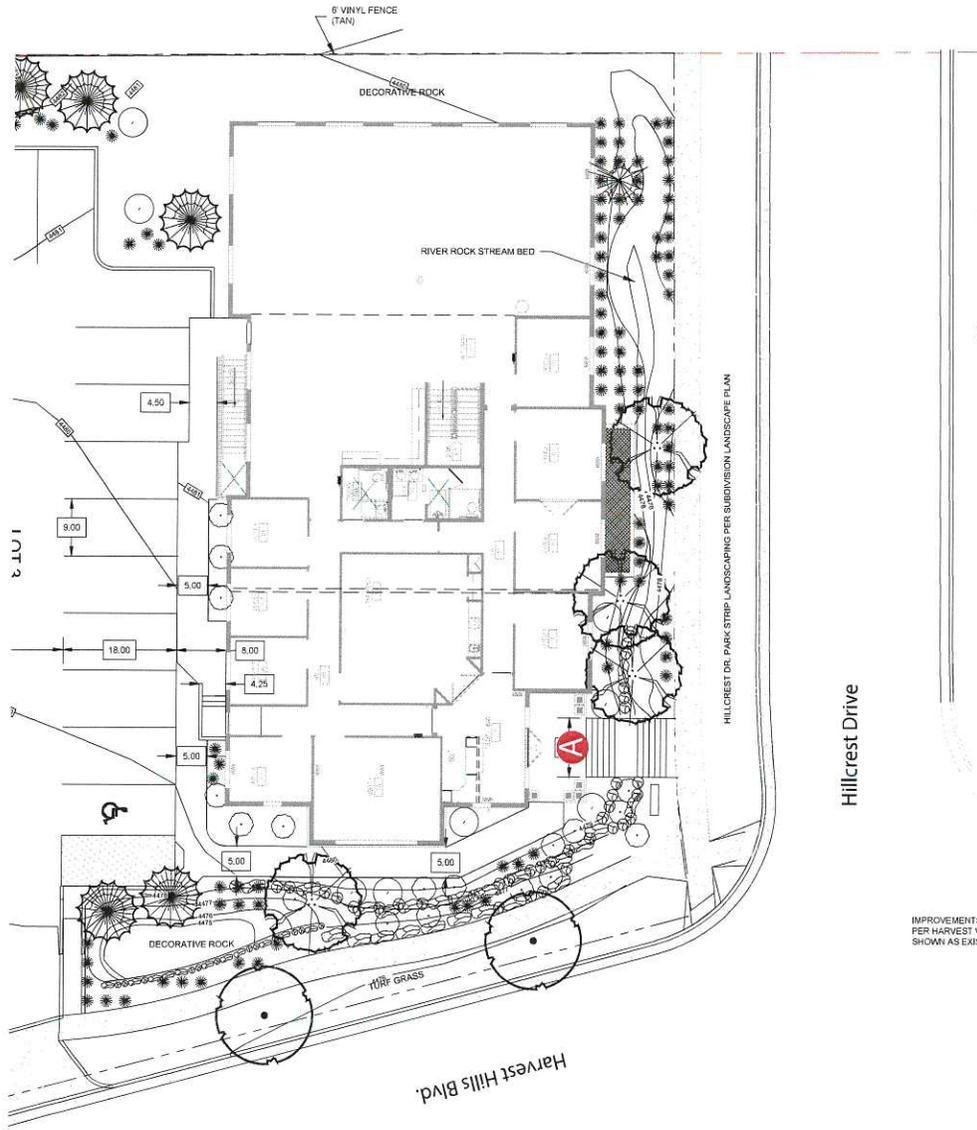
- A. GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS, DIMENSIONS AND LOCATIONS PRIOR TO CONSTRUCTION. REPORT ANY SIGNIFICANT DISCREPANCIES TO THE ARCHITECT IMMEDIATELY.
- B. EXPOSED CONCRETE FOUNDATION AND RETAINING WALLS TO RECEIVE RUBBED FINISH.
- C. PROVIDE PRE-FINISHED NUMBERS ON THE FRONT EXTERIOR OF THE BUILDING TO CONTRAST SIGNIFICANTLY WITH BACKGROUND COLOR OF EXTERIOR WALL. THE ADDRESS MUST BE PERMANENTLY FASTENED TO THE EXTERIOR OF THE BUILDING. SEE PLUMBING SHEETS FOR LOCATION OF GAS METER ALONG EXTERIOR WALL.
- D. SEE ELECTRICAL SHEETS FOR ELECTRICAL FIXTURE LOCATIONS ALONG EXTERIOR WALL.
- E. OWNER IS RESPONSIBLE TO OBTAIN A SEPARATE PERMIT FOR ANY EXTERIOR SIGNING IN ACCORDANCE WITH CURRENT CITY SIGN ORDINANCE.


 233 SOUTH PLEASANT CIRCLE #100
 PROJECT # CUM/042.2
 RELEVANT GRADE: 174M A601
 CHECKED BY: DMW
 DATE: 17 SEPTEMBER 2012
 DRAWN BY: DMW
 PROJECT: ANDERSON ENGINEERING AUXILIARY BUILDING
 2001 N. HILL STREET (450 WEST)
 SARASOTA, FLORIDA 34237


 ANDERSON ENGINEERING
 AUXILIARY BUILDING
 2001 N. HILL STREET (450 WEST)
 SARASOTA, FLORIDA 34237
 SHEET: A201
 SHEET DESCRIPTION: EXTERIOR ELEVATIONS



Zone: **Mixed-Use**
 Sq. Ft. allowed: 16 sq. ft.
 Sq. Ft. proposed: **16 sq. ft.**
 Clearance required: 96" from sidewalk grade
 Clearance proposed: 133" from sidewalk grade



**Exhibit E
 Proposed Signage**



Client Name :
 Ryan Anderson
Location:
 2035 N Hillcrest Dr.
 Saratoga Springs, UT 84045

Start Date: 03/21/2014
Last Revision: 04/02/2014
Job#: 4789
Drawing#: 4789
Page: 1 of 3

- Client Approval
- Landlord Approval

Sales Rep:
 Derek
Designer:
 Derek



Front View



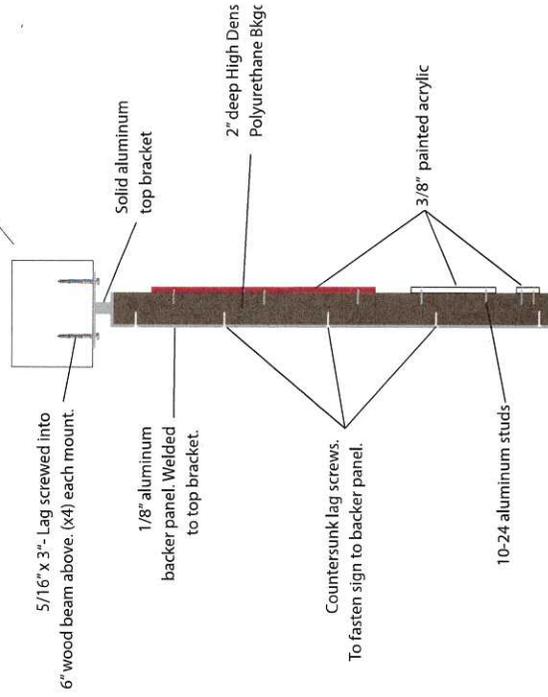
Background to be sandblasted and hand chiseled to look like the look and texture of wood grain.
 -Border needed to protect sign edge from sandblasting and hand chiseling.

Sign = 16 sq. ft.

A Non illuminated Exterior Wood Grain Sign

- Fabricate One (1) single sided dimensional sign.
- Letters & Logo: 1/2" painted acrylic. To have 3/8" projection from bkgd.
- Finish: Matthews Acrylic Painted
 - Lettering/Border: White
 - Logo: PMS 201c
- Attachment: Stud mounted to bkgd.
- Background: 2" deep High Density Polyurethane
- Finish: Sandblasted and hand chiseled to imitate wood grain.
 - Painted with Matthews Acrylic Paint.
 - PMS: PMS 7519c
- Sign Size: 24" x 96"
- Attachment: 1/8" aluminum backer panel and top bracket lag screwed to top beam.
- Install One (1) single sided dimensional sign.

Side View



	Client Name : Ryan Anderson Location: 2035 N Hillcrest Dr. Saratoga Springs, UT 84045	Start Date: 03/21/2014 Last Revision: 04/02/2014 Job#: 4789 Drawing#: 4789 Page: 2 of 3	Sales Rep: Derek Designer: Derek
	Client Approval Landlord Approval	IDENTITY SIGNS AND MAY NOT BE REPRODUCED IN PART OR WHOLE WITHOUT WRITTEN PERMISSION FROM IDENTITY SIGNS LISTED	

Front View



Sign clearance to sidewalk. 133" to porch. 85"

<p>Client Name : Ryan Anderson Location: 2035 N Hillcrest Dr. Saratoga Springs, UT 84045</p>	<p>Start Date: 03/21/2014 Last Revision: 04/02/2014 Job#: 4789 Drawing#: 4789 Page: 3 of 3</p>	<p>..... Client Approval Landlord Approval</p>	<p>Sales Rep: Derek</p>
			<p>Designer: Derek</p>



Planning Commission Staff Report

Code Amendments

19.02, 19.04, 19.05, 19.09

May 8, 2014

Public Hearing

Report Date:	Thursday, May 1, 2014
Applicant:	Staff Initiated
Previous Meetings:	Subcommittee meetings
Land Use Authority:	City Council
Future Routing:	Public hearing(s) with City Council
Author:	Kimber Gabryszak, Planning Director

A. **Executive Summary:**

Staff and the Subcommittee have prepared multiple amendments to the Land Development Code (Code) to continue the process of clarifying and cleaning up the Code. These amendments are to the following sections:

- 19.02 – Definitions
- 19.04 – Zones and Uses
- 19.05 – Temporary Uses
- 19.09 – Parking

Recommendation:

Staff recommends that the Planning Commission conduct a public hearing, take public comment, discuss the proposed amendments, and choose from the options in Section I of this report. Options include a positive recommendation with or without modifications, continuance with specific direction on changes prior to a recommendation, or a negative recommendation.

For the convenience of the Commission and the public, changes are shown in color, strikethrough, and underline; even though this report is 164 pages long, not every page is filled with changes.

B. Background: As the Council, Commission, and Staff apply the Code to applications, various issues, vagaries, inconsistencies, and other necessary amendments are brought to light. In response to this ever-growing list, in October of 2013 the Council appointed a Development Code (Code) Update Subcommittee (Subcommittee) consisting of two City Councilors and one member of the Planning Commission, and City staff as appropriate. The Subcommittee has met frequently to discuss, prioritize, edit, and guide the ever-growing list of potential Code amendments.

The first code amendment package was adopted in March of 2014 and included:

- 19.01 – General Provisions, clarifying General Plan consistency
- 19.02 – Definitions, adding definitions for various temporary uses
- 19.03.05 through 19.03.08 – Powers and Duties of the Planning Commission
 - Clarifying language referencing the General Plan, and allowing the Planning Commission to be the approval body for some permits, rather than always recommending to the Council
- 19.05 – Model Homes, to close a loophole
- 19.05 – Temporary Uses, to clarify permitted uses, timeframes, locations, and standards.
- 19.12 – Subdivisions, to clarify the time limits for the expiration of phased developments, clarify guidance of the General Plan, implement second access requirements, and update the minor subdivision standards
- 19.26 – Planned Community Zone, to clarify General Plan consistency, and require Master Development Agreement at time of Community Plan, and not Village Plan

Other changes discussed at that time included office signage and changes to streamline process, however the sign amendments were not approved as proposed and are undergoing additional revision, and the process changes were not ready for adoption. The subcommittee continues to work on these items and will bring them back at a later date.

In the meantime, the Commission and the Council have discussed issues with various parking requirements. The subcommittee has been working on other updates as well, which are being brought forward along with the changes to the parking standards.

C. Specific Request:

- 19.02 – Definitions
 - Reorganize to be alphabetical and group uses together. E.g.: “Single Family Dwelling” is not “Dwelling, Single Family”, and “Charter School” is now “School, Charter.” Such groupings include “Office”, “Dwelling”, “School”, “Retail”, similar.
 - State that the more restrictive interpretation applies where there is a potential contradiction
 - Add definitions for “driveway”, “office, high intensity”, “pending ordinance”, “shooting range”, and other minor additions.
 - Other minor changes / clarifications
- 19.04 – Land Use Zones
 - Update the land use standards table to reflect the standards in each zone – the existing table is being replaced with a new table.
 - Update the uses allowed in each zone to reflect what was listed in each zone district – the existing table is being replaced with a new table.
 - Reorganize the uses into alphabetical order and appropriate grouping to reflect the changes to the definitions
 - Modify the Open Space language to permit alternative types of open space, still outside of lots, but not required to be dedicated. This would enable private OS that may include golf courses, view corridors, cemeteries, and similar.

- Edit each zone district to:
 - remove the allowed/conditional uses and simply reference the table
 - remove a contradiction between lot size requirements between residential and commercial uses
 - create a frontage requirement for open space
 - add language for compatibility with surrounding uses
 - other minor changes
- The subcommittee also discussed creating a Professional/Office zone, but has opted to postpone office specific zoning, and in a future amendment instead modify the Business Park zone to be more appropriate to office uses.
- 19.05 – Temporary Uses
 - An issue has arisen with the parking requirement; in practical application it is not feasible for proposed uses to comply as most developments either do not have extra parking, or do not have clear approvals as to how much was required at time of original approval.
 - Staff suggests removing the specificity, however the subcommittee could not reach a good consensus. Commission suggestions for potential alternatives are requested.
- 19.09 – Parking Standards
 - Change the formatting of the table
 - Change the method of calculating requirements for uses such as carwashes and auto repair
 - Reduce the minimum requirement for many retail and office uses and cap the maximum; both entire original parking charts are being replaced with a new table.

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 Staff 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. After the Planning Commission recommendation, a public hearing will be scheduled with the City Council.
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 D 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. As of the date of this report, no public input has been received. A public hearing with the City Council will be scheduled and noticed at a later date.
- F. State Code:** The Utah State Code provides the basis for General Plan and Development Code contents and powers. Several sections of State Code are attached for reference and to help explain why a clear, predictable, and effective Code is so important.
- State Code Section 10-9a-102: General Purposes (Exhibit A)
This section outlines the intent, to protect and provide for the health and welfare of the community, among many other intentions, and states that Cities may use various forms of land use controls and other tools to ensure that this intent is met.
 - State Code Section 10-9a-505: Zoning Districts (Exhibit B)
This section explains how Cities can create zoning districts and may regulate and restrict various types of development, but specifies that regulations must be uniform (aka fair) for all properties in the zoning district. As a result, the Code needs to be specific enough to ensure that all potential uses will not have detrimental impacts. The additional definitions and clarity to the zone districts help meet this goal.
 - State Code Section 10-9a-507: Conditional Uses (Exhibit C)
This section is quite important: Conditional Uses are ALLOWED uses and may only be denied if NO conditions can be placed to mitigate the potential impacts. A clear code is very important to ensure that these types of conditions and impacts can be identified.
 - State Code Section 10-9a-509: Applicant Entitlement to Land Use Approval (Exhibit D)
Another very important section, this states that if an applicant meets all code requirements, their application must be approved. This is yet another reason why the Code must be clear, predictable, and thorough. These changes improve the clarity and predictability and effectiveness of the Code.

G. General Plan:

Land Use Element

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

The proposed changes help to clarify previously unclear standards to aid in responsible and orderly development, and in general help improve areas of difficulty in the Code to better assure quality of development.

The goals and objectives of the General Plan are not negatively affected by the proposed amendments, community goals will be met, and community identity will be maintained.

H. 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;
Complies. See Section G 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;
Complies. The amendments help make standards clearer to ensure that they are fully met, and minimize impacts of new development on the community.
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
Complies. 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.

The amendments are intended to promote orderly growth, ensure that appropriate standards are in place and that such standards will be effective, and support the General Plan.

- 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.

***Complies.** The amendments will better protect the community through more efficient, predictable, and clear standards.*

I. Recommendation / Options:

Staff recommends that the Planning Commission conduct a public hearing, discuss any public input received, and choose Option A below. The Commission may also choose different options for different sections, e.g. recommend several section of Code but continue another, or any other combination as directed by the Commission.

Option A – Positive Recommendation

The Planning Commission may choose to forward a **positive recommendation** on amendments to the Code Sections listed in the motion, as proposed or with modifications:

Motion: “I move to forward a **positive** recommendation to the City Council for the proposed amendments to Sections 19.02, 19.04, 19.05, and 19.09, with the Findings and Conditions below:

Findings:

- 1. The amendments are consistent with Section 19.17.04.1, General Plan, as outlined in Sections G and H of this report and incorporated herein by reference, by supporting the goals and policies of the General Plan.
- 2. The amendments comply with Section 19.17.04.2 as outlined in Section H of this report and incorporated herein by reference, and will not decrease nor otherwise adversely affect the health, safety, convenience, morals, or general welfare of the public by helping make the processes more streamlined and effective, while making standards clearer to ensure that they are fully met.
- 3. The amendments comply with Section 19.17.04.3 as outlined in Section H of this report and incorporated herein by reference, and will more fully carry out the general purposes and intent of the Code and any other ordinance of the City, as the amendments are intended to promote orderly growth, ensure that appropriate standards are in place and that such standards will be effective, and support the General Plan.

4. The amendments comply with Section 19.17.04.4 as outlined in Section H of this report, and incorporated herein by reference and will better protect the community through more efficient, predictable, and clear standards.

Conditions:

1. The amendments shall be edited as directed by the Commission: _____
 - a. _____
 - b. _____
 - c. _____
 - d. _____
 - e. _____

Option B – Continuance

Vote to **continue** the Code amendments to the next meeting, with specific feedback and direction to Staff on changes needed to render a decision. At the next meeting, items discussed at this meeting in Work Session may be reviewed in a public hearing.

Motion: “I move to continue the Code amendments to the May 22nd meeting, with the following changes to the draft:

Option C – Negative Recommendation

Vote to forward a **negative** recommendation to the City Council for the proposed Code amendments.

Motion: “I move to forward a **negative** recommendation to the City Council for the proposed amendments to Sections 19.02, 19.04, 9.05, and/or 19.09, with the Findings below:

Findings

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

J. Exhibits:

1. State Code Section 10-9a-102: General Purposes (page 8)
2. State Code Section 10-9a-505: Zoning Districts (page 9)
3. State Code Section 10-9a-507: Conditional Uses (page 10)
4. State Code Section 10-9a-509: Applicant Entitlement to Land Use Approval (pages 11-13)
5. Title 19 – working copy of amendments (pages 14-164)
 - a. 19.02 – Definitions (pages 14-50)
 - b. 19.04 – Zones and Uses (pages 51-145)
 - c. 19.05 – Temporary Uses (pages 146-148)
 - d. 19.09 – Parking (pages 149-164)

10-9a-102. Purposes -- General land use authority.

(1) The purposes of this chapter are to provide for the health, safety, and welfare, and promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of each municipality and its present and future inhabitants and businesses, to protect the tax base, to secure economy in governmental expenditures, to foster the state's agricultural and other industries, to protect both urban and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide fundamental fairness in land use regulation, and to protect property values.

(2) To accomplish the purposes of this chapter, municipalities may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that they consider necessary or appropriate for the use and development of land within the municipality, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing uses, density, open spaces, structures, buildings, energy efficiency, light and air, air quality, transportation and public or alternative transportation, infrastructure, street and building orientation and width requirements, public facilities, fundamental fairness in land use regulation, considerations of surrounding land uses and the balance of the foregoing purposes with a landowner's private property interests, height and location of vegetation, trees, and landscaping, unless expressly prohibited by law.

Amended by Chapter 363, 2007 General Session

10-9a-505. Zoning districts.

(1) (a) The legislative body may divide the territory over which it has jurisdiction into zoning districts of a number, shape, and area that it considers appropriate to carry out the purposes of this chapter.

(b) Within those zoning districts, the legislative body may regulate and restrict the erection, construction, reconstruction, alteration, repair, or use of buildings and structures, and the use of land.

(c) A municipality may enact an ordinance regulating land use and development in a flood plain or potential geologic hazard area to:

- (i) protect life; and
- (ii) prevent:
 - (A) the substantial loss of real property; or
 - (B) substantial damage to real property.

(2) The legislative body shall ensure that the regulations are uniform for each class or kind of buildings throughout each zoning district, but the regulations in one zone may differ from those in other zones.

(3) (a) There is no minimum area or diversity of ownership requirement for a zone designation.

(b) Neither the size of a zoning district nor the number of landowners within the district may be used as evidence of the illegality of a zoning district or of the invalidity of a municipal decision.

Amended by Chapter 326, 2008 General Session

10-9a-507. Conditional uses.

(1) A land use ordinance may include conditional uses and provisions for conditional uses that require compliance with standards set forth in an applicable ordinance.

(2) (a) A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.

(b) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

Amended by Chapter 245, 2005 General Session

Renumbered and Amended by Chapter 254, 2005 General Session

10-9a-509. Applicant's entitlement to land use application approval -- Exceptions -- Application relating to land in a high priority transportation corridor -- Municipality's requirements and limitations -- Vesting upon submission of development plan and schedule.

(1) (a) Except as provided in Subsection (1)(b), an applicant is entitled to approval of a land use application if the application conforms to the requirements of the municipality's land use maps, zoning map, a municipal specification for public improvements applicable to a subdivision or development, and an applicable land use ordinance in effect when a complete application is submitted and all application fees have been paid, unless:

(i) the land use authority, on the record, finds that a compelling, countervailing public interest would be jeopardized by approving the application; or

(ii) in the manner provided by local ordinance and before the application is submitted, the municipality has formally initiated proceedings to amend its ordinances in a manner that would prohibit approval of the application as submitted.

(b) (i) Except as provided in Subsection (1)(c), an applicant is not entitled to approval of a land use application until the requirements of this Subsection (1)(b) have been met if the land use application relates to land located within the boundaries of a high priority transportation corridor designated in accordance with Section 72-5-403.

(ii) (A) A municipality shall notify the executive director of the Department of Transportation of any land use applications that relate to land located within the boundaries of a high priority transportation corridor.

(B) The notification under Subsection (1)(b)(ii)(A) shall be in writing and mailed by certified or registered mail to the executive director of the Department of Transportation.

(iii) Except as provided in Subsection (1)(c), a municipality may not approve a land use application that relates to land located within the boundaries of a high priority transportation corridor until:

(A) 30 days after the notification under Subsection (1)(b)(ii)(A) is received by the Department of Transportation if the land use application is for a building permit; or

(B) 45 days after the notification under Subsection (1)(b)(ii)(A) is received by the Department of Transportation if the land use application is for any land use other than a building permit.

(iv) (A) If an application is an application for a subdivision approval, including any land, subject to Subsection (1)(b)(iv)(C), located within 100 feet of the center line of a canal, the land use authority shall:

(I) within 30 days after the day on which the application is filed, notify the canal company or canal operator responsible for the canal, if the canal company or canal operator has provided information under Section 10-9a-211; and

(II) wait at least 10 days after the day on which the land use authority notifies a canal company or canal operator under Subsection (1)(b)(iv)(A)(I) to approve or reject the subdivision application described in Subsection (1)(b)(iv)(A).

(B) The notification under Subsection (1)(b)(iv)(A) shall be in writing and mailed by certified or registered mail to the canal company or canal operator contact described in Section 10-9a-211.

(C) The location of land described in Subsection (1)(b)(iv)(A) shall be:

(I) provided by a canal company or canal operator to the land use authority; and
(II) (Aa) determined by use of mapping-grade global positioning satellite units; or
(Bb) digitized from the most recent aerial photo available to the canal company or canal operator.

(c) (i) A land use application is exempt from the requirements of Subsections (1)(b)(i) and (ii) if:

(A) the land use application relates to land that was the subject of a previous land use application; and

(B) the previous land use application described under Subsection (1)(c)(i)(A) complied with the requirements of Subsections (1)(b)(i) and (ii).

(ii) A municipality may approve a land use application without making the required notifications under Subsection (1)(b)(ii)(A) if:

(A) the land use application relates to land that was the subject of a previous land use application; and

(B) the previous land use application described under Subsection (1)(c)(ii)(A) complied with the requirements of Subsections (1)(b)(i) and (ii).

(d) After a municipality has complied with the requirements of Subsection (1)(b) for a land use application, the municipality may not withhold approval of the land use application for which the applicant is otherwise entitled under Subsection (1)(a).

(e) The municipality shall process an application without regard to proceedings initiated to amend the municipality's ordinances as provided in Subsection (1)(a)(ii) if:

(i) 180 days have passed since the proceedings were initiated; and

(ii) the proceedings have not resulted in an enactment that prohibits approval of the application as submitted.

(f) An application for a land use approval is considered submitted and complete when the application is provided in a form that complies with the requirements of applicable ordinances and all applicable fees have been paid.

(g) The continuing validity of an approval of a land use application is conditioned upon the applicant proceeding after approval to implement the approval with reasonable diligence.

(h) A municipality may not impose on an applicant who has submitted a complete application for preliminary subdivision approval a requirement that is not expressed in:

(i) this chapter;

(ii) a municipal ordinance; or

(iii) a municipal specification for public improvements applicable to a subdivision or development that is in effect on the date that the applicant submits an application.

(i) A municipality may not impose on a holder of an issued land use permit or a final, unexpired subdivision plat a requirement that is not expressed:

(i) in a land use permit;

(ii) on the subdivision plat;

(iii) in a document on which the land use permit or subdivision plat is based;

(iv) in the written record evidencing approval of the land use permit or subdivision plat;

(v) in this chapter; or

(vi) in a municipal ordinance.

(j) A municipality may not withhold issuance of a certificate of occupancy or acceptance of subdivision improvements because of an applicant's failure to comply with a requirement that is not expressed:

(i) in the building permit or subdivision plat, documents on which the building permit or subdivision plat is based, or the written record evidencing approval of the land use permit or subdivision plat; or

(ii) in this chapter or the municipality's ordinances.

(2) A municipality is bound by the terms and standards of applicable land use ordinances and shall comply with mandatory provisions of those ordinances.

(3) A municipality may not, as a condition of land use application approval, require a person filing a land use application to obtain documentation regarding a school district's willingness, capacity, or ability to serve the development proposed in the land use application.

(4) Upon a specified public agency's submission of a development plan and schedule as required in Subsection 10-9a-305(8) that complies with the requirements of that subsection, the specified public agency vests in the municipality's applicable land use maps, zoning map, hookup fees, impact fees, other applicable development fees, and land use ordinances in effect on the date of submission.

Amended by Chapter 216, 2012 General Session

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:

1. **“Accessory building”** means a building that:
 - a. is clearly incidental to and found in connection with a principal or main building;
 - b. is subordinate to and serves a principal or main building;
 - c. is subordinate in area, extent, or purpose to the principal or main building served;
 - d. is located on the same lot as the principal or main building served; and
 - e. contributes to the comfort, convenience, or necessity of the occupants, business, or industry in the principal or main building.
2. **“Agriculture”** means the use of land for tree farming or growing or producing field crops, livestock, and livestock products, excluding feedlots or mink operations.
 - a. “Field crops” include, among others, barley, soy beans, corn, hay, oats, potatoes, rye, sorghum, and sunflowers.
 - b. “Livestock” includes, among others, dairy and beef cattle, goats, horses, sheep, hogs, poultry, game birds, and other animals including dogs, ponies, deer, and rabbits.
 - c. “Livestock products” include, among others, milk, butter, cheese, eggs, meat, fur, and honey.
3. **“Agriculture Building”** means any structure used for agriculture.
4. **“Alcoholic Beverage Package Agency”** means a liquor location operated under contractual agreement with the Department of Alcoholic Beverage Control, by a person other than the State, who is authorized by the Utah Alcoholic Beverage Control Commission to sell package liquor for consumption off the premises of the agency.

