Planning Commission Meeting

Thursday, August 14, 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 and Possible Decision: Lakeview Academy Site Plan Amendment/Sign Permit located at 527 West 400 North, Lakeview Academy, applicant. Presented by Sarah Carroll.

5. Public Hearing and Possible Recommendation: Conditional Use Permit for Central Pipeline project located at 1450 North and the North City Boundary, Bowen & Collins, applicant. Presented by Scott Langford.

6. Public Hearing and Possible Recommendation: Preliminary Plat for Wiltshire located at 1600 South Centennial Boulevard, Peter Staks, applicant. Presented by Scott Langford. **CONTINUED TO AUGUST 28, 2014 PLANNING COMMISSION MEETING.**

7. Concept Plan for Riverside Heights (formerly Sunset Acres) located at approximately Crossroads Boulevard and 400 East, Ivory Development, LLC, applicant. Presented by Kimber Gabryszak.

8. Public Hearing and Possible Recommendation: Code Amendments for Sections 19.01,-General Provisions, 19.02-Definitions, 19.04- Establishment of Land Use Zones and Official Map, 19.05- Supplementary Regulations, 19.06-Landscaping & Fencing, 19.11- Lighting, 19.12-Subdivisions, 19.13-Development Review Process, 19.14-Site Plan and 19.15-Conditional Use Permit. Presented by Kimber Gabryszak.

9. Approval of Reports of Action.

10. Approval of Minutes:

    1. July 10, 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.

CITY OF SARATOGA SPRINGS

Planning Commission
Staff Report

Site Plan Amendment
Lakeview Academy Monument Sign
August 14, 2014
Public Hearing

Report Date:	August 7, 2014
Applicant/Owner:	Lakeview Academy of Science, Arts & Technology
Location:	527 West 400 North
Major Street Access:	400 North
Parcel Number(s) & Size:	45:511:0001, ~9.91 acres
Parcel Zoning:	A, Agricultural and R-3, Low Density Residential
Adjacent Zoning:	R-3, Low Density Residential
Current Use of Parcel:	Existing Charter School
Adjacent Uses:	Low Density Residential
Previous Approvals:	4/11/2006, site plan
	8/8/2006, site plan amendment
	11/13/12, site plan for expansion
Land Use Authority:	City Council
Author:	Sarah Carroll, Senior Planner

A. Request:

This is a request for a site plan amendment to add a marquee sign to the Lakeview Academy school site. This will contain an electronic message board.

B. Background:

The original site plan was approved in April 2006, an amended site plan was approved in August 2006 and a site plan for an expansion was approved in November 2012. The applicant is now requesting a monument sign with an electronic message board.

C. Process:

Section 19.18.05 requires "Any modifications to an approved signage plan must be reviewed by the Planning Commission". The proposed monument sign is a modification to the signage plan that was approved with the site plan. The existing signage consists of a wall sign above the entrance to the building.

State Code 10-9a-305 states charter schools may be subjected to "setback, height, bulk, bulk and massing regulations, off-site parking, curb cut, traffic circulation, and construction staging." § 10-9a-305(2)(b)(i).

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scarroll@saratogaspringscity.com • 801-766-9793 x 106 • 801-766-9794 fax

Charter schools may not be subject to "landscaping, fencing, aesthetic considerations, [and] construction methods or materials." § 10-9a-305(3)(a).

D. Community Review:

Per 19.13.04 of the City Code, this item has been noticed in *The Daily Herald*, and each property owner within 300 feet of the subject property was sent a letter at least ten calendar days prior to this meeting. As of the completion of this report, no public input has been received.

E. Code Criteria: complies.

Section 19.18.03 states "electronic message signs shall only be allowed for public facilities." Lakeview Academy is proposing electronic messaging on their sign.

Section 19.18.06(4) regulates sign placement and among other requirements states that all permanent ground signs shall be located at least three feet from the back of sidewalk. The proposed sign will be located at least three feet behind the sidewalk.

Section 19.18.08(5) regulates signs for Institutional/Public Facility Uses. The requirements are reviewed below.

- One monument sign is permitted for each frontage over 50 feet that a site has on a public street.
    - The frontage for this site exceeds 50 feet.
- One monument sign is permitted every 100 feet.
    - There are no other monument signs within 100 feet of the proposed location.
- Monument signs shall not exceed 7'-6".
    - The proposed sign is 7'-6"
- The area of the sign face shall not exceed 45 square feet.
    - The area of the sign face is 32 square feet.
- The code requires the base of the sign to be at least two feet in height and run the entire horizontal length of the sign and shall be constructed of materials that match the main building.
    - State Code, as outlined in Section "C" of this report, prevents the City from regulating the aesthetics and materials for charter schools. The proposed base does not meet City Code, but is acceptable under State Code.
- Electronic message signs shall be permitted on monument signs associated with institutional and public facility uses provided such sign does not occupy more than 50% of the sign face.
    - The sign face is 32 square feet. The electronic message portion of the sign is 11.64 square feet.
- Monument signs may be either internally or externally illuminated.
    - The proposed sign is internally illuminated.

F. Recommendation and Alternatives:

After evaluating the required standards for monument signs for institutional uses, staff recommends that the Planning Commission conduct a public hearing and make the following motion:

Recommended Motion:

"I move that the Planning Commission approve the Lakeview Academy Signage Plan, with the findings and conditions below:

Findings:

1. The proposed signage plan meets all the requirements in the Land Development Code as explained in the findings in Section "E" of this report, which findings are incorporated herein by this reference.

Conditions:

1. A building permit shall be obtained prior to installation of the sign.
2. The sign shall be at least three feet behind the sidewalk.

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

"I move that the Planning Commission deny the Lakeview Academy monument sign. Specifically I find that the following standards and/or code requirements have not been met:"

List Specific Code Standards and Requirements:

_____

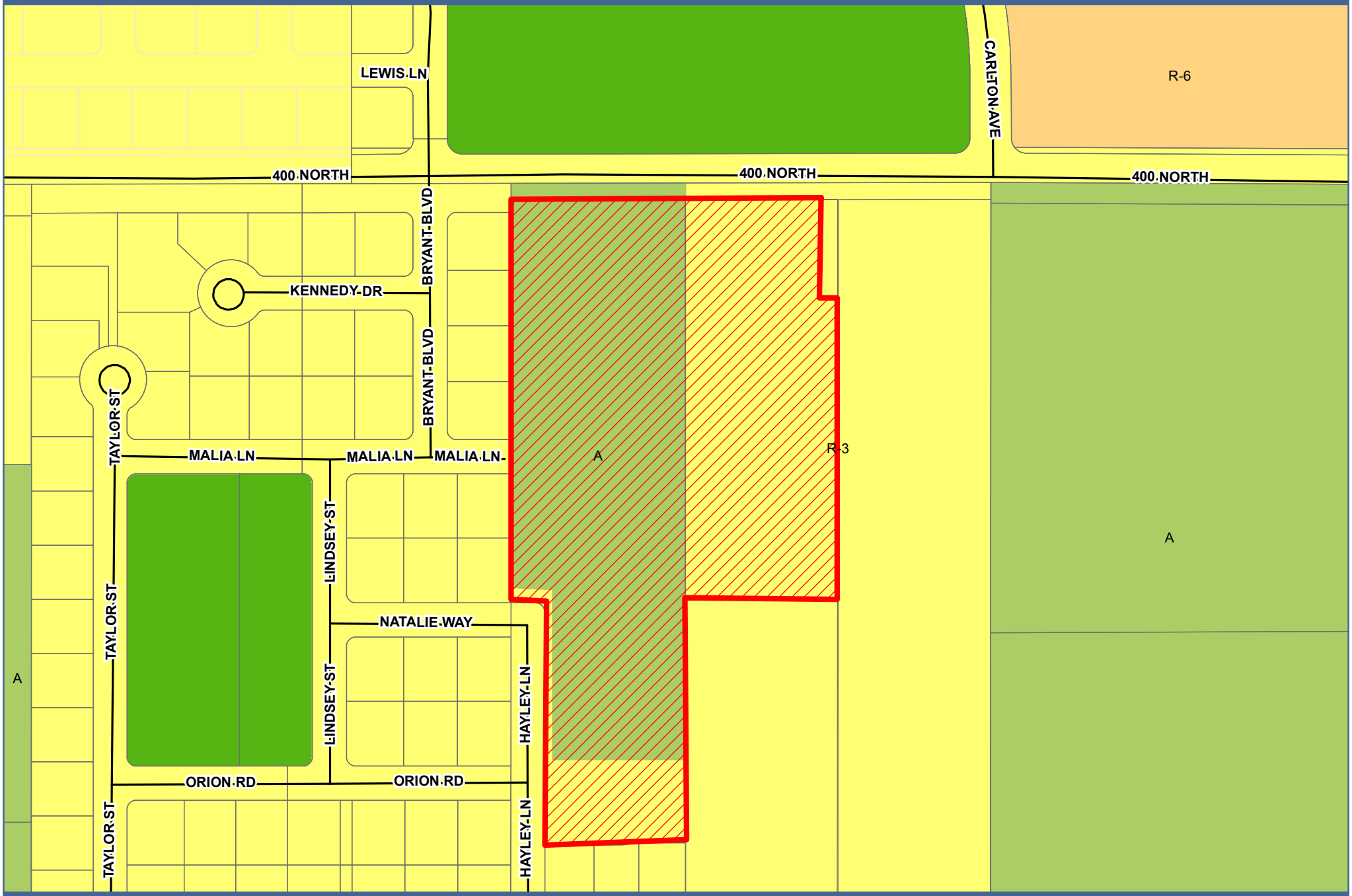
_____

_____

G. Exhibits:

1. Location Map
2. Site Location Map
3. Sign Details
4. Photo of Existing Wall Sign
5. Photo of Proposed Location (where the boards are)

Location Map



Lake View Academy

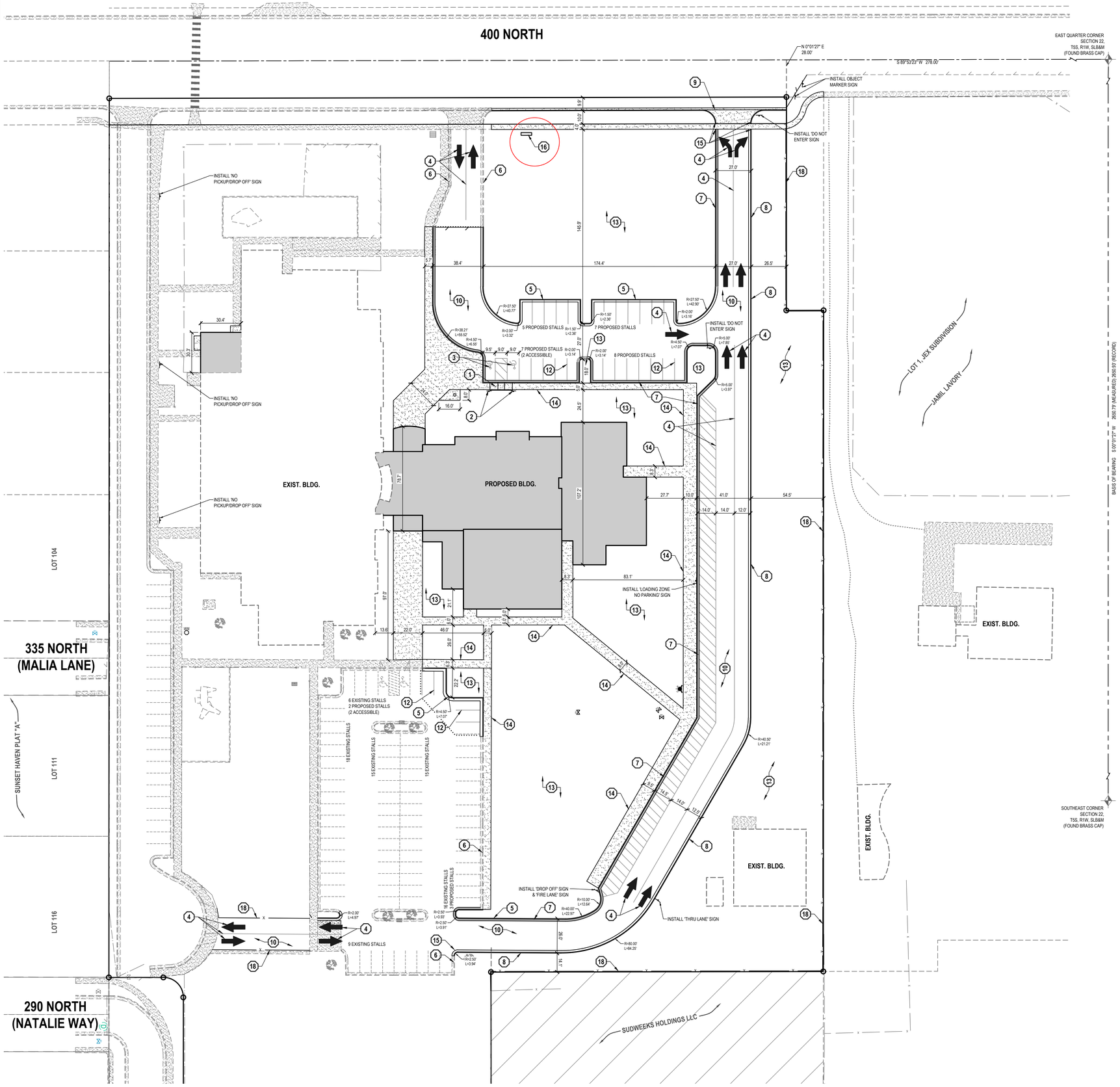
0 95 190 380 Feet

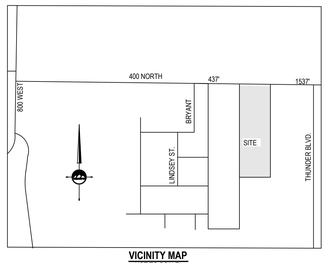
CALL BLUESTAKES
@ 1-800-662-4111 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

BENCHMARK

ROW MARKER ALONG THE EAST PROPERTY LINE (SEE THIS SHEET) UPDATE

ELEVATION = XX.XX





VICINITY MAP
NOT TO SCALE

KEY NOTES

1. HANDICAP ACCESS RAMP (SEE DETAIL 1 / C5.0)
2. HANDICAP PARKING SIGN (SEE DETAIL 2 / C5.0)
3. HANDICAP PARKING MARKING (SEE DETAIL 10 / C5.0)
4. PAINT PAVEMENT MARKING AS SHOWN
5. 2' CURB & GUTTER (SEE DETAIL 4 / C5.0)
6. EXISTING CURB & GUTTER TO REMAIN
7. REVERSE PAN 2' CURB & GUTTER (SEE DETAIL 4 / C5.0)
8. CURB AND GUTTER - APWA PLAN NO. 205 TYPE D
9. DRIVE APPROACH W/ CURB RETURN MATCHING EXISTING (SEE ST-4 / C5.1)
10. ASPHALT - 400 NORTH AND ON-SITE (SEE DETAIL 8 / C5.0)
11. PROPERTY LINE
12. 4" SOLID WHITE PAVEMENT MARKING PER M.U.T.C.D. STANDARD PLANS & SPECIFICATIONS
13. LANDSCAPE (SEE LANDSCAPE PLAN BY OTHERS)
14. CONCRETE SIDEWALK (SEE DETAIL 3 / C5.0)
15. CURB TRANSITION
16. FUTURE MARQUEE/MONUMENT SIGN (NOT IN CONTRACT)
17. RAISED SIDEWALK (SEE DETAIL 11 / C5.0)
18. INSTALL 6' CHAINLINK FENCE (SEE DETAIL 12 / C5.0)

NOTE

1. ALL DIMENSIONS TO TBC UNLESS NOTED OTHERWISE.
2. ALL WORK SHALL COMPLY WITH CURRENT APWA PLANS AND SPECIFICATIONS, AND WITH CITY STANDARD PLANS AND SPECIFICATIONS. SIGNING AND STRIPING SHALL COMPLY W/ CURRENT VERSION OF MUTCD.
3. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR PIPE

LEGEND

- SECTION CORNER
- EXIST MONUMENT
- PRO MONUMENT
- EXIST REBAR AND CAP
- SET ENSIGN REBAR AND CAP
- EXIST WATER METER
- PRO WATER METER
- EXIST WATER VALVE
- PRO WATER VALVE
- EXIST FIRE HYDRANT
- PRO FIRE HYDRANT
- EXIST SANITARY SEWER MANHOLE
- PRO SANITARY SEWER MANHOLE
- EXIST STORM DRAIN CATCH BASIN
- PRO STORM DRAIN CATCH BASIN
- EXIST SIGN
- PRO SIGN
- EXIST UTILITY POLE
- EXIST BUILDING
- PRO BUILDING
- EXISTING CONCRETE
- PROPOSED CONCRETE
- EXIST FENCE
- PRO FENCE
- EXIST EDGE OF ASPHALT
- PRO EDGE OF ASPHALT

NORTH

HORIZONTAL GRAPHIC SCALE

30 0 15 30 60

(IN FEET)
HORZ: 1 inch = 30 ft.

MILLER
architecture
interiors
planning

5330 S. 900 E., Suite 270
Murray, UT 84117
Phone: (801) 266-3960
Fax: (801) 266-3961
slcoffice@miller-aip.com

ENSIGN

owner approval

initials	date	phase
	00/00/00	--

revisions/addenda

mark	date	comment
A	00/00/00	--
B		
C		
1		
2		
3		
4		
5		
6		
7		

LAKEVIEW ACADEMY
450 WEST 400 NORTH
SARATOGA SPRINGS, UTAH

LAKEVIEW ACADEMY
450 WEST 400 NORTH
SARATOGA SPRINGS, UTAH

CONTACT: JENNIFER PERRY PHONE: 801-703-5416

project information

PROJECT NO:	1200070.SL
CAD DWG FILE:	C-1 SITE.DWG
DRAWN BY:	BP
CHECKED BY:	CM
DRAWING SCALE:	30
DATE:	10/25/2012

sheet name

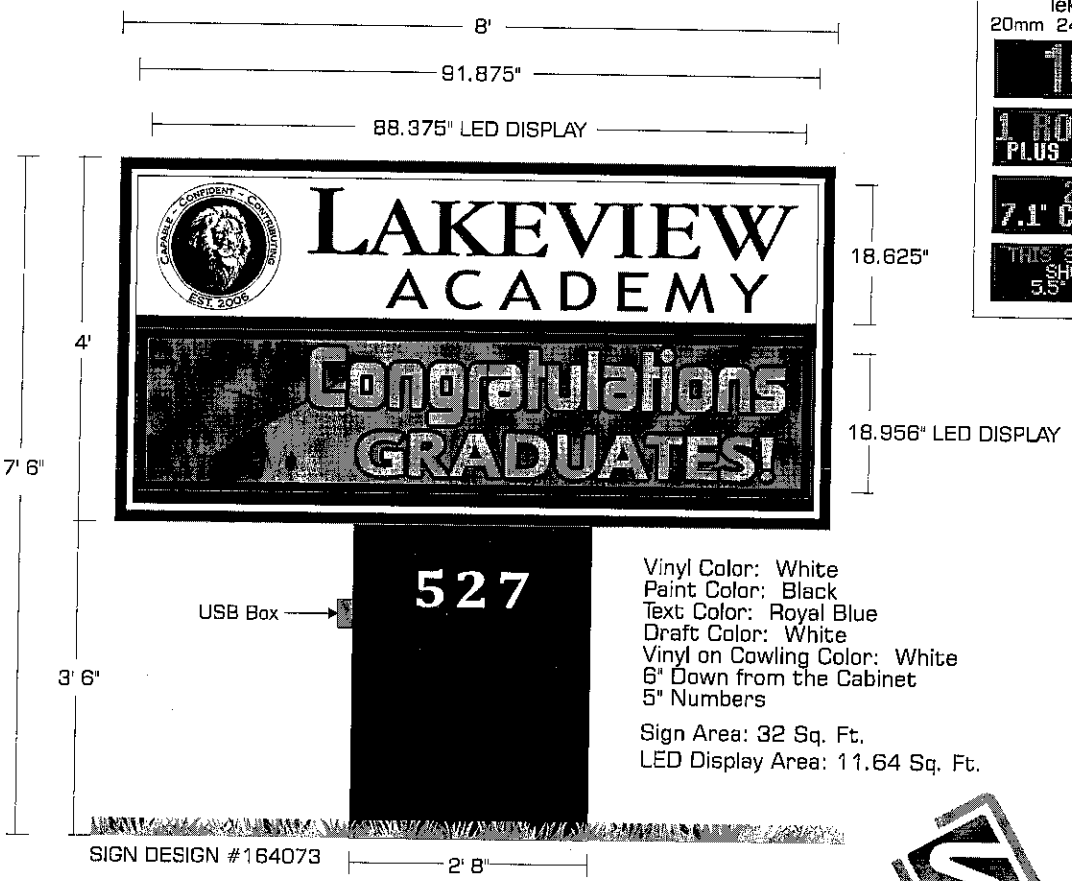
SITE DIMENSION PLAN

sheet number

C-1.0

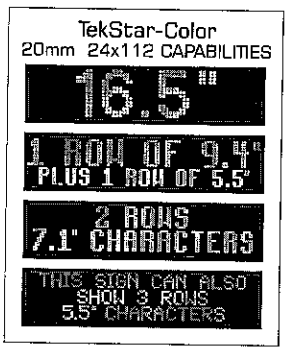
SHEET XX OF XX SHEETS

DRAWING NAME: C-1 SITE.DWG | PLOT DATE: 11/7/2012 1:38 PM | PLOTTED BY: CHRIS VESTREICH | © 2008 MILLER ARCHITECTURAL CORPORATION ALL RIGHTS RESERVED
P:\5310\B Lakeview Addition\Civil\Production Drawings\C-1 Site.dwg, 11/7/2012 1:38:06 PM, cvestreich



SIGN DESIGN #164073

TekStar - COLOR
20mm 24x112
CABINET SIZE: 4' x 8'



Vinyl Color: White
Paint Color: Black
Text Color: Royal Blue
Draft Color: White
Vinyl on Cowling Color: White
6" Down from the Cabinet
5" Numbers

Sign Area: 32 Sq. Ft.
LED Display Area: 11.64 Sq. Ft.

Approved as shown. *1.* _____ *date*
x _____
Approved with listed changes *2.* _____ *date*
x _____ *3.* _____

45 YEARS of Excellence

stewartsigns
America's Premier Sign Company

PH. 1-800-237-3928 FAX 1-800-485-4280

DUE TO THE PHYSICAL LIMITATIONS OF THE PAPER AND INK-BASED PRINTING PROCESS THIS CUSTOM ARTWORK IS NOT INTENDED TO PROVIDE AN EXACT MATCH BETWEEN INK, VINYL, PAINT, OR LED COLOR. ARTIST'S RENDITION OF BRICKWORK, MASONRY AND LANDSCAPING IS NOT INCLUDED IN THE PROPOSAL. ANY MEASUREMENTS SHOWN ARE APPROXIMATIONS; DIMENSIONS OF FINAL PRODUCT MAY VARY. LED IMAGES SHOWN ARE SIMULATED TO REPLICATE RESOLUTION FROM OPTIMUM VIEWING DISTANCE.

5/8"=1' SK.# 790826-1E-S CUST.# 3030864 5.15.2014 CA/CMOODY -SOLD-
ORIGINAL DESIGN DO NOT DUPLICATE

C2131
Royal Blue 3630-87

Approved as shown.
x _____ *date* _____ *1.* _____
Approved with listed changes
x _____ *date* _____ *2.* _____ *3.* _____

stewartsigns
America's Premier Sign Company
PH. 1-800-237-3928 FAX 1-800-485-4280

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5/8"=1' SK.# 790826-1D-S LOGO CUST.# 3030864 5.15.2014 CA/CMOODY -SOLD-
ORIGINAL DESIGN DO NOT DUPLICATE

EXISTING WALL SIGN

PROPOSED LOCATION, WHERE THE BOARDS ARE

CITY OF SARATOGA SPRINGS

Planning Commission
Staff Report

Central Pipeline Project – Jordan Valley Water Conservancy District
Conditional Use Permit
August 14, 2014
Public Hearing

Report Date:	July 22, 2014
Project Request / Type	Conditional Use Permit
Applicant:	Bowen Collins & Associates / Jason Luetinger
Location:	Generally located along the Utah Lake Distributing Canal, from 1450 North to the Northern Boundary of the City
Major Street Access:	Redwood Road
Parcel Number(s) and size:	Portions of 58:021:0119, 36:431:0015; 0009; 0011; & 0016
General Plan Designation:	Business Park
Zone:	Agricultural (A)
Adjacent Zoning:	OW (east & south), MU (north), and RC (west)
Current Use:	Utah Lake Distributing Canal
Adjacent Uses:	Residential and Agricultural
Previous Meetings:	none
Land Use Authority:	City Council
Future Routing:	City Council
Planner:	Scott Langford, Senior Planner

A. Executive Summary:

This is a request for approval of a Conditional Use Permit (CUP) to allow for a "public and private utility facility", as defined in the land development code. Specifically, this CUP will allow Jordan Valley Water Conservancy District (JVWCD) to extend the Central Utah Water Conservancy District's (CUWCD) existing 48 inch water line from its current terminus at approximately 1450 North to the northern boundary of the City.

Recommendation:
Staff recommends that the Planning Commission conduct a public hearing, take public comment and discuss the proposed CUP, and choose from the options in Section "I" of this report. Options include forwarding a positive recommendation to the City Council as recommended by staff, forwarding a positive recommendation to the City Council with additional conditions, or a motion to continue this item to allow the applicant time to provide additional material.

B. Background:

In 2010, the City Council approved a CUP that allowed the Central Utah Water Conservancy District to build the west and north segments of the North Shore Aqueduct. The project included

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the installation of 2.6 miles of 60-inch welded steel pipe (WSP), 3.0 miles of 48-inch WSP; construction of three buried vault/turnout structures, eight buried airvent structures and one buried blowoff structure. The purpose of that project was to deliver potable water to Saratoga Springs, Eagle Mountain, Lehi and the Jordan Valley Conservancy District.

C. Specific Request:

The City has received an application for a new CUP that will allow Jordan Valley Conservancy District to extend the existing 48 inch welded steel pipe from the current terminus at approximately 1450 north and the Utah Lake Distributing Canal to the northern boundary of the City. The overall project will include construction of approximately 6 miles of 48 inch welded steel pipeline. Approximately 1,420 linear feet of this pipeline will be within the City. This pipeline will continue to follow the existing Utah Lake Distributing Canal. The pipeline will be constructed using standard cut and cover methods and the existing ground surface will be restored to existing or better conditions.

D. Process:

Section 19.15 of the City states that Conditional Use Permits (CUP's) require City Council approval after the Planning Commission holds a public hearing and forwards a recommendation. A CUP is required to allow for public and private utility facilities in all zones.

E. Community Review:

Per 19.13.04 of the City Code, this item has been noticed in *The Daily Herald*, and each residential property within 300 feet of the subject property was sent a letter at least ten calendar days prior to this meeting. As of the completion of this report, the City has not received any public comment regarding this application.

F. General Plan:

The site is designated as Business Park on the adopted Future Land Use Map. The general placement of the proposed pipeline follows the existing alignment of the Utah Lake Distributing Canal. This alignment will therefore not significantly encumber additional land with this utility infrastructure thereby conserving developable land for future business type uses.

G. Code Criteria:

Section 19.15.03(2) states, "*The Planning Commission shall review each application and make a recommendation to approve, approve with conditions, or deny the application, or the Planning Commission may defer action if an applicant fails to appear at the public hearing or meeting or there is insufficient application information provided*." Section 19.15.05(4) of the City Code states, *"The conditional use shall meet the following standards:"*

Standard 1: *"The use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity";*

Discussion: The proposed water pipeline will follow the alignment of the existing Utah Lake Distributing Canal. The pipeline will be buried underground and the surface will be restored to existing or better conditions currently found on the affected properties.

Finding: The proposed water pipeline will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.

Standard 2: **"***The use will be consistent with the intent of the land use ordinance and comply with the regulations and conditions specified in the land use ordinance for such use";*

Discussion: Per the City Code, large scale public and private utilities are conditionally allowed in all zones in order to support continued growth and development. It appears that all the regulations specified in the City Code for the public and private utility facilities are being met.

Finding: The use will be consistent with the intent of the land use ordinance and comply with the regulations and conditions specified in the land use ordinance for such use.

Standard 3: *"The use will be consistent with the character and purposes stated for the land use zone involved and with the adopted Land Use Element of the General Plan";*

Discussion: Per the City Code, the proposed automotive repair facility meets the intent of the Office Warehouse land use designation and will not negatively impact the existing agricultural properties. The proposed placement of the public and private utility facility is a good example of a regional utility improvement that will have minimal impact to the current and future uses in the area.

Finding: The use will be consistent with the character and purposes stated for the land use zone involved and with the adopted Land Use Element of the General Plan.

Standard 4: *"The use will not result in a situation which is cost ineffective, administratively infeasible, or unduly difficult to provide essential services by the City, including roads and access for emergency vehicles and residents, fire protection, police protection, schools and busing, water, sewer, storm drainage, and garbage removal";*

Discussion: The proposed pipeline will not require any additional City services. There will be an access road from Redwood Road to the beginning of the project to facilitate initial construction and then maintenance once the project is complete. The applicant is working with UDOT to secure the proper access permits.

Finding: The water pipeline extension will not result in a situation which is contrary to the impacts listed in this standard.

Standard 5: *"The proposed use will conform to the intent of the City of Saratoga Springs General Plan."*

Discussion: See Section "F" of this report.

Finding: The proposed use will conform to the intent of the City of Saratoga Springs General Plan.

H. Recommendations and Alternatives:

After evaluating the required standards for conditional use permit associated with public and private utility facilities, staff recommends that the Planning Commission conduct a public hearing and choose one of the following motions:

Recommended Motion:

"Based upon the evidence and explanations received today, I move that the Planning Commission forward a positive recommendation to the City Council to approve a Conditional Use Permit to allow a "public and private utility facility" for Jordan Valley Water Conservancy District to install a 48 inch welded steel water pipeline from the current terminus of the Central Utah Water Conservancy District facility, located at approximately 1450 north and the Utah Lake Distributing Canal, to the northern boundary of the City (running approximately 1,420 linear feet within the City), with the findings and conditions below:

Findings:

1. Granting a Conditional Use Permit to allow "public and private utility facility" as defined in the land development code at this location 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. Granting a Conditional Use Permit to allow "public and private utility facility" as defined in the land development code at this location meets or can conditionally meet all the requirements in the Land Development Code as explained in the findings in Section "F" and "G" of this report, which findings are incorporated herein by this reference.

Conditions:

1. All requirements of the City Engineer shall be met, including but not limited to those in the attached report.
2. All requirements of the Fire Chief shall be met, including but not limited to those in the attached report.
3. Any other conditions as articulated by the Planning Commission: _____

_____

_____

_____

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 evidence and explanations received today and the following findings, I move that the Planning Commission forward a negative recommendation to the City Council to deny a Conditional Use Permit to allow a "public and private utility facility" for Jordan Valley Water Conservancy District to install a 48 inch welded steel water pipeline from the current terminus of the Central Utah Water Conservancy District facility, located at approximately 1450 north and the Utah Lake Distributing Canal, to the northern boundary of the City. Specifically I find that the following standards and/or code requirements have not been met:"

List Specific Code Standards and Requirements:

_____

_____

_____

_____

I. Exhibits:

1. Engineering Report
2. Zoning / Location map
3. Aerial Photo
4. Project Exhibits

City Council
Staff Report

Author: Jeremy D. Lapin, City Engineer
Subject: Central Pipeline Project
Date: August 14, 2014
Type of Item: Conditional Use Approval

Description:

A. Topic: The Applicant has submitted a Conditional Use application. Staff has reviewed the submittal and provides the following recommendations.

B. Background:

Applicant:	*Bowen Collins & Associates / Jason Luetinger*
Request:	*Conditional Use Approval*
Location:	*Generally located along the Utah Lake Distributing Canal, from 1450 North to the Northern Boundary of the City.*

C. Recommendation: Staff recommends the approval of the Conditional Use Permit subject to the following conditions:

D. Conditions:

A. Developer is required to ensure that there are no adverse effects to adjacent properties due to the grading practices employed during construction of these plats.

B. 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.

C. Final plans shall include an Erosion Control Plan that complies with all City, UPDES and NPDES storm water pollution prevention requirements.

D. Submittal of a Mylar and electronic version of the as-built drawings in AutoCAD format to the City Engineer is required prior acceptance of improvements..

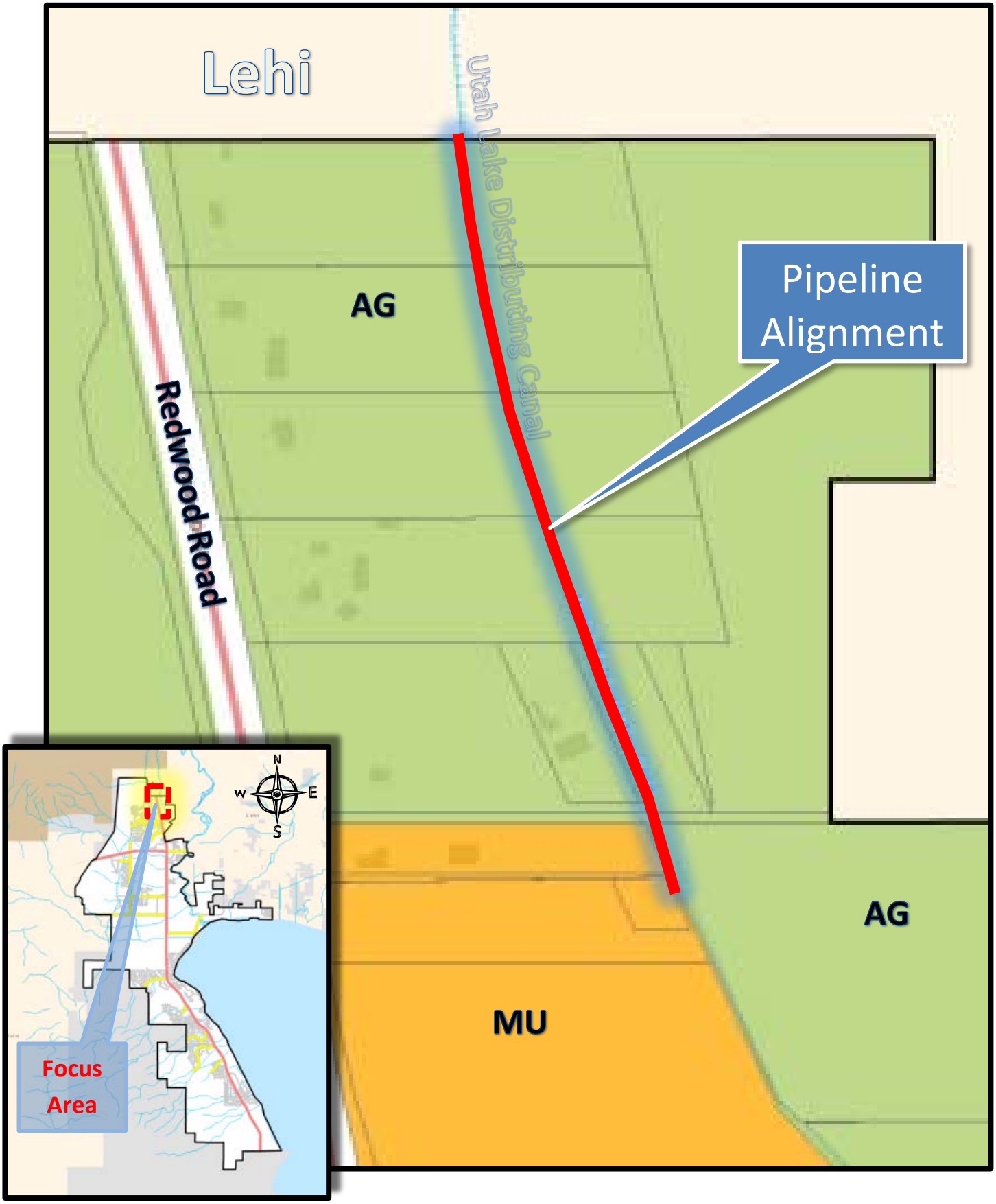
E. All disturbed areas shall be restored to existing condition or better and if necessary reseeded and stabilized.

F. All fill material within the ROW shall meet City Standards for gradation and compaction and be classified A-1-a.

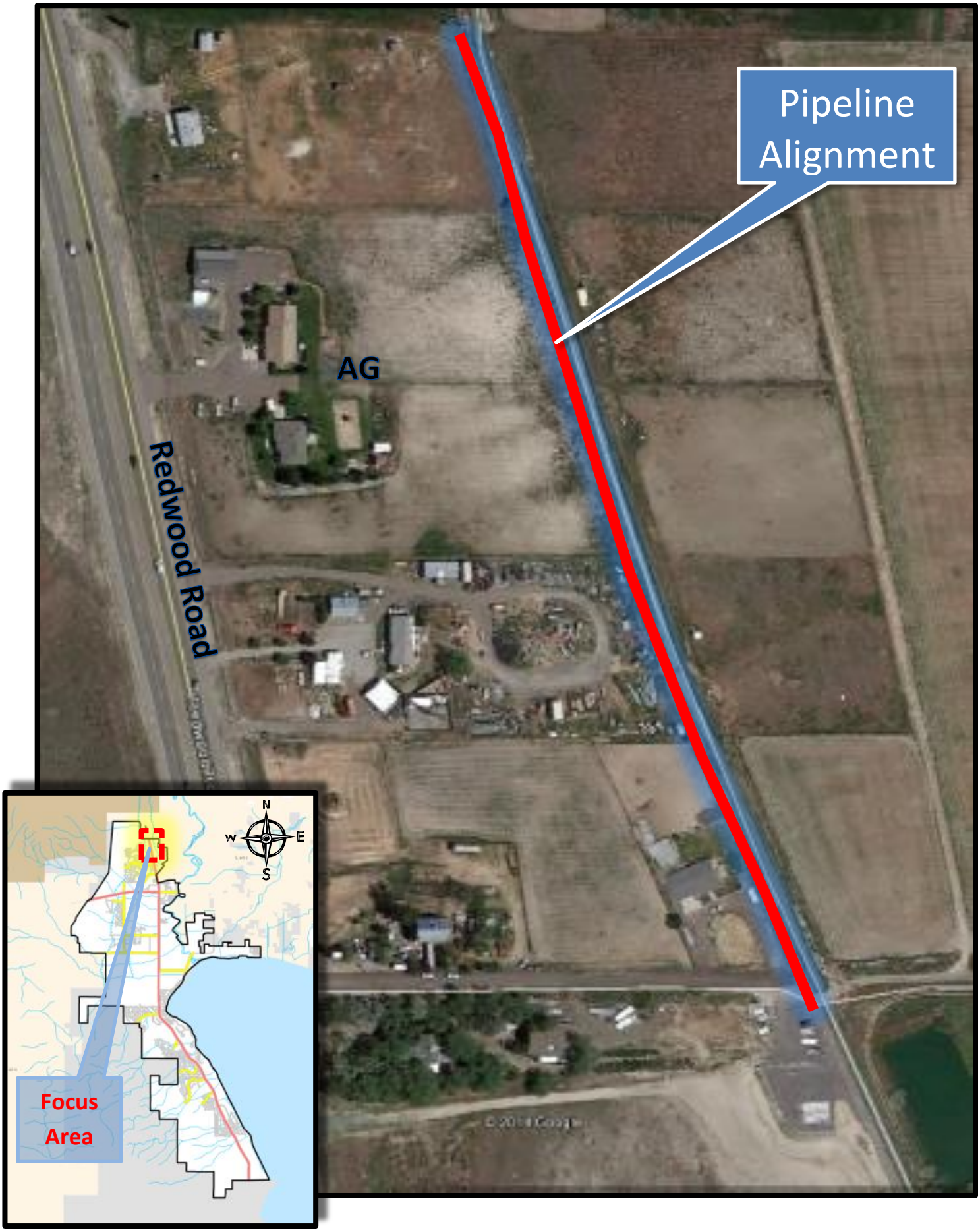
G. All work within the ROW shall require traffic plans prepared by a qualified professional and accepted by the city prior to commencing. Access must be maintained to all existing residences.

H. All work in ROW is to conform to the City of Saratoga Springs Standard Technical Specifications, most recent edition.

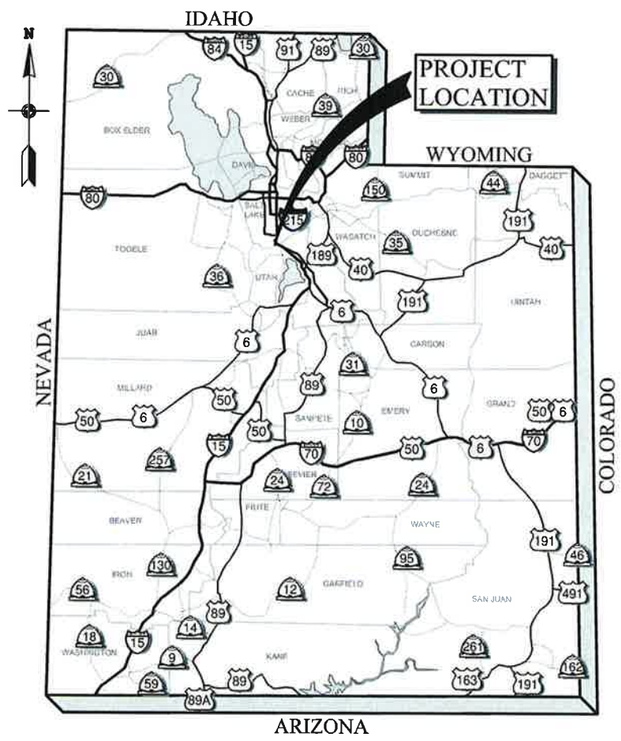
Zoning / Vicinity Map



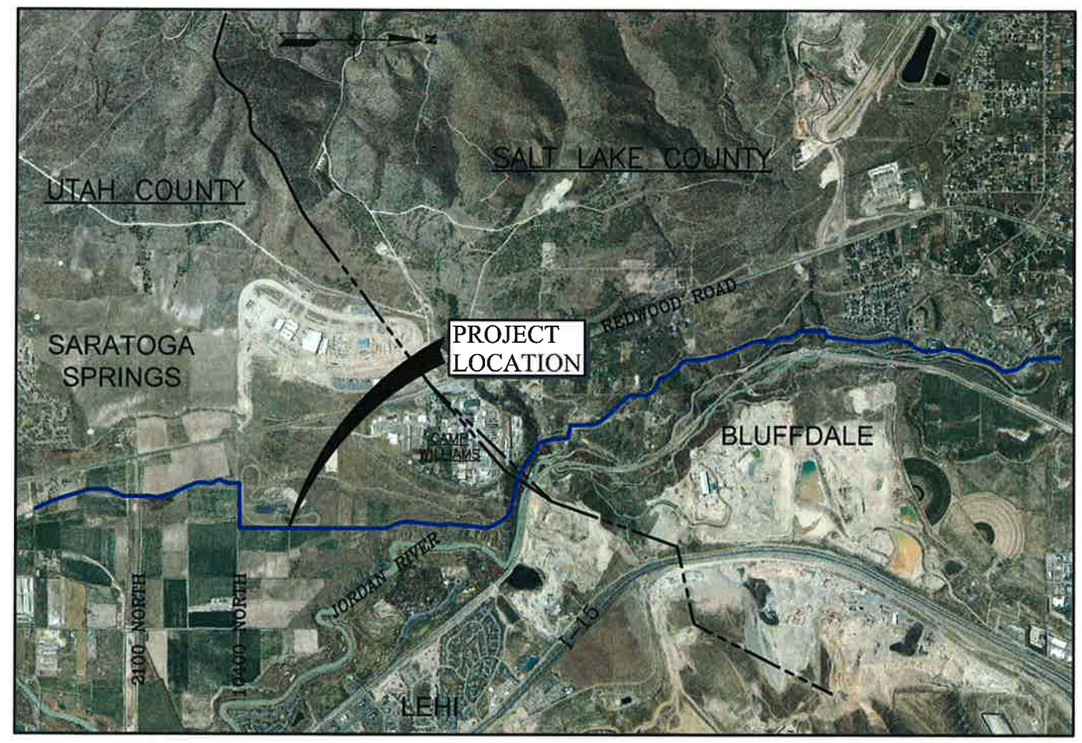
Aerial Photo



DRAWINGS FOR CONSTRUCTION OF THE
CENTRAL PIPELINE PROJECT
JORDAN VALLEY WATER CONSERVANCY DISTRICT



PROJECT LOCATION MAP



PROJECT VICINITY MAP

REGISTERED PROFESSIONAL ENGINEER
No. 369568
JASON LUETTINGER
06-18-14
STATE OF UTAH
CIVIL / MECHANICAL

PROFESSIONAL STRUCTURAL ENGINEER
No. 6953537
C. RUSSELL DAVIS
6/18/14
STATE OF UTAH
STRUCTURAL

PROFESSIONAL ENGINEER
No. 8956005-2202
DARIN SCOTT YOUNGSTROM
6/18/14
STATE OF UTAH
ELECTRICAL

Bowen Collins & Associates, Inc.
CONSULTING ENGINEERS

NO.	DATE	REV. BY	DESCRIPTION

REVISIONS

CENTRAL PIPELINE PROJECT
JORDAN VALLEY WATER CONSERVANCY DISTRICT
WEST JORDAN, UTAH

VERIFY SCALE
BAR IS ONE INCH ON ORIGINAL DRAWING

REVIEW
CHECKED J. LUETTINGER
APPROVED J. LUETTINGER

DESIGN
DESIGN T. OLSEN
DRAWN B. BAUCOM

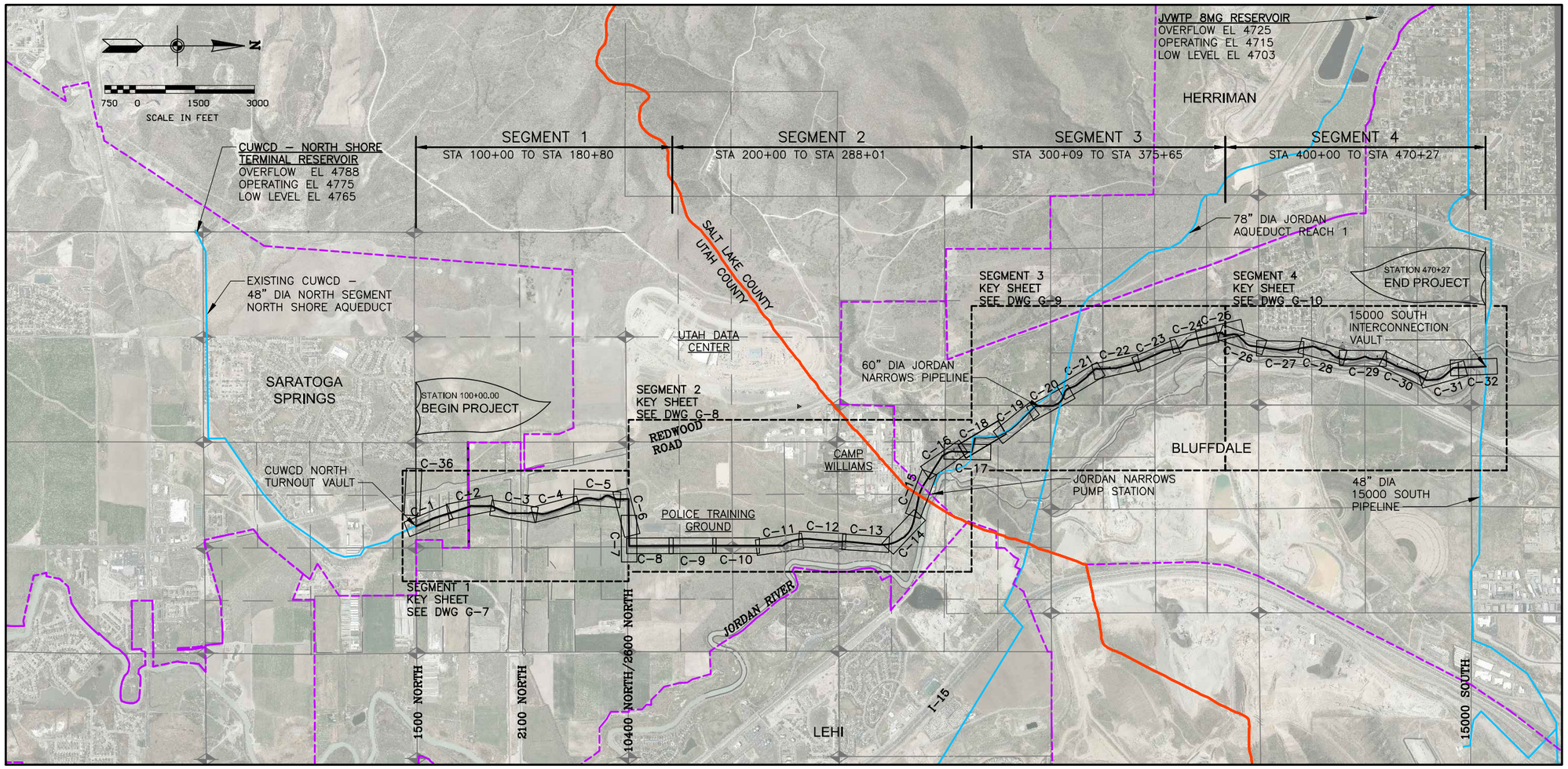
GENERAL
TITLE PAGE, PROJECT LOCATION, AND VICINITY MAP

DATE: JUNE 2014
PROJECT NUMBER 010-12-02

DRAWING NO.
G-1

SHEET 1 OF 166

P:\Jordan Valley WCD\CWP Pipeline Project 2012\2.0 - Design Phase\2.10 Drawings\Sht\0101202_G-01.dwg Jun13,2014 - 3:43pm



SURVEY NOTES:

1. HORIZONTAL CONTROL IS DEFINE BY THE LOCAL PROJECT CONTROL SYSTEM DEFINED ON THIS DRAWING. DRAWINGS G–7 TO G–10 SHOW GROUND COORDINATES FOR SURVEY CONTROL MONUMENTS IN THE PROJECT AREA. ALL COORDINATES BEARING DISTANCES AND STATIONS SHOWN ON THE DRAWINGS ARE GROUND.

PROJECT SURVEY CONTROL

HORIZONTAL CONTROL: TRANSVERSE MERCATOR PROJECTION, INTERNATIONAL FOOT
ORIGIN LATITUDE: N 40°26'05.021"
ORIGIN LONGITUDE: W 111°55'48.778"
FALSE NORTHING: 50,000.00
FALSE EASTING: 50,000.00
FALSE ELEVATION: 4550.00
SCALE FACTOR: 0.99972519
GRS 80 ELLIPSOID
VERTICAL CONTROL: NAVD 88

PROPERTY SURVEY PROVIDED BY: CORNERSTONE, INC
CONTACT: JOHN STAHL PLS 801–455–2360

GROUND SURVEY PROVIDED BY: APEX LAND SURVEYORS
CONTACT: GARY WIER PLS 801–302–3343

GEOTECHNICAL NOTES

1. GEOTECHNICAL INVESTIGATION REPORT PROVIDED BY: GEOSTRATA LLC.
CONTACT: HIRAM ALBA, PE, PG 801–501–0583

2. GEOTECHNICAL TEST HOLES AND BORINGS DATA ID PROVIDED ALONG THE ALIGNMENT AT APPROXIMATELY 2,000 FEET INTERVALS. BORING LOCATIONS SHOWN ON PLANS ARE APPROXIMATELY. REFER TO GEOTECHNICAL REPORT FOR INFORMATION REGARDING SUBSURFACE CONDITIONS THAT MAYBE PRESENT ALONG THE ALIGNMENT.