5. **“Alcoholic Beverage State Liquor Store”** means a facility for the sale of package liquor on premises owned or leased by the State of Utah and operated by State employees. This term does not apply to restaurants, private clubs, or package agencies

6. **“Ancillary Use”**:

- a. means a use that:
 - i. is clearly incidental to and found in connection with a principal or main use;
 - ii. is subordinate to and serves a principal or main use;
 - iii. is subordinate or less than in extent, area, or purpose to the principal or main use;
 - iv. is located on the same lot as the principal or main use; and
 - v. contributes to the comfort, convenience, or necessity of occupants, business, or industry of the principal or main use; and
- b. Home Occupations are deemed an ancillary use.

~~“Animal Kennel, Commercial” means an establishment at which four or more small, medium, or large farm animals or household pets at least three months of age are boarded, treated, groomed, or trained.~~

7. **“Animal Hospital (Large), Large/Large^[1] Veterinary Office”** means an establishment at which all types of farm animals (large, medium, or small) or household pets^[2] may be treated or boarded.

~~“Animal Hospital/Veterinary Office (Large)”~~: see Large Animal Hospital/Large Veterinary Office.

8. **“Animal Hospital (Small) / Small^[3] Veterinary Office”** means an establishment at which small farm animals only or household pets are treated or boarded within a completely enclosed building, and large animals such as horses are not treated or boarded.

7.9. **“Apiary”** means a place in which a colony or colonies of bees are kept, such as a stand or shed for beehives or a bee house containing a number of beehives.

8.10. **“Applicable building code”**: see “Building code”

9.11. **“Applicable fire code”**: see “Fire code”

10.12. **“Applicant”**:

- a. means the owner of land proposed to be developed, or the owner’s duly authorized agent if that agent has written authorization from the owner, who submits a complete application for consideration by the City; and
- b. includes an individual or entity who is under contract to purchase land proposed to be developed so long as the individual or entity closes on the

project before any land use application is brought before the planning commission for consideration at a public meeting or hearing.

~~11~~.13. **“Arts and crafts sales”**:

- a. means an establishment that produces articles for sale of artistic quality or effect or handmade workmanship; and
- b. includes candle making, glass blowing, weaving, pottery making, woodworking, sculpting, painting, and their associated activities.

~~12~~.14. **“Automobile Refueling Station”** means a retail building or premise used primarily for the sale of gasoline, diesel, natural gas, or electricity to customers for the purposes of refueling customers’ vehicles. Such premises may also include the sale of food, drinks, or household products in an area not exceeding 200 square feet.

~~13~~.15. **“Automobile Rental and Leasing Agency”** includes rental of passenger vehicles, light trucks, and vans, including incidental parking and servicing of vehicles for rent or lease.

~~14~~.16. **“Automobile Repair, Major”** means an establishment, not meeting the definition of Automobile Repair, Minor, primarily engaged in the major repair or maintenance of motor vehicles, trailers, and similar large mechanical equipment, including paint, body and fender, major engine and engine part overhaul, and tire repair and sales, provided it is conducted within a completely enclosed building.

~~15~~.17. **“Automobile Repair, Minor”** means an establishment that is located no closer than 300 feet (as measured from the property lines) to any residential zone, is primarily engaged in the minor repair or minor maintenance of motor vehicles, trailers, and similar mechanical equipment, including brake, muffler, tire repair and change, lubrication, oil changes, tune-ups, safety inspections and emissions testing, and detailing, is conducted entirely within a completely enclosed building, and does not include paint work, body and fender work, or major engine and engine part overhaul. “Minor repair” or “minor maintenance” is defined as a routine service that requires no more than 8 total hours of service.

~~16~~.18. **“Automobile sales”** means the premises on which new or used passenger automobiles, non-motorized trailers, or trucks in operating condition are displayed in the open for sale or trade.

~~17~~.19. **“Back yard”**: see “Yard, rear”

~~18~~.20. **“Bakery, Retail”** means an establishment primarily engaged in the retail sale of baked products for consumption off site.

- a. A bakery’s products may be prepared either on or off site.
- b. A bakery’s use may include incidental food service.
- c. A bakery shall be considered a general retail use.

~~19.~~21. **“Bakery, Commercial”** means a place for preparing, cooking, baking, and selling of products intended for off-premise distribution only.

~~20.~~22. **“Basement house”** means a one-story dwelling of which fifty percent or more of the floor area is below the finished grade.

~~21.~~23. **“Bed and breakfast”** means a transient lodging establishment, generally in a single family dwelling or detached guesthouses, primarily engaged in providing overnight or otherwise temporary lodging for the general public and may provide meals for compensation.

24. **“Big box retail”** See **“Retail, Big Box”**^[4]

~~22. “Big box retail” means a singular retail or wholesale use, which occupies no less than 50,000 square feet of gross floor area, that may:~~

~~23. require high parking to building area ratios;~~

~~24. have a regional sales market; and~~

~~25. include:~~

~~26. regional retail or wholesale sales; and~~

~~27. membership warehouse clubs that emphasize bulk sales, discount stores, and department stores.~~

~~28.~~

~~29.~~25. **“Block”** means:

- a. the land surrounded by streets and other rights-of-way, other than alleys; or
- b. land which is designated or shown as a block on any recorded subdivision plat or official map or plat adopted by the City.

~~30.~~26. **“Bond agreement”** means an agreement between the developer and the City, on forms approved by the City, wherever a performance bond or warranty bond is required by this Title to install improvements secured by an escrow agreement with funds on deposit in a reputable, federally-insured financial institution, a cash bond deposited with the City, or a letter of credit from a reputable, federally-insured financial institution in an amount as specified in this Title.

~~31.~~27. **“Bond”**:

- a. “Bond” means a document that:
 - i. complies with the standards contained in this Title and the Utah Code; and
 - ii. binds the parties thereto to take certain action if particular conditions are not met.
- b. The terms “Performance Bond” and “Warranty Bond” are more specifically defined in this Section.

~~32.28.~~ **“Bookstore”** means a retail establishment whose primary purpose is the sale of books and periodicals.

~~33.29.~~ **“Buildable”**:

- a. means:
 - i. that portion of a building lot not included within any required yard or open space upon which a main building may be located;
 - ii. an area that must be defined on subdivision plats in areas of thirty percent slope or less; and
- b. does not include any area of an “A Zone” (100-year flood area) as defined in FEMA’s Flood Insurance Rate Map of the City of Saratoga Springs.

~~34.30.~~ **“Building”** means a structure having a roof supported by columns or walls, intended or used for the shelter, housing, or enclosure of any person, animal, chattel, or property of any kind.

~~35.31.~~ **“Building, Accessory”**: see **“Accessory Building”**

~~36.32.~~ **“Building, Agriculture”**: see **“Agriculture Building”**

~~37.33.~~ **“Building code”** means the codes adopted by the City by ordinance and codified in 18.01.01.

~~38.34.~~ **“Building inspector”** means an individual appointed by the City of Saratoga Springs to enforce the provisions of the building code.

~~39.35.~~ **“Building lot”**:

- a. “Building lot” means a parcel of land:
 - i. which is of such dimensions as to comply with the minimum requirements of this Title for area, width, and depth applicable to the zone in which it is located; and
 - ii. having frontage on a public or approved private street which shall be extended the full required frontage of the lot and improvements installed as required by the City.
- b. No building lot shall utilize any part of the temporary end or dead end of a street for frontage.

~~40.36.~~ **“Building, main”**: see **“Main building”**

~~41.37.~~ **“Building material sales (with outdoor storage)”**:

- a. “Building material sales (with outdoor storage)” means a facility where building materials such as lumber, plywood, drywall, paneling, cement blocks and other cement products, and other building products are stored and sold.
- b. Facilities covered under the definition in Subsection a. may also:

- i. process lumber by performing millwork, planning, cutting, and other customizing processes; and
- ii. provide for the sale of associated products including tools and fasteners.

42.38. **“Building material sales (without outdoor storage)”** means a facility where building materials such as lumber, plywood, drywall, paneling, cement blocks and other cement products, and other building products are sold.

43.39. **“Building Official”** or **“City Building Official”** means the City of Saratoga Springs Building Official.

44.40. **“Building, public”**:

- a. means a building owned and operated or owned and intended to be operated by a public agency of the United States of America, or the State of Utah or any of its subdivisions including counties and municipalities, in connection with a public use; and
- b. does not include buildings primarily used as warehouses, public garages, and equipment sheds.

45.41. **“Building height”** or **“Structure height”** means:

- a. the vertical distance from the average finished grade surface at the building wall to the highest point of the coping of a flat roof or to the deck line of a mansard roof; or
- b. the mean height level between eaves and ridge for gable, hip, or gambrel roofs.

46.42. **“Bus Lot”** means any lot or land area used for the storage or layover of passenger buses or motor coaches.

47.43. **“Car wash (full service)”** means a car wash with facilities for the washing or waxing of automobiles, light trucks, and vans, which may include drying equipment, vacuums, and other incidental uses. Full service car washes shall not include open self-service bays.

48.44. **“Car wash (self-~~service~~service)”** means a business establishment which provides car cleaning services where part or all of the cleaning is performed by the patron with the aid of coin operated devices.

49.45. **“Cemetery”** means the use or intended use of land for the burial of the dead and dedicated for cemetery purposes, including a columbarium, crematorium, mausoleum, and mortuary when operated in conjunction with and within the boundaries of such cemetery.

46. **“Charter School”** see **“School, Charter”**

~~—~~ **“Charter school”:**

- ~~— For purposes of this Title, a charter school is considered to be a public school within the state’s public education system.~~
- ~~— A charter school shall meet all applicable federal, state and local health, safety, and civil rights requirements.~~

~~50.47.~~ **“Child care center”** means a non-residential building or structure where care, protection, and supervision are provided for children on a regular schedule for a fee.

~~51.48.~~ **“Church”** means a building, together with its accessory buildings and uses, where persons regularly assemble for worship and that is maintained and controlled by a religious body organized to sustain public worship.

~~52.49.~~ **“City Engineer”:** see **“Engineer, City”**

~~53.50.~~ **“City of Saratoga Springs Standard Technical Specifications and Drawings”** means the City’s construction standards and specifications regarding the installation of public improvements as established or to be established by the City Engineer and includes the conditions, standards, and other related technical requirements necessary to development approval under this ordinance as stipulated by the authority of the City Engineer.

~~54.51.~~ **“Collector street (major and minor)”** means a street which provides for movement between arterial and local streets and direct access to abutting property.

~~55.52.~~ **“Commercial center”** means a development which contains at least twelve acres of commercial land and at least 100,000 square feet of commercial floor space.

~~56.53.~~ **“Commercial recreation”** means any commercial enterprise which receives a fee in return for the provision of some recreational activity including racquet clubs, health facilities, and amusement parks, but not including amusement centers.

~~57.54.~~ **“Commercial and industrial laundries”** means an establishment:

- a. which launders or dry cleans articles on site; and
- b. where all articles are dropped off on the premises by multiple laundry services and not the individual customers.

~~—~~ **“Commuter/Light Rail Station”** means a place designated for commuter or light rail trains or cars to stop to allow for boarding of passengers including park-and-ride stations and transfer stations.

55.

1. **“Concept Plan”** means:

~~Either:~~

~~4-56. a sketch or concept drawing application created prior to the Preliminary Plat for subdivisions, or prior to Site Plan for non residential development to enable the City to verify that the subdivider-developer to demonstrate is in general compliance with the City’s ordinances and development regulations and policies; . to enable the City to verify that the developer is in general compliance with the City’s ordinances and development regulations and policies and
— is generally prepared for and presented to the City’s Development Review Committee as described in this ordinance.~~

~~59-57.~~ **“Conditional use”** means a land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

~~60-58.~~ **“Condominium”** means the ownership of a single unit in a multi-family structure or structure combined with an undivided interest in the common areas and facilities of the property and that meets all requirements of the Utah Condominium Ownership Act.

~~61-59.~~ **“Contract construction services establishments”** means establishments or places of business primarily engaged in retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures.

- a. The definition provided in this Section specifically excludes automobile or equipment supplies otherwise classified in this Chapter.
- b. Typical uses under this definition include building material stores and home supply establishments.

~~62-60.~~ **“Convenience Store”** means a building or use which is primarily engaged in the provision of frequently needed, day to day retail goods including gasoline, food, and non-food products.

~~63-61.~~ **“Convenience Store/Fast Food Combination”** means a building that houses a Convenience Store and either a Fast Food (Restaurant, Casual) establishment or a Restaurant, Sit-Down.

~~64-62.~~ **“Copy Center”** means a retail establishment that provides duplicating services using photocopying, blueprint, and offset printing equipment and may include the collating and binding of booklets and reports.

~~65-63.~~ **“Corner lot”** means a building lot situated within a corner created by the intersecting lines of a street or streets.

~~66.64.~~ **“Crematory/Embalming Facility”** means a building used for the cremation and/or embalming of deceased persons but not including facilities for burial, internment, body viewing, or funeral services.

~~67.65.~~ **“Dairy”:**

- a. means a farming operation for the production of milk in commercial quantities and which is required to be regularly inspected by the State Department of Agriculture or its cooperating agencies; and
- b. includes the raising of the natural increase to the dairy herd but does not include the feeding and fattening of livestock for slaughter in conjunction therewith.

~~—“Deli” means a shop, store, or business no larger than 2,000 square feet selling primarily meats, cheeses, and sandwiches with limited onsite seating.~~

~~68.66.~~ **“Depth”:**

- a. when measuring an **inside lot**, means the distance from the front lot line and rear lot line as measured from the center line; or
- b. when measuring a **multi-frontage** or **corner lot**, means the horizontal distance between opposite boundaries of the lot when measured along the lot’s centerline.

~~69.67.~~ **“Destination Oriented Development”** means a building or group(s) of buildings with facilities to accommodate the needs of residents, visitors, or tourists with large portions of the site devoted to recreational opportunities.

~~70.68.~~ **“Detached”** means freestanding with open space on all four sides.

~~71.69.~~ **“Developer”** or **“Subdivider”** means a person who:

- a. having interest in land, causes it, directly or indirectly, to be divided into a subdivision;
- b. directly or indirectly sells, leases, develops, or advertises for sale, lease or development, any interest, lot, parcel, site, dwelling, unit, or plat in a subdivision; or
- c. engages directly or through an agent in the business of selling, leasing, developing, or offering for sale the lease or development of a subdivision.

~~72.70.~~ **“Development agreement”** means a written contractual agreement between the City and the developer which sets forth the respective obligations of the City and the developer relative to a proposed project.

~~73.71.~~ **“Development Review Committee” (“DRC”)** means an informal committee or group of City staff or City consultants whose responsibility is to review all

development requests, process all development applications, and make recommendations with respect to development applications to the Planning Commission, City Council, applicants, and Mayor. The DRC's membership 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.

74.72. **“District Area Plan”** means a document, containing the information set forth in Section 19.26.13, that is required at the time property within a proposed Large-scale Planned Community District under Section 19.26.13 is assigned the designation of Planned Community Zone.

75.73. **“Double frontage”:**

- a. “Double frontage” means access on public streets from the front and the rear.
- b. This definition does not apply to corner lots.

74. **“Driveway”** means a dead-end private roadway within a lot or parcel that provides vehicular access between a public or private roadway and a parking space, garage, dwelling, or other structure on a lot or parcel. A driveway may be owned and maintained by one property owner, or shared among multiple owners. If shared among multiple property owners, the maximum length shall be 400 feet.

76.75. **“Dry Cleaner”** means an establishment:

- a. which launders or dry cleans articles dropped off on the premises directly by the customer; or
- b. where articles are dropped off, sorted, and picked up, but where laundering or cleaning is done elsewhere.

76. **“Dwelling”** means a structure designed for and occupied by one family, including provisions for living, sleeping, eating, cooking, and sanitation. This definition does not include hotels, apartment hotels, boardinghouses, rooming houses, and tourist courts.

77. **“Dwelling, Above Commercial”** means a building which contains dwellings located above the ground floor of a commercial, office, or retail use.

78. **“Dwelling, Multi-family-Structure”** means a building or buildings sharing common walls or common interior floors and containing four or more dwellings.

79. **“Dwelling, Single family”** means a residential dwelling:

- a. not attached to any other dwelling;

- b. on a single lot that is arranged for, designed for, and occupied by not more than one family (as defined herein); and
- c. containing at least one bathroom, at least one kitchen, and living and sleeping facilities.

80. “Dwelling, Three-Family” means a single residential building under a continuous roof, the structure containing only three dwellings sharing common interior walls or common interior floors.

77-81. “Dwelling, Two-Family-Structure” means a single residential building under a continuous roof, the structure containing only two dwellings sharing common interior walls or common interior floors.

78-82. “Easement” means that portion of a property reserved for present or future use under, on, or above the property by a person or agency other than the legal fee owner or owners of the property.

79-83. “Edge Use” means a use allowed on the outside boundary of a specific land use zone that also has frontage on the collector or arterial roadway.

80-84. “Educational center” means an institution for the teaching of children or adults, including colleges, professional schools, dance schools, business schools, trade schools, and art schools.

81-85. “Electronic Media Rental and Sales” means a retail establishment whose primary function is the sale or rental of videos, CDs, or DVDs.

82-86. “Electronic Sales and Repair” means a retail establishment that deals in the sale and repair of electronics.

83-87. “Enclosed parking”:

- a. “Enclosed parking” means a fully-enclosed attached or detached residential accessory building designed or used for the storage of private passenger automobiles owned and used by the occupants of the building to which it is accessory.
- b. A private garage designed and constructed as an architectural and integral part of the main building shall be subject to all the requirements of this Title applicable to main buildings.

84-88. “Engineer, City” means the appointed official or consultant who is responsible for the Engineering functions of the City as described in this Chapter and other ordinances and policies of the City.

85-89. “Equestrian Center”:

- a. means an establishment engaged in the boarding, feeding, or general care of horses or other large animals for personal or commercial purposes; and
- b. includes uses such as agriculturally oriented gatherings, assemblies and shows, and the sale of feed, tack, and other agricultural products.

86.90. **“Equipment Sales and Service”** means an establishment located no closer than 300 feet (as measured from the property lines) to any residential zone that is primarily engaged in the sale or rental of tools, lawn and garden equipment, including outdoor storage and incidental maintenance.

87.91. **“Equivalent Residential Unit (ERU)”**:

- a. means a unit of measurement used to measure and evaluate development impacts on public infrastructure such as water, sewer, storm drainage, parks, roads, and public safety of proposed residential and non-residential land uses; and
- b. is intended to represent the equivalent impact on public infrastructure of one single family residence.

88.92. **“Family”** means:

- a. any number of individuals, related by blood, marriage, or adoption, and domestic servants for such family; or
- b. a group of not more than four persons who are not so related, living together.

89.93. **“Farm Animals”** mean animals kept or raised primarily for, or incidental to, livestock or agricultural operations, which are grouped into the following categories:

- a. Large Farm Animals: Large farm animals include the following:
 - i. cow;
 - ii. horse (mule-ass, pony, or similar species not listed);
 - iii. ostrich (or other similar sized or closely related species);
 - iv. llama or other similar species not listed; and
 - v. other animals of similar size.
- b. Medium Farm Animals: Medium farm animals include the following:
 - i. sheep;
 - ii. emu;
 - iii. goat;
 - iv. turkey;
 - v. geese;
 - vi. peacock; and
 - vii. other animals of similar size
- c. Small Farm Animals: Small farm animals include the following:
 - i. chicken;
 - ii. rabbit;
 - iii. ducks;
 - iv. pheasants; and

v. other animals of similar size (excluding mink)

~~90.~~94. **“Farmers Market”** means a group of entities engaged in the temporary seasonal selling of homemade goods, homegrown vegetables, and other similar items in an open air market.

~~91.~~95. **“FEMA”** is an acronym for the Federal Emergency Management Agency.

~~92.~~96. **“Festival (including Bazaars or Fairs)”** means a not for profit activity or event that may only include shows, games, non-mechanical rides, concessions, or any combination thereof.

~~93.~~97. **“Fee schedule”** means the list or appendix of fees, also known as the Consolidated Fee Schedule for the City of Saratoga Springs, adopted periodically by the governing body which sets forth various fees charged by the City.

~~94.~~98. **“Final plat”** means a map of a subdivision which is prepared for final approval and recordation, which has been accurately surveyed so that streets, alleys, blocks, lots, and other divisions thereof can be identified and meeting any other requirements of this Ordinance or State or County Statutes.

~~95.~~99. **“Financial institution”:**

- a. means an establishment whose principal purpose is the handling of monetary affairs for members, clients, or the public at large;
- b. includes banks, credit unions, savings and loans, mortgage offices, investment companies, trust companies, and similar entities; and
- c. does not include Non-Depository Institutions.

~~96.~~100. **“Finished surface grade”:**

- a. “Finished surface grade” means:
 - i. the average level of the finished surface of the ground adjacent to the front setback line of a building or structure; or
 - ii. on a corner lot, the average level of the ground adjacent to and measured along all front setback lines of the building.
- b. Where a lot has no frontage on a public street, the average level of the finished ground surface adjacent to and measured along all exterior walls shall be the finished surface grade.

~~97.~~101. **“Fire code”** means the International Fire Code adopted by the City by ordinance and codified in Title 18.

~~98.~~102. **“Fitness Center”** means a facility where members or nonmembers use equipment or space for the purpose of physical exercise.

~~99.~~103. **“Flag lot”** means an L-shaped lot comprised of a staff portion contiguous with the flag portion thereof, the minimum width of the staff being thirty feet and the maximum length determined by the City of Saratoga Springs.

~~100.~~104. **“Flood plain”** means a land area subject to being inundated by water from any source and is generally defined as a “zone A” (100 year flood area) area as defined in FEMA’s Flood Insurance Rate Maps of the City of Saratoga Springs.

~~101.~~105. **“Floor area”** means the sum of the gross horizontal area of the several floors of the building or buildings, measured from the exterior faces of the exterior walls.

~~102.~~106. **“Floral Sales”** means a retail business whose principal activity is the selling of plants and flowers which are not grown on the site and where business is conducted within an enclosed building.

~~103.~~107. **“Front yard”**: see **“Yard, front”**

~~104.~~108. **“Frontage”** means the distance between the two side lot lines of a parcel measured along the street, or streets of a corner lot, which the parcel is allowed to access.

- a. State or federal highways, to which no access is allowed, shall not be considered as frontage.
- b. For purposes of this Title neither temporary turn-arounds nor dead ends of roadways shall be used as frontage.
- c. On cul-de-sacs, frontage may be measured at the front building setback lines.

~~105.~~109. **“Fueling Station”** means that portion of the property where flammable or combustible liquids or gases used as fuel are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles.

~~106.~~110. **“Fueling Station, Cardlock Facility”** means an automated vehicle fuel sales facility without an attendant.

~~107.~~111. **“Funeral Home”**:

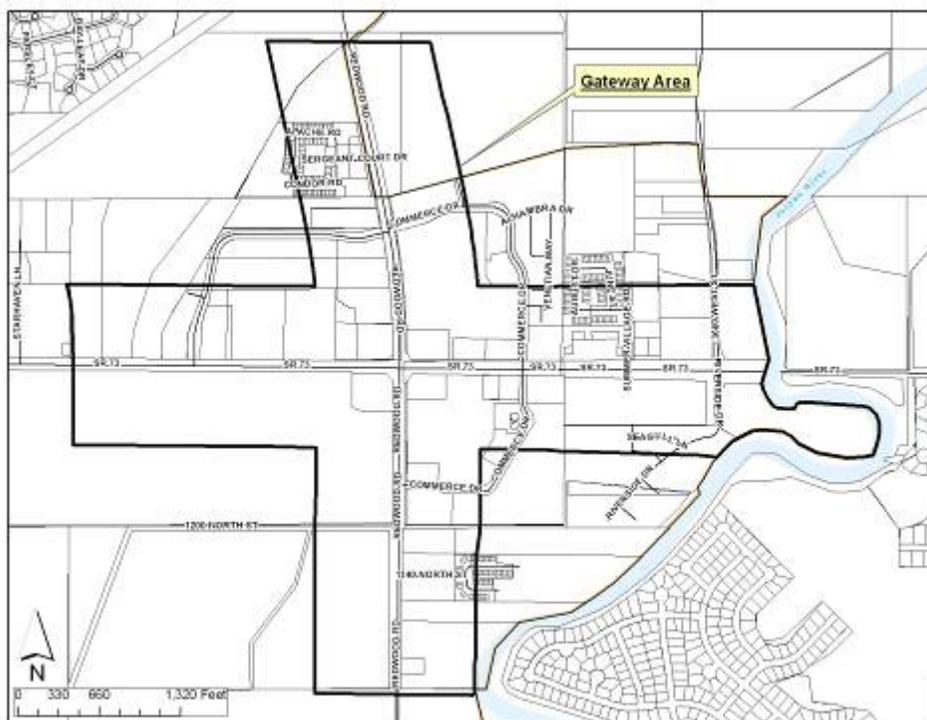
- a. means a building used for the preparation and embalming of deceased persons for viewing, burial, ~~and~~ cremation of deceased persons and the conducting of rituals connected therewith before burial or cremation; and
- b. may include a chapel for the conducting of funeral services, areas for funeral services and gatherings, and areas for the display of funeral equipment.

~~108.~~112. **Garage”**:

- a. “Garage” means an attached or detached residential building designed or used for the storage of private passenger automobiles that is ancillary to the use of the residence.
- b. A garage shall be designed and constructed as an architectural and integral part of the main building and shall be subject to all the requirements of this Title applicable to main building.

~~109.113.~~ **“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.



~~110.114.~~ **“Golf course”** means a parcel of land laid out for at least ~~nine~~**three** holes for playing the game of golf and improved with trees, greens, fairways, and possible hazards, and which may also include a clubhouse, shelter, or other

associated buildings that are incidental to the parcel of land dedicated to the game of golf.

~~111.115.~~ **“Grading permit, major”** means a permit issued by the City to remove or excavate large portions of a parcel or parcels in preparation for development activity or construction of infrastructure or buildings (see Section 19.13).

~~112.116.~~ **“Grocery store”** means a store:

- a. where most of the floor area is devoted to the sale of food products for home preparation and consumption;
- b. that typically also offers other home care and personal care products; and
- c. that is substantially larger and carries a broader range of merchandise than convenience stores.

~~113.117.~~ **“Hair Salon”** means a retail business:

- a. whose principal activity is the cutting, coloring, and styling of hair; and
- b. that may provide other services such as nail painting and wax treatments.

~~114.118.~~ **“Hardware and Home Improvement Retail”:**

- a. means an establishment providing the sale or rental of building supplies, construction equipment, or home fixtures and accessories; and
- b. includes a lumber yard or a contractors’ building supply business and may include outdoor storage or tool and equipment sales or rental.

~~115.119.~~ **“Home occupation”** means a nonresidential activity, conducted entirely within a dwelling, which is clearly incidental and secondary to the use of the dwelling for residential purposes (see Section 19.08).

~~116.120.~~ **“Hospital”** means an institution licensed by the State of Utah which provides diagnostic, therapeutic, and rehabilitative services to individuals on both an inpatient and outpatient basis by or under the supervision of one or more physicians and/or properly licensed practitioners.

- a. Any medical clinic or professional office which offers inpatient or overnight care, or operates on a twenty-four hour basis, shall be considered a hospital.
- b. A hospital may include integral support service facilities such as laboratories, outpatient units, training facilities and offices necessary to the operation of the hospital.
- c. This definition includes both general acute and specialty hospitals and must be licensed by the Utah Department of Health pursuant to the Health Care Facility Licensing and Inspection Act.