Bowen Collins & Associates, Inc.
CONSULTING ENGINEERS

REGISTERED PROFESSIONAL ENGINEER No. 369568 JASON LUETTINGER STATE OF UTAH
5/28/2014

NO.	DATE	REV. BY	DESCRIPTION

REVISIONS

CENTRAL PIPELINE PROJECT
JORDAN VALLEY WATER CONSERVANCY DISTRICT
WEST JORDAN, UTAH

VERIFY SCALE
BAR IS ONE INCH ON ORIGINAL DRAWING

DESIGN
DESIGN T. OLSEN
DRAWN B. BAUCOM

REVIEW
CHECKED J. LUETTINGER
APPROVED J. LUETTINGER

GENRAL

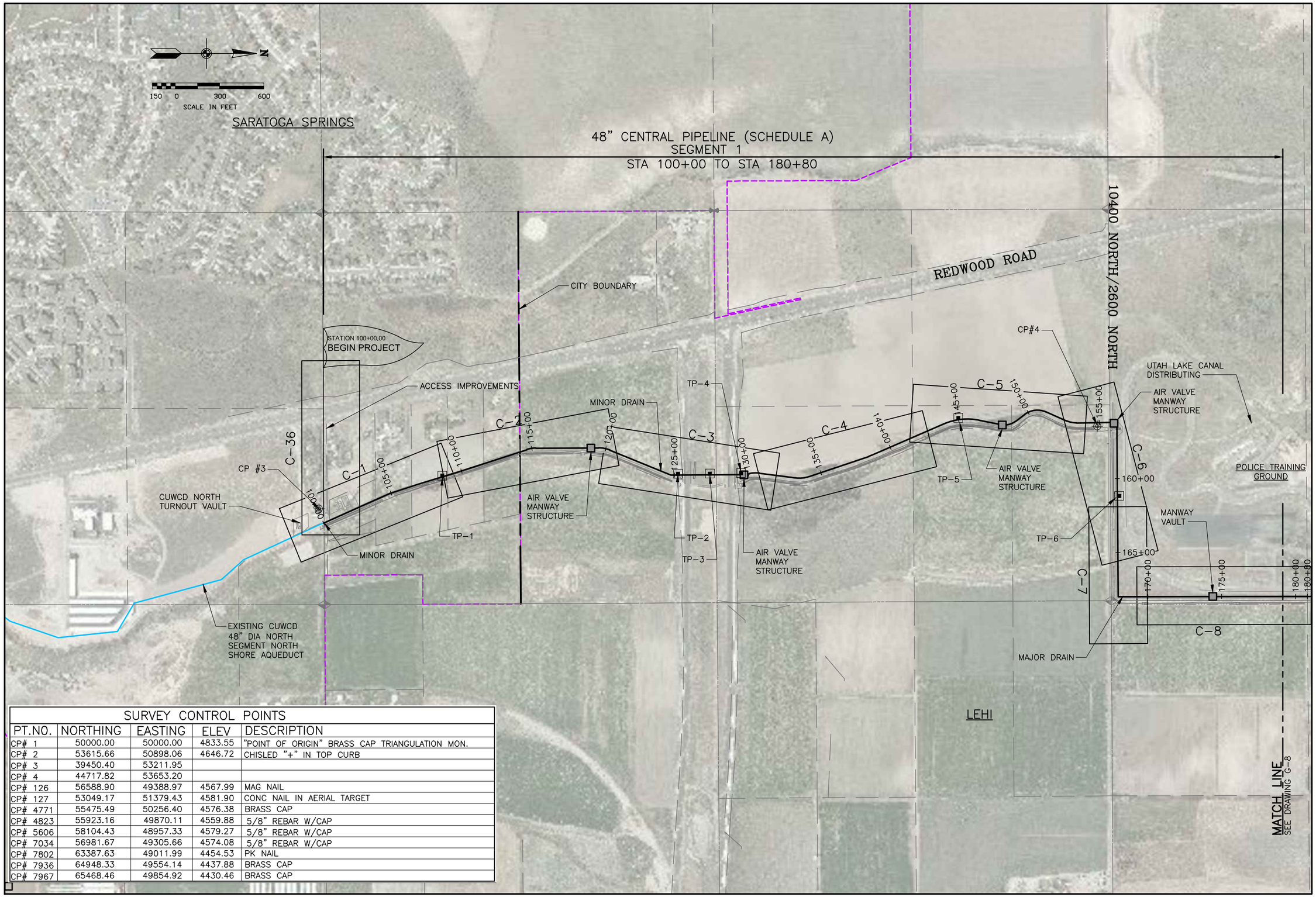
OVERALL DRAWING INDEX MAP

DATE: JUNE 2014
PROJECT NUMBER 010–12–02

DRAWING NO.
G–6

SHEET 6 OF 166

P:\Jordan Valley WCD\CWP Pipeline Project 2012\2.0 – Design Phase\2.10 Drawings\Sht\0101202_G–06 Overall Index Map.dwg Jun13,2014 – 11:55am



SURVEY CONTROL POINTS

PT.NO.	NORTHING	EASTING	ELEV	DESCRIPTION
CP# 1	50000.00	50000.00	4833.55	"POINT OF ORIGIN" BRASS CAP TRIANGULATION MON.
CP# 2	53615.66	50898.06	4646.72	CHISLED "+" IN TOP CURB
CP# 3	39450.40	53211.95		
CP# 4	44717.82	53653.20		
CP# 126	56588.90	49388.97	4567.99	MAG NAIL
CP# 127	53049.17	51379.43	4581.90	CONC NAIL IN AERIAL TARGET
CP# 4771	55475.49	50256.40	4576.38	BRASS CAP
CP# 4823	55923.16	49870.11	4559.88	5/8" REBAR W/CAP
CP# 5606	58104.43	48957.33	4579.27	5/8" REBAR W/CAP
CP# 7034	56981.67	49305.66	4574.08	5/8" REBAR W/CAP
CP# 7802	63387.63	49011.99	4454.53	PK NAIL
CP# 7936	64948.33	49554.14	4437.88	BRASS CAP
CP# 7967	65468.46	49854.92	4430.46	BRASS CAP

Bowen Collins & Associates, Inc.
CONSULTING ENGINEERS

PROFESSIONAL ENGINEER No. 369568 JASON LUETTINGER STATE OF UTAH
5/28/2014

NO.	DATE	REV. BY	DESCRIPTION
			REVISIONS

CENTRAL PIPELINE PROJECT
JORDAN VALLEY WATER CONSERVANCY DISTRICT
WEST JORDAN, UTAH

VERIFY SCALE
BAR IS ONE INCH ON ORIGINAL DRAWING

REVIEW
CHECKED J. LUETTINGER
APPROVED J. LUETTINGER

DESIGN
DESIGN T. OLSEN
DRAWN B. B./R. G.

GENERAL
SEGMENT 1
INDEX MAP

PROJECT NUMBER 010-12-02
DATE: JUNE 2014

DRAWING NO.
G-7

SHEET 7 OF 166

P:\Jordan Valley WCD\CWP Pipeline Project 2012\2.0 - Design Phase\2.10 Drawings\Sht\0101202_G-07.dwg Jun16,2014 - 11:58am

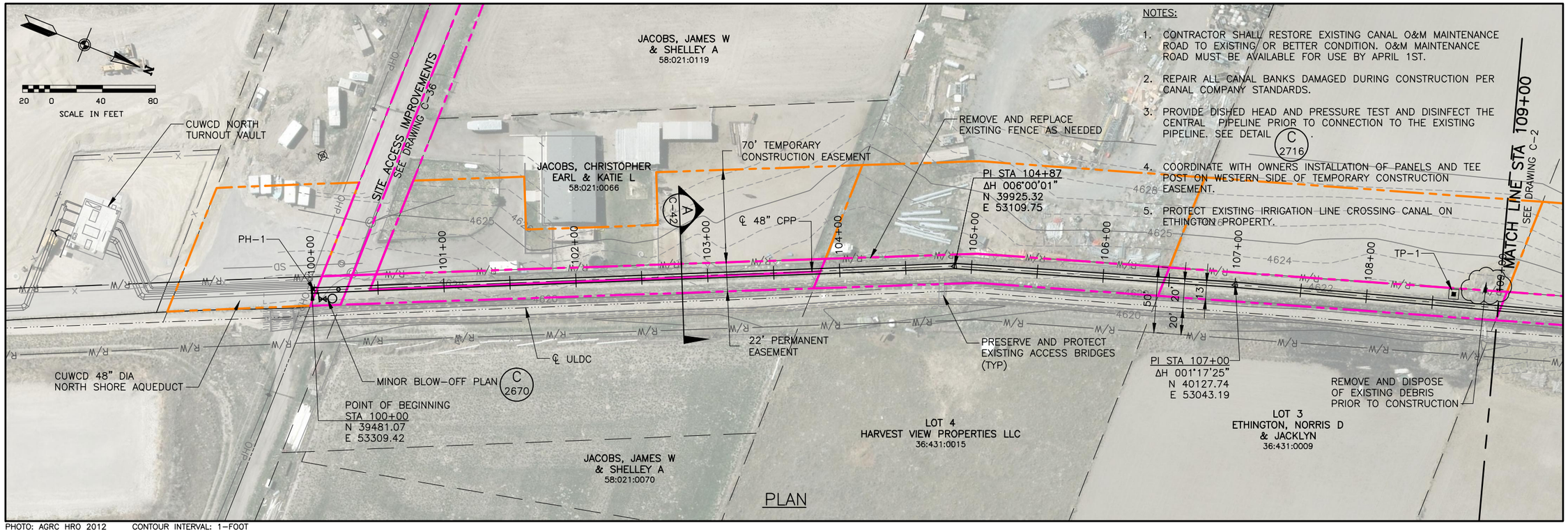
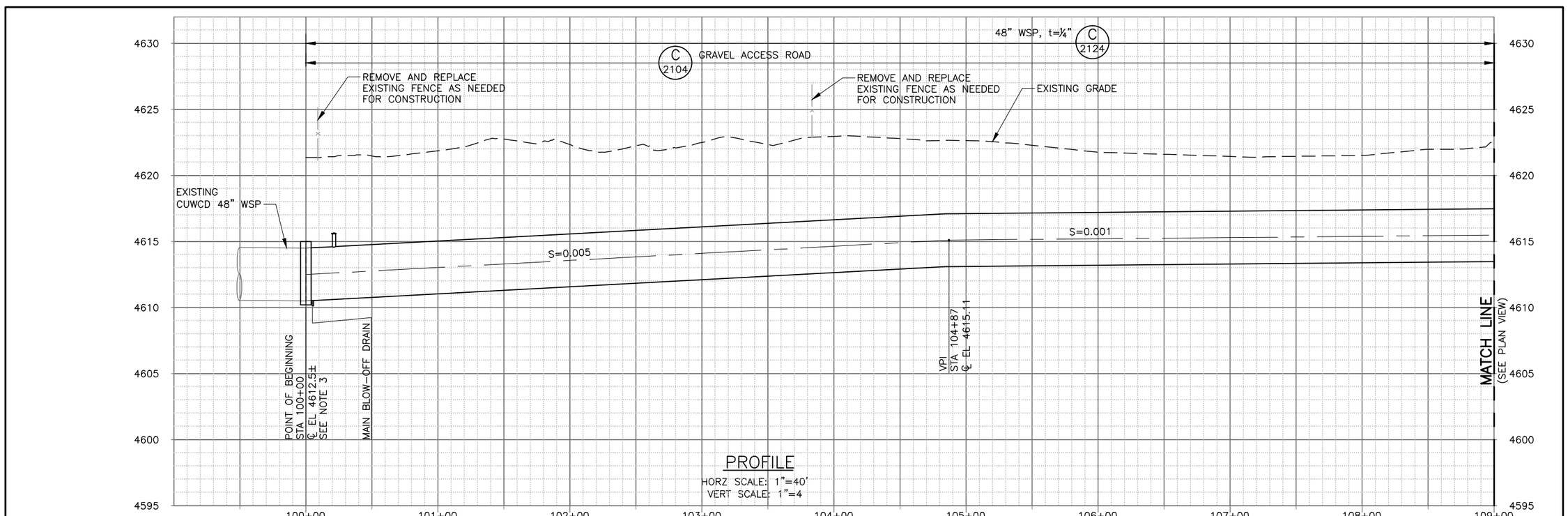


PHOTO: AGRC HRO 2012 CONTOUR INTERVAL: 1-FOOT

NOTES:

1. CONTRACTOR SHALL RESTORE EXISTING CANAL O&M MAINTENANCE ROAD TO EXISTING OR BETTER CONDITION. O&M MAINTENANCE ROAD MUST BE AVAILABLE FOR USE BY APRIL 1ST.
2. REPAIR ALL CANAL BANKS DAMAGED DURING CONSTRUCTION PER CANAL COMPANY STANDARDS.
3. PROVIDE DISHED HEAD AND PRESSURE TEST AND DISINFECT THE CENTRAL PIPELINE PRIOR TO CONNECTION TO THE EXISTING PIPELINE. SEE DETAIL C 2716.
4. COORDINATE WITH OWNERS INSTALLATION OF PANELS AND TEE POST ON WESTERN SIDE OF TEMPORARY CONSTRUCTION EASEMENT.
5. PROTECT EXISTING IRRIGATION LINE CROSSING CANAL ON ETHINGTON PROPERTY.



Bowen Collins & Associates, Inc. CONSULTING ENGINEERS

REGISTERED PROFESSIONAL ENGINEER No. 369568 JASON LUETTINGER STATE OF UTAH 5/28/2014

NO.	DATE	REV. BY	DESCRIPTION

REVISIONS

VERIFY SCALE BAR IS ONE INCH ON ORIGINAL DRAWING

CENTRAL PIPELINE PROJECT
JORDAN VALLEY WATER CONSERVANCY DISTRICT
WEST JORDAN, UTAH

REVIEW
CHECKED J. LUETTINGER
APPROVED J. LUETTINGER

DESIGN
DESIGN T. OLSEN
DRAWN B. BAUCOM

CIVIL - SEGMENT 1

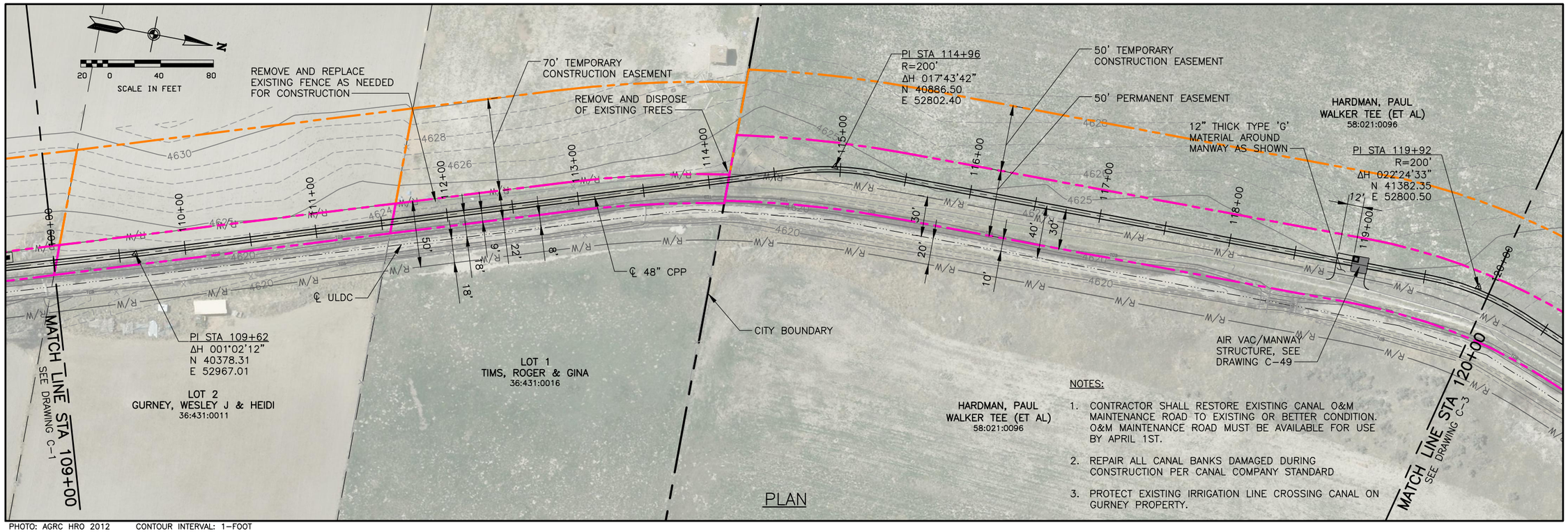
PLAN AND PROFILE STA 100+00 TO STA 109+00

DATE: JUNE 2014 PROJECT NUMBER 010-12-02

DRAWING NO. C-1

SHEET 13 OF 166

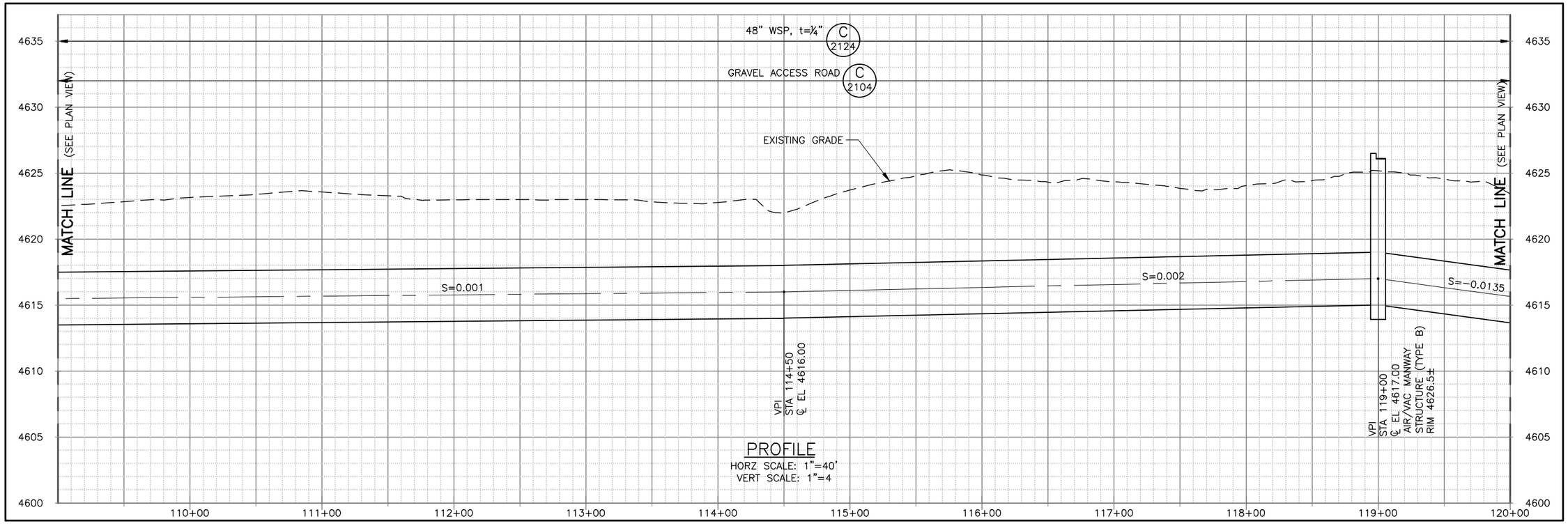
P:\Jordan Valley WCD\CWP Pipeline Project 2012\2.0 - Design Phase\2.10 Drawings\Sht\0101202_C-01 CPP1.dwg Jun13,2014 - 11:04am



NOTES:

1. CONTRACTOR SHALL RESTORE EXISTING CANAL O&M MAINTENANCE ROAD TO EXISTING OR BETTER CONDITION. O&M MAINTENANCE ROAD MUST BE AVAILABLE FOR USE BY APRIL 1ST.
2. REPAIR ALL CANAL BANKS DAMAGED DURING CONSTRUCTION PER CANAL COMPANY STANDARD
3. PROTECT EXISTING IRRIGATION LINE CROSSING CANAL ON GURNEY PROPERTY.

PHOTO: AGRC HRO 2012 CONTOUR INTERVAL: 1-FOOT



PROFILE
HORZ SCALE: 1"=40'
VERT SCALE: 1"=4

Bowen Collins & Associates, Inc.
CONSULTING ENGINEERS

REGISTERED PROFESSIONAL ENGINEER No. 369568 JASON LUETTINGER STATE OF UTAH
5/28/2014

NO.	DATE	REV. BY	DESCRIPTION

REVISIONS

VERIFY SCALE
BAR IS ONE INCH ON ORIGINAL DRAWING

CENTRAL PIPELINE PROJECT
JORDAN VALLEY WATER CONSERVANCY DISTRICT
WEST JORDAN, UTAH

DESIGN T. OLSEN
DRAWN B. BAUCOM
REVIEW
CHECKED J. LUETTINGER
APPROVED J. LUETTINGER

CIVIL - SEGMENT 1

PLAN AND PROFILE STA 109+00 TO STA 120+00

DATE: JUNE 2014
PROJECT NUMBER 010-12-02

DRAWING NO. C-2

P:\Jordan Valley WCD\CWP Pipeline Project 2012\2.0 - Design Phase\2.10 Drawings\Sht\0101202_C-02.dwg Jun13,2014 - 11:05am

N

15 0 30 60
SCALE IN FEET

EXISTING EDGE OF ASPHALT

REDWOOD ROAD

JACOBS, JAMES W & SHELLEY A
58:021:0119

JACOBS, CHRISTOPHER EARL & KATIE L
58:021:0066

℄ 48" CPP FOR CONTINUATION SEE DRAWING C-1

16.5' PERMANENT EASEMENT

ACCESS RAMP 1

25.0'

24.0'

40.0'

ACCESS TO CENTRAL PIPELINE ALIGNMENT

R=15' (TYP)

18" SMOOTH WALLED PLASTIC PIPE CULVERT

21' PERMANENT EASEMENT

LOCKE, MICHAEL W & NANCY R
58:023:0120

TEW BY 4, LLC
58:023:0118

JORDAN VALLEY WATER CONSERVANCY DISTRICT

CUWCD NORTH TURNOUT VAULT

COUGARS ROCK INVESTMENTS LLC
58:023:0191

102+00 101+00 100+00

R/W OHP SS SD

6" THICK PG 6428
3/4" ASPHALT, MAX
LIFT THICKNESS = 3"

ASPHALT GRAVEL TRANSITION C 2120

6" THICK 3/4" MINUS
UTBC TYPE 'G' MATERIAL

12" THICK, SURFACE TYPE
'G' OR 'M' MATERIAL

NOTES:

1. HOT ASPHALTIC CONCRETE PAVEMENT SHALL BE PLACED IN A MINIMUM OF TWO LIFTS. A TACK COAT SHALL BE PLACED BETWEEN LIFTS AND ALONG ALL VERTICAL SURFACES OF EXISTING PAVEMENT.

ACCESS RAMP SECTION 1
NTS

PLAN

P:\Jordan Valley WCD\CWP Pipeline Project 2012\2.0 - Design Phase\2.10 Drawings\Sht\0101202_C-36 Jacobs Access.dwg Jun17,2014 - 9:19am

Bowen Collins & Associates, Inc.
CONSULTING ENGINEERS

REGISTERED PROFESSIONAL ENGINEER No. 369568 JASON LUETTINGER STATE OF UTAH
5/28/2014

NO.	DATE	REV. BY	DESCRIPTION

REVISIONS

CENTRAL PIPELINE PROJECT
JORDAN VALLEY WATER CONSERVANCY DISTRICT
WEST JORDAN, UTAH

VERIFY SCALE
BAR IS ONE INCH ON ORIGINAL DRAWING

REVIEW
CHECKED J. LUETTINGER
APPROVED J. LUETTINGER

DESIGN
DESIGN T. OLSEN
DRAWN B. BAUCOM

CIVIL
JACOBS ACCESS PLAN

PROJECT NUMBER 010-12-02
DATE: JUNE 2014

DRAWING NO.
C-36

SHEET 55 OF 166

CITY OF SARATOGA SPRINGS

Planning Commission
Staff Report

Saratoga Springs Plat 16A
Preliminary Plat
August 14, 2014
Public Hearing - *CONTINUATION*

Report Date:	August 7, 2014
Applicant/Owner:	Peter Staks / Lynn Wardley
Location:	1530 South Centennial Boulevard
Major Street Access:	Centennial Boulevard
Parcel Number(s) & Size:	59-001-0097, 58-041-0146, -0096, -0188; 18.944 acres
Parcel Zoning:	R-3
Adjacent Zoning:	R-3
Current Use of Parcel:	Undeveloped
Adjacent Uses:	Low Density Residential & Open Space (Eagle Park & Utah Lake)
Previous Meetings:	Concept Plan heard by Planning Commission on May 2, 2006 and by City Council on May 9, 2006. Preliminary Plat heard by Planning Commission on May 15, 2007 and conditionally approved by City Council on May 22, 2007
Previous Approvals:	Preliminary Plat, conditionally approved by City Council on May 22, 2007 (expired); Lakeside MDA 09/17/2013
Land Use Authority:	City Council
Future Routing:	Public meeting with City Council
Author:	Scott Langford, Senior Planner

A. Executive Summary:

As of the completion deadline for this meeting, the applicant has not provided all of the required information needed to complete a full review of the proposed subdivision. Staff has been in contact with the applicant and has been assured that the absent material will be provided in time to complete the review for the August 28th Planning Commission meeting.

Recommendation:

Staff recommends that the Planning Commission conduct a public hearing, take public comment and continue the hearing to the August 28, 2014 Planning Commission meeting.

CITY OF SARATOGA SPRINGS

Planning Commission
Staff Report

Revised Concept Plan
Riverside Heights (Sunset Acres)
Thursday, August 14, 2014
Discussion and Feedback

Report Date:	Thursday, August 7, 2014
Applicant:	Ivory Development, LLC
Owner:	Floyd Chris and Carolyn Norman
Location:	Crossroad Blvd and 400 East
Major Street Access:	Crossroad Blvd
Parcel Number(s) & Size:	58:032:0102, 4.0004 acres 58:032:0100, 0.928 acres 58:032:0101, 4.754 acres TOTAL: 9.6824 acres
General Plan Designation:	Medium Density Residential
Parcel Zoning:	R-10
Adjacent Zoning:	R-6, R-14, A
Current Use of Parcel:	Vacant, Ag
Adjacent Uses:	Residential, Vacant, Ag
Previous Meetings:	Planning Commission, April 24, 2014 City Council, June 3, 2014
Previous Approvals:	Rezone approved 2007 Concept plan approved 2007 *(Preliminary plat submitted in 2008; inactive)*
Land Use Authority:	City Council
Future Routing:	Preliminary Plat, Commission and Council
Author:	Kimber Gabryszak, Planning Director

A. Executive Summary:

The applicant, Ivory Homes on behalf of the property owner, is requesting Concept Plan review of a 91-unit townhome development on approximately 9.68 acres north of Crossroad Blvd. and west of 400 East.

Recommendation:

Staff recommends that the Planning Commission discuss the application and give informal feedback to the applicant in preparation for the preliminary plat process.

Kimber Gabryszak, AICP, Planning Director
kgabryszak@saratogaspringscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x107 • 801-766-9794 fax

B. Background & Request:

The property is zoned R-10, which includes multi-family development as a permitted use. A rezone from A to R-10 was submitted in 2006, and was approved in 2007. The concept plan that accompanied the rezone was also approved in 2007, showing 91 units. A preliminary plan for 91 units was then submitted in January 2008, but no action was taken on the application.

The applicants submitted a revised concept plan for 96 units in February of 2014, and a concept plan showing additional revisions in May of 2014 in response to Commission and Staff feedback.

The applicants took the previous concepts to the Planning Commission in April 2014 and the City Council in June 2014. Based on feedback received at those meetings, the applicants have submitted a revised concept plan for 91 units, for a density of approximately 9.5 units per acre.

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. Upon completion of the Concept Plan process, the applicant will then be able to move forward with a Preliminary Plat which will return to the Planning Commission for a public hearing and the Council for action.

The applicants are proposing townhomes; the individual units would be owned separately and the land outside of the unit footprints would be owned as common space. The process for this type of development begins with concept plan, followed by a preliminary plat, and then a final subdivision plat or a condominium plat if the applicant desires. These will return to the Commission and Council for public review at a later date.

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 Preliminary Plat.

The applicants conducted a neighborhood meeting on Monday, July 28, 2014. The sign-in sheet and notes are attached.

E. Previous Concept Plan

The Planning Commission reviewed the concept plan on April 24, 2014 and the Council a slightly revised plan on June 3, 2014. Their primary concerns included:

- Concern over the driveway length for rear-loaded townhomes and loss of parking
- Potential impact of the General Plan limits on unit types
- Ensuring that the plan to be revised to meet all setbacks.

- A desire to ensure through connectivity to adjacent developments
- Noting that setbacks are included in the open space calculation, which is not permitted, as it does not result in useable open space
- Concerns over the linear nature of the development, and request for more street character
- Stating that guest parking should be dispersed throughout the project to be accessible to more residents and guests
- Suggesting that applicant return with revised concept plan meeting all Code standards prior to preliminary plat

In response to the Commission, Council, and Staff feedback, the applicant has significantly revised the concept plan. Changes include reconfiguration of the road/driveway layout, consolidation of the open space, reduction in unit size to enable additional open space, and increase in proposed open space to over 30%.

F. General Plan:

Land Use Designation: The property is identified as "Medium Density Residential" on the Land Use map. The Medium Density Residential land use category states:

> The Medium Density Residential designation is provided as a means of allowing for residential developments at higher densities in neighborhoods that still maintain a suburban character. This area is to be characterized by density ranging from 4 to 14 units per acre that may include a mixture of attached and detached dwellings. Planned Unit Developments may be permitted in the Medium Density Residential areas.
>
> The main application of this designation should be in areas where the City desires to create a functional transition from one land-use to another. While some multi-family structures may be permitted in a stacked form, the majority of any attached dwellings should be designed in a side-by-side configuration. Developments in these areas shall contain landscaping and recreational features as per the City's Parks, Recreation, Trails, and Open Space Element of the General Plan. Open spaces may be comprised of both Natural and Developed Open Spaces. In this land use designation, it is estimated that a typical acre of land may contain 6 dwelling units.

Staff analysis: consistent. The proposal contains 10 units per acre, which is within the range identified in the General Plan, and consists of a side-by-side configuration.

Unit Type (Proposition 6): the proposal consists of multi-family attached units of 2 stories. Per the recent Proposition 6, which was approved in November 2013, the General Plan has been amended to limit the percentage of dwelling units in this category type (multi-family attached, 2 or more stories) to no more than 7% of all units in the City. Based upon an analysis of the existing approved units in the City, this 7% limit has been exceeded.

However, the property was zoned to R-10 in conformance to the General Plan Land Use Map prior to the Proposition. Therefore, it is possible that the zoning and related allowed uses may still be found consistent with the General Plan.

Staff analysis: up for discussion.

G. Code Criteria:

Section 19.04.17 of the Code outlines the standards for the R-10 zone:

- Minimum lot size, frontage, width, coverage – it appears that these requirements will be met, however this will be monitored and verified with revised plans through the preliminary plat process.
    - Lot size: 5,000 sq.ft., based on each building rather than each unit
    - Lot frontage: 35′ along a public or private road
    - Lot width: 50′, based on each building rather than each unit
    - Lot coverage: 50% - the application proposes ~25% lot coverage

- Density – the proposal originally included 97 units, which density was 0.01 units per acre over the maximum. The applicant removed a unit to comply with the maximum density, and has since reduced the density further, to 91 units, or 9.5 units per acre.

- Setbacks / height – in the original plans, several buildings did not meet the setbacks. The applicants have revised the plan to meet the requirements.
    - Non-corner lots:
        - Front: 25′,
        - Side: 10′ for multi-family residences
        - Rear: 20′
        - The original plan included real-loaded townhomes that did not meet the setbacks, and several buildings too close to the front property line. The applicants have removed the rear-loaded product and now meet the requirement.
        - Lots 175-179 may need to be moved back to meet the non-corner lot setback due to the park between the building and the corner.
    - Corner lots:
        - Front 20′
        - Side 15′
        - Rear 20′
        - Buildings on corner lots comply with these setbacks.
    - Height: 35′
        - The maximum in the R-10 and R-18 were adjusted in a recent Code amendment, allowing the higher limit (40′) in the R-18 zone and changing the maximum in the R-10 zone to 35′.
        - Compliance will be verified through building permit

- Minimum Dwelling Size – 1000 sq.ft.; most units are more than double the minimum, and compliance will be verified at building permit.

- Open Space / Sensitive Lands – 20%
    - ~32% provided.

    - Setbacks are not included internally to the project; along the perimeter, setbacks are included as a connecting trail has been provided.
    - The landscaping has been consolidated and no longer includes narrow strips of unusable space.
    - Further review will be done at Preliminary Plat when detailed landscaping plans are provided.

- Permitted uses – multi-family units are a permitted use in this zone.

Other items:

- Lighting plans were provided, however they did not include the lighting fixture heights or type. Further review will be done at preliminary plat and building permit to verify that the lighting types comply with the City standard or similar alternative if approved through the process.

- More than the minimum required amount of parking has been provided. Staff and the Commission requested that the guest parking be spread throughout the development and not clustered. The applicants have made this change and have also ensured that all driveways are a minimum of 20 feet in length.
    - Requirement:
        - 2 stalls per unit (182 stalls)
        - 0.25 guest per unit (22.75)
        - Total: 204.75
    - Provided:
        - Garage spaces: 182
        - Driveway spaces: 182
        - Additional guest spaces: 30
        - Total: 394

- Landscaping plans will be provided at a later date and reviewed for compliance. The applicants have provided a conceptual amenities package including a tot lot and sport court and small pavilions.

- Conceptual elevations are not required for the Concept plan, however the applicant has provided conceptual elevations for reference.

- Second access requirements will be met through improvements to 400 East. Appropriate timing of the improvements will be required to ensure that second access is provided before homes are constructed.
    - Staff does recommend that the Commission and Council require that the project include a stub road to the perimeter of the property in the southwest corner of the project to ensure future development connectivity. Connectivity requirements are outlined in 19.12, Subdivisions.

The Urban Design Committee conducted an initial review, providing the following comments:

- Expressed concerns over the driveway lengths (too short)
- Expressed concerns over the lack of street character
- Stated that pedestrian connections appear to be sufficient

The City Engineer also conducted a review, and the comments and requirements from the Engineering department are attached as Exhibit 1.

H. Recommendation and Alternatives:

Staff recommends that the Planning Commission discuss the proposal and give the applicant informal feedback in preparation for the concept plan being reviewed by the Council, followed by the preliminary plat process.

I. Exhibits:

1. City Engineer's Report (pages 7-8)
2. Location & Zone Map (page 9)
3. Aerial (page 10)
4. Concept Plan – May 2014 (page 11)
5. Revised Concept – July 2014 (pages 12-15)
6. Conceptual Elevations (page 16)
7. Neighborhood Meeting (pages 17-19)

Exhibit 1

City Council
Staff Report

Author: Jeremy D. Lapin, City Engineer
Subject: Riverside Heights – Concept Plan
Date: August 14, 2014
Type of Item: Concept Plan Review

CITY OF SARATOGA SPRINGS

Description:

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

B. Background:

Applicant:	*Ivory Development, LLC*
Request:	*Concept Plan*
Location:	*Approximately 1550 N and 400 E*
Acreage:	*9.68 acres - 91 Units*

C. Recommendation: Staff recommends the applicant address and incorporates 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. 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. Storm water must be treated to remove all floatables and 80% of TSS.

F. The Storm Drain outfall line should be extended to Jordan River and an outlet structure provided to prevent erosion.

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. Sewer, storm drain, culinary water and secondary water will need to be connected to the respective utilities in Crossroads Blvd. Culinary and secondary water need to connect at Crossroads Blvd. and at Alhambra Drive to loop the systems and prevent excessive dead end water lines.

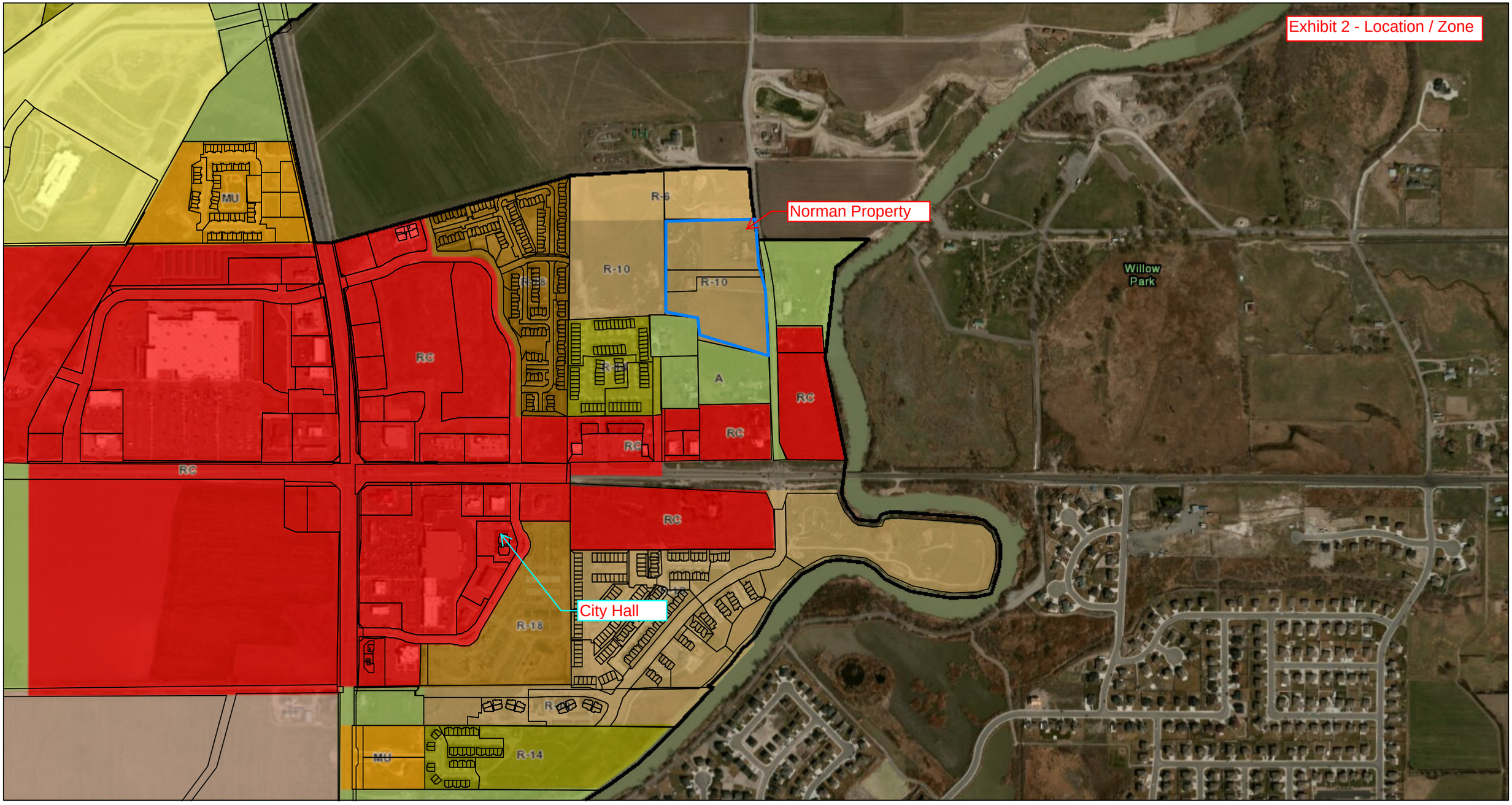
N. Developer shall provide a complete road design for 400 East to ensure future vertical and horizontal curves can be met. This design shall be from Crossroads Boulevard to the northern most end of the proposed development. 400 East may need to be reconstructed from Crossroads Blvd. to the northern end of the proposed development as it does not currently meet City standards. The existing slopes/berms adjacent to Crossroads Blvd may need to be modified/removed so as to be compliant with all City, UDOT, and AASHTO standards for sight distance requirements.

O. Developer shall provide a geotechnical and soils report that provides a proposed design for the large fill required on the property, design must be reviewed and approved by the City Engineer.

P. Alhambra shall be constructed as a City standard local road (56’ ROW) and be extended to 400 East.

Q. ROW cross sections for private roads shall meet public road standards. This includes a ROW width of 40’ and centerline curves that have a minimum radius of 200 feet.

Zoning & Planning



April 16, 2014

1:9,028

0 0.1 0.2 0.4 mi

0 0.175 0.35 0.7 km

- City Parcels
- City Boundary
- A - Agricultural
- RA-5
- RR - Rural Residential
- R-2 - Low Density Residential
- R-3 - Low Density Residential
- R-6 - Medium Density Residential
- R-10 - Medium Density Residentia
- R-14 - High Density Residential
- R-18 - High Density Residential
- NC - Neighborhood Commercial
- MU - Mixed USe
- PC - Planned Community
- RC - Regional Commercial
- OW - Office Warehouse

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Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

SaratogaSprings

Zoning & Planning

April 16, 2014

City Parcels

1:2,257

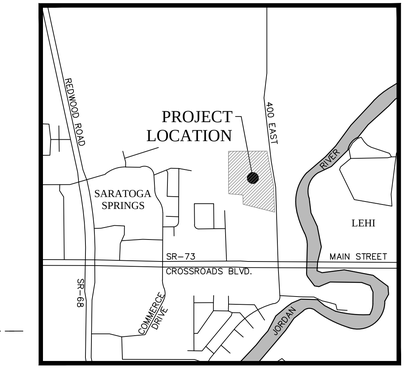
0 0.0275 0.055 0.11 mi

0 0.0425 0.085 0.17 km

Copyright:© 2014 Esri, DeLorme, HERE, TomTom
Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

SaratogaSprings

Exhibit 4- Original Concept Plan



VICINITY MAP
N.T.S

LEGEND

- BOUNDARY
- ROW
- CENTERLINE
- LOT LINE
- EASEMENT
- 15" STORM DRAIN
- 8" SANITARY SEWER
- 8" CULINARY WATER
- 8" SECONDARY WATER
- CONTOUR MAJOR
- CONTOUR MINOR
- EXIST. STORM DRAIN
- EXIST. SANITARY SEWER
- EXIST. CULINARY WATER
- EXIST. FENCE
- EXIST. CONTOUR MAJOR
- EXIST. CONTOUR MINOR
- SIGN
- STREET LIGHT
- SD MH, INLET, AND COMBO
- SEWER MANHOLE
- VALVE, TEE & BEND
- WATER BLOW-OFF
- FIRE HYDRANT
- STREET MONUMENT
- EXIST. SD INLET & MH
- EXIST. SEWER MH
- EXIST. VALVE, TEE, & BEND
- EXIST. FIRE HYDRANT
- SPOT ELEVATION

CONCEPT BOUNDARY DESCRIPTION

A portion of that Real Property described in Deed Book 810 Page 387 of the Official Records of Utah County located in the SE1/4 of Section 11 & the NE1/4 of Section 14, Township 5 South, Range 1 West, Salt Lake Base & Meridian, located in Saratoga Springs, Utah, more particularly described as follows:

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Contains: 9.69+/- acres

NOTES:

1. THE SUBJECT PROPERTY IS LOCATED IN THE FEMA FLOOD ZONE X PER THE FEMA MAP 4902090115 C, DATED JULY 17, 2002.
2. SEWER, STORM DRAIN, CULINARY WATER, AND SECONDARY WATER WILL NEED TO CONNECT TO THE RESPECTIVE UTILITIES IN CROSSROADS BLVD. CULINARY AND SECONDARY WATER NEED TO CONNECT AT CROSSROADS BLVD AND AT ALHAMBRA DRIVE TO LOOP THE SYSTEMS AND PREVENT EXCESSIVE DEAD END WATER LINES.
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4. THE NORTH PORTION OF 400 EAST IS LOCATED WITHIN LEHI CITY BOUNDARIES. WE WILL NEED TO COLLABORATE WITH BOTH LEHI AND SARATOGA SPRINGS ON AN APPROPRIATE ROAD CROSS-SECTION.
5. ALL TRASH STORAGE WILL BE HANDLED WITH INDIVIDUAL TRASH RECEPTACLES IN THE GARAGE OF EACH UNIT. THE OCCUPANTS WILL BE RESPONSIBLE TO BRING THEIR TRASH RECEPTACLE CURB SIDE ON THE DAY OF TRASH PICKUP.

DEVELOPMENT TABLE

- NUMBER OF LOTS = 96 LOTS
- NUMBER OF PROPOSED GARAGE SPACES = 192
- NUMBER OF PROPOSED SURFACE PARKING SPACES =154
- NUMBER OF GUEST PARKING STALLS = 34
- PERCENTAGE OF BUILDABLE LAND = 70%
- PERCENTAGE OF OPEN SPACE = 30%
- NET DENSITY = 9.91 UNITS/ACRE

Curve Table

CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	312.00	8°48'03"	47.92	N85°35'58"E	47.88
C2	328.00	8°48'03"	50.38	S85°35'58"W	50.33
C3	269.00	14°18'41"	67.19	S84°23'51"E	67.02
C4	200.00	77°14'31"	269.63	S38°37'15"E	249.67
C5	1730.74	12°32'58"	379.08	N05°52'56"W	378.33

N

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GRAPHIC SCALE

40 0 20 40 80 160

(IN FEET)
1 inch = 40 ft.

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SUNSET ACRES
Saratoga Springs
Concept Plan

REVISION BLOCK

#	DATE	DESCRIPTION
1	----	----
2	----	----
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Concept Plan

Scale:	1"=40'	Drawn:	TMR
Date:	03/27/2014	Job #:	14-002
Sheet:	C1		

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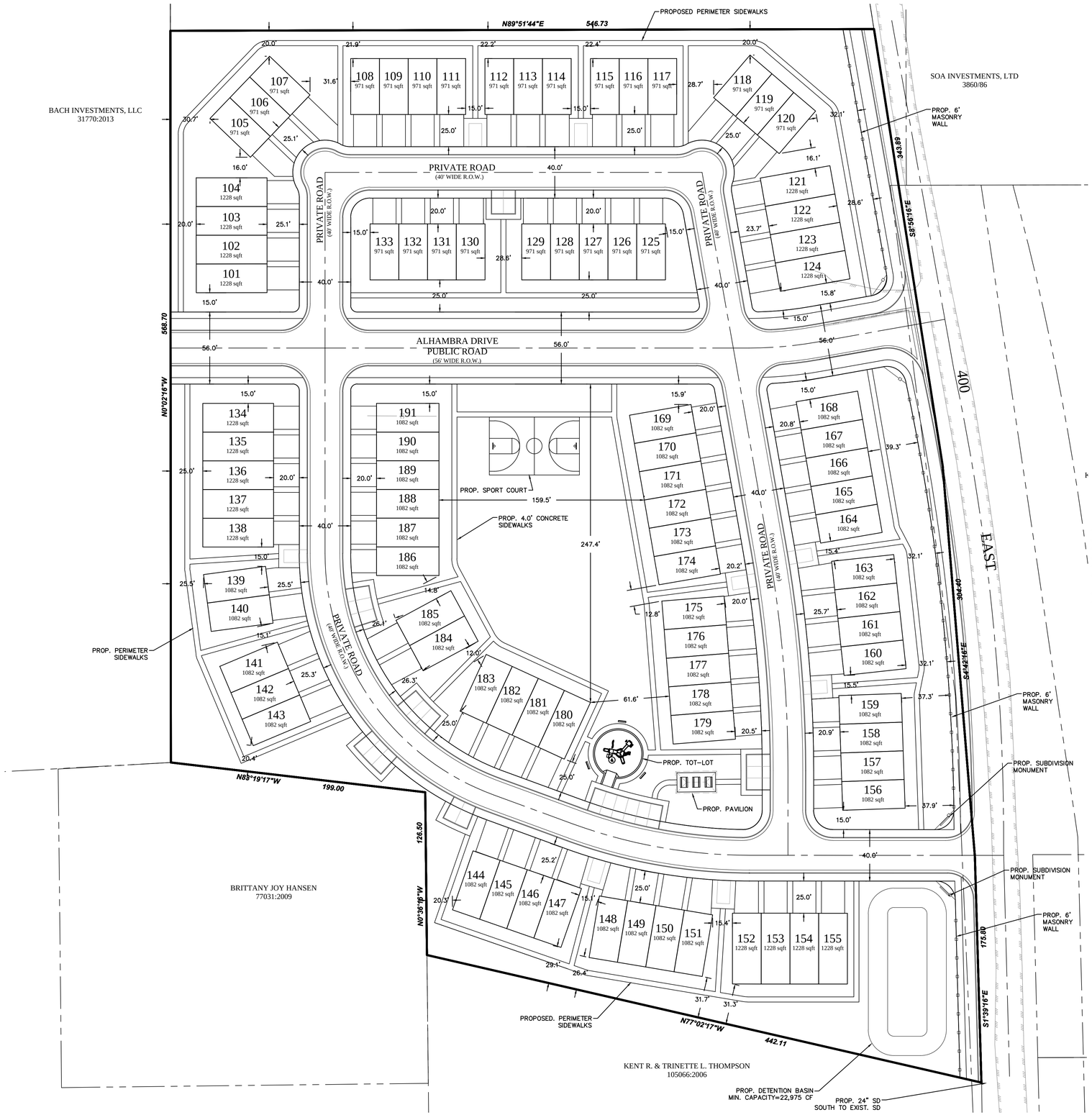

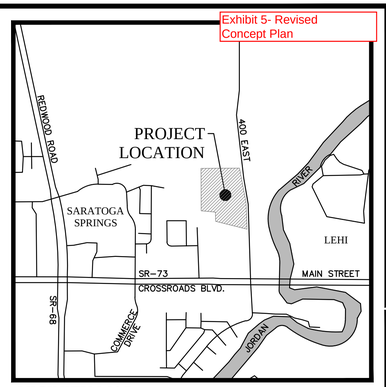

VICINITY MAP
N.T.S

DEVELOPMENT TABLE

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- PERCENTAGE OF BUILDABLE LAND = 68%
- PERCENTAGE OF OPEN SPACE = 32%
  - OPEN SPACE: 136,901 SQFT
- NET DENSITY = 9.91 UNITS/ACRE
- NO SENSITIVE LANDS

CONCEPT BOUNDARY DESCRIPTION

A portion of that Real Property described in Deed Book 810 Page 387 of the Official Records of Utah County located in the SE1/4 of Section 11 & the NE1/4 of Section 14, Township 5 South, Range 1 West, Salt Lake Base & Meridian, located in Saratoga Springs, Utah, more particularly described as follows:

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Contains: 9.69+/- acres

NOTES:

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N
S

GRAPHIC SCALE
40 0 20 40 80 160
(IN FEET)
1 inch = 40 ft.

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SANDY, UTAH 84070 PH: (801) 352-0075
www.focusutah.com

RIVERSIDE HEIGHTS
Saratoga Springs
Concept Plan

REVISION BLOCK

#	DATE	DESCRIPTION
1	----	----
2	----	----
3	----	----
4	----	----
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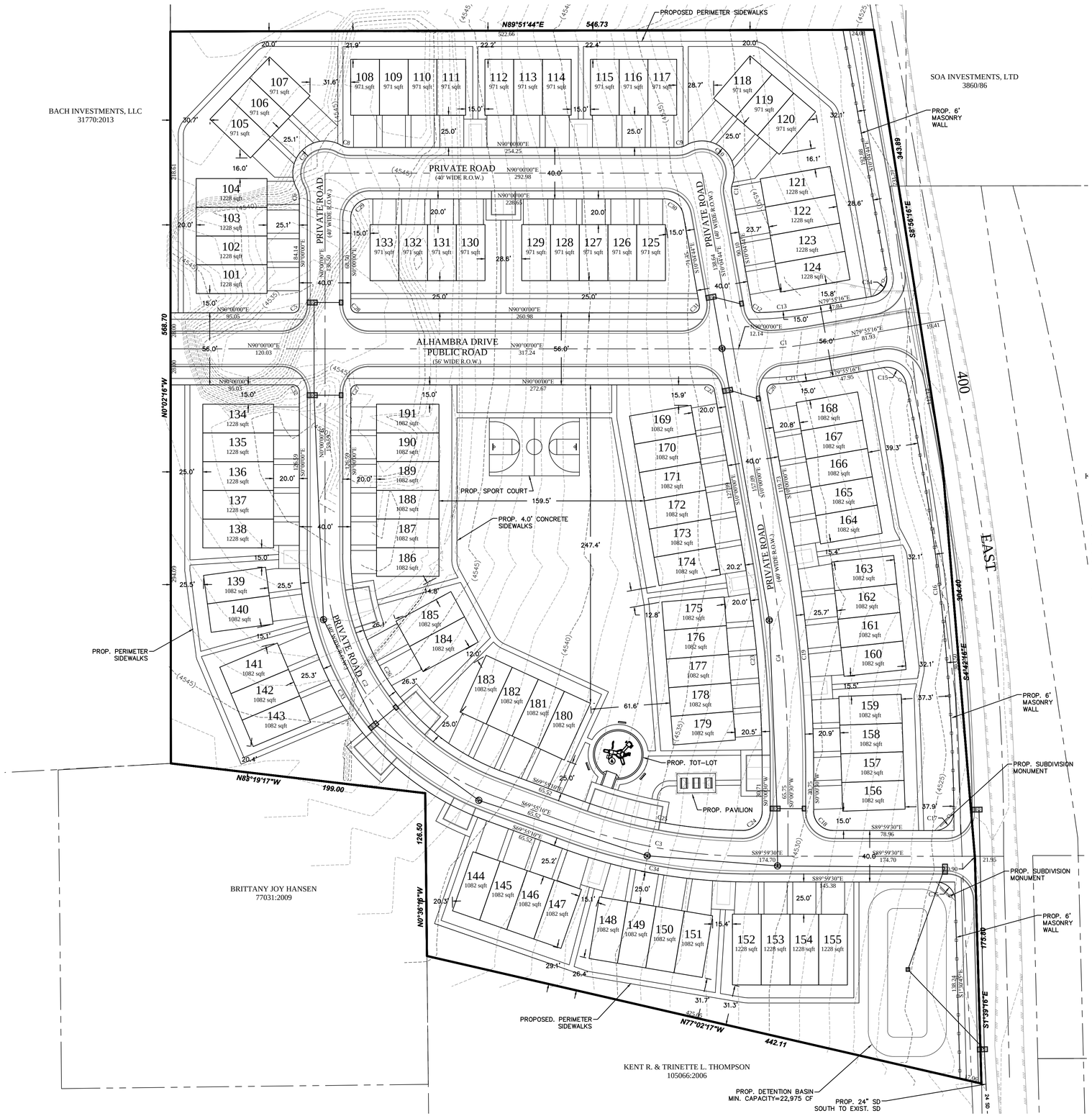
Concept Plan

Scale:	1"=40'	Drawn:	TMB
Date:	7/16/2014	Job #:	14-002
Sheet:	C1		



Curve Table					
CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	300.00	10°04'44"	52.77	N84°57'38"E	52.70
C2	200.00	69°55'10"	244.06	S34°57'35"E	229.20
C3	400.00	20°04'21"	140.13	S79°57'20"E	139.42
C4	1000.00	10°00'30"	174.68	N04°59'45"W	174.45
C5	5.00	90°00'00"	7.85	N45°00'00"E	7.07
C6	15.00	28°57'18"	7.58	N14°28'39"W	7.50
C7	25.00	147°54'36"	64.54	S45°00'00"W	48.05
C8	15.00	28°57'18"	7.58	S75°31'21"E	7.50
C9	15.00	28°57'18"	7.58	N75°31'21"E	7.50
C10	25.00	137°49'52"	60.14	N50°02'22"W	46.65
C11	15.00	28°57'18"	7.58	S04°23'55"W	7.50
C12	5.00	81°30'08"	7.11	S50°49'48"E	6.53
C13	272.00	8°29'52"	40.34	N84°10'12"E	40.30
C14	15.00	90°00'00"	23.56	N34°55'16"E	21.21
C15	15.00	87°59'24"	23.04	N56°05'02"W	20.84
C16	1692.24	11°21'39"	335.54	N06°24'30"W	335.00
C17	15.00	90°44'10"	23.75	N44°38'24"E	21.35
C18	15.00	90°00'00"	23.56	S44°59'30"E	21.21
C19	1020.00	10°00'30"	178.17	N04°59'45"W	177.94
C20	5.00	96°44'05"	8.44	S38°22'02"W	7.47
C21	328.00	6°48'48"	39.00	N83°19'40"E	38.98
C22	5.00	80°00'00"	6.98	N50°00'00"W	6.43
C23	980.00	10°00'30"	171.18	N04°59'45"W	170.97
C24	15.00	90°51'21"	23.79	N45°26'10"E	21.37
C25	380.00	19°13'00"	127.45	S79°31'40"E	126.85
C26	180.00	69°55'10"	219.66	S34°57'35"E	206.28
C27	5.00	90°00'00"	7.85	S45°00'00"W	7.07
C28	5.00	90°00'00"	7.85	S45°00'00"E	7.07
C29	15.00	90°00'00"	23.56	S45°00'00"W	21.21
C30	15.00	79°55'16"	20.92	N50°02'22"W	19.27
C31	5.00	100°04'44"	8.73	N39°57'38"E	7.66
C32	5.00	90°00'00"	7.85	N45°00'00"W	7.07
C33	220.00	69°55'10"	268.47	S34°57'35"E	252.12
C34	420.00	20°04'21"	147.14	S79°57'20"E	146.39
C35	15.00	88°28'45"	23.16	N45°45'08"W	20.93

DEVELOPMENT TABLE

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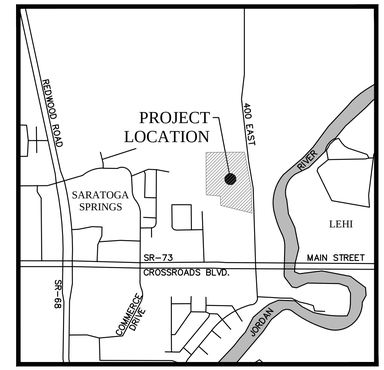
- PERCENTAGE OF OPEN SPACE = 32%
- •• OPEN SPACE: 136,901 SQFT
- NET DENSITY = 9.91 UNITS/ACRE
- NO SENSITIVE LANDS



VICINITY MAP
N.T.S

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GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

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RIVERSIDE HEIGHTS
Saratoga Springs
Concept Plan

REVISION BLOCK

#	DATE	DESCRIPTION
1	----	----
2	----	----
3	----	----
4	----	----
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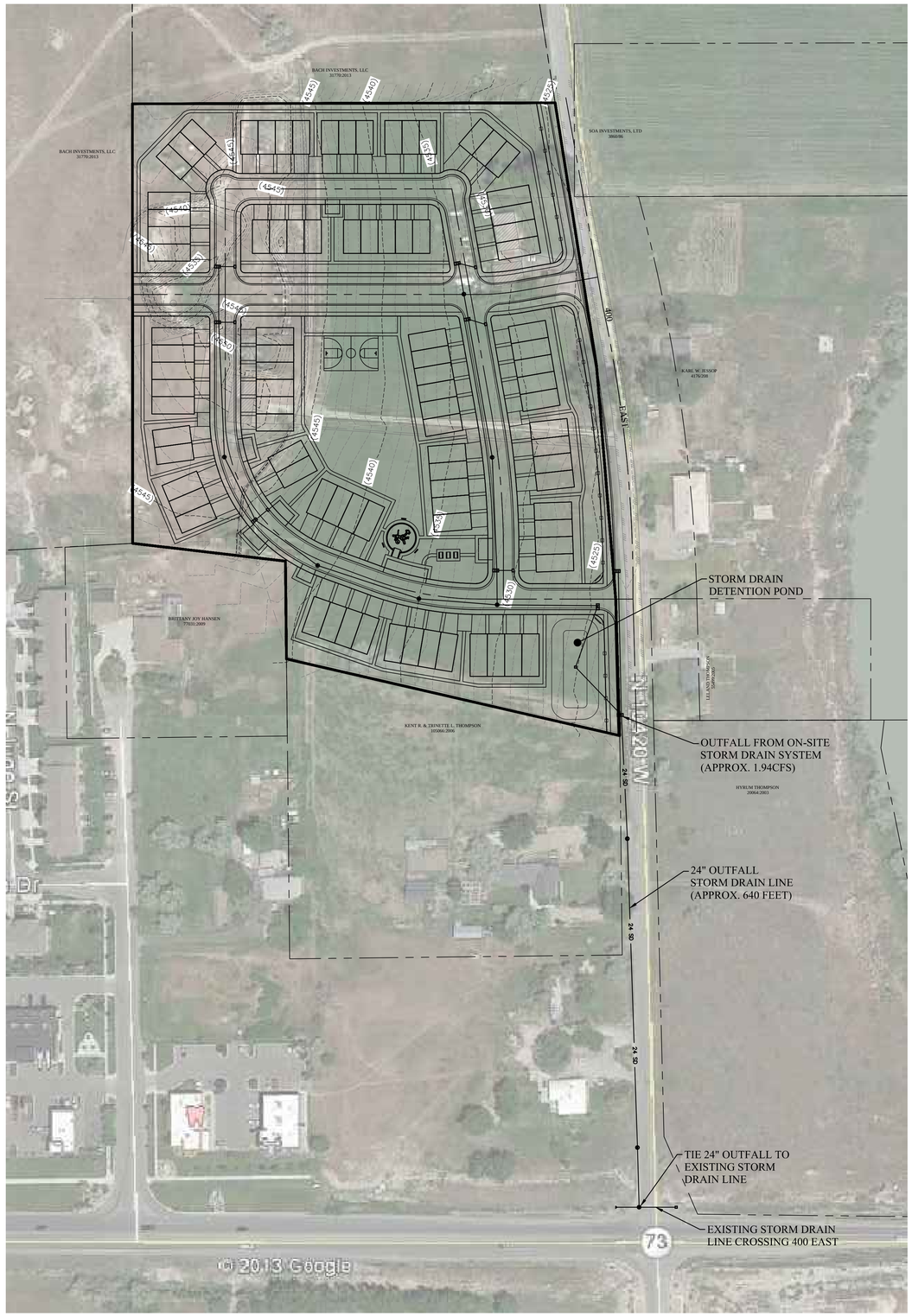
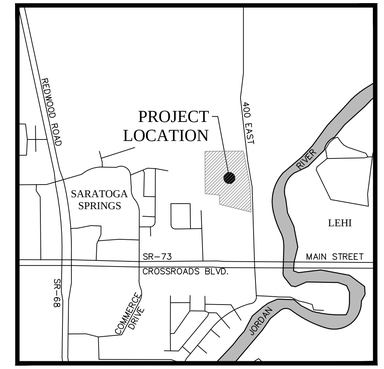
Concept Plan

Scale:	1"=40'	Drawn:	TMB
Date:	7/16/2014	Job #:	14-002
Sheet:	C2		





VICINITY MAP
N.T.S

LEGEND

	BOUNDARY
	ROW
	CENTERLINE
	LOT LINE
	EASEMENT
15 SD	15" STORM DRAIN
8 SS	8" SANITARY SEWER
8 W	8" CULINARY WATER
8 SW	8" SECONDARY WATER
XXXX	CONTOUR MAJOR
XXXX	CONTOUR MINOR
Ex SD	EXIST. STORM DRAIN
Ex SS	EXIST. SANITARY SEWER
Ex W	EXIST. CULINARY WATER
X	EXIST. FENCE
(XXXX)	EXIST. CONTOUR MAJOR
(XXXX)	EXIST. CONTOUR MINOR
	SIGN
	STREET LIGHT
SD	SD MH, INLET, AND COMBO
SS	SEWER MANHOLE
	VALVE, TEE & BEND
	WATER BLOW-OFF
	FIRE HYDRANT
	STREET MONUMENT
SD	EXIST. SD INLET & MH
SS	EXIST. SEWER MH
	EXIST. VALVE, TEE, & BEND
	EXIST. FIRE HYDRANT
XXXX.XX	SPOT ELEVATION

NOTES:

1. POND VOLUME: 23,000 CF PROVIDED. TOTAL OUTFALL 0.2 CFS/ACRE 1.94CFS.
2. ALL INTERIOR STORM DRAIN SYSTEMS TO BE DESIGNED WITH PRELIMINARY& FINAL DESIGN.
3. 24" STORM DRAIN OUTFALL LINE ANTICIPATED (APPROXIMATELY 640 FEET) TO TIE INTO EXISTING PIPE AT 400 EAST & SR-73.

N
S

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GRAPHIC SCALE
80 0 40 80 160 320
(IN FEET)
1 inch = 80 ft.

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RIVERSIDE HEIGHTS
Saratoga Springs
Storm Drain Concept Plan

REVISION BLOCK

#	DATE	DESCRIPTION
1	----	----
2	----	----
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Storm Drain
Concept Plan

Scale:	1"=80'	Drawn:	BP
Date:	7/16/2014	Job #:	14-002
Sheet:	C3		

DEVELOPMENT TABLE

- NUMBER OF PROPOSED TOWN HOMES = 91
- NUMBER OF PROPOSED GARAGE SPACES = 182 (2 EA. TOWN HOME)
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- NO SENSITIVE LANDS

= QUALIFIED OPEN SPACE

= NON-QUALIFIED OPEN SPACE

N

S

GRAPHIC SCALE

40 0 20 40 80 160

(IN FEET)
1 inch = 40 ft.

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RIVERSIDE HEIGHTS

Saratoga Springs

Open Space Exhibit

REVISION BLOCK

#	DATE	DESCRIPTION
1	----	----
2	----	----
3	----	----
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5	----	----
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Open Space Exhibit

Scale:	1"=40'	Drawn:	TMB
Date:	7/16/2014	Job #:	14-002
Sheet:	C4		

RECEIVED MAR 27 2014

IVORY HOMES
Utah's Number One Homebuilder

Exhibit 7
Neighborhood Meeting
Information

DEVELOPMENT

SIGN-IN SHEET
NEIGHBORHOOD MEETING: RIVERSIDE HEIGHTS
7/28/14

NAME	ADDRESS
Chet Norman	1148 W 1775 N Lehi
Pine Norman	1148 W 1775 N Lehi
Chris Norman	1591 N. 400 E., Saratoga Springs
Carolyn Norman	" " " "
Leland Thompson	45 N. 3600 W Lehi
Beth Weidow	180 N 3600 W Lehi, UT 84043
Betty Villalobos	45 N. 3600 W. Lehi
Hyram Thompson	45 N. 3600 W. Lehi jhyrum@Gmail.Com

Riverside Heights
Summary of Neighborhood Meeting Minutes

Date: 7/28/14
Time: 6:30pm – 7:40pm
Location: Ivory Homes Model Home in Kensington Estates Community (2001 W 450 NORTH, LEHI, UT)
Head of Meeting: Ken Watson
Minute Taker: Bryon Prince

- Welcome all attendees
- Review of the changes to the concept plan and proposed floor plans
- Discussion of upcoming Planning Commission meeting
- Questions and answers regarding the following:
    - Newly designed open space areas and common area amenities- basketball court, tot-lot, 1 mile community trail.
    - Monument design and location
    - Floor plan layouts, sq footages, product details
    - Resident and visitor parking, storm drain drainage plan
    - Number of units and planned density in relation to R-10 requirements
    - Private and public road widths and landscaping
    - Purpose of upcoming Planning Commission and City Council meetings
    - City approval process
    - Adjacent Bach Homes development

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Entrust Administration
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856 East 12300 South
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Kimber Gabryszak, AICP
Planning Director

Planning Commission
Staff Report

Code Amendments
19.01, 19.02, 19.04, 19.06, 19.11, 19.12, 19.13, 19.14, 19.15
August 14, 2014
Public Hearing

Report Date:	Thursday, August 7, 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:

- 19.01 – General Provisions
- 19.02 – Definitions
- 19.04 – Land Use Zones
- 19.06 – Landscaping and Fencing
- 19.11 – Lighting (new chapter)
- 19.12 – Subdivisions
- 19.13 – Development Review Processes
- 19.14 – Site Plan Review
- 19.15 – Conditional Use Permit

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 H of this report. Options include a positive recommendation on all or some of the sections with or without modifications, continuance with specific direction on changes needed to make a recommendation, or a negative recommendation on all or some of the amendments.

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 consisting of two City Councilors and one member of the Planning

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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

The second package was adopted in June of 2014 and included

- 19.02 – Definitions: reorganizing and adding definitions for missing topics
- 19.04 – Zones and Uses: reorganization, remove contradictions, open space changes, open space frontage requirement
- 19.05 – Temporary Uses: modification to bonding and parking requirements
- 19.09 – Parking: overhaul, modify calculation, reduce / increase some standards

The current package includes the next items identified on the priority list:

- height measurement,
- accessory structure setbacks,
- updates to landscaping and fencing,
- creation of a lighting chapter,
- streamlining amendment processes,
- creating processes for amendments to plats / site plans / development agreements / etc.,
- updating submittal requirements,
- implementing change of use permits, and
- other cleanups.

C. Specific Request: The proposed amendments are summarized below, with details outlined in Exhibits 3 and 4.

- 19.01. General Provisions
    - Minor formatting cleanups only, no text changes
- 19.01. Definitions
    - Restore heading
    - Building Height method and relocation of definition
    - Define “Double access”
    - Define “Driveway”

    - Define “Fence”
    - Modify “Finished surface grade”
    - Define “Institutional Use”
    - Modify “Landscaping” to permit use of decorative rock
- 19.04. Land Use Zones
    - Clean up formatting
    - Permit small accessory structures to be within interior side and rear setbacks
        - *Current code enforcement on an accessory structure and the identification of many other non-complying accessory structures spurred these changes. However the particular accessory structure is located in a street-side setback and would not be permissible through these amendments. Public comment from this property owner is attached (exhibit 1)*
        - *An aerial showing the enforced property in red and a sampling of noncomplying structures is also attached (exhibit 2). The majority of these structures would likely comply with the new language.*
        - *This item did not receive consensus during subcommittee meetings, and will require Commission input. Subcommittee concerns include maintenance, weeds, access, drainage, and potential for small animals and children to become trapped between buildings and fences. Staff has attempted to address these concerns;* ***please review the accessory structure language and come prepared for discussion.***
- 19.06. Landscaping and Fencing
    - Modify fencing requirements along open space & trails to allow flexibility
    - Reduce tree caliper size & increase number
    - Reduce turf & implement standards for use of rock
    - Implement better tree preservation standards
    - Clarify clear-view triangle standards and measurements
- 19.11. Lighting
    - Create new chapter to incorporate dark sky standards and ensure consistent design throughout the city
    - Remove design standards from the Engineering manual and place in the Land Development Code
- 19.12. Subdivisions
    - Revise submittal requirements for thoroughness and consistency with Engineering
    - Create process for plat amendments
    - Limit driveways within certain distance of Redwood Road
    - Address standards for phased developments
    - Address mechanisms for open space phasing to ensure completion & improvement
- 19.13. Development Review Processes
    - Add and streamline amendment processes (plat, site plan, DA, etc.)
    - Create process for a “Change of Use” Permit
    - Create a separate section for Concept Plan
    - Revise submittal requirements for thoroughness and consistency with Engineering
- 19.14. Site Plan Review
    - Update content requirements
    - Revise submittal requirements for thoroughness and consistency with Engineering

    - Create standards for amendment process
- 19.15. Conditional Use Permit
    - Create two types: existing building or site, and new building or site
    - Add standards for utility buildings and structures

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 E of this report.*

E. Community Review: Per Section 19.17.03 of the City Code, this item has been noticed as a public hearing in the *Daily Herald*; as these amendments affect the entire City, no mailed notice was required. As of the date of this report, written public input on accessory setbacks has been received and is attached. A public hearing with the City Council will be scheduled and noticed at a later date.

F. 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: consistent

The proposed changes help to clarify previously unclear standards to aid in responsible and orderly development, and help improve areas of difficulty in the Code to better assure quality of development. Property rights are expanded in some areas such as fencing and accessory setbacks, while appropriate limitations will protect the health, safety, and welfare of the City and residents.

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.

G. Code Criteria:

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

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

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

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

1. The proposed change will conform to the Land Use Element and other provisions of the General Plan;
   Consistent*. See Section F of this report.*

2. the proposed change will not decrease nor otherwise adversely affect the health, safety, convenience, morals, or general welfare of the public;
   Consistent. *The amendments help make standards clearer to ensure that they are fully met, and minimize impacts of new development on the community through appropriate limitations.*

3. the proposed change will more fully carry out the general purposes and intent of this Title and any other ordinance of the City; and
   Consistent. *The stated purposes of the Code are found in section 19.01.04:*
   1. The purpose of this Title, and for which reason it is deemed necessary, and for which it is designed and enacted, is to preserve and promote the health, safety, morals, convenience, order, fiscal welfare, and the general welfare of the City, its present and future inhabitants, and the public generally, and in particular to:
      a. encourage and facilitate the orderly growth and expansion of the City;
      b. secure economy in governmental expenditures;
      c. provide adequate light, air, and privacy to meet the ordinary or common requirements of happy, convenient, and comfortable living of the municipality's inhabitants, and to foster a wholesome social environment;
      d. enhance the economic well-being of the municipality and its inhabitants;
      e. facilitate adequate provisions for transportation, water, sewer, schools, parks, recreation, storm drains, and other public requirements;
      f. prevent the overcrowding of land, the undue concentration of population, and promote environmentally friendly open space;

g. stabilize and conserve property values;
h. encourage the development of an attractive and beautiful community; and
i. promote the development of the City of Saratoga Springs in accordance with the Land Use Element of the General Plan.

The amendments are intended to promote orderly growth, address issues with Code application that have arisen over time, 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.
   Consistent. *The amendments will better protect the community through more efficient, predictable, and clear standards. Where property rights are increased, limitations are being implemented to ensure the increases are balanced with the protection of the community.*

H. Recommendation / Options:

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

Option A – Positive Recommendation
The Planning Commission may choose to forward a **positive recommendation** on all or some of the amendments to the Code Sections listed in the motion, as proposed or with modifications:

Motion: "Based upon the evidence and explanations received today, I move to forward a **positive** recommendation to the City Council for the proposed amendments to Sections 19.01, 19.02, 19.04, 19.06, 19.11, 19.12, 19.13, 19.14, and 19.15, with the Findings and Conditions below:

Findings:

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

Option B – Continuance

Vote to **continue** all or some of the Code amendments to the next meeting, with specific feedback and direction to Staff on changes needed to render a decision. 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 amendments to 19.01, 19.02, 19.04, 19.06, 19.11, 19.12, 19.13, 19.14, and 19.15 of the Code to the August 28th meeting, with the following changes to the draft:

_____

_____

Option C – Negative Recommendation

Vote to forward a **negative** recommendation to the City Council for all or some of the proposed Code amendments.

Motion: "Based upon the evidence and explanations received today, I move to forward a **negative** recommendation to the City Council for the proposed amendments to 19.01, 19.02, 19.04, 19.06, 19.11, 19.12, 19.13, 19.14, and 19.15 of the Code with the Findings below:

Findings

1. The amendments do not comply with Section 19.17.04(1), General Plan, as articulated by the 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. _____

I. Exhibits:

1. Public Comment, accessory setbacks (page 8)

2. Aerial example showing number of currently noncomplying structures (page 9)

3. Title 19 – clean copy of amendments, changes in yellow for convenience (pages 10-106)
   a. 19.01 – not attached, formatting
   b. 19.02 – definitions (p.10-16)
   c. 19.04 – zones (p.17-46)
   d. 19.06 – landscaping/fencing (p.47-54)
   e. 19.11 – lighting (p.55-62)
   f. 19.12 – subdivisions (p.63-78)
   g. 19.13 – processes (p.79-92)
   h. 19.14 – site plans (p.93-101)
   i. *19.15 – conditional uses (p.102-106)*

4. Title 19 – working copy of amendments, changes tracked (pages 107-215)
   a. 19.01 – formatting (p.107-109)
   b. 19.02 – definitions (p.110-119)
   c. 19.04 – zones (p.120-146)
   d. 19.06 – landscaping/fencing (p.147-155)
   e. 19.11 – lighting (p.156-163)
   f. 19.12 – subdivisions (p.164-184)
   g. 19.13 – processes (p.185-200)
   h. 19.14 – site plans (p.201-210)
   i. 19.15 – conditional uses (p.211-215)

Exhibit 1
Public Input

Subject: Shed easements
Date: Thursday, July 31, 2014 at 5:22:31 PM Mountain Daylight Time
From: Bart Gardiner
To: Kimber Gabryszak

Kimber,

To start with, thank you for your service on behalf of the residents here in Saratoga Springs. And thank you for looking into the code change for the sheds.

Scott was nice enough to show me an aerial map of what may be considered an issue with a corner lot side yard placement. Allow me to reply to that if I may. I do understand that a code change is citywide and not specifically for my situation. That being said I believe that a code could be written to allow for my shed and eliminate other issues, such as the one shown with a view obstruction situation. Possibly wording it to allow for a 35' buffer from any driveway. I also want to point out that an RV pad could be placed in similar places, which I have noticed around the city, which also causes view obstructions.

I am totally in favor of height restrictions and I would be more than willing to make the changes to my shed to comply with that.

On another point, I was made aware that many city officials drove around and looked at my shed and had a concern about the roll up door for fear of tearing up the sidewalk/easement area. The reason I decided to do that is for ease of placing a 4-wheeler with which I have a plow attachment for snow removal for my neighborhood. This just facilitates its removal from the shed. I could easily place a double shed door for the same results.

Thank you for considering my opinion on this matter, and I would sincerely hope you would reconsider the wording of the amended code for allowance of sheds on side yards such as mine.

Sincerely,

Bart T. Gardiner

Exhibit 2
Aerial - accessory violations sample

- Red - corner lot under enforcement

- Yellow - accessory structures appearing to not meet required side/rear setbacks

Exhibit 3
Clean copy
(changed areas in yellow)

Exhibit 3.a
19.01 - no changes to show, formatting only

Exhibit 3.b
Definitions

Chapter 19.02. Definitions

Sections:

19.01.01. 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:

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.

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.

28. **"Bookstore"** means a retail establishment whose primary purpose is the sale of books and periodicals.

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.

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.

31. **"Building, Accessory":** see **"Accessory Building"**

32. **"Building, Agriculture":** see **"Agriculture Building"**

33. **"Building code"** means the codes adopted by the City by ordinance and codified in 18.01.01.

33. **"Building height"** or **"Structure height"** means the vertical distance from the finished grade surface of any point along the building wall to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the mean height level between eaves and ridge for gable, hip, or gambrel roofs, directly above the point of measurement.

34. **"Building inspector"** means an individual appointed by the City of Saratoga Springs to enforce the provisions of the building code.

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

68. **"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.

69. **"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.

70. **"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.

71. **"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.

72. **"Double Access":**
    a. "Double access" means driveway access on public streets from the front and the rear.
    b. This definition does not apply to corner lots.

73. **"Driveway"** means a private roadway that provides direct vehicular access between a public or private roadway and a parking space, garage, dwelling, or other structure.
    a. Single driveway: a driveway that is owned and maintained by one property owner and provides direct access to a parking area, garage, dwelling, or other structure on a single lot or parcel.
    b. Shared driveway: a driveway that provides direct access to a parking area, garage, or other structure to serve more than one dwelling or on more than one lot or parcel.

74. **"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.

75. **"Dwelling"** means a structure designed for and occupied by one family, including provisions for living, sleeping, eating, cooking, and sanitation. This definition does not

93. **"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.

94. **"FEMA"** is an acronym for the Federal Emergency Management Agency.

95. **"Fence"** means an artificially constructed barrier to identify a property boundary or enclose a space.
    a. **Fence, barbed wire:** means a fence with one or more strands of wire or other material having intermittent or continuous sharp points that may puncture, tear, cut, or snag.
    b. **Fence, chain link:** means an open mesh fence made of woven wire, or any other fence where the majority of construction consists of wire.
    c. **Fence, private / privacy:** means a fence constructed to prevent views through the fence.
    d. **Fence, semi-private:** means a fence with a regular pattern that permits views through a minimum of 50% of the fence when viewed perpendicular to the plane of the fence.

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.

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.

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.

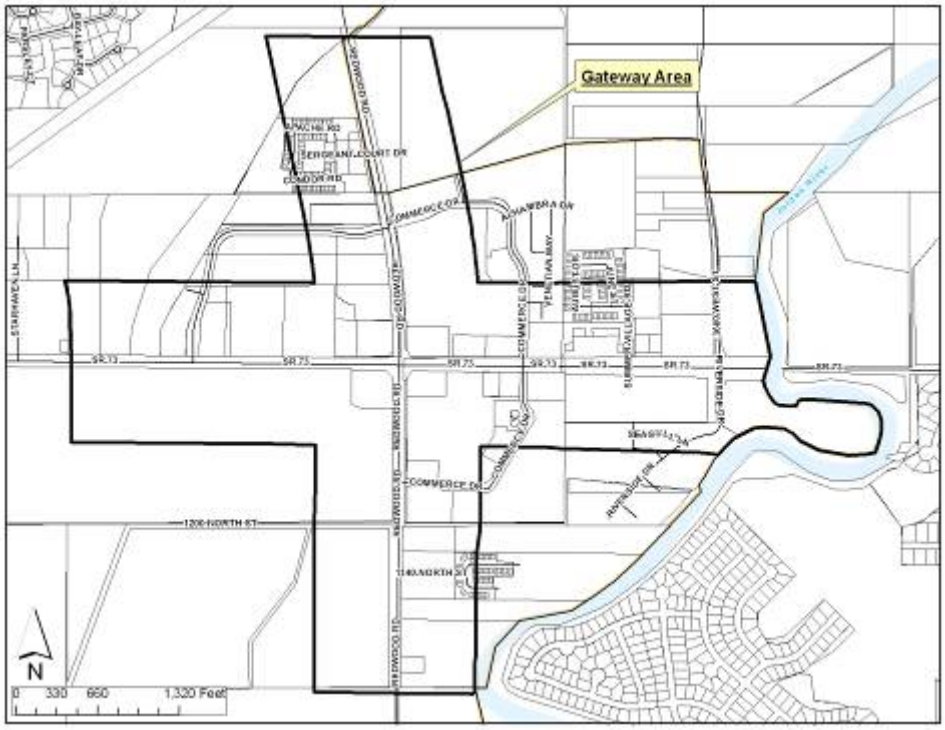
99. **"Financial institution":**
    a. means an establishment whose principal purpose is the handling of monetary affairs for members, clients, or the public at large;
    b. includes banks, credit unions**,** savings and loans, mortgage offices, investment companies, trust companies, and similar entities;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

100. **"Finished surface grade":** means the elevation of the finished ground surface adjacent to and measured along all exterior walls.

101. **"Fire code"** means the International Fire Code adopted by the City by ordinance and codified in Title 18.

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

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.



114. **"Golf course"** means a parcel of land laid out for at least 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.

115. **"Grading permit"** 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 Chapter 18 and Sections 19.10 and 19.13 of this Title).

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.

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.

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.

119. **"Height"** see "Building Height"

120. **"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).

121. **"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.

122. **"Hotel"** means a building containing guest rooms in which lodging is provided for compensation to transient or permanent guests or both.

123. **"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.

124. **"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.

125. **"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.

126. **"Institutional Use"** means a public, nonprofit, or quasi-public use providing service to the public, such as a public or private school, civic building, library, hospital, or government owned or government-operated structure.

127. **"Interior lot"** means any building lot other than a corner lot.

128. **"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.

129. **"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.

130. **"Kennel, commercial"** 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.

131. **"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.

132. **"Landscaping"** means the installation of the following items combined to produce an aesthetic effect or to enhance and preserve natural features of the site:
    a. plant materials, such as lawn, annual and perennial flowering plants, native vegetation, vines, shrubs, and trees but not including weeds or noxious plants; and
    b. ground cover, such as mulch, bark, and decorative rock; and
    c. may include the use of water, including: ponds, fountains, falls, and streams; and
    d. may include the use of structural features, including statues, outdoor artwork, benches and tables, earth berms, pots and planters.

133. **"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.

134. **"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.

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)
19.04.12. Low Density Residential (R-2).
19.04.13. Low Density Residential (R-3).
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19.04.19. High Density Residential (R-18).
19.04.20. Neighborhood Commercial (NC).
19.04.21. Mixed Use (MU).
19.04.22. Regional Commercial (RC).
19.04.23 Office Warehouse (OW).
19.04.24. Industrial (I).
19.04.25. Mixed Lakeshore (ML).
19.04.26. Business Park (BP).
19.04.27. Institutional/Civic (IC).
19.04.28. Public School Bus Lot (PSBL).

19.04.01. Purpose.

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

19.04.02. Land Use Zones and Classification Established.

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

1. Business Park
2. Developed Open Space
3. High Density Residential
4. Industrial

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

Development Standard	A	RA-5	RR	R-1	R-2	R-3	R-4	R-5	R-6	R-10	R-14	R-18
Maximum ERUs	1 unit/5 acre*	1 unit/5 acres*	1 unit/ acre*	1 unit/ acre*	2 units/ acre*	3 units/ acre*	4 units/ acre*	5 units/ acre*	6 units/ acre*	10 units/ acre*	14 units/ acre*	18 units/ acre*
Minimum Lot Size:												
Residential, per Residential Building	5 acres	5 acres	1 acre	1 acre	14,000 sq. ft.[Ŧ]	10000 sq. ft.[Ŧ]	9000 sq. ft.[Ŧ]	8000 sq. ft.[Ŧ]	6000 sq. ft.	5000 sq. ft.	5000 sq. ft.	5000 sq. ft.
Non-residential Use**	5+ acres	5+ acres	1+ acre	1+ acre	1+ acre	1+ acre	1+ acre	1+ acre	1+ acre	1+ acre	1+ acre	1+ acre
Minimum Setbacks (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’	25’	20’	25’	20’
Side (corner side)	12’	12’	12’	12’	20’	20’	20'	20'	20’	15’	20’	15’
Minimum Setbacks (accessory buildings):												
Permanent: Side, Rear	25’	25’	25’	25’	5’	5’	5’	5’	5’	5’	5’	5’
If Building Permit not required: Interior Side, Rear [ŦŦ]	0’	0’	0’	0’	0’	0’	0’	0’	0’	0’	0’	0’
Front: Same as Primary Structure	X	X	X	X	X	X	X	X	X	X	X	X
Corner Lots: street side: Same as Primary Structure	X	X	X	X	X	X	X	X	X	X	X	X
Distance away from any DU	60’	60’	60’	60’	5’	5’	5’	5’	5’	5’	5’	5’
Bulk: Width, Frontage, Height, Coverage, Dwelling Size, Open Space												
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	35’	35’	35’	35’	35’	35’	35'	35'	35’	35’	40’	35’

Building Height												
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.	1250 sq.ft.	1250 sq.ft.	1250 sq.ft.	1000 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%

**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.*

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

ŦŦ See applicable zone district for limitations.

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

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

	A	RA-5	RR	R-1	R-2	R-3	R-4	R-5	R-6	R-10	R-14	R-18
Dwelling, Three-Family									P	P	P	P
Dwelling, Two-Family									P	P	P	P
Educational Center	C	C	C	C	C	C	C	C	C	C	C	C
Equestrian Center	C	C										
Farm Animals (see Section 19.05.05)	P	P	P									
Farmer's Market	C	C	C									
Golf Course	P	P	P	P	C	C	C	C				
Home Occupations	See Ch. 19.08	See Ch. 19.08	See Ch. 19.08	See Ch. 19.08	See Ch. 19.08	See Ch. 19.08	See Ch. 19.08	See Ch. 19.08	See Ch. 19.08	See Ch. 19.08	See Ch. 19.08	See Ch. 19.08
Kennel, Private	C	C	C									
Livestock Auction Yard	C	C										
Plant and Tree Nursery	P	C	C									
Preschool			C	C	C	C	C	C	C	C	C	C
Production of Fruit and Crops	P	P	P	P	P	P	P	P	P	P	P	P
Public and private utility building or facility	C	C	C	C	C	C	C	C	C	C	C	C
Public Building or Facilities (City Owned)	C	C	C	C	C	C	C	C	C	C	C	C
Public Parks, playgrounds, recreation areas, or other park improvements*	P	P	P	P	P	P	P	P	P	P	P	P
Residential Facilities for Elderly Persons	C	C	C	C	C	C	C	C	C	C	C	C
Residential Facilities for Persons with a Disability	C	C	C	C	C	C	C	C	C	C	C	C
Riding Arena (Commercial)	C	C	C									
	A	RA-5	RR	R-1	R-2	R-3	R-4	R-5	R-6	R-10	R-14	R-18

	A	RA-5	RR	R-1	R-2	R-3	R-4	R-5	R-6	R-10	R-14	R-18
Riding Arena (Private)	P	P	P									
School, Charter	P	P	P	P	P	P	P	P	P	P	P	P
School, Private and Quasi-Public	C	C	C	C								
School, Public	C	C	C	C	C	C	C	C	C	C	C	C
Stables	P	P	C									
Temporary Sales Trailer	P	P	P	P	P	P	P	P	P	P	P	P
	A	RA-5	RR	R-1	R-2	R-3	R-4	R-5	R-6	R-10	R-14	R-18

P = Permitted C = Conditional

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

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

P= Permitted C= Conditional

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

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

	NC	MU	RC*	OW	I	ML	BP	IC	PSBL
Electronic Sales & Repair		C	P						
Equipment Sales & Services			C		P		C[A]		
Financial Institution		P	P						
Fitness Center (5,000 sq. ft. or less)	P	P	P	P		P	C		
Fitness Center(5,001 sq. ft. or larger)	C	C	C	C			P[A]		
Floral Sales	P	P	P			P			
Fueling Station									P
Fueling Station, Cardlock Facility									P
Funeral Home	C	C	C				C		
Grocery Store		C	P			P			
Hair Salon	P	P	P			P			
Hardware & Home Improvement Retail		C	P				P		
Home Occupations	See §19.08	See §19.08	See §19.08	See §19.08	See §19.08	See §19.08	See §19.08	See §19.08	See §19.08
Hospital			P				C	P	
Hotels			C	C	C	C	C		
Ice Cream Parlor	P	P	P			P	C[A]		
Impound Yard					C				
Kennel, Commercial			C	C	P				
Laundromat			C	C	C				
Library		P	P					P	
Light Manufacturing				C	C		C		
Marina						P			
Mining					C				
Mixed Use		P				P			
Neighborhood Grocery Store		P				P			
Motels			C	C	C	C	C		
Non-Depository Institutions			C						
Office, High Intensity				P	C		C		
Office, Medical and Health Care	C	C	P				P	P	
Office, Professional	C	P	P	P	C	P	P		
Pawn Shop				C	C				
Personal Service Establishment	C	C		C		C	C[A]		
	NC	MU	RC*	OW	I	ML	BP	IC	PSBL

	NC	MU	RC*	OW	I	ML	BP	IC	PSBL
Plant & Tree Nursery	C		C	C	P				
Postal Center	C	C	P	C				P	
Preschool	C	C	C			C[A]	C[A]		
Printing, lithography & publishing establishments				C	C		P		
Public & private utility building or facility			C	C	C	C		C	C
Public Building or Facilities (City Owned)	P	P	P	P	P	P	P	P	
Reception Centers	C	C	P			P	C		
Recreation Center			C		C	C			
Recreation Rentals			P			P			
Recreational Vehicle Sales			C**						
Recycling Facilities					C				
Research & Development			C	C	C		P	P	
Residential facilities for elderly persons		C				C			
Residential Facilities for Persons with a Disability		C				C			
Restaurant, Casual			P	C		C[E]	C[E]		
Restaurant, Deli	P	P	P			P	C		
Restaurant, Sit Down	P	P	P	P		P	P		
Retail Sales	P	P	P	P		P	C		
Retail, Big Box			C						
Retail, Specialty	P	P	P	P		P			
Retail, Tobacco Specialty Store				C	C				
School, Public									
School, Trade or Vocational				P	P		P	P	
Self-storage or mini storage units				C	C				
Sexually Oriented Businesses					P				
Shooting Range, indoor or outdoor				C	C				
Tattoo Parlor					C				
Temporary Sales Trailer		T							
Theater			C			C			
Transit-Oriented Development (TOD)		P				P	C		
	NC	MU	RC*	OW	I	ML	BP	IC	PSBL

[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.*

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

19.04.08. Agricultural (A).

1. **Purpose and Intent.** The purpose of the Agricultural Land Use Zone is to allow for the continuation of agricultural practices and rural residential neighborhoods where farming is allowed together with the keeping of large animals. Residential densities in this zone shall not exceed 1 ERU per five acres.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Agricultural (A) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Agricultural (A) Zone.

4. **Minimum Lot Sizes.** The minimum residential lot size in this zone is 5 acres. Schools or other nonresidential uses may require a minimum size greater than 5 acres and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use.

5. **Setbacks and Yard Requirements.**
    a. All buildings intended for occupancy or principal buildings in this zone are required to maintain setbacks as follows:
        i. Front: 50 feet (for corner lots, this applies to both street frontages)
        ii. Sides: 12 feet
        iii. Rear: 25 feet
    b. All accessory buildings in this zone are required to maintain distances from property lines and other dwellings as follows:
        i. Sides: 25 feet
        ii. Rear: 25 feet
        iii. Front: same as principal structure
        iv. Minimum separation between accessory buildings used for animals and dwellings: 60 feet.
        v. Accessory buildings without a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.

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

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

8. **Maximum Height of Structures.** No structure in this zone shall be taller than 35 feet or less if otherwise restricted by local, state, or federal height restrictions.

19.04.09. Residential Agricultural (RA-5).

1. **Purpose and Intent.** The purpose of the Residential Agricultural (RA-5) Land Use Zone is to allow for the continuation of agricultural practices and the raising of livestock. It covers the portion of the City which historically has been irrigated and utilized for these purposes in Utah County along Lehi-Fairfield Road prior to annexation.
    a. Although this zone has been established to protect agricultural rights and the raising of livestock, certain non-farm uses, as established herein, and residences on lots large enough to minimize conflict with surrounding properties are allowed in the zone.
    b. Residential densities in this zone shall not exceed one ERU per five acres.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Residential Agricultural (RA-5) Land Use Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Residential Agricultural (RA-5) Zone.

4. **Minimum Lot Sizes.** The minimum residential lot size in this zone is five acres. Schools or other nonresidential uses may require a minimum size greater than five acres and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use.

5. **Setbacks and Yard Requirements.**
    a. All buildings intended for occupancy or principal buildings in this zone are required to maintain setbacks s as follows:
        i. Front: fifty feet (for corner lots, this applies to both street frontages)
        ii. Sides: twelve feet
        iii. Rear: twenty-five feet
    b. All accessory buildings in this zone are required to maintain distances from property lines and other dwellings as follows:
        i. Sides: twenty-five feet
        ii. Rear: twenty-five feet
        iii. Front: same as principal structure
        iv. Minimum separation between an accessory building used for animals and a dwelling: sixty feet.
        v. Accessory buildings without a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.

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

19.04.10. Rural Residential (RR).

1. **Purpose and Intent.** The purpose of the Rural Residential Land Use Zone is to allow for the establishment of large lot residential developments that preserve natural view corridors, open spaces, environmentally-sensitive lands and that more fully preserves the rural character of Saratoga Springs. Residential densities in this zone shall not exceed one ERU per acre.

2. **Permitted Uses.** The identified in 19.04.07.2 as Permitted Uses in the Rural Residential (RR) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Rural Residential (RR) Zone.

4. **Minimum Lot Sizes.** The minimum residential lot size in this zone is one acre, and may be greater for Conditional Uses. Conditional uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in this Title, including Chapters 19.06, 19.09, 19.13, 19.14, and 19.15, as the basis for setting site-by-site requirements.

5. **Setbacks and Yard Requirements.**
    a. Setbacks and yard requirements describe the amount of space required between buildings and property lines.
    b. All buildings intended for occupancy or principal buildings in this zone are required to maintain a minimum distance from property lines as follows:
        i. Front: thirty-five feet (for corner lots, this applies to both street frontages)
        ii. Sides: twelve feet
        iii. Rear: twenty-five feet
    c. All accessory buildings 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
        vi. Minimum separation between an accessory building used for animals and a dwelling: sixty feet.
        vii. Accessory buildings without a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.

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

19.04.11. Low Density Residential (R-1).

1. **Purpose and Intent.** The purpose of the Low Density Residential (R-1) is to allow for the establishment of large lot residential developments that preserve natural view corridors, open spaces, environmentally-sensitive lands, and the rural character of Saratoga Springs. Residential densities in this zone shall not exceed one ERU per acre.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Low Density Residential (R-1) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Low Density Residential (R-1) Zone.

4. **Minimum Lot Sizes.** The minimum residential lot size in this zone is one acre, and may be greater for Conditional Uses. Conditional uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in this Title, including Chapters 19.06, 19.09, 19.13, 19.14, and 19.15, as the basis for setting site-by-site requirements**.**

5. **Setbacks and Yard Requirements.**
    a. All buildings intended for occupancy or principal buildings in this zone are required to maintain minimum setbacks as follows:
        i. Front: thirty-five feet (for corner lots, this applies to both street frontages)
        ii. Sides: twelve feet
        iii. Rear: twenty-five feet
    b. All accessory buildings in this zone are required to maintain distances from property lines and other dwellings as follows:
        i. Sides: twenty-five feet
        ii. Rear: twenty-five feet
        iii. Front: same as principal structure
        iv. Minimum separation between an accessory building used for animals and a dwelling: sixty feet.
        v. Accessory buildings without a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.

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.

19.04.12. Low Density Residential (R-2).

1. **Purpose and Intent.** The purpose of the Low Density Residential (R-2) Land Use Zone is to allow for the establishment of single family neighborhoods on large lots that are characteristics of traditional suburban residential neighborhoods. Residential densities in this zone shall not exceed two ERUs per acre.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Low Density Residential (R-2) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Low Density Residential (R-2) Zone.

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

the following criteria in determining whether the minimum lot size shall be greater than one acre in size:

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

5. **Setbacks and Yard Requirements.**
   a. All 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
   b. Corner Lots:
      i. There shall be a minimum setback on corner lots as follows:
         1. Front: twenty-five feet
         2. Side abutting the street: twenty feet
      ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty-five and twenty feet.
   c. All accessory buildings in this zone are also required to maintain a five-foot minimum separation between accessory buildings and dwellings in this land use zone.
   d. Accessory buildings without a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.

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

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

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

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

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

19.04.13. Low Density Residential (R-3).

1. **Purpose and Intent.** The purpose of the Low Density Residential (R-3) Land Use Zone is to allow for the establishment of single family neighborhoods on medium-sized lots that are characteristic of traditional suburban residential neighborhoods. Residential densities in this zone shall not exceed three ERUs per acre.

2. **Permitted Uses.** The uses identified in 19.04.07.2 are Permitted Uses in the Low Density Residential (R-3) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Low Density Residential (R-3) Zone.

4. **Minimum Lot Sizes.**
    a. The minimum lot size for any residential use in this zone is 10,000 square feet.
    b. Residential lots may be proposed that are less than 10,000 square feet as indicated in this Subsection.
        i. The City Council may approve a reduction in the lot size if it finds that such a reduction serves a public or neighborhood purpose such as:
            1. a significant increase in the amount or number of parks and recreation facilities proposed by the developer of property in this zone;
            2. the creation of significant amenities that may be enjoyed by all residents of the neighborhood;
            3. the preservation of sensitive lands (these areas may or may not be eligible to be counted towards the open space requirements in this zone – see the definition of "open space" in § 19.02.02); or
            4. any other public or neighborhood purpose that the City Council deems appropriate.
        ii. In no case shall the overall density in any approved project be increased as a result of an approved decrease in lot size pursuant to these regulations.
        iii. In making its determination, the City Council shall have sole discretion to make judgments, interpretations, and expressions of opinion with respect to the implementation of the above criteria. In no case shall reductions in lot sizes be considered a development right or a guarantee of approval.
        iv. In no case shall the City Council approve a residential lot size reduction greater than ten percent notwithstanding the amenities that are proposed.
        v. In no case shall the City Council grant a residential lot size reduction for more than 25% of the total lots in the development.
    d. The minimum lot size for any non-residential use in this zone is one acre. Schools, churches or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:
        i. the maximum number individuals using the building at one time;
        ii. the number of required off-street parking spaces required in this Title;
        iii. traffic and transportation concerns;

iv. compatibility with adjacent uses;
v. adverse impacts on adjacent uses; and
vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.

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

5. **Setbacks and Yard Requirements.**
   a. All principal buildings in this zone are required to maintain a minimum distance from property lines as follows:
      i. Front: twenty-five feet. An unenclosed front entry and porch may encroach up to five feet into the required front setback.
      ii. Sides: 8/20 feet (minimum/combined)
      iii. Rear: twenty-five feet
   b. Corner Lots:
      i. There shall be a minimum setback on corner lots as follows:
         1. Front: twenty-five feet
         2. Side abutting the street: twenty feet
      ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty-five and twenty feet.
   c. All accessory buildings 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. Corner front and street side: same as principal structure
      iv. Accessory buildings without a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.
   d. There shall be a five-foot minimum separation between accessory buildings and dwellings in this zone.

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

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

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

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

19.04.14. Low Density Residential (R-4).

1. **Purpose and Intent.** The purpose of the Low Density (R-4) Land Use Zone is to allow for the establishment of single family neighborhoods on medium-sized lots that are characteristic of traditional suburban residential neighborhoods. Residential densities in this zone are limited to minimum lot size requirements and shall not exceed four ERUs per acre.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Low Density Residential (R-4) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Low Density Residential (R-4) Zone.

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

iii. traffic and transportation concerns;
iv. compatibility with adjacent uses;
v. adverse impacts on adjacent uses; and
vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.

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

5. **Setbacks and Yard Requirements.**
   a. All principal buildings in this zone are required to maintain setbacks as follows
      i. Front: twenty-five feet. An unenclosed front entry and porch may encroach up to five feet into the required front setback.
      ii. Sides: 8/16 (minimum/combined)
      iii. Rear: twenty feet
   b. Corner Lots:
      i. There shall be a minimum setback on corner lots as follows:
         1. Front: twenty-five feet
         2. Side abutting the street: twenty feet
      ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty-five and twenty feet.
   c. All accessory buildings 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 front and street-side: same as principal structure
      v. Accessory buildings under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and corner side yard setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.
   d. There shall be a five-foot minimum separation between accessory buildings and dwellings in this zone.

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

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

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

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

19.04.15. Low Density Residential (R-5).

1. **Purpose and Intent.** The purpose of the Low Density (R-5) Land Use Zone is to allow for the establishment of single family neighborhoods on medium-sized lots that are characteristic of traditional suburban residential neighborhoods. Residential densities in this zone are limited to minimum lot size requirements and shall not exceed five ERUs per acre.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Low Density Residential (R-5) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Low Density Residential (R-5) Zone.

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

iv. compatibility with adjacent uses;
v. adverse impacts on adjacent uses; and
vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.

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

5. **Setbacks and Yard Requirements.**
   a. All principal buildings in this zone are required to maintain minimum setbacks as follows:
      i. Front: twenty-five feet. An unenclosed front entry and porch may encroach up to five feet into the required front setback.
      ii. Sides: 6/12 (minimum/combined)
      iii. Rear: twenty feet
   b. Corner Lots:
      i. There shall be a minimum setback on corner lots as follows:
         1. Front: twenty-five feet
         2. Side abutting the street: twenty feet
      ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty-five and twenty feet.
   c. All accessory buildings 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 street-side: same as principal structure
      v. Accessory buildings without a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.
   d. There shall be a five-foot minimum separation between accessory buildings and dwellings in this zone.

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

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

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

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

19.04.16. Medium Density Residential (R-6).

1. **Purpose and Intent.** The purpose of Medium Density Residential (R-6) Land Use Zone is to allow for a mix of permitted housing types. Residential densities in this zone shall not exceed six ERUs per acre.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Medium Density Residential (R-6) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Medium Density Residential (R-6) Zone.

4. **Minimum Lot Sizes.**
    a. The minimum lot size for any residential use in this zone is 6,000 square feet. For Two-Family and Three-Family Structures where each dwelling is separately owned, the minimum lot size shall be based on each building rather than each individual dwelling.
    b. The minimum lot size for any non-residential use in this zone is one acre. Schools, churches or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:
        i. the maximum number individuals using the building at one time;
        ii. the number of required off-street parking required in this Title;
        iii. traffic and transportation concerns;
        iv. compatibility with adjacent uses;
        v. adverse impacts on adjacent uses; and
        vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.
    c. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in Title 19, including Chapters 19.13, 19.14, and 19.15, as the basis for setting site by site requirements.

5. **Setbacks and Yard Requirements.**
    a. All principal buildings in this zone are required to maintain minimum setbacks as follows:
        i. Front: twenty-five feet.
            1. The front plane of the home may encroach by up to five feet into the required setback if the garage is set back an increased distance from the required setback in an equal amount to the front plane's encroachment. For example, if the setback for the front plane is 20 feet, the setback of the garage must be 30 feet. Likewise, if the setback for the front plane is 22 feet, the setback of the garage must be at least 28 feet.
            2. An unenclosed front entry or porch may encroach up to five feet into the twenty-foot front setback. This encroachment may be combined with a reduced setback for the front plane (accompanied by an increased setback

to the garage) but in no case shall the front plane and porch combined be set back less than 15 feet.

ii. Sides:
    1. single family residences: 5/10 feet (minimum/combined);
    2. two-family and three-family structures: ten feet

iii. Rear: twenty feet

b. Corner Lots:
    i. There shall be a minimum setback on corner lots as follows:
        1. Front: twenty-five feet
        2. Side abutting the street: twenty feet
    ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty-five and twenty feet.

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
    iv. Corner street-side: same as principal structure
    v. Accessory buildings without a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.

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

6. **Minimum Lot Width.** Every lot in this zone shall be at least 50 feet in width at the front building setback. For Two-Family and Three-Family Structures where each dwelling is separately owned, the minimum lot width shall be based on each building rather than each individual dwelling or lot.

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

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

9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent. For Two-Family and Three-Family Structures where each dwelling is separately owned, the maximum lot coverage shall be based on all of the buildings combined rather than each dwelling.

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

1. **Purpose and Intent.** The purpose of the Medium Density Residential (R-10) Zone is to allow for the establishment of medium density residential neighborhoods. This land use zone recognizes that in order for the City to be a well-rounded community, many different housing styles, types, and sizes should be permitted. Residential densities in this zone shall not exceed ten ERUs per acre.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Medium Density Residential (R-10) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Medium Density Residential (R-10) Zone.

4. **Minimum Lot Sizes.**
    a. The minimum lot size for single-family dwellings is 5,000 square feet. For multi-family structures where each dwelling is separately owned, the minimum lot size shall be based on each building rather than each individual dwelling.
    b. The minimum lot size for any non-residential use in this zone is one acre. Schools, churches or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:
        i. the maximum number individuals using the building at one time;
        ii. the number of required off-street parking required in this Title;
        iii. traffic and transportation concerns;
        iv. compatibility with adjacent uses;
        v. adverse impacts on adjacent uses; and
        vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.
    c. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in Title 19, including Chapters 19.13, 19.14, and 19.15, as the basis for setting site by site requirements.
    d. Projects containing multi-family structures shall be located on property at least five acres in size.

5. **Setbacks and Yard Requirements.**
    a. All principal buildings in this zone are required to maintain setbacks as follows:

i. Front: twenty-five feet.
    1. The front plane of the home may encroach by up to five feet into the required setback if the garage is set back an increased distance from the required setback in an equal amount to the front plane's encroachment. For example, if the setback for the front plane is 20 feet, the setback of the garage must be 30 feet. Likewise, if the setback for the front plane is 22 feet, the setback of the garage must be at least 28 feet.
    2. An unenclosed front entry or porch may encroach up to five feet into the twenty-foot front setback. This encroachment may be combined with a reduced setback for the front plane but in no case shall the front plane and porch combined be set back less than 15 feet.

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

iii. Rear: twenty feet

b. Corner Lots:
    i. There shall be a minimum setback on corner lots as follows:
        1. Front: twenty- feet
        2. Side abutting the street: fifteen feet
    ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty and fifteen feet.

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
    iv. Corner street-side: same as principal structure
    v. Accessory buildings without a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.

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

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

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

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

1. **Purpose and Intent.** The purpose of the High Density Residential (R-14) Zone is to allow for the establishment of single family neighborhoods on small lots and to allow for a mix of single family and multi-family housing types. Residential densities in this zone shall not exceed fourteen ERUs per acre.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the High Density Residential (R-14) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the High Density Residential (R-14) Zone.

4. **Minimum Lot Sizes.**
    a. The minimum lot size for single-family dwellings is 5,000 square feet. For multi-family, two-family, and three-family structures where each dwelling is separately owned, the minimum lot size shall be based on each building rather than each individual dwelling.
    b. Projects containing multi-family structures shall be located on property at least five acres in size.
    c. The minimum lot size for any non-residential use in this zone is one acre. Schools, churches, or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:
        i. the maximum number of individuals using the building at one time;
        ii. the amount of required off-street parking required in this Title;
        iii. traffic and transportation concerns;
        iv. compatibility with adjacent uses;
        v. adverse impacts on adjacent uses; and
        vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.
    d. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in Title 19, including Chapters 19.13, 19.14, and 19.15, as the basis for setting site by site requirements

5. **Setbacks and Yard Requirements.**
    a. Setbacks and yard requirements describe the amount of space required between buildings and property lines.
    b. All principal buildings in this zone are required to maintain minimum setbacks as follows:
        i. Front: twenty-five feet.
            1. The front plane of the home may encroach by up to five feet into the required setback if the garage is setback an increased distance from the required setback in an equal amount to the front plane's encroachment. For example, if the setback for the front plane is 20 feet, the setback of the

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

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

ii. Sides:

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

iii. Rear: twenty feet

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
iv. Corner street-side: same as principal structure
v. Accessory buildings without a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.