~~117.121.~~ **“Hotel”** means a building containing guest rooms in which lodging is provided for compensation to transient or permanent guests or both.

~~118.~~122. **“Ice cream parlor”** means an establishment whose primary business is the sale of ice cream and other types of food or beverages for customer consumption that are not considered a complete meal, such as candy, soda, or coffee.

~~119.~~123. **“Ice Cream Vendor or Snow Shack”** means a seasonal business that serves ready-to-eat single-servings of ice cream, snow cones, and similar frozen treats from a self contained unit that may be motorized or in a trailer on wheels, or in a temporary structure affixed to the ground for the duration of the sales period.

~~120.~~124. **“Impound Yard”** means a facility that is used for the storage of wrecked motor vehicles, and vehicles impounded by law enforcement, kept for a period of time not exceeding fourteen days. This definition does not allow for the sale of parts.

~~121.~~125. **“Interior lot”** means any building lot other than a corner lot.

~~122.~~126. **“Kennel”** means a lot or premises on which four or more dogs, five or more cats, or any combination of five or more cats and dogs, at least four months old, are kept.

~~123.~~127. **“Kennel, breeding”** means a kennel lawfully located on a premises one acre or more in size zoned for such use and where no more than ten dogs, registered with a nationally recognized registration organization, over the age of six months are owned, kept, or harbored for the purpose of breeding purebred or pedigreed dogs; provided, however, this definition shall not apply to zoos or to animal hospitals operated by veterinarians duly licensed under the law.

~~124.~~128. **“Kennel, boardingcommercial”** means a kennel where four or more small, medium, or large farm animals or household pet animals at least three months of age and owned by another person are temporarily boarded, treated, groomed, or trained for pay, trade, barter, commission, or remuneration of any sort; provided, however, this definition shall not apply to zoos or to animal hospitals operated by veterinarians duly licensed under the law.

~~124.~~ **“Animal Kennel, Commercial”** means an establishment at which four or more small, medium, or large farm animals or household pets at least three months of age are boarded, treated, groomed, or trained.

~~“Kennel, breeding” means a kennel lawfully located on a premises one acre or more in size zoned for such use and where no more than ten dogs, registered with a nationally recognized registration organization, over the age of six months are owned, kept, or harbored for the purpose of breeding purebred or pedigreed dogs; provided, however, this definition shall not apply to zoos or to animal hospitals operated by veterinarians duly licensed under the law.~~

~~125.~~129. **“Kennel, private”** means the keeping, breeding, raising, showing, or training of four or more dogs over four months of age for personal enjoyment of the owner or occupants of the property, and for which commercial gain is not the primary objective.

~~126.~~130. **“Landscaping”:**

- a. means the installation of living plant materials, such as lawn, ground cover, annual and perennial flowering plants, vines, shrubs, and trees, planted directly on the property and kept free from all hard surfaces; and
- b. includes the use of sculptures and water, including: pools, fountains, falls, and streams.

~~127.~~131. **“Land Use Authority”** means the person, board, entity, commission, agency, or other body designated herein as the final approving authority of a land use application. The land use authority, depending on the chapter or section of this title, may include the City Council, Planning Commission, planning staff, City Manager, City employee, or City body.

~~128.~~132. **“Land Use Element of the General Plan”** means the comprehensive, long range strategic plan for the future of the City and includes elements such as future land uses, transportation, housing, storm drainage, culinary water, secondary water, economic development, capital facilities plan, and intergovernmental coordination, adopted as the Land Use Element of the General Plan by the City Council.

~~129.~~133. **“Land use ordinance”** means all regulations adopted by the City of Saratoga Springs relating to the development and use of real property within the City.

~~129.~~ **“Large Animal Hospital/Large Veterinary Office”** means an establishment at which all types of farm animals (large, medium, or small) or household pets may be treated or boarded.

~~130.~~134. **“Laundromat”** means a facility where patrons, or individuals employed by the Laundromat, wash with soap and water in coin-operated machines (or other means of payment), and/or dry with coin-operated machines (or other means of payment) clothing or other fabrics. A Laundromat does not include dry cleaning or dry cleaners.

~~131.~~135. **“Library”** means a public facility containing printed information, electronic information, and/or pictorial material for the public use and purpose of study, reference, and recreation.

~~132.~~136. **“Light manufacturing”** means the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products,

and incidental storage, sales, and distribution of such products, but excluding basic industrial processing and custom manufacturing.

~~133.~~137. **“Livestock”** means domestic animals, such as meat and dairy cattle, horses, pigs and poultry, raised for home use or for profit, especially on a farm.

~~134.~~138. **“Livestock Auction Yard”** means a farm animal exchange company and includes livestock pens, auction facilities and structures, and public and transport parking for the sale of domestic livestock only.

~~135.~~139. **“Local street”** means a street which provides for direct access to abutting land and for local traffic movement.

~~136.~~140. **“Lot, Building”**: see **“Building Lot”**

~~137.~~141. **“Lot, Corner”**: see **“Corner lot”**

~~138.~~142. **“Lot coverage”** means the portion of a lot that is occupied by buildings or structures including accessory uses.

~~139.~~143. **“Lot Depth, Inside Lots”**: see **“Depth”**

~~140.~~144. **“Lot Depth, Multi-frontage and Corner Lots”**: see **“Depth”**

~~141.~~145. **“Lot, Double Frontage”**: see **“Double frontage”**

~~142.~~146. **“Lot, Flag”**: see **“Flag Lot”**

~~143.~~147. **“Lot, Interior”** see **“Interior Lot”**

~~144.~~148. **“Lot layout”** means a plat of a lot, drawn to scale, showing:

- a. its actual measurements, the size and location of any existing buildings, and buildings to be erected;
- b. the location of the lot and abutting streets; and
- c. any further requirements as described in this Code.

~~145.~~149. **“Lot line”** means a boundary line of a parcel of land. The definitions of specific types of lot lines are as follows:

- a. **“Front lot line”** means any street right-of-way line of record or established by use, which forms one or more boundaries of a lot.
- b. **“Front lot line for a flag lot”** means the lot line nearest to a dedicated public street and at the end of the staff.
- c. **“Rear lot line for a corner lot”** means that interior lot line which has been designated as the rear lot line as determined by the direction the house faces.

- d. **“Rear lot line for an interior lot”** means the interior line lying opposite of the front lot line.
- e. **“Side lot line for a corner lot”** means:
 - i. any interior lot lines for multi-frontage lot; or,
 - ii. for other corner lots, that interior lot line which has been designated as the side lot line by the lot owner, unless designated on the plat.
- f. **“Side lot lines for interior lot”** means:
 - i. those interior lines lying opposite each other, running between the front and rear lot lines; or
 - ii. in the case of a multi-frontage lot, those interior lines which run between the two front lot lines.

~~146.150.~~ **“Lot Line, Front”**: see **“Lot line”**

~~147.151.~~ **“Lot Line, Front for Flag Lot”**: see **“Lot line”**

~~148.152.~~ **“Lot Line, Rear for Corner Lot”**: see **“Lot line”**

~~149.153.~~ **“Lot line, Rear for Interior Lots”**: see **“Lot line”**

~~150.154.~~ **“Lot line, Side for Corner Lot”**: see **“Lot line”**

~~151.155.~~ **“Lot line, Side for Interior Lot”**: see **“Lot line”**

~~152.156.~~ **“Lot width”**:

- a. in the case of a **corner lot**, means the width of the lot as measured along both street frontages at the required setback; and
- b. in the case of an **interior lot**, means the horizontal distance between the side lot lines measured along a line lying at right angles to the centerline of the lot at the point of the required setback.

~~153.157.~~ **“Lot Width for Corner Lot”**: see **“Lot width”**

~~154.158.~~ **“Lot Width for Interior Lot”**: see **“Lot width”**

~~155.159.~~ **“Main building”**:

- a. means the principal building or one of the principal buildings upon a lot, or the building or one of the principal buildings housing the principal use upon the lot; and
- b. includes all of the appendages constructed as an architectural and integral part thereof.

~~156.160.~~ **“Major collector”**: see **“Collector street (major and minor)”**

~~157.161.~~ **“Major grading permit”**: see **“Grading permit, major”**

~~158.~~162. **“Manufactured home”** means a home or other building of new construction:

- a. without attached axles or wheels;
- b. which has been assembled fully, or in part, upon another site, or in a factory;
- c. moved to the site upon which it is to be permanently assembled; and
- d. which is placed upon a permanent foundation in compliance with the provisions of the City’s adopted building code.

~~159.~~163. **“Manufacturing”**:

- a. means the assembling, altering, converting, fabricating, finishing, processing, or treatment of a product.
- b. This word is used interchangeably with Industrial.

~~160.~~164. **“Marina”** means a public or private dock or basin providing secure moorings for boats and often offering supply, repair, and other facilities.

~~161. **“Medical and Health Care Offices”**;~~
~~162. means:~~
~~163. offices or clinics which provide services for the treatment and care of illness or injury, medical, dental, chiropractic offices; or~~
~~164. offices devoted to the healing arts such as licensed and accredited massage therapists and licensed physical therapists; and~~
~~165. may include a pharmacy or drugstore intended to serve patients of medical or dental professionals.~~

~~166.~~
~~167.~~165. **“Mining and sand or gravel extraction subject to the City’s adopted standards relating to such activities”** means all or any part of the process involved in the mining of minerals by removing overburden and mining directly from the mineral deposits, open pit mining or minerals naturally exposed, mining by auger method, dredging and quarrying, underground mining, and surface work incidental to an underground mine.

~~168.~~166. **“Minor Subdivision”** means the subdivision of a parcel into two or three parcels and where the construction of public improvements to service the created parcels is not required.

~~169.~~167. **“Mixed Use”** a tract of land or building or structure developed for two or more different uses such as, but not limited to residential, office, retail, and other possible compatible uses approved by the City Council.

~~170.~~168. **“Mixed-use development”** means a building or group of buildings designed to encourage a diversity of compatible land uses, which include a mixture of two or more of the following uses: residential, office, retail, and other possible miscellaneous compatible uses that are approved by the City Council.

~~171.~~169. **“Mobile food vendor”** is a business that serves food and / or beverages from a self-contained unit either motorized or in a trailer on wheels, conducts all or part of its operations on premises other than its own, and is readily movable, without disassembling, for transport to another location. The term “mobile food vendor” shall not include snow shacks or ice cream vendors.

~~172.~~170. **“Mobile home”** means a detached dwelling designed for long-term occupancy and transportation on its own wheels, on a flatbed, or on trailers, and arriving at the site where it is to be occupied as a complete dwelling ready for occupancy except for connections to utilities and other minor work.

~~b.c.~~ Removal of a mobile home’s wheels or placing a mobile home on a foundation shall not remove such dwelling from classification as a mobile home.

~~b.d.~~ Excluded from this definition shall be those permanent dwelling structures that are constructed of component parts that are transported to the building site and which meet structural requirements of the applicable building code, plumbing code, mechanical code, and electrical code.

171. **“Model Home”** means a dwelling temporarily used as a sales office for a residential development under construction, and not for general real estate business.

172. **“Motel”**: means a building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for automobile travelers and having a parking space adjacent to a sleeping room, which includes automobile courts, tourist courts with more than one building, and motor lodges.

173. **“Multi-family Dwelling”**: See **“Dwelling, Multi-family”**

~~1. “Multi-family Structure” means a building or buildings sharing common walls containing four or more dwellings.~~

~~173. “Neighborhood Fitness Center” means a facility that is 5,000 square feet or less where members or non-members use equipment or space for the purpose of physical exercise.~~

174. **“Neighborhood Grocery Store”** means a store that is 25,000 square feet or less:

- a. where most of the floor area is devoted to the sale of food products for home preparation and consumption;
- b. that typically also offers other home care and personal care products; and
- c. that is substantially larger and carries a broader range of merchandise than convenience stores.

175. **“Nonconforming building lot”** means a parcel of land of record that was lawfully subdivided and in compliance with all laws at the time of division and no longer meets the minimum requirements for a building lot in the zone where it is located because of a subsequent amendment to the applicable land use ordinance.
176. **“Nonconforming”**, when used in the context of a building or structure, means a building or structure meeting the definition contained in Utah Code § 10-9a-103 for a Noncomplying Structure.
177. **“Nonconforming use”** means a use meeting the definition contained in Utah Code § 10-9a-103 for a Nonconforming Use.
178. **“Non-Depository Institution”** means a financial business, other than a depository institution such as a bank, credit union, mortgage lender, or savings and loan association, that is registered by the State of Utah pursuant to the Check Cashing Registration Act or the Title Lending Registration Act, which includes the following defined businesses:
- a. **“Check Cashing Business”**:
 - i. means a person or business that for compensation engages in cashing a check for consideration or extending a deferred deposit loan; and
 - ii. does not include Depository Institutions, as defined by the State of Utah, or retail sellers engaged primarily in the business of selling goods or services to retail buyers that cash checks or issue money orders for a minimum flat fee not exceeding 1% of the check or \$1 as a service fee that is incidental to its main purpose or business.
 - b. **“Payday Loan Business”** means an establishment providing loans to individuals in exchange for personal checks or assignment of wages as collateral.
 - c. **“Title Loan Business”** means an establishment providing short term loans to individuals in exchange for the title of a motor vehicle, motor home, or motorboat as collateral.
 - d. **“Deferred Deposit Lender”** means a business that conducts transactions where a person presents to a check casher a check written on that person’s account or provides written or electronic authorization to a check casher to effect a debit from that person’s account using an electronic payment and the check casher provides the maker an amount of money that is equal to the face value of the check or the amount of the debit less any fee or interest charged for the transaction and agrees not to cash the check or process the debit until a specified date. This definition includes any other business that offers deferred deposit loans, title loans, check cashing services, or loans for payment of a percentage fee exceeding 1% of the check or \$1 as a service fee that is incidental to its main purpose or business.

179. **“Off-street parking”** means the space within a building, lot, or parking lot, but not within any portion of any public street right-of-way, for the temporary parking of one vehicle.

180. **“Office”** means a room, suite of rooms, or building used for conducting the affairs of a business, profession, service industry, or government.

181. “Office, High-Intensity” means an office in which business uses are conducted which typically require more than 6 employees per 1000 s.f., and in which no goods or merchandise are stored, displayed, or sold. An example would include call-centers.

~~181.~~182. **“Office, Medical and Health Care-Offices”**:

- a. means:
 - i. offices or clinics which provide services for the treatment and care of illness or injury, including only medical, dental, and chiropractic offices; or
 - ii. offices devoted to the healing arts such so long as licensed and accredited, including massage therapists and licensed physical therapists; and
- b. may include a pharmacy or drugstore intended to serve patients of medical or dental professionals.

~~182.~~183. **“Office, Professional-Office”** means a place intended for the conduct of administration or services by a business enterprise and in which no goods or merchandise are stored, displayed or sold.

~~183.~~184. **“Open space”**:

- a. means an open, landscaped, and improved area that:
 - i. is unoccupied and unobstructed by residential or commercial buildings, setbacks between buildings, parking areas, and other hard surfaces that have no recreational value;
 - ii. provides park or landscaped areas that meet the minimum recreational needs of the residents of the subdivision;
- ~~a.b.~~ includes parks, recreational areas, gateways, trails, buffer areas, berms, view corridors, entry features, or other amenities that facilitate the creation of more attractive neighborhoods;
- ~~a.c.~~ may include hard surfaced features such as swimming pools, plazas with recreational value, sports courts, fountains, and other similar features with recreational value, as well as sensitive lands with recreational value, subject to the limitations stated in the definition of sensitive lands, within a development that have been designated as such at the discretion of the Planning Commission and City Council; and
- ~~a.d.~~ may not include surplus open space located on another lot unless such surplus open space was previously approved as part of an overall site plan, development agreement, or plat approval.

~~184.~~185. **“Outdoor Seasonal Sales”** means a type of temporary use that includes outdoor retail operations such as Christmas tree lots, pumpkin patches, fireworks stands, or other similar seasonal retail uses but not including Mobile Food Vendors, Ice Cream Vendors, or Snow Shacks.

~~185.~~186. **“Outdoor Vending Machines”:**

- a. means any self-contained or connected appliance, machine, or storage container located outside or in a non-enclosed space that dispenses or provides storage of a product or service; and
- b. does not include newspaper racks, phones, and automatic teller machines.

~~186.~~187. **“Parcel of land”** means a contiguous quantity of land in the possession of, or owned by, or recorded as the property of, the same owner.

~~187.~~188. **“Park strip”** means the strip of land located within the public right of way between the ~~edge of a lot or parcel sidewalk~~ and the curb and gutter, or the edge of the sidewalk and the curb and gutter, whichever measurement is farther from the curb.

~~188.~~189. **“Parking lot”** means an open area, other than a street, used for the temporary parking of more than four automobiles and available for public use, whether free, for compensation, or as an accommodation for clients or customers.

~~189.~~190. **“Parking, Off-street”:** See **“Off-street parking”**

~~190.~~191. **“Parks, playgrounds, or community recreation”** means any of the following recreational land uses, which are easily accessible to residents depending on the local needs:

- a. areas of natural quality set aside for outdoor recreation such as viewing, sitting, and picnicking;
- b. arenas;
- c. athletic fields;
- d. community centers;
- e. golf courses;
- f. parks;
- g. playgrounds;
- h. recreation center buildings;
- i. sports facilities;
- j. swimming pools;
- k. tennis courts;
- l. walking and jogging tracks; and
- m. any similar public use areas or buildings that provide recreational opportunities.

192. **“Pawn Shop”** means an establishment primarily engaged in the loaning of money on the security of property pledged in the keeping of the pawnbroker, and the sale of such property.

~~191.~~193. **“Pending Ordinance”** means a City Code, Zoning Map, or General Plan amendment that has: (a) been reviewed by the ~~received a positive recommendation from the Planning Commission~~ in an open and public meeting and received a positive recommendation to the City Council ~~for or against~~; or (b) been first reviewed by the City Council and has been included or attached to a resolution indicating the Council’s intent to initiate proceedings to amend. A pending ordinance is binding on and may be applied to new development any land use application or building permit application filed with the City prior to final approval of the pending ordinance ~~from by the City Council~~. If the City’s actions meet this definition, the City’s actions shall satisfy the requirements of Utah Code § 10-9a-509 as initiating a formal proceeding to amend this Title.

~~192.~~194. **“Performance bond”** means a document:

- a. meeting the requirements of this Title;
- b. guaranteeing completion of any improvements required in this Title;
- c. accompanied by a Bond Agreement;
- d. in an amount as specified in this Title;
- e. on forms approved by the City; and
- f. having the form of an escrow bond with funds on deposit in a reputable, federally-insured financial institution, a cash bond deposited with the City, or a letter of credit from a reputable, federally-insured financial institution.

~~193.~~195. **“Personal Service Establishment”** means an establishment which offers specialized goods and services to consumers including barbershops, beauty shops, massage facilities, garment repair, pressing, tailoring, shoe repair, and other similar establishments.

~~194.~~196. **“Personal Services”**:

- a. means establishments primarily involved in providing personal grooming and related services; and
- b. includes, but is not limited to, barbershops, beauty parlors, and tailors, but does not include laundries or dry cleaners.

~~195.~~197. **“Planned Unit Development (PUD)”** means a development under Chapter 19.07 located in a Planned Unit Development Overlay Zone where residential development is guided by a total design plan and where one or more of the land use ordinances or subdivision regulations, other than the land use designation, may be allowed in accordance with applicable standards found in Chapter 19.07 to allow flexibility and creativity in site and building design and location, in accordance with general guidelines as specified in this Code.

~~196.~~198. **“Planning Commission”** means the City of Saratoga Springs Planning Commission.

~~197.~~199. **“Planning Director”** means the employee, contractor, individual, or firm responsible for all municipal planning activities including long-range land use planning, ordinance preparation, administration and enforcement of the land development code, land use interpretation, development review, coordination with the City Planning Commission, and any other responsibilities required by the City relating to planning and development.

~~198.~~200. **“Plant and Tree Nursery”**:

- a. means a facility used for the growing and the wholesale or retail sale of plants, trees, shrubs, flowers, ground covers, etc.; and
- b. may also include sales of related products, including fertilizers, mulch, landscape decoration, etc.

~~199.~~201. **“Postal Center”** means a facility that contains service windows for mailing packages and letters, post office boxes, offices, vehicle storage areas, and sorting and distribution facilities for mail.

~~200.~~202. **“Preliminary Plat”** means the initial formal plat of a proposed land division or subdivision and containing the information required by this Code.

~~201.~~203. **“Preschool”** means a non-residential building or structure where educational services are provided for preschool aged children, defined as six years of age and younger, on a regular basis for a fee.

~~202.~~204. **“Printing, lithography, and publishing establishments”** means any commercial printing operation involving a process that is considered printing, imprinting, reproducing, or duplicating images and using printing methods including offset printing, lithography, web offset, flexography, and screen process printing.

~~203.~~205. **“Private Improvements”** means any open space, park space, club house, pool, tot lot, gazebo, picnic area, trails, or any other privately owned and maintained improvement provided in connection with subdivision, Conditional Uses, or site plan approval.

~~204.~~206. **“Private kennel”**: see **“Kennel, private”**

~~1. “Private or Quasi-Public School” means a school that is operated by a private or quasi-public organization or individual, which includes an academic curriculum recognized as satisfying the requirements of elementary, secondary, or higher education in the State of Utah and is accredited by an accrediting agency recognized by the State of Utah.~~

- ~~205.207.~~ **“Private road”** means a thoroughfare, held in private ownership and controlled by one or more persons, firms or corporations, and used or held for use primarily as a means of access to adjoining properties.
- ~~206.208.~~ **“Produce Stand”** means a temporary roadside building or structure used for the seasonal retail sales of unprocessed fresh fruits, vegetables, flowers, herbs, plants, and other unprocessed agricultural food products. May also include cottage products produced from these agricultural food products such as honey, jam, and applesauce.
- ~~207.209.~~ **“Property owner”** means the owner in fee simple of real property as shown in the records of the Utah County Recorder’s Office and includes the plural as well as the singular, and may mean either a natural person, firm, association, partnership, trust, private corporation, limited liability company, public or quasi-public corporation, other entities authorized by the State of Utah, or any combination of the foregoing.
- ~~208. “Professional Office” means a place intended for the conduct of administration or services by a business enterprise and in which no goods or merchandise are stored, displayed or sold.~~
- ~~209.~~
210. **“Project Plan”** means a map:
- a. prepared by a licensed Engineer, Surveyor, Landscape Architect, or Architect that illustrates the basic components of a proposed development; and
 - b. submitted with Conditional Use applications in cases where the submittal of a Site Plan is not required.
211. **“Protected open space”** means open space, meeting the definition used in this Chapter, that is either placed in a conservation easement or listed as unbuildable on the recorded plat.
212. **“Public building”**: see **“Building, public”**
213. **“Public improvements”** mean streets, curbs, gutters, sidewalks, water and sewer lines, storm drains, and other similar facilities which are required to be dedicated to the City in connection with subdivision, Conditional Uses, or Site Plan approval.
214. **“Public and Private Utility Building or Facility”** means a building or structure used or intended to be used by any public or private utility, including any:
- a. gas treatment plant reservoir, tank, or other storage facility;
 - b. water treatment plant, well, reservoir, tank, or other storage facility;
 - c. electric generating plant, distribution, or transmission substation;

- d. telephone switching or other communications plant, earth station, or other receiving or transmission facility;
- e. storage yard for public or private utility equipment or vehicles; and
- f. any parking lot for parking vehicles or automobiles to serve a public or private utility.

215. **“Public Building or Facilities (City Owned)”** includes:

- a. uses which may be housed in separate buildings or which may occupy a space within a building that are operated by the City of Saratoga Springs to serve public needs; and
- b. public uses such as police, jail, fire service, ambulance, judicial court, government offices, library, cultural facility, recreation center, senior center, public utility stations, and maintenance facilities.

216. **“Public right-of-way”** means a road, street, alley, lane, court, place, viaduct, tunnel, culvert, or bridge laid out or erected as such by the public, or dedicated or abandoned to the public, or made such in any action by the subdivision of real property, and includes the entire area within the right-of-way.

217. **“Public school”**: See **“School, Public”**

~~217. **“Public school”** means an educational facility operated by a public school district as defined in the Utah State Code.~~

218. **“Public street”** means a tract of land which is an existing state, county, or municipal roadway, or is shown on a plat duly filed and recorded in the office of the County Recorder, or has been accepted by the City Council as part of a development project, and is for public use for the purpose of providing the following:

- a. a thoroughfare for public use, designed primarily for vehicular travel;
- b. the principal means of access to abutting properties;
- c. installation of public utility service lines or pipes; and
- d. drainage facilities and other public works and appurtenances for the convenience and welfare of the public generally.

219. **“Reception Center”** means an establishment with facilities that are rented for either private or public gatherings which may also provide catering or entertainment services.

220. **“Recreation center”**:

- a. means an establishment providing a variety of commercial recreation activities that are enclosed within a structure along with outdoor activities including one or more of the following: bowling, roller or ice skating, arcade games, billiards, miniature golf, amusement rides, slides and swimming pools, and related amusements; and

- b. may include ancillary uses, such as the preparation and serving of food or the sale of equipment related to the enclosed uses.

221. **“Recreation rentals”** means an establishment that specializes in the rental of outdoor recreation equipment or similar items and accessories.

222. **“Recreational vehicle sales”** means an establishment that sells motor homes, all-terrain vehicles, snowmobiles, watercraft, and other similar vehicles and accessories.

223. **“Recycling facility”** means a location whose primary use is where waste or scrap materials are stored, bought, sold, accumulated, exchanged, packaged, disassembled, or handled, including: scrap metals, paper, rags, tires, bottles, and other such materials.

224. **“Research and development”** means:

- a. an establishment which conducts research, development, or controlled production of high technology electronic, industrial, or scientific products or commodities for sale; or
- b. laboratories conducting educational or medical research or testing.

225. **“Research and development uses, including medical or electronic assembly and manufacturing”:**

- a. means a use engaged in research and development, testing, assembly, repair, and manufacturing in the following industries: biotechnology, pharmaceuticals, medical instrumentation or supplies, communications and information technology, electronics and instrumentation, and computer hardware and software; and
- b. includes as part of this use any offices, warehousing, wholesaling, and distribution of the finished products produced at the site.

~~226. “Residential above Commercial” means a building which contains dwellings located above the ground floor of a commercial, office, or retail use.~~

~~227.~~

~~228.~~226. **“Residential density”** means the average number of dwellings on one acre of land in a given area.

- a. Net residential density is determined by dividing the total number of dwellings in a defined area by the total acreage of all parcels of land within the area that are used exclusively for residential and accessory purposes.
- b. Gross residential density is obtained by dividing all land in a defined area used for residences, streets, sidewalks, park strips, landscaped islands local schools, local parks, and local shopping facilities, into the total number of dwellings in said area.

~~229-227.~~ **“Residential facilities for elderly persons”** means housing that provides a program of independent or assisted ~~assisted living~~ services to deal with the activities and instrumental activities of daily living for the elderly.

~~230-228.~~ **“Residential facility for persons with a disability”** means a residence that:

- a. meets the definition of Utah Code Section 10-9a-103;
- b. treats persons with a “disability” as defined in Utah Code Section 10-9a-103; and
- c. meets the requirements of Section 19.05.09 of this Title.

~~231-229.~~ **“Restaurant, Casual”** means an establishment:

- a. where foods or beverages are prepared for consumption that occurs in the building, on the premises, within a motor vehicle parked on the premises, or off-premises; and
- b. whose operation includes one or more of the following characteristics:
 - i. food or beverages are served to the occupants of a motor vehicle (e.g., drive-through window or drive-in); and
 - ii. food and beverages are usually served over a general service counter whether or not there is a seating area within the restaurant.