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

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

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

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

19.04.19. High Density Residential (R-18).

1. **Purpose and Intent.** The purpose of the High Density Residential 18 Land Use Zone is to allow for the establishment of single family neighborhoods on small lots and to allow for a mix of single family and multi-family housing types. Residential densities in this zone shall not exceed eighteen ERUs per acre.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the High Density Residential (R-18) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the High Density Residential (R-18) Zone.

4. **Minimum Lot Sizes.**
    a. The minimum lot size for any residential use in this zone is 5,000 square feet. For multi-family structures where each dwelling is separately owned, the minimum lot size shall be based on each building rather than each individual dwelling.
    b. Home Occupations or other uses may require a minimum size greater than 5,000 square feet and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. In making this determination, the City Council shall use the following criteria to determine whether a minimum lot size greater than 5,000 square feet shall be required:
        i. the maximum number individuals using the building at one time;
        ii. the number of required off-street parking required in this Title;
        iii. traffic and transportation concerns;
        iv. compatibility with adjacent uses;
        v. adverse impacts on adjacent uses; and
        vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.
    c. The minimum lot size for any non-residential use in this zone is one acre. Schools, churches or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:
        i. the maximum number individuals using the building at one time;
        ii. the number of required off-street parking required in this Title;
        iii. traffic and transportation concerns;
        iv. compatibility with adjacent uses;
        v. adverse impacts on adjacent uses; and
        vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.

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

5. **Setbacks and Yard Requirements.**
    a. Setbacks and yard requirements describe the amount of space required between buildings and property lines.
    b. All principal buildings in this zone are required to maintain minimum setbacks as follows:
        i. Front: twenty-five feet.
            1. The front plane of the home may encroach by up to five feet into the required setback if the garage is set back an increased distance from the required setback in an equal amount to the front plane's encroachment. For example, if the setback for the front plane is 20 feet, the setback of the garage must be 30 feet. Likewise, if the setback for the front plane is 22 feet, the setback of the garage must be at least 28 feet.
            2. An unenclosed front entry or porch may encroach up to five feet into the twenty-foot front setback. This encroachment may be combined with a reduced setback for the front plane (accompanied by an increased setback to the garage) but in no case shall the front plane and porch combined be set back less than 20 feet.
        ii. Sides: single family residences: 5/10 feet (minimum/combined); multi-family structures: ten feet
        iii. Rear: twenty feet
    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 street-side: same as principal structure
        v. Accessory buildings without a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.
    e. There shall be a five foot minimum separation between accessory buildings and dwellings in this zone.

Chapter 19.06. Landscaping and Fencing.

Sections:

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

19.06.01. Purpose.

This chapter promotes the health, safety, and general welfare of the public by enhancing aesthetic features of the City, providing adequate spaces and vegetation for outdoor and recreational opportunities, protecting property values, lowering heating and cooling costs of structures, trapping and filtering dust and pollutants, reducing soil erosion, improving air quality, and reducing damaging winds. Additionally, landscaping and fencing are encouraged when used as buffers and screens against undesirable views.

19.06.02. Required Landscaping Improvements.

Landscape and fencing requirements of this Chapter shall apply to all new landscaping.

19.06.03. General Provisions.

1. Park strips shall be landscaped and maintained by the property owner who abuts the park strip.

2. Automated water-conserving irrigation systems shall be required for all new landscaping in nonresidential and multi-family development and for all irrigated open space.

3. All landscaped areas shall be maintained by watering, weed removal, lawn mowing, or any other activity required to maintain healthy and well-manicured landscaping.

4. Trees which project over any sidewalk shall be pruned clear of all branches between ground and a height of eight feet for that portion of the plant located over the sidewalk.

5. Landscaping and fencing shall maintain a clear sight triangle as specified in Section 19.06.11.

6. All refuse areas shall be screened by approved fencing materials.

19.06.04. Landscaping Plan.

Those required by this Chapter to make landscaping improvements shall submit a landscaping plan prepared by a licensed landscape architect to meet the minimum landscape requirements outlined herein. All single family residential structures shall be exempt from preparing and submitting a landscape plan. The City staff will review the submitted landscaping plan for compliance with this Chapter and forward the plan to the City Council for review and action concurrent with Site Plans and Subdivision Plats. The landscaping plan shall include, at a minimum, the following information:

1. Existing conditions: the location and dimension of all existing and proposed structures, property lines, easements, parking lots, power lines, rights-of-way, ground signs, refuse areas, and lighting;

2. planting plan: location and planting details for all proposed vegetation and materials. The proposed plan must indicate the size of the plant material at maturation. All existing vegetation that is to be removed or remain on the site must be clearly identified;

3. planting schedule: the name (both botanical and common name), quantity, and size of all proposed plants;

4. topography: existing and proposed grading of the site indicating contours at two feet intervals;

5. irrigation: irrigation plans showing the system layout and details;

6. fencing: location, style, and details for proposed and existing fences and identification of the fencing materials; and

7. a data table: table including the total number of each plant type, and total square footage and percentage of landscaped areas, domestic turf grasses, decorative rock, mulch, bark, and drought tolerant plant species.

19.06.05. Completion of Landscape Improvements; Adequate Assurances.

All required landscaping improvements shall be completed in accordance with the approved Site Plan, subdivision plat, landscaping planting plan, and irrigation plan prior to the issuance of a Certificate of Occupancy for any building. Exceptions may be permitted and Certificates of Occupancy issued where weather conditions prohibit the completion of approved and required landscaping improvements. In such cases, an extension period no longer than six months may be granted so long as a performance bond for no less than 115% of the total estimated value of the landscaping is posted and a performance bond agreement is entered into in accordance with Section 19.12.05 to ensure the landscaping improvements are installed in accordance with this Chapter, City ordinances and standards, and approved site and landscaping plans. In all cases, landscaping improvements shall be guaranteed for a period of 1 year after final acceptance by posting a warranty bond and entering into a warranty bond agreement in accordance with Section 19.12.05.

19.06.06. Planting Standards and Design Requirements.

1. The planting standards are the minimum standards of landscaping that the City will accept towards meeting the landscaping required in this Chapter. Design requirements identify specific standards as they pertain to landscaping. The planting standards and design requirements shall be used in evaluation of any landscaping plan by the City Council.

2. The following are planting standards for required landscaping that shall be followed for all new development, with all caliper sizes measured at the diameter at breast height (DBH):
    a. **Deciduous Trees.** All deciduous trees shall have a minimum trunk size of two (2) inches in caliper.
    b. **Evergreen Trees.** All evergreen trees shall have a minimum size of 6 feet in height.
    c. **Ornamental Trees.** All ornamental trees shall have a minimum trunk size of one and a half (1.5) inches in caliper.
    d. **Shrubs.** At least 25% of the required shrubs shall be a minimum of 5 gallons in size at time of installation; all other required shrubs shall be a minimum of 1 gallon in size.
    e. **Turf.** No landscaping shall be composed of more than seventy percent turf.
    f. **Drought Tolerant Plants.** Fifty percent of all trees and shrubs species shall be required to be drought tolerant.
    g. **Rock:** rock may be utilized up to the maximum percentage specified in Section 19.06.07, subject to the following requirements:
        i. a minimum of two separate colors, and a minimum of two different sizes averaging 2 inches or more in diameter, shall be uses;
        ii. rock shall provide contrasting color to pavement and other hard surfaces within the property; and
        iii. an area equal in size to the predicted canopy of shrubs and trees at maturity shall be kept free of rock and instead be covered with wood chips, mulch, or bark.
    h. **Planting and Shrub Beds.** Planting and shrub beds may be used to satisfy up to the percentage of the total required landscaping as specified in the Section 19.06.07. In addition to the required plants in the chart, planting and shrub beds must meet the following requirements:
        i. high-quality weed barrier is used;
        ii. high quality materials such as wood chips, wood mulch, ground cover, decorative rock, landscaping rocks, or similar materials are used, and materials must be heavy enough to not blow away in the wind;
        iii. edging is used to separate lawns from beds, and all areas except residential must use concrete edging for durability;
        iv. drip lines are used for irrigation.

3. The following design requirements will be used when reviewing landscaping plans in the City of Saratoga Springs:
    a. **Selection of Plants.** Plants shall be selected for texture, form, color, pattern of growth, and adaptability to local conditions.
    b. **Evergreens.** Evergreens shall be incorporated into landscaped treatment of sites where screening and buffering are required.

c. **Softening of Walls and Fences.** Plants shall be placed intermittently against long expanses of building walls, fences, and barriers to create a softening effect.
d. **Planting and Shrub Beds.** Planting and shrub beds are encouraged to be used in order to conserve water. Planting and shrub beds shall meet the requirements in subsection 19.06.06(2)(g) above.
e. **Water Conservation.** While irrigation systems are required for all landscaped areas, all systems shall be efficient in the use of water such as the installation of drip lines for shrubs and trees and the use of secondary water where available.
f. **Energy Conservation.** Placement of plants shall be designed to reduce energy consumption. Deciduous trees are encouraged to be planted on the south and west sides of structures to provide shade over the structures in the summer months. Evergreens trees are encouraged to be planted on the north side of structures when feasible to dissipate the effects of winter winds.
g. **Preservation of Existing Vegetation.** Where possible and appropriate, existing native vegetation must be incorporated into the landscape treatment of the proposed site.
h. **Tree Preservation.** Existing mature evergreen trees of 16 feet in height or greater, and existing mature deciduous or decorative trees of more than four inches (4") in caliper, shall be identified on the landscape plan and preserved if possible. If preservation is not possible, the required number of trees shall be increased by double the number of such trees removed. The replacement trees for evergreen trees shall be evergreens.
i. **Berming.** Berming is encouraged as a screen or buffer between opposing land uses.
j. **Placement.** Whenever possible, landscaping shall be placed immediately adjacent to structures, particularly where proposed structures have large empty walls.

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

19.06.07. Amount of Required Landscaping.

1. Portions of property that are not developed with structures, rights of ways, or parking areas shall be required to be landscaped in all land use zones.
2. Single-family residential development shall be required to landscape per Section 19.06.08. At least 50% of the landscaped area shall contain live vegetation.
3. Multi-family and nonresidential development in the R-6, R-10, R-14, R-18, NC, MU, RC, OW, I, ML, BP, IC, PSBL Zones shall be required to adhere to the minimum landscaped standards contained in the table below.
4. The City Council shall have authority to adjust these standards as circumstances dictate.

Landscaped Area[1]	Minimum Deciduous Trees[3]	Minimum Evergreen Trees[3]	Minimum Shrubs	Minimum Percentage of Required Turf	Percentage of Required Planting and Shrub Beds
< than 1,000	1	1	7	0 % [2]	Up to 100%
1,001 - 3,000	3	1	10	0 % [2]	Up to 100%

3,001 - 5,000	5	2	13	0 % [2]	Up to 100%
5,001 - 7,000	5	3	14	35%	Not more than 65%
7,001 - 9,000	6	3	17	35%	Not more than 65%
9,001 - 11,000	6	4	19	35%	Not more than 65%
11,001 - 13,000	6	4	22	35%	Not more than 65%
13,001 - 15,000	7	5	25	35%	Not more than 65%
15,001>	7 + 1 per additional 3000 sq.ft.	5 + 1 per additional 3000 sq.ft.	25 + 1 per additional 3000 sq.ft.	25%	Not more than 75%

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

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

[3] *This number shall be increased per the requirements of Section 19.06.06 above.*

(Ord. 14-1)

19.06.08. Additional Landscaping Requirements.

1. All residential lots shall have the front yards, and street-side yards for corner lots, landscaped within one year, and side and back yards within two years after (whichever is less restrictive):
    a. receiving a Certificate of Occupancy; or
    b. once ownership is established by the current owner.

2. Park strips.
    a. Park strips shall be landscaped when the front yard is landscaped for a dwelling, or when site improvements are completed for a non-residential project, and shall thereafter be perpetually maintained by the property owner who abuts the park strip. Only the following shall be installed in park strips: turf, trees, drought tolerant plants, mulch, live plant vegetation (other than trees) below three feet in height, landscape rock, cobble, and removable pavers. When landscape rock, cobble, or pavers are used, at least thirty percent of the area shall contain plantings.
    b. Weeds, dead vegetation, fruit trees, fruit and vegetable gardens, gravel, asphalt, concrete, and large boulders are prohibited in park strips.
    c. Four foot wide concrete walkways are allowed in the park strip when the walkway lines up with the main walkway to the front door.

19.06.09. Screening and Fencing Requirements and Restrictions.

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

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

2. **Retaining walls:** for construction of all retaining walls, a building permit must be obtained. Where there is a difference in elevation on opposite sides of the fence, the height of the fence shall be measured from the highest elevation. Approval of fences over six feet in height will be determined on a case-by-case basis by the City Council for all new developments if fencing is proposed during the subdivision review process, or by the Planning Director for all developments that have received final approval; however, in no case will a fence be allowed to exceed eight feet in height. The following criteria shall be applied in making this determination:
    a. compatibility with fences of surrounding uses;
    b. quality of proposed materials;
    c. aesthetics of proposed materials;
    d. requirements of applicable development agreements;
    e. intensity of existing surrounding uses; and
    f. applicable conditions of approval.

3. **Prohibited styles:** no barbed wire, chain link, razor, or wire (agricultural, electric, chicken wire, mesh wire, hog fencing, etc.) fences shall be allowed. This does not apply to chain link or wire fences if the fence: (1) is not being used to delineate lot boundaries; and (2) is used for keeping of animals. This Section also does not apply in the A, RA-5, and RR zones.

4. **Parallel fencing:** installing additional fencing inside and parallel to existing fencing along open space or trails, where there is no dwelling or lot between the parallel fences, is not permitted.

5. **Double frontages:** where lots have frontages onto more than one street, that area designated by the property owner as the rear yard may have a solid or view obstructing fence, wall, or hedge not exceeding six feet in height. Where the double frontage lot is also a corner lot (three frontages), clear sight across corner property shall be required and enforced. See Section 19.06.11, Clear Sight Triangles.

6. **Non-residential and Multi-family:** fencing and other screening materials for multi-family, residential, commercial, or industrial projects must receive approval by the City Council through the Site Plan review process. See Chapter 19.13 for Site Plan review requirements. In addition, the following criteria shall be applied:
    a. compatibility with fences of surrounding uses;
    b. quality of proposed materials;
    c. aesthetics of proposed materials;
    d. requirements of applicable development agreements;
    e. intensity of existing surrounding uses; and
    f. applicable conditions of approval.

7. **Required fencing:** fencing shall be placed along property lines abutting open space, parks, trails, and easement corridors. In addition, fencing may also be required adjacent to undeveloped properties.
    a. Where trail corridors immediately abut a collector or arterial road, privacy fencing may be installed.

b. In an effort to promote safety for citizens using trail corridors that do not abut a collector or arterial road, and security for homeowners, fences along these trail corridors shall be semi-private.
c. Fencing along open space, parks, trails, and easement corridors may be less than six feet in height but shall not be less than three feet in height, at the discretion of the property owner.

19.06.10. Screening at Boundaries of Residential Zones.

This Section outlines provisions that shall govern the heights of screening and fencing for commercial, mixed use, and industrial developments that abut residential zones.

1. For commercial, mixed use, and industrial developments abutting residential zones an opaque fence shall be installed and maintained along lot lines.

2. For residential developments abutting active agricultural property, an opaque fence shall be installed and maintained along the abutting property line.

3. The opaque fence shall be a minimum of six feet in height but not more than eight feet. A lower height fence may be required adjacent to a front property line for sight distance and traffic safety (see Section 19.06.08). Walls above six feet shall first be reviewed and approved by the City Council during site plan review. In determining the specific height of the fence, the following criteria shall be applied:
    a. compatibility with fences of surrounding uses;
    b. aesthetics of proposed materials;
    c. requirements of applicable development agreements;
    d. intensity of existing surrounding uses; and
    e. applicable conditions of approval

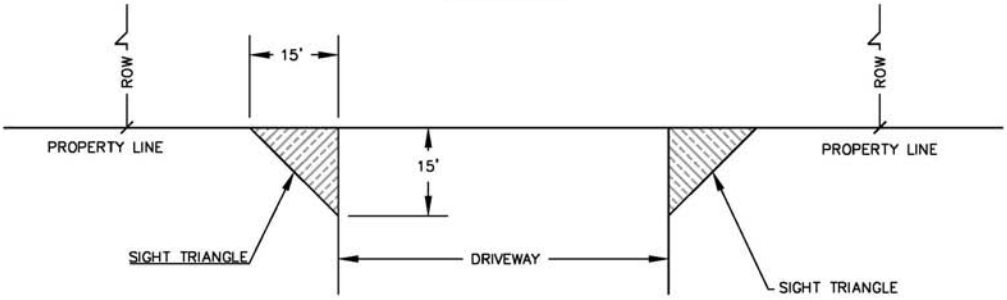
4. Where there is a difference in elevation on opposite sides of the fence, the height of the required fence shall be measured from the highest elevation.

19.06.11. Clear Sight Triangle.

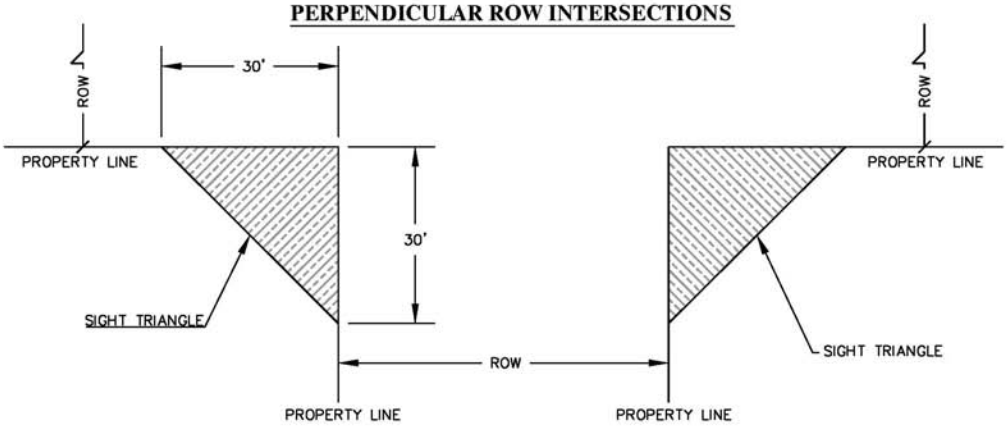
At all intersections of streets, driveways, or sidewalks, all landscaping, berms, and fencing shall be limited to a height of not more than three feet, and the grade at such intersections shall not be bermed or raised, for a distance of twenty feet back from the point of curvature of curved ROWs or thirty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

Clear Sight Triangle:

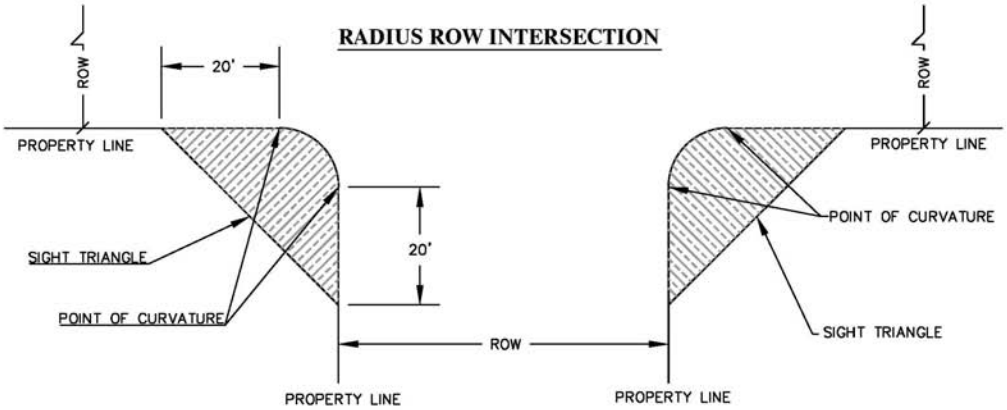
DRIVEWAY



PERPENDICULAR ROW INTERSECTIONS



RADIUS ROW INTERSECTION



SIGHT TRIANGLE

DATE: JULY 2014	
DRAWING NAME:	
DRAWN BY: ETL	
CHECKED:	APPROVED:

REVISIONS

REV	DATE	BY	COMMENTS

SARATOGA SPRINGS CITY

1307 N. COMMERCE DR. #200, SARATOGA SPRINGS, UT 84045
PHONE: 801-766-9793
FAX: 8017668794

STANDARD DETAILS

SIGHT TRIANGLE

Chapter 19.11. Lighting

Sections:

19.11.01. Purpose.
19.11.02. Applicability.
19.11.03. Definitions.
19.11.04. Temporary Lighting.
19.11.05. Lighting Standards and Design Requirements.
19.11.06. Lighting Plan.
19.11.07. Other Prohibited Lighting.
19.11.08. Maintenance of Nonconforming Lighting.

19.11.01. Purpose.

1. These provisions are intended to ensure a high quality and sustainable environment in the City, through the application of minimum standards for and limitations on artificial lighting and glare, while protecting the public health, safety, and general welfare.

2. These lighting standards are also intended to control the use of outdoor artificial lighting and illumination to:
    a. Protect drivers, residents, and pedestrians from the glare of non-vehicular light sources; and
    b. Promote energy-efficient lighting design and operation; and
    c. Protect and retain the intended visual character of the City; and
    d. Minimize detrimental effects on the community character; and
    e. Prevent undesirable light rays from intruding on private properties; and
    f. Allow reasonable enjoyment of adjacent and nearby property by their owners and occupants; and
    g. Increase nighttime safety, utility, security, and productivity.

19.11.02. Applicability.

1. Conformance required: this section applies to all new development in the City unless otherwise exempted in this Title, expansions to previously existing development in the City, and uses proposed to operate during hours of darkness.

2. Exemptions: the following uses shall be exempt from the requirements of this section:
    a. Agricultural Use: this regulation shall not be used to regulate any operational aspect of an agricultural use, including the cultivation and harvesting of crops, land management activities (controlled burning, clearing, spraying, trimming), livestock management, hunting, or use and application of water. This ordinance shall apply to the installation of new permanent lighting fixtures on building and structures.
    b. Emergency Lighting: all temporary emergency lighting needed by the police, fire department, or other emergency services.
    c. Vehicular lighting: lighting required by law to be installed on motor vehicles.

d. Aircraft lighting: lighting required for the safe operation of aircraft.
e. Construction lighting: construction lighting during the period of construction for which a development permit has been issued is exempt, provided such lighting is temporary and discontinued immediately upon completion of the construction work; also outdoor lighting employed during emergency night-time repair of roads and utilities.
f. Single family: standard garage, yard, and building lighting for single family homes not exceeding 140 watts.
g. Existing nonconforming lighting fixtures: all outdoor light fixtures lawfully installed prior to the adoption of this section, except that the subject lighting fixtures shall conform to the hours of operation.
h. Decorative holiday lighting.

19.11.03. Definitions.

As used in these regulations, the following terms shall be defined as follows:

1. **Business** – A person, partnership, corporation, or organization engaged in commerce, manufacturing, or a service; profit and non-profit seeking enterprise or concern; charitable organization. The definition is intended to be broadly construed.

2. **Digital Sign** – Cathode ray tube (CRT), flat panel liquid-crystal display (LCD), LED, plasma, aerial imaging, projector or other electronic device that electronically provides signage.

3. **Direct Light** – Light emitted directly from the lamp, off of the reflector diffuser, or through the refractor or diffuser lens of a lighting fixture.

4. **Foot-candle (fc)** – A unit of light measurement equal to one lumen per square foot.

5. **Full Cutoff** – Describes a lighting distribution where no light is allowed to emit from a light source at 90 degrees (horizontal plane) and all angles above. This applies to all horizontal angles around the lighting source, with no more than 10% of the light penetrating zone 1, and no light penetrating zone 2, as shown in Exhibit 1. A full cutoff lighting fixture is also fully shielded.

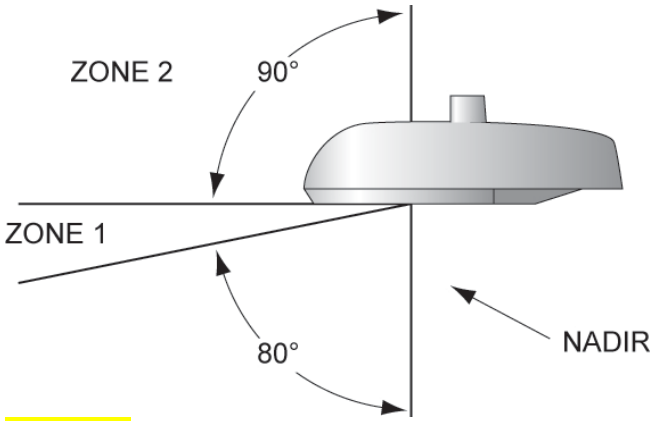


Exhibit 1

6. **Fully Shielded** – A lighting fixture constructed in such a manner that all light emitted by the source, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the lighting fixture, is projected below the horizontal plane, and where the lamp is not visible to the eye from a distance of 100 feet. A fully shielded fixture is not necessarily full cutoff.

7. **Glare** – Light emitting from a light source with intensity great enough to cause loss in visual performance or annoyance, so as to jeopardize health, safety, or welfare.

8. **Hazard to Air Navigation** – An obstruction or light source determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

9. **Height** – The location of the fixture as measured from the grade directly below the fixture to the top of the fixture.

10. Intermittent Lighting – Lighting that does not remain on for more than five minutes at a time.

11. Lamp – A bulb, globe, LED, cathode, beacon, or other source of light.

12. Lighting Assembly – A complete structure consisting of a fixture and lamp or lamps together with the parts designed to distribute the light, to support the lamps, to position and protect the lamps, to attach the lamps to the ground or to a structure, and to connect the lamps to a power supply.

13. Lighting Fixture – Luminaire, typically the housing, shade, and bulb portion of a lighting assembly

14. Lumen – A unit of measure for the brilliance of light source. The lumen rating associated with a given lamp is generally indicated on its packaging or may be obtained from the manufacturer.

15. **Nadir** – The direction pointing vertically down from the lowest light emitting part of the lighting fixture (see Exhibit 1 for an example).

16. **Nonconforming Lighting** – Any lighting that does not comply with the provisions of this Ordinance or with the provisions of any other applicable regulations of the City, but was lawfully pre-existing as of the effective date of this Ordinance or other applicable regulations.

17. **Outdoor Lighting** – Illumination of an outside area or object by any manmade device.

18. **Sport Lighting** – Lighting with the sole purpose of lighting a public sports field, court, or stadium during sporting events and training.

19. **Temporary Outdoor Lighting** – Lighting allowed as specified in an approved temporary permit pursuant to the requirements of this Chapter.

20. **Trespass Lighting** – Light emitted by a lighting fixture which is cast outside the boundaries of the property on which the lighting fixture is sited.

19.11.04 Temporary Lighting:

Any individual may submit a written request to the Planning Director for temporary lighting and obtain a temporary electrical permit for such lighting subject to the standards below.

1. The permit may allow temporary lighting for a period not to exceed ninety consecutive days, with at least ninety days passing before another temporary electrical permit may be issued for that same property.

2. The total period of all such permits issued for a single property may not exceed ninety days in any year.

3. The ability to acquire a temporary permit shall not in any way annul or eliminate any requirement to apply for and receive other permits or approvals which may be required by the City, or other applicable jurisdiction(s).

4. The request for temporary lighting must contain the following information in addition to information required to obtain a temporary electrical permit:
    a. Proposed use, purpose and location of the outdoor light requested.
    b. A written explanation of why compliance cannot be achieved.
    c. Type of lamp(s) to be used, including manufacturer's part number and initial lumens.
    d. Type of light fixture used, including manufacturer's model number and specification (cut) sheets indicating photometric distribution data stated in (ISO) foot-candle diagrams.
    e. Starting and ending dates for temporary lighting use and identification of all prior temporary lighting permits requested or approved for the subject property
    f. Contact information including name of applicant, affiliation (if applicable), address and telephone number.
    g. Such other information the Planning Director may require.

5. Notwithstanding the above provisions, no such temporary lighting permit shall be issued for lighting, which if installed, would be located within ½ (one-half) mile of the boundary of Camp W.G. Williams.

6. A permit application may be denied if it is determined that the nature, location, orientation, scale, length, intensity or other characteristic of such proposed temporary lighting will create a safety hazard, distraction to drivers, or otherwise have a negative impact on the public welfare.

7. All temporary lighting proposed under this Ordinance shall to the maximum extent practical, limit the scale of proposed temporary exemptions (lumens, trespass, hours, etc.). In taking action on any such application, the Planning Director or his/her agent may deny in whole or in part, specific proposed elements of the proposal, or impose conditions and/or modifications in order to mitigate, reduce or eliminate potential negative impacts on the public health, safety or general welfare.

19.11.05. Lighting Standards and Design Requirements.

The use of any materials or methods of installation not specifically described in this Section are prohibited.

1. **General Standards**: the standards below shall apply to all new lighting:
    a. Material: all lighting fixtures and assemblies shall be metal.
    b. Base: all lighting poles shall have a decorative base with a minimum height of sixteen inches, installed so as to conceal bolts, wires, and other structural attachments.
    c. Type: all lighting fixtures shall be of the full cutoff variety, where no more than 10% of the total lumen output of the fixture will come out at 90° above the horizontal plane of the fixture from nadir. The fixture must shield the lamp in such a way that there will be total cutoff when viewed from 100' or more from the light source.
        i. Shoebox fixtures are prohibited.
    d. Angle: all fixtures, except any lighting specifically exempted in this Chapter, shall be directed downward.
        i. For the lighting of predominately horizontal surfaces, fixtures shall be installed and aimed straight downward.
        ii. For the lighting of predominately vertical surfaces, fixtures shall be installed and aimed downward in such a manner that light is not case past the surface being illuminated, into the windows of neighboring residences, onto adjacent uses, onto public roadways, or skyward.
    e. Lamp: any bulb type, including but not limited to LEDs, metal halide, and high-pressure sodium may be used, with the requirement that the color shall be soft white or amber. Bulbs exceeding 4000k in color temperature are prohibited.
    f. Drawings: design and location of standards and fixtures shall be specified on the site development drawings.
    g. Flags: the Unites States flag and the state flag shall be permitted to be illuminated from dusk till dawn. All other flags shall not be illuminated past 11:00 p.m. Flag lighting sources shall not exceed 10,000 lumens per flagpole. The light source shall have a beam spread no greater than necessary to illuminate the flag.

2. **Residential Lighting:**
    a. Floodlights are prohibited.
    b. Pole lighting fixtures and assemblies shall be metal.
    c. Pole lighting fixtures and assemblies shall be black.
    d. Pole lighting assemblies shall include an arm and bell shade, or a pole and lantern configuration as outlined in the Technical Standards and Specification Manual.
    e. Building lighting for multi-family structures shall be full cutoff and downward directed, and only for the illumination of vertical surfaces such as building facades and signs, and shall not cast illumination beyond the surface being illuminated.

3. **Nonresidential Lighting:**
    a. All wall-mounted fixtures shall not be mounted above 16'. The exception shall be those instances where there is a second story access directly from the outdoors, and under-eave lighting. Wall-mounted lighting shall be only for the illumination of vertical surfaces such as building facades and signs, and shall not cast illumination beyond the surface being illuminated.

b. Intermittent lighting must be of the "motion sensor" type that stays on for a period of time not to exceed five (5) minutes and has a sensitivity setting that allows the lighting fixture to be activated only when motion is detected on the site.
c. All trespass lighting shall not exceed one foot-candles measured at the property line, except that trespass lighting into residential development shall not exceed 0.1 foot-candles measured at the property line.
d. With the exception of lighting that is required for security and safety such as parking lot illumination, businesses must turn off outdoor lights within one hour of closing. Business open for 24 hours must turn off 50% of their outdoor lighting by 11:00pm, however, those lighting fixtures turned off may be set to function utilizing a motion detector system.
e. Service station canopies must utilize canopy lights that are fully recessed into the canopy or are fully shielded by the canopy.
f. All freestanding lighting fixtures and assemblies shall be black.
g. Pole design shall include an arm and bell shade.
h. Parking lot poles shall be limited to a height of 16' when in or within 200' of a residential zone; all other locations shall have a height limit of 20'.
i. All lighting fixtures in surface parking lots and on the top decks of parking structures shall be fitted to render them full cutoff.

j. One hour after closing, businesses must turn off at least fifty percent (50%) of lighting fixtures in surface parking lots and on top decks of parking structures; however, those lighting fixtures turned off may be set to function utilizing a motion detector system. Such lights may be turned on one half hour prior to the first employee shift.
k. Business open for 24 hours must turn off 50% of their parking lot lighting by 11:00pm, however, those lighting fixtures turned off may be set to function utilizing a motion detector system.

4. Outdoor Sign Lighting

a. All illuminated signs located within one-half (1/2) mile of Camp W.G. Williams shall be positioned in such a manner and contain shielding devices as to significantly reduce spillover light affecting the military installation and operations. In no instance shall signs within 1/2 mile be positioned facing parallel to the adjacent boundaries of Camp W.G. Williams.
b. On-premise signs may remain illuminated during regular business hours, but may not be illuminated later than one-half (½) hour after the business is no longer open to the public, nor prior to the daily opening of the business to the public.
c. External illumination for wall signs shall be positioned in a downward direction directly onto the sign in such a manner that light does not project past the sign surface being illuminated.
d. Monument signs may have upward illumination provided the light source is not visible, and the fixtures shall be installed and aimed in such a manner that light is not projects past the sign surface being illuminated, into the windows of neighboring residences, onto adjacent uses, onto public roadways, or skyward.
e. Internally illuminated signs shall be designed so that the light source is not visible.

f. All digital signs shall be illuminated at a level no greater than 0.3 footcandles over ambient light levels for the location and time and shall employ light cutoff devices, such as louvers, to minimize light escaping above the horizontal plane.
g. Nothing in this section shall be interpreted to authorize signs in areas of the City prohibiting signs.

5. **Sports Lighting:**
   a. Field and stadium lighting fixtures shall not be mounted at a height greater than 70' and shall be directed inward and downward at an angle not to exceed 45 degrees.

6. **Walkway lighting:**
   a. Lighting of all pedestrian pathways is recommended.
   b. All pathway, walkway, and sidewalk lighting fixtures shall be mounted at a height of not to exceed than 10 feet.
   c. Bollard lighting shall be limited to height of 4 feet.

7. **Street Lighting:**
   a. All parking lot light fixtures shall be installed in locations so that glare or excessive direct light will not adversely affect adjacent properties.
   b. All light fixtures and assemblies shall be black.
   c. Pole mounted fixtures are required for street lighting and shall meet the City standard.

19.11.06. Lighting Plan.

A lighting plan shall be submitted as part of any subdivision, site plan, conditional use permit, building permit, or other applicable development application that will include artificial illumination. This plan shall include the following:

1. Plans indicating the location and types of illuminating devices on the premises.

2. Descriptions of the illuminating devices, fixtures, lamp supports, and other devices. This description may include, but is not limited to, manufacturers' specifications, drawings, and sections.

3. Photometric sheet showing measurement of light intensity across the site and onto adjacent property in terms of candela, lumens, and foot-candles.

4. Plans providing information required in the Technical Standards and Specifications Manual.

19.11.07. Other Prohibited Lighting

Unless expressly permitted elsewhere in this Title, the following are prohibited:

A. The use of laser source light or any similar high intensity light, such as used for outdoor advertising or entertainment, when projected above the horizontal plane is prohibited; and

B. The use of strobe lights is prohibited.

C. The operation of searchlights, except by authorized public safety officials, for any purposes is prohibited.

19.11.08. Maintenance of Nonconforming Lighting

A. All lighting fixtures and assemblies lawfully in place and operating prior to the effective date of this ordinance shall have legal nonconforming status.

B. Minor repair and maintenance of legal nonconforming lighting fixtures and assemblies is allowed. Replacement of a sign shall terminate nonconforming status of that fixture. At that time, all standards of this regulation must be met.

Chapter 19.12. Subdivisions.

Sections:

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

19.12.01. Purpose.

The purpose of this Chapter is to provide regulations and standards for the: development of residential and non-residential subdivisions and construction of improvements thereon, including the design and installation of roads, streets, curbs, gutters, drainage systems, water and sewer systems, and other public facilities and utilities; dedication of land and streets; granting of easements or rights-of-way; and payment of fees and other charges for the approval of a subdivision.

19.12.02. General.

1. **Sales of portions of subdivision parcels.** No person shall sell, deed, or exchange, or offer to sell, deed, or exchange, any parcel of land that is a part of a subdivision or of a larger tract of land, or record in the office of the County Recorder any subdivision plat, unless the subdivision has been approved by the City according to the provisions of the City Code. Parcels created without such approval by the City shall be considered part of an illegal subdivision and not eligible for further subdivision, building permits, or other development permits until the illegal subdivision is corrected. This Chapter shall be interpreted so as to be consistent with Utah Code Chapter 10-9a.

2. **All lots subject to ordinances.** All lots, plots, or tracts of land located within a subdivision shall be subject to the provisions of the City Code, regardless of whether or not the tract is owned by the applicant or a subsequent purchaser, transferor, or holder of the land.

3. **Severability.** If any section, sentence, clause, or phrase of this Chapter is for any reason held to be invalid, such holding shall not affect the validity of the remaining portion of this Chapter.

4. **Building and occupancy permits.**
    a. It shall be unlawful for any person to receive a building permit until all improvements, including utilities, are installed in accordance with City ordinances and standards, accepted by the City in writing, and secured by a warranty bond posted to guarantee that they remain free from defects and continue to meet City standards for a period of one or two years as allowed in Utah Code § 10-9a-604.5. The City may allow building permits to be issued

before improvements are installed if a performance bond is posted (accompanied by a bond agreement) and when, in the opinion of the City Engineer, delaying those improvements will not cause public safety or utility service problems for the homes being issued permits. The bond agreement shall specify the timeframe in which the improvements must be completed.

b. There shall be no human occupancy of any building until all required improvements have been accepted in writing by the City, the building and lot are in compliance with the provisions of this Chapter and the City Code, and a certificate of occupancy has been issued. The City may allow occupancy before all required improvements are installed if a performance bond is posted (accompanied by a bond agreement) and when, in the opinion of the City Engineer, delaying those improvements will not cause public safety or utility service problems for the homes being issued occupancy permits. The bond agreement shall specify the timeframe in which the improvements must be completed.

5. **Duration.** Approvals for developments described in this Chapter are valid for twenty-four months from the date of approval. The City Council may grant extensions of time when such extensions will promote the public health, safety, and general welfare. Said extension must be requested within twenty-four months of Site Plan/Subdivision approval and shall not exceed twelve months.
    a. For phased developments, if the first phase is not recorded within twenty-four months from final plat approval, the approval for all phases shall expire.
    b. If the first phase is recorded within twenty-four months from final plat approval, the approval shall automatically be extended with each recorded phase for a period of twenty-four months measured from the date of most recent phase recordation.

6. **Phased Subdivisions.** If the construction of various portions of any subdivision is proposed to occur in stages, then the standards for phased development outlined in 19.13 shall be met.

7. **Utilities.** All utility lines shall be underground in designated easements. No pipe, conduit, cable, water line, irrigation line, gas, sewage, drainage, steam, electrical, or any other energy or service shall be installed or maintained upon any lot outside of any building above the surface of the ground except during construction.
    i. No sewer, storm drain, culinary water, or irrigation water main shall be installed or maintained within a residential lot; all such utilities must be placed in an easement within protected open space or within ROW's. When placed outside right-of-way they shall be located a minimum of 10' from any lot line and paved access roads shall be provided to all manholes or other access points required for maintenance.

(Ord. 14-4)

19.12.03. Subdivision Process and Approval Procedure.

1. **Processing of development plans.** All subdivisions are subject to the provisions of Chapter 19.13, Development Review Processes. In addition, all residential and non-residential subdivisions shall comply with this Chapter.

2. **Preliminary Subdivision Plats.** All subdivisions must receive a Preliminary Plat approval. An application for a Preliminary Plat shall follow the approved City format and must contain the following information:
   a. Application form, applicant certification, and application fee.
   b. Preliminary title report.
   c. Soils report.
   d. Preliminary Hydraulic and Hydrologic report and storm drainage calculations.
   e. Wetland delineation when required by City Engineer, Planning Commission, Development Review Committee, or the Army Corp of Engineers.
   f. Preliminary Traffic report. Said report shall comply with the standards outlined in the City's adopted Transportation Master Plan and shall include the following:
      i. an analysis of the average daily trips generated by the proposed project;
      ii. an analysis of the distribution of trips on City street systems;
      iii. a description of the type of traffic generated; and
      iv. recommendations on what mitigation measures should be implemented with the project to maintain a level of service for existing and proposed residents acceptable to the City.
   g. Data table including
      i. total project area
      ii. total number of lots, dwellings, and buildings
      iii. square footage of proposed building footprints and, if multiple stories, square footage by floor
      iv. number of proposed garage parking spaces
      v. number of proposed total parking spaces
      vi. percentage of buildable land
      vii. acreage of sensitive lands and what percent sensitive lands comprise of total project area and of open space area
      viii. area and percentage of open space or landscaping
      ix. area to be dedicated as right-of-way (public and private)
      x. net density of dwellings by acre (sensitive lands must be subtracted from base acreage).
   ~~h. Written agreement to pay the cost of materials and postage to mail notices to all property owners as required in this Title, upon receipt of City invoice.~~
   i. Evidence of compliance with all applicable federal, state, and local laws and regulations, if requested by City.
   j. ALTA survey including deeds, easements, trees, utilities, structures, and other existing features and conditions.
   k. Preliminary Plat: Three full-size 24" x 36" copies of the Preliminary Plat at a scale no smaller than 1" = 100' and two 11 x 17 inch reductions. Additional copies may be required prior to adding the application to the Planning Commission or City Council agenda. Each copy shall conform to the City's standard plat layout and contain at a minimum the following items:
      i. General Layout
      ii. Name and address of owners of land and name and address of developer if different than owner.
      iii. Name of land surveyor.

iv. The location of the proposed subdivision with respect to surrounding property and streets.
v. The name of all adjoining property owners of record, or the names of adjoining developments.
vi. The names and location of adjoining streets and all facilities within 100 feet of the platted property.
vii. Street and road layout with centerline bearing and distance labels, dimensions, and names of existing and future streets and roads, (with all new names cleared through the City GIS Department).
viii. Subdivision name cleared with Utah County.
ix. North arrow.
x. A tie to a permanent survey monument at a section corner.
xi. The boundary lines of the project with bearings and distances and a legal description.
xii. Layout and dimensions of proposed lots with lot area in square feet.
xiii. Location, dimensions, and labeling of roads, structures, irrigation features, drainage, parks, open space, trails, etc.
xiv. Location of prominent natural features such as rock outcroppings, woodlands, steep slopes, etc.
xv. Proposed road cross sections.
xvi. Proposed fencing.
xvii. Vicinity map.
xviii. Signature blocks for preliminary approval by Planning Commission and City Council.
xix. The Preliminary Plat shall be prepared and stamped by a professional surveyor or engineer licensed in Utah.
xx. Proposed methods for the protection or preservation of sensitive lands.
xxi. Location of any flood plains, wetlands, and other sensitive lands.
xxii. Location of 100-year high water marks of all lakes, rivers, and streams.

l. Preliminary Construction drawings containing, at a minimum, all items specified in the City's "Standard Technical Specification and Drawings" manual. Applicant shall provide three full-size 24" x 36" copies and two 11 x 17 inch reductions. Additional copies may be required prior to adding the application to the Planning Commission agenda.
m. Landscaping plan drawn by certified landscape architect, including planting plan, data table including vegetation types and percentages, percentage of turf, and other information consistent with the standards and requirements in Section 19.06.
n. Phasing plan including a data table with the following information for each phase:
    i. total area in square feet and acres
    ii. number of lots or dwelling units
    iii. open space area and percentage
    iv. utility phasing plan
    v. number of parking spaces
    vi. recreational facilities to be provided
o. Lighting plan including photometric information for the site and for immediately adjacent properties, and fixture design, height, and placement consistent with the requirements in Section 19.11.

p. File of all plans, documents, and reports in pdf format.
q. A copy of the Utah County plat map showing ownership and parcel numbers.
r. A document from UDOT Region 3 stating that UDOT has granted approval for all proposed accesses onto any State road.
s. Geolocated KMZ file including lot line(s), lot number(s), road centerline(s), building footprint(s) where buildings are proposed, open space, and sensitive lands

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

1. **Final Plat Application Requirements.** Applications for Final Plats shall be on an approved-City form and include the following items:
   a. Application form, applicant certification, and paid application fee.

b. Signed easements and agreements with adjacent property owners for necessary off-site facilities.
c. Signed and recorded articles of incorporation bylaws, and conditions, covenants, and restrictions of the Home Owners Association, if any.
d. Certificate of Existence and Certificate of Good Standing from the State of Utah for the Home Owners Association, if any.
e. Final Hydraulic and Hydrologic storm drainage report and calculations
f. **Final Traffic report**. Said report shall comply with the standards outlined in the City's adopted Transportation Master Plan and shall include, but not be limited to, the following:
    v. an analysis of the average daily trips generated by the proposed project;
    vi. an analysis of the distribution of trips on City street systems;
    vii. a description of the type of traffic generated; and
    viii. recommendations on what mitigation measures should be implemented with the project to maintain an level of service for existing and proposed residents acceptable to the City.
g. **Data table** including:
    i. total project area
    ii. total number of lots, dwellings, and buildings
    iii. square footage of proposed building fooprints and, if multiple stories, square footage by floor
    iv. number of proposed garage parking spaces
    v. number of proposed parking spaces
    vi. percentage of buildable land
    vii. acreage of sensitive lands and what percent sensitive lands comprise of total project area and of open space area
    viii. area and percentage of open space or landscaping
    ix. area to be dedicated as right-of-way (public and private)
    x. net density of dwellings by acre (sensitive lands must be subtracted from base acreage).
h. **Final Subdivision Plat**: Three full-size 24" x 36" sheets and two 11" x 17" copies shall be submitted at a scale no smaller than 1" = 100'. Additional copies may be required prior to adding the application to the Planning Commission or City Council agenda. Each Copy shall conform to the City's standard plat layout and contain at a minimum the following items:.
    i. Subdivision name and location.
    ii. Name and address of owners of land and name and address of developer if different than owner.
    iii. Name of land surveyor.
    iv. The location of the proposed subdivision with respect to surrounding property and streets.
    v. The name of all adjoining property owners of record, or the names of adjoining developments.
    vi. The names and location and ROW widths of adjoining streets and all facilities within 100 feet of the platted property.
    vii. Subdivision name cleared with Utah County.
    viii. North arrow.

ix. A tie to a permanent survey monument at a section corner.
x. The boundary lines of the project with bearings and distances and a legal description with total project area in SF and acres.
xi. Layout and dimensions of proposed lots with lot area in square feet and acres. Lot boundaries shall include dimensions and bearings. Building envelopes shall be shown with dimensions and areas on each lot where slopes are greater than ten percent.
xii. Lot Numbers
xiii. Location, dimensions, and labeling of roads, structures, irrigation features, drainage, parks, open space, trails, etc.
xiv. Location of prominent natural features such as rock outcroppings, woodlands, steep slopes, etc.
xv. Proposed road ROW widths.
xvi. Vicinity map.
xvii. Signature blocks for preliminary approval by Planning Commission and City Council.
xviii. The Preliminary Plat shall be prepared by a professional engineer licensed in Utah.
xix. Proposed methods for the protection or preservation of sensitive lands.
xx. Fencing plans.
xxi. Location of any flood plains, wetlands, and other sensitive lands.
xxii. Flood plain boundaries as indicated by the Federal Emergency Management Agency as well as the location of 100-year high water marks of all lakes, rivers, and streams.
xxiii. Existing and Proposed easements.
xxiv. Street monument locations.
xxv. Fire hydrant locations.
xxvi. Street light locations (at intersections and every 300 feet, placed on alternating sides of streets).
xxvii. Lot and road addresses and addresses for each intersection. Road names must meet the requirements of Chapter 19.27 and be cleared by the City GIS department.

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

j. **Landscaping and irrigation plans** drawn by certified landscape architect, including planting plan, data table including vegetation types and percentages, percentage of turf, installation details and other information consistent with the standards in 19.06. .

k. Phasing plan including a data table with the following information for each phase:
1.11.01 Subtotal area in square feet and acres
1.11.02 number of lots or dwelling units
1.11.03 open space area and percentage
1.11.04 utility phasing plan
1.11.05 number of parking spaces
1.11.06 recreational facilities to be provided
1.11.07 overall plan showing existing, proposed, and remaining phases

l. **Lighting plan** including photometric information for the site and for immediately adjacent properties, and fixture design, height, and placement consistent with the requirements in Section 19.11.
m. File of all plans, documents and reports in pdf format.
n. A document from UDOT Region 3 indicating that UDOT has granted approval for all proposed accesses onto any State road.
o. **Geolocated KMZ file** including lot line(s), lot number(s), road centerline(s), building footprint(s) where buildings are proposed, open space, and sensitive lands.
p. **Title Report.** A title report shall be provided that is current within 30 days of recording the final plat.
q. **Mylar Final Plat:** After receiving Final Plat approval from the City council and in a form approved by the City Engineer and Planning Director, a 24" x 36" copy of the final plat shall be provided to the City on reproducible Mylar for recording with Utah County. Mylar plat shall be presented with all utility and owner signatures and appropriate notarizations.

(Ord. 14-4)

19.12.04. Condominium Process and Approval Procedure.

1. All condominium projects shall receive Site Plan or Preliminary Plat approval as required by this Title. Both approvals may occur concurrently.

2. Upon approval or filing of a Site Plan or Preliminary Plat for a condominium project, the developer shall submit to the city a Declaration of Condominium prepared in accordance with the requirements of the Utah Code and a Record of Survey Map (also referred to as condominium plat) meeting the requirements of the Utah Code.

3. The developer may submit a condominium plat application with the Planning Director at any time after the Site Plan or Preliminary Plat for a condominium development has been approved and all necessary fees have been paid.

4. Upon receipt of an application for a condominium plat, the following process shall be followed:
    a. The Planning Director and City staff shall have ten business days to determine whether the application is complete. The applicant shall be notified in writing if the application is complete and, if incomplete, shall be notified of the reasons why the application is deficient.
    b. Once an application is deemed to be complete, the Development Review Committee shall complete a review of the proposed condominium plat and submit a report to the Planning Commission at least three days prior to the meeting where the Planning Commission will review the condominium plat application.
    c. The Planning Commission shall review the proposed condominium plat and determine whether it is in compliance with the approved Site Plan and other provisions of the City Code and any requirements imposed as a condition of that Site Plan approval.
        i. If the proposed condominium plat complies, the Planning Commission shall approve it for signature by the Mayor, after final approval of the Development Agreement (if necessary) by City staff.

d. At the conclusion of the one or two year warranty period, the City must issue a Certificate of Final Acceptance before the retained ten percent can be released.

4. **Default.** In the event that the owner, developer, or contractor is in default or fails or neglects to satisfactorily install the required improvements within one year from the date of posting the performance bond (or other period of time as specified per agreement with the City), or fails to correct, repair, or replace the defective improvements during the one or two year warranty period, the City may declare the bond proceeds forfeited and may, in its sole discretion, install or cause the required improvements to be installed, repaired, or replaced using the bond proceeds. The City may also use the bond proceeds to pay for administrative and legal costs incurred and may take any other action legally available.

19.12.06. General Subdivision Improvement Requirements.

1. **Subdivision Layout.** This Section contains general requirements regarding overall subdivision design and layout. The following provisions apply to new subdivisions:
    a. The subdivision layout should be generally consistent with the City's adopted Land Use Element of the General Plan, and shall conform to any land use ordinance, any capital facilities plan, and any impact fee facilities plan.
    b. The maximum length of blocks shall be 1,000 feet. In blocks over 800 feet in length, a dedicated public walkway through the block at approximately the center of the block will be required.
        i. Such a walkway shall not be less than fifteen feet in width unless otherwise approved by the City.
        ii. Blocks intended for commercial or industrial uses shall be designed specifically for such purposes, with adequate space set aside for off-street parking and delivery facilities.
        iii. A block shall be measured from the centerline of one intersection to the centerline of the next intersection or apex of the nearest cul-de-sac. For purposes of measuring block length, an intersection may include two-way, three-way, or four-way intersections of roadways.
    c. The City will require the use of connecting streets, pedestrian walkways, trails, and other methods for providing logical connections and linkages between neighborhoods.
    d. Private roads may be constructed as approved as part of the Preliminary Plat approval and so long as such roads meet the same standards identified in the Saratoga Springs Standard Street Improvement Details.
    e. Where the vehicular access into a subdivision intersects an arterial road as defined in the Transportation Master Plan, driveways shall not be placed on the intersecting road within 100' of the arterial connection as measured from edge of the arterial right of way to the nearest edge of driveway surface to avoid vehicles backing into the stacking area for the arterial.
    f. Access:
        i. Two separate means of vehicular access onto a collector or arterial road shall be required when the following threshold is met:
            1. Whenever the total number of dwelling units served by a single means of access will exceed fifty.

ii. Exceptions: where no point of second access is available within five hundred feet (500'), and where all units are provided with an approved sprinkler system, a second access shall not be required until the number of units reaches double the above limits.

iii. Where two means of access are required, the points of access shall be placed a minimum of 500 feet apart, measured along the center of the driving lane from center of right-of-way to center of right-of-way. The City Fire Chief may require a greater distance than 500 feet if:

1. an essential link exists between a legitimate governmental interest and the requirement; and
2. the requirement is roughly proportionate, both in nature and extent, to the impact of the proposed development.

g. Shared driveways shall be a minimum of twenty feet in width and shall direct all runoff to a public or private drainage system. All dwellings on shared driveways shall provide enclosed garages or other covered parking; shared driveways accessing more than four dwellings shall also provide a minimum of twenty feet of parking space between the garage and shared driveway. All requirements of the Fire Code shall also be met.