230. “Restaurant, Deli” means a shop, store, or business no larger than 2,000 square feet selling primarily meats, cheeses, and sandwiches with limited onsite seating and a more than 50% of business typically consisting of take-out.

~~232-231.~~ **“Restaurant, Sit Down”** means an establishment that provides, as a principal use, foods and beverages prepared for consumption within or without the establishment with no drive-up or drive-through window or drive-in and whose operation includes the following characteristics:

- a. customers are customarily served their food or beverage by a restaurant employee at the same table or counter at which said items are consumed; and a restaurant employee customarily clears the table of trash and food; and
- ~~b.~~ c. take-out service may be provided so long as it is not the principal business of the establishment and no drive-up or drive-through window, or drive-in, is utilized.

~~233-232.~~ **“Retail sales”** means a place of business devoted in whole or in part to the sale, rental, or servicing of goods or commodities which are normally delivered or provided on the premises to a consumer.

233. “Retail, Big box” means a singular retail or wholesale use, which occupies no less than 50,000 square feet of gross floor area, that may:

- a. require high parking to building area ratios;
- b. have a regional sales market; and
- c. include:
 - i. regional retail or wholesale sales; and

ii. membership warehouse clubs that emphasize bulk sales, discount stores, and department stores.

234. **“Retail, Specialty-Retail”:**

- a. means retail operations that specialize in one type or line of merchandise; and
- b. may include but is not limited to apparel stores, jewelry stores, bookstores, shoe stores, stationary stores, antique stores, and similar establishments.

235. **“Retail, Tobacco Specialty Store”** means a commercial establishment in which:

- a. the sale of tobacco products accounts for more than 35% of the total annual gross receipts for the establishment;
- b. food and beverage products, excluding gasoline sales, is less than 45% of the total annual gross receipts for the establishment; and
- c. the establishment is not licensed as a pharmacy under Utah Code Title 58, Chapter 17b, Pharmacy Practice Act.

236. **“Riding Arena, Commercial”** means commercial roping and riding arenas (unlighted), as well as commercial roping and riding arenas (lighted) which may or may not be totally enclosed within a structure.

237. **“Riding Arena, Private”** means private roping and riding arenas (unlighted), as well as private roping and riding arenas (lighted) which may or may not be totally enclosed within a structure.

238. **“Road, private”:** See **“Private Road.”**

239. **“Roadside Stand”:** See Produce Stand.

240. **“School, Charter”** means:

- a. A school licensed in accordance with Utah Code Title 53A, Chapter 1a, Part 5, The Utah Charter Schools Act.
- b. For purposes of this Title, a charter school is considered to be a public school within the state’s public education system in this Title for the sole purpose of determining whether it is a permitted or conditional use.^[5]
- c. A charter school shall meet all applicable federal, state, and local health, safety, and civil rights requirements laws, including this Title and all City land use ordinances.
- d. This definition shall not be interpreted to limit, restrict, or alter in any way the requirements of charter schools under Utah Code § 10-9a-305 to follow this Title and all City land use ordinances.

241. **“School, Private or Quasi-Public”** means a school that is operated by a private or quasi-public organization or individual, excluding charter schools and public schools, which includes an academic curriculum recognized as satisfying the

requirements of elementary, secondary, or higher education in the State of Utah and is accredited by an accrediting agency recognized by the State of Utah.

242. “School, Public” means an educational facility operated by a public school district as defined in the Utah State Code.

240-243. “School, Trade or Vocational School” means a post high school educational or vocational training facility.

241-244. “Secondary Water System” means a system which is designed and intended to provide, transport, or store water used for watering of crops, lawns, shrubberies, flowers, and other non-culinary uses.

242-245. “Self-storage or mini-storage units”:

- a. means a building or group of buildings divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers, and other residential uses; and
- b. may include refrigerated or climate-controlled facilities.

243-246. “Sensitive lands” means land and natural features including canyons and slopes in excess of 30%, ridge lines, natural drainage channels, streams or other natural water features, wetlands, flood plains, landslide prone areas, detention or retention areas, debris basins, and geologically sensitive areas.

247. “Setback” means the shortest horizontal distance permitted in each zone, as set forth in the City’s zoning districts, between the boundary lines of a lot and the building, structure, or part thereof.

244-248. “Shooting Range, Indoor or Outdoor” means an area or structure specially designed for the safe discharge and use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any similar firearm for the purpose of sport-shooting or military/law enforcement training. May also include archery, and may or may not be open to the general public.

245-249. “Side yard”: see “Yard, side”

250. “Sidewalk” means a passageway for pedestrians, excluding motor vehicles.

246-251. “Single family dwelling”: See “Dwelling, Single family

1. “Single family dwelling” means a residential dwelling:

- k. not attached to any other dwelling;
- k. on a single lot that is arranged for, designed for, and occupied by not more than one family (as defined herein); and

~~k. containing at least one bathroom, at least one kitchen, and living and sleeping facilities.~~

~~253. **“Specialty Retail”:**~~

~~k. means retail operations that specialize in one type or line of merchandise; and~~

~~k. may include but is not limited to apparel stores, jewelry stores, bookstores, shoe stores, stationary stores, antique stores, and similar establishments.~~

~~256.~~

~~257.~~252. **“Stable”** means a building in which horses are sheltered, which may be accessory to a residential or other use or a freestanding principal use.

~~258.~~253. **“Sexually oriented business”** is defined in 19.23.02.

~~258. **“Small Animal Hospital/Small Veterinary Office”** means an establishment at which small farm animals only or household pets are treated or boarded within a completely enclosed building.~~

~~259.~~254. **“Streets, Collector, Major and Minor”:** see **“Collector street (major and minor)”**

~~260.~~255. **“Street, Local”:** see **“Local street”**

~~261.~~256. **“Street, Public”:** see **“Public street”**

~~262.~~257. **“Structure”:** means anything constructed or erected on the ground, or attached to something located on the ground, including buildings, radio and wireless telecommunication equipment, sheds, swimming pools, tennis courts and sport courts, gazebos, decks (2’-6” or above in grade), and retaining walls.

~~263.~~258. **“Structure height”:** see **“Building height”**

~~264.~~259. **“Subdivider”:** see **“Developer”**

~~265.~~260. **“Subdivision”** means any land that meets the definition of subdivision in Utah Code § 10-9a-103.

~~266.~~261. **“Swimming pool”** means:

- a. a constructed pool, any part of which is above or below grade; and
- b. a prefabricated pool, any part of which is below grade, or a prefabricated pool that is completely above grade and has a capacity of 5,000 gallons or more, used for swimming or bathing.

~~267.~~262. **“Tattoo Parlor”** means a business establishment that operates tattoo equipment to inject ink or otherwise modify human skin for the purposes of decoration, which may include body piercing; however, establishments that

engage in ear piercing and no other activities in this definition shall not be considered tattoo parlors.

~~268.~~263. **“Temporary sales trailers”** means trailers for use by home builders or developers for the purpose of sales within subdivision projects, which are subject to the regulations in Chapter 19.05.

~~269.~~264. **“Temporary Use”** means a use that is associated with a holiday or special event for a limited duration of time, including Outdoor Seasonal Sales.

~~270.~~265. **“Theater”**: means a building used primarily for the presentation of movies projected upon a screen or the presentation of live stage productions or performances, which may include ancillary uses such as arcade games and concession areas.

~~270. “Three-Family Structure” means a single residential building under a continuous roof, the structure containing only three dwellings sharing common interior walls or common interior floors.~~

~~271.~~266. **“Tobacco Product”** means:

- a. any cigar, cigarette, or electronic cigarette as defined under Utah Code Section 76-10-101;
- b. a tobacco product as defined under Utah Code Section 59-14-102, including chewing tobacco;
- c. any substitute for a tobacco product, including flavoring or additives to tobacco; and
- d. tobacco paraphernalia as defined under Utah Code Section 76-10-104.1.

~~271. “Trade or Vocational School” means a post high school educational or vocational training facility.~~

~~272.~~267. **“Trail”** means a dedicated path, improved or unimproved, for the passage of pedestrians, non-motorized vehicles, or equestrian related uses.

~~273.~~268. **“Transit-Oriented Development (TOD)”** means a form of development that maximizes transit infrastructure by concentrating the most intense types of development around transit stations and along transit lines. Development in such areas is designed to make transit use as convenient as possible.

~~273. “Two-Family Structure” means a single residential building under a continuous roof, the structure containing only two dwellings sharing common interior walls or common interior floors.~~

~~274.~~269. **“Urban Design Committee”** means a committee made up of architects, planners, builders, or other persons whose primary responsibilities are to:

- a. review architectural plans for commercial, industrial, and multi-family developments; and
- b. make recommendations to the Planning Commission regarding architectural style, urban design, and exterior building materials for all types of developments.

~~275-270.~~ **“Utilities”** includes culinary and secondary water lines and systems, pressure and gravity irrigation lines and ditches, sanitary sewer lines, storm drain lines, subdrains, electric power, natural gas facilities, cable television, telephone transmission lines, data transmission lines, underground conduits and junction boxes, and other services deemed to be of a public utility nature by the City.

~~276-271.~~ **“Variance”** means a deviation, waiver, or modification from the ordinances, regulations, or standards adopted by the City, which the Hearing Examiner is permitted to grant.

~~277-272.~~ **“Warranty bond”** means a document:

- a. meeting the requirements of this Title;
- b. warranting any improvements required in this Title;
- c. accompanied by a Bond Agreement;
- d. in an amount as specified in this Title;
- e. on forms approved by the City; and
- f. having the form of an escrow bond with funds on deposit in a reputable, federally-insured financial institution, a cash bond deposited with the City, or a letter of credit from a reputable, federally-insured financial institution.

~~278-273.~~ **“Water Utility Ordinance”** means the City of Saratoga Springs’ adopted water utility ordinance.

~~279-274.~~ **“Waterways”** means those areas, varying in width, along streams, creeks, springs, gullies, or washes which are natural drainage channels as determined by the City Council, as shown on the City master drainage plan, or as designated by FEMA, and in which no structure or building construction or placement is permitted.

~~280-275.~~ **“Wireless telecommunication equipment”** means a structure intended for transmitting or receiving television, radio, data, telephone, or other wireless communications.

~~281-276.~~ **“Yard”** means a space on a lot, other than a court, unoccupied and unobstructed from the ground upward except as otherwise provided in this Code.

~~282-277.~~ **“Yard, front”** means a yard between the front lot line and the ~~setback line~~ **of a front façade of the** main building and extending for the full width of the lot.

~~283.~~278. **“Yard, rear”** means a yard between the rear lot line and the ~~setback line~~rear facade of a main building, extending across the full width of inside lots; or, for corner lots, a yard between the rear lot line and the setback line of the building and extending between the side lot line and the front yard lying opposite thereto.

~~284.~~279. **“Yard, side”** means a yard between the side lot line and the ~~setback line~~side facade of a main building, extending from the front yard to the rear yard.

~~285.~~280. **“Zoning map”** means a map that contains all of the land use zone designations for all properties located within the City of Saratoga Springs.

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. Summary of Land Use Regulations.**
- 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)**
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- 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](#)^[1]. 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
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. Regional Commercial (RC)
16. Office Warehouse (OW)
17. Industrial (I)
18. Mixed Lakeshore (ML)
19. Business Park (BP)
20. Institutional/Civic (IC)
21. 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 not have a difference of more than 20% of density as compared to adjacent lots, parcels, plats, or developments. The intent is for a gradual change of density and uses.
2. 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.) unless appropriate transitions and buffers are in place. Appropriate buffers and transitions may consist 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.

19.04.04. Application of Land Use Zone Regulations.

1. No structure or part thereof shall be used, erected, altered, added to, or enlarged, and no land or premises shall be used, designated, or intended to be used for any purpose or in any manner, in contravention of any of the provisions hereinafter.
2. In each land use zone, no uses shall be allowed unless listed as a permitted or conditional use in this Title. If a use is not listed as a permitted or conditional use in the applicable zone, it is not permitted and is strictly prohibited.
3. No structure or part thereof shall be erected, reconstructed, or structurally altered to exceed in height the limit hereinafter designated for the land use zone in which such structure is located, unless a structure height exception is expressly allowed.
4. No structure shall be erected, altered, enlarged, rebuilt, or moved into any land use zone, and no open space shall be encroached upon or reduced in any manner, except in conformity to the yard, building site area, building location regulations, and the land use zone in which such structure or open space is located.
5. All structures and uses shall conform with all of the requirements of this Title.

19.04.05. Official Zoning Map.

1. The boundaries of the land use zones established in § 19.04.02 are hereby established as shown on the Official Zoning Map, which together with all explanatory matter thereon is hereby adopted by reference and declared to be part of this Title.
2. The Official Zoning Map shall be identified by the signature of the City Mayor and shall bear the date of adoption. All subsequent changes to the map shall include the new effective date and shall be initialed by the City Mayor.
3. If, in accordance with the provisions of this Title and the Utah Code, changes are made in zone boundaries or other matters portrayed on the Official Zoning Map, an entry shall be made as soon as practical after the amendment has been approved by the City Council on the official zoning map. Any amendment to this Title which involves matters portrayed on the official zoning map shall be in full force and in effect on the date of the adopted ordinance.
4. No changes of any nature shall be made on the Official Zoning Map or shown thereon except in conformity with the procedures set forth in Chapter 19.17 of this Title.
5. The Official Zoning Map, which shall be located in the City offices, shall be the final authority as to the current status of Land Use Zones.

19.04.06. Land Use Zone Boundary Interpretation.

Where uncertainty exists as to the boundaries of a land use zone as shown on the Official Zoning Map, the following rules shall apply:

1. boundaries indicated as approximately following the centerlines of roads or streets, highways, or alleys shall be construed to follow such centerlines;
2. boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
3. boundaries indicated as approximately following City limits shall be construed as following such City limits;
4. boundaries indicated as approximately following centerlines of streams or canals shall be construed to follow such centerlines;
5. boundaries indicated as parallel to or extensions of features indicated above shall be so construed;

6. distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map; and
7. where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered in the aforementioned rules, the City Planning Director or designee shall interpret the zone boundaries.

19.04.07. Summary of Land Use Regulations.

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

General Development Standards-Residential:^[2]

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 per acre*	1 unit per 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:												
Single family Dwelling	5 acres	5 acres	1 acre	1 acre	14,000 sq. ft. [±]	10,000 sq. ft. [±]	9,000 sq. ft. [±]	8,000 sq. ft. [±]	6,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.
Multi-family Structure	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Nonresidential 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 (DU):												
Front	50'	50'	35'	35'	25'	25'	25'	25'	25'	25'	25'	25'
Side	12'	12'	12'	12'	8'/20'	8'/20'	8'/16'	6'/12'	5'/10'	5'/10'	5'/10'	5'/10'
Rear	25'	25'	25'	25'	25'	25'	20'	20'	20'	20'	20'	20'
Corner Lots:												
Front	50'	50'	35'	35'	25'	25'	25'	25'	20'25'	20'	20'25'	20'
Side (corner side)	12'	12'	12'	12'	20'	20'	20'	20'	15'20'	15'	15'20'	15'
Setbacks (accessory buildings):												
Side, Rear	25'	25'	25'	25'	5'	5'	5'	5'	5'	5'	5'	5'
Distance away from any DU	60'	60'	60'	60'	5'	5'	5'	5'	5'	5'	5'	5'
Lot Width	250'	250'	100'	100'	90'	80'	70'	60'	50'	50'	50'	50'
Lot Frontage	250'	250'	75'	75'	35'	35'	35'	35'	35'	35'	35'	35'
Maximum Building Height	35'	35'	35'	35'	35'	35'	35'	35'	35'	40'	35'	35'
Maximum Lot Coverage	50%	50%	3550%	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.	1000 sq. ft.	800 sq. ft.	800-sq. ft.
Minimum % Open Space	None	None	None	None	15%	15%	15%	20%	20%	20%	20%	20%

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	<u>1 unit/5 acre*</u>	<u>1 unit/5 acres*</u>	<u>1 unit per acre*</u>	<u>1 unit per acre*</u>	<u>2 units/acre*</u>	<u>3 units/acre*</u>	<u>4 units/acre*</u>	<u>5 units/acre*</u>	<u>6 units/acre*</u>	<u>10 units/acre*</u>	<u>14 units/acre*</u>	<u>18 units/acre*</u>
Minimum Lot Size:	-	-	-	-	-	-	-	-	-	-	-	-
Residential, per Residential Building	<u>5 acres</u>	<u>5 acres</u>	<u>1 acre</u>	<u>1 acre</u>	<u>14,000 sq. ft.</u>	<u>10000 sq. ft.</u>	<u>9000 sq. ft.</u>	<u>8000 sq. ft.</u>	<u>6000 sq. ft.</u>	<u>5000 sq. ft.</u>	<u>5000 sq. ft.</u>	<u>5000 sq. ft.</u>
Nonresidential Use**	<u>5+ acres</u>	<u>5+ acres</u>	<u>1+ acre</u>	<u>1+ acre</u>	<u>1+ acre</u>	<u>1+ acre</u>	<u>1+ acre</u>	<u>1+ acre</u>	<u>1+ acre</u>	<u>1+ acre</u>	<u>1+ acre</u>	<u>1+ acre</u>
Minimum Setbacks (DU):	-	-	-	-	-	-	-	-	-	-	-	-
Front	<u>50'</u>	<u>50'</u>	<u>35'</u>	<u>35'</u>	<u>25'</u>	<u>25'</u>	<u>25'</u>	<u>25'</u>	<u>25'</u>	<u>25'</u>	<u>25'</u>	<u>25'</u>
Side	<u>12'</u>	<u>12'</u>	<u>12'</u>	<u>12'</u>	<u>8'/20'</u>	<u>8'/20'</u>	<u>8'/16'</u>	<u>6'/12'</u>	<u>5'/10'</u>	<u>5'/10'</u>	<u>5'/10'</u>	<u>5'/10'</u>
Rear	<u>25'</u>	<u>25'</u>	<u>25'</u>	<u>25'</u>	<u>25'</u>	<u>25'</u>	<u>20'</u>	<u>20'</u>	<u>20'</u>	<u>20'</u>	<u>20'</u>	<u>20'</u>
Corner Lots:	-	-	-	-	-	-	-	-	-	-	-	-
Front	<u>50'</u>	<u>50'</u>	<u>35'</u>	<u>35'</u>	<u>25'</u>	<u>25'</u>	<u>25'</u>	<u>25'</u>	<u>25'</u>	<u>20'</u>	<u>25'</u>	<u>20'</u>
Side (corner side)	<u>12'</u>	<u>12'</u>	<u>12'</u>	<u>12'</u>	<u>20'</u>	<u>20'</u>	<u>20'</u>	<u>20'</u>	<u>20'</u>	<u>15'</u>	<u>20'</u>	<u>15'</u>
Minimum Setbacks (accessory buildings):	-	-	-	-	-	-	-	-	-	-	-	-
Side, Rear	<u>25'</u>	<u>25'</u>	<u>25'</u>	<u>25'</u>	<u>5'</u>	<u>5'</u>	<u>5'</u>	<u>5'</u>	<u>5'</u>	<u>5'</u>	<u>5'</u>	<u>5'</u>
Front: Same as Primary Structure	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Corner Lots: side: Same as Primary Structure	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Distance away from	<u>60'</u>	<u>60'</u>	<u>60'</u>	<u>60'</u>	<u>5'</u>	<u>5'</u>	<u>5'</u>	<u>5'</u>	<u>5'</u>	<u>5'</u>	<u>5'</u>	<u>5'</u>

any DU												
Lot Width	250'	250'	100'	100'	90'	80'	70'	60'	50'	50'	50'	50'
Lot Frontage	250'	250'	75'	75'	35'	35'	35'	35'	35'	35'	35'	35'
Maximum Building Height	35'	35'	35'	35'	35'	35'	35'	35'	35'	40'	35'	35'
Maximum Lot Coverage	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.
Minimum % Open Space	None	None	None	None	15%	15%	15%	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.

** Lot sizes shall be a minimum of the stated number but a larger size may be required as stated in the applicable zone districts.

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

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

Permitted and Conditional Uses by Zone Residential^[3]

	A	RA-5	RR	R-1	R-2	R-3	R-4	R-5	R-6	R-10	R-14	R-18
Agriculture	P	P	P									
Apiary (see §§ 19.05.08)	P	P	P	<u>P</u>								
Bed and Breakfast	C	C	C	C	C	C	C	C				
Cemetery	C	C	C	C	C	C	C	C	C	C	C	C
Charter School	P	P	P	P	P	P	P	P	P	P	P	P
Chickens (see §§ 19.05.05 and 19.05.06)		P	P	<u>P</u>	P	P	P	P				
Child Care Center	C	C	C	C	C	C	C	C	C	C	C	C
Churches	C	C	C	C	C	C	C	C	C	C	C	C
Dairy Farm		P										
Educational Center	C	C	C	C	C	C	C	C	C	C	C	C

Equestrian Center	€	€										
Farm Animals (see Section 19.05.05)	P	P	P									
Golf Course	P	P	P	P	€	€	€	€				
Home Occupations	<u>See Ch. 19.08</u>											
Large Animal Hospital/Large Veterinary Office	P	P										
Livestock Auction Yard	€	€										
Multi-Family Structures										P	P	P
Office Buildings on properties smaller than 1 acre and part of multi-family structure projects										€		
Plant and Tree Nursery	CP	€	€									
	A	RA-5	RR	R-1	R-2	R-3	R-4	R-5	R-6	R-10	R-14	R-18
Preschool			€	€	€	€	€	€	€	€	€	€
Private Kennels	€	€	€									
Private and Quasi-Public Schools	€	€	€	€								
Produce Stand or Farmers Market	€	€	€									
Production of Fruit and Crops	P	P										
Public and private utility building or facility	€	€	€	€	€	€	€	€	€	€	€	€
Public Building or Facilities (City Owned)	€	€	€	€	€	€	€	€	€	€	€	€
*Public Parks, playgrounds, recreation	P	P	P	P	P	P	P	P	P	P	P	P

areas, or other park improvements*													
Public Schools	€	€	€	€	€	€	€	€	€	€	€	€	€
Residential Facilities for Elderly Persons	€	€	€	€	€	€	€	€	€	€	€	€	€
Residential Facilities for Persons with a Disability	€	€	€	€	€	€	€	€	€	€	€	€	€
Riding Arena (Commercial)	€	€	€										
Riding Arena (Private)	€	P	P										
Single Family Dwellings	P	P	P	P	P	P	P	P	P	P	P	P	P
Stables	P	P	€										
Temporary Sales Trailer	P	P	P	P	P	P	P	P	P	P	P	P	P
Two Family Structure									P	P	P	P	P
Three Family Structure									P	P	P	P	P

	<u>A</u>	<u>RA-5</u>	<u>RR</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>R-5</u>	<u>R-6</u>	<u>R-10</u>	<u>R-14</u>	<u>R-18</u>
<u>Agriculture</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-	-	-	-	-	-
<u>Animal Hospital, Large/Large Veterinary Office</u>	<u>P</u>	<u>P</u>	-	-	-	-	-	-	-	-	-	-
<u>Apiary (see §§ 19.05.08)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Bed and Breakfast</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	-
<u>Cemetery</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Chickens (see §§ 19.05.05 and 19.05.06)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-
<u>Child Care Center</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Church</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Dairy</u>	<u>C</u>	<u>P</u>	-	-	-	-	-	-	-	-	-	-
<u>Dwelling, Multi-Family</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>
<u>Dwelling, Single Family</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Dwelling, Three-Family</u>	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

<u>Dwelling, Two-Family</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Educational Center</u>	<u>C</u>												
<u>Equestrian Center</u>	<u>C</u>	<u>C</u>	-	-	-	-	-	-	-	-	-	-	-
<u>Farm Animals (see Section 19.05.05)</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-	-	-	-	-	-	-
<u>Farmer's Market</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	-	-	-	-	-	-	-
<u>Golf Course</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	-
<u>Home Occupations</u>	<u>See Ch. 19.08</u>												
<u>Kennel, Private</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	-	-	-	-	-	-	-
<u>Livestock Auction Yard</u>	<u>C</u>	<u>C</u>	-	-	-	-	-	-	-	-	-	-	-
<u>Office Buildings on properties smaller than 1 acre and part of multi-family structure projects</u>	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>Plant and Tree Nursery</u>	<u>P</u>	<u>C</u>	<u>C</u>	-	-	-	-	-	-	-	-	-	-
<u>Preschool</u>	-	-	<u>C</u>										
<u>Production of Fruit and Crops</u>	<u>P</u>	<u>P</u>	-	-	-	-	-	-	-	-	-	-	-
<u>Public and private utility building or facility</u>	<u>C</u>												
<u>Public Building or Facilities (City Owned)</u>	<u>C</u>												
<u>Public Parks, playgrounds, recreation areas, or other park improvements*</u>	<u>P</u>												
<u>Residential Facilities for Elderly Persons</u>	<u>C</u>												
<u>Residential Facilities for Persons with a Disability</u>	<u>C</u>												
<u>Riding Arena (Commercial)</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	-	-	-	-	-	-	-
<u>Riding Arena (Private)</u>	<u>C</u>	<u>P</u>	<u>P</u>	-	-	-	-	-	-	-	-	-	-

School, Charter	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
School, Private and Quasi-Public	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	-	-	-	-	-
School, Public	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Stables	<u>P</u>	<u>P</u>	<u>C</u>	-	-	-	-	-	-	-	-	-
Temporary Sales Trailer	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
-	<u>A</u>	<u>RA-5</u>	<u>RR</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>R-5</u>	<u>R-6</u>	<u>R-10</u>	<u>R-14</u>	<u>R-18</u>

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. ~~The noticing area will be determined by the Planning Director on a case-by-case basis.~~ 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.

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

Permitted and Conditional Uses by Zone ~~Commercial~~Nonresidential

~~P= Permitted C= Conditional~~

	<u>NC</u>	<u>MU</u>	<u>RC</u>	<u>OW</u>	<u>I</u>	<u>ML</u>	<u>BP</u>	<u>IC</u>	<u>PSBL</u>
Alcoholic Beverage, Package Agency					<u>C</u>				
Alcoholic Beverage, State Liquor Store					<u>C</u>				
Small Animal Hospital/Small Veterinary Office	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>					
Animal Kennel, Commercial			<u>C</u>	<u>C</u>	<u>P</u>				
Arts & Crafts Sales	<u>C</u>	<u>P</u>	<u>P</u>			<u>P</u>			
Automobile, Boat, All Terrain Vehicle (ATV), Motorcycle, Recreation Vehicle, Sales & Service			<u>C</u>	<u>C</u>	<u>P</u>				
Automobile Refueling Station		<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>				
Automobile Rental & Leasing Agency			<u>C</u>	<u>C</u>	<u>P</u>		<u>P</u>		
Automobile Repair, Major				<u>C</u>	<u>C</u>		<u>C</u>		
Automobile Repair, Minor			<u>C**</u>	<u>C</u>	<u>C</u>		<u>P</u>		
Automobile Sales			<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>		
Bakery	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>	<u>C</u>		
Bakery, Commercial				<u>C</u>	<u>C</u>				
Bed and Breakfast		<u>C</u>				<u>C</u>			
Big Box Retail			<u>PC</u>						
Bookstore	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>			
Building Material Sales (with outdoor storage)			<u>C**</u>	<u>C</u>	<u>P</u>		<u>C</u>		

	NC	MU	RC	OW	I	ML	BP	IC	PSBL
Building Material Sales (without outdoor storage)			€	€	€		€		
Bus Lot					€				P
Car Wash (full service)			€				€		
Car Wash (self service)			€**	€	€		€		
Child Care Center	€	€	€			€ ^A	€		
Churches	€	€				€		€	
Commercial & industrial laundries				€	P				
Commercial Recreation		€	€	€	€	P			
Commuter/Light Rail Station			P	P	P		€	€	
Contract construction services establishments				€	P				
Convenience Store		€	P	€			€ [±]		
Convenience Store/Fast Food Combination			€**				€ [±]		
Copy Center	€	P	P	€			€ ^A		
Crematory/Embalming Facility				€	€				
Deli	P	P	P			P	€		
Dry Cleaners	€	P	P						
Educational Center	€	€	€	€				P	
Electronic Media Rental & Sales		€	P						
Electronic Sales & Repair		€	P						
Equipment Sales & Services			€		P		€ ^A		
Financial Institution		P	P						
Fitness Center <u>5,001 sq. ft. or larger</u>	€	€	€	€			P ^A		
Fitness Center 5,000 sq. ft. or less	P	P	P	P		P	€		
Floral Sales	P	P	P			P			
Fueling Station									P
Fueling Station, Cardlock Facility									P
Funeral Home	€	€	€				€		
Grocery Store		€	P			P			
Hair Salon	P	P	P			P			
Hardware & Home Improvement Retail		€	P				P		
Home Occupations	See Chap. 19.08	See Chap. 19.08	See Chapt 19.08	See Chap. 19.08					
Hospital			P				€	P	
Hotels			€	€	€	€	€		
Ice Cream Parlor	P	P	P			P	€ ^A		
Impound Yard					€				
Large Animal Hospital/Large Veterinary Office	€	€	P	P					
Laundromat			€	€	€				
Library		P	P					P	
Light Manufacturing				€	€		€		
Marina						P			
Medical and Health Care Offices	€	€	P				P	P	
Mining					€				
Mixed Use, Commercial, Office & Residential Use		P				P			
Motels			€	€	€	€	€		
Multi-Family Structures		P				P			

	<u>NC</u>	<u>MU</u>	<u>RC</u>	<u>OW</u>	<u>I</u>	<u>ML</u>	<u>BP</u>	<u>IC</u>	<u>PSBL</u>
Non-Depository Institutions			€						
Pawn Shop				€	€				
Personal Service Establishment	€	€		€		€	€ ^A		
Plant & Tree Nursery	€		€	€	P				
Postal Center	€	€	P	€				P	
Preschool	€	€	€			€ ^A	€ ^A		
Printing, lithography & publishing establishments				€	€		P		
Professional Office	€	P	P	P	€	P	P		
Public & private utility building or facility			€	€	€	€		€	€
Public Building or Facilities (City Owned)	P	P	P	P	P	P	P	P	
Public Schools									
Reception Centers	€	€	P			P	€		
Recreation Center			€		€	€			
Recreation Rentals			P			P			
Recreational Vehicle Sales			€ ^{**}						
Recycling Facilities					€				
Research & Development			€	€	€		P	P	
Residential facilities for elderly persons		€				€			
Residential above commercial		P				P			
Resturant, Casual			P	€		€ ^B	€ ^B		
Restaurant, Sit Down	P	P	P	P		P	P		
Retail Sales	P	P	P	P		P	€		
Retail Tobacco Specialty Store				€	€				
Self storage or mini storage units				€	€				
Sexually Oriented Businesses					P				
<u>Shooting Range, indoor or outdoor</u>				€	€				
Single Family Dwellings		P				P			
Specialty Retail	P	P	P	P		P			
Tattoo Parlor					€				
Temporary Sales Trailer		P							
Theater			€			€			
Three Family Structure		P				P			
Trade or Vocational School				P	P		P	P	
Transit Oriented Development (TOD)		P				P	€		
Two Family Structure		P				P			

	<u>NC</u>	<u>MU</u>	<u>RC*</u>	<u>OW</u>	<u>I</u>	<u>ML</u>	<u>BP</u>	<u>IC</u>	<u>PSBL</u>
<u>Alcoholic Beverage, Package Agency</u>	-	-	-	-	€	-	-	-	-
<u>Alcoholic Beverage, State Liquor Store</u>	-	-	-	-	€	-	-	-	-
<u>Animal Hospital, Large/Large Veterinary Office</u>	€	€	P	P	-	-	-	-	-
<u>Animal Hospital, Small/Small Veterinary Office</u>	€	€	P	P	-	-	-	-	-
<u>Arts & Crafts Sales</u>	€	P	P	-	-	P	-	-	-

<u>Automobile Refueling Station</u>	-	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	-
<u>Automobile Rental & Leasing Agency</u>	-	-	<u>C</u>	<u>C</u>	<u>P</u>	-	<u>P</u>	-	-
<u>Automobile Repair, Major</u>	-	-	-	<u>C</u>	<u>C</u>	-	<u>C</u>	-	-
<u>Automobile Repair, Minor</u>	-	-	<u>C**</u>	<u>C</u>	<u>C</u>	-	<u>P</u>	-	-
<u>Automobile Sales</u>	-	-	<u>C**</u>	-	<u>C</u>	-	<u>C</u>	-	-
<u>Automobile, Boat, All-Terrain Vehicle (ATV), Motorcycle, Recreation Vehicle, Sales & Service</u>	-	-	<u>C**</u>	<u>C</u>	<u>P</u>	-	-	-	-
<u>Bakery, Commercial</u>	-	-	-	<u>C</u>	<u>C</u>	-	-	-	-
<u>Bakery, Retail</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	<u>P</u>	<u>C</u>	-	-
<u>Bed and Breakfast</u>	-	<u>C</u>	-	-	-	<u>C</u>	-	-	-
<u>Bookstore</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	<u>P</u>	-	-	-
<u>Building Material Sales (with outdoor storage)</u>	-	-	<u>C**</u>	<u>C</u>	<u>P</u>	-	<u>C</u>	-	-
<u>Building Material Sales (without outdoor storage)</u>	-	-	<u>C</u>	<u>C</u>	<u>C</u>	-	<u>C</u>	-	-
<u>Bus Lot</u>	-	-	-	-	<u>C</u>	-	-	-	<u>P</u>
<u>Car Wash (full service)</u>	-	-	<u>C</u>	-	-	-	<u>C^A</u>	-	-
<u>Car Wash (self service)</u>	-	-	<u>C**</u>	<u>C</u>	<u>C</u>	-	<u>C</u>	-	-
<u>Child Care Center</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	<u>C^A</u>	<u>C^A</u>	-	-
<u>Churches</u>	<u>C</u>	<u>C</u>	-	-	-	<u>C</u>	-	<u>C</u>	-
<u>Commercial & industrial laundries</u>	-	-	-	<u>C</u>	<u>P</u>	-	-	-	-
<u>Commercial Recreation</u>	-	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u>	-	-	-
<u>Commuter/Light Rail Station</u>	-	-	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>C</u>	<u>C</u>	-
<u>Contract construction services establishments</u>	-	-	-	<u>C</u>	<u>P</u>	-	-	-	-
<u>Convenience Store</u>	-	<u>C</u>	<u>P</u>	<u>C</u>	-	-	<u>C^E</u>	-	-
<u>Convenience Store/Fast Food Combination</u>	-	-	<u>C**</u>	-	-	-	<u>C^E</u>	-	-
<u>Copy Center</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>C</u>	-	-	<u>C^A</u>	-	-
<u>Crematory/Embalming Facility</u>	-	-	-	<u>C</u>	<u>C</u>	-	-	-	-
<u>Dry Cleaners</u>	<u>C</u>	<u>P</u>	<u>P</u>	-	-	-	-	-	-
<u>Dwelling, Above</u>	-	<u>P</u>	<u>C</u>	-	-	<u>P</u>	-	-	-

<u>commercial</u>									
<u>Dwelling, Multi-Family</u>	-	<u>P</u>	-	-	-	<u>P</u>	-	-	-
<u>Dwelling, Single-Family</u>	-	<u>P</u>	-	-	-	<u>P</u>	-	-	-
<u>Dwelling, Three-Family</u>	-	<u>P</u>	-	-	-	<u>P</u>	-	-	-
<u>Dwelling, Two-Family</u>	-	<u>P</u>	-	-	-	<u>P</u>	-	-	-
<u>Educational Center</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	<u>P</u>	-
<u>Electronic Media Rental & Sales</u>	-	<u>C</u>	<u>P</u>	-	-	-	-	-	-
<u>Electronic Sales & Repair</u>	-	<u>C</u>	<u>P</u>	-	-	-	-	-	-
<u>Equipment Sales & Services</u>	-	-	<u>C</u>	-	<u>P</u>	-	<u>C^A</u>	-	-
<u>Financial Institution</u>	-	<u>P</u>	<u>P</u>	-	-	-	-	-	-
<u>Fitness Center (5,000 sq. ft. or less)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>C</u>	-	-
<u>Fitness Center(5,001 sq. ft. or larger)</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	<u>P^A</u>	-	-
<u>Floral Sales</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	<u>P</u>	-	-	-
<u>Fueling Station</u>	-	-	-	-	-	-	-	-	<u>P</u>
<u>Fueling Station, Cardlock Facility</u>	-	-	-	-	-	-	-	-	<u>P</u>
<u>Funeral Home</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	<u>C</u>	-	-
<u>Grocery Store</u>	-	<u>C</u>	<u>P</u>	-	-	<u>P</u>	-	-	-
<u>Hair Salon</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	<u>P</u>	-	-	-
<u>Hardware & Home Improvement Retail</u>	-	<u>C</u>	<u>P</u>	-	-	-	<u>P</u>	-	-
<u>Home Occupations</u>	<u>See Chap.19.08</u>	<u>See Chap. 19.08</u>	<u>See Chapt19.08</u>	<u>See Chap.19.08</u>	<u>See Chap.19.08</u>	<u>See Chap.19.08</u>	<u>See Chap. 19.08</u>	<u>See Chap. 19.08</u>	<u>See Chap. 19.08</u>
<u>Hospital</u>	-	-	<u>P</u>	-	-	-	<u>C</u>	<u>P</u>	-
<u>Hotels</u>	-	-	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-
<u>Ice Cream Parlor</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	<u>P</u>	<u>C^A</u>	-	-
<u>Impound Yard</u>	-	-	-	-	<u>C</u>	-	-	-	-
<u>Kennel, Commercial</u>	-	-	<u>C</u>	<u>C</u>	<u>P</u>	-	-	-	-
<u>Laundromat</u>	-	-	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	-
<u>Library</u>	-	<u>P</u>	<u>P</u>	-	-	-	-	<u>P</u>	-
<u>Light Manufacturing</u>	-	-	-	<u>C</u>	<u>C</u>	-	<u>C</u>	-	-
<u>Marina</u>	-	-	-	-	-	<u>P</u>	-	-	-
<u>Mining</u>	-	-	-	-	<u>C</u>	-	-	-	-
<u>Mixed Use</u>	-	<u>P</u>	-	-	-	<u>P</u>	-	-	-
<u>Neighborhood Grocery Store</u>	-	<u>P</u>	-	-	-	<u>P</u>	-	-	-

<u>Motels</u>	-	-	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-
<u>Non-Depository Institutions</u>	-	-	<u>C</u>	-	-	-	-	-	-
<u>Office, High Intensity</u>	-	-	-	<u>P</u>	<u>C</u>	-	<u>C</u>	-	-
<u>Office, Medical and Health Care</u>	<u>C</u>	<u>C</u>	<u>P</u>	-	-	-	<u>P</u>	<u>P</u>	-
<u>Office, Professional</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>P</u>	<u>P</u>	-	-
<u>Pawn Shop</u>	-	-	-	<u>C</u>	<u>C</u>	-	-	-	-
<u>Personal Service Establishment</u>	<u>C</u>	<u>C</u>	-	<u>C</u>	-	<u>C</u>	<u>C^A</u>	-	-
<u>Plant & Tree Nursery</u>	<u>C</u>	-	<u>C</u>	<u>C</u>	<u>P</u>	-	-	-	-
<u>Postal Center</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>C</u>	-	-	-	<u>P</u>	-
<u>Preschool</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	<u>C^A</u>	<u>C^A</u>	-	-
<u>Printing, lithography & publishing establishments</u>	-	-	-	<u>C</u>	<u>C</u>	-	<u>P</u>	-	-
<u>Public & private utility building or facility</u>	-	-	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	<u>C</u>	<u>C</u>
<u>Public Building or Facilities (City Owned)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
<u>Reception Centers</u>	<u>C</u>	<u>C</u>	<u>P</u>	-	-	<u>P</u>	<u>C</u>	-	-
<u>Recreation Center</u>	-	-	<u>C</u>	-	<u>C</u>	<u>C</u>	-	-	-
<u>Recreation Rentals</u>	-	-	<u>P</u>	-	-	<u>P</u>	-	-	-
<u>Recreational Vehicle Sales</u>	-	-	<u>C^{**}</u>	-	-	-	-	-	-
<u>Recycling Facilities</u>	-	-	-	-	<u>C</u>	-	-	-	-
<u>Research & Development</u>	-	-	<u>C</u>	<u>C</u>	<u>C</u>	-	<u>P</u>	<u>P</u>	-
<u>Residential facilities for elderly persons</u>	-	<u>C</u>	-	-	-	<u>C</u>	-	-	-
<u>Residential Facilities for Persons with a Disability</u>	-	<u>C</u>	-	-	-	<u>C</u>	-	-	-
<u>Restaurant, Casual</u>	-	-	<u>P</u>	<u>C</u>	-	<u>C^E</u>	<u>C^E</u>	-	-
<u>Restaurant, Deli</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	<u>P</u>	<u>C</u>	-	-
<u>Restaurant, Sit Down</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	-	-
<u>Retail Sales</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>C</u>	-	-
<u>Retail, Big Box</u>	-	-	<u>C</u>	-	-	-	-	-	-
<u>Retail, Speciality</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>P</u>	-	-	-
<u>Retail, Tobacco Specialty Store</u>	-	-	-	<u>C</u>	<u>C</u>	-	-	-	-
<u>School, Public</u>	-	-	-	-	-	-	-	-	-
<u>School, Trade or Vocational</u>	-	-	-	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	-

<u>Self-storage or mini storage units</u>	-	-	-	<u>C</u>	<u>C</u>	-	-	-	-
<u>Sexually Oriented Businesses</u>	-	-	-	-	<u>P</u>	-	-	-	-
<u>Shooting Range, indoor or outdoor</u>	-	-	-	<u>C</u>	<u>C</u>	-	-	-	-
<u>Tattoo Parlor</u>	-	-	-	-	<u>C</u>	-	-	-	-
<u>Temporary Sales Trailer</u>	-	<u>T</u>	-	-	-	-	-	-	-
<u>Theater</u>	-	-	<u>C</u>	-	-	<u>C</u>	-	-	-
<u>Transit-Oriented Development (TOD)</u>	-	<u>P</u>	-	-	-	<u>P</u>	<u>C</u>	-	-

^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.

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

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 ~~following~~ uses identified in 19.04.07.2 ~~are as~~ Permitted Uses in the Agricultural (A) ~~Land Use Zone.~~
 - ~~a. Agriculture~~
 - ~~b. Apiary~~
 - ~~c. Charter School~~
 - ~~d. Keeping of Farm Animals, as allowed in Section 19.05.05 of this Code~~
 - ~~e. Golf Course~~
 - ~~f. Large Animal Hospital/Large Veterinary Office~~
 - ~~g. Production of Fruit and Crops~~
 - ~~h. Public Parks~~
 - ~~i. Single Family Dwellings~~
 - ~~j. Stables~~
 - ~~k. Temporary Sales Trailers~~
3. **Conditional Uses.** The uses identified in 19.04.07.2 as ~~following uses are~~ Conditional Uses in the Agricultural (A) ~~Land Use Zone.~~
 - ~~l. Bed and Breakfast~~
 - ~~m. Cemetery~~
 - ~~n. Child Care Center~~
 - ~~o. Churches~~
 - ~~p. Education Center~~
 - ~~q. Equestrian Center~~
 - ~~r. Home Occupations~~
 - ~~s. Livestock Auction Yard~~
 - ~~t. Plant and Tree Nursery~~
 - ~~u. Private Kennels~~
 - ~~v. Private and Quasi-Public Schools~~
 - ~~w. Produce Stand or Farmers Market~~
 - ~~x. Public and Private Utility Buildings or Facilities~~
 - ~~y. Public Building or Facilities (City Owned)~~
 - ~~z. Public Schools~~
 - ~~aa. Residential Facilities for Elderly Persons~~
 - ~~bb. Riding Arena, Commercial~~
 - ~~cc. Riding Arena, Private~~
- 4.3. **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.

5.4. Setbacks and Yard Requirements.

~~a.~~ ~~Setbacks and yard requirements describe the amount of space required between buildings and property lines.~~

~~b.a.~~ All buildings intended for occupancy or principal buildings in this zone are required to maintain ~~a minimum distance from property lines setbacks~~ as follows:

i. Front: 50 feet (~~including for corner lots, this applies to both street frontages~~)

ii. Sides: 12 feet

iii. Rear: 25 feet

~~e.b.~~ All accessory buildings 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

~~ii.~~

~~iii.iv.~~ Minimum separation between accessory buildings used for animals and dwellings: 60 feet.

~~6.5.~~ **Minimum Lot Width.** Every lot in this zone shall be at least 250 feet in width at the front building setback.

~~7.6.~~ **Minimum Lot Frontage.** Every lot in this zone shall have at least 250 feet of frontage along a public or private street.

~~8.7.~~ **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.

~~9.8.~~ **Maximum Lot Coverage.** The maximum lot coverage in this zone is 50%.

~~10.9.~~ **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,600 square feet of living space above grade.

~~11.10.~~ **Open Space Requirement.** There is no minimum requirement for open space in this zone.

~~12.11.~~ **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.

| ~~13.12.~~ 13.12. **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

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 following uses are~~ Permitted Uses in the Residential Agricultural (RA-5) Land Use Zone:.

- ~~3. Agriculture~~
- ~~4. Apiary~~
- ~~5. Charter School~~
- ~~6. Chickens (see Sections 19.05.05 and 19.95.06)~~
- ~~7. Dairy Farm~~
- ~~8. Farm Animals, as allowed in Section 19.05.05 of this Code~~
- ~~9. Golf Course~~
- ~~10. Large Animal Hospital/Large Veterinary Office~~
- ~~11. Production of Food and Crops~~
- ~~12. Public Parks~~
- ~~13. Riding Arena, Private~~
- ~~14. Single Family Dwellings~~
- ~~15. Stables~~
- ~~16. Temporary Sales Trailer~~

17.3. **Conditional Uses.** The ~~uses identified in 19.04.07.2 as following uses are~~ Conditional Uses in the Residential Agricultural (RA-5) ~~Land Use Zone.~~

- ~~18. Bed and Breakfast~~
- ~~19. Cemetery~~
- ~~20. Child Care Center~~
- ~~21. Churches~~
- ~~22. Educational Center~~
- ~~23. Equestrian Center~~
- ~~24. Home Occupations~~
- ~~25. Livestock Auction Yard~~
- ~~26. Plant and Tree Nursery~~
- ~~27. Private Kennels~~
- ~~28. Private and Quasi-Public Schools~~
- ~~29. Produce Stand or Farmers Market~~
- ~~30. Public and Private Utility Buildings or Facilities~~
- ~~31. Public Building or Facility (City Owned)~~
- ~~32. Public Schools~~
- ~~33. Residential Facilities for Elderly Persons~~
- ~~34. Riding Arena, Commercial~~
- ~~35.~~

36.4. **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.

37.5. **Setbacks and Yard Requirements.**

~~a. Setbacks and yard requirements describe the amount of space required between buildings and property lines.~~

~~b.a.~~ All buildings intended for occupancy or principal buildings in this zone are required to maintain ~~a minimum distance from property lines~~ setbacks as follows:

- ~~i.~~ Front: fifty feet (~~including for corner lots, this applies to both street frontages~~)
- ii. Sides: twelve feet
- iii. Rear: twenty-five feet

~~e.b.~~ All accessory buildings in this zone are required to maintain distances from property lines and other dwellings as follows:

- i. Sides: twenty-five feet
- ~~B.~~ Rear: twenty-five feet

ii. Front: same as principal structure

~~±iii.~~ Minimum separation between an accessory building used for animals and a dwelling: sixty feet.

~~38.6.~~ **Minimum Lot Width.** Every lot in this zone shall be at least 250 feet in width at the front building setback.

~~39.7.~~ **Minimum Lot Frontage.** Every lot in this zone shall have at least 250 feet of frontage along a public or private street.

~~40.8.~~ **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.

~~41.9.~~ **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent.

~~42.10.~~ **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,600 square feet of living space above grade.

~~43.11.~~ **Open Space Requirement.** There is no minimum requirement for open space in this zone.

~~44.12.~~ **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.

~~45.13.~~ **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.

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 following uses are~~ Permitted Uses in the Rural Residential (RR) ~~Land Use Zone:~~

- ~~a. Agriculture~~
- ~~b. Apiary~~
- ~~c. Charter School~~
- ~~d. Chickens (see Sections 19.05.05 and 19.95.06)~~
- ~~e. Farm Animals, as allowed in Section 19.05.05 of this Code~~
- ~~f. Golf Course~~
- ~~g. Public Parks~~
- ~~h. Riding Arena, Private~~
- ~~i. Single Family Dwellings~~
- ~~j. Temporary Sales Trailers~~

3. **Conditional Uses.** The ~~uses identified in 19.04.07.2 as following uses are~~ Conditional Uses in the Rural Residential (RR) ~~Land Use Zone:~~

- ~~4. Bed and Breakfast~~
- ~~5. Cemetery~~
- ~~6. Child Care Center~~
- ~~7. Churches~~
- ~~8. Educational Center~~
- ~~9. Home Occupation~~
- ~~10. Plant and Tree Nursery~~
- ~~11. Preschool~~
- ~~12. Private Kennel~~
- ~~13. Private and Quasi-Public Schools~~
- ~~14. Produce Stand or Farmers Market~~
- ~~15. Public and Private Utility Buildings or Facilities~~
- ~~16. Public Building or Facilities (City Owned)~~
- ~~17. Public Schools~~
- ~~18. Residential Facilities for Elderly Persons~~
- ~~19. Riding Arena, Commercial~~
- ~~20. Stables~~

20.4. **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.

~~21.5.~~ **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 (~~including for~~ corner lots, this applies to both street frontages)
 - ii. Sides: twelve feet
 - iii. Rear: twenty-five feet
- c. All accessory buildings 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
 - ~~iii.~~iv. Minimum separation between an accessory building used for animals and a dwelling: sixty feet.

~~22.6.~~ **Minimum Lot Width.** Every lot in this zone shall be at least 100 feet in width at the front building setback.

~~23.7.~~ **Minimum Lot Frontage.** Every lot in this zone shall have at least seventy-five feet of frontage along a public or private street.

~~24.8.~~ **Maximum Height of Structures.** No structure in this zone shall be taller than thirty-five feet.

~~25.9.~~ **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent.

~~26.10.~~ **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,600 square feet of living space above grade.

~~27.11.~~ **Open Space Requirement.** There is no minimum requirement for open space in this zone.

~~28.12.~~ **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.

~~29.13.~~ **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

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 following uses are Permitted Uses in the Low Density Residential (R-1) Land Use Zone:~~

~~3.—Charter School~~

~~4.—Chicken keeping (see Sections 19.05.06)~~

~~5.—Golf Course~~

~~6.—Public Parks~~

~~7.—Single Family Dwellings~~

~~8.2. Temporary Sales Trailer~~

~~9.—Conditional Uses. The uses identified in 19.04.07.2 as following uses are Conditional Uses in the Low Density Residential (R-1) Land Use Zone:~~

~~10. Bed and Breakfast~~

~~11. Cemetery~~

~~12. Child Care Center~~

~~13. Churches~~

~~14. Educational Center~~

~~15. Home Occupation~~

~~16. Preschool~~

~~17. Private and Quasi Public Schools~~

~~18. Public and Private Utility Buildings or Facilities~~

~~19. Public Building or Facilities (City Owned)~~

~~20. Public Schools~~

~~21.3. Residential Facilities for Elderly Persons.~~

~~22.4.~~ **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.a.~~ All buildings intended for occupancy or principal buildings in this zone are required to maintain ~~a~~ minimum ~~distance from property lines~~ setbacks as follows:

- ~~i.~~ Front: thirty-five feet (~~including for~~ corner lots, this applies to both street frontages)
- ~~ii.~~ Sides: twelve feet
- ~~iii.~~ Rear: twenty-five feet

~~e.b.~~ All accessory buildings 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

~~iii.iv.~~ Minimum separation between an accessory building used for animals and a dwelling: sixty feet.

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

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 following uses are Permitted Uses in the Low Density Residential (R-2) Land Use Zone:~~

~~3.—Charter School~~

~~4.—Chickens (see Sections 19.05.05 and 19.95.06)~~

~~5.—Public Parks~~

~~6.—Single Family Dwellings~~

~~7.2. Temporary Sales Trailer.~~

~~8.—Conditional Uses. The uses identified in 19.04.07.2 as following uses are Conditional Uses in the Low Density Residential (R-2) Land Use Zone:~~

~~9.—Bed and Breakfast~~

~~10.—Cemetery~~

~~11.—Child Care Center~~

~~12.—Churches~~

~~13.—Educational Center~~

~~14.—Golf Course~~

~~15.—Home Occupation~~

~~16.—Preschool~~

~~17.—Public and Private Utility Buildings or Facilities~~

~~18.—Public Building or Facilities (City Owned)~~

~~19.—Public Schools~~

~~20.3. Residential Facilities for Elderly Persons.~~

~~21.4. 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.
- ~~iv.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.)

22.5. **Setbacks and Yard Requirements.**

~~a. Setbacks and yard requirements describe the amount of space required between buildings and property lines.~~

~~b.a.~~ All 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 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

e.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.

d.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.

~~23~~.6. **Minimum Lot Width.** Every lot in this zone shall be at least ninety feet in width at the front building setback.

~~24~~.7. **Minimum Lot Frontage.** Every lot in this zone shall have at least thirty-five feet of frontage along a public or private street.

~~25~~.8. **Maximum Height of Structures.** No structure in this zone shall be taller than thirty-five feet.

~~26~~.9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent.

~~27~~.10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,500 square feet of living space above grade.

~~28~~.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 ~~for either public or common 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.

~~29~~.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

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~~ following uses are Permitted Uses in the Low Density Residential (R-3) ~~Land Use Zone:~~

- ~~a. Charter School~~
- ~~b. Chickens (see Sections 19.05.05 and 19.05.06)~~
- ~~c. Public Parks~~
- ~~d. Single Family Dwellings~~
- ~~e. Temporary Sales Trailer~~

3. **Conditional Uses.** The ~~uses identified in 19.04.07.2 as following uses are~~ Conditional Uses in the Low Density Residential (R-3) ~~Land Use Zone:~~

- ~~4. Bed and Breakfast~~
- ~~5. Cemetery~~
- ~~6. Child Care Center~~
- ~~7. Churches~~
- ~~8. Educational Center~~
- ~~9. Golf Course~~
- ~~10. Home Occupation~~
- ~~11. Preschool~~
- ~~12. Public and Private Utility Buildings or Facilities~~
- ~~13. Public Building or Facilities (City Owned)~~
- ~~14. Public Schools~~
- ~~15.3. Residential Facilities for Elderly Persons.~~

16.4. **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.
- ~~iv.~~ 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.

~~17.5.~~ **Setbacks and Yard Requirements.**

~~a.~~ Setbacks and yard requirements describe the amount of space required between buildings and property lines.

~~b.~~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

e.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.

d.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
- iii.

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

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

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

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

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

22.10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,250 square feet of living space above grade.

23.11. **Open Space Requirement.** There shall be a minimum requirement of fifteen percent of the total project area to be installed as open space ~~to be either public or common 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.