2. **Lot Design.** The following provisions apply to new lots:

a. All subdivisions shall result in the creation of lots that are developable and capable of being built upon. A subdivision shall not create lots that would make improvement impracticable due to size, shape, steepness of terrain, location of watercourses, sanitary sewer problems, driveway grades, or other physical constraints and considerations.

b. All lots or parcels created by the subdivision shall have frontage on a street or road that meets the City's ordinances, regulations, and standards for public roads.

c. Flag lots may be approved with less frontage when the Planning Commission determines that the creation of such a lot would result in an improved design or better physical layout for the lot based on the following criteria:

i. For subdivisions with 20 or less lots: no more than 10% (rounding down) of the total lots are allowed to be flag lots;

ii. For subdivisions with 50 or less lots: no more than 7.5% of the total lots are allowed to be flag lots; and

iii. For subdivision with more than 50 lots: no more than 5% of the total lots are allowed to be flag lots.

d. Land dedicated as public roads and rights-of-way shall be separate and distinct from land included in lots adjacent to public roads and rights-of-way. In no case may land dedicated for public roads and rights-of-way be included in the area calculation of any lots.

e. Side property lines shall be at approximately right angles to the street line or radial to the street line.

f. Corner lots for residential use shall be platted ten percent larger than interior lots in order to facilitate conformance with the required street setback for both streets.

g. No lot shall be created that is divided by a municipal or county boundary line. Each property boundary line shall be made a lot line.

h. Remnants of property shall not be left in the subdivision that do not conform to lot requirements or are not required or suitable for common open space, private utilities, public purposes, or other purpose approved by the City Council.

i. Double access lots are not permitted with the exception of corner lots.
j. Driveways for residential lots or parcels shall not be allowed to have access on major arterials such as Redwood Road, Crossroads Boulevard, Pioneer Crossing, and Pony Express. Exceptions may be made for large lots (at least 1 acre in size) or for lots where the home is set back over 150 feet from the arterial roadway. Approval by UDOT may be required.
k. All subdivisions along arterial roadways shall conform to the City's requirements and adopted street cross-section including pedestrian walkways, park strips, landscaping, and fencing.

3. **Timing of Installation; Phasing.** The City permits developers to separate approved preliminary plats into phases for review, approval, and recording subject to the following conditions:
   a. Bonding for each phase is required and shall include (in addition to the requirements of 19.12.05):
      i. improvements required for that phase;
      ii. major off-site improvements needed for the completion of the entire approved preliminary plat; and
      iii. subdivision-wide improvements of major importance such as neighborhood parks, trails, open space, or other neighborhood amenities that will otherwise be installed for the entire project as set forth in the development agreement, subdivision approvals, construction drawings, and approved plans.
   b. Each phase shall have at least two contiguous and paved accesses to ensure adequate circulation and access for the duration of the construction of one or more phases.
   c. Open space and improvements shall be provided as required under phasing in Section 19.13.
   d. Improvements must be completed within twenty-four months of recording each Final Plat, unless a shorter period is otherwise provided in a development or bond agreement.
   e. Road access must be provided as approved by the City Engineer and Fire Department.
   f. Fire hydrants or alternative fire protection methods must be operational before any home construction within the subdivision will be allowed to proceed above foundation level. Other restrictions contained in the Building Code may also apply. Exceptions for model homes may be approved in accordance with Section 19.05.02.

(Ord. 14-11, Ord. 14-4)

19.12.07. Minor Subdivision Approval Procedure.

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

1. **Limitations.**

a. A Minor Subdivision is a one-time process. To ensure adequate infrastructure, lots contained in an existing recorded subdivision plat are not eligible to apply for a Minor Subdivision.

b. The minimum lot size for lots created through a Minor Subdivision shall be one acre, or the minimum allowed by the zone, whichever is greater.

c. Lots created through a Minor Subdivision may not be buildable until all other applicable State and local requirements are met.

2. **Complete Application.** The Planning Director and City Staff shall have ten business days to determine whether the application is complete. The applicant shall be notified in writing if the application is complete and, if incomplete, shall be notified of the reasons why the application is deficient.

3. **DRC Review.** Once an application is deemed to be complete, the Development Review Committee shall complete a review of the proposed plat and submit a report to the Planning Commission prior to the meeting where the Planning Commission will review the Final Plat application.

4. **Planning Commission.** The Planning Commission shall conduct a public hearing and review the proposed Final Plat to determine whether it is in compliance with the City Code.
    a. If the proposed plat complies, the Planning Commission shall approve the plat and authorize the Mayor to sign the plat.
    b. If the proposed plat fails to comply, the Planning Commission shall deny the plat, or may continue the decision with direction to the City staff to return it to the developer along with a written list of deficiencies that must be corrected before the Planning Commission will authorize the Mayor to sign it.
    c. The Planning Commission is specifically charged with ensuring that all significant conditions required for plat approval have been resolved before taking final action.

5. **Recordation.** The City Recorder, or designee, shall be responsible for recording subdivision plats. The subdivider shall pay for all recording fees at the time of recordation. No Final Plat shall be recorded unless and until the plat is properly approved, signed, and accepted by the City.

6. **Application Requirements.** Applications for Minor Subdivision plats shall include the following items:
    a. application form completed and application fee paid;
    b. updated Preliminary Title Report;
        i. The Title Report must also demonstrate that the proposed minor subdivision has not been involved in any prior minor subdivision;
    c. Minor Subdivision Plats shall conform to all of the requirements for Final Subdivision Plats layouts as provided in section 19.12.03

(Ord. 14-4)

19.12.08. Property Line Adjustments (Exchange of Title).

1. **Standards.** Owners may adjust property lines between adjacent lots or parcels that are described by either a metes and bounds description or a recorded plat, by exchanging title portions of those parcels after approval if:
    a. no new dwelling lot or dwelling results from the property line adjustment;
    b. the number of lots or parcels does not increase;
    c. the adjoining property owners consent to the property line adjustment;
    d. the property line adjustment does not result in remnant land that did not previously exist; and
    e. the adjustment does not result in a violation of applicable zoning requirements.

2. **Application.** The owners shall file an application requesting a property line adjustment together with all required documents.

3. **Planning Director Review.** The Planning Director shall review all the documents to determine if they are complete and that they comply with the requirements set forth above. If the Planning Director determines that documents are complete, the Planning Director will take action the Property Line Adjustment.
        i. the Planning Director shall determine whether the property line adjustment complies with the requirements of this section and this Title; and
        ii. the Planning Director shall approve, approve with conditions, or deny the amendment.

4. **Notice of Approval and Conveyance of Title.** After approval by the Planning Director, the applicant shall:
    a. Prepare a Notice of Approval which:
        i. is executed by each owner included in the exchange;
        ii. is signed by the Planning Director;
        iii. contains an acknowledgment for each party signing the Notice as required by State law for real property; and
        iv. recites the description of both the original parcels and the parcels created by the property line adjustment; and
    b. Record a deed which conveys title as approved;
    c. Record the Notice of Approval; and
    d. Provide City staff with a recorded copy of the Notice of Approval.

5. **Property Line Adjustment Not a Subdivision.** A property line adjustment shall not be deemed a subdivision of property and shall not be required to follow the subdivision process of this Title.

6. **Other Divisions of Land**. Other divisions of land not meeting the definition of subdivision in Utah Code § 10-9a-103, as amended, shall be allowed so long as the process in this Section is complied with and all requirements of § 10-9a-103 are met.

19.12.09. Vacating or Amending a Subdivision Plat.

1. **Plat Amendment.** The City shall follow the process outlined in Utah Code Chapter 10-9a for the vacation of any public street, right-of-way, easements, or alley.

2. **Applicability.** Owners may petition to vacate or amend a recorded subdivision plat if the petition does not affect the location or boundary of a road or the boundary of the plat, and seeks to:
    a. join two or more of the petitioning fee owner's lots; or
    b. vacate or alter private streets, rights-of-way, easements, or alleys, or
    c. adjust internal lot restrictions subject to the standards of this Title and applicable conditions of approval for the original plat.

3. **Standards.** Plat amendments shall be approved if:
    d. no new dwelling lot or dwelling results from the plat amendment; and
    e. the number of lots or parcels does not increase; and
    f. the affected property owners consent to the amendment; and
    g. the amendment does not result in remnant land that did not previously exist; and
    h. the amendment does not violate conditions of approval for the original plat; and
    i. the amendment does not result in a violation of applicable zoning requirements.

4. **Application.** The owners of affected lots shall file an application on an approved City form and include the following items:
    a. Application form, applicant certification, and paid application fee.
    b. Plat that conforms to all of the requirements of a Final Plat as provided in section 19.12.03.
    c. Data table including
        i. total project area
        ii. total number of lots, dwellings, and buildings
        iii. number of proposed garage parking spaces
        iv. number of proposed parking spaces
        v. percentage of buildable land
        vi. acreage of sensitive lands and what percent sensitive lands comprise of total project area and of open space area
        vii. area and percentage of open space or landscaping
        viii. area to be dedicated as right-of-way (public and private)
        ix. net density of dwellings by acre (sensitive lands must be subtracted from base acreage).
    d. A copy of the Utah County plat map showing ownership and parcel numbers.
    e. File of all plans in pdf format.
    f. Geolocated KML file including lot line(s), lot number(s), road centerline(s), building footprint(s), open space, and sensitive lands.

5. **Title Report.** A title report shall be provided that is current within 30 days of recording the final plat.

6. **Land Use Authority.**
    a. The Planning Director is hereby designated as the land use authority for plat amendments involving only lot combinations.

b. The Planning Commission is hereby designated as the land use authority for all other plat amendments and vacations that do not not affect a public road.

7. **Planning Director Review.** The Planning Director shall review all the documents to determine if they are complete and that they comply with the requirements set forth above.
   j. For plat amendments where the Planning Director is the Land Use Authority, if the Planning Director determines that documents are complete the Planning Director shall take action on the application.
      i. the Planning Director shall determine whether the amendment complies with the requirements of this section and this Title; and
      ii. the Planning Director shall approve, approve with conditions, or deny the amendment.
   k. For plat amendments where the Planning Commission is the Land Use Authority, if the Planning Director determines that documents are complete, the Planning Director shall schedule the plat amendment for a public hearing at the next available Planning Commission meeting.

8. **Planning Commission Review and Action.**
   a. For amendments where the Planning Commission is the Land Use Authority, the Planning Commission shall hold a public hearing after providing required notice;
      i. the Planning Commission shall determine whether the amended plat complies with the requirements of this section and this Title;
      ii. the Planning Commission may approve, approve with conditions, or deny the amendment; and
      iii. if the Planning Commission approves an amended plat, the Mayor shall sign a plat showing the alteration and direct that the plat be recorded in the office of the Utah County Recorder.
   b. **Notice.** Prior to the public hearing, the City shall provide the notice required by Utah Code Chapters 10-9a and 52-4. The applicant shall pay the cost to post and provide notice to all property owners within 300 feet of the application, prior to final approval.

9. **Plat Amendment Not a Subdivision.** A plat amendment shall not be deemed a subdivision of property and shall not be required to follow the subdivision process of this Title.

19.12.10. Vacating or Altering Public Streets, Rights-of-Way, Easements, or Alleys.

1. **Vacating Public Streets, Rights-of-Way, Easements, or Alleys.** The City Council shall follow the process outlined in Utah Code Chapter 10-9a for the vacation of any public street, right-of-way, easements, or alley.

2. **Altering Public Streets, Rights-of-Way, Easements, or Alleys.** This Subsection shall only apply if a subdivision plat is not being amended and no portion of a public street, right-of-way, easement, or alley is being vacated. Amending street or road names are not considered an alteration.
   c. **City Council Review and Determination.** The City Council is hereby designated as the land use authority to consider the alteration of any portion of a public street, right-of-way, easement, or alley. The City Council may, with or without a petition or request, alter any

public street, right-of-way, easement, or alley whether within a subdivision or not, following the procedures set forth below:

i. the City Council shall hold a public hearing after providing notice as set forth hereafter;
ii. the City Council shall determine whether good cause exists for the alteration;
iii. the City Council may approve, approve with conditions, or deny the alteration; and
iv. if the City Council alters any portion of a public street, right-of-way, easement, or alley, the Mayor shall sign a plat showing the alteration and direct that the plat be recorded in the office of the Utah County Recorder.

d. **Notice.** Prior to the public hearing, the City shall provide the notice required by Utah Code Chapters 10-9a and 52-4.

Chapter 19.13. Development Review Processes.

Sections:

19.13.01. Purpose.
19.13.02. General Considerations.
19.13.03. Application Forms Required.
19.13.04. Specific Development Processes and Submittal Requirements.
19.13.05. Urban Design Committee Participation.
19.13.06. Development Agreements.
19.13.07. Improvements Required.
19.13.08. Master Development Agreements.
19.13.09. Payment in Lieu of Open Space.

19.13.01. Purpose.

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

19.13.02. General Considerations.

1. **Land Use Element of the General Plan.** The City's adopted Land Use Element of the General Plan shall guide the use and future development of all land within the corporate boundaries of the City.

2. **Municipal Code.** The size and design of lots, nature of utilities, design and improvements of streets, types and intensity of land uses, and provisions for any facilities in any subdivision shall conform to the land uses shown and the standards established in the City Code, and other applicable ordinances and policies.

3. **Conservation of Natural Features.** Trees, native land cover, wetlands, natural watercourses, hillsides, and existing topography shall be preserved where possible. Development projects shall be so designed as to prevent excessive grading and scarring of the natural terrain. The design of new projects shall consider and relate to existing and future street widths, alignments, and names.

4. **Community facilities.** Community facilities, such as parks, recreation areas, and transportation facilities, shall be provided in the development project in accordance with the Land Use Element of the General Plan and the City's land use ordinances, particularly Chapter 19.04, Zoning. In order to facilitate the acquisition of land areas required to establish the creation and expansion of community facilities, the applicant may be required to dedicate, grant easements, or otherwise

reserve land for schools, parks, playgrounds, public rights-of-way, utility easements, and other public purposes.

5. **Concurrent Installation of Public Utilities.** The City recognizes the policy of concurrently installing public utilities in relation to any development within the City boundaries. Although the City will work with developers to provide utilities to a developer's project, the City is under no obligation to install utilities in order to accommodate a proposed development. The City reserves the right to approve only those developments wherein all necessary public utilities and infrastructure have been installed.

19.13.03. Application Forms Required.

1. Applications for permits and other procedures (appeals, Site Plans, subdivisions, variances, Master Development Plans, plat amendments, etc.) established by this ordinance shall be filed on the forms provided by the City.
    a. Applications shall be accompanied by a Master Development Plan when required, Concept Plan, Preliminary Plat for proposed subdivisions, Site Plan for commercial or multi-family subdivisions, Condominium Plat for proposed condominiums, Final Plat, and any other applications, maps, plans, drawings, tabulations, calculations, and text needed to demonstrate compliance with the City Code and as described in this Chapter.
    b. Applicants shall pay the cost to post and mail notices to all property owners as required in this Title prior to consideration by the Land Use Authority.
    c. An application is not complete until the Planning Director acknowledges in writing that the application is complete.

2. Application fees for each type of permit and other procedures established by this ordinance shall be set by resolution of the City Council. Payment of application fees shall always precede review of the application.

3. The filing of an application constitutes permission for the Mayor, City Council, City Manager, Planning Commission, Hearing Examiner, or City employees to inspect the proposed development site during their consideration of the application. The City may delay consideration of any application when inclement weather or snowpack prevents a useful site inspection.

19.13.04. Specific Development Processes and Submittal Requirements.

1. This Section of the Chapter identifies the development processes for each of the major types of developments within the City of Saratoga Springs. The following table is a non-exhaustive summary of these processes:

Process and Land Use Authority ➔	Planning Director Approval	Planning Commission Public Hearing	Planning Commission Recommendation	Planning Commission Approval	City Council Approval
Development Type ⬇					
Preliminary Plat		X	X		X
Condominium and Final Plat					X
Minor Subdivision		X		X	
Lot Line Adjustment	X				
Plat Amendment**	X				
Planned Unit Development		X	X		X
Site Plan		X	X		X
Site Plan Amendment - Minor		X		X	
Site Plan Amendment - Major		X	X		X
Conditional Use – New Construction		X	X		X
Conditional Use – Existing Building or Site**	X				
Temporary Use	X				
Home Occupation*	X				
Change of Use Permit**	X				
Development Agreement (DA)					X
Master Development Agreement (MDA)		X	X		X
DA or MDA Amendment – Minor	X				
DA or MDA Amendment – Major					X

* May be approved by staff unless staff determines Planning Commission approval is necessary based on the criteria in §19.08.03.
** May be approved by staff unless Planning Commission or Council approval is required per §19.12 or §19.13.

2. A Neighborhood Meeting or Neighborhood Canvas is required for any multi-family or non-residential development proposal adjacent to developed property in a residential zone.
   a. Neighborhood Meeting:

i. This meeting shall include the developer or applicant and adjacent residents within the subdivision.
ii. If a homeowners association exists in the area, the developer or builder shall notify the HOA by mail of the meeting at least ten calendar days before the meeting.
iii. The developer or applicant shall provide notice of the meeting by mail to each residential property within 300 feet of the property at least ten calendar days prior to the meeting.
iv. The developer or applicant shall be required to determine the noticing area with the advice and consent of Staff.
v. The developer or applicant must provide a proposed site plan and building elevations for review and discussion at the meeting.
vi. The developer or applicant must provide City staff with a written record of what transpired during the meeting, as well as an attendance roll from the meeting.
vii. The Neighborhood Meeting must take place prior to a proposed project being reviewed by the Planning Commission.

b. Neighborhood Canvas:
i. The canvas shall include review of the proposed site plan and building elevations at each home.
ii. Signatures, from a minimum of 51% of the property owners, verifying that they viewed the site plan and the building elevations, shall be provided to City Staff at the conclusion of the canvas.
iii. The canvas must take place prior to a proposed project being reviewed by the Planning Commission.

3. Submittal of Application.
a. The developer or property owner shall file a properly completed development application form, including all required supporting materials and an appropriate application fee, with the Planning Director.
b. The Planning Director shall determine whether the application is complete within ten business days after its filing.
i. If the application is complete, the Planning Director shall place the application on the next possible agenda taking into consideration public notice requirements and other criteria for placing an item on the agenda found in Title 2 of the City Code.
ii. If the application is not complete, the Planning Director shall return it with a written statement explaining what is needed to complete the application.

4. Notice of Public Hearings.
a. Notice for items requiring a public hearing shall comply with the requirements of this Section.
b. The developer shall incur the entire cost of providing the notice required by this Section.
c. Notice of the date, time, and place of the public hearing shall be provided at least 10 calendar days before the public hearing as follows:
i. mailed to each affected entity (for ordinance, zoning map, and general plan amendments only);
ii. posted:
1. in at least three public locations in the City; or

2. on the City's website;

iii. published on the Utah Public Notice Website;

iv. published in a newspaper of general circulation in the City; and

v. mailed to:

1. property owners directed affected by the proposal; and
2. property owners of each parcel or lot within 300 feet of the property that is the subject of the public hearing.

5. Decision of Planning Director.
   a. The Planning Director shall determine whether the proposed development complies with all applicable requirements of this ordinance or other development ordinances and policies of the City.
   b. If the Planning Director determines that the proposed development application is complete and is in compliance with the City Code, then the Planning Director may take action to approve the application.
   c. In proposals where the Planning Director determines that the proposed development is not in compliance with the City Code, the Planning Director may take action to deny the application. If the applicant provides written disagreement with the Planning Director decision within 10 calendar days, a public hearing on the application shall be scheduled with the Planning Commission, and the Planning Commission shall become the land use authority.

6. Decision of Planning Commission.
   a. The Planning Commission shall conduct a hearing, when required, on the proposed development application.
   b. At the hearing, the Planning Commission shall take testimony and, in the case of an administrative decision, determine whether the proposed development complies with all applicable requirements of this ordinance or other development ordinances and policies of the City.
   c. If the Planning Commission determines that the proposed development application is complete and is in compliance with the City Code, then the Planning Commission may take action on the application.
      i. If the Planning Commission is the land use authority, the Planning Commission may make a decision to approve, approve with conditions or deny the application.
      ii. If the City Council is the land use authority, the Planning Commission may make a recommendation to the City Council on the application.
      iii. The Planning Commission may also table its decision or recommendation if it finds that the application materials are incomplete or if more information or clarification is needed from the applicant, the Development Review Committee, or City Attorney regarding the proposed project.

7. Decision of City Council.
   a. The City Council shall conduct a hearing, when required, on the proposed development application.
   b. At the hearing, the City Council shall take testimony and, in the case of an administrative decision, determine whether the proposed development complies with all applicable requirements of this ordinance or other development ordinances and policies of the City.

c. If the City Council determines that the proposed development application is complete and is in compliance with the City Code, then the City Council may take action to approve, approve with conditions, or deny the application.
d. The City Countil may also table its decision or recommendation if it finds that the application materials are incomplete or if more information or clarification is needed from the applicant, the Development Review Committee, or City Attorney regarding the proposed project.

8. Remand.
   a. Any land use authority may remand an application to a recommending body for further review and recommendation.

19.13.05 Concept Plan Process.

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

2. The Concept Plan review involves an informal review of the plan by the City's Development Review Committee and an informal review of the plan by the Planning Commission and City Council.

3. The developer shall receive comments from the Development Review Committee, Planning Commission, and City Council to guide the developer in the preparation of subsequent applications.
   a. The Development Review Committee, Planning Commission, and City Council shall not take any action on the Concept Plan review.
   b. The Development Review Committee, Planning Commission, and City Council comments shall not be binding, but shall only be used for information in the preparation of the development permit application.

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

5. The following items shall be submitted for a Concept Plan review:
   a. A completed application and affidavit, form, and application fee.
   b. Plat/Parcel Map of the area available at the Utah County Surveyor's Office.
   c. Legal description of the entire proposed project.
   d. Proposed changes to existing zone boundaries, if such will be needed.
   e. Conceptual elevations and floor plans, if available.
   f. Concept Plan Map: three full-size 24" x 36" copies of the Concept Plan, drawn to a scale of not more than 1" = 100' and two reductions on 11" x 17" paper, showing the following:

i. Proposed name of subdivision, cleared with the County Recorder to ensure the name is not already in use.
ii. Name of property if no subdivision name has been chosen. This is commonly the name in which the property is locally known.
iii. Locations and widths of existing and proposed streets and right-of-ways.
iv. Parcel number and ownerships within and adjacent to project.
v. Road centerline data including bearing, distance, and curve radius.
vi. Configuration of proposed lots with minimum and average lot sizes.
vii. Approximate locations, dimensions, and area of all parcels of land proposed to be set aside for park or playground use or other public use including acreages, locations, and percentages of each and conceptual plan of proposed recreational amenities.
viii. Those portions of property that qualify as sensitive lands per Section 19.02.02., including acreages, locations, types, and percentages of total project area and of open space.
ix. Total acreage of the entire tract proposed for subdivision.
x. General topography shown with 1'or 2' contours and slope arrows with labels.
xi. North arrow, scale, and date of drawing.
xii. Property boundary with dimensions.
xiii. Data table including total number of lots, dwellings, and buildings, square footage of proposed buildings by floor, number of proposed garage parking spaces, number of proposed surface parking spaces, percentage of buildable land, percentage and amount of open space or landscaping, and net density of dwellings by acre.
xiv. Existing conditions and features within and adjacent to the project area including roads, structures, drainages, wells, septic systems, buildings, and utilities.
xv. Conceptual utility schematic with existing and proposed utility alignments and sizes sufficient to show how property will be served including drainage, sewer, culinary and secondary water connections and any other existing or proposed utilities needed to service the proposed development or that will need to be removed or relocated as part of the project.

g. A schematic drawing of the proposed project that depicts the existing proposed transportation corridors within two miles, and the general relationship of the proposed project to the Transportation and Land Use Element of the General Plan and the surrounding area.
h. File of all submitted plans in pdf format.

19.13.06. Urban Design Committee Participation.

1. The City has established an Urban Design Committee that may consist of persons appointed by the City Council at its discretion including one professional Architect, one professional builder, at least two City residents, one member of the Planning Commission, one City Council Member, one developer, and City staff members as assigned.

2. The Urban Design Committee is required to review architectural plans and design standards for any new construction within the City of Saratoga Springs except for Single-Family Dwellings.

The Committee shall make specific recommendations to the Planning Director, Planning Commission, and City Council regarding Architectural plans and design standards.

3. The Urban Design Committee shall propose detailed Architectural design standards and guidelines that developers and applicants shall comply with. These may be adopted by the City Council through resolution or ordinance and are available for reference through the Planning Department.

4. No final subdivision plats, final Site Plans, commercial Site Plans, or other Conditional Uses that will result in the new construction of commercial, multifamily, attached housing, two-family structures, and three-family structures shall be approved by the City Council until a recommendation is received from the Committee.

5. The Urban Design Committee is a recommending body only and shall not make final decisions.

19.13.07. Change of Use Permit

1. **In General.** This section is intended to provide a process for reviewing the conversion of an existing structure or site from its current or previous use to a substantially different type of activity or use.

2. A substantially different type of activity or use is a use that falls under a different category in the use tables in 19.04.

3. **Standards.** Any change of use shall meet the following criteria:

   a. The new use is an allowed use in the zone; if the new use is a conditional use in the zone, the conditional use process shall be followed.
   b. Signage and parking for the new use shall comply with all standards in place at time of conversion.
   c. Increased parking requirements or external changes to the site for the new use shall require a site plan amendment.

4. The Planning Director shall follow the process outlined in 19.13 for decisions of the Planning Director.

19.13.08. Development Agreements.

1. **In General.** Each development request, except for Home Occupations, major grading permits, and minor subdivisions, must have a development agreement and bond agreement approved by the City Attorney and City staff. The City Council may determine that a development agreement is not required, but in all cases a bond agreement shall be required. A development agreement is not required when conditions, requirements, findings, and recommendations are all consistent with Title 19 requirements unless the City Council, in exercising its legislative authority pursuant to Utah Code § 10-9a-102, determines that a development agreement is necessary to further the public health, safety, or welfare or any other legitimate purpose outlined in Utah Code § 10-9a-

102(1). The City Attorney may provide a standard form for a development agreement that includes many of the most common provisions to facilitate efficiency in the preparation and execution of development agreements.

2. **Contents of Development Agreements.** Development agreements shall, at a minimum, include the following:
    a. any condition, requirement, and finding made by the Planning Commission and City Council, including required improvements of each phase of development;
    b. a copy of the Final Plat document, record of survey or legal description, Preliminary Plat and phasing plan, or Site Plan as applicable;
    c. a description of all required improvements, including parks and trails, and an estimate by the City Engineer of their cost, unless only a bond agreement is required per Sections 19.12.05 and subsection (1) above;
    d. the following unless contained in a bond agreement under Section 19.12.05:
        i. a schedule for completion of the required improvements;
        ii. a process by which the City may, if necessary, complete required improvements using the guarantee provided;
    e. provisions defining required maintenance activities which include, but are not limited to, general upkeep of landscaping, sidewalks, streets, parks, and utility infrastructure, as well as the repair of such facilities as needed and as may be required by the City during or near the end of the maintenance period. These activities may also be specifically defined in the development agreement;
    f. a process by which the development agreement may be transferred, with City approval, to the developer's successors;
    g. a statement that provides that the development agreement and the vested rights it confers shall be void if the developer breaches the agreement.
    h. a statement that provides that in the event the developer fails to comply with the terms of the agreement, the City may withhold approval of building permits within the project;
    i. a statement that provides for dedication to the City of right-of-ways to adjacent properties and construction of temporary cul-de-sacs as needed to ensure adequate egress from stub streets;
    j. declaration of covenants and restrictions, declaration of condominium;
    k. applicable Architectural elevation plans;
    l. special conditions relating to the timing of certain improvements, lot design, performance standards, necessary off-site conditions or improvements, conditions relating to shared open space or parks, special circumstances due to location of utilities, physical characteristics of the subject property, or other conditions identified within the development agreement; and
    m. any additional requirement that the City Council deems necessary to meet the requirements of this Title and to further the purposes in Utah Code § 10-9a-102(1).

3. **Effect of Development Agreement.** The effect of a development agreement is to create vested rights as described in said agreement and to specify the requirements of the development. Subject to constitutional limitations, development agreements do not insulate developments from changes in local, state, or federal law including applicable fire and building codes.

4. **Expiration.** A Development Agreement shall require Final Plat approval of all subdivisions within ten years, except as otherwise specified by the City Council.

5. **Amendment.** A Development Agreement may be amended upon agreement of all parties.
   a. Minor amendment: a minor amendment is an amendment that does not alter the density, intensity of use, amount of open space, or unit type, and may be approved by the Planning Director.
   b. Major amendment: a major amendment is an amendment that alters the density, intensity of use, amount of open space, or unit type, and may be approved by the City Council.

6. **Reserved Legislative Powers.** Except for the developer's vested rights, development agreements shall not limit the future exercise of the police powers of the City in enacting zoning, subdivision, development, growth management, platting, environmental, open space, transportation, and other land use plans, policies, ordinances, and regulations after the date of the agreement. However, the developer's vested rights may be affected under facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine as set forth in *Western Land Equities, Inc. v. City of Logan*, 617 P.2d 388 (Utah 1988), or successor case law or statute. Any such proposed change affecting developers' vested rights shall be of general applicability to all development activity in City. Unless the City declares an emergency, the developer shall be given prior written notice and an opportunity to be heard with respect to the proposed change and its applicability to the property.

19.13.09. Improvements Required.

1. For the purposes of this Chapter, required improvements for all developments shall include (when applicable), but are not limited to, the following:
   a. runoff and erosion control measures, including both structures and plantings, required to implement an approved runoff and erosion control plan;
   b. landscaped buffers, screening fences or walls, and similar improvements required to mitigate potential nuisances;
   c. water and sewer improvements;
   d. storm drainage improvements;
   e. off-street parking and loading areas, including any required landscaping;
   f. roads and related improvements, including bridges, culverts, traffic control signs, streetlights and signs, and street trees;
   g. sidewalks and trails;
   h. neighborhood parks and squares as outlined in the City's adopted Parks, Trails, and Open Space Master Plan or neighborhood parks as required in the preliminary approval of the project;
   i. the provision of water rights and facilities as required by the City of Saratoga Springs water utility ordinance and other ordinances, regulations, and standards;
   j. utilities such as telecommunications, cable TV, electric power, and natural gas;
   k. improvements required by the Wildland-Urban Interface Code;
   l. street lighting; and
   m. improvements required by other sections of the City Code or required by agreement between the City and the applicant.

appearance of the landscaped area. Sufficient water rights for the maintenance of landscaped areas shall be dedicated to or purchased from the City.

9. **Phasing Improvements.** If the construction of various portions of a project is proposed to occur in stages, then the following standards shall be met.
    a. A Phasing Plan, including size and order of each phase and schedule of improvements to be installed, shall be approved by the Planning Director.
    b. Open Space improvements shall be installed with a value or acreage in proportion to the acreage to be developed during any given phase.
    c. A perpetual instrument running with the land shall be recorded against the entire project prior to or concurrently with the recordation of the first plat, that includes the standards, location, funding mechanism, values, and timing for all open space, recreational facilities, amenities, open space easements, and other improvements. An open space plat, conservation easement, development agreement, or other perpetual instrument may qualify. Such instrument may be vacated upon mutual agreement between the City and landowner only if no phases have been recorded, and upon finding of good cause.

19.13.10. Master Development Agreements.

1. **Purpose of Master Development Agreement Process.**
    a. The Master Development Agreement process is established to provide a mechanism for the following:
        i. approval of a land use and zoning plan for a specified geographic area that is proposed for development;
        ii. identification of utilities and other public infrastructure that will be required to be installed in order to service the proposed development; and
        iii. creation of a development agreement that identifies general land uses, residential densities, size of non-residential developments, obligations for construction of public infrastructure, and general phasing of the development.

2. **When Required.** A Master Development Agreement shall be required of any development that is in excess of twenty acres in size if non-residential or in excess of 160 acres in size if residential. Mixed-use developments in excess of twenty acres shall be required to submit a Master Development Plan.

3. **Master Development Applications.** Master Development Agreements may be accompanied by an application to amend the City's General Land Use Plan Map and rezone the subject property. If so, then the General Plan amendment or rezone shall not occur until the Master Development Agreement is executed by the City and developer. Master Development Agreement applications shall contain, at a minimum, the following information:
    a. a complete application that is duly signed by the property owner or the owner's representative;
    b. a legal description of the property;
    c. a vicinity map showing the approximate location of the subject parcel with relation to the other major areas of the City;

b. The City Council may modify the application or table their action if the application is incomplete or if the Planning Commission determines that more information should be provided prior to taking final action.
c. The Master Development Agreement must be executed by the parties before a rezone or General Plan amendment is granted or takes effect.

7. **Effect of the Master Development Agreement.** The Master Development Agreement, as approved, will constitute the applicant's right to develop the property in essentially the same manner as outlined in the Master Development Agreement.
   a. Generally, the Master Development Agreement shall include a request to amend the City's Land Use Element of the General Plan and Zoning Map, if necessary.
   b. The Master Development Agreement shall not grant the applicant the right to circumvent any City ordinances, policies, City Council directives, or any other procedure that is approved and practiced by the City.
   c. The applicant shall still be required to apply for subdivision approval, Site Plan review, Conditional Use approval, or other appropriate procedures as required by this Code.

8. **Additional Requirements.** A Master Development Agreement shall generally conform to the requirements found in this Chapter pertaining to the contents of a development agreement, as appropriate, as well as the following requirements:
   a. The Master Development Agreement shall establish the general land uses in the project, the total number of residential dwellings, the estimated square footage of structures used for non-residential purposes, the general off-site utility and public infrastructure required, and any general phasing for the development of the Master Development Plan area.
   b. The Master Development Agreement shall include provisions for phasing of improvements and the timing of the construction of public infrastructure.
   The City may enter into performance-based reimbursement arrangements, shared funding mechanisms, or other methods if and when the City's long-term capital facility needs are served by such methods in accordance with the requirements of Section 19.13.07.

9. **Amendment.** A Master Development Agreement may be amended upon agreement of all parties.
   a. Minor amendment: a minor amendment is an amendment that does not alter the density, intensity of use, amount of open space, or unit type, and may be approved by the Planning Director.
   b. Major amendment: a major amendment is an amendment that alters the density, intensity of use, amount of open space or unit type, and shall be approved by the City Council.

19.13.11. Payment in Lieu of Open Space.

1. **Purpose.** In order to meet the City's recreational needs and to create a more attractive community, Open Space shall be dedicated to the City of Saratoga Springs in accordance with the standards provided in Chapters 19.04 and 19.07 of the Land Development Code. In cases where the City Council finds that a voluntary payment to the City in lieu of providing all of the open space required by the City's Land Development Code will better meet the City's recreational needs, the City Council may allow a developer to utilize the City's Payment in Lieu of Open Space Program as described in this Section.

2. **Payment in Lieu of Open Space Program.** The City's Payment in Lieu of Open Space Program may be utilized for developments in the R-2, R-3, and R-4 zones, or any other development containing less than four units per acre. The percentage of open space that may be satisfied with a Payment in Lieu of Open Space shall be determined by the City Council taking into account the following:
    a. The proximity of regional parks;
    b. The size of the development;
    c. The need of the residents of the proposed subdivision for open space amenities;
    d. The density of the project;
    e. Whether the Payment in Lieu furthers the intent of the General Plan; and
    f. Whether the Payment in Lieu will result in providing open space and parks in more desirable areas.

3. **Excluded Open Space**. Specific types of open space do not qualify for this program including landscaping strips, regional trail segments, landscaping buffers, sensitive lands, landscaping in parking areas, or other types of open space that may be specifically required by City ordinances and standards.

4. **Qualification for the Program.** Developments that the developers or the planning staff believe would result in better projects and would meet the above described standards may qualify for the Payment in Lieu of Open Space Program.
    a. Such developments will be presented to the Planning Commission and City Council as part of the review process for Concept Plans or Master Development Plans. Said payments in lieu of open space shall be presented for approval in connection with preliminary and final plat approval. During that review, the Planning Commission will make a recommendation to the City Council on the implementation of the Payment in Lieu of Open Space program.
    b. Subsequent to the Planning Commission's review, the City Council may approve, approve with modifications, or deny a request to implement the Payment in Lieu of Open Space Program. The City Council maintains complete discretion as to whether a request to provide Payment in Lieu of Open Space shall be granted.

5. **Arrangements and Handling of Payment.** If the City Council approves a request to implement the Payment in Lieu of Open Space for a particular development, the following procedure will be followed:
    a. The City shall maintain a list of no less than three appraisers whom the City has approved for purposes of appraising lands participating in this program. Using one of the City's approved appraisers, an appraisal of the entire project will be performed at the developer's expense. This appraisal will be performed on the basis that the property has received development entitlements of the approved development covered by the payment in lieu of open space.
    b. An estimate of the required open space improvements, including landscaping, parks, trails, and other amenities, shall be performed by a landscaping company or landscape architect.
    c. Once complete, the appraisal and estimate shall be submitted to the City Recorder. The City shall have thirty days to review the appraisal and estimate to determine whether they are acceptable without further review.

d. If the City finds that the appraisal and estimate are acceptable without additional review, the developer shall be notified in writing.
    i. In the event that the City finds it necessary to further review the appraisal and estimate, the City shall employ, at the City's expense, an appraiser or landscape architect (or other professional) approved by the City to either review the original appraisal of the property or estimate or conduct a new appraisal or estimate. The City may, at the City's discretion, accept the original appraisal or use the average land value between the City's appraisal, if one is conducted, and the original appraisal. In addition, the City may, at the City's discretion, accept the original estimate of the open space improvements or use the average estimate of the developer's and City's estimate.
    ii. Upon completion of this process the City shall notify the developer in writing of its findings.
e. The City and the developer may agree as to the market value of the land or estimated open space improvements without an appraisal or estimate so long as there are circumstances that assure that the agreed value is at least equal to the expected appraised or actual value.
f. The developer shall pay as a Payment-in-Lieu the amount of money equivalent to the overall appraised value of the entire project times the percentage of land required for open space, plus the estimate of the anticipated open space improvements.
    i. Example: $100,000 (appraised value of entire project) x .30 (30% required open space) = $30,000 plus the estimated cost of the open space improvements.
    ii. In addition, the developer shall be required to pay an amount equal to the estimated costs of water connections and water rights for the land if it were developed as open space.
    iii. The developer shall pay to the City the land value, estimated cost of the open space improvements based upon an average per-square-foot cost of the improvements for the six most recent City parks with the highest and lowest park removed, and estimated water costs before any subdivision plats will be recorded.
g. Upon receipt of the payment, the City shall deposit those funds in an account that has been established for the purchase of park lands, the construction of parks and recreation improvements, or for upgrading existing park facilities. The City may expend the Payment in Lieu of Open Space funds at its discretion so long as they are only used for the purchase of parks, construction of parks and recreation improvements, or for upgrading existing parks facilities.
h. The City and developer may also agree to make other arrangements for the Payment in Lieu of Open Space if acceptable terms can be reached, but in no case shall the value of the Payment be less than the expected appraised value, estimated cost of open space improvements, and estimated water costs as described herein.

6. **Voluntary Participation.**
    a. This program is completely voluntary and developers who participate in it shall do so on a voluntary basis only. Written development agreements shall contain a description of the terms of this program.
    b. This program is also voluntary for the City and approval of all payments in lieu of open space are made at the sole discretion of the City Council. No entitlements are granted by

Chapter 19.14. Site Plan Review.

Sections:

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

19.14.01. Purpose.

A design review procedure is established in order to encourage adequate advance planning and thereby assure a good quality of environment for the City. Such procedure is intended to provide for orderly, harmonious, safe, and functionally efficient development, and thus for the stability of property values and the general welfare of the community. It is not the purpose of this Chapter to so rigidly control design so as to stifle creativity or individual expression, or to cause substantial, unnecessary expense; rather, any control exercised is intended to be the minimum necessary to efficiently achieve the objectives stated above.

19.14.02. Approval Required.

Site Plan approval shall be required for all developments which contain the following uses, together with any others for which it is required elsewhere in these Ordinances:

1. Any industrial use;

2. Any commercial use;

3. Any institutional use;

4. Two-Family Structures and Three-Family Structures; and

5. A multi-family residential development.

19.14.03. Site Plan Development Standards.

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

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

2. **Buffering and Screening Requirements.** Any commercial lot which abuts a residential or agricultural use shall be effectively screened by a combination of a wall, fencing, and landscaping of acceptable design. No chain link or wood fences are permitted as buffering or screening between commercial and residential. Masonry and solid vinyl are suggested types of fences, and as circumstances require, one or the other may be required. Unless otherwise required by this Title, walls or fences used as a buffer or screen shall not be less than six feet in height. Landscaped berms with sufficient trees may be reduced to 4-5 feet depending on specific adjacent uses. Such wall, fence and landscaping shall be maintained in good condition with no advertising thereon. All developments shall have a minimum number of both deciduous and evergreen trees to provide for shade and visual relief.

3. **Access Requirements.**
    a. **Access dimensions.** For each commercial lot:
        i. each roadway shall not be more than forty feet in width, measured at right angles to the center line of the driveway except as increased by permissible curb return radii; and
        ii. the entire flare of any return radii shall fall within the right-of-way.
    b. **Interconnection.** All parking and other vehicular use areas shall be interconnected with adjacent properties in order to allow maximum off-street vehicular circulation.
    c. **Acceleration and Deceleration Lanes.** Acceleration and deceleration lanes shall be required on major arterials when deemed necessary by the City Engineer or UDOT.
    d. **Off-street Truck Loading Space.** Every structure involving the receipt or distribution by vehicles of materials or merchandise shall provide and maintain on the building's lot adequate space for standing, loading, and unloading of the vehicles in order to avoid undue interference with public use of streets or alleys.

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

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

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

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

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

19.14.04. Urban Design Committee Requirements.

1. **Process.** Urban Design Committee review shall be done prior to the first Planning Commission or City Council meeting, whichever comes first.

2. **Mechanical Equipment**. All mechanical equipment shall be located or screened and other measures shall be taken so as to shield visibility of such equipment from any public or private streets.
    a. Screens shall be aesthetically incorporated into the design of the building whether located on the ground or roof.
    b. Rooftops of buildings shall be free of any mechanical equipment unless completely screened from all horizontal points of view.
    c. Screening materials shall conform to the color scheme of the primary building.
    d. Measures taken to shield mechanical equipment from view, other than screening, must be approved by the City Council.

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

4. **Building Lighting**. Plans for exterior building lighting shall be approved as part of the Site Plan approval. Building lighting shall be shielded and directed downward so that the light source is not visible from beyond the property where the structure is located. Lighting shall not project above or beyond the property line.

5. **Trash Enclosures, Storage Areas, and External Structures**. Landscaping, fencing, berms, or other devices integral to overall site and building design shall screen trash enclosures, storage areas, and other external structures.
    a. Trash and storage areas shall be comparable to the proposed or existing building and with surrounding structures. These areas shall be well maintained and oriented away from public view.
    b. The consolidation of trash areas between buildings is encouraged.

c. The use of modern disposal and recycling techniques is encouraged.
d. Chain link fences and chain link fencing with vinyl slats are prohibited. Solid fences and gates shall be required so as to help shield trash areas from public or private view.
e. Where trash enclosures, storage areas, or other external structures are adjacent to parking areas, a three foot landscaped buffer shall be provided that does not impede access into and out of vehicles.
f. This Section shall not apply to community or public recycling bins or drop boxes; however, the location shall be determined by Staff in accordance with the standards herein.

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

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

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

19.14.05. Special Provisions.

1. **Uses Within Buildings.** All uses established in any commercial, office warehouse, business park, or industrial zone shall be conducted entirely within a fully enclosed approved building except those uses deemed by the City Council to be customarily and appropriately conducted in the open.
   a. Uses which may qualify for this exception include vegetation nurseries, home improvement centers with lumber, vegetation nurseries, outdoor cafes, and auto dealerships.
   b. Approved temporary uses, such as Christmas tree lots, shall be exempt from this requirement.

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

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

19.14.06. Application.

1. **Overview of application process.** The property owner or an authorized agent shall make application on a form prescribed for Site Plan Review by the City.
   a. Applicants for development approval must provide complete and accurate information

regarding the specific site and the proposed use on the application.

b. No application shall be processed until the application fee has been paid and the application has been reviewed for completeness and accepted by the City. Incomplete applications shall not be processed under any circumstance.

2. **Pre-Application conference.** Prior to a complete application, a pre-application conference shall be held between the applicant and the planning staff, once the applicant can provide the following:
   a. A site analysis meeting the requirements of 19.14.06.3 below.
   b. A site plan meeting the requirements of 19.14.06.3. below.
   c. Conceptual elevations.
   d. Vicinity map meeting the requirements of 19.14.06.3. below.

3. **Accompanying Maps, Reports, and Drawings Required.** The information submitted with the application shall include the following:

   a. **Ownership Affidavit.** A statement of ownership and control of the subject property and a statement describing the nature of the intended use.
   b. **Vicinity Map.** A general location map indicating the approximate location of the subject parcel.
   c. **Context plan.** A context plan shall include the existing features within 200 feet of the proposed Site Plan property line. Existing features include, but are not limited to, buildings, ingress and egress points, landscaping areas, pedestrian paths, and property names.
   d. **Site Analysis.** A site analysis is a plan view drawing demonstrating land constraints and existing features. Existing features may consist of the presence of boulders, existing man-made features, significant trees, canals or ditches, access points or public rights-of-way, and existing conditions within 200 feet of the property line.
   e. **Survey.** A survey prepared and stamped by a Utah registered land surveyor listing the metes and bounds legal description and the gross acreage within the subject parcel.
   f. **Compliance statement.** A statement indicating how the proposed development complies with the City's adopted Land Use Element of the General Plan.
   g. **Final Construction Drawings** containing, at a minimum, all items specified in the City's "Standard Technical Specification and Drawings" manual. Applicant shall provide three full-size 24" x 36" copies and five 11 x 17 inch reductions. Additional copies may be required prior to adding the application to the Planning Commission or City Council agenda. Final Construction Drawings for a Site Plan application shall also contain the following:
      i. locations, dimensions, floor plans, uses and heights of all proposed buildings and structures, including overhangs, porches, stairwells, and balconies, and the locations of all structures on adjoining properties;
      ii. access points, provisions for vehicular and pedestrian circulation on and off site, interconnection to adjacent sites, dimensions of such access and circulation, and pedestrian paths within 200 feet of the property boundary;
      iii. acceleration and deceleration lanes, and dimensions thereof, if required;

iv. off-street parking and loading areas complying with the City's off-street parking requirements contained in Chapter 19.09 of this Title;
v. screening and buffering provisions, including types and heights of existing and proposed buffering and fencing elements;
vi. location and treatment of refuse collection areas, storage areas, mechanical equipment, and external structures;
vii. location, type, and size of all business and on-site circulation signage;
viii. tabulation of square footage devoted to various land uses, ground coverage by structures, and other impervious surfaces;
ix. type of construction of all structures, presence or absence of fire sprinkling, and location of existing and proposed fire hydrants;

h. **Final Hydraulic and Hydrologic storm drainage report** and calculations
i. **Final Traffic report**. Said report shall comply with the standards outlined in the City's adopted Transportation Master Plan and shall include, but not be limited to, the following:
   i. an analysis of the average daily trips generated by the proposed project;
   ii. an analysis of the distribution of trips on City street systems;
   iii. a description of the type of traffic generated; and
   iv. recommendations on what mitigation measures should be implemented with the project to maintain an level of service for existing and proposed residents acceptable to the City.
j. **Data table** including
   i. total project area
   ii. total number of lots, dwellings, and buildings
   iii. square footage of proposed building footprints and, if multiple stories, square footage by floor
   iv. number of proposed garage parking spaces
   v. number of proposed surface parking spaces
   vi. percentage of buildable land
   vii. acreage of sensitive lands and what percent sensitive lands comprise of total project area and of open space area
   viii. area and percentage of open space or landscaping
   ix. area to be dedicated as right-of-way (public and private)
   x. net density of dwellings by acre (sensitive lands must be subtracted from base acreage).
   xi. number of off-street parking spaces (e.g., number of proposed garage parking spaces, number of proposed surface parking spaces, etc.)
k. A file of all submitted plans, documents, and reports in pdf format.
l. **Landscaping Plan.** A landscaping plan, prepared and stamped by a licensed landscape architect, indicating the location, spacing, types, and sizes of landscaping elements and existing trees, and showing compliance with the City's off-street parking requirements, the City's design guidelines and policies, and the requirements of the appropriate zone.
m. **Lighting Plan.** A lighting plan indicating the illumination of all interior areas and immediately adjoining streets showing the location, candle power, and type of lighting proposed, and in conformance with the City's lighting standards. An individual photometric plan is also required.

n. **Elevations.** The elevations of all proposed buildings, fences, and other structures viewed from all sides indicating height of structures, the average finished grade of the site at the foundation area of all structures, percentage of building materials proposed, and color of all materials. A board showing building colors and materials is required.
o. **Signage Plan.** An overall signage plan shall be approved during the Site Plan approval process. All information to be provided for the sign approval shall be submitted concurrent with Site Plan application materials, consistent with the requirements in Section 19.18.

4. **Fee.** A fee set by resolution of the City Council shall accompany the application for any Site Plan review.

5. **Public Notice and Hearing.** All site plans shall comply with the noticing and public hearing requirements of Section 19.13, and applicants shall pay the cost to post and mail required notice to property owners.

6. **Development or Bond Agreement.** A development agreement and bond agreement shall be required based on the conditions, requirements, findings, and recommendations made by the City Council. The development agreement and bond agreement shall also be based on requirements of the City Code and legal requirements as specified by the City Attorney. The City Council may determine that a development agreement is not required, but in all cases a bond agreement shall be required. A development agreement is not required when conditions, requirements, findings, and recommendations are all consistent with Title 19 requirements unless the City Council, in exercising its legislative authority pursuant to Utah Code § 10-9a-102, determines that a development agreement is necessary to further the public health, safety, or welfare or any other legitimate purpose outlined in Utah Code § 10-9a-102(1).

7. **Consideration in Review of Applications.** The Planning Commission, City Council, and the Planning Director shall review the application and consider the following matters and others when applicable:
    a. Considerations Relating to Traffic Safety and Traffic Congestion:
        i. the effect of the site development plan on traffic conditions on adjacent street systems;
        ii. the layout of site with respect to location and dimensions of vehicular and pedestrian entrances, exits, driveways, and walkways;
        iii. the arrangement and adequacy of off-street parking facilities to prevent traffic congestion and compliance with the provisions of Chapter 19.09, off-street parking requirements;
        iv. the location, arrangement, and dimensions of truck loading and unloading facilities;
        v. the circulation patterns within the boundaries of the development; and
        vi. the surfacing and lighting of off-street parking facilities.
    b. Considerations Relating to Outdoor Advertising. Outdoor advertising shall comply with the provisions of Chapter 19.18.
    c. Consideration Relating to Landscaping:

i. the location, height, and materials of walls, fences, hedges, and screen plantings to ensure harmony with adjacent development, to provide buffer areas, or to conceal storage areas, utility installations, or other unsightly development;
ii. the requirements of Chapter 19.06;
iii. the planting of ground cover or other surfaces to prevent dust and erosion; and
iv. the unnecessary destruction of existing healthy trees.

d. Considerations Relating to Buildings and Site Layout:
   i. the general silhouette and mass, including location on the site, elevations, and relation to natural plan coverage, all in relationship to the character of the neighborhood;
   ii. the exterior design in relation to adjoining structures in height, bulk, and area openings, breaks in facade facing the street, line and pitch of roofs, and the arrangement of structures on the parcel;
   iii. compliance with the City's Architectural design standards.

e. The effect of the site development plan on the adequacy of the storm and surface water drainage.

f. Adequate water pressure and fire flow must be provided on the site as required by the applicable fire code.

g. The proposed project shall comply with the City's adopted Land Use Element of the General Plan, Land Use Ordinance, land development regulations, architectural guidelines, and all other adopted ordinances, regulations, policies, and standards.

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

a. All persons seeking Site Plan approval shall submit an application to the Planning Department for review by the City's Development Review Committee (DRC).

b. Complete engineering drawings for all on-site and off-site improvements must be provided prior to the Site Plan application being scheduled for any public meeting or hearing. The Engineering Department and Development Review Committee shall review the drawings for compliance with City ordinances, regulations, and standards.

c. New site plans shall follow the process below:
   i. Prior to being scheduled for any public meeting or hearing, the developer shall provide a soils report for the development.
   ii. Upon compliance with the Development Review Committee's recommendations, the revised application shall be forwarded to the Planning Commission for a public hearing and possible recommendation.
   iii. Upon recommendation by the Planning Commission, the application shall be forwarded to the City Council.
   iv. The City Council shall review and take action to table, approve, deny, or to modify the same.
   v. Upon action by the City Council on the Site Plan application, the City Recorder shall prepare written minutes of the decision.

d. Amended site plans shall follow the process below:
   i. Minor amendment: an amendment that does not alter the density, intensity of use, amount of open space, or unit type, and may be approved by the Planning Commission.

ii. Major amendment: an amendment that alters the density, intensity of use, amount of open space or unit type, shall follow the same process as a new site plan.