24.12. **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.

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 following uses are~~ Permitted Uses in the Low Density Residential (R-4) ~~Land Use Zone:~~

~~3.—Charter School~~

~~4.—Chickens (see Sections 19.05.05 and 19.05.06)~~

~~5.—Public Parks~~

~~6.—Single Family Dwellings~~

~~7.2. Temporary Sales Trailer.~~

~~8.—Conditional Uses.~~ The ~~uses identified in 19.04.07.2 as following uses are~~ Conditional Uses in the Low Density Residential (R-4) ~~land Use Zone:~~

~~9.—Bed and Breakfast~~

~~10. Cemetery~~

~~11. Child Care Center~~

~~12. Churches~~

~~13. Educational Center~~

~~14. Golf Course~~

~~15. Home Occupation~~

~~16. Preschool~~

~~17. Public and Private Utility Buildings or Facilities~~

~~18. Public Building or Facilities (City Owned)~~

~~19. Public Schools~~

~~20.3. Residential Facilities for Elderly Persons.~~

~~21.4. 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.

4.5. 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.

22.5. **Setbacks and Yard Requirements.**

- a. ~~Setbacks and yard requirements are intended to describe the amount of space required between buildings and are required to maintain a minimum distance from property lines as follows: 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 in this zone are required to maintain distances from property lines and other dwellings as follows:
 - i. Sides: five feet
 - ii. Rear: five feet
 - iii. Front: same as principal structure
 - ii-iv. Corner: same as principal structure
- d. There shall be a five-foot minimum separation between accessory buildings and dwellings in this zone.

23-6. **Minimum Lot Width.** Every lot in this zone shall be at least 70 feet in width at the front building setback.

24-7. **Minimum Lot Frontage.** Every lot in this zone shall have at least thirty-five feet of frontage along a public or private street.

25-8. **Maximum Height of Structures.** No structure in this zone shall be taller than thirty-five feet.

26-9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent.

27-10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,250 square feet of living space above grade.

28-11. **Open Space Requirement.** There shall be a minimum requirement of fifteen percent of the total project area to be installed as open space ~~to be either public or common 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.

29-12. **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.

30-13. **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.

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 following uses are Permitted Uses in the Low Density Residential (R-5) Land Use Zone:~~

~~3.—Charter School~~

~~4.—Chickens (see Sections 19.05.05 and 19.05.06)~~

~~5.—Public Parks~~

~~6.—Single Family Dwellings~~

~~7.2. Temporary Sales Trailer.~~

~~8.—Conditional Uses. The uses identified in 19.04.07.2 as following uses are Conditional Uses in the Low Density Residential (R-5) Land Use Zone:~~

~~9.—Bed and Breakfast~~

~~10. Cemetery~~

~~11. Child Care Center~~

~~12. Churches~~

~~13. Educational Center~~

~~14. Golf Course~~

~~15. Home Occupation~~

~~16. Preschool~~

~~17. Public and Private Utility Buildings or Facilities~~

~~18. Public Building or Facilities (City Owned)~~

~~19. Public Schools~~

~~20. Residential Facilities for Elderly Persons~~

~~21.3. Residential Treatment Facilities for Persons with a Disability (See Section 19.05.09).~~

~~22.4. 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.

23-5. Setbacks and Yard Requirements.

~~a. Setbacks and yard requirements are intended to describe the amount of space required between: (1) buildings; and (2) a building and a property line.~~

~~b.a.~~ All principal buildings in this zone are required to maintain a minimum distance from property lines 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

~~e.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.

d.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
- iii. Front: same as principal structure
- ii.iv. Corner: same as principal structure

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

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

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

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

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

28.10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,250 square feet of living space above grade.

29.11. **Open Space Requirements.** There shall be a minimum requirement of twenty percent of the total project area to be installed as open space ~~to be either public or common 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.

30.12. **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.

| ~~31.13.~~ **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

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 following uses are Permitted Uses in the Medium Density Residential (R-6) Land Use Zone:~~

~~3.—Charter School~~

~~4.—Public Parks~~

~~5.—Single family dwellings~~

~~6.—Temporary Sales Trailer~~

~~7.—Three Family Structures~~

~~8.2. Two Family Structures.~~

~~9.—Conditional Uses. The uses identified in 19.04.07.2 as following uses are Conditional Uses in the Medium Density Residential (R-6) Land Use Zone:~~

~~10. Cemetery~~

~~11. Child Care Center~~

~~12. Churches~~

~~13. Educational Center~~

~~14. Home Occupations~~

~~15. Preschool~~

~~16. Public and Private Utility Buildings or Facilities~~

~~17. Public Building or Facilities (City Owned)~~

~~18. Public Schools~~

~~19.3. Residential Facilities for Elderly persons.~~

20.4. 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.

21.5. **Setbacks and Yard Requirements.**

~~a.~~ ~~Setbacks and yard requirements are intended to describe the amount of space required between: (1) buildings; and (2) a building and a property line.~~

~~b.~~a. All principal buildings in this zone are required to maintain ~~a~~ minimum distance from property lines 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

~~c.~~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.

~~d.~~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

iii. Front: same as principal structure

~~ii.~~iv. Corner: same as principal structure

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

22.6. **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.

23.7. **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.

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

25.9. **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.

26.10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,000 square feet of living space above grade.

27.11. **Open Space Requirement.** There shall be a minimum requirement of twenty percent of the total project area to be installed as open space ~~to be either public or common 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.

28.12. **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.

29.13. **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

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, ~~in conjunction with the General Plan,~~ 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 following uses are~~ Permitted Uses in the Medium Density Residential (R-10) ~~Land Use Zone:~~

~~3. Charter School~~

~~4. Multi-Family Structures~~

~~5. Public Park~~

~~6. Single Family Dwellings~~

~~7. Temporary Sales Trailer~~

~~8. Three Family Structures~~

~~9.2. Two Family Structures.~~

~~10. Conditional Uses.~~ The ~~uses identified in 19.04.07.2 as following uses are~~ Conditional Uses in the Medium Density Residential (R-10) ~~Land Use Zone:~~

~~11. Cemetery~~

~~12. Child Care Center~~

~~13. Churches~~

~~14. Educational Center~~

~~15. Home Occupations~~

~~16. Office buildings on properties smaller than one acre in size and only as part of a Multi-Family Structure project~~

~~17. Preschool~~

~~18. Public and Private Utility Buildings or Facilities~~

~~19. Public Building or Facilities (City Owned)~~

~~20. Public Schools~~

~~21.3. Residential Facilities for Elderly Persons.~~

~~22.4. 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.

~~23.5.~~ **Setbacks and Yard Requirements.**

- ~~a. Setbacks and yard requirements describe the amount of space required between buildings and property lines.~~
- ~~b.a.~~ All principal buildings in this zone are required to maintain ~~a minimum distance from property lines~~ 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

~~e.~~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.

~~d.~~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
- iii. Front: same as principal structure
- ii.iv. Corner: same as principal structure

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

~~24.~~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.

~~25.~~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.

~~26.~~8. **Maximum Building Height.** No building in this zone shall be taller than forty feet.

~~27~~.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.

~~28~~.10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 1,000 square feet of living space above grade.

~~29~~.11. **Open Space Requirement.** There shall be a minimum requirement of twenty percent of the total project area to be installed as open space ~~either as public or common 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.

~~30~~.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

~~31~~.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.

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 following uses are Permitted Uses in the High Density Residential (R-14) Land Use Zone:~~

~~3. Charter School~~

~~4. Multi Family Structures~~

~~5. Public Parks~~

~~6. Single Family Dwellings~~

~~7. Temporary Sales Trailer~~

~~8. Three Family Structures~~

~~9.2. Two Family Structures.~~

~~10. **Conditional Uses.** The uses identified in 19.04.07.2 as following uses are Conditional Uses in the High Density Residential (R-14) Land Use Zone:~~

~~11. Cemetery~~

~~12. Child Care Center~~

~~13. Churches~~

~~14. Educational Center~~

~~15. Home Occupations~~

~~16. Preschool~~

~~17. Public and Private Utility Buildings or Facilities~~

~~18. Public Building or Facilities (City Owned)~~

~~19. Public Schools~~

~~20.3. Residential Facilities for Elderly Persons.~~

~~21.4. **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

22-5. **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 ~~a~~ minimum ~~distance from property lines 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
- c. 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 in this zone are required to maintain distances from property lines and other dwellings as follows:
 - i. Sides: five feet
 - ii. Rear: five feet
 - iii. Front: same as principal structure

~~ii~~.iv. Corner: same as principal structure

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

~~23~~.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.

~~24~~.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.

~~25~~.8. **Maximum Height of Structures.** No building in this zone shall be taller than thirty-five feet.

~~26~~.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.

~~27~~.10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 800 square feet of living space above grade.

~~28~~.11. **Open Space Requirement.** There shall be a minimum requirement of twenty percent of the total project area to be installed as open space ~~either as public or common 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.

~~29~~.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.

~~30~~.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.

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 following uses are Permitted Uses in the High Density Residential (R-18) Land Use Zone:~~

- ~~3. Charter School~~
- ~~4. Multi Family Dwellings~~
- ~~5. Public Parks~~
- ~~6. Single Family Dwellings~~
- ~~7. Temporary Sales Trailer~~
- ~~8. Three Family Structures~~
- ~~9.2. Two Family Structures.~~

~~10. **Conditional Uses.** The uses identified in 19.04.07.2 as following uses are Conditional Uses in the High Density Residential (R-18) Land Use Zone:~~

- ~~11. Cemetery~~
- ~~12. Child Care Center~~
- ~~13. Churches~~
- ~~14. Educational Center~~
- ~~15. Home Occupations~~
- ~~16. Preschool~~
- ~~17. Public and private Utility Buildings or Facilities~~
- ~~18. Public Building or Facilities (City Owned)~~
- ~~19. Public Schools~~
- ~~20.3. Residential Facilities for Elderly Persons.~~

21.4. **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.

22.5. **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 ~~a minimum distance from property lines~~ **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
- c. 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 in this zone are required to maintain distances from property lines and other dwellings as follows:
 - i. Sides: five feet
 - ii. Rear: five feet
 - iii. Front: same as principal structure
 - iv. Corner: same as principal structure
- e. There shall be a five foot minimum separation between accessory buildings and dwellings in this zone.

~~23~~.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.

~~24~~.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.

~~25~~.8. **Maximum Height of Structures.** No building in this zone shall be taller than thirty-five feet.

26.9. **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.

27.10. **Minimum Dwelling Size.** Every dwelling in this zone shall contain a minimum of 800 square feet of living space above grade.

28.11. **Open Space Requirement.** There shall be a minimum requirement of twenty percent of the total project area to be installed as open space ~~either as public or common 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.

29.12. **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.

30.13. **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.

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 ~~Land Use~~ 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 following uses are~~ Permitted Uses in the Neighborhood Commercial (NC) ~~Land Use~~ Zone:

- ~~3.— Bakery~~
- ~~4.— Bookstore~~
- ~~5.— Deli~~
- ~~6.— Fitness Center 5,000 square feet or less~~
- ~~7.— Floral Sales~~
- ~~8.— Hair Salon~~
- ~~9.— Ice Cream Parlor~~
- ~~10.— Public Building or Facilities (City Owned)~~
- ~~11.— Restaurant, Sit Down~~
- ~~12.— Retail Sales~~
- ~~13.— Specialty Retail~~

3. Conditional Uses.

- ~~a.— The uses identified in 19.04.07.3 as following uses are~~ Conditional Uses in the Neighborhood Commercial ~~Land Use~~ Zone:
- ~~b.— Small Animal Hospital/Small Veterinary Office~~
- ~~c.— Arts and Crafts Sales~~
- ~~d.— Child Care Center~~
- ~~e.— Churches~~
- ~~f.— Copy Center~~
- ~~g.— Dry Cleaner~~
- ~~h.— Educational Center~~

- ~~i. Fitness Center~~
- ~~j. Funeral Home~~
- ~~k. Home Occupations (See Chapter 19.08)~~
- ~~l. Large Animal Hospital/Large Veterinary Office~~
- ~~m. Medical and Health Care Offices~~
- ~~n. Personal Service Establishment~~
- ~~o. Plant and Tree Nursery~~
- ~~p. Postal Center~~
- ~~q. Preschool~~
- ~~r. Professional Office~~
- ~~s.a. Reception Centers~~

~~t.b.~~ Additional standards for Conditional Uses in the Neighborhood Commercial ~~Land Use~~ Zone:

- i. Drive through windows shall in no case be allowed in the Neighborhood Commercial ~~Land Use~~ 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. Setbacks and yard requirements are intended to describe the amount of space required between structures and property lines.~~

~~b.a.~~ All structures in this zone are required to maintain a minimum ~~distance from property lines setbacks~~ as follows:

- i. Front: twenty-five feet
- ii. Sides: twenty-five feet
- iii. Rear: twenty-five feet

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

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.
- c. This land use zone, ~~in conjunction with the Land Use Element of the General Plan,~~ 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 following uses are~~ Permitted Uses in the Mixed Use Zone: ÷

- ~~a. Arts and Crafts Sales~~
- ~~b. Bakery~~
- ~~c. Bookstore~~
- ~~d. Copy Center~~
- ~~e. Deli~~
- ~~f. Dry Cleaners~~
- ~~g. Financial Institutions~~
- ~~h. Fitness Center 5,000 square feet or less~~
- ~~i. Floral Sales~~
- ~~j. Hair Salon~~
- ~~k. Ice Cream Parlor~~
- ~~l. Library~~
- ~~m. Mixed Use, Commercial, Office & Residential Use~~
- ~~n. Multi-Family Structures~~
- ~~o. Professional Office~~
- ~~p. Public Buildings or Facilities (City Owned)~~
- ~~q. Residential Above Commercial~~
- ~~r. Restaurant, Sit Down~~
- ~~s. Retail Sales~~
- ~~t. Single Family Dwellings~~
- ~~u. Specialty Retail~~
- ~~v. Temporary Sales Trailers~~
- ~~w. Transit-Oriented Development (TOD)~~
- ~~x. Three-Family Structures~~
- ~~y. Two-Family Structures~~

3. **Conditional Uses.** The ~~uses identified in 19.04.07.3 as following uses are~~ Conditional Uses in the Mixed Use Zone: ÷

- ~~z. Small Animal Hospital/Small Veterinary Office~~
- ~~aa. Automobile Refueling Stations~~
- ~~bb. Bed and Breakfast~~
- ~~cc. Child Care Center~~
- ~~dd. Churches~~
- ~~ee. Commercial Recreation~~
- ~~ff. Convenience Store~~
- ~~gg. Educational Center~~
- ~~hh. Electronic Media Rental and Sales~~
- ~~ii. Electronic Sales and Repair~~
- ~~jj. Fitness Center~~
- ~~kk. Funeral Home~~
- ~~ll. Grocery Store~~
- ~~mm. Hardware and Home Improvement Retail~~
- ~~nn. Home Occupations (See Chapter 19.08)~~
- ~~oo. Large Animal Hospital/Large Veterinary Office~~

- ~~pp. Medical and Health Care Offices~~
- ~~qq. Personal Service Establishment~~
- ~~rr. Postal Center~~
- ~~ss. Preschool~~
- ~~tt. Reception Centers~~
- ~~uu. Residential facilities for elderly persons~~

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.
- 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.a.~~ All buildings in this zone are required to maintain a minimum ~~distance from property lines 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

~~e~~.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.

~~d~~.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.

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 following uses are~~ Permitted Uses in the Regional Commercial (RC) Zone.
 - ~~a. Small Animal Hospital/Small Veterinary Office~~
 - ~~b. Arts and Crafts Sales~~
 - ~~c. Bakery~~
 - ~~d. Big Box Retail~~
 - ~~e. Bookstore~~
 - ~~f. Commuter/Light Rail Station~~
 - ~~g. Convenience Store~~
 - ~~h. Copy Center~~
 - ~~i. Deli~~
 - ~~j. Dry Cleaners~~
 - ~~k. Electronic Media Rental and Sales~~
 - ~~l. Electronic Sales and Repair~~
 - ~~m. Financial Institution~~
 - ~~n. Fitness Center 5,000 square feet or less~~
 - ~~o. Floral Sales~~
 - ~~p. Grocery Store~~
 - ~~q. Hair Salon~~
 - ~~r. Hardware and Home Improvement Retail~~
 - ~~s. Hospital~~
 - ~~t. Ice Cream Parlor~~
 - ~~u. Large Animal Hospital/Large Veterinary Office~~
 - ~~v. Library~~
 - ~~w. Medical and Health Care Offices~~
 - ~~x. Postal Center~~
 - ~~y. Professional Office~~
 - ~~z. Public Building or Facilities (City Owned)~~
 - ~~aa. Reception Centers~~
 - ~~bb. Recreation Rentals~~
 - ~~cc. Restaurant, Casual~~
 - ~~dd. Restaurant, Sit Down~~
 - ~~ee. Retail Sales~~
 - ~~ff. Specialty Retail~~
3. **Conditional Uses.** The ~~uses identified in the table in 19.04.07.3 as Conditional Uses in the~~ Regional Commercial (RC) ~~Land Use Zone allows, but is not limited~~

~~to, the following Conditional Uses with some uses as identified in the table only permitted outside the Gateway Area:~~

- ~~a. Animal Kennel, Commercial~~
- ~~b. Automobile, Boat, All Terrain Vehicle (ATV), Motorcycle, Recreation Vehicle, Sales & Service~~
- ~~c. Automobile Refueling Station~~
- ~~d. Automobile Rental & Leasing Agency~~
- ~~e. Automobile repair (Minor)*~~
- ~~f. Automobile sales*~~
- ~~g. Building Material Sales (with outdoor storage)*~~
- ~~h. Building Material Sales (without outdoor storage)~~
- ~~i. Car Wash (full service)~~
- ~~j. Car Wash (self-serve)*~~
- ~~k. Child Care Center~~
- ~~l. Commercial Recreation~~
- ~~m. Convenience Store/Fast Food Combination*~~
- ~~n. Educational Center~~
- ~~o. Equipment Sales & Service~~
- ~~p. Fitness Center~~
- ~~q. Funeral Homes~~
- ~~r. Home Occupations~~
- ~~s. Hotels~~
- ~~t. Laundromat~~
- ~~u. Motels~~
- ~~v. Non-Depository Institutions~~
- ~~w. Plant & Tree Nursery~~
- ~~x. Preschool~~
- ~~y. Public and Private Utility Building or Facility~~
- ~~z. Recreation Center~~
- ~~aa. Recreational vehicle sales*~~
- ~~bb. Research and Development~~
- ~~cc. Theater~~

~~*The noted Conditional Uses shall only be allowed in the Regional Commercial (RC) Land Use Zone at locations that are outside the Gateway Area. 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.~~

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

5. **Setbacks and Yard Requirements.**

- ~~a. The yard requirements in this Subsection describe the amount of space required between buildings and property lines.~~
- ~~b.a. All buildings in this zone are required to maintain a minimum distance from property lines 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. The City Council may reduce the side setback to ten feet if in its judgment the reduction provides a more attractive and efficient use of the property. ~~In the event that a property is located adjacent to another property that is currently zoned Agricultural but is designated as Regional Commercial on the Land Use Map of the Land Use Element of the General Plan, the setback shall be ten feet.~~^[4]
- 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. In the event that the rear of a building faces an arterial or collector street, there shall be a setback of forty feet. ~~The City Council may reduce the rear setback to ten feet if in its judgment the reduction provides a more attractive and efficient use of the property.~~
- iii. ~~**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.~~
- iv. **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 ~~Land Use~~ 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 Land-Use** 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 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.

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 following uses are~~ Permitted Uses in the Office Warehouse Zone:

- ~~a. Small Animal Hospital/Small Veterinary Office~~
- ~~b. Commuter/Light Rail Station~~
- ~~c. Fitness Center 5,000 square feet or less~~
- ~~d. Large Animal Hospital/Large Veterinary Office~~
- ~~e. Professional Office~~
- ~~f. Public Building or Facilities (City Owned)~~
- ~~g. Restaurant, Sit Down~~
- ~~h. Retail Sales~~
- ~~i. Specialty Retail~~
- ~~j. Trade or Vocational School~~

3. **Conditional Uses.** The ~~uses identified in 19.04.07.3 as Conditional Uses in the Office Warehouse Land Use Zone allows the following Conditional Uses:~~

- ~~i. Animal Kennel, Commercial~~
- ~~ii. Automobile, Boat, All-Terrain Vehicle (ATV), Motorcycle, Recreation Vehicle, Sales & Service~~
- ~~iii. Automobile Refueling Station~~
- ~~iv. Automobile Rental & Leasing Agency~~
- ~~v. Automobile repair (Major)~~
- ~~vi. Automobile repair (Minor)~~
- ~~vii. Bakery, Commercial~~
- ~~viii. Building Material Sales (with outdoor storage)~~
- ~~ix. Building Material Sales (without outdoor storage)~~
- ~~x. Car Wash (self-serve)~~
- ~~xi. Commercial and industrial laundries~~
- ~~xii. Commercial Recreation~~
- ~~xiii. Contract construction services establishments~~
- ~~xiv. Convenience Store~~
- ~~xv. Copy Center~~
- ~~xvi. Cremator/Embalming Facility~~
- ~~xvii. Educational Center~~
- ~~xviii. Fitness Center~~
- ~~xix. Home Occupations~~
- ~~xx. Hotels~~
- ~~xxi. Laundromat~~

- ~~xxii. Light Manufacturing~~
- ~~xxiii. Motels~~
- ~~xxiv. Pawn Shop~~
- ~~xxv. Personal Service Establishment~~
- ~~xxvi. Plant and Tree Nursery~~
- ~~xxvii. Postal Center~~
- ~~xxviii. Printing, lithography, and publishing establishments~~
- ~~xxix. Public and Private Utility Building or Facility~~
- ~~xxx. Research and Development~~
- ~~xxxi. Restaurant, Casual~~
- ~~xxxii. Retail Tobacco Specialty Store~~
- ~~xxxiii. Self-storage or mini-storage units~~

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. The yard requirements in this Subsection are intended to describe the amount of space required between buildings and property lines.~~
- ~~b.a.~~ All buildings in this zone are required to maintain a minimum ~~distance from property lines~~ 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. ~~The City Council may reduce this 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.~~

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.

iv.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 Urban Design Committee shall review the Site Plan and building elevations. The Urban Design 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.
- c. 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.

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 following uses are Permitted Uses in the Industrial Zone:~~

~~3. Animal Kennel, Commercial~~

~~4. Automobile, Boat, All-Terrain Vehicle (ATV), Motorcycle, Recreation Vehicle, Sales & Service~~

~~5. Automobile Rental & Leasing Agency~~

~~6. Building Material Sales (with outdoor storage)~~

~~7. Commercial and Industrial Laundries~~

~~8. Commuter/Light Rail Station~~

~~9. Contract Construction Service Establishments~~

~~10. Equipment Sales & Services~~

~~11. Plant and Tree Nursery~~

~~12. Public Building or Facilities (City Owned)~~

~~13. Sexually Oriented Businesses~~

~~14.2. Trade or Vocational School.~~

~~15.3. **Conditional Uses.** The Industrial Land Use Zone allows, but is not limited to, the following Conditional Uses: uses identified in 19.04.07.3.~~

~~v. Alcoholic Beverage, Package Agency~~

~~vi. Alcoholic Beverage, State Liquor Store~~

~~vii. Automobile Refueling Station~~

~~viii. Automobile Repair (Major or Minor)~~

~~ix. Automobile Sales~~

~~x. Bakery, Commercial~~

~~xi. Building Material Sales (without outdoor storage)~~

~~xii. Bus Lot~~

~~xiii. Car Wash (self-serve)~~

~~xiv. Commercial Recreation~~

~~xv. Crematory/Embalming Facility~~

~~xvi. Home Occupations~~

~~xvii. Hotels~~

~~xviii. Impound Yard~~

~~xix. Laundromat~~

~~xx. Light Manufacturing~~

~~xxi. Mining~~

~~xxii. Motels~~

~~xxiii. Pawn Shop~~

- ~~xxiv. Printing, lithography, and publishing establishments~~
- ~~xxv. Professional Offices~~
- ~~xxvi. Public & private utility building or facility~~
- ~~xxvii. Recreation Center~~
- ~~xxviii. Recycling Facilities~~
- ~~xxix. Research and development uses, including medical or electronic assembly and manufacturing~~
- ~~xxx. Retail Tobacco Specialty Store~~
- ~~xxx. Self-storage or mini-storage units~~
- ~~xxxii. Tattoo Parlor~~

~~16.4.~~ **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.

~~17.5.~~ **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.

~~18.6.~~ **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 ~~a minimum distance from property lines~~ 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. ~~The City Council may reduce this 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.~~

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.

~~iv.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 Urban Design Committee shall review the Site Plan and building elevations. The Urban Design 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.

19.04.25. Mixed Lakeshore (ML).

1. Purpose and Intent.

- a. The purpose of the Mixed Lakeshore (ML) 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 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 ~~defined-listed in the General Plan~~ 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 and 20% commercial uses 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 ~~, in conjunction with the City's General Plan,~~ 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 Zone.

- ~~a. Arts and Crafts Sales~~
- ~~b. Bakery~~
- ~~c. Bookstore~~
- ~~d. Commercial Recreation~~
- ~~e. Deli~~
- ~~f. Fitness Center 5,000 square feet or less~~
- ~~g. Floral Sales~~
- ~~h. Grocery Store~~
- ~~i. Hair Salon~~
- ~~j. Ice Cream Parlor~~
- ~~k. Marina~~
- ~~l. Mixed Use, Commercial, Office & Residential Use~~
- ~~m. Multi-family Structures~~
- ~~n. Professional Office~~
- ~~o. Public Building or Facilities (City Owned)~~
- ~~p. Reception Centers~~

- ~~q. Recreation Rentals~~
- ~~r. Residential above Commercial~~
- ~~s. Restaurant, Sit Down~~
- ~~t. Retail Sales~~
- ~~u. Single Family Dwellings~~
- ~~v. Specialty Retail~~
- ~~w. Three Family Structures~~
- ~~x. Transit Oriented Development (TOD)~~
- ~~y. Two Family Structures~~

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

- ~~a. Bed and Breakfast~~
- ~~b. Child Care Center ancillary use only~~
- ~~e. Churches~~
- ~~d. Home Occupations~~
- ~~e. Hotels~~
- ~~f. Motels~~
- ~~g. Personal Service Establishment~~
- ~~h. Preschool ancillary use only~~
- ~~i. Public and Private Utility Building or Facility~~
- ~~j. Recreation Center~~
- ~~k. Residential facilities for elderly persons~~
- ~~t.3. Restaurant, Casual edge use only~~
- ~~z. Theater~~

4. Minimum Development Size and Lot Sizes.

- a. The minimum size requirement for development 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 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. 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.

- 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:
 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. 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 buildings in this zone, including accessory buildings, are required to maintain a minimum ~~distance from property lines~~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 maintain at least five feet of distance from all sides of the accessory- structure to ~~property lines~~ **and** any other structure.
 - e. There shall be a five foot minimum separation between accessory buildings and dwelling units 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 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 project area to be installed as open space for either public or common space not reserved in individual lots. 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 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.

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.

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 land uses 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.