19.14.07. Issuance of Building Permit.

1. **Conformity with approved plans.** Any building permit issued shall expressly require that development be undertaken and completed in conformity with the plans as approved by the City Council.

2. **Application compliance.** A building permit shall not be issued for any building or structure or external alterations thereto until the provisions of this Chapter and the approved Site Plan and written development agreement and/or bond agreement have been met.

19.14.08. Issuance of a Certificate of Occupancy.

A Certificate of Occupancy shall not be issued for any building or structure or alteration thereto until the provisions of this Chapter, approved Site Plan, development agreement, and/or bond agreement have been completed.

19.14.09. Failure to Begin and Complete Development.

If no substantial construction (as defined in the applicable building code) has occurred in a development that has been granted Site Plan approval pursuant to this Chapter within twenty-four months from the date of approval, the Planning Director shall revoke Site Plan approval.

1. The City Council may grant extensions of time when such extensions will promote public health, safety, and general welfare. Said extension must be requested within twenty-four months of Site Plan approval and shall not exceed twenty-four months.

2. For developments that are subject to a development or bond agreement, and if the development or bond agreement establishes the deadline for commencement of substantial construction, the provisions of the development or bond agreement shall apply.

Chapter 19.15. Conditional Use Permit.

Sections:

19.15.01. Purpose.
19.15.02. Conditional Use Permit.
19.15.03. Approval Process.
19.15.04. Determination.
19.15.05. General Standards and Considerations Governing Conditional Uses.
19.15.06. Special Standards and Considerations Governing Particular Uses.
19.15.07. Optional Conditions.
19.15.08. Inspection.
19.15.09. Time Limit.

19.15.01. Purpose.

The purpose of this Chapter is to allow the proper integration into the City of Saratoga Springs of uses that may be suitable only under certain circumstances, or only if such uses are designed or developed on the site in a particular manner.

19.15.02. Conditional Use Permit.

1. **Required.** A Conditional Use permit shall be required for all uses listed as a Conditional Use in the zone regulations. A Conditional Use permit may be revoked upon failure to comply with conditions precedent of the original approval of the permit or failure to comply with the City Code.

2. **Application.** Application for a Conditional Use permit shall be made by the property owner or his duly authorized agent to the Planning Department.

3. **Accompanying Data.**

    a. Applications for Conditional Uses in New or Expanded Structures and Sites shall be accompanied by:
        i. a Site Plan application and supporting materials, and
        ii. a description of the use, and
        iii. the Planning Director may require additional information to be presented on the Project Plan so long as the information is reasonably necessary to determine whether the proposed conditional use complies with City ordinances, regulations, and standards.
    b. Applications for Conditional Uses in Existing Structure and Sites shall be accompanied by:
        i. a Project Plan which represents existing building siting, parking, vehicular circulation, landscaping, lighting, fencing, trash enclosures, signage, and storm drainage, and any site changes necessary for the new use.

c. The Planning Director may require additional information to be presented on the Project Plan so long as the information is reasonably necessary to determine whether the proposed conditional use complies with City ordinances, regulations, and standards.

4. **Granting of a Permit.** In considering an application for a Conditional Use permit, the Land Use Authority may deny a permit or may grant a permit subject to the requirements of this Chapter. The granting of a Conditional Use permit shall not exempt the applicant from other relevant provisions of this Chapter, other ordinances, regulations, or standards of the City, or the Utah Code.

5. **Fee.** The application for any Conditional Use permit shall be accompanied by a fee set by resolution of the City Council, and applicants shall pay the cost to post and mail public hearing notices.

19.15.03. Approval Process.

The approval process for a Conditional Use permit shall be as follows:

1. Conditional Use Permit for a Use in a New or Expanded Structure or Site:
   a. Upon receipt of a completed application and subsequent review for application completeness by the Planning Department, the Planning Department shall place the Conditional Use application and related Site Plan application on the next available Planning Commission agenda for a public hearing. The Planning Commission shall review each application and make a recommendation to the City Council to approve, approve with conditions, or deny the application, or the Planning Commission may defer action if an applicant fails to appear at the public hearing or meeting or there is insufficient application information provided.
   b. The City Council is the Land Use Authority, and shall review each application at a public meeting and approve, approve with conditions, or deny the application, or may defer action if an applicant fails to appear at the public meeting or there is insufficient application information provided.

2. Conditional Use Permit for a Use in an Existing Structure or Site:
   a. Upon receipt of a completed application and subsequent review for application completeness by the Planning Department, the Planning Director shall review the application for compliance with the standards in this Title.
   b. If the application does not include external changes to the site, the Planning Director shall be the Land Use Authority and shall approve, approve with conditions, or deny the application, or may defer action if there is insufficient application information provided.
   c. If the application includes external changes to the site, a site plan amendment shall be required, the Conditional Use Permit shall follow the same process as the related site plan, and the Land use authority for the site plan shall become the Land Use Authority for the Conditional Use Permit.

19.15.04. Determination.

1. The Land Use Authority may only permit a Conditional Use to be located within zones where the particular Conditional Use is listed as a Conditional Use by the use regulations of this Title.

2. 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 the standards contained in this Chapter.

3. 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 the standards contained in this Chapter, the conditional use may be denied.

19.15.05. General Standards and Considerations Governing Conditional Uses.

In reviewing an application for a Conditional Use permit, the following considerations and standards shall be applied:

1. The siting of the structure or use, and in particular:
    a. the adequacy of the site to accommodate the proposed use or building and all related activities;
    b. the location and possible screening of all outdoor activities;
    c. the relation of the proposed building or use to any adjoining building with particular attention to protection of views, light, air, and peace and quiet;
    d. the location and character of any display of goods and services; and
    e. the size, nature, and lighting of any signs.

2. Traffic circulation and parking, and in particular:
    a. the type of street serving the proposed use in relation to the amount of traffic expected to be generated;
    b. the adequacy, convenience, and safety of provisions for vehicular access and parking, including the location of driveway entrance and exits; and
    c. the amount, timing, and nature of traffic generated by the proposed conditional use.

3. The compatibility of the proposed conditional use with its environment, and in particular:
    a. the number of customers or users and the suitability of the resulting activity level to the surrounding uses;
    b. hours of operation;
    c. adequacy of provisions for the control of any off-site effects such as noise, dust, odors, light, or glare, etc.;
    d. adequacy of provisions for protection of the public against any special hazards arising from the intended use;
    e. the expected duration of the proposed building, whether temporary or permanent, and the setting of time limits when appropriate; and
    the degree to which the location of the particular use in the particular location can be considered a matter of public convenience and necessity.

4. The Conditional Use shall meet the following standards:

a. the use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;
b. the use will be consistent with the intent of the land use ordinance and comply with the regulations and conditions specified in the land use ordinance for such use;
c. the use will be consistent with the character and purposes stated for the land use zone involved and with the adopted Land Use Element of the General Plan;
d. the use will not result in a situation which is cost ineffective, administratively infeasible, or unduly difficult to provide essential services by the City, including roads and access for emergency vehicles and residents, fire protection, police protection, schools and busing, water, sewer, storm drainage, and garbage removal; and
e. the proposed use will conform to the intent of the City of Saratoga Springs General Plan.

5. When necessary, the City Council may attach conditions to ensure compatibility with the surrounding area and to mitigate harmful effects. Such conditions may include the following:
   a. additional parking;
   b. water, sewer, and garbage facilities;
   c. landscape screening to protect neighboring properties;
   d. requirements for the management and maintenance of the facilities;
   e. changes in layout or location of uses on the lot; and
   f. any other condition the City Council finds necessary to reasonably ensure that the proposed Conditional Use will comply with the standards noted above.
6. The City Council shall make its decision based upon the facts presented for the record; expressions of support or protest alone shall not constitute the basis of approval or denial.

19.15.06. Special Standards and Considerations Governing Particular Uses.

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

1. **Automobile refueling stations and car wash operations.** As Conditional Uses, automobile refueling stations and car wash (self-serve) operations may be permitted under the following conditions:
   a. The proposed location of the Conditional Use is in accord with the Land Use Ordinance and land use zone in which the site is located.
   b. They do not break up contiguity for pedestrians of retail store frontage.
   c. They will not be a nuisance to residences and other surrounding uses.
   d. They will not cause traffic hazards or undue traffic congestion.
   e. For automobile refueling stations or free standing car washes, the lot frontage, if located on a major street, shall not be less than 125 feet.
   f. For automobile refueling stations or car wash operations with gasoline, diesel, or natural gas pumps shall have buildings of the type of construction as required in applicable building codes, and are to be located at a distance of not less than twenty-five feet from property or building setback lines, whichever is greater.

to be located in close proximity to similar schools and facilities or to facilities, improvements, or developments that may be negatively affected by such schools or that may create potential risks or problems for the schools.

6. **Public & Private Utility Building or Facility.** Conditional Use approval shall be given based on compliance with all other standards in this Chapter, and upon compliance with the following conditions and considerations:
    a. Where above-ground structures will be located within or adjacent to a residential zone, the site shall be fully screened with a minimum six-foot tall solid wall set back a minimum of five feet from the side and rear property lines, and meeting the front setback requirement for the zone.
    b. Landscaping shall be placed along the exterior of the site at the foot of any required wall; the interior of the site within required solid walls shall be exempt from landscaping requirements.
    c. All site lighting shall be downward directed and fully shielded.

19.15.07. Optional Conditions.

Applicants for Conditional Use permits shall meet all applicable requirements of this Title. In addition, the City Council may establish conditions as outlined herein to meet the concerns of safety for persons and property, health and sanitation, environment, master plan proposals, and neighborhood needs, performance, and administration. More specifically, the City Council may require:

1. **Conditions Relating to Safety of Persons and Property.**
    a. Building elevations and grading plans which will prevent or minimize flood water damage, where property may be subject to flooding.
    b. The relocation, covering, or fencing of irrigation ditches, drainage channels, and other potential attractive nuisances existing on or adjacent to the property.
    c. Increased setback distances from lot lines where the Planning Commission determines it to be necessary to ensure the public safety and to ensure compatibility with the intended characteristics of the zone as outlined in applicable land use ordinances.
    d. Appropriate design, construction, and location of structures, buildings, and facilities in relation to any earthquake fault which may exist on the property, and limitations and restrictions on the use and location of uses due to special site conditions, including geologically hazardous areas, flood plains, fault zones, and landslides areas.
    e. Limitations and control of the number, location, color, size, height, lighting, and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and appearance and harmony with adjacent development.
    f. Plans for the location, arrangement, and dimensions of truck loading and unloading facilities.
    g. Construction of curbs, gutters, drainage culverts, sidewalks, streets, fire hydrants, and street lighting.

2. **Conditions relating to Health and Sanitation.**
    a. A guarantee of sufficient culinary water to serve the intended land use and a water delivery system meeting standards adopted by the City.

Exhibit 4
Code with changes tracked

Exhibit 4.a
Formatting to 19.01

Chapter 19.01. General Provisions.

Sections:

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

19.01.01. Short Title.

This Title shall be known as the Land Development Code of the City of Saratoga Springs and may be so cited and pleaded.

19.01.02. Application.

The provisions of this Chapter are general in nature and as applied affect the entire Title.

19.01.03. Scope.

This Title is designed and enacted in accordance with a Land Use Element of the General Plan to:

1. designate, regulate, and restrict the erection, construction, reconstruction, alteration, location, and uses of buildings and the uses of land for business, industry, residence, recreation, public activities, or other purposes;

2. regulate and restrict the height, number of stories, size, and bulk of buildings and other structures hereafter erected or altered;

3. regulate and restrict the height, bulk, and location of objects of natural growth where such objects are deemed to be hazardous to life or property;

19.01.07. Classification of Annexed Territory.

1. In accordance with Utah Code § 10-9a-506, all property annexed to the City shall be classified at the time the property is annexed in land use zones that are defined in this Code and listed in the Land Use Element of the General Plan.

2. If the City does not classify the property at the time the property is annexed, then all land uses within the annexed territory shall be compatible with surrounding uses within the City.

3. When determining what land use designations may be appropriate, the City Council shall carefully consider the land use of adjacent properties.

4. The public hearing and classification of land use shall be considered in the same manner as set forth in Chapter 19.17.

(Ord. 14-4)

19.01.08. Establishment of Land Use Zones.

The municipality is divided into land use zones as shown on the City's official zoning map, which map and boundaries, notations, references, and other information shown thereon shall be as much a part of this Title as if the information and matters set forth by the map were all fully described herein.

19.01.09. Requirements Declared Minimums.

The uses and regulations that apply to each land use zone are established in accordance with the Land Use Element of the General Plan, which is designed to guide the purposes of this Title. The requirements herein are declared to be the minimums that are necessary to accomplish the purposes of this Title.

(Ord. 14-4)

19.01.10. Property Use Regulations.

The use of all real property within the City shall be limited and restricted as follows:

1. no land shall be used or occupied except as specifically permitted in the regulations for the land use zones in which it is located;

2. no land shall be used or occupied for use which is permitted only as an accessory or ancillary use to an established main use before such main use is actually established or where an established main use of the land has ceased;

2. No building permit required in connection with such proposed development or operation shall be issued until all permits, reviews, or approval required by this Title have been secured.

3. Except as specifically provided herein, the securing of one required review or approval shall not exempt the recipient from the necessity of securing any other review or approval required in the particular case.

19.01.18. Public Hearings.

1. Public hearing procedures for land use ordinance amendments, general plan amendments, and development approval are described in Chapters 19.13 and 19.17 of this Title and in the Utah Code.

2. Public hearing procedures for appeals from decisions applying or interpreting this Title are set forth in Chapter 19.03.

19.01.19. Planning Commission Recommendation.

~~i.~~

~~ii.~~ Except where otherwise provided herein or by state law, all actions, determinations, and decisions by the City Council under Title 19 require prior recommendation by the Planning Commission.

19.01.20. Incorporation of Standard Technical Specifications and Drawings.

The City incorporates the City of Saratoga Springs Standard Technical Specifications and Drawings herein by this reference. Any reference to City ordinances, regulations, and standards herein shall also include the Standard Technical Specifications and Drawings. Further, any of the enforcement provisions herein shall also be applicable to such specifications and drawings.

Chapter 19.02. Definitions

Sections:

19.01.01. 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:

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.

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.

28. **"Bookstore"** means a retail establishment whose primary purpose is the sale of books and periodicals.

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.

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.

31. **"Building, Accessory":** see **"Accessory Building"**

~~32.~~ **"Building, Agriculture":** see **"Agriculture Building"**

32.

~~2.~~ **"Building code"** means the codes adopted by the City by ordinance and codified in 18.01.01.

~~3.~~ **"Building height"** or **"Structure height"** means~~:~~

~~d.~~ the vertical distance from the ~~average~~ finished grade surface of any point along~~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 to

~~5.~~ the mean height level between eaves and ridge for gable, hip, or gambrel roofs, directly above the point of measurement.

33.

"Building inspector" means an individual appointed by the City of Saratoga Springs to enforce the provisions of the building code.

34.

~~33.~~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.

~~34.~~36. **"Building, main":** see **"Main building"**

~~35.~~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.

~~36.~~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.

~~37.~~39. **"Building Official"** or **"City Building Official"** means the City of Saratoga Springs Building Official.

~~38.~~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.

~~**"Building height"** or **"Structure height"** means:~~
~~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~~
~~the mean height level between eaves and ridge for gable, hip, or gambrel roofs.~~

~~39.~~41. **"Bus Lot"** means any lot or land area used for the storage or layover of passenger buses or motor coaches.

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.

~~62.~~65. **"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.

~~63.~~66. **"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.

~~64.~~67. **"Detached"** means freestanding with open space on all four sides.

~~65.~~68. **"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.

~~66.~~69. **"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.

~~67.~~70. **"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.

~~68.~~71. **"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.

~~69.~~72. **"Double ~~frontage~~Access":**

a. "Double ~~frontage~~access" means driveway access on public streets from the front and the rear.
b. This definition does not apply to corner lots.

73. **"Driveway"** means a private roadway that provides direct vehicular access between a public or private roadway and a parking space, garage, dwelling, or other structure.

a. Single driveway: a driveway that is owned and maintained by one property owner and provides direct access to a parking area, garage, dwelling, or other structure on a single lot or parcel.
b. Shared driveway: a driveway that provides direct access to a parking area, garage, or other structure to serve more than one dwelling or on more than one lot or parcel.

~~70.~~74. **"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.

~~71.~~75. **"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.

~~72.~~76. **"Dwelling, Above Commercial"** means a building which contains dwellings located above the ground floor of a commercial, office, or retail use.

~~73.~~77. **"Dwelling, Multi-family"** means a building or buildings sharing common walls or common interior floors and containing four or more dwellings..

~~74.~~78. **"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.

~~75.~~79. **"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.

~~76.~~80. **"Dwelling, Two-Family"** means a single residential building under a continuous roof, the structure containing only two dwellings sharing common interior walls or common interior floors.

~~77.~~81. **"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.

~~78.~~82. **"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.

~~79.~~83. "**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.

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)

~~89.~~93. **"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.

94. **"FEMA"** is an acronym for the Federal Emergency Management Agency.

95. **"Fence"** means an artificially constructed barrier to identify a property boundary or enclose a space.

a. **Fence, barbed wire:** means a fence with one or more strands of wire or other material having intermittent or continuous sharp points that may puncture, tear, cut, or snag.

b. **Fence, chain link:** means an open mesh fence made of woven wire, or any other fence where the majority of construction consists of wire.

c. **Fence, private / privacy:** means a fence constructed to prevent views through the fence.

~~90.~~d. **Fence, semi-private:** means a fence with a regular pattern that permits views through a minimum of 50% of the fence when viewed perpendicular to the plane of the fence.

~~91.~~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.

~~92.~~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.

~~93.~~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.

~~94.~~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.

~~1.~~ **"Finished surface grade":**
~~b. "Finished surface grade"~~ means~~:~~
~~iii. the average level of the finished surface of the ground adjacent to the front setback line of a building or structure; or~~
~~iv. on a corner lot, the average level of the ground adjacent to and measured along all front setback lines of the building.~~
~~c.~~100. ~~Where a lot has no frontage on a public street,~~ the ~~average level~~ elevation of the finished ground surface adjacent to and measured along all exterior walls ~~shall be the finished surface grade~~.

~~95.~~101. **"Fire code"** means the International Fire Code adopted by the City by ordinance and codified in Title 18.

~~96.~~102. **"Fitness Center"** means a facility where members or nonmembers use equipment or space for the purpose of physical exercise.

~~97.~~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.

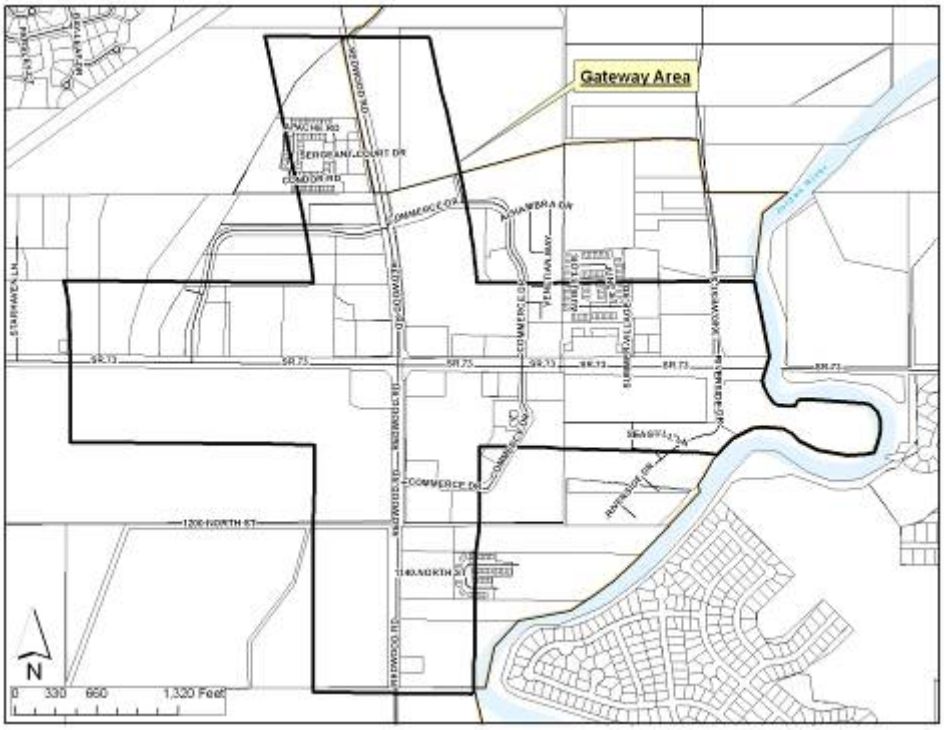
~~98.~~104. **"Flood plain"** means a land area subject to being inundated by water from any source and is generally defined as a "zone A" (100 year flood area) area as defined in FEMA's Flood Insurance Rate Maps of the City of Saratoga Springs.

~~99.~~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.

~~100.~~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.

~~101.~~107. **"Front yard":** see **"Yard, front"**

~~102.~~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.



~~108.~~114. **"Golf course"** means a parcel of land laid out for at least 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.

~~109.~~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 Chapter 18 and Sections 19.10 and 19.13 of this Title).

~~110.~~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.

~~111.~~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.

~~112.~~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.

119. **"Height"** see "Building Height"

~~113.~~120. **"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).

~~114.~~121. **"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.

~~115.~~122. **"Hotel"** means a building containing guest rooms in which lodging is provided for compensation to transient or permanent guests or both.

~~116.~~123. **"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.

~~117.~~124. **"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.

125. **"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.

~~118.~~126. **"Institutional Use"** means a public, nonprofit, or quasi-public use providing service to the public, such as a public or private school, civic building, library, hospital, or government owned or government-operated structure.

~~119.~~127. **"Interior lot"** means any building lot other than a corner lot.

~~120.~~128. **"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.

~~121.~~129. **"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.

~~122.~~130. **"Kennel, commercial"** 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.

~~123.~~131. **"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.

~~124.~~132. **"Landscaping"~~:~~** means the installation of the following items combined to produce an aesthetic effect or to enhance and preserve natural features of the site:

~~a. means the installation of living~~ plant materials~~ and ground cover~~, such as lawn, ~~ground cover,~~ annual and perennial flowering plants, native vegetation, vines, shrubs, ~~mulch, bark, decorative rock, xeriscaping,~~ and trees but not including weeds or noxious plants~~, planted directly on the property and kept free from all hard surfaces~~; and

a.

b. ground cover, such as mulch, bark, and decorative rock; and

~~b. washed 1.0, and no more than X% one~~

c. may include~~s~~ the use of ~~sculptures and~~ water, including: ~~pools~~ponds, fountains, falls, and streams; and

~~c.~~d. may include the use of structural features, including statues, outdoor artwork, benches and tables, earth berms, pots and planters.

~~125.~~133. **"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.

~~126.~~134. **"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.

~~127.~~135. **"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.

~~128.~~136. **"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.

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)
19.04.12. Low Density Residential (R-2).
19.04.13. Low Density Residential (R-3).
19.04.14. Low Density Residential (R-4).
19.04.15. Low Density Residential (R-5).
19.04.16. Medium Density Residential (R-6).
19.04.17. Medium Density Residential (R-10).
19.04.18. High Density Residential (R-14).
19.04.19. High Density Residential (R-18).
19.04.20. Neighborhood Commercial (NC).
19.04.21. Mixed Use (MU).
19.04.22. Regional Commercial (RC).
19.04.23 Office Warehouse (OW).
19.04.24. Industrial (I).
19.04.25. Mixed Lakeshore (ML).
19.04.26. Business Park (BP).
19.04.27. Institutional/Civic (IC).
19.04.28. Public School Bus Lot (PSBL).

19.04.01. Purpose.

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

19.04.02. Land Use Zones and Classification Established.

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

1. Business Park
2. Developed Open Space
3. High Density Residential
4. Industrial

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

~~General Development Standards-Residential:~~

Development Standard	A	RA-5	RR	R-1	R-2	R-3	R-4	R-5	R-6	R-10	R-14	R-18
Maximum ERUs	1 unit/5 acre*	1 unit/5 acres*	1 unit/ acre*	1 unit/ acre*	2 units/ acre*	3 units/ acre*	4 units/ acre*	5 units/ acre*	6 units/ acre*	10 units/ acre*	14 units/ acre*	18 units/ acre*
Minimum Lot Size:												
Residential, per Residential Building	5 acres	5 acres	1 acre	1 acre	14,000 sq. ft.[†]	10000 sq. ft.[†]	9000 sq. ft.[†]	8000 sq. ft.[†]	6000 sq. ft.	5000 sq. ft.	5000 sq. ft.	5000 sq. ft.
Non-residential Use**	5+ acres	5+ acres	1+ acre	1+ acre	1+ acre	1+ acre	1+ acre	1+ acre	1+ acre	1+ acre	1+ acre	1+ acre
Minimum Setbacks (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’	25’	20’	25’	20’
Side (corner side)	12’	12’	12’	12’	20’	20’	20'	20'	20’	15’	20’	15’
Minimum Setbacks (accessory buildings):												
Permanent: Side, Rear	25’	25’	25’	25’	5’	5’	5’	5’	5’	5’	5’	5’
If Building Permit not required: Interior Side, Rear [††]	0’	0’	0’	0’	0’	0’	0’	0’	0’	0’	0’	0’
Front: Same as Primary Structure	X	X	X	X	X	X	X	X	X	X	X	X
Corner Lots: street side: Same as Primary Structure	X	X	X	X	X	X	X	X	X	X	X	X
-	-	-	-	-	-	-	-	-	-	-	-	-
Distance away from any DU	60’	60’	60’	60’	5’	5’	5’	5’	5’	5’	5’	5’
Bulk: Width, Frontage, Height, Coverage, Dwelling Size, Open Space												
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’	35’	40’	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.	1250 sq.ft.	1250 sq.ft.	1250 sq.ft.	1000 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%

**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.*

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

~~††~~ See applicable zone district for limitations.

Permitted and Conditional Uses by Zone-Residential:

2. ~~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:**~~

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

Persons with a Disability												
Riding Arena (Commercial)	C	C	C									
	A	RA-5	RR	R-1	R-2	R-3	R-4	R-5	R-6	R-10	R-14	R-18[4]
	A	RA-5	RR	R-1	R-2	R-3	R-4	R-5	R-6	R-10	R-14	R-18[5]
Riding Arena (Private)	P	P	P									
School, Charter	P	P	P	P	P	P	P	P	P	P	P	P
School, Private and Quasi-Public	C	C	C	C								
School, Public	C	C	C	C	C	C	C	C	C	C	C	C
Stables	P	P	C									
Temporary Sales Trailer	P	P	P	P	P	P	P	P	P	P	P	P
	A	**RA-5**	**RR**	**R-1**	**R-2**	**R-3**	**R-4**	**R-5**	**R-6**	**R-10**	**R-14**	**R-18**

P = Permitted C = Conditional

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

Permitted and Conditional Uses by Zone-Commercial:

3. ~~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:**~~

P= Permitted C= Conditional

	NC[6]	MU	RC*	OW	I	ML	BP	IC	PSBL
Alcoholic Beverage, Package Agency					C				
Alcoholic Beverage, State Liquor Store					C				
Animal Hospital, Large/Large Veterinary Office	C	C	P	P					
Animal Hospital, Small/Small Veterinary	C	C	P	P					

commercial									
Dwelling, Multi-Family		P				P			
Dwelling, Single-Family		P				P			
Dwelling, Three-Family		P				P			
Dwelling, Two-Family		P				P			
Educational Center	C	C	C	C				P	
Electronic Media Rental & Sales		C	P						
	NC[9]	MU	RC*	OW	I	ML	BP	IC	PSBL
	NC[10]	MU	RC*	OW	I	ML	BP	IC	PSBL
Electronic Sales & Repair		C	P						
Equipment Sales & Services			C		P		C[A]		
Financial Institution		P	P						
Fitness Center (5,000 sq. ft. or less)	P	P	P	P		P	C		
Fitness Center(5,001 sq. ft. or larger)	C	C	C	C			P[A]		
Floral Sales	P	P	P			P			
Fueling Station									P
Fueling Station, Cardlock Facility									P
Funeral Home	C	C	C				C		
Grocery Store		C	P			P			
Hair Salon	P	P	P			P			
Hardware & Home Improvement Retail		C	P				P		
Home Occupations	See §~~Chap.~~ 19.08	See §19.08 ~~See Chap. 19.08~~	See §19.08 ~~See Chapt19.08~~	See §19.08 ~~See Chap.19.08~~	See §19.08 ~~See Chap.19.08~~	See §19.08 ~~See Chap. 19.08~~	See §19.08 ~~See Chap. 19.08~~	See §19.08 ~~See Chap. 19.08~~	See §19.08 -
Hospital			P				C	P	
Hotels			C	C	C	C	C		
Ice Cream Parlor	P	P	P			P	C[A]		
Impound Yard					C				
Kennel, Commercial			C	C	P				
Laundromat			C	C	C				
Library		P	P					P	
Light Manufacturing				C	C		C		
Marina						P			
Mining					C				

Mixed Use		P				P			
Neighborhood Grocery Store		P				P			
Motels			C	C	C	C	C		
Non-Depository Institutions			C						
Office, High Intensity				P	C		C		
Office, Medical and Health Care	C	C	P				P	P	
Office, Professional	C	P	P	P	C	P	P		
Pawn Shop				C	C				
Personal Service Establishment	C	C		C		C	C[A]		
	NC[11]	MU	RC*	OW	I	ML	BP	IC	PSBL
	NC[12]	MU	RC*	OW	I	ML	BP	IC	PSBL
Plant & Tree Nursery	C		C	C	P				
Postal Center	C	C	P	C				P	
Preschool	C	C	C			C[A]	C[A]		
Printing, lithography & publishing establishments				C	C		P		
Public & private utility building or facility			C	C	C	C		C	C
Public Building or Facilities (City Owned)	P	P	P	P	P	P	P	P	
Reception Centers	C	C	P			P	C		
Recreation Center			C		C	C			
Recreation Rentals			P			P			
Recreational Vehicle Sales			C**						
Recycling Facilities					C				
Research & Development			C	C	C		P	P	
Residential facilities for elderly persons		C				C			
Residential Facilities for Persons with a Disability		C				C			
Restaurant, Casual			P	C		C[E]	C[E]		
Restaurant, Deli	P	P	P			P	C		
Restaurant, Sit Down	P	P	P	P		P	P		
Retail Sales	P	P	P	P		P	C		
Retail, Big Box			C						
Retail, ~~Speciality~~Specialty	P	P	P	P		P			
Retail, Tobacco Specialty Store				C	C				
School, Public									

19.04.08. Agricultural (A).

1. **Purpose and Intent.** The purpose of the Agricultural Land Use Zone is to allow for the continuation of agricultural practices and rural residential neighborhoods where farming is allowed together with the keeping of large animals. Residential densities in this zone shall not exceed 1 ERU per five acres.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Agricultural (A) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Agricultural (A) Zone~~:~~.

4. **Minimum Lot Sizes.** The minimum residential lot size in this zone is 5 acres. Schools or other nonresidential uses may require a minimum size greater than 5 acres and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use.

5. **Setbacks and Yard Requirements.**
   a. All buildings intended for occupancy or principal buildings in this zone are required to maintain setbacks as follows:
      i. Front: 50 feet (for corner lots, this applies to both street frontages)
      ii. Sides: 12 feet
      iii. Rear: 25 feet
   b. All accessory buildings in this zone are required to maintain distances from property lines and other dwellings as follows:
      i. Sides: 25 feet
      ii. Rear: 25 feet
      iii. Front: same as principal structure
      iv. Minimum separation between accessory buildings used for animals and dwellings: 60 feet.
      ~~iv.~~v. Accessory buildings without [14]a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.

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

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

8. **Maximum Height of Structures.** No structure in this zone shall be taller than 35 feet or less if otherwise restricted by local, state, or federal height restrictions.

19.04.09. Residential Agricultural (RA-5).

1. **Purpose and Intent.** The purpose of the Residential Agricultural (RA-5) Land Use Zone is to allow for the continuation of agricultural practices and the raising of livestock. It covers the portion of the City which historically has been irrigated and utilized for these purposes in Utah County along Lehi-Fairfield Road prior to annexation.
    a. Although this zone has been established to protect agricultural rights and the raising of livestock, certain non-farm uses, as established herein, and residences on lots large enough to minimize conflict with surrounding properties are allowed in the zone.
    b. Residential densities in this zone shall not exceed one ERU per five acres.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Residential Agricultural (RA-5) Land Use Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Residential Agricultural (RA-5) Zone~~:~~.

4. **Minimum Lot Sizes.** The minimum residential lot size in this zone is five acres. Schools or other nonresidential uses may require a minimum size greater than five acres and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use.

5. **Setbacks and Yard Requirements.**
    a. All buildings intended for occupancy or principal buildings in this zone are required to maintain setbacks s as follows:
        i. Front: fifty feet (for corner lots, this applies to both street frontages)
        ii. Sides: twelve feet
        iii. Rear: twenty-five feet
    b. All accessory buildings in this zone are required to maintain distances from property lines and other dwellings as follows:
        i. Sides: twenty-five feet
        ii. Rear: twenty-five feet
        iii. Front: same as principal structure
        iv. Minimum separation between an accessory building used for animals and a dwelling: sixty feet.
        v. Accessory buildings without [15]a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required. ~~Front and corner side yard setbacks must be met.~~

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

19.04.10. Rural Residential (RR).

1. **Purpose and Intent.** The purpose of the Rural Residential Land Use Zone is to allow for the establishment of large lot residential developments that preserve natural view corridors, open spaces, environmentally-sensitive lands and that more fully preserves the rural character of Saratoga Springs. Residential densities in this zone shall not exceed one ERU per acre.

2. **Permitted Uses.** The identified in 19.04.07.2 as Permitted Uses in the Rural Residential (RR) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Rural Residential (RR) Zone.

4. **Minimum Lot Sizes.** The minimum residential lot size in this zone is one acre, and may be greater for Conditional Uses. Conditional uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in this Title, including Chapters 19.06, 19.09, 19.13, 19.14, and 19.15, as the basis for setting site-by-site requirements.

5. **Setbacks and Yard Requirements.**
   a. Setbacks and yard requirements describe the amount of space required between buildings and property lines.
   b. All buildings intended for occupancy or principal buildings in this zone are required to maintain a minimum distance from property lines as follows:
      i. Front: thirty-five feet (for corner lots, this applies to both street frontages)
      ii. Sides: twelve feet
      iii. Rear: twenty-five feet
   c. All accessory buildings 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
      vi. Minimum separation between an accessory building used for animals and a dwelling: sixty feet.
      ~~v.~~vii. Accessory buildings without [16]a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required. ~~Front and corner side yard setbacks must be met.~~

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

19.04.11. Low Density Residential (R-1).

1. **Purpose and Intent.** The purpose of the Low Density Residential (R-1) is to allow for the establishment of large lot residential developments that preserve natural view corridors, open spaces, environmentally-sensitive lands, and the rural character of Saratoga Springs. Residential densities in this zone shall not exceed one ERU per acre.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Low Density Residential (R-1) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Low Density Residential (R-1) Zone.

4. **Minimum Lot Sizes.** The minimum residential lot size in this zone is one acre, and may be greater for Conditional Uses. Conditional uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in this Title, including Chapters 19.06, 19.09, 19.13, 19.14, and 19.15, as the basis for setting site-by-site requirements**.**

5. **Setbacks and Yard Requirements.**
   a. All buildings intended for occupancy or principal buildings in this zone are required to maintain minimum setbacks as follows:
      i. Front: thirty-five feet (for corner lots, this applies to both street frontages)
      ii. Sides: twelve feet
      iii. Rear: twenty-five feet
   b. All accessory buildings in this zone are required to maintain distances from property lines and other dwellings as follows:
      i. Sides: twenty-five feet
      ii. Rear: twenty-five feet
      iii. Front: same as principal structure
      iv. Minimum separation between an accessory building used for animals and a dwelling: sixty feet.
      ~~iv.~~v. Accessory buildings without [17]a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.~~Front and corner side yard setbacks must be met.~~

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.

19.04.12. Low Density Residential (R-2).

1. **Purpose and Intent.** The purpose of the Low Density Residential (R-2) Land Use Zone is to allow for the establishment of single family neighborhoods on large lots that are characteristics of traditional suburban residential neighborhoods. Residential densities in this zone shall not exceed two ERUs per acre.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Low Density Residential (R-2) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Low Density Residential (R-2) Zone.

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

the following criteria in determining whether the minimum lot size shall be greater than one acre in size:

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

5. **Setbacks and Yard Requirements.**
   a. All 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
   b. Corner Lots:
      i. There shall be a minimum setback on corner lots as follows:
         1. Front: twenty-five feet
         2. Side abutting the street: twenty feet
      ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty-five and twenty feet.
   c. All accessory buildings in this zone are also required to maintain a five-foot minimum separation between accessory buildings and dwellings in this land use zone.
   ~~c.~~d. Accessory buildings without [18]a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.~~Front and corner side yard setbacks must be met.~~

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

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

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

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

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

19.04.13. Low Density Residential (R-3).

1. **Purpose and Intent.** The purpose of the Low Density Residential (R-3) Land Use Zone is to allow for the establishment of single family neighborhoods on medium-sized lots that are characteristic of traditional suburban residential neighborhoods. Residential densities in this zone shall not exceed three ERUs per acre.

2. **Permitted Uses.** The uses identified in 19.04.07.2 are Permitted Uses in the Low Density Residential (R-3) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Low Density Residential (R-3) Zone.

4. **Minimum Lot Sizes.**
    a. The minimum lot size for any residential use in this zone is 10,000 square feet.
    b. Residential lots may be proposed that are less than 10,000 square feet as indicated in this Subsection.
        i. The City Council may approve a reduction in the lot size if it finds that such a reduction serves a public or neighborhood purpose such as:
            1. a significant increase in the amount or number of parks and recreation facilities proposed by the developer of property in this zone;
            2. the creation of significant amenities that may be enjoyed by all residents of the neighborhood;
            3. the preservation of sensitive lands (these areas may or may not be eligible to be counted towards the open space requirements in this zone – see the definition of "open space" in § 19.02.02); or
            4. any other public or neighborhood purpose that the City Council deems appropriate.
        ii. In no case shall the overall density in any approved project be increased as a result of an approved decrease in lot size pursuant to these regulations.
        iii. In making its determination, the City Council shall have sole discretion to make judgments, interpretations, and expressions of opinion with respect to the implementation of the above criteria. In no case shall reductions in lot sizes be considered a development right or a guarantee of approval.
        iv. In no case shall the City Council approve a residential lot size reduction greater than ten percent notwithstanding the amenities that are proposed.
        v. In no case shall the City Council grant a residential lot size reduction for more than 25% of the total lots in the development.
    d. The minimum lot size for any non-residential use in this zone is one acre. Schools, churches or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:
        i. the maximum number individuals using the building at one time;
        ii. the number of required off-street parking spaces required in this Title;
        iii. traffic and transportation concerns;

iv. compatibility with adjacent uses;
v. adverse impacts on adjacent uses; and
vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.

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

5. **Setbacks and Yard Requirements.**
   a. All principal buildings in this zone are required to maintain a minimum distance from property lines as follows:
      i. Front: twenty-five feet. An unenclosed front entry and porch may encroach up to five feet into the required front setback.
      ii. Sides: 8/20 feet (minimum/combined)
      iii. Rear: twenty-five feet
   b. Corner Lots:
      i. There shall be a minimum setback on corner lots as follows:
         1. Front: twenty-five feet
         2. Side abutting the street: twenty feet
      ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty-five and twenty feet.
   c. All accessory buildings 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. Corner front and street side: same as principal structure
      ~~iii.~~iv. Accessory buildings without [19]a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.~~Front and corner side yard setbacks must be met.~~
   d. There shall be a five-foot minimum separation between accessory buildings and dwellings in this zone.

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

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

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

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

19.04.14. Low Density Residential (R-4).

1. **Purpose and Intent.** The purpose of the Low Density (R-4) Land Use Zone is to allow for the establishment of single family neighborhoods on medium-sized lots that are characteristic of traditional suburban residential neighborhoods. Residential densities in this zone are limited to minimum lot size requirements and shall not exceed four ERUs per acre.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Low Density Residential (R-4) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Low Density Residential (R-4) Zone.

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

iii. traffic and transportation concerns;
iv. compatibility with adjacent uses;
v. adverse impacts on adjacent uses; and
vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.

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

5. **Setbacks and Yard Requirements.**
   a. All principal buildings in this zone are required to maintain setbacks as follows
      i. Front: twenty-five feet. An unenclosed front entry and porch may encroach up to five feet into the required front setback.
      ii. Sides: 8/16 (minimum/combined)
      iii. Rear: twenty feet
   b. Corner Lots:
      i. There shall be a minimum setback on corner lots as follows:
         1. Front: twenty-five feet
         2. Side abutting the street: twenty feet
      ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty-five and twenty feet.
   c. All accessory buildings 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 front and street-side: same as principal structure
      ~~iv.~~ v. Accessory buildings under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and corner side yard setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.
   d. There shall be a five-foot minimum separation between accessory buildings and dwellings in this zone.

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

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

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

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

19.04.15. Low Density Residential (R-5).

1. **Purpose and Intent.** The purpose of the Low Density (R-5) Land Use Zone is to allow for the establishment of single family neighborhoods on medium-sized lots that are characteristic of traditional suburban residential neighborhoods. Residential densities in this zone are limited to minimum lot size requirements and shall not exceed five ERUs per acre.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Low Density Residential (R-5) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Low Density Residential (R-5) Zone.

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

iv. compatibility with adjacent uses;
v. adverse impacts on adjacent uses; and
vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.

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

5. **Setbacks and Yard Requirements.**
   a. All principal buildings in this zone are required to maintain minimum setbacks as follows:
      i. Front: twenty-five feet. An unenclosed front entry and porch may encroach up to five feet into the required front setback.
      ii. Sides: 6/12 (minimum/combined)
      iii. Rear: twenty feet
   b. Corner Lots:
      i. There shall be a minimum setback on corner lots as follows:
         1. Front: twenty-five feet
         2. Side abutting the street: twenty feet
      ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty-five and twenty feet.
   c. All accessory buildings 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 street-side: same as principal structure
      ~~iv.~~ v. Accessory buildings without [20] a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required. ~~Front and corner side yard setbacks must be met.~~
   d. There shall be a five-foot minimum separation between accessory buildings and dwellings in this zone.

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

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

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

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

19.04.16. Medium Density Residential (R-6).

1. **Purpose and Intent.** The purpose of Medium Density Residential (R-6) Land Use Zone is to allow for a mix of permitted housing types. Residential densities in this zone shall not exceed six ERUs per acre.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Medium Density Residential (R-6) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Medium Density Residential (R-6) Zone.

4. **Minimum Lot Sizes.**
    a. The minimum lot size for any residential use in this zone is 6,000 square feet. For Two-Family and Three-Family Structures where each dwelling is separately owned, the minimum lot size shall be based on each building rather than each individual dwelling.
    b. The minimum lot size for any non-residential use in this zone is one acre. Schools, churches or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:
        i. the maximum number individuals using the building at one time;
        ii. the number of required off-street parking required in this Title;
        iii. traffic and transportation concerns;
        iv. compatibility with adjacent uses;
        v. adverse impacts on adjacent uses; and
        vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.
    c. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in Title 19, including Chapters 19.13, 19.14, and 19.15, as the basis for setting site by site requirements.

5. **Setbacks and Yard Requirements.**
    a. All principal buildings in this zone are required to maintain minimum setbacks as follows:
        i. Front: twenty-five feet.
            1. The front plane of the home may encroach by up to five feet into the required setback if the garage is set back an increased distance from the required setback in an equal amount to the front plane's encroachment. For example, if the setback for the front plane is 20 feet, the setback of the garage must be 30 feet. Likewise, if the setback for the front plane is 22 feet, the setback of the garage must be at least 28 feet.
            2. An unenclosed front entry or porch may encroach up to five feet into the twenty-foot front setback. This encroachment may be combined with a reduced setback for the front plane (accompanied by an increased setback

to the garage) but in no case shall the front plane and porch combined be set back less than 15 feet.

ii. Sides:
   1. single family residences: 5/10 feet (minimum/combined);
   2. two-family and three-family structures: ten feet

iii. Rear: twenty feet

b. Corner Lots:
   i. There shall be a minimum setback on corner lots as follows:
      1. Front: twenty-five feet
      2. Side abutting the street: twenty feet
   ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty-five and twenty feet.

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
   iv. Corner street-side: same as principal structure
   ~~iv.~~ v. Accessory buildings without [21]a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.~~Front and corner side yard setbacks must be met.~~

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

6. **Minimum Lot Width.** Every lot in this zone shall be at least 50 feet in width at the front building setback. For Two-Family and Three-Family Structures where each dwelling is separately owned, the minimum lot width shall be based on each building rather than each individual dwelling or lot.

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

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

9. **Maximum Lot Coverage.** The maximum lot coverage in this zone is fifty percent. For Two-Family and Three-Family Structures where each dwelling is separately owned, the maximum lot coverage shall be based on all of the buildings combined rather than each dwelling.

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

1. **Purpose and Intent.** The purpose of the Medium Density Residential (R-10) Zone is to allow for the establishment of medium density residential neighborhoods. This land use zone recognizes that in order for the City to be a well-rounded community, many different housing styles, types, and sizes should be permitted. Residential densities in this zone shall not exceed ten ERUs per acre.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the Medium Density Residential (R-10) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the Medium Density Residential (R-10) Zone.

4. **Minimum Lot Sizes.**
    a. The minimum lot size for single-family dwellings is 5,000 square feet. For multi-family structures where each dwelling is separately owned, the minimum lot size shall be based on each building rather than each individual dwelling.
    b. The minimum lot size for any non-residential use in this zone is one acre. Schools, churches or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:
        i. the maximum number individuals using the building at one time;
        ii. the number of required off-street parking required in this Title;
        iii. traffic and transportation concerns;
        iv. compatibility with adjacent uses;
        v. adverse impacts on adjacent uses; and
        vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.
    c. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in Title 19, including Chapters 19.13, 19.14, and 19.15, as the basis for setting site by site requirements.
    d. Projects containing multi-family structures shall be located on property at least five acres in size.

5. **Setbacks and Yard Requirements.**
    a. All principal buildings in this zone are required to maintain setbacks as follows:

i. Front: twenty-five feet.
    1. The front plane of the home may encroach by up to five feet into the required setback if the garage is set back an increased distance from the required setback in an equal amount to the front plane's encroachment. For example, if the setback for the front plane is 20 feet, the setback of the garage must be 30 feet. Likewise, if the setback for the front plane is 22 feet, the setback of the garage must be at least 28 feet.
    2. An unenclosed front entry or porch may encroach up to five feet into the twenty-foot front setback. This encroachment may be combined with a reduced setback for the front plane but in no case shall the front plane and porch combined be set back less than 15 feet.

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

iii. Rear: twenty feet

b. Corner Lots:
    i. There shall be a minimum setback on corner lots as follows:
        1. Front: twenty- feet
        2. Side abutting the street: fifteen feet
    ii. The front setback and side setback abutting the street can be reversed, but in no case will the setback combination for the two street sides be less than twenty and fifteen feet.

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
    iv. Corner street-side: same as principal structure
    ~~iv.~~v. Accessory buildings without [22]a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.~~Front and corner side yard setbacks must be met.~~

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

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

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

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

1. **Purpose and Intent.** The purpose of the High Density Residential (R-14) Zone is to allow for the establishment of single family neighborhoods on small lots and to allow for a mix of single family and multi-family housing types. Residential densities in this zone shall not exceed fourteen ERUs per acre.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the High Density Residential (R-14) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the High Density Residential (R-14) Zone.

4. **Minimum Lot Sizes.**
    a. The minimum lot size for single-family dwellings is 5,000 square feet. For multi-family, two-family, and three-family structures where each dwelling is separately owned, the minimum lot size shall be based on each building rather than each individual dwelling.
    b. Projects containing multi-family structures shall be located on property at least five acres in size.
    c. The minimum lot size for any non-residential use in this zone is one acre. Schools, churches, or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:
        i. the maximum number of individuals using the building at one time;
        ii. the amount of required off-street parking required in this Title;
        iii. traffic and transportation concerns;
        iv. compatibility with adjacent uses;
        v. adverse impacts on adjacent uses; and
        vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.
    d. In establishing the minimum lot size for Conditional Uses, the City Council will use the standards found in Title 19, including Chapters 19.13, 19.14, and 19.15, as the basis for setting site by site requirements

5. **Setbacks and Yard Requirements.**
    a. Setbacks and yard requirements describe the amount of space required between buildings and property lines.
    b. All principal buildings in this zone are required to maintain minimum setbacks as follows:
        i. Front: twenty-five feet.
            1. The front plane of the home may encroach by up to five feet into the required setback if the garage is setback an increased distance from the required setback in an equal amount to the front plane's encroachment. For example, if the setback for the front plane is 20 feet, the setback of the

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

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

ii. Sides:

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

iii. Rear: twenty feet

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
iv. Corner street-side: same as principal structure
~~iv.~~v. Accessory buildings without [23]a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.~~Front and corner side yard setbacks must be met.~~

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

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

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

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

19.04.19. High Density Residential (R-18).

1. **Purpose and Intent.** The purpose of the High Density Residential 18 Land Use Zone is to allow for the establishment of single family neighborhoods on small lots and to allow for a mix of single family and multi-family housing types. Residential densities in this zone shall not exceed eighteen ERUs per acre.

2. **Permitted Uses.** The uses identified in 19.04.07.2 as Permitted Uses in the High Density Residential (R-18) Zone.

3. **Conditional Uses.** The uses identified in 19.04.07.2 as Conditional Uses in the High Density Residential (R-18) Zone.

4. **Minimum Lot Sizes.**
    a. The minimum lot size for any residential use in this zone is 5,000 square feet. For multi-family structures where each dwelling is separately owned, the minimum lot size shall be based on each building rather than each individual dwelling.
    b. Home Occupations or other uses may require a minimum size greater than 5,000 square feet and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. In making this determination, the City Council shall use the following criteria to determine whether a minimum lot size greater than 5,000 square feet shall be required:
        i. the maximum number individuals using the building at one time;
        ii. the number of required off-street parking required in this Title;
        iii. traffic and transportation concerns;
        iv. compatibility with adjacent uses;
        v. adverse impacts on adjacent uses; and
        vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.
    c. The minimum lot size for any non-residential use in this zone is one acre. Schools, churches or other uses may require a minimum size greater than one acre and will be evaluated on an individual basis to determine if more property is required to reasonably accommodate the proposed use. The City Council shall use the following criteria in determining whether the minimum lot size shall be greater than one acre:
        i. the maximum number individuals using the building at one time;
        ii. the number of required off-street parking required in this Title;
        iii. traffic and transportation concerns;
        iv. compatibility with adjacent uses;
        v. adverse impacts on adjacent uses; and
        vi. amount of property needed for required amenities (e.g., open space, landscaping, recreational facilities, etc.

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

5. **Setbacks and Yard Requirements.**
   a. Setbacks and yard requirements describe the amount of space required between buildings and property lines.
   b. All principal buildings in this zone are required to maintain minimum setbacks as follows:
      i. Front: twenty-five feet.
         1. The front plane of the home may encroach by up to five feet into the required setback if the garage is set back an increased distance from the required setback in an equal amount to the front plane's encroachment. For example, if the setback for the front plane is 20 feet, the setback of the garage must be 30 feet. Likewise, if the setback for the front plane is 22 feet, the setback of the garage must be at least 28 feet.
         2. An unenclosed front entry or porch may encroach up to five feet into the twenty-foot front setback. This encroachment may be combined with a reduced setback for the front plane (accompanied by an increased setback to the garage) but in no case shall the front plane and porch combined be set back less than 20 feet.
      ii. Sides: single family residences: 5/10 feet (minimum/combined); multi-family structures: ten feet
      iii. Rear: twenty feet
   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 street-side: same as principal structure
      ~~iv.~~v. Accessory buildings without [24]a footing and under 200 sq.ft. in size, not for the housing of animals, and no more than ten feet in height are not required to meet interior side and rear setbacks. Front and street-side corner setbacks must be met. Such buildings shall not have rooflines that drain onto adjacent properties, and shall be removed immediately at the owners' expense should access to the public utility easement be required.~~Front and corner side yard setbacks must be met.~~
   e. There shall be a five foot minimum separation between accessory buildings and dwellings in this zone.

Chapter 19.06. Landscaping and Fencing.

Sections:

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

19.06.01. Purpose.

This chapter promotes the health, safety, and general welfare of the public by enhancing aesthetic features of the City, providing adequate spaces and vegetation for outdoor and recreational opportunities, protecting property values, lowering heating and cooling costs of structures, trapping and filtering dust and pollutants, reducing soil erosion, improving air quality, and reducing damaging winds. Additionally, landscaping and fencing are encouraged when used as buffers and screens against undesirable views.

19.06.02. Required Landscaping Improvements.

Landscape and fencing requirements of this Chapter shall apply to all new landscaping. ly constructed structures and any structure that has been expanded, and all newly improved subdivisions.

19.06.03. General Provisions.

1. Park strips shall be landscaped and maintained by the property owner who abuts the park strip.

2. A-utomated water-conserving irrigation systems shall be required for all new landscaping in nonresidential and multi-family development and for all irrigated open space.

3. All landscaped areas shall be maintained by watering, weed removal, lawn mowing, or any other activity required to maintain healthy and well-manicured landscaping.

4. Trees which project over any sidewalk shall be pruned clear of all branches between ground and a height of eight feet for that portion of the plant located over the sidewalk.