- ~~a. Automobile Rental & Leasing Agency~~
- ~~b. Automobile Repair, Minor~~
- ~~c. Fitness Center~~
- ~~d. Hardware & Home Improvement Retail~~
- ~~e. Medical and Health Care Offices~~
- ~~f. Printing, lithography & publishing establishments~~
- ~~g. Professional Office~~
- ~~h. Public Building or Facilities (City Owned)~~
- ~~i. Research and Development~~
- ~~j. Restaurant, Sit Down~~
- ~~k. Trade or Vocational School~~

- ~~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. **Automobile Repair, Major**~~
- ~~a. **Automobile Sales**~~
 - ~~b. **Bakery**~~
 - ~~c. **Building Material Sales (with outdoor storage)**~~
 - ~~d. **Building Material Sales (without outdoor storage)**~~
 - ~~e. **Car Wash (full service)**~~
 - ~~f. **Car Wash (self service)**~~
 - ~~g. **Child Care Center**~~
 - ~~h. **Commuter/Light Rail Station**~~
 - ~~i. **Convenience Store edge use only**~~
 - ~~j. **Convenience Store/Fast Food Combination edge use only**~~
 - ~~k. **Copy Center ancillary use only**~~
 - ~~l. **Deli**~~
 - ~~m. **Equipment Sales and Service ancillary use only**~~
 - ~~n. **Fitness Center (5,000 sq. ft. or less) ancillary use only**~~
 - ~~o. **Funeral Home**~~
 - ~~p. **Home Occupations**~~
 - ~~q. **Hospital**~~
 - ~~r. **Hotels**~~
 - ~~s. **Ice Cream Parlor ancillary use only**~~
 - ~~t. **Light Manufacturing**~~
 - ~~u. **Motels**~~
 - ~~v. **Personal Service Establishment ancillary use only**~~
 - ~~w. **Preschool ancillary use or edge use only**~~
 - ~~x. **Reception Centers**~~
 - ~~y. **Restaurant, Casual edge use only**~~
 - ~~z. **Retail Sales**~~
 - ~~aa. 3. **Transit-Oriented Development (TOD)**~~

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. The requirements in this Subsection describe the amount of space required between buildings and property lines.~~

~~b.a.~~ All buildings in this zone, including accessory buildings, are required to maintain a minimum distance from property lines setbacks as follows:

- i. **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 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.~~
- 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. ~~The City Council may reduce this 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.~~
- 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.

~~iv.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 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 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.

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.

- ~~1. Education Center~~
- ~~2. Hospital~~
- ~~3. Library~~
- ~~4. Medical and Health Care Offices~~
- ~~5. Postal Center~~
- ~~6. Public Building or Facilities (City Owned)~~
- ~~7. Research and Development~~
- ~~8. Trade or Vocational School~~

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

- ~~1. Churches~~
- ~~2. Commuter/Light Rail Station~~
- ~~3. Public & Private Utility Building or Facility~~

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

5. Setbacks and Yard Requirements.

~~a. The requirements in this Subsection describe the amount of space required between buildings and property lines.~~

~~b.a.~~ All buildings in this zone, including accessory buildings, are required to maintain a minimum ~~distance from property lines~~ setbacks as follows:

- i. **Front:** 30 feet. ~~The City Council may reduce the front setback to 20 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.~~
- ii. **Sides:** 30 feet when adjacent to a residential zone; 20 feet when adjacent to all other zones. ~~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 side setback of 30 feet.

- iii. **Rear:** 30 feet when adjacent to a residential zone; 20 feet when adjacent to all other zones. ~~The City Council may reduce the rear yard 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 rear setback of 30 feet. ~~The City Council may reduce this 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.~~

- 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.

- ~~iv.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 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.** 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.

19.04.28. Public School Bus Lot (PSBL^[5]).

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.

- ~~a. Bus Lot~~
- ~~b. Fueling Station~~
- ~~c. Fueling Station, Cardlock Facility~~

3. Conditional Uses. The uses identified in 19.04.07.3 as Conditional Uses in the Public School Bus Lot Zone.

- ~~d. Public and Private Utility Building or Facility~~

4. Minimum Lot Sizes. The minimum lot size requirement for development in this zone is 10 acres.

5. Setbacks/Yard Requirements. ~~Setbacks and yard requirements describe the amount of space required between buildings and property lines.~~ All buildings in this zone, including accessory buildings, are required to maintain ~~a~~ minimum ~~distance from property lines 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 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.** 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.
- c. 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.

19.05.10. Temporary Uses.

1. **Purpose and Intent.** The purpose and intent of the Temporary Use section is to allow certain uses within the City of Saratoga Springs which are temporary, or seasonal in nature, in a manner that such uses will be compatible with the land use zone and adjacent properties. A Temporary Use, which is subject to the provisions in this Section, is a commercial business venture for which a business license is required.
2. **Uses:** the following are acceptable Temporary Uses, as defined in Section 19.02.02:
 - a. Produce Stand or Farmers Market
 - b. Fireworks Stand*
 - c. Christmas Tree Lot
 - d. Snow Shack or Ice Cream Vendor*
 - e. Pumpkin Patch
 - f. Festivals including Bazaars or Fairs
 - g. Temporary Retail (tent or sidewalk sale)*
 - h. Mobile Food Vendors*

* These uses are limited to non-residential and agricultural zones, unless occurring as part of a City approved special event, or wholly within the property boundaries of an institutional use.

3. **Standards for Temporary Uses.** A Temporary Use shall comply with the general standards as provided within this section:
 - a. A minimum of two parking spaces shall be available, ~~in addition to other necessary space~~ for any off-street parking and traffic circulation generated by the Temporary Use, ~~without obstructing required parking for any host business~~. All Temporary uses except for roadside stands require curb, gutter, and a paved surface on site.
 - b. All uses except roadside stands are required to provide sanitary facilities for waste disposal for protection of community health and safety. This may be met through agreement with a host business or through temporary restroom facilities.
 - c. Night lighting shall be compatible with adjacent uses. This requires all lighting to be shielded and directed downward to avoid light spill onto adjacent properties.
 - d. All signs must comply with City adopted sign regulations.
 - e. A use and/or display may not be placed within the right-of-way or on any landscaped area.
 - f. No temporary use may occur within the clear view triangle of any intersection.
 - g. No more than one temporary use is allowed per lot or parcel at any one time, including those approved by the Planning Commission.
 - h. When electricity will be utilized, an electrical permit must be obtained

from the Building Department prior to any sales occurring or prior to persons occupying the structure, whichever occurs earliest.

- i. Accessibility requirements must be addressed with the Building Department prior to any sales occurring.
 - j. Where temporary structures are proposed, an inspection with the Fire Department is required prior to any sales occurring or prior to persons occupying the structure, whichever occurs earliest.
 - k. Hours of operation shall be restricted to the hours of 7:00 a.m. to 10:00 p.m.
 - l. Mobile Food Vendors shall be permitted only when hosted by an existing brick-and-mortar business, meaning a permitted business in a permanent structure, and when a written approval is granted by all other brick-and-mortar businesses within 300’.
3. **Planning Commission Review.** When considered appropriate by the Planning Director, a Temporary Use may be referred to the Planning Commission for review.
 4. **Permit Required.** A Temporary Use Permit and Business License shall be required for all Temporary Uses.
 5. **Application for a Temporary Use Permit.** An application for a Temporary Use Permit shall be made to the Planning Department, in conjunction with a business license, at least 14 days prior to the date of requested use. No Temporary Use Permit shall be issued more than 90 days prior to the start of the Temporary Use period. The Planning Department may issue or deny the application for a Temporary Use Permit based on the criteria herein.
 6. **Information Required for Application.** An application for a Temporary Use Permit shall be accompanied by the following:
 - a. Description. A written description of the proposed use including requested length of permit, location(s), structure or vehicle type, date(s) and hour(s) of operation, and any other information verifying compliance with the standards of this Code.
 - b. Authorization for Use. If the applicant is not the owner of the property, the ownership shall be identified along with written evidence of permission of the owner for such use to take place, dated no more than three months prior to the application.
 - c. If applicable, written approval from adjacent brick-and-mortar businesses.
 - d. Site Review. A vicinity map and site plan with sufficient information to determine the primary use of the property and the required site requirements, sanitary facilities, and availability of parking to serve the uses.
 - e. Applicable fees.
 7. **Duration of Temporary Use Permit.**

- a. Produce stand, farmers market, snow shack, or ice cream vendor is allowed for a period not to exceed five months in a calendar year.
 - b. A Christmas tree lot is allowed for a period not to exceed forty-five days each calendar year.
 - c. A fireworks stand, pumpkin patch, festivals including bazaars or fairs, and temporary retail are allowed for forty-five days.
 - d. A Mobile Food Vendor is allowed for a maximum of four days per month over a period of time not exceeding twelve months in a single permit. Locations and dates for the duration of the permit shall be provided at time of permit application.
8. **Renewal of Temporary Use Permit.** The application fee shall be reduced by 50% for all previously approved Temporary Use Permits requesting renewal that have not altered their proposal in terms of scope, layout, intensity, duration, or location(s) from the previously approved permit.
9. **Bond Required.** All temporary uses on private property shall post a \$500 cash bond to ensure the clean-up of the property after the use is removed; all temporary uses on public property shall post a \$1000 cash bond for this purpose.
10. **Revocation of Temporary Use Permit.** A Temporary Use Permit may be revoked by the Planning Director in accordance with the provisions of this section if the recipient of the permit fails to develop or maintain the property in accordance with the plans submitted, the requirements of this section, or any additional requirements lawfully imposed in connection with the issuance of the Temporary Use permit.

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 by Zone.**

19.09.01. Purpose.

The purpose of this Chapter is to reduce congestion and traffic hazards on public rights-of-way by requiring adequate, functional, and effective use of off-street parking areas. This chapter also establishes minimum landscaping requirements in order to: reduce adverse impacts of headlight glare and lighting within the parking area; improve circulation within parking areas by channeling vehicles and pedestrians; provide climatic relief from broad expanses of pavement; and improve the appearance of the site and surrounding neighborhood.

19.09.02. Required Parking.

Off-street parking shall be provided according to standards noted in this Chapter for all newly constructed buildings, and additional parking shall be provided for any structure or use that is legally expanded.

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.** 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. All structures other than residential are required to provide parking

areas where automobiles will not back across a sidewalk to gain access onto a public street.

4. Lighting in Parking Areas. Parking areas shall have adequate lighting to ensure the safe circulation of automobiles and pedestrians. Lighting shall be shielded and directed downward to prevent nuisances to adjacent properties or uses.
5. Location of Parking Areas. Required off-street parking areas for non-residential uses shall be placed within 600 feet of the main entrance to the building.
Unenclosed parking for residential areas shall not be provided in rear yards, unless said yard abuts an alley-type access or is fenced with privacy fencing.
6. Storm Water Runoff. All parking areas other than ~~single-single~~-family dwellings shall be reviewed and approved by the City Engineer for adequate drainage of storm water runoff.

19.09.04. Submittal and Approval of Parking Areas.

1. Plans depicting the parking areas for newly constructed buildings and expanded structures or uses shall be submitted:
 - a. in conjunction with a Site Plan for all non-residential and multi-family residential developments; or
 - b. in conjunction with a preliminary plat application for residential and multi-family residential developments, or
 - b.c. in conjunction with a building permit application for all single-family homes.
2. Parking plans shall show the following: the required number of stalls and aisles scaled to the correct dimensions; the correct number of handicapped accessible parking spaces; storm water drainage capabilities; lighting; landscaping and irrigation; and pedestrian walkways.

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:

1. Available on-street parking shall not be counted towards meeting the required parking stalls.
2. When a parking requirement is based upon square footage, the assessed parking shall be based upon gross square footage of the building or use unless otherwise specified in the requirement.

3. When parking requirements are based upon the number of employees, parking calculations shall use the largest number of employees who work at any one shift. Where shift changes may cause substantial overcrowding of parking facilities, additional stalls may be required.

4. When a development contains multiple uses, more than one parking requirement may be applied.

~~4.5.~~ Tandem parking spaces will not be counted as parking spaces for non-residential uses except for stacking spaces where identified.

~~5.6.~~ Any fraction obtained when calculating the parking requirement shall be rounded up to the next whole number to determine the required number of parking stalls.

~~6.7.~~ 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 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.

~~7.8.~~ Any information provided by the developer relative to trip generation, hours of operation, shared parking, peak demands, or other information relative to parking shall be considered when evaluating parking needs.

~~8.9.~~ Parking requirements may deviate from the standards contained in Section 19.09.11, Required Parking by Zone, when the City Council determines that the deviation meets the intent of this Chapter. Reductions may not exceed ~~10~~25% of the parking requirements and shall be based on 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;
- e. trip generation; and
- f. peak demands.

19.09.06. Dimensions for Parking Stalls.

The standards in this Section shall apply to all parking areas unless otherwise noted. The dimensions of parking stalls and aisles contained within the parking areas shall be dependent upon the orientation of stalls.

Dimensions for Parking Stalls and Aisle

Parking Angle	Stall Width	Stall Length	Aisle Width (two-way traffic)	Aisle Width (one-way traffic)
Parallel	9'	20'	N/A	12'
45	9'	18'	25'	14'
60	9'	18'	25'	18'
90	9'	18'	24'	24'

19.09.07. Accessible Parking.

Accessible parking spaces shall be provided in off-street parking areas and shall count towards fulfilling the minimum requirements for automobile parking. The City of Saratoga Springs hereby adopts by this reference the American National Standards Institute (“ANSI”) A117.1, as currently amended, and the International Building Code (“IBC”), as currently amended, as the City’s regulations pertaining to accessible parking. Every development, use, permit, application, plan, and drawing shall comply with the ANSI A117.1 and IBC regulations with regard to location, number, size, dimension, type, marking, surface, clearance, identification, and all other particulars whatsoever. In the event of a conflict, the more restrictive provision shall apply and take precedence.

19.09.08. Landscaping in Parking Areas.

The following requirements shall apply to all landscaping of off-street parking areas:

- 1. Parking Areas Adjacent to Public Streets.** All parking areas (not including a driveway for an individual dwelling) for non-residential or multi-family residential uses that are adjacent to public streets shall have landscaped bermed strips of not less than ten feet placed between the sidewalk and the parking areas. Trees, both deciduous and evergreen, shall be placed in the strip with spacing of no less than thirty-foot intervals. The standards of section 19.06.06, Planting Standards and Design Requirements, shall apply for the minimum size of vegetation.
- 2. Curbs.** All landscaped areas abutting any paved surface shall be curbed (not including a driveway for an individual dwelling). Boundary landscaping around the perimeter of the parking areas shall be separated by a concrete curb six inches higher than the parking surface.

3. **Clear Sight.** At intersections of streets, driveways, and sidewalks all landscaping shall be limited to a height of not more than three feet. The grade at such intersections shall not be bermed or raised for a distance of thirty feet at intersections and fifteen feet back from driveways to allow for sight distance as detailed in Chapter 19.06.11, Clear Sight Triangles.
4. **Components of Landscaped Areas.** All landscaped parking areas shall consist of trees, shrubs, and groundcover. Areas not occupied by structures, hard surfaces, vehicular driveways, or pedestrian walkways shall be landscaped and maintained. All landscaped areas shall have an irrigation system.
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.
 - 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.
6. **Landscaped Boundary Strips.** All landscaped boundary strips shall be a minimum of eight feet in width. A landscaped screen, berm, or fence may be required by the City Council around the perimeter of the parking area to mitigate intrusion of lighting from headlights and other lighting on surrounding property.
7. **Completion of Landscaping.** All landscaping improvements shall be completed in accordance with the approved Site Plan, landscape-planting plan, and irrigation plan and occur prior to the issuance of a Certificate of Occupancy for the building. Exceptions may be permitted and Certificates of Occupancy issued where weather conditions prohibit the completion of required landscaping improvements. In such cases an extension period of six months is permitted but a bond shall be posted for not less than 115% of the value of the landscaping and shall be held until the requirements of this Chapter are met.

19.09.09. Pedestrian Walkways and Accesses.

Parking lots larger than 75,000 square feet shall provide raised or delineated pedestrian walkways. Walkways shall be a minimum of ten feet wide and shall be placed through the center of the parking area and extend to the entrance of the building. Landscaped islands along the center walkway shall be placed at a minimum interval of every thirty feet. Landscaped islands are encouraged to be offset from one another to create a feeling of greater coverage. Pedestrian covered walkways may be substituted for tree-lined walkways. Where the developer desires to have a driveway access at the center of the parking area, a pedestrian access shall be placed on either side of the driveway.

19.09.10. Shared Parking and Curb Cuts.

1. Up to ~~ten~~ **twenty-five** percent of the required parking may be shared with an adjacent use upon approval by the City Council. The developer must provide:
 - a. an agreement granting shared parking or mutual access to the entire parking lot; and
 - b. peak demand data by a professional traffic engineer showing that shared parking will accommodate the uses.

2. In most cases, shared parking areas shall share ingress and egress. This requirement may be waived when the City Engineer believes that shared accesses are not feasible. In reviewing the site plans for the shared parking areas, the City Engineer shall evaluate the need for limited access, appropriate number of curb cuts, shared driveways, or other facilities that will result in a safer, more efficient parking and circulation pattern.

19.09.11. Required Minimum Parking by Zone.

The table below indicates the minimum requirement for each use; unless otherwise identified, in no case may the minimums be exceeded by more than 25%.

Agricultural (A), Rural Residential (RR), Low Density Residential (R-2), Low Density Residential (R-3), Medium Density Residential (R-6), Medium Density Residential (R-10), High Density Residential (R-14), and High Density Residential (R-18)				
	2 stalls per dwelling enclosed in garages. Driveways are to be 20' in length	2.25 stalls per dwelling including 1 enclosed garage	1 stall per staff member plus 1 stall per 5 students	To be determined by the Planning Commission (See 19.09.05(6))
Agriculture				X
Bed and Breakfast				X
Churches				X
Day care centers associated with PUD's			X	
Equestrian Centers				X
Farm Animals				X
Home Occupations				X
Multi family structures*		X		
Parks, playgrounds, or				X

community recreation				
Private Kennels				X
Private and Quasi-Public Schools				X
Residential facilities for elderly persons				X
Single family dwellings	X			
Stables				X

~~*Exception— All dwellings must have one covered parking space. A 35% reduction to the enclosed parking requirement may be allowed for a PUD multi-family rental project within the R-18 zone; however, the remaining 35% shall be replaced with carports that incorporate a residential appearance. This will require a positive recommendation from the Planning Commission and approval from the City Council.~~

~~*Tandem parking spaces within a garage will only be counted as one parking space for residential uses.~~

Neighborhood Commercial (NC), Mixed Use (MU), Regional Commercial (RC), and Office Warehouse (OW), and Industrial (I)						
	5 stalls per 1000 sq. ft.	2 stalls per 200 sq. ft.	1.5 stalls per person employed on highest employee shift	2 stalls per bed	1.5 stall per staff member plus 1 stall per 5 students	To be determined by the Planning Commission (See 19.09.05(6))
Alcoholic Beverage, Package Agency	X					
Alcoholic Beverage, State Liquor Store	X					
Small Animal Hospital, Small Veterinary Office	X					
Animal Kennel, Commercial	X					
Arts and Crafts Sales	X					
Automobile, Boat, All-Terrain Vehicle (ATV), Motoreycle, Recreation Vehicle, Sales & Service	X					
Automobile Refueling Station		X				
Automobile Rental & Leasing Agency						X
Automobile Repair, Major		X				
Automobile Repair,		X				

Minor						
Automobile Sales						X
Bakery	X					
Bakery, Commercial	X					
Bed and Breakfast				X		
Big Box Retail	X					
Bookstore	X					
Building Material Sales (with outdoor storage)	X					
Building Material Sales (without outdoor storage)	X					
Bus Lot						X
Car Wash (full service)	X					
Car Wash (self service)		X				
Child Day- Care/Preschool					X	
	5 stalls per 1000 sq. ft.	2 stalls per 200 sq. ft.	1.5 stalls per person employed on highest employee shift	2 stalls per bed	1.5 stalls per staff member plus 1 stall per 5 students	To be determined by the Planning Commission (See 19.09.05(6))
Churches		X				
Commercial and industrial laundries	X					
Commercial Recreation		X				
Commuter/Light Rail Station						X
Convenience Store		X				
Convenience Store/Fast Food Combination		X				
Copy Center	X					
Crematory/Embalming Facility			X			
Deli	X					
Dry Cleaners	X					
Educational Center	X					
Electronic Media Rental	X					

and Sales						
Electronic Sales and Repair	X					
Equipment Sales & Service	X					
Financial Institution	X					
Fitness Center	X					
Fitness Center (5,000 sq-ft. or less)	X					
Floral Sales	X					
Grocery Store	X					
Hair Salon	X					
Hardware and Home Improvement Retail	X					
Home Occupations						X
Hospitals						X
Hotels				X		
Ice Cream Parlor	X					
Impound Yard						X
	5 stalls per 1000 sq. ft.	2 stalls per 200 sq. ft.	1.5 stalls per person employed on highest employee shift	2 stalls per bed	1.5 stall per staff member plus 1 stall per 5 students	To be determined by the Planning Commission (See 19.09.05(6))
Large Animal Hospital, Large Veterinary Office	X					
Library						X
Light Manufacturing			X			
Marina						X
Medical and Health Care Offices	X					
Mining	X					
Mixed Use, Commercial, Office & Residential Use						X
Motels				X		
Non-Depository Institutions	X					
Personal Service Establishment	X					
Plant & Tree Nursery						X

Postal Center	X					
Preschool					X	
Printing, lithography, and publishing establishments	X					
Professional Office	X					
Public and private utility buildings and facilities						X
Public Building or Facilities (City Owned)						X
Reception Centers		X				
Recreation Center	X					
Recreation Rentals	X					
Recycling Facilities			X			
Research and Development			X			
Residential above commercial						X
Residential facilities for Elderly Persons						X
Residential Facility for Persons with a Disability						X
	5 stalls per 1000 sq. ft.	2 stalls per 200 sq. ft.	1.5 stalls per person employed on highest employee shift	2 stalls per bed	1.5 stall per staff member plus 1 stall per 5 students	To be determined by the Planning Commission (See 19.09.05(6))
Restaurant, Casual		X				
Restaurant, Sit Down		X				
Retail Sales	X					
Retail Tobacco Specialty Store	X					
Self storage or mini storage units						X
Sexually Oriented Businesses						X
Specialty Retail	X					
Tattoo Parlor						X
Theater						X
Trade or Vocational School						X

Transit-Oriented Development (TOD)						X
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	<u>Use</u>	<u>Parking Requirement</u>	<u>Original Requirement (to be deleted in approved version)</u>
	<u>Agriculture</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
	<u>Alcoholic Beverage, Package Agency</u>	<u>1.5 stalls per person employed on highest employee shift</u>	<u>5 stalls per 1000 sq. ft.</u>
	<u>Alcoholic Beverage, State Liquor Store</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
	<u>Animal Hospital, Large/Large Veterinary Office</u>	<u>4 stalls per 1000 sq.ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
	<u>Animal Hospital, small / Small Veterinary Office</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
	<u>Apiary</u>	<u>-</u>	<u>-</u>
	<u>Arts and Crafts Sales</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
	<u>Automobile Refueling Station</u>	<u>1 stall per 100 sq. ft.</u>	<u>2 stalls per 200 sq. ft.</u>
	<u>Automobile Rental & Leasing Agency</u>	<u>4 stalls per 1000 sq. ft. of office space</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
	<u>Automobile Repair, Major</u>	<u>3 stalls for every bay plus 1 stall per person employed on highest employee shift</u>	<u>2 stalls per 200 sq. ft.</u>
	<u>Automobile Repair, Minor</u>	<u>2 stalls for every bay plus 1 stall per person employed on highest employee shift</u>	<u>2 stalls per 200 sq. ft.</u>
	<u>Automobile Sales</u>	<u>1 stall per person employed on highest employee shift plus 1 stall for every 15 items on display</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
	<u>Automobile, Boat, All-Terrain Vehicle (ATV), Motorcycle, Recreation Vehicle, Sales & Service</u>	<u>1 stall per person employed on highest employee shift, plus 1 stall per bay, plus 1 stall for every 15 items on display</u>	<u>5 stalls per 1000 sq. ft.</u>
	<u>Bakery, Commercial</u>	<u>1.5 stalls per person employed on highest employee shift</u>	<u>5 stalls per 1000 sq. ft.</u>
	<u>Bakery, Retail</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
	<u>Bed and Breakfast</u>	<u>2 stalls per bedroom</u>	<u>2 stalls per bed</u>
	<u>Bookstore</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
	<u>Building Material Sales (with outdoor storage)</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
	<u>Building Material Sales (without outdoor storage)</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
	<u>Bus Lot</u>	<u>2 stalls per 1000 sq.ft. of any office, plus 1 stall per employee originating from that location.</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>

<u>Car Wash (full service)</u>	<u>3 stacking stalls per bay including stall inside bay, plus 1 parking stall per bay, plus 1 stall per person employed on highest employee shift</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Car Wash (self service)</u>	<u>2 parking stalls, plus 2 stacking stalls per bay including stall inside bay, plus 1 post-stacking space per bay</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Cemetery</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>n/a</u>
<u>Child care center</u>	<u>1 stall per staff member / volunteer present on highest shift, plus 1 stall per 5 students present at one time</u>	<u>1-1.5 stall per staff member plus 1 stall per 5 students</u>
<u>Church</u>	<u>1 stall per 3 seats**</u>	<u>2 per 200 sq.ft. in commercial areas, TBD by PC in residential area</u>
<u>Commercial and industrial laundries</u>	<u>1.5 stalls per person employed on highest employee shift</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Commercial Recreation</u>	<u>1 stall per 100 sq. ft.</u>	<u>2 stalls per 200 sq. ft.</u>
<u>Commuter/Light Rail Station</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Contract Construction Services Establishments</u>	<u>4 stalls per 1000 sq.ft.</u>	<u>n/a</u>
<u>Convenience Store</u>	<u>5 stalls per 1000 sq. ft.</u>	<u>2 stalls per 200 sq. ft.</u>
<u>Convenience Store/Fast Food Combination</u>	<u>Based on sq.ft. of each separate use.</u>	<u>2 stalls per 200 sq. ft.</u>
<u>Copy Center</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Crematory/Embalming Facility</u>	<u>1.5 stalls per person employed on highest employee shift**</u>	<u>1.5 stalls per person employed on highest employee shift</u>
<u>Dairy Farm</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>n/a</u>
<u>Dry Cleaners</u>	<u>2 stalls per 1000 sq.ft., plus 1 stall per employee on highest employee shift</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Dwelling, above commercial</u>	<u>1 stall per bedroom or 2 stalls per unit, whichever is lower, plus 0.25 guest stalls per unit.</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Dwelling, Multi-Family*</u>	<u>1 stall per bedroom or 2 stalls per unit, whichever is lower, one of which must be covered, plus 0.25 guest stalls per unit. **</u>	<u>2.25 stalls per dwelling including 1 enclosed garage</u>
<u>Dwelling, Single Family</u>	<u>2 stalls per dwelling enclosed in garages. Driveways are to be 20' in length**</u>	<u>2 stalls per dwelling enclosed in garages. Driveways are to be 20' in length</u>

<u>Dwelling, Three-Family</u>	<u>1 stall per bedroom or 2 stalls per unit, whichever is lower, one of which must be covered, plus 0.25 guest stalls per unit. **</u>	<u>2.25 stalls per dwelling including 1 enclosed garage</u>
<u>Dwelling, Two-Family</u>	<u>1 stall per bedroom or 2 stalls per unit, whichever is lower, one of which must be covered, plus 0.25 guest stalls per unit. **</u>	<u>2.25 stalls per dwelling including 1 enclosed garage</u>
<u>Educational Center</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Electronic Media Rental and Sales</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Electronic Sales and Repair</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Equestrian Center</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Equipment Sales & Services</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Farm Animals</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Financial Institution</u>	<u>2 stalls per 1000 sq. ft. **</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Fitness Center (5,000 sq. ft. or less)</u>	<u>6 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Fitness Center (5001 sq.ft. or larger)</u>	<u>6 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Floral Sales</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Fueling Station</u>	<u>Stalls at the pump will meet the requirement.</u>	<u>n/a</u>
<u>Fueling Station, Cardlock Facility</u>	<u>Stalls at the pump will meet the requirement.</u>	<u>n/a</u>
<u>Funeral Home</u>	<u>1 stall per 3 seats</u>	<u>n/a</u>
<u>Golf Course</u>	<u>3 stalls per hole, plus 1 stall per driving range station, plus 1 stall per employee employed on highest shift. Parking for any reception center, restaurant, or other ancillary use to be calculated separately based on the requirement for that use</u>	<u>n/a</u>
<u>Grocery Store</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Hair Salon</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Hardware and Home Improvement Retail</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Home Occupations</u>	<u>Same as for the dwelling, plus 1 stall per each employee that lives outside the home.</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Hospitals</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>