5. Landscaping and fencing shall maintain a clear sight triangle as specified in Section 19.06.11.

6. All refuse areas shall be screened by approved fencing materials.

~~6. Tree replacement for nonresidential uses shall be required whenever existing mature trees are proposed to be removed on a project site. Tree removal and replacement shall only be allowed after approval by the City Staff as appointed by the City Manager.~~

19.06.04. Landscaping Plan.

Those required by this Chapter to make landscaping improvements shall submit a landscaping plan prepared by a licensed landscape architect to meet the minimum landscape requirements outlined herein. All single family residential structures shall be exempt from preparing and submitting a landscape plan. The City staff will review the submitted landscaping plan for compliance with this Chapter and forward the plan to the City Council for review and action concurrent with Site Plans and Subdivision Plats. The landscaping plan shall include, at a minimum, the following information:

1. ~~E~~Existing conditions: the location and dimension of all existing and proposed structures, property lines, easements, parking lots, power lines, rights-of-way, ground signs, refuse areas, and lighting;

2. planting plan: location and planting details for all proposed vegetation and materials. The proposed plan must indicate the size of the plant material at maturation. All existing vegetation that is to be removed or remain on the site must be clearly identified;

~~2.~~3.planting schedule: the name (both botanical and common name), ~~location,~~ quantity, and size of all ~~existing and~~ proposed plants~~.~~; ~~The proposed plan must indicate the size of the plant material at maturation. All existing vegetation that is to be removed or remain on the site must be clearly identified;~~

~~3.~~4.topography: existing and proposed grading of the site indicating contours at two feet intervals;

~~4.~~5.irrigation: ~~plans showing the~~ irrigation ~~system~~plans showing the system layout and details;

~~5.~~6.fencing: location, style, and details for proposed and existing fences and identification of the fencing materials; and

~~6.~~7.a ~~summary~~ data table: table including~~of~~ the total number of each plant type, and total square footage and percentage of landscaped areas, domestic turf grasses, decorative rock, mulch, bark, and drought tolerant plant species~~; and~~.

~~6. the estimated cost of all the improvements.~~

19.06.05. Completion of Landscape Improvements; Adequate Assurances.

All required landscaping improvements shall be completed in accordance with the approved Site Plan, subdivision plat, landscaping planting plan, and irrigation plan prior to the issuance of a Certificate of Occupancy for ~~the~~ any building. Exceptions may be permitted and Certificates of Occupancy issued where weather conditions prohibit the completion of approved and required landscaping improvements.

In such cases, an extension period no longer than six months may be granted so long as a performance bond for no less than 115% of the total estimated value of the landscaping is posted and a performance bond agreement is entered into in accordance with Section 19.12.05 to ensure the landscaping improvements are installed in accordance with this Chapter, City ordinances and standards, and approved site and landscaping plans. In all cases, landscaping improvements shall be guaranteed for a period of 1 year after final acceptance by posting a warranty bond and entering into a warranty bond agreement in accordance with Section 19.12.05.

19.06.06. Planting Standards and Design Requirements.

1. The planting standards are the minimum standards of landscaping that the City will accept towards meeting the landscaping required in this Chapter. Design requirements identify specific standards as they pertain to landscaping. The planting standards and design requirements shall be used in evaluation of any landscaping plan by the City Council.

2. The following are planting standards for required landscaping that shall be followed for all new development, with all caliper sizes measured at the diameter at breast height (DBH):
   a. **Deciduous Trees.** All deciduous trees shall have a minimum trunk size of ~~two~~ two ~~and a half~~ (~~2~~2~~.5~~) inches in caliper.
   b. **Evergreen Trees.** All evergreen trees shall have a minimum size of 6 feet in height.
   c. **Ornamental Trees.** All ornamental trees shall have a minimum trunk size of one and a half (1.5) inches in caliper.
   d. **Shrubs.** ~~All shrubs shall have a minimum height or spread of eighteen inches~~~~size of one gallon.~~At least 25% of the required shrubs shall be a minimum of 5 gallons in size at time of installation; all other required shrubs shall be a minimum of 1 gallon in size.
   e. **Turf.** No landscaping shall be composed of more than seventy percent turf.
   f. **Drought Tolerant Plants.** Fifty percent of all trees and shrubs species shall be required to be drought tolerant.
   g. **Rock:** rock may be utilized up to the maximum percentage specified in Section 19.06.07, subject to the following requirements:
      i. a minimum of two separate colors, and a minimum of two different sizes averaging 2 inches or more in diameter, shall be uses;
      ~~i.~~ii. rock shall provide contrasting color to pavement and other hard surfaces within the property; and
      ~~ii.~~iii. an area equal in size to the predicted canopy of shrubs and trees at maturity shall be kept free of rock and instead be covered with wood chips, mulch, or bark.
      ~~f.~~
   ~~g.~~h. **Planting and Shrub Beds.** Planting and shrub beds may be used to satisfy up to the percentage of the total required landscaping as specified in the ~~chart in~~ Section 19.06.07. In addition to the required plants in the chart, planting and shrub beds must meet the following requirements:
      i. high-quality weed barrier is used;
      ii. high quality materials such as wood chips, wood mulch, ground cover, decorative ~~or lava~~ rock, landscaping rocks, or similar materials are used, and materials must be heavy enough to not blow away in the wind;

~~ii.~~iii. edging is used to separate lawns from beds, and all areas except residential must use concrete edging for durability;

~~iii. 40% of the plants must be trees.~~

~~iv. For trees, sufficient trees must be installed so that no more less than 4 feet of space in each direction occurs between the canopy of each tree at maturity. For all other plants, sufficient plants must be placed to ensure that no more less than 2 feet of space in each direction between each plant at maturity; and~~

iv. drip lines are used for irrigation.

3. The following design requirements will be used when reviewing landscaping plans in the City of Saratoga Springs:
    a. **Selection of Plants.** Plants shall be selected for texture, form, color, pattern of growth, and adaptability to local conditions.
    b. **Evergreens.** Evergreens shall be incorporated into landscaped treatment of sites where screening and buffering are required.
    c. **Softening of Walls and Fences.** Plants shall be placed intermittently against long expanses of building walls, fences, and barriers to create a softening effect.
    d. **Planting and Shrub Beds.** Planting and shrub beds are encouraged to be used in order to conserve water. Planting and shrub beds shall meet the requirements in subsection 19.06.06(2)(g) above.
    e. **Water Conservation.** While irrigation systems are required for all landscaped areas, all systems shall be efficient in the use of water such as the installation of drip lines for shrubs and trees and the use of secondary water where available.
    f. **Energy Conservation.** Placement of plants shall be designed to reduce energy consumption. Deciduous trees are encouraged to be planted on the south and west sides of structures to provide shade over the structures in the summer months. Evergreens trees are encouraged to be planted on the north side of structures when feasible to dissipate the effects of winter winds.
    g. **Preservation of Existing Vegetation.** Where possible and appropriate, existing native vegetation must be incorporated into the landscape treatment of the proposed site.
    ~~g.~~h. **Tree Preservation.** Existing mature evergreen trees of 16 feet in height or greater, and existing mature deciduous or decorative trees of more than four inches (4") in caliper, shall be identified on the landscape plan and preserved if possible. If preservation is not possible, the required number of trees shall be increased by double the number of such trees removed. The replacement trees for evergreen trees shall be evergreens.
    ~~h.~~i. **Berming.** Berming is encouraged as a screen or buffer between opposing land uses.
    ~~i.~~j. **Placement.** Whenever possible, landscaping shall be placed immediately adjacent to structures, particularly where proposed structures have large empty walls.

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

19.06.07. Amount of Required Landscaping.

1. Portions of property that are not developed with structures, rights of ways, or parking areas shall be required to be landscaped in all land use zones.
~~1.~~2. Single-family residential development shall be required to landscape per Section 19.06.08. At least 50% of the landscaped area shall contain live vegetation.
~~2.~~3. ~~The~~ Multi-family and nonresidential development in the R-6, R-10, R-14, R-18, NC, MU, RC, OW, I-, ML, BP, IC, PSBL Zones shall be required to adhere to the minimum landscaped standards contained in the table below.
~~3.~~4. The City Council shall have authority to adjust these standards as circumstances dictate.

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

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

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

[3] *This number shall be increased per the requirements of Section 19.06.06 above.*
~~required~~

(Ord. 14-1)

19.06.08. Additional Landscaping Requirements.

1. All residential lots shall have the front yards, and street-side yards for corner lots, landscaped within one year, and side and back yards within two years after (whichever is less restrictive):
   a. receiving a Certificate of Occupancy; or
   b. once ownership is established by the current owner.

2. Park strips.
   a. Park strips shall be landscaped when the front yard is landscaped for a dwelling, or when site improvements are completed for a non-residential project, and shall thereafter be perpetually maintained by the property owner who abuts the park strip. Only the following shall be installed in park strips: turf, trees, drought tolerant plants, mulch, live

plant vegetation (other than trees) below three feet in height, landscape rock, cobble, and removable pavers. When landscape rock, cobble, or pavers are used, at least thirty percent of the area shall contain plantings.

b. Weeds, dead vegetation, fruit trees, fruit and vegetable gardens, gravel, asphalt, concrete, and large boulders are prohibited in park strips.
c. Four foot wide concrete walkways are allowed in the park strip when the walkway lines up with the main walkway to the front door.

19.06.09. Screening and Fencing Requirements and Restrictions.

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

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

2. **Retaining walls:** ~~For~~ for construction of all retaining walls, a building permit must be obtained. Where there is a difference in elevation on opposite sides of the fence, the height of the fence shall be measured from the highest elevation. Approval of fences over six feet in height will be determined on a case-by-case basis by the City Council for all new developments if fencing is proposed during the subdivision review process, or by the Planning Director for all developments that have received final approval; however, in no case will a fence be allowed to exceed eight feet in height. The following criteria shall be applied in making this determination:
   a. compatibility with fences of surrounding uses;
   b. quality of proposed materials;
   c. aesthetics of proposed materials;
   d. requirements of applicable development agreements;
   e. intensity of existing surrounding uses; and
   f. applicable conditions of approval.

3. **Prohibited styles:** ~~No~~ no barbed wire, chain link, razor, or wire (agricultural, electric, chicken wire, mesh wire, hog fencing, etc.) fences shall be allowed. This does not apply to chain link or wire fences if the fence: (1) is not being used to delineate lot boundaries; and (2) is used for keeping of animals. This Section also does not apply in the A, RA-5, and RR zones.

~~3.~~4. **Parallel fencing:** installing additional fencing inside and parallel to existing fencing along open space or trails, where there is no dwelling or lot between the parallel fences, is not permitted.

~~4.~~5. **Double frontages:** ~~Where~~ where lots have ~~double~~ frontages onto more than one street, that area designated by the property owner as the rear yard may have a solid or view obstructing fence, wall, or hedge not exceeding six feet in height. Where the double frontage lot is also a corner lot (three frontages), clear sight across corner property shall be required and enforced. See Section 19.06.11, Clear Sight Triangles.

~~5.~~6. **Non-residential and Multi-family:** ~~Fencing~~ fencing and other screening materials for multi-family, residential, commercial, or industrial projects must receive approval by the City Council

through the Site Plan review process. See Chapter 19.13 for Site Plan review requirements. In addition, the following criteria shall be applied:

a. compatibility with fences of surrounding uses;
b. quality of proposed materials;
c. aesthetics of proposed materials;
d. requirements of applicable development agreements;
e. intensity of existing surrounding uses; and
f. applicable conditions of approval.

7. **Required fencing:** ~~Fencing~~ fencing shall be placed along property lines abutting open space, parks, trails, and easement corridors. In addition, fencing may also be required adjacent to undeveloped properties.
   a. Where trail corridors immediately abut a collector or arterial road, privacy fencing may be installed.
   b. In an effort to promote safety for citizens using ~~these~~ trail corridors that do not abut a collector or arterial road, and security for home-owners, fences along these trail corridors shall be semi-private.
   c. Fencing along open space, parks, trails, and easement corridors may be less than six feet in height but shall not be less than three feet in height, at the discretion of the property owner.

19.06.10. Screening at Boundaries of Residential Zones.

This Section outlines provisions that shall govern the heights of screening and fencing for commercial, mixed use, and industrial developments that abut residential zones.

1. For commercial, mixed use, and industrial developments abutting residential zones an opaque fence shall be installed and maintained along lot lines.

~~1.~~2. For residential developments abutting active agricultural property, an opaque fence shall be installed and maintained along the abutting property line.

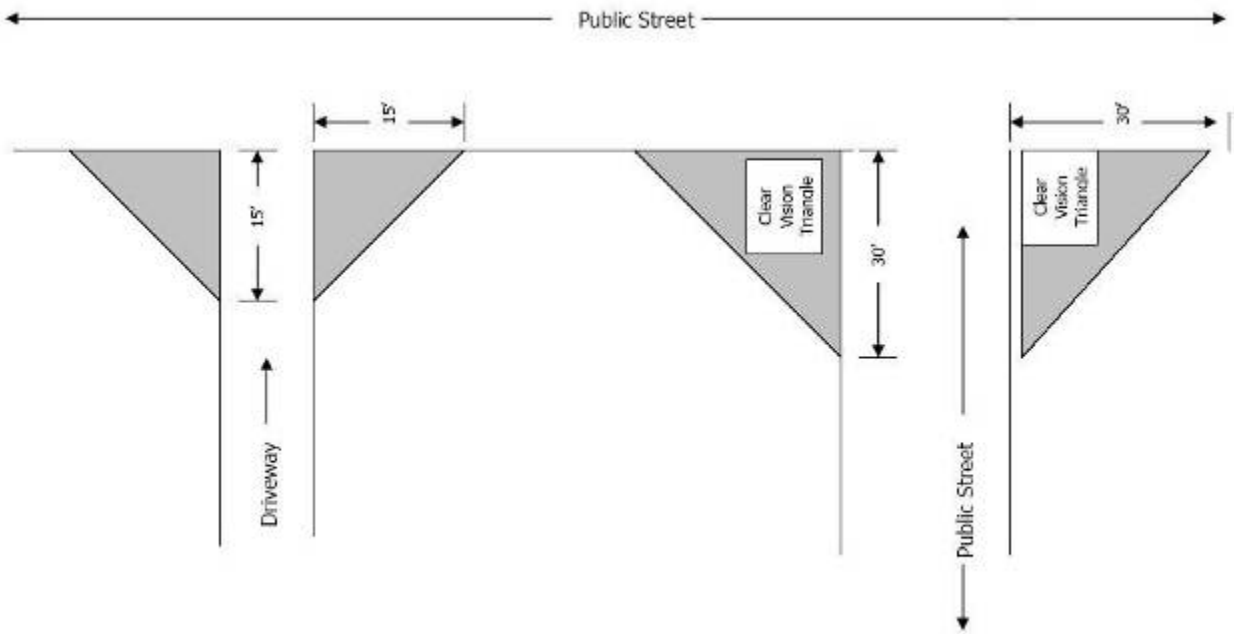
~~2.~~3. The opaque fence shall be a minimum of six feet in height but not more than eight feet. A lower height fence may be required adjacent to a front property line for sight distance and traffic safety (see Section 19.06.08). Walls above six feet shall first be reviewed and approved by the City Council during site plan review. In determining the specific height of the fence, the following criteria shall be applied:
   a. compatibility with fences of surrounding uses;
   b. aesthetics of proposed materials;
   c. requirements of applicable development agreements;
   d. intensity of existing surrounding uses; and
   e. applicable conditions of approval

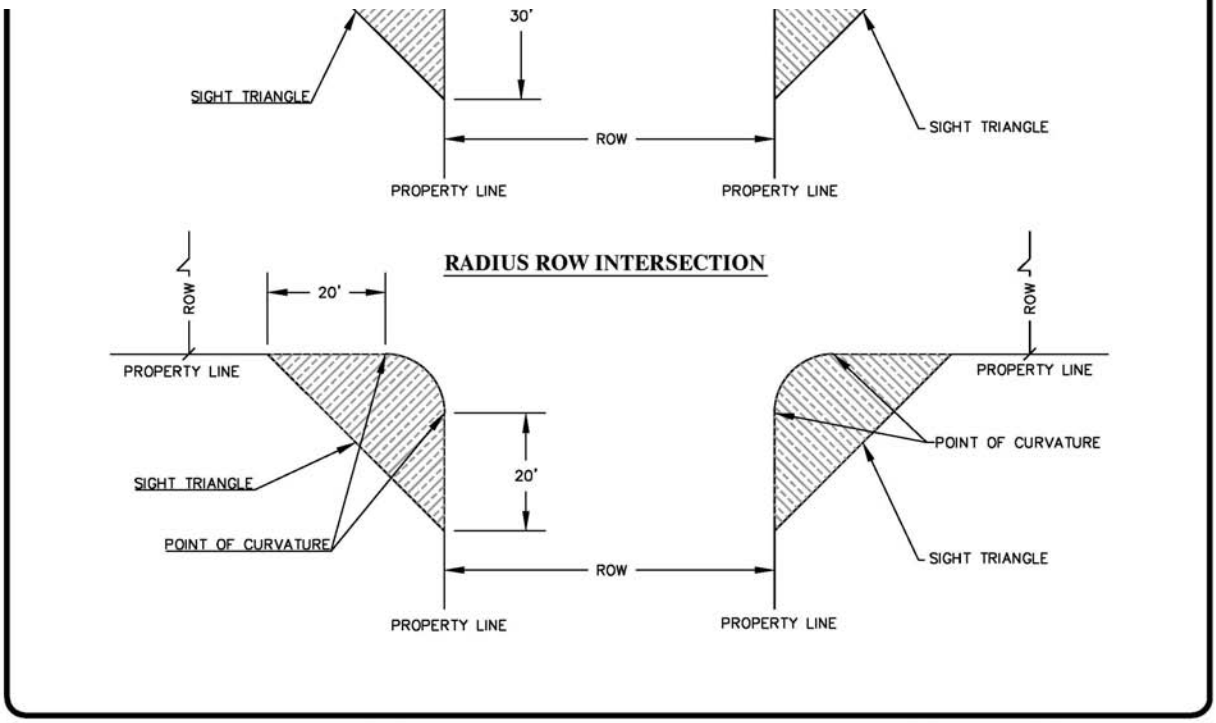
~~3.~~4. Where there is a difference in elevation on opposite sides of the fence, the height of the required fence shall be measured from the highest elevation.

19.06.11. Clear Sight Triangle.

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

Clear Sight Triangle:





SIGHT TRIANGLE

DATE: JULY 2014	
DRAWING NAME:	
DRAWN BY: ETL	
CHECKED:	APPROVED:

REVISIONS

REV	DATE	BY	COMMENTS

SARATOGA SPRINGS CITY

1307 N. COMMERCE DR. #200, SARATOGA SPRINGS, UT 84045 PHONE: 801-766-9793 FAX: 8017969794

STANDARD DETAILS

SIGHT TRIANGLE

Chapter 19.11. Lighting

Sections:

19.11.01. Purpose.
19.11.02. Applicability.
19.11.03. Definitions.
19.11.04. Temporary Lighting.
19.11.05. Lighting Standards and Design Requirements.
19.11.06. Lighting Plan.
19.11.07. Other Prohibited Lighting.
19.11.08. Maintenance of Nonconforming Lighting.

19.11.01. Purpose.

1. These provisions are intended to ensure a high quality and sustainable environment in the City, through the application of minimum standards for and limitations on artificial lighting and glare, while protecting the public health, safety, and general welfare.

2. These lighting standards are also intended to control the use of outdoor artificial lighting and illumination to:
    a. Protect drivers, residents, and pedestrians from the glare of non-vehicular light sources; and
    b. Promote energy-efficient lighting design and operation; and
    c. Protect and retain the intended visual character of the City; and
    d. Minimize detrimental effects on the community character; and
    e. Prevent undesirable light rays from intruding on private properties; and
    f. Allow reasonable enjoyment of adjacent and nearby property by their owners and occupants; and
    g. Increase nighttime safety, utility, security, and productivity.

19.11.02. Applicability.

1. Conformance required: this section applies to all new development in the City unless otherwise exempted in this Title, expansions to previously existing development in the City, and uses proposed to operate during hours of darkness.

2. Exemptions: the following uses shall be exempt from the requirements of this section:
    a. Agricultural Use: this regulation shall not be used to regulate any operational aspect of an agricultural use, including the cultivation and harvesting of crops, land management activities (controlled burning, clearing, spraying, trimming), livestock management, hunting, or use and application of water. This ordinance shall apply to the installation of new permanent lighting fixtures on building and structures.
    b. Emergency Lighting: all temporary emergency lighting needed by the police, fire department, or other emergency services.
    c. Vehicular lighting: lighting required by law to be installed on motor vehicles.

d. Aircraft lighting: lighting required for the safe operation of aircraft.
e. Construction lighting: construction lighting during the period of construction for which a development permit has been issued is exempt, provided such lighting is temporary and discontinued immediately upon completion of the construction work; also outdoor lighting employed during emergency night-time repair of roads and utilities.
f. Single family: standard garage, yard, and building lighting for single family homes not exceeding 140 watts.
g. Existing nonconforming lighting fixtures: all outdoor light fixtures lawfully installed prior to the adoption of this section, except that the subject lighting fixtures shall conform to the hours of operation.
h. Decorative holiday lighting.

19.11.03. Definitions.

As used in these regulations, the following terms shall be defined as follows:

1. **Business** – A person, partnership, corporation, or organization engaged in commerce, manufacturing, or a service; profit and non-profit seeking enterprise or concern; charitable organization. The definition is intended to be broadly construed.

2. **Digital Sign** – Cathode ray tube (CRT), flat panel liquid-crystal display (LCD), LED, plasma, aerial imaging, projector or other electronic device that electronically provides signage.

3. **Direct Light** – Light emitted directly from the lamp, off of the reflector diffuser, or through the refractor or diffuser lens of a lighting fixture.

4. **Foot-candle (fc)** – A unit of light measurement equal to one lumen per square foot.

5. **Full Cutoff** – Describes a lighting distribution where no light is allowed to emit from a light source at 90 degrees (horizontal plane) and all angles above. This applies to all horizontal angles around the lighting source, with no more than 10% of the light penetrating zone 1, and no light penetrating zone 2, as shown in Exhibit 1. A full cutoff lighting fixture is also fully shielded.

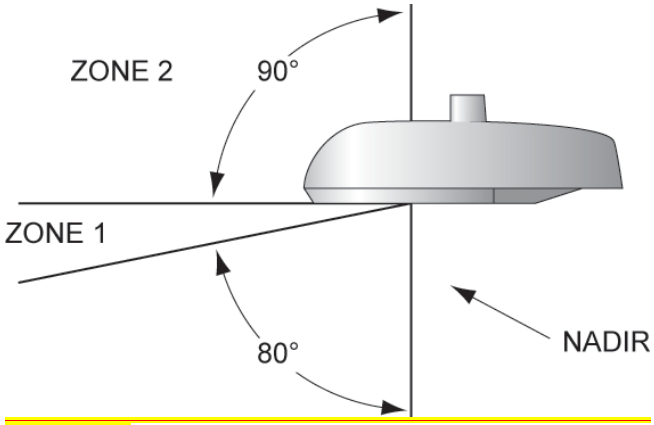


Exhibit 1

6. **Fully Shielded** – A lighting fixture constructed in such a manner that all light emitted by the source, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the lighting fixture, is projected below the horizontal plane, and where the lamp is not visible to the eye from a distance of 100 feet. A fully shielded fixture is not necessarily full cutoff.

7. **Glare** – Light emitting from a light source with intensity great enough to cause loss in visual performance or annoyance, so as to jeopardize health, safety, or welfare.

8. **Hazard to Air Navigation** – An obstruction or light source determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

9. **Height** – The location of the fixture as measured from the grade directly below the fixture to the top of the fixture.

10. **Intermittent Lighting** – Lighting that does not remain on for more than five minutes at a time.

11. **Lamp –** A bulb, globe, LED, cathode, beacon, or other source of light.

12. **Lighting Assembly** – A complete structure consisting of a fixture and lamp or lamps together with the parts designed to distribute the light, to support the lamps, to position and protect the lamps, to attach the lamps to the ground or to a structure, and to connect the lamps to a power supply.

13. **Lighting Fixture –** Luminaire, typically the housing, shade, and bulb portion of a lighting assembly

14. **Lumen** – A unit of measure for the brilliance of light source. The lumen rating associated with a given lamp is generally indicated on its packaging or may be obtained from the manufacturer.

15. **Nadir** – The direction pointing vertically down from the lowest light emitting part of the lighting fixture (see Exhibit 1 for an example).

16. **Nonconforming Lighting** – Any lighting that does not comply with the provisions of this Ordinance or with the provisions of any other applicable regulations of the City, but was lawfully pre-existing as of the effective date of this Ordinance or other applicable regulations.

17. **Outdoor Lighting** – Illumination of an outside area or object by any manmade device.

18. **Sport Lighting** – Lighting with the sole purpose of lighting a public sports field, court, or stadium during sporting events and training.

19. **Temporary Outdoor Lighting** – Lighting allowed as specified in an approved temporary permit pursuant to the requirements of this Chapter.

20. **Trespass Lighting** – Light emitted by a lighting fixture which is cast outside the boundaries of the property on which the lighting fixture is sited.

19.11.04 Temporary Lighting:

Any individual may submit a written request to the Planning Director for temporary lighting and obtain a temporary electrical permit for such lighting subject to the standards below.

1. The permit may allow temporary lighting for a period not to exceed ninety consecutive days, with at least ninety days passing before another temporary electrical permit may be issued for that same property.

2. The total period of all such permits issued for a single property may not exceed ninety days in any year.

3. The ability to acquire a temporary permit shall not in any way annul or eliminate any requirement to apply for and receive other permits or approvals which may be required by the City, or other applicable jurisdiction(s).

4. The request for temporary lighting must contain the following information in addition to information required to obtain a temporary electrical permit:
    a. Proposed use, purpose and location of the outdoor light requested.
    b. A written explanation of why compliance cannot be achieved.
    c. Type of lamp(s) to be used, including manufacturer's part number and initial lumens.
    d. Type of light fixture used, including manufacturer's model number and specification (cut) sheets indicating photometric distribution data stated in (ISO) foot-candle diagrams.
    e. Starting and ending dates for temporary lighting use and identification of all prior temporary lighting permits requested or approved for the subject property
    f. Contact information including name of applicant, affiliation (if applicable), address and telephone number.
    g. Such other information the Planning Director may require.

5. Notwithstanding the above provisions, no such temporary lighting permit shall be issued for lighting, which if installed, would be located within ½ (one-half) mile of the boundary of Camp W.G. Williams.

6. A permit application may be denied if it is determined that the nature, location, orientation, scale, length, intensity or other characteristic of such proposed temporary lighting will create a safety hazard, distraction to drivers, or otherwise have a negative impact on the public welfare.

7. All temporary lighting proposed under this Ordinance shall to the maximum extent practical, limit the scale of proposed temporary exemptions (lumens, trespass, hours, etc.). In taking action on any such application, the Planning Director or his/her agent may deny in whole or in part, specific proposed elements of the proposal, or impose conditions and/or modifications in order to mitigate, reduce or eliminate potential negative impacts on the public health, safety or general welfare.

19.11.05. Lighting Standards and Design Requirements.

The use of any materials or methods of installation not specifically described in this Section are prohibited.

1. **General Standards**: the standards below shall apply to all new lighting:
    a. Material: all lighting fixtures and assemblies shall be metal.
    b. Base: all lighting poles shall have a decorative base with a minimum height of sixteen inches, installed so as to conceal bolts, wires, and other structural attachments.
    c. Type: all lighting fixtures shall be of the full cutoff variety, where no more than 10% of the total lumen output of the fixture will come out at 90° above the horizontal plane of the fixture from nadir. The fixture must shield the lamp in such a way that there will be total cutoff when viewed from 100' or more from the light source.
        i. Shoebox fixtures are prohibited.
    d. Angle: all fixtures, except any lighting specifically exempted in this Chapter, shall be directed downward.
        i. For the lighting of predominately horizontal surfaces, fixtures shall be installed and aimed straight downward.
        ii. For the lighting of predominately vertical surfaces, fixtures shall be installed and aimed downward in such a manner that light is not case past the surface being illuminated, into the windows of neighboring residences, onto adjacent uses, onto public roadways, or skyward.
    e. Lamp: any bulb type, including but not limited to LEDs, metal halide, and high-pressure sodium may be used, with the requirement that the color shall be soft white or amber. Bulbs exceeding 4000k in color temperature are prohibited.
    f. Drawings: design and location of standards and fixtures shall be specified on the site development drawings.
    g. Flags: the Unites States flag and the state flag shall be permitted to be illuminated from dusk till dawn. All other flags shall not be illuminated past 11:00 p.m. Flag lighting sources shall not exceed 10,000 lumens per flagpole. The light source shall have a beam spread no greater than necessary to illuminate the flag.

2. **Residential Lighting:**
    a. Floodlights are prohibited.
    b. Pole lighting fixtures and assemblies shall be metal.
    c. Pole lighting fixtures and assemblies shall be black.
    d. Pole lighting assemblies shall include an arm and bell shade, or a pole and lantern configuration as outlined in the Technical Standards and Specification Manual.
    e. Building lighting for multi-family structures shall be full cutoff and downward directed, and only for the illumination of vertical surfaces such as building facades and signs, and shall not cast illumination beyond the surface being illuminated.

3. **Nonresidential Lighting:**
    a. All wall-mounted fixtures shall not be mounted above 16'. The exception shall be those instances where there is a second story access directly from the outdoors, and under-eave lighting. Wall-mounted lighting shall be only for the illumination of vertical surfaces such as building facades and signs, and shall not cast illumination beyond the surface being illuminated.

b. Intermittent lighting must be of the "motion sensor" type that stays on for a period of time not to exceed five (5) minutes and has a sensitivity setting that allows the lighting fixture to be activated only when motion is detected on the site.
c. All trespass lighting shall not exceed one foot-candles measured at the property line, except that trespass lighting into residential development shall not exceed 0.1 foot-candles measured at the property line.
d. With the exception of lighting that is required for security and safety such as parking lot illumination, businesses must turn off outdoor lights within one hour of closing. Business open for 24 hours must turn off 50% of their outdoor lighting by 11:00pm, however, those lighting fixtures turned off may be set to function utilizing a motion detector system.
e. Service station canopies must utilize canopy lights that are fully recessed into the canopy or are fully shielded by the canopy.
f. All freestanding lighting fixtures and assemblies shall be black.
g. Pole design shall include an arm and bell shade.
h. Parking lot poles shall be limited to a height of 16' when in or within 200' of a residential zone; all other locations shall have a height limit of 20'.
i. All lighting fixtures in surface parking lots and on the top decks of parking structures shall be fitted to render them full cutoff.

j. One hour after closing, businesses must turn off at least fifty percent (50%) of lighting fixtures in surface parking lots and on top decks of parking structures; however, those lighting fixtures turned off may be set to function utilizing a motion detector system. Such lights may be turned on one half hour prior to the first employee shift.
k. Business open for 24 hours must turn off 50% of their parking lot lighting by 11:00pm, however, those lighting fixtures turned off may be set to function utilizing a motion detector system.

4. Outdoor Sign Lighting

a. All illuminated signs located within one-half (1/2) mile of Camp W.G. Williams shall be positioned in such a manner and contain shielding devices as to significantly reduce spillover light affecting the military installation and operations. In no instance shall signs within 1/2 mile be positioned facing parallel to the adjacent boundaries of Camp W.G. Williams.
b. On-premise signs may remain illuminated during regular business hours, but may not be illuminated later than one-half (½) hour after the business is no longer open to the public, nor prior to the daily opening of the business to the public.
c. External illumination for wall signs shall be positioned in a downward direction directly onto the sign in such a manner that light does not project past the sign surface being illuminated.
d. Monument signs may have upward illumination provided the light source is not visible, and the fixtures shall be installed and aimed in such a manner that light is not projects past the sign surface being illuminated, into the windows of neighboring residences, onto adjacent uses, onto public roadways, or skyward.
e. Internally illuminated signs shall be designed so that the light source is not visible.

f. All digital signs shall be illuminated at a level no greater than 0.3 footcandles over ambient light levels for the location and time and shall employ light cutoff devices, such as louvers, to minimize light escaping above the horizontal plane.
g. Nothing in this section shall be interpreted to authorize signs in areas of the City prohibiting signs.

5. **Sports Lighting:**
   a. Field and stadium lighting fixtures shall not be mounted at a height greater than 70' and shall be directed inward and downward at an angle not to exceed 45 degrees.

6. **Walkway lighting:**
   a. Lighting of all pedestrian pathways is recommended.
   b. All pathway, walkway, and sidewalk lighting fixtures shall be mounted at a height of not to exceed than 10 feet.
   c. Bollard lighting shall be limited to height of 4 feet.

7. **Street Lighting:**
   a. All parking lot light fixtures shall be installed in locations so that glare or excessive direct light will not adversely affect adjacent properties.
   b. All light fixtures and assemblies shall be black.
   c. Pole mounted fixtures are required for street lighting and shall meet the City standard.

19.11.06. Lighting Plan.

A lighting plan shall be submitted as part of any subdivision, site plan, conditional use permit, building permit, or other applicable development application that will include artificial illumination. This plan shall include the following:

1. Plans indicating the location and types of illuminating devices on the premises.

2. Descriptions of the illuminating devices, fixtures, lamp supports, and other devices. This description may include, but is not limited to, manufacturers' specifications, drawings, and sections.

3. Photometric sheet showing measurement of light intensity across the site and onto adjacent property in terms of candela, lumens, and foot-candles.

4. Plans providing information required in the Technical Standards and Specifications Manual.

19.11.07. Other Prohibited Lighting

Unless expressly permitted elsewhere in this Title, the following are prohibited:

A. The use of laser source light or any similar high intensity light, such as used for outdoor advertising or entertainment, when projected above the horizontal plane is prohibited; and

B. The use of strobe lights is prohibited.

C. The operation of searchlights, except by authorized public safety officials, for any purposes is prohibited.

19.11.08. Maintenance of Nonconforming Lighting

A. All lighting fixtures and assemblies lawfully in place and operating prior to the effective date of this ordinance shall have legal nonconforming status.

B. Minor repair and maintenance of legal nonconforming lighting fixtures and assemblies is allowed. Replacement of a sign shall terminate nonconforming status of that fixture. At that time, all standards of this regulation must be met.

Chapter 19.12. Subdivisions.

Sections:

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

19.12.01. Purpose.

The purpose of this Chapter is to provide regulations and standards for the: development of residential and non-residential subdivisions and construction of improvements thereon, including the design and installation of roads, streets, curbs, gutters, drainage systems, water and sewer systems, and other public facilities and utilities; dedication of land and streets; granting of easements or rights-of-way; and payment of fees and other charges for the approval of a subdivision.

19.12.02. General.

1. **Sales of portions of subdivision parcels.** No person shall sell, deed, or exchange, or offer to sell, deed, or exchange, any parcel of land that is a part of a subdivision or of a larger tract of land, or record in the office of the County Recorder any subdivision plat, unless the subdivision has been approved by the City according to the provisions of the City Code. Parcels created without such approval by the City shall be considered part of an illegal subdivision and not eligible for further subdivision, ~~or~~ building permits, or other development permits until the illegal subdivision is corrected. This Chapter shall be interpreted so as to be consistent with Utah Code Chapter 10-9a.

2. **All lots subject to ordinances.** All lots, plots, or tracts of land located within a subdivision shall be subject to the provisions of the City Code, regardless of whether or not the tract is owned by the applicant or a subsequent purchaser, transferor, or holder of the land.

3. **Severability.** If any section, sentence, clause, or phrase of this Chapter is for any reason held to be invalid, such holding shall not affect the validity of the remaining portion of this Chapter.

4. **Building and occupancy permits.**
    a. It shall be unlawful for any person to receive a building permit until all improvements, including utilities, are installed in accordance with City ordinances and standards, accepted by the City in writing, and secured by a warranty bond posted to guarantee that they remain free from defects and continue to meet City standards for a period of one or two years as allowed in Utah Code § 10-9a-604.5. The City may allow building permits to be issued

before improvements are installed if a performance bond is posted (accompanied by a bond agreement) and when, in the opinion of the City Engineer, delaying those improvements will not cause public safety or utility service problems for the homes being issued permits. The bond agreement shall specify the timeframe in which the improvements must be completed.

b. There shall be no human occupancy of any building until all required improvements have been accepted in writing by the City, the building and lot are in compliance with the provisions of this Chapter and the City Code, and a certificate of occupancy has been issued. The City may allow occupancy before all required improvements are installed if a performance bond is posted (accompanied by a bond agreement) and when, in the opinion of the City Engineer, delaying those improvements will not cause public safety or utility service problems for the homes being issued occupancy permits. The bond agreement shall specify the timeframe in which the improvements must be completed.

5. **Duration.** Approvals for developments described in this Chapter are valid for twenty-four months from the date of approval. The City Council may grant extensions of time when such extensions will promote the public health, safety, and general welfare. Said extension must be requested within twenty-four months of Site Plan/Subdivision approval and shall not exceed twelve months.
   a. For phased developments, if the first phase is not recorded within twenty-four months from final plat approval, the approval for all phases shall expire.
   b. If the first phase is recorded within twenty-four months from final plat approval, the approval shall automatically be extended with each recorded phase for a period of twenty-four months measured from the date of most recent phase recordation.

~~6.~~ **Phased ~~Developments.~~~~Developments~~Subdivisions.** If the construction of various portions of any ~~development~~ subdivision is proposed to occur in stages, then the standards for phased development outlined in 19.13 shall be met. ~~open space or recreational facilities shall be developed in proportion to the number of dwellings intended to be developed during any stage of construction.~~

~~7. A Phasing Plan, including size and order of each phase and schedule of improvements to be installed, shall be approved by the City Council.~~

6. ~~Each phasing plan shall have the written approval of all property owners and shall be recorded on each plat and recorded lot. S improvements shall be installedwith a value or acreage givenphase[25]A perpetual instrument running with the land shall be recorded against the entire project that includes the, location,all values, open space easements, improvements,recordation of the first platAn open space plat, conservation easement, development agreement, or other perpetual instrument may qualify. Such instrument may be vacated upon mutual agreement between the City and landowner upon finding of good cause[26].~~

7. **Utilities.** All utility lines shall be underground in designated easements. No pipe, conduit, cable, water line, irrigation line, gas, sewage, drainage, steam, electrical, or any other energy or service shall be installed or maintained upon any lot outside of any building above the surface of the ground except during construction.
   i. No sewer, storm drain, culinary water, or irrigation water main shall be installed or maintained within a residential lot; all such utilities must be placed in an easement within protected open space or within ROW's. When placed outside right-of-way they shall be

located a minimum of 10' from any lot line and paved access roads shall be provided to all manholes or other access points required for maintenance.

(Ord. 14-4)

19.12.03. Subdivision Process and Approval Procedure.

1. **Processing of development plans.** All subdivisions are subject to the provisions of Chapter 19.13, Development Review Processes. In addition, all residential and non-residential subdivisions shall comply with this Chapter.

2. **Preliminary Subdivision Plats.** All subdivisions must receive a Preliminary Plat approval. An application for a Preliminary Plat shall follow the approved City format and must contain the following information:
   - ~~a.~~
   - ~~b.~~a. Application form, applicant certification, and application fee.
   - ~~c.~~b. Preliminary title report.
   - ~~d.~~c. Soils report.
   - d. Preliminary Hydraulic and Hydrologic report and storm drainage calculations.
   - ~~a.~~e. Wetland delineation when required by City Engineer, Planning Commission, ~~or~~ Development Review Committee, or the Army Corp of Engineers.
   - ~~b.~~ Preliminary
   - f. Traffic report. Said report shall comply with the standards outlined in the City's adopted Transportation Master Plan and shall include~~, but not be limited to,~~ the following:
     - i. an analysis of the average daily trips generated by the proposed project;
     - ii. an analysis of the distribution of trips on City street systems; ~~and~~
     - iii. a description of the type of traffic generated; and
     - iv. recommendations on what mitigation measures should be implemented with the project to maintain a~~n~~ level of service for existing and proposed residents acceptable to the City.~~.~~[27]
   - g. Data table including
     - i. total project area
     - ii. total number of lots, dwellings, and buildings~~,~~
     - iii. square footage of proposed building~~s~~ footprints and, if multiple stories, square footage by floor
     - iv. ~~,~~ number of proposed garage parking spaces~~,~~
     - v. number of proposed total parking spaces~~,~~
     - vi. percentage of buildable land~~,~~
     - vii. acreage of sensitive lands and what percent sensitive lands comprise of total project area and of open space area
     - viii. area and percentage of open space or landscaping
     - ix. area to be dedicated as right-of-way (public and private)~~, and~~
     - ~~a.~~x. net density of dwellings by acre (sensitive lands must be subtracted from base acreage).
   - ~~h. Written agreement to pay the cost of materials and postage to mail notices to all property owners as required in this Title, upon receipt of City invoice.~~

~~e. Stamped and addressed business size envelopes to all owners of property located within 300 feet of the boundary of the proposed subdivision and a list containing the names and addresses of those owners as listed in the current county records (no return address on the envelopes).~~

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

j. ALTA survey including deeds, easements, trees, utilities, structures, and other existing features and conditions.

k. Preliminary Plat: ~~Five~~ Three full-size 24" x 36" copies of the Preliminary Plat at a scale no smaller than 1" = 100' and ~~seven~~ two 11 x 17 inch reductions. Additional copies ~~will~~ may be required prior to adding the application to the Planning Commission or City Council agenda. ~~The General Layout, Grading, Drainage, and Utility Layout information may all be on one drawing if it is not too crowded, or they can be on separate drawings.~~ Each copy shall conform to the City's standard plat layout and contain at a minimum the following items:

i. General Layout~~:~~

ii. Name and address of owners of land and name and address of developer if different than owner.

iii. Name of land surveyor.

iv. The location of the proposed subdivision with respect to surrounding property and streets.

v. The name of all adjoining property owners of record, or the names of adjoining developments.

vi. The names and location of adjoining streets and all facilities within 100 feet of the platted property.

vii. Street and road layout with centerline bearing and distance labels, dimensions, and names of existing and future streets and roads, (with all new names cleared through the City GIS Department).

viii. Subdivision name cleared with Utah County.

ix. North arrow.

x. A tie to a permanent survey monument at a section corner.

xi. The boundary lines of the project with bearings and distances and a legal description.

xii. Layout and dimensions of proposed lots with lot area in square feet.

xiii. Location, dimensions, and labeling of roads, structures, irrigation features, drainage, parks, open space, trails, etc.

xiv. Location of prominent natural features such as rock outcroppings, woodlands, steep slopes, etc.

xv. Proposed road cross sections.

xvi. Proposed fencing.

xvii. Vicinity map.

xviii. Signature blocks for preliminary approval by Planning Commission and City Council.

xix. The Preliminary Plat shall be prepared and stamped by a professional surveyor or engineer licensed in Utah.

xx. Proposed methods for the protection or preservation of sensitive lands.

xxi. Location of any flood plains, wetlands, and other sensitive lands.
xxii. Location of 100-year high water marks of all lakes, rivers, and streams.

l. Preliminary Construction drawings containing, at a minimum, all items specified in the City's "Standard Technical Specification and Drawings" manual. Applicant shall provide three ~~three~~ full-size 24" x 36" copies and two ~~five~~ 11 x 17 inch reductions[28]. Additional copies may be required prior to adding the application to the Planning Commission agenda.

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

n. Phasing plan including a data table with the following information for each phase:
   i. total area in square feet and acres
   ii. number of lots or dwelling units
   iii. open space area and percentage
   iv. utility phasing plan
   v. number of parking spaces
   vi. recreational facilities to be provided

o. Lighting plan including photometric information for the site and for immediately adjacent properties, and fixture design, height, and placement consistent with the requirements in Section 19.11.

p. File of all plans, documents, and reports in pdf format.

q. A copy of the Utah County plat map showing ownership and parcel numbers.

r. A document from UDOT Region 3 stating ~~they have~~that UDOT has granted approval for all proposed accesses~~access~~ onto any State road.

s. Geolocated KMZ file including lot line(s), lot number(s), road centerline(s), building footprint(s) where buildings are proposed, open space, and sensitive lands

3. **Final Plat** Upon approval of a preliminary subdivision plat by the City Council, or concurrently with the preliminary plat, the developer must submit a final subdivision plat application to the City.

~~b. General Layout:~~

~~c. Name and address of owners of land and name and address of developer if different than owner.~~

~~d. Name of land surveyor.~~

~~e. The location of the proposed subdivision with respect to surrounding property and streets.~~

~~f. The name of all adjoining property owners of record, or the names of adjoining developments.~~

~~g. The names and location of adjoining streets and all facilities within 100 feet of the platted property.~~

~~h. Street and road layout with centerline bearing and distance labels, dimensions, and names of existing and future streets and roads, (with all new names cleared through the City GIS Department).~~

~~i. Subdivision name cleared with Utah County.~~

~~j. North arrow.~~

~~k. A tie to a permanent survey monument at a section corner.~~

~~l. The boundary lines of the project with bearings and distances and a legal description.~~
~~m. Layout and dimensions of proposed lots with lot area in square feet.~~
~~n. Location, dimensions, and labeling of roads, structures, irrigation features, drainage, parks, open space, trails, etc.~~
~~o. Location of prominent natural features such as rock outcroppings, woodlands, steep slopes, etc.~~
~~p. Proposed road cross sections.~~
~~q. Vicinity map.~~
~~r. Proposed fencing.~~
~~s. Signature blocks for preliminary approval by Planning Commission and City Council.~~
~~10. The Preliminary Plat shall be prepared by a professional engineer licensed in Utah.~~
~~i. Proposed methods for the protection or preservation of sensitive lands.~~
~~10. Grading and Drainage Plans:~~
~~10. Topography at two-foot intervals.~~
~~10. Road and lot layout.~~
~~10. Areas of substantial earth moving with erosion control plan.~~
~~10. Location of existing water courses, canals, ditches, springs, wells, culverts, and storm drains.~~
~~10. Location of any flood plains, wetlands, and other sensitive lands.~~
~~10. Location of 100-year high water marks of all lakes, rivers, and streams.~~
~~10. A storm drainage plan showing water flow directions, inlets, outlets, catch basins, waterways, culverts, detention basins, outlets to offsite facilities, off-site drainage facilities planned to accommodate the project drainage, and drainage plans proposed to facilitate the 10-year storm event. An off-site discharge rate of 0.2 cubic feet per second is the maximum allowed.~~
~~10. Irrigation water systems shown with provisions to preserve them.~~
~~i. Utility Layout Plans:~~
~~10. All existing and proposed utilities including sewer, culinary water, secondary water, fire hydrants, storm drainage, subsurface drains, gas lines, overhead power lines, and street lights.~~
~~10. Fire flow calculations at all hydrant locations.~~
~~10. Location and dimensions of all utility easements, existing and proposed.~~
~~10. Landscaping plan drawn by certified landscape architect, including planting plan, data table including vegetation types and percentages, percentage of turf, and other information consistent with the standards in 19.06. Irrigation water systems shown with provisions to preserve them.~~
~~Preliminary construction drawings per Engineering Standards.~~
~~Erosion control plan.~~
~~Open space and sensitive lands plan, including delineation and acreage of sensitive lands, delineation and acreage of total open space, percentage of open space consisting of sensitive lands, proposed method for preservation of open space, and recreational facilities.~~
~~Phasing plan including number of lots, open space plat, utility phasing, and recreational facilities.~~
~~Lighting plan including photometric information for the site and for immediately adjacent properties, and fixture design, height, and placement.~~
~~i. File of all plans in pdf format.~~

~~i. A copy of the Utah County plat map showing ownership and parcel numbers.~~

~~i. A document stating that UDOT has granted approval for access onto any State road.~~

~~Geolocated KML file including lot line(s), lot number(s), road centerline(s), building footprint(s) where buildings are proposed, open space, and sensitive lands~~

~~mm.~~

~~9. **Final Plat.** Upon approval of a preliminary subdivision plat by the City Council, or concurrently with the preliminary plat, the developer must submit a final subdivision plat application to the City.~~

~~oo.~~a. The developer may submit a Final Plat application with the Planning Director at any time after the Preliminary Plat application for a subdivision has been submitted and all applicable fees have been paid so long as any Preliminary Plat approval has not expired; Final Plat approval may not occur until after Preliminary Plat approval but applications may be processed concurrently.

~~pp.~~b. Upon receipt of an application for a Final Plat, the following process shall be followed:

i. The Planning Director and City Engineer shall have ten business days to determine whether the application is complete. The applicant shall be notified in writing if the application is complete and, if incomplete, shall be notified of the reasons why the application is deficient.

ii. Once an application is deemed to be complete, City Staff shall review the proposed Final Plat and determine whether it is in compliance with the approved Preliminary Plat, other provisions of the City Code, and any modifications, requirements, findings, and conditions made during Preliminary Plat approval. If the proposed Final Plat fails to comply, the Planning Director shall direct the City staff to return it to the developer, along with a written list of deficiencies. The Planning Director is specifically charged with ensuring that all significant conditions required for Final Plat have been resolved before recommending City Council action.

iii. If the Planning Director recommends that a proposed Final Plat be approved, the City staff shall place it on the agenda of the next available meeting where the application may be properly considered. If the City Council finds that the plat is in its final form and complies with the City Code and with the terms and conditions of the approved plat, it shall authorize the Mayor to sign the proposed Final Plat. If the City Council determines that the Final Plat does not comply with the City Code and with the terms and conditions of the approved plat, it shall direct City staff to return the proposed Final Plat to the developer, along with a written list of deficiencies that must be corrected before the City Council will authorize the Mayor to sign it.

iv. The City Recorder, or his or her designee, shall be responsible for recording subdivision plats. The subdivider shall pay for all recording fees at the time of recordation. No Final Plats shall be recorded unless and until the plat is properly approved, signed, and accepted by the City.

1. **Final Plat Application Requirements.** Applications for Final Plats shall be on an approved-City form and include the following items:
   a. Application form, applicant certification, and paid application fee.
   b. Signed easements and agreements with adjacent property owners for necessary off-site facilities.

c. Signed and recorded articles of incorporation bylaws, and conditions, covenants, and restrictions of the Home Owners Association, if any.

d. Certificate of Existence and Certificate of Good Standing from the State of Utah for the Home Owners Association, if any.

e. Final Hydraulic and Hydrologic storm drainage report and calculations

f. **Final Traffic report**. Said report shall comply with the standards outlined in the City's adopted Transportation Master Plan and shall include, but not be limited to, the following:

v. an analysis of the average daily trips generated by the proposed project;

vi. an analysis of the distribution of trips on City street systems;

vii. a description of the type of traffic generated; and

viii. recommendations on what mitigation measures should be implemented with the project to maintain an level of service for existing and proposed residents acceptable to the City.

g. **Data table** including: ~~Data table including~~

i. total project area

ii. total number of lots, dwellings, and buildings

iii. square footage of proposed building fooprints and, if multiple stories, square footage by floor

iv. number of proposed garage parking spaces

v. number of proposed parking spaces

vi. percentage of buildable land

vii. acreage of sensitive lands and what percent sensitive lands comprise of total project area and of open space area

viii. area and percentage of open space or landscaping

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

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

~~a.~~

~~c. **Itemized construction cost estimate.**~~

~~c. **Evidence of water rights and compliance with the City's water utility ordinance. Water rights shall be transferred to the City and approved for municipal use within the City by the Utah State Engineer prior to Final Plat approval and recordation.**~~

Final Subdivision Plat:

~~Final subdivision plats shall be detailed in ink on reproducible Mylar sheets that are 24" x 36". Five~~

h. ~~Three~~ ~~full~~f~~F~~Three full-size 24" x 36" sheets and two ~~seven~~ ~~five~~ 11" x 17" copies shall be submitted at a scale no smaller than 1" = 100'.~~.~~ Additional copies ~~will~~ may be required prior ~~to the Planning Commission~~~~City Council~~ ~~meeting where final plats are scheduled for consideration~~to adding the application to the Planning Commission or City Council agenda. Each Copy shall conform to the City's standard plat layout and contain at a minimum the following items:.~~consideration.~~

~~Three blueprint copies of the complete construction drawings shall also be submitted.~~

~~Final plats shall be in the standard form as maintained by the City Engineer.~~

~~i. In addition, a~~~~All final plats shall include (or be accompanied by) the following:~~

i. Subdivision name and location.

ii. Name and address of owners of land and name and address of developer if different than owner.
iii. Name of land surveyor.
iv. The location of the proposed subdivision with respect to surrounding property and streets.
v. The name of all adjoining property owners of record, or the names of adjoining developments.
vi. The names and location and ROW widths of adjoining streets and all facilities within 100 feet of the platted property.
vii. Subdivision name cleared with Utah County.
viii. North arrow.
ix. A tie to a permanent survey monument at a section corner.
x. The boundary lines of the project with bearings and distances and a legal description with total project area in SF and acres.
xi. Layout and dimensions of proposed lots with lot area in square feet and acres. Lot boundaries shall include dimensions and bearings. Building envelopes shall be shown with dimensions and areas on each lot where slopes are greater than ten percent.
xii. Lot Numbers
xiii. Location, dimensions, and labeling of roads, structures, irrigation features, drainage, parks, open space, trails, etc.
xiv. Location of prominent natural features such as rock outcroppings, woodlands, steep slopes, etc.
xv. Proposed road ROW widths.
xvi. Vicinity map.
xvii. Signature blocks for preliminary approval by Planning Commission and City Council.
xviii. The Preliminary Plat shall be prepared by a professional engineer licensed in Utah.
xix. Proposed methods for the protection or preservation of sensitive lands.
xx. Fencing plans.
xxi. Location of any flood plains, wetlands, and other sensitive lands.
xxii. Flood plain boundaries as indicated by the Federal Emergency Management Agency as well as the location of 100-year high water marks of all lakes, rivers, and streams.
~~ii.~~ Existing and Proposed ~~Subdivision name and location.~~
~~iii. Description of land to be included in the subdivision with appropriate survey ties to existing section corners.~~
~~iv. The total subdivision area.~~
~~v. Width and names of existing and proposed roads.~~
~~vi. Drawing scale to be no smaller than one inch = 100 feet.~~
~~vii. Lot dimensions, property line bearings, and area.~~
~~viii. Building envelope shown on each lot where slopes are greater than ten percent.~~
~~ix. Lot numbers.~~
~~x.~~ xxiii. ~~E~~easements.
~~xi.~~ xxiv. Street monument locations.
xxv. Fire hydrant locations ~~(every 500 feet)~~.