<u>Hotels</u>	<u>2 stalls per bedroom, plus 1 stall per 3 seats in meeting space. If hotel contains a restaurant, restaurant parking shall be calculated separately based on the restaurant sq. ft.</u>	<u>2 stalls per bed</u>
<u>Ice Cream Parlor</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Impound Yard</u>	<u>1.5 stalls per person employed on highest employee shift**</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Kennel, Commercial</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Kennels, Private</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Laundromat</u>	<u>5 stalls per 1000 sq.ft.</u>	<u>n/a</u>
<u>Library</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Light Manufacturing</u>	<u>1.5 stalls per person employed on highest employee shift</u>	<u>1.5 stalls per person employed on highest employee shift</u>
<u>Livestock Auction Yard</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>n/a</u>
<u>Marina</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Mining</u>	<u>1.5 stalls per person employed on highest employee shift</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Mixed Use, Commercial, Office & Residential Use</u>	<u>Based on the sq.ft. of each individual use</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Motels</u>	<u>2 stalls per motel room, plus 1 space per 3 seats of meeting space</u>	<u>2 stalls per bed</u>
<u>Non-Depository Institutions</u>	<u>5 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Office, High-Intensity</u>	<u>6 stalls per 1000 sq.ft.**</u>	<u>n/a</u>
<u>Office, Medical and Health Care</u>	<u>5 stalls per 1000 sq. ft.**</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Office, Professional</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Parks, playgrounds, or community recreation - Private</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Parks, playgrounds, Recreation areas, or Other Park Improvements - Public</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Pawn Shop</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>n/a</u>
<u>Personal Service Establishment</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Plant & Tree Nursery</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Postal Center</u>	<u>5 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Preschool</u>	<u>1 stall per staff member / volunteer present on highest shift, plus 1 stall per 5 students present at one time**</u>	<u>1.5 stall per staff member plus 1 stall per 5 students</u>

<u>Printing, lithography, and publishing establishments</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Public and private utility buildings and facilities</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Public Building or Facilities (City Owned)</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Reception Centers</u>	<u>1 stall per 100 sq. ft.</u>	<u>2 stalls per 200 sq. ft.</u>
<u>Recreation Center</u>	<u>1 stall per 100 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Recreation Rentals</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Recreational Vehicle Sales</u>	<u>See Automobile, Boat, All-Terrain Vehicle (ATV), Motorcycle, Recreation Vehicle, Sales & Service</u>	<u>n/a</u>
<u>Recycling Facilities</u>	<u>1.5 stalls per person employed on highest employee shift, plus 3 stacking stalls at drop-off</u>	<u>1.5 stalls per person employed on highest employee shift</u>
<u>Research and Development</u>	<u>1.5 stalls per person employed on highest employee shift</u>	<u>1.5 stalls per person employed on highest employee shift</u>
<u>Residential Facilities for Elderly Persons</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Residential Facility for Persons with a Disability</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Restaurant, Casual</u>	<u>1 stall per 100 sq. ft.</u>	<u>2 stalls per 200 sq. ft.</u>
<u>Restaurant, Deli</u>	<u>5 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Restaurant, Sit Down</u>	<u>1 stall per 100 sq. ft.</u>	<u>2 stalls per 200 sq. ft.</u>
<u>Retail Sales</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Retail, Big Box</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Retail, Specialty</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Retail, Tobacco Specialty Store</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>5 stalls per 1000 sq. ft.</u>
<u>Riding Arena (Commercial)</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>n/a</u>
<u>Riding Arena (Private)</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>n/a</u>
<u>School, Private and Quasi-Public</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>School, Trade or Vocational</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Self-storage or mini storage units</u>	<u>1 per bedroom in any caretaker unit, plus 1 stall for every 50 storage units.</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Sexually Oriented Businesses</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Shooting Range, Indoor or Outdoor</u>	<u>1 stall per shooting lane, plus 4 stalls per 1000 sq.ft. of office/retail space.</u>	<u>n/a</u>

<u>Stables</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Tattoo Parlor</u>	<u>4 stalls per 1000 sq. ft.</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Theater</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>
<u>Transit-Oriented Development (TOD)</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>	<u>To be determined by the Planning Commission (See 19.09.05(6))</u>

* Exception – All dwellings must have one covered parking space. A 35% reduction to the enclosed parking requirement may be allowed for a PUD multi-family rental project within the R-18 zone; however, the remaining 35% shall be replaced with carports that incorporate a residential appearance. This will require a positive recommendation from the Planning Commission and approval from the City Council.
*Tandem parking spaces within a garage will only be counted as one parking space for residential uses.

** Exception – the minimum for these uses may be exceeded by more than 25%.
NOTE: Tandem parking spaces will not be counted as parking spaces for non-residential uses.



CITY OF SARATOGA SPRINGS

Planning Commission Meeting **Thursday, February 27, 2014** **Meeting held at the Saratoga Springs City Offices** **1307 North Commerce Drive, Suite 200, Saratoga Springs**

MINUTES

Work Session 6:32 P.M.

Present:

Commission Members: Jeff Cochran, Sandra Steele, Jarred Henline, Kara North, Hayden Williamson and Kirk Wilkins

Absent Members: Eric Reese

Staff: Lori Yates, Kimber Gabryszak, Sarah Carroll, Kevin Thurman, Chantelle Rosson

Others: Aimee Walker, Brett Lowell, Greg Larsen, Henry Barlow, Reed Barlow, Sterling and Sandy Parker, Ben Washer, Josh Tippetts, Stephen Sowby, Steve Larson, Colbey Hawks, Mark Nelson, Emily Shoell, Jen Southwick, Karalyn Becraft, Janette Crump, Keveny Daley, Abby Nielson, Dan McGarry, Brylee Sage, Maddy Butler, Kelsie Lish, Tina LeBaron, Mary Ann Krull, Amy Loveless, Kelsey Dean, Devar KlingonSmith, Ross Welch, Danielle Cahoon, Ashley Buhman, Mark Buhman, Ben Dean, Sara Merrell, Maurie Pyle, Brooke Snowball, Ryan Poduska, Kathy Hansen, Chad Hansen, Nina Broadbent, Bret Walker, Anna Henry, Steve Maddox, Heather Cole, Paula Heaton, Carl Whiting

No discussion for Work Session

Pledge of Allegiance led by Hunter

Jeff Cochran opened the public input.

Tina LaBaron asked that the Planning Commission follow the agenda. The previous meeting was too long.

Jeff Cochran closed the public input.

4. Public Hearing: Rezone and Concept Plan for Heron Hills located at approximately 3250 South Redwood Road, Steve Larson, applicant.

Sarah Carroll presented the Rezone and Concept Plan for Heron Hills.

Steve Larson, applicant is open to options from the Planning Commission with regards to the detention basin and other ways to facilitate the proposed development.

Jeff Cochran opened the public input.

Bret Walker reminded the Planning Commission that the resident recently voted to exclude high density here in the City. Bret is concerned with the outlet being so close to Redwood Road which poses a safety concern. The proposed development is too close to the main road. There is a blind hill near this development also that creates a safety concern.

Aimee Walker adding additional homes to this area will only create additional problems with the secondary water. We as current residents rely on the secondary water. Redwood Road is known to have a large number of cyclist riding

that area, we add more homes and traffic to the road this will be creating a safety hazard. Redwood Road has a blind spot near this development that will be a safety concern as well for those residents exiting the development.

Tina LaBaron would suggest doing without the proposed park and that the zoning is kept as R-3. Rather than another marina the city should to bring in additional sand to the existing beach.

Mary Ann Krull the lot sizes are too small for this area. She is afraid that the homes will become rentals. The surrounding homes will decrease in value. This is a beautiful community but decreasing the lot sizes will not be a benefit. Remember there is a limited water supply. She is against this development and feels that this development will harm the community. The traffic will only increase to the already high volume traffic. There is no walking trail to the area; the residents don't want high density, where would they park if there was a beach front. The city already has a beach area.

Amy Loveless would like to see R-3 zoning and no extra beach. She indicated that the existing beach still needs to have modifications.

Jeff Cochran closed the public input.

Jeremy Lapin the secondary water for this development has been thoroughly reviewed and the applicant is responsible for building infrastructure if needed. The Redwood Road vertical curve is a concern and will address this issue with UDOT since this is a UDOT road and is their responsibility. He is unaware of any distance restrictions for driveways located near a major roadway but will review the Code regarding this matter. The proposed park layout will include parking and will accommodate those using the facility.

Sarah Carroll indicated that no driveways will back onto Redwood Road. There would be a trail along Redwood Road and the back of those homes. The R-4 zone density allows up to 4 units per acre but this proposal is for 2.84 units per acres. The proposed plan meets the R-3 zoning and this plan contains the same number of lots that was previously submitted.

Hayden Williamson asked if there would be a difference in the number of lots with and without the park.

Ken Berg, applicant stated that there is more open space that is required and if the park was installed then there would be 124 lots if the open space was not proposed then there would be 129 lots. The property includes a portion of the lake which would be unique to the development.

Steve Larson is complying with a more positive development and we have been trying to work with the City and would be willing to meet with the residents.

Sandra Steele stated that she is one who wanted to see changes to this plan; the applicant took it to heart and made those changes. The decisions have to be made that will be best for the community. The park will service all those within the community. The driveways located near Redwood Road are a valid concern. She asked if the developer would be willing to place the driveways on the east side of Redwood Road be placed on the easterly side and those driveways on the western side of Redwood Road be placed on the westerly side. This would be a better layout for the development. She would suggest that the three street names be changed, feels that the names are too long and confusing names. She also suggested the name of the subdivision be Heron Hills. She would recommend option #3 for the parks and option #2 for the detention basin.

Hayden Williamson thanked the residents for attending the meeting and providing their input. He feels that there are safety concerns that have been expressed by the citizens which is the access near Swainson Avenue. Hayden asked staff if another second access could be reviewed rather than what is being proposed.

Jeremy Lapin felt that the proposed access fit the area but staff could explore all possible options.

Sarah Carroll indicated that an cul-de-sac could be a possibility.

Hayden Williamson would like to see a better solution for the secondary access road. Will the detention basin be grassed?

Sarah Carroll indicated that hasn't been determined yet at this time.

Hayden Williamson asked if the detention basin be a playable space?

Sarah Carroll stated that it could be.

Kirk Wilkins asked that staff work with the applicant regarding the park. He is fine with the proposed zoning along with the proposed concept plan. He would favor option #2 for the detention basin. He asked that staff and applicant work with UDOT regarding a potential option to provide adequate safety to the area.

Kara North thanked the residents for their input. She feels that a majority of concerns have been resolved by staff. If the City standards are being met with Redwood Road then that is less of a concern. Parking at the park is a must. Would like to see option #2 for the detention basin and to fix the flag lot and be in compliance with the 30 foot width.

Jarred Henline based on prior discussions the developer has made the necessary changes asked by the City. He would favor option #2 for the detention basin. He appreciates the applicant working with the City.

Jeff Cochran the applicant has done what has been asked of him. The density isn't going to change if a new plan was to be presented. He feels that option #2 for the detention basin will work. He is concerned with the flag lots on the west side of the development and asked if the developer would be willing to reconfigure the flag lots which would make them more valuable.

Motion was made by Kara North and seconded by Sandra Steele to forward a positive recommendation to the City Council for the approval of Heron Hills Rezone located at approximately 3250 South Redwood Road, Steve Larson, applicant based on the findings and conditions listed in the staff report dated February 27, 2014 and subject to the rezone occurring at the time of recordation. Aye; Kara North, Sandra Steele, Jarred Henline, Hayden Williamson, Kirk Wilkins and Jeff Cochran. Motion was unanimous.

5. Preliminary Plat for Heron Hills located at approximately 3250 South Redwood Road, Steve Larson, applicant.

Sarah Carroll presented the Preliminary Plat for Heron Hills at the time of the rezone.

The Planning Commission discussed this item with the rezoning.

Motion was made by Kara North and seconded by Kirk Wilkins to forward a positive recommendation to the city Council for the approval of the Preliminary Plat for Heron Hills located at approximately 3250 South Redwood Road, Steve Larson, applicant based on the findings and conditions listed in the staff report dated February 27, 2014. Aye: Kara North, Kirk Wilkins, Jarred Henline, Hayden Williamson, Sandra Steele and Jeff Cochran.

Subject to:

- 1. That the driveway for Lots 202, 203, 106, 107, 108, 222, and 223 be reconfigured away from Redwood Road.**
- 2. That the flag lots be revised.**
- 3. That option #2 be used for the open space be adopted.**
- 4. That the developer work with the City on the park development.**
- 5. That staff and applicant revisit the safety concerns along Redwood Road.**

A five minute was taken at this time.

6. Public Hearing: Amendment to Sierra Estates Master Development Plan located between 350-600 West and 400 North, Stephen Sowby, applicant.

Sarah Carroll presented the amendment to the Sierra Estates Master Development Plan which included revisions to the open space and senior living community, and preserving land for the Mountain View Corridor.

Steve Sowby, applicant thanked staff for their help with a successful plan. He briefly touched on the amendments to the plan.

Jeff Cochran opened the public input.

Paula Heaton asked if the fencing would be installed to provide protection to the new residents and the existing resident who are on agriculture property. She would like to see that the agricultural rights remain. She asked that those buying lots in this development be made aware of the agricultural area.

Heather Cole asked if two-story homes will be built on the lots that back along McAllister Lane. Sarah Carroll stated that is possible. Heather asked why the lots are so much smaller and why was the zone changed from an R-3 to R-6 back in 2007.

Henry Barlow feels that chain link fencing doesn't keep the animals from getting out.

Danielle Cahoon asked if fencing would be around the senior center building after being completed and would there be adequate parking available.

Sterling Parker asked if there will be enough water and sewer capacity for these additional homes. Will this potentially increase the rates to the water?

Jeff Cochran closed the public input.

Kevin Thurman indicated that there is a law that requires fencing for farm animals and the applicant would need to comply.

Sarah Carroll stated that she doesn't have the answers as to why the rezone occurred in 2007 without researching that. The lot sizes in an R-6 zone are geared towards less maintenance. The developer hasn't discussed types of fencing for the facility at this time. The parking plans for the senior center have been implemented.

Jeremy Lapin at this point there hasn't been any issues with sewer and culinary capacity. The pressure has been a concern but there is no supply concern at this time. The city is planning to install secondary water meters to eliminate the over consumption by residents.

Kevin Thurman indicated that the State Code has laws that protect agricultural area. Staff would need to take more time to research this matter.

Sandra Steele asked if the city could require the developer to sign a prepared document which indicates the type of zoning that they are building next to.

Kimber Gabryszak not sure if we have the ability to require this from the developer but staff could look into this request.

Ross Welch spoke about the rezone that occurred in 2007 R-6 was only for senior living and only for this product

Jarred Henline asked if a notice and or condition could be placed on the plat to make property owners aware of the surrounding agricultural zone.

Kara North appreciates the public's comments. The applicant will need to work with staff regarding fencing. She would like to see that property owners are aware of the surrounding zone. She is pleased with the proposed plan.

Kirk Wilkins asked if chain-link fencing is even allowed in the city's developments. Kimber Gabryszak chain link is only allowed in the agricultural zone. He agrees that language regarding nuisance should be added to the plat. He suggested that shade lighting be used on the properties where permitted.

Hayden Williamson asked if the small lots are single family lots are intended for senior housing. Hayden asked that staff work with the developer on reducing the light from the surrounding property owners.

Sandra Steele asked what area of the open space would the tax payers be responsible for. Sarah Carroll stated that the public open space would be 10.87 acres and additional park strip along 400 north. Sandra asked who would maintain the southeast corner open space. Sarah Carroll the developer would be maintaining it.

Sandra asked if the traffic study that was completed years prior was still a valid study. Jeremy Lapin stated that a traffic study would be conducted during the preliminary plat process.

Sandra how many assisted living units will there be. Steve Sowby stated that there will be 46 units.

Sandra has problems with the number of units; the concept plan doesn't work because you would need to have 2.5 parking stalls available for the cottages. She has several issues with access onto 400 north, the number units, safety, and parking. Will the food service be for all residents? Steve Sowby the services will be for all senior residents. Sandra asked if the applicant would be fine with a condition that the clubhouse only be used for those residents and not for any other use.

Jeff Cochran asked Sarah Carroll what is the difference between the previous and current concept plan. Sarah Carroll stated that the previous plan was a PUD Overlay and had more units on it. Today there is no PUD option and less density to the plan.

Motion was made by Kara North and seconded Hayden Williamson to forward a positive recommendation to the City Council for the Amendment to Sierra Estates Master Development Plan located between 350-600 West and 400 North, Stephen Sowby, applicant with the findings and conditions listed in the staff report dated February 27, 2014 with the following conditions listed. Aye: Kara North,

Subject to:

- 1. That the neighboring agricultural use be noted on the plat.**
- 2. That the Concept Plan be brought back to the Planning Commission.**

7. Public Hearing: Preliminary Plat for Stillwater Phase 6 located at 2700 South Stillwater Drive, Land Solutions Partner, applicant.

Sarah Carroll presented the Preliminary Plat for Stillwater Phase 6.

Jeff Cochran opened the public input.

No public input at this time.

Jeff Cochran closed the public input.

Kirk Wilkins asked what the proposed lot sizes would be. Sarah Carroll stated that they are 8,000 square feet. Kirk stated that lots 40 & 41 show a difference in lot sizes.

Sandra Steele, Hayden Williamson, Kara North, Jarred Henline and Jeff Cochran had no comments regarding this item.

Motion was made by Jarred Henline and seconded by Kirk Wilkins to forward a positive recommendation to the City Council for the approval of the Preliminary Plat for Stillwater Phase 6 located at 2700 South Stillwater Drive, Land Solutions Partner, applicant based on findings and conditions listed in the staff report dated February 27, 2014 and subject to Lots 40 & 41 matching the current lot size code requirement. Aye: Jarred Henline, Kirk Wilkins, Kara North Hayden Williamson, Sandra Steele and Jeff Cochran. Motion was unanimous.

8. Continued Public Hearing: Rezone and Concept Plan for Talus Ridge located at approximately 550 North 800 West, Edge Homes, applicant.

Sarah Carroll presented the Rezone and Concept Plan for Talus Ridge.

Steve Maddox, applicant pointed out that this parcel is unique and has impacted the design of this development. We are making an effort to make this a livable community. There will be no driveways that will back onto the main corridor. The zone change is not to increase the density but to allow for flexibility on lot size which would allow for 70 foot frontage rather than an 80 foot frontage, the average lot size would be 10,369 square feet. The water system is a concern but there are plans that are being considered. The proposed open space would be completed as soon as possible so that the residents could utilize the area.

Jeff Cochran opened the public input.

Kelsey Dean has created a petition regarding the proposed rezone, open space and density. The residents would like to see another concept plan which would show the zoning as R-3. The lots located at the south end of the Sunrise Meadows development are larger and the lots in this proposed development should resemble those lot sizes.

Reed Barlow this will provide a unique feel to that area with the proposed corridor. The development will be a good thing to the area.

Paula Heaton would like there to be conditions noted on this development plat which would indicate the neighboring agricultural use.

Henry Barlow noted that he lives south of the proposed developed which is agricultural property. Comments on the plat for this certain use would be suggested. Chain-link fencing doesn't always keep animals in. He expressed concerns with losing his agricultural rights. He suggested that the development have larger lots on the southern end of the parcel near the collector road.

Carl Whiting echoed what was earlier stated by Kelsey Dean. He feels that an R-3 zone would work for this development, and is pleased with the proposed development.

Sara Merrell asked that the developer inform the future property owners of the existing surrounding agriculture zone and that those future property owners can't eliminate this use. There is plenty of additional land to zone as R-4. The proposed community will be nice and will enhance the area.

Ashely Buhman asked where would the construction traffic enter and exit. She is opposed to the requested rezone and feels that an R-3 zone would work better especially with the types of homes that are planned to be built.

Maurie Pyle concerned that the lower lots could potentially flood due to the proposed grade. She suggested that the road be widened at 400 North and 800 West to accommodate the additional traffic.

Josh Tippitts has mixed feeling with the proposed development. The different lot sizes provide a variety to the area, but smaller lots would be more appropriate for the area. How soon would the open space be developed?

Devar Klingonsmith is concerned with the lots becoming future rental properties. This is a prime place for larger lots and homes.

Danielle Cahoon additional homes in the area will create a traffic impact to the existing road. The collector road is great but will only benefit the developer and the nearby schools. The R-4 zone is not appropriate for the area. The rear and side setbacks are of a concern.

Tim, resident of Sunrise Meadows would favor an R-2 rezone. He asked if the city is advocating the rezone for exchange of the collector road.

Mark Buhman supports what has been voiced by the other citizens.

Nina Broadbent doesn't like the proposed lot sizes being small. Has the parking near the open space been considered at all?

Lance Cradle asked if the property would be annexed into Eagle Mountain City.

Greg Larsen would advise that the parking near the open space be addressed because Sunrise Meadows park currently has issues with parking. How and what is the purpose of the proposed green space and will there be future potential use of the green space. Where is the Planning Commission with future schools to accommodate the growth?

Keveny Daley concerned with the proposed collector road. She would like to see that the rural area be honored and try to keep it as is, if possible.

Jeff Cochran closed the public input.

Steve Maddox the purpose of the rezone is diversity and feels that these types of lots would fit the area.

Sarah Carroll the overall density the applicant is requesting is 2.43 units per acre. The parking for parks will be designed into the parks but is not been determined at this time. This particular development will not be annexing into Eagle Mountain. There is property west of this that is being discussed if better served here within the Saratoga Springs or Eagle Mountain. Alpine School District is aware of the continuous growth here in the City and in Eagle Mountain.

Kimber Gabryszak stated that State Code clearly prohibits the City from requiring any sort of capacity or ability to serve a development.

Jeremy Lapin the widening of Pony Express will help with the traffic capacity. A traffic study will need to be completed. Widening work has also been completed to 400 North as well. An upgrade to the secondary water well located near the Sunrise Meadows will need to be conducted prior to completion of the development. Staff will look into mitigating the drainage before construction begins. There will be cutoff channels installed as well.

Steve Maddox stated that CC&R's will be expected for this development.

Jarred Henline at a crossroads with this development and what is the best interest for both the residents and the applicant. The collector road can be a benefit for everyone involved. He would recommend approval of this proposed rezone.

Kara North a property owner can request rezone and understands the density is a huge concern with the residents. She appreciates the residents' concerns with the rezone. She recommends that a note be added to the plat regarding the surrounding agricultural use. I am conflicted with the R-3, R-4 rezone and would be interested to hear what the other Commission has to say.

Kirk Wilkins conflicted with the proposed rezone and would support the resident's needs. As much as he tries to be developer friendly he doesn't support the applicant's request.

Hayden Williamson notices that most lots are within an R-3 zone is that correct. Sarah Carroll that is correct. She suggested to the Commission that the rezone could remain an R-3 zone and a lot size reduction could be recommended.

Steve Maddox the concern here from others is the concern of density but as the developer my focus is on frontage. I could meet the criteria of the zone if necessary, but it wouldn't be as good of a layout.

Hayden Williamson would like to see that the rights of property owners be protected. The R-4 zone would impact the current residents and feels that there are other options that could be appealing to everyone.

Sandra Steele pleased with the proposed R-4 zone and knows that the developer isn't asking for exceptions. The City and residents will greatly benefit from the proposed collector road.

Jeremy Lapin stated that this particular property provides a unique capacity ability to assist future phasing in the area. It also provides infrastructure for future development as well. The elevation is unique in that aspect.

Sandra Steele feels that the lot sizes are equal figures or higher to the existing Sunrise Meadows development. The project provides a nice mix and variety. She feels that the current concept plan is feasible. She would suggest a rezone once the plat is recorded. She would like to see that the water resource is protected. She would like to see fencing installed around the perimeter of the property. She supports the proposed rezone.

Jeff Cochran asked if a collector road is required to be installed by the developer. Jeremy Lapin no it isn't a requirement.

Motion was made by Sandra Steele and seconded by Jarred Henline to forward a positive recommendation to the City Council for the Rezone for Talus Ridge located at approximately 550 North 800 West, Edge Homes, applicant based on the findings and conditions listed in the staff report dated February 27, 2014. Aye: Sandra Steele, Jarred Henline and Kara North. Nay: Kirk Wilkins, Hayden Williamson and Jeff Cochran.

Subject to:

1. That the rezone be finalized during the preliminary plat approval.
2. That a note is added to the plat informing property owners of the existing agricultural use.

Tie vote no recommendation was given to the City Council.

9. Public Hearing: Revisions to the City of Saratoga Springs Land Development Code. (Sections 19.01-General Provisions, 19.02-Definitions, 19.03-Powers and Duties, 19.04-Land Use Zones, 19.05-Supplementary, 19.08-Home Occupations, 19.09-Off Street Parking, 19.12-Subdivisions, 19.13-Development Review Process, 19.14-Site Plan Review, 19.15-Conditional Uses, 19.17-General Plan, Ordinances, or Zoning Map Amendments, 19.18-Signs, 19.26-Planned Community Zone)

Kimber Gabryszak presented the code amendments.

Jeff Cochran opened the public input.

Danielle Cahoon asked what changes were made to Section 19.03, Powers and Duties of the City Code. Kimber Gabryszak indicated that this would allow for certain decisions to be made by the Administration, Planning Commission or the City Council.

Jeff Cochran closed the public input.

The Planning Commissioners had no comments with regards to the revisions at this time.

Motion was made by Sandra Steele and seconded by Hayden Williamson to forward a positive recommendation to the City Council for the approval of the Revisions to the City of Saratoga Springs Land Development Code. (Sections 19.01-General Provisions, 19.02-Definitions, 19.03-Powers and Duties, 19.04-Land Use Zones, 19.05-Supplementary, 19.08-Home Occupations, 19.09-Off Street Parking, 19.12-Subdivisions, 19.13-Development Review Process, 19.14-Site Plan Review, 19.15-Conditional Uses, 19.17-General Plan, Ordinances, or Zoning Map Amendments, 19.18-Signs, 19.26-Planned Community Zone) including the findings and conditions listed in the staff report dated February 27, 2014. Aye: Sandra Steele, Hayden Williamson, Kirk Wilkins, Kara North, Jarred Henline and Jeff Cochran. Motion was unanimous.

10. Approval of Minutes:

- a. December 12, 2014.
- b. January 9, 2014.
- c. January 23, 2014.

Motion was made by Kara North and seconded by Kirk Wilkins to approve the minutes dated December 12, 2013, January 9, 2014 and January 23, 2014 with the correction made to those minutes. Aye: Kara North, Kirk Wilkins, Sandra Steele, Hayden Williamson, Jarred Henline and Jeff Cochran. Motion was unanimous.

11. Commission Comments.

The Commissioners had no comments at this time.

12. Director's Report.

The Planning staff had no reports to provide at this time.

Motion to adjourn at 11:10 p.m. was unanimous.

Date

Lori Yates, City Recorder