~~xii. Irrigation plans.~~

~~xiii.~~xxvi. Street light locations (at intersections and every 300 feet, placed on alternating sides of streets).

~~xiv. Boundary fences.~~

~~xv. Flood plain boundaries as indicated by the Federal Emergency Management Agency.~~

~~xvi. Certificate of Survey.~~

~~xvii. Signature blocks per the City standard plat.~~

~~xviii.~~xxvii. Lot and road addresses and addresses for each intersection. Road names must meet the requirements of Chapter 19.27 and be cleared by the City GIS department.

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

j. **Landscaping and irrigation plans** drawn by certified landscape architect, including planting plan, data table including vegetation types and percentages, percentage of turf, installation details and other information consistent with the standards in 19.06. .

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

1.11.01 Subtotal area in square feet and acres
1.11.02 number of lots or dwelling units
1.11.03 open space area and percentage
1.11.04 utility phasing plan
1.11.05 number of parking spaces
1.11.06 recreational facilities to be provided
1.11.07 overall plan showing existing, proposed, and remaining phases

l. **Lighting plan** including photometric information for the site and for immediately adjacent properties, and fixture design, height, and placement consistent with the requirements in Section 19.11.

m. File of all plans, documents and reports in pdf format.

n. A document from UDOT Region 3 indicating ~~they havetating~~ that UDOT has granted approval for all proposed accesses onto any State road.

o. **Geolocated KMZ file** including lot line(s), lot number(s), road centerline(s), building footprint(s) where buildings are proposed, open space, and sensitive lands.

p. **Title Report.** A title report shall be provided that is current within 30 days of recording the final plat.

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

~~Data table including~~

~~total number of lots, dwellings, and buildings,~~
~~square footage of proposed buildings by floor,~~
~~number of proposed garage parking spaces,~~
~~number of proposed parking spaces,~~
~~percentage and acreage of buildable land,~~

- percentage and acreage of sensitive lands
- percentage and acreage of open space or landscaping,
- 0. net density of dwellings by acre.

Any and all notes listed on the approved City standard plat.

. Any and all notes necessary to implement conditions of approval.

. Complete Final Construction Drawings containing the followingper the Engineering CodeCode:.

0. Plan and profile and construction detail drawings prepared by a licensed professional Engineer. His or her signature and seal shall be on each sheet.
0. Control data referencing information contained on County area reference plats (A.R.P.s) consistent with that of the included subdivision.
0. Elevations tied to an existing Utah County benchmark and including a benchmark for the project.
0. Drawings on a scale of 1" = 20' horizontal and 1" = 5' vertical. The vertical scale may be smaller in unusual circumstances.
0. Stationing increasing from the left to the right.
0. Centerline data and property line data including details of all curves.
0. Centerline profiles a minimum of 300 feet each way from the ends of subdivision streets except where curb, gutter, and sidewalk exist adjacent to the subdivision.
0. Location of all improvements within or adjoining the subdivision. This includes curb and gutter, sidewalk and ground pipes and utilities, ditches, canals, fire hydrants, street lights, valves, etc.
0. Location of all proposed structures. Detailed standard county structures need not be detailed on the grade sheets, if the applicable county drawing if referenced.
0. All proposed drainage facilities, including pipe and boxes. This includes plan and profile of the system showing how the drainage water is to be disposed of, and a detailed drawing of the storm water detention system.
0. Horizontal and Vertical Curves. Where vertical curves are required for a smooth transition, the horizontal distance shall be a minimum of 100 feet. Wherever vertical curves coincide with horizontal curves, points on the vertical curve shall be calculated to coincide with fractional arc lengths on the horizontal curve. Elevations shall be shown on all horizontal and vertical curves at approximately twenty-five-foot intervals and at the points of curvature and the points of tangency.
0. Grade lines and topography. The minimum grade for curb and gutter shall be 0.4 percent, or 0.5 percent if FHA financed. The maximum grade shall be twelve percent. Percent of grade shall be shown on straight grades with elevations at approximately fifty-foot intervals. Flow arrows shall be shown to indicate direction of drainage.
0. Roadway crowns calculated on the basis of a 2.0 percent grade from the lip of gutter.
0. All street names and numbers. See Chapter 19.27 for specific requirements.
0. Roadway cross-sections.

~~Any existing trees that are four-inch caliper or larger that are within the right-of-way.~~
~~The existing grade elevations.~~
~~A reference to the City of Saratoga Springs Construction Standards and Specifications Manual.~~
~~Road signs and stop signs.~~
~~All proposed sanitary sewer facilities.~~
~~All proposed culinary and secondary water facilities.~~
~~File of all plans in pdf format.~~
~~Geolocated KML file including lot line(s), lot number(s), road centerline(s), building footprint(s), open space, and sensitive lands.~~
~~**Title Report.** A title report shall be provided that is current within 30 days of recording the final plat.~~

(Ord. 14-4)

19.12.04. Condominium Process and Approval Procedure.

1. All condominium projects shall receive Site Plan ~~and~~ or Preliminary Plat approval as required by this Title. Both approvals may occur concurrently.

2. Upon approval or filing of a Site Plan or Preliminary Plat for a condominium project, the developer shall submit to the city a Declaration of Condominium prepared in accordance with the requirements of the Utah Code and a Record of Survey Map (also referred to as condominium plat) meeting the requirements of the Utah Code.

3. The developer may submit a condominium plat application with the Planning Director at any time after the Site Plan or Preliminary Plat for a condominium development has been approved and all necessary fees have been paid.

4. Upon receipt of an application for a condominium plat, the following process shall be followed:
    a. The Planning Director and City staff shall have ten business days to determine whether the application is complete. The applicant shall be notified in writing if the application is complete and, if incomplete, shall be notified of the reasons why the application is deficient.
    b. Once an application is deemed to be complete, the Development Review Committee shall complete a review of the proposed condominium plat and submit a report to the Planning Commission at least three days prior to the meeting where the Planning Commission will review the condominium plat application.
    c. The Planning Commission shall review the proposed condominium plat and determine whether it is in compliance with the approved Site Plan and other provisions of the City Code and any requirements imposed as a condition of that Site Plan approval.
        i. If the proposed condominium plat complies, the Planning Commission shall approve it for signature by the Mayor, after final approval of the Development Agreement (if necessary) by City staff.

d. At the conclusion of the one or two year warranty period, the City must issue a Certificate of Final Acceptance before the retained ten percent can be released.

4. **Default.** In the event that the owner, developer, or contractor is in default or fails or neglects to satisfactorily install the required improvements within one year from the date of posting the performance bond (or other period of time as specified per agreement with the City), or fails to correct, repair, or replace the defective improvements during the one or two year warranty period, the City may declare the bond proceeds forfeited and may, in its sole discretion, install or cause the required improvements to be installed, repaired, or replaced using the bond proceeds. The City may also use the bond proceeds to pay for administrative and legal costs incurred and may take any other action legally available.

19.12.06. General Subdivision Improvement Requirements.

1. **Subdivision Layout.** This Section contains general requirements regarding overall subdivision design and layout. The following provisions apply to new subdivisions:
   a. The subdivision layout should be generally consistent with the City's adopted Land Use Element of the General Plan, and shall conform to any land use ordinance, any capital facilities plan, and any impact fee facilities plan.
   b. The maximum length of blocks shall be 1,000 feet. In blocks over 800 feet in length, a dedicated public walkway through the block at approximately the center of the block will be required.
      i. Such a walkway shall not be less than fifteen feet in width unless otherwise approved by the City.
      ii. Blocks intended for commercial or industrial uses shall be designed specifically for such purposes, with adequate space set aside for off-street parking and delivery facilities.
      iii. A block shall be measured from the centerline of one intersection to the centerline of the next intersection or apex of the nearest cul-de-sac. For purposes of measuring block length, an intersection may include two-way, three-way, or four-way intersections of roadways.
   c. The City will require the use of connecting streets, pedestrian walkways, trails, and other methods for providing logical connections and linkages between neighborhoods.
   d. Private roads may be constructed as approved as part of the Preliminary Plat approval and so long as such roads meet the same standards identified in the Saratoga Springs Standard Street Improvement Details.
   ~~d.~~e. Where the vehicular access into a subdivision ~~adjoins~~intersects an arterial road as defined in the Transportation Master Plan, driveways shall not be placed on the ~~access~~intersecting road within 100' of the arterial connection as measured from edge of the arterial right of way to the nearest edge of driveway surface ~~and shall instead be placed on interior roads~~ to avoid vehicles backing into the stacking area for the arterial.
   ~~e.~~f. Access:
      i. Two separate means of vehicular access onto a collector or arterial road shall be required when the following threshold is met:
         1. Whenever the total number of dwelling units served by a single means of access will exceed fifty.

ii. Exceptions: where no point of second access is available within five hundred feet (500'), and where all units are provided with an approved sprinkler system, a second access shall not be required until the number of units reaches double the above limits.

iii. Where two means of access are required, the points of access shall be placed a minimum of 500 feet apart, measured along the center of the driving lane from center of right-of-way to center of right-of-way. The City Fire Chief may require a greater distance than 500 feet if:

1. an essential link exists between a legitimate governmental interest and the requirement; and
2. the requirement is roughly proportionate, both in nature and extent, to the impact of the proposed development.

~~1.~~g. Shared driveways shall be a minimum of twenty feet in width and shall direct all runoff to a public or private drainage system. All dwellings on shared driveways shall provide enclosed garages or other covered parking; shared driveways accessing more than four dwellings shall also provide a minimum of twenty feet of parking space between the garage and shared driveway. All requirements of the Fire Code shall also be met.

2. **Lot Design.** The following provisions apply to new lots:
   a. All subdivisions shall result in the creation of lots that are developable and capable of being built upon. A subdivision shall not create lots that would make improvement impracticable due to size, shape, steepness of terrain, location of watercourses, sanitary sewer problems, driveway grades, or other physical constraints and considerations.
   b. All lots or parcels created by the subdivision shall have frontage on a street or road that meets the City's ordinances, regulations, and standards for public roads.
   c. Flag lots may be approved with less frontage when the Planning Commission determines that the creation of such a lot would result in an improved design or better physical layout for the lot based on the following criteria:
      i. For subdivisions with 20 or less lots: no more than 10% (rounding down) of the total lots are allowed to be flag lots;
      ii. For subdivisions with 50 or less lots: no more than 7.5% of the total lots are allowed to be flag lots; and
      iii. For subdivision with more than 50 lots: no more than 5% of the total lots are allowed to be flag lots.
   d. Land dedicated as public roads and rights-of-way shall be separate and distinct from land included in lots adjacent to public roads and rights-of-way. In no case may land dedicated for public roads and rights-of-way be included in the area calculation of any lots.
   e. Side property lines shall be at approximately right angles to the street line or radial to the street line.
   f. Corner lots for residential use shall be platted ten percent larger than interior lots in order to facilitate conformance with the required street setback for both streets.
   g. No lot shall be created that is divided by a municipal or county boundary line. Each property boundary line shall be made a lot line.
   h. Remnants of property shall not be left in the subdivision that do not conform to lot requirements or are not required or suitable for common open space, private utilities, public purposes, or other purpose approved by the City Council.

i. Double access lots are not permitted with the exception of corner lots.
j. Driveways for residential lots or parcels shall not be allowed to have access on major arterials such as Redwood Road, Crossroads Boulevard, Pioneer Crossing, and Pony Express. Exceptions may be made for large lots (at least 1 acre in size) or for lots where the home is set back over 150 feet from the arterial roadway. Approval by UDOT may be required.
k. All subdivisions along arterial roadways shall conform to the City's requirements and adopted street cross-section including pedestrian walkways, park strips, landscaping, and fencing.

3. **Timing of Installation; Phasing.** The City permits developers to separate approved preliminary plats into phases for review, approval, and recording subject to the following conditions:
   a. Bonding for each phase is required and shall include (in addition to the requirements of 19.12.05):
      i. improvements required for that phase;
      ii. major off-site improvements needed for the completion of the entire approved preliminary plat; and
      iii. subdivision-wide improvements of major importance such as neighborhood parks, trails, open space, or other neighborhood amenities that will otherwise be installed for the entire project as set forth in the development agreement, subdivision approvals, construction drawings, and approved plans.
   b. Each phase shall have at least two contiguous and paved accesses to ensure adequate circulation and access for the duration of the construction of one or more phases.
   Open space and improvements shall be provided as required under phasing in Section 19.13.
   c.
   1. d. Improvements must be completed within twenty-four months of recording the each Final Plat, unless a shorter period is otherwise provided in a development or bond agreement.
   2. e. Road access must be provided as approved by the City Engineer and Fire Department.
   3. f. Fire hydrants or alternative fire protection methods must be operational before any home construction within the subdivision will be allowed to proceed above foundation level. Other restrictions contained in the Building Code may also apply. Exceptions for model homes may be approved in accordance with Section 19.05.02.

(Ord. 14-11, Ord. 14-4)

19.12.07. Minor Subdivision Approval Procedure.

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

1. **Limitations.**

a. A Minor Subdivision is a one-time process. ~~Lots~~ To ensure adequate infrastructure, lots ~~created through a Minor Subdivision~~ contained in an existing recorded subdivision plat are not eligible to apply for a~~n 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~~ [29]~~zones.~~

~~**d.**~~**c.** Lots created through a Minor Subdivision may not be buildable until all other applicable State and local requirements are met.

2. **Complete Application.** The Planning Director and City Staff shall have ten business days to determine whether the application is complete. The applicant shall be notified in writing if the application is complete and, if incomplete, shall be notified of the reasons why the application is deficient.

3. **DRC Review.** Once an application is deemed to be complete, the Development Review Committee shall complete a review of the proposed plat and submit a report to the Planning Commission prior to the meeting where the Planning Commission will review the Final Plat application.

4. **Planning Commission.** The Planning Commission shall conduct a public hearing and review the proposed Final Plat to determine whether it is in compliance with the City Code.
   a. If the proposed plat complies, the Planning Commission shall approve the plat and authorize the Mayor to sign the plat.
   b. If the proposed plat fails to comply, the Planning Commission shall deny the plat, or may continue the decision with direction to the City staff to return it to the developer along with a written list of deficiencies that must be corrected before the Planning Commission will authorize the Mayor to sign it.
   c. The Planning Commission is specifically charged with ensuring that all significant conditions required for plat approval have been resolved before taking final action.

5. **Recordation.** The City Recorder, or designee, shall be responsible for recording subdivision plats. The subdivider shall pay for all recording fees at the time of recordation. No Final Plat shall be recorded unless and until the plat is properly approved, signed, and accepted by the City.

6. **Application Requirements.** Applications for Minor Subdivision plats shall include the following items:
   a. application form completed and application fee paid;
   b. updated Preliminary Title Report;
      i. The Title Report must also demonstrate that the proposed minor subdivision has not been involved in any prior minor subdivision;
   c. Minor Subdivision Plats shall conform to all of the requirements for Final Subdivision Plats layouts as provided in section 19.12.03~~:Minor Subdivision Plat.:~~
      ~~Three full-size sheets 24" x 36" and seven 11" x 17" copies shall be submitted along with a digital copy. Additional copies will be required prior to the Planning Commission meeting where the plat is scheduled for consideration.~~

~~Three blueprint copies of the complete construction drawings shall be submitted.~~
~~The plat shall include the following:~~

- ~~Subdivision name and location.~~
- ~~Description of land to be included in the subdivision with appropriate survey ties to existing section corners.~~
- ~~The total subdivision area.~~
- ~~Width and names of existing and proposed roadways~~
- ~~Drawing scale to be no smaller than one inch = 100 feet.~~
- ~~Lot dimensions, property line bearings and area.~~
- ~~Lot numbers.~~
- ~~Easements.~~
- ~~Street monument locations.~~
- ~~Flood plain boundaries as indicated by the Federal Emergency Management Agency.~~
- ~~Record of Survey.~~
- ~~Signature blocks per the City standard plat.~~
- ~~Lot and road addresses and addresses for each intersection.~~

(Ord. 14-4)

19.12.08. Property Line Adjustments (Exchange of Title).

1. **Standards.** Owners may adjust property lines between adjacent lots or parcels that are described by either a metes and bounds description or a recorded plat, by exchanging title portions of those parcels after approval if:
   a. no new dwelling lot or dwelling results from the property line adjustment;
   b. the number of lots or parcels does not increase;
   c. the adjoining property owners consent to the property line adjustment;
   d. the property line adjustment does not result in remnant land that did not previously exist; and
   e. the adjustment does not result in a violation of applicable zoning requirements.

~~1.~~ **Application.** The owners shall file an application requesting a property line adjustment together with all required documents.

2.

3. **Planning Director Review.** The Planning Director shall review all the documents to determine if they are complete and that they comply with the requirements set forth above. If the Planning Director determines that documents are complete ~~and the requested property line adjustment complies with the standards set forth above~~, the Planning Director will ~~approve~~ take action the Property Line Adjustment.
   i. the Planning Director shall determine whether the ~~amended~~property line adjustment ~~plat~~ complies with the requirements of this section and this Title; and
   ii. the Planning Director shall approve, approve with conditions, or deny the amendment~~;~~. ~~and~~

~~if the Planning Director approves an amended plat, the Mayor shall sign a plat showing the alteration and direct that the plat be recorded in the office of the Utah County Recorder.~~

~~0.~~

~~2.~~4. **Notice of Approval and Conveyance of Title.** After approval by the Planning Director, the applicant shall:

a. Prepare a Notice of Approval which:
   i. is executed by each owner included in the exchange;
   ii. is signed by the Planning Director;
   iii. contains an acknowledgment for each party signing the Notice as required by State law for real property; and
   iv. recites the description of both the original parcels and the parcels created by the property line adjustment; and
b. Record a deed which conveys title as approved;
c. Record the Notice of Approval; and
d. Provide City staff with a recorded copy of the Notice of Approval.

~~3.~~5. **Property Line Adjustment Not a Subdivision.** A property line adjustment shall not be deemed a subdivision of property and shall not be required to follow the subdivision process of this Title.

~~4.~~6. **Other Divisions of Land**. Other divisions of land not meeting the definition of subdivision in Utah Code § 10-9a-103, as amended, shall be allowed so long as the process in this Section is complied with and all requirements of § 10-9a-103 are met.

19.12.09. Vacating or Amending a Subdivision Plat.

1. **Plat Amendment.** The City shall follow the process outlined in Utah Code Chapter 10-9a for the vacation of any public street, right-of-way, easements, or alley.

~~2. **The Planning Commission shall follow the standards and procedures and provide the notice as required in Utah Code Chapter 10-9a for vacating or amending a plat.**~~

2. **Applicability.** Owners may petition to vacate or amend a recorded subdivision plat if the petition does not affect the location or boundary of a road or the boundary of the plat, and seeks to:
   a. join two or more of the petitioning fee owner's lots; or
   b. vacate or alter private streets, rights-of-way, easements, or alleys, or
   c. adjust internal lot restrictions subject to the standards of this Title and applicable conditions of approval for the original plat.

3. **Standards.** Plat amendments shall be approved if:
   d. no new dwelling lot or dwelling results from the plat am~~d~~endment; and
   e. the number of lots or parcels does not increase; and
   f. the affected property owners consent to the amendment; and
   g. the amendment does not result in remnant land that did not previously exist; and
   h. the amendment does not violate conditions of approval for the original plat; and
   i. the amendment does not result in a violation of applicable zoning requirements.

4. **Application.** The owners of affected lots shall file an application on an approved City form and include the following items:

a. Application form, applicant certification, and paid application fee.
b. ~~Amended~~ Plat that conforms to all of the requirements of a Final Plat as provided in section 19.12.03.
c. Data table including
   i. total project area
   ii. total number of lots, dwellings, and buildings
      ~~square footage of proposed building footprints and, if multiple stories, square footage by floor~~
   iii. number of proposed garage parking spaces
   iv. number of proposed parking spaces
   v. percentage of buildable land
   vi. acreage of sensitive lands and what percent sensitive lands comprise of total project area and of open space area
   vii. area and percentage of open space or landscaping
   viii. area to be dedicated as right-of-way (public and private)
   ix. net density of dwellings by acre (sensitive lands must be subtracted from base acreage).

~~Amended plats shall be detailed in ink on reproducible Mylar sheets that are 24" x 36".~~
~~Three full-size 24" x 36" sheets and five 11" x 17" copies shall be submitted. Additional copies will be required prior to the Planning Commission meeting where amended plats are scheduled for consideration.~~
~~Amended plats shall be in the standard form as maintained by the City Engineer.~~
~~All amended plats shall include (or be accompanied by) the following:~~
~~Amended subdivision name and location.~~
~~Description of land to be included in the amendment with appropriate survey ties to existing section corners.~~
~~The total amended area.~~
~~Width and names of existing and proposed roads.~~
~~Drawing scale to be no smaller than one inch = 100 feet.~~
~~Lot dimensions, property line bearings, and area, including graphic demonstration of items to be amended.~~
~~Building envelope shown on each lot where slopes are greater than ten percent.~~
~~Lot numbers.~~
~~Easements.~~
~~Street monument locations.~~
~~Fire hydrant locations (every 500 feet).~~
~~Irrigation plans.~~
~~Street light locations (at intersections and every 300 feet, placed on alternating sides of streets).~~
~~Boundary fences.~~
~~Flood plain boundaries as indicated by the Federal Emergency Management Agency.~~
~~Certificate of Survey.~~

- ~~Signature blocks per the City standard plat.~~
- ~~Lot and road addresses and addresses for each intersection. Road names must meet the requirements of Chapter 19.27 and be cleared by the City GIS department.~~
- ~~Data table including~~
- ~~total number of lots, dwellings, and buildings~~
- ~~square footage of proposed buildings by floor~~
- ~~number of proposed garage parking spaces~~
- ~~number of proposed parking spaces~~
- ~~percentage and acreage of buildable land~~
- ~~percentage and acreage of sensitive lands~~
- ~~percentage and acreage of open space or landscaping~~
- ~~net density of dwellings by acre.~~
- ~~Any and all notes listed on the approved City standard plat.~~
- ~~Any and all notes necessary to implement conditions of approval.~~ A copy of the Utah County plat map showing ownership and parcel numbers.

d.

- File of all plans in ~~pdf format~~pdf format.

e.

f. Geolocated KML file including lot line(s), lot number(s), road centerline(s), building footprint(s), open space, and sensitive lands.

5. **Title Report.** A title report shall be provided that is current within 30 days of recording the final plat.

6. **Land Use Authority.**
   ~~1.~~ The Planning Director is hereby designated as the land use authority for plat amendments involving only lot combinations.

   a.

   b. The Planning Commission is hereby designated as the land use authority for all other ~~other~~ plat amendments and vacations that do not not affect a public road.

7. **Planning Director Review.** The Planning Director shall review all the documents to determine if they are complete and that they comply with the requirements set forth above.
   j. For plat amendments where the Planning Director is the Land Use Authority, if the Planning Director determines that documents are complete the Planning Director shall take action on the application.
      i. the Planning Director shall determine whether the amendment complies with the requirements of this section and this Title; and
      ii. the Planning Director shall approve, approve with conditions, or deny the amendment. ~~the Planning Director shall determine whether the amended plat complies with the requirements of this section and this Title;~~
   - ~~the Planning Director shall approve, approve with conditions, or deny the amendment; and~~
   - ~~if the Planning Director approves an amended plat, the Mayor shall sign a plat showing the alteration and direct that the plat be recorded in the office of the Utah County Recorder.~~

k. For plat amendments where the Planning Commission is the Land Use Authority, if the Planning Director determines that documents are complete, the Planning Director shall schedule the plat amendment for a public hearing at the next available Planning Commission meeting.

8. **Planning Commission Review and Action.**
   a. For amendments where the Planning Commission is the Land Use Authority, the Planning Commission shall hold a public hearing after providing required notice;
      i. the Planning Commission shall determine whether the amended plat complies with the requirements of this section and this Title;
      ii. the Planning Commission may approve, approve with conditions, or deny the amendment; and
      iii. if the Planning Commission approves an amended plat, the Mayor shall sign a plat showing the alteration and direct that the plat be recorded in the office of the Utah County Recorder.
   b. **Notice.** Prior to the public hearing, the City shall provide the notice required by Utah Code Chapters 10-9a and 52-4. The applicant shall pay the cost to post and provide notice to all property owners within 300 feet of the application, prior to final approval.

9. **Plat Amendment Not a Subdivision.** A plat amendment shall not be deemed a subdivision of property and shall not be required to follow the subdivision process of this Title.

19.12.10. Vacating or Altering Public Streets, Rights-of-Way, Easements, or Alleys.

1. **Vacating Public Streets, Rights-of-Way, Easements, or Alleys.** The City Council shall follow the process outlined in Utah Code Chapter 10-9a for the vacation of any public street, right-of-way, easements, or alley.

2. **Altering Public Streets, Rights-of-Way, Easements, or Alleys.** This Subsection shall only apply if a subdivision plat is not being amended and no portion of a public street, right-of-way, easement, or alley is being vacated. Amending street or road names are not considered an alteration.
   ~~a.~~c. **City Council Review and Determination.** The City Council is hereby designated as the land use authority to consider the alteration of any portion of a public street, right-of-way, easement, or alley. The City Council may, with or without a petition or request, alter any public street, right-of-way, easement, or alley whether within a subdivision or not, following the procedures set forth below:
      i. the City Council shall hold a public hearing after providing notice as set forth hereafter;
      ii. the City Council shall determine whether good cause exists for the alteration;
      iii. the City Council may approve, approve with conditions, or deny the alteration; and
      iv. if the City Council alters any portion of a public street, right-of-way, easement, or alley, the Mayor shall sign a plat showing the alteration and direct that the plat be recorded in the office of the Utah County Recorder.
   ~~b.~~d. **Notice.** Prior to the public hearing, the City shall provide the notice required by Utah Code Chapters 10-9a and 52-4.

Chapter 19.13. Development Review Processes.

Sections:

19.13.01. Purpose.
19.13.02. General Considerations.
19.13.03. Application Forms Required.
19.13.04. Specific Development Processes and Submittal Requirements.
19.13.05. Urban Design Committee Participation.
19.13.06. Development Agreements.
19.13.07. Improvements Required.
19.13.08. Master Development Agreements.
19.13.09. Payment in Lieu of Open Space.

19.13.01. Purpose.

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

19.13.02. General Considerations.

1. **Land Use Element of the General Plan.** The City's adopted Land Use Element of the General Plan shall guide the use and future development of all land within the corporate boundaries of the City.

~~1.~~2. **Municipal Code.** The size and design of lots, nature of utilities, design and improvements of streets, types and intensity of land uses, and provisions for any facilities in any subdivision shall conform to the land uses shown and the standards established in the ~~Land Use Element of the General Plan, the~~ City Code, and other applicable ordinances and policies.

~~2.~~3. **Conservation of Natural Features.** Trees, native land cover, wetlands, natural watercourses, hillsides, and existing topography shall be preserved where possible. Development projects shall be so designed as to prevent excessive grading and scarring of the natural terrain. The design of new projects shall consider and relate to existing and future street widths, alignments, and names.

~~3.~~4. **Community facilities.** Community facilities, such as parks, recreation areas, and transportation facilities, shall be provided in the development project in accordance with the Land Use Element of the General Plan and the City's land use ordinances, particularly Chapter 19.04, Zoning. In order to facilitate the acquisition of land areas required to establish the creation and expansion of community facilities, the applicant may be required to dedicate, grant easements, or otherwise

reserve land for schools, parks, playgrounds, public rights-of-way, utility easements, and other public purposes.

4.5. **Concurrent Installation of Public Utilities.** The City recognizes the policy of concurrently installing public utilities in relation to any development within the City boundaries. Although the City will work with developers to provide utilities to a developer's project, the City is under no obligation to install utilities in order to accommodate a proposed development. The City reserves the right to approve only those developments wherein all necessary public utilities and infrastructure have been installed.

19.13.03. Application Forms Required.

1. Applications for permits and other procedures (appeals, Site Plans, subdivisions, variances, Master Development Plans, plat amendments, etc.) established by this ordinance shall be filed on the forms provided by the City.
   a. Applications shall be accompanied by a Master Development Plan, when required, Concept Plan, Preliminary Plat for proposed subdivisions, Site Plan for commercial or multi-family subdivisions, Condominium Plat for proposed condominiums, Final Plat, and any other applications, maps, plans, drawings, tabulations, calculations, and text needed to demonstrate compliance with the City Code and as described in this Chapter.
   a. b. Applicants shall pay the cost of materials and postage to post and mail notices to all property owners as required in this Title prior to consideration by the Land Use Authority[30].
   b. c. An application is not complete until the Planning Director acknowledges in writing that the application is complete.

2. Application fees for each type of permit and other procedures established by this ordinance shall be set by resolution of the City Council. Payment of application fees shall always precede review of the application.

3. The filing of an application constitutes permission for the Mayor, City Council, City Manager, Planning Commission, Hearing Examiner, or City employees to inspect the proposed development site during their consideration of the application. The City may delay consideration of any application when inclement weather or snowpack prevents a useful site inspection.

19.13.04. Specific Development Processes and Submittal Requirements.

1. This Section of the Chapter identifies the development processes for each of the major types of developments within the City of Saratoga Springs. The following table is a non-exhaustive summary of these processes:

~~Development Type~~ **Process and Land Use Authority ➔**	Planning Director Approval	Planning Commission Public Hearing	Planning Commission Recommendation	Planning Commission Approval	City Council Approval
Development Type ⬇					
Preliminary Plat		X	X		X
Condominium and Final Plat					X
Minor Subdivision		X	~~X~~	X	~~X~~
Lot Line Adjustment	X				
Plat Amendment**	X				
Planned Unit Development		X	X		X
Site Plan ~~Review~~		X	X		X
Site Plan Amendment - Minor		X		X	
Site Plan Amendment - Major		X	X		X
Conditional Use – New Construction~~Major Major Grading Permit~~[31]		X	X		X
Conditional Use ~~in~~ Existing -Building or Site**	X				
Temporary Use	X				
Home Occupation*	X				
Change of Use Permit**	X				
Development Agreement (DA)					X
Master Development Agreement (MDA)		X	X		X
DA or MDA Amendment – Minor~~MasterMaster Development Agreement (MDA)~~	X	~~X~~	~~X~~		~~X~~
DA or MDA Amendment – Major					X

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

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

2. A Neighborhood Meeting or Neighborhood Canvas is required for any multi-family or non-residential development proposal adjacent to developed property in a residential zone.
    a. Neighborhood Meeting:
        ~~a.~~ i. This meeting shall include the developer or applicant and adjacent residents within the subdivision.
        ~~b.~~ ii. If a homeowners association exists in the area, the developer or builder shall notify the HOA by mail of the meeting at least ten calendar days before the meeting.
        ~~c.~~ iii. The developer or applicant shall provide notice of the meeting by mail to each residential property within ~~500~~ 300 feet of the property at least ten calendar days prior to the meeting.
        ~~d.~~ iv. The developer or applicant shall be required to determine the noticing area with the advice and consent of Staff.
        ~~e.~~ v. The developer or applicant must provide a proposed site plan and building elevations for review and discussion at the meeting.
        ~~f.~~ vi. The developer or applicant must provide City staff with a written record of what transpired during the meeting, as well as an attendance roll from the meeting.
        vii. The Neighborhood Meeting must take place prior to a proposed project being reviewed by the Planning Commission.
    b. Neighborhood Canvas:
        i. The canvas shall include review of the proposed site plan and building elevations at each home.
        ii. Signatures, from a minimum of 51% of the property owners, verifying that they viewed the site plan and the building elevations, shall be provided to City Staff at the conclusion of the canvas.
        ~~g.~~ iii. The canvas must take place prior to a proposed project being reviewed by the Planning Commission.

3. Submittal of Application.
    a. The developer or property owner shall file a properly completed development application form, including all required supporting materials and an appropriate application fee, with the Planning Director.
    b. The Planning Director shall determine whether the application is complete within ten business days after its filing.
        i. If the application is complete, the Planning Director shall place the application on the next possible agenda taking into consideration public notice requirements and other criteria for placing an item on the agenda found in Title 2 of the City Code.
        ii. If the application is not complete, the Planning Director shall return it with a written statement explaining what is needed to complete the application.

4. Notice of Public Hearings.
    a. Notice for items requiring a public hearing shall comply with the requirements of this Section.

b. The developer shall incur the entire cost of providing the notice required by this Section~~ and shall provide the City with a mailing list for all properties required to be mailed notice as specified herein~~.

c. Notice of the date, time, and place of the public hearing shall be provided at least 10 calendar days before the public hearing as follows:

   i. mailed to each affected entity (for ordinance, zoning map, and general plan amendments only);

   ii. posted:

      1. in at least three public locations in the City; or

      2. on the City's website;

   iii. published on the Utah Public Notice Website;

   iv. published in a newspaper of general circulation in the City; and

   v. mailed to:

      1. property owners directed affected by the proposal; and

      2. property owners of each parcel or lot within 300 feet of the property that is the subject of the public hearing.

5. Decision of Planning Director.

   a. The Planning Director shall determine whether the proposed development complies with all applicable requirements of this ordinance or other development ordinances and policies of the City.

   b. If the Planning Director determines that the proposed development application is complete and is in compliance with the City Code, then the Planning Director may take action to approve the application.

   ~~d.~~c. In proposals where the Planning Director determines that the proposed development is not in compliance with the City Code, the Planning Director may take action to deny the application. If the applicant provides written disagreement with the Planning Director decision within 10 calendar days, a public hearing on the application shall be scheduled with the Planning Commission, and the Planning Commission shall become the land use authority.

~~5.~~6. Decision of Planning Commission.

a. The Planning Commission shall conduct a hearing, when required, on the proposed development application.

b. At the hearing, the Planning Commission shall take testimony and, in the case of an administrative decision, determine whether the proposed development complies with all applicable requirements of this ordinance or other development ordinances and policies of the City.

c. If the Planning Commission determines that the proposed development application is complete and is in compliance with the City Code, then the Planning Commission may take action on the application.

   i. If the ~~City Council~~Planning Commission is the land use authority~~ and is making a legislative decision~~, the ~~City Council~~Planning Commission may ~~exercise its legislative discretion to act~~make a decision ~~on~~ to approve, approve with conditions or deny the application.

   ii. If the City Council is the land use authority, the Planning Commission may make a recommendation to the City Council on the application.

~~ii.~~iii. The Planning Commission may also table its decision or recommendation if it finds that the application materials are incomplete or if more information or clarification is needed from the applicant, the Development Review Committee, or City Attorney regarding the proposed project.

~~ii. The land use authority may also remand the application to a recommending body for further review and recommendation.~~

7. Decision of City Council.

a. The City Council shall conduct a hearing, when required, on the proposed development application.

~~h.~~b. At the hearing, the City Council shall take testimony and, in the case of an administrative decision, determine whether the proposed development complies with all applicable requirements of this ordinance or other development ordinances and policies of the City.

c. If the City Council determines that the proposed development application is complete and is in compliance with the City Code, then the City Council may take action to approve, approve with conditions, or deny the application.

d. The City Countil may also table its decision or recommendation if it finds that the application materials are incomplete or if more information or clarification is needed from the applicant, the Development Review Committee, or City Attorney regarding the proposed project.

~~h.~~

~~6.~~8. Remand.

a. Any land use authority may remand an application to a recommending body for further review and recommendation.

19.13.05 Concept Plan Process.

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

2. The Concept Plan review involves an informal ~~conference~~ review of the plan ~~with~~ by the ~~developer and the~~ City's Development Review Committee and an informal review of the plan by the Planning Commission and City Council.

~~2.~~3. The developer shall receive comments from the Development Review Committee, Planning Commission, and City Council to guide the developer in the preparation of subsequent applications.

~~i.~~a. The Development Review Committee, Planning Commission, and City Council shall not take any action on the Concept Plan review.

~~ii.~~b. The Development Review Committee, Planning Commission, and City Council comments shall not be binding, but shall only be used for information in the preparation of the development permit application.

~~The developer shall provide a schematic drawing of the proposed project that depicts the area of the proposed project, air and ground transportation corridors within two miles,~~

~~and the general relationship of the proposed project to the Land Use Element of the General Plan and the surrounding area.~~

~~3.~~4. The Concept Plan review is intended to provide the developer with an opportunity to receive input on a proposed development prior to incurring the costs associated with further stages of the approval process. This review does not create any vested rights to proceed with development. Developers should anticipate that the City may raise additional issues in further stages not addressed at the Concept Plan stage.

~~4.~~5. The following items shall be submitted for a Concept Plan review:

~~iii.~~a. A completed application and affidavit, form, and application fee.

~~iv.~~b. Plat/Parcel Map of the area available at the Utah County Surveyor's Office.

~~v.~~c. Legal description of the entire proposed project. ~~Parcel number and ownership.~~

~~vi.~~d. Proposed changes to existing zone boundaries, if such will be needed.

~~Existing conditions including drainages, contours, wetlands, wells, septic systems, buildings, utilities, and other conditions of the property.~~

~~General utility schematic including drainage, sewer, culinary and secondary water connections, and other utilities needed to service the proposed development.~~

~~The developer shall provide a~~A ~~schematic drawing of the proposed project that depicts the area of the proposed project, air and ground transportation corridors within two miles, and the general relationship of the proposed project to the Land Use Element of the General Plan and the surrounding area.~~

e. Conceptual elevations and floor plans, if available.

~~vii. Open space and sensitive lands plan, including acreages, locations, and percentages of each, and conceptual recreational amenities.~~

~~viii.~~f. Concept Plan Map: three ~~Five~~ ~~Three~~ full-size 24" x 36" copies of the Concept Plan, drawn to a scale of not more than 1" = 100' and two~~seven~~ ~~five~~ reductions on 11" x 17" paper, showing the following:

~~1.~~i. Proposed name of subdivision, cleared with the County Recorder ~~–~~to ensure the name is not already in use.

ii. Name of property if no subdivision name has been chosen. This is commonly the name in which the property is locally known.

~~0.~~

~~–~~Locations and widths of existing and proposed streets and right-of-ways.

iii.

iv. Parcel number and ownerships within and adjacent to project.

~~ix. Parcel number and ownership.~~

~~2.~~v. Road centerline data including bearing, distance, and curve radius.

~~3.~~vi. Configuration of proposed lots with minimum and average lot sizes.

vii. Approximate locations, dimensions, and area of all parcels of land proposed to be set aside for park or playground use or other public use including~~.~~ acreages, locations, and percentages of each and conceptual plan of proposed recreational amenities.

viii. Those portions of property that qualify as sensitive lands per Section 19.02.02., including acreages, locations, types, and percentages of total project area and of open space.

ix. Total acreage of the entire tract proposed for subdivision.

x. General topography shown with 1'or 2' contours and slope arrows with labels.
xi. North arrow, scale, and date of drawing.
xii. Property boundary with dimensions.
xiii. Data table including total number of lots, dwellings, and buildings, square footage of proposed buildings by floor, number of proposed garage parking spaces, number of proposed surface parking spaces, percentage of buildable land, percentage and amount of open space or landscaping, and net density of dwellings by acre.
xiv. Existing conditions and features within and adjacent to the project area including roads, structures, drainages, wells, septic systems, buildings, and utilities.
xv. Conceptual utility schematic with existing and proposed utility alignments and sizes sufficient to show how property will be served including drainage, sewer, culinary and secondary water connections and any other existing or proposed utilities needed to service the proposed development or that will need to be removed or relocated as part of the project.

~~0. .~~
~~0. Proposed future drainage scheme.~~
~~0. Those portions of property that qualify as sensitive lands per Section 19.02.02.~~
~~0. Total acreage of the entire tract proposed for subdivision.~~
~~0. General topography.~~
~~0. North arrow, scale, and date of drawing.~~
~~0. Property boundary with dimensions.~~

g. ~~Data table including total number of lots, dwellings, and buildings, square footage of proposed buildings by floor, number of proposed garage parking spaces, number of proposed surface parking spaces, percentage of buildable land, percentage and amount of open space or landscaping, and net density of dwellings by acre.~~A schematic drawing of the proposed project that depicts the existing proposed transportation corridors within two miles, and the general relationship of the proposed project to the Transportation and Land Use Element of the General Plan and the surrounding area.
h. File of all submitted plans in pdf format.

~~0.~~
~~2. File of all submitted plans in pdf format.~~

19.13.~~05~~06. Urban Design Committee Participation.

1. The City has established an Urban Design Committee that may consist of persons appointed by the City Council at its discretion including one professional Architect, one professional builder, at least two City residents, one member of the Planning Commission, one City Council Member, one developer, and City staff members as assigned.

2. The Urban Design Committee is required to review architectural plans and design standards for any new construction within the City of Saratoga Springs except for Single-Family Dwellings. The Committee shall make specific recommendations to the Planning Director, Planning Commission, and City Council regarding Architectural plans and design standards.

3. The Urban Design Committee shall propose detailed Architectural design standards and guidelines that developers and applicants shall comply with. These may be adopted by the City Council through resolution or ordinance and are available for reference through the Planning Department.

4. No final subdivision plats, final Site Plans, commercial Site Plans, or other Conditional Uses that will result in the new construction of commercial, multifamily, attached housing, two-family structures, and three-family structures shall be approved by the City Council until a recommendation is received from the Committee.

~~4.~~5. The Urban Design Committee is a recommending body only and shall not make final decisions.

19.13.07. Change of Use Permit[32]

1. **In General.** This section is intended to provide a process for reviewing the conversion of an existing structure or site from its current or previous use to a ~~new or~~ substantially different type of activity or use.

2. A substantially different type of activity or use is a use that falls under a different category in the use tables in 19.04.

3. **Standards.** Any change of use shall meet the following criteria:

   a. The new use is an allowed use in the zone; if the new use is a conditional use in the zone, the conditional use process shall be followed.
   b. Signage and parking for the new use shall comply with all standards in place at time of conversion.
   c. Increased parking requirements or e~~E~~xternal changes to the site for the new use shall require a site plan amendment. [33]

4. The Planning Director shall follow the process outlined in 19.13 for decisions of the Planning Director.

19.13.~~06~~08. Development Agreements.

1. **In General.** Each development request, except for Home Occupations, major grading permits, and minor subdivisions, must have a development agreement and bond agreement approved by the City Attorney and City staff. The City Council may determine that a development agreement is not required, but in all cases a bond agreement shall be required. A development agreement is not required when conditions, requirements, findings, and recommendations are all consistent with Title 19 requirements unless the City Council, in exercising its legislative authority pursuant to Utah Code § 10-9a-102, determines that a development agreement is necessary to further the public health, safety, or welfare or any other legitimate purpose outlined in Utah Code § 10-9a-102(1). The City Attorney may provide a standard form for a development agreement that includes many of the most common provisions to facilitate efficiency in the preparation and execution of development agreements.

2. **Contents of Development Agreements.** Development agreements shall, at a minimum, include the following:
    a. any condition, requirement, and finding made by the Planning Commission and City Council, including required improvements of each phase of development;
    b. a copy of the Final Plat document, record of survey or legal description, Preliminary Plat and phasing plan, or Site Plan as applicable;
    c. a description of all required improvements, including parks and trails, and an estimate by the City Engineer of their cost, unless only a bond agreement is required per Sections 19.12.05 and subsection (1) above;
    d. the following unless contained in a bond agreement under Section 19.12.05:
        i. a schedule for completion of the required improvements;
        ii. a process by which the City may, if necessary, complete required improvements using the guarantee provided;
    e. provisions defining required maintenance activities which include, but are not limited to, general upkeep of landscaping, sidewalks, streets, parks, and utility infrastructure, as well as the repair of such facilities as needed and as may be required by the City during or near the end of the maintenance period. These activities may also be specifically defined in the development agreement;
    f. a process by which the development agreement may be transferred, with City approval, to the developer's successors;
    g. a statement that provides that the development agreement and the vested rights it confers shall be void if the developer breaches the agreement.
    h. a statement that provides that in the event the developer fails to comply with the terms of the agreement, the City may withhold approval of building permits within the project;
    i. a statement that provides for dedication to the City of right-of-ways to adjacent properties and construction of temporary cul-de-sacs as needed to ensure adequate egress from stub streets;
    j. declaration of covenants and restrictions, declaration of condominium;
    ~~j.~~k. ~~, or~~ applicable Architectural elevation plans;
    ~~k.~~l. special conditions relating to the timing of certain improvements, lot design, performance standards, necessary off-site conditions or improvements, conditions relating to shared open space or parks, special circumstances due to location of utilities, physical characteristics of the subject property, or other conditions identified within the development agreement; and
    ~~l.~~m. any additional requirement that the City Council deems necessary to meet the requirements of this Title and to further the purposes in Utah Code § 10-9a-102(1).

3. **Effect of Development Agreement.** The effect of a development agreement is to create vested rights as described in said agreement and to specify the requirements of the development. Subject to constitutional limitations, development agreements do not insulate developments from changes in local, state, or federal law including applicable fire and building codes.

4. **Expiration.** A ~~Master~~ Development Agreement shall require Final Plat approval of all subdivisions within ten years, except as otherwise specified by the City Council.

5. **Amendment.** A Development Agreement may be amended upon agreement of all parties.
   a. Minor amendment: a minor amendment is an amendment that does not alter the density, intensity of use, amount of open space, or unit type, and may be approved by the Planning Director.
   ~~a.~~ **b.** Major amendment: a major amendment is an amendment that alters the density, intensity of use, amount of open space, or unit type, and may be approved by the City Council.

~~4.~~6. **Reserved Legislative Powers.** Except for the developer's vested rights, development agreements shall not limit the future exercise of the police powers of the City in enacting zoning, subdivision, development, growth management, platting, environmental, open space, transportation, and other land use plans, policies, ordinances, and regulations after the date of the agreement. However, the developer's vested rights may be affected under facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine as set forth in *Western Land Equities, Inc. v. City of Logan*, 617 P.2d 388 (Utah 1988), or successor case law or statute. Any such proposed change affecting developers' vested rights shall be of general applicability to all development activity in City. Unless the City declares an emergency, the developer shall be given prior written notice and an opportunity to be heard with respect to the proposed change and its applicability to the property.

19.13.~~07~~09. Improvements Required.

1. For the purposes of this Chapter, required improvements for all developments shall include (when applicable), but are not limited to, the following:
   a. runoff and erosion control measures, including both structures and plantings, required to implement an approved runoff and erosion control plan;
   b. landscaped buffers, screening fences or walls, and similar improvements required to mitigate potential nuisances;
   c. water and sewer improvements;
   d. storm drainage improvements;
   e. off-street parking and loading areas, including any required landscaping;
   f. roads and related improvements, including bridges, culverts, traffic control signs, streetlights and signs, and street trees;
   g. sidewalks and trails;
   h. neighborhood parks and squares as outlined in the City's adopted Parks, Trails, and Open Space Master Plan or neighborhood parks as required in the preliminary approval of the project;
   i. the provision of water rights and facilities as required by the City of Saratoga Springs water utility ordinance and other ordinances, regulations, and standards;
   j. utilities such as telecommunications, cable TV, electric power, and natural gas;
   k. improvements required by the Wildland-Urban Interface Code;
   l. street lighting; and
   m. improvements required by other sections of the City Code or required by agreement between the City and the applicant.

2. **Installation at Developer's Expense.**

9. **Phasing Improvements.** If the construction of various portions of ~~the~~ a project is proposed to occur in stages, then the ~~open space, landscaping, and recreational facilities shall be developed in proportion to the number of dwellings and buildings intended to be developed during any stage of construction. A phasing plan, including size and order of each phase, funding mechanism, and responsible parties, shall be approved by the City Council.~~ [34]following standards shall be met.
   a. A Phasing Plan, including size and order of each phase and schedule of improvements to be installed, shall be approved by the Planning Director.
   b. Open Space improvements shall be installed with a value or acreage in proportion to the acreage to be developed during any given phase.
   ~~1.~~c. A perpetual instrument running with the land shall be recorded against the entire project prior to or concurrently with the recordation of the first plat, that includes the standards, location, funding mechanism, values, and timing for all open space, recreational facilities, amenities, open space easements, and other improvements. An open space plat, conservation easement, development agreement, or other perpetual instrument may qualify. Such instrument may be vacated upon mutual agreement between the City and landowner only if no phases have been recorded, and upon finding of good cause[35].

19.13.~~08~~10. Master Development Agreements.

1. **Purpose of Master Development Agreement Process.**
   a. The Master Development Agreement process is established to provide a mechanism for the following:
      i. approval of a land use and zoning plan for a specified geographic area that is proposed for development;
      ii. identification of utilities and other public infrastructure that will be required to be installed in order to service the proposed development; and
      iii. creation of a development agreement that identifies general land uses, residential densities, size of non-residential developments, obligations for construction of public infrastructure, and general phasing of the development.

2. **When Required.** A Master Development Agreement shall be required of any development that is in excess of twenty acres in size if non-residential or in excess of 160 acres in size if residential. Mixed-use developments in excess of twenty acres shall be required to submit a Master Development Plan.

3. **Master Development Applications.** Master Development Agreements may be accompanied by an application to amend the City's General Land Use Plan Map and rezone the subject property. If so, then the General Plan amendment or rezone shall not occur until the Master Development Agreement is executed by the City and developer. Master Development Agreement applications shall contain, at a minimum, the following information:
   a. a complete application that is duly signed by the property owner or the owner's representative;
   b. a legal description of the property;
   c. a vicinity map showing the approximate location of the subject parcel with relation to the other major areas of the City;

d. a general description of the proposed development together with a map indicating the general development pattern, land uses, densities, intensities, open spaces, parks and recreation, trails, and any other important element of the project;
e. a data table including total number of lots, dwellings, and buildings, square footage of proposed buildings by floor, number of proposed garage parking spaces, number of proposed surface parking spaces, percentage of buildable land, percentage of open space or landscaping, and net density of dwellings by acre;
f. existing and proposed infrastructure including proposed roadways, utility locations, and capacities;
g. estimated impacts of the proposed Master Development Agreement on all public utilities including potable water, irrigation water, wastewater, transportation, storm drainage, fire protection, and solid waste;
h. parks and recreation demands of the proposed project;
i. an estimate of the cost to provide off-site utilities and other public infrastructure facilities to the site;
j. existing physical characteristics of the site including waterways, geological information, fault lines, general soils data, and contour data (two-foot intervals);
k. identification of environmental issues, if any, and how such will be protected or mitigated (e.g., wetlands, historical sites, endangered plants, etc.);
l. information relating to storm drainage including: 100-year 24-hour drainage flows, 10-year 24-hour storm water flows, and proposed storm drainage facilities;
m. major street layout with detailed traffic study prepared by a traffic Engineer;
n. statements of how the proposed development is compatible with surrounding land uses and other areas of the City and how internal compatibility will be maintained;
~~o.~~ statements or maps indicating how the proposed master plan will comply with the City's open space and parks and recreation regulations;
~~p.~~o. ~~a list of property owner's names and addresses within 300 feet of the subject property, together with the postage necessary to mail first class letters to each of the property owners on the list;~~ and
~~q.~~p. file of all submitted plans in pdf or AutoCAD 2000 format.

4. **Open Space Requirements.** The amount of open space required with any Master Development Agreement application will be established in accordance with the provisions of the applicable zoning designation as set forth in Chapter 19.04 of this code.

5. **Planning Commission Action.** Upon receipt of a complete Master Development Agreement application, the Planning Director shall schedule the application for a public hearing before the Planning Commission.
   a. The Planning Commission shall conduct a public hearing and shall thereafter recommend to the City Council approval, approval with conditions, or denial of the Master Development Agreement application.
   b. The Planning Commission may also recommend modifications to a Master Development Agreement application or may table its action if the application is incomplete or if the Planning Commission determines that more information should be provided prior to making a recommendation.

6. **City Council Action.**
   ~~c.~~a. The City Council, after a receiving a recommendation from the Planning Commission, shall review the application and shall approve, approve with conditions, or deny the application.
   ~~d.~~b. The City Council may modify the application or table their action if the application is incomplete or if the Planning Commission determines that more information should be provided prior to taking final action.
   ~~e.~~c. The Master Development Agreement must be executed by the parties before a rezone or General Plan amendment is granted or takes effect.

7. **Effect of the Master Development Agreement.** The Master Development Agreement, as approved, will constitute the applicant's right to develop the property in essentially the same manner as outlined in the Master Development Agreement.
   ~~f.~~a. Generally, the Master Development Agreement shall include a request to amend the City's Land Use Element of the General Plan and Zoning Map, if necessary.
   ~~g.~~b. The Master Development Agreement shall not grant the applicant the right to circumvent any City ordinances, policies, City Council directives, or any other procedure that is approved and practiced by the City.
   ~~h.~~c. The applicant shall still be required to apply for subdivision approval, Site Plan review, Conditional Use approval, or other appropriate procedures as required by this Code.

8. **Additional Requirements.** A Master Development Agreement shall generally conform to the requirements found in this Chapter pertaining to the contents of a development agreement, as appropriate, as well as the following requirements:
   ~~i.~~a. The Master Development Agreement shall establish the general land uses in the project, the total number of residential dwellings, the estimated square footage of structures used for non-residential purposes, the general off-site utility and public infrastructure required, and any general phasing for the development of the Master Development Plan area.
   ~~j.~~b. The Master Development Agreement shall include provisions for phasing of improvements and the timing of the construction of public infrastructure.
   ~~k.~~ The City may enter into performance-based reimbursement arrangements, shared funding mechanisms, or other methods if and when the City's long-term capital facility needs are served by such methods in accordance with the requirements of Section 19.13.07.

9. **Amendment**[36]. A Master Development Agreement may be amended upon agreement of all parties.
   a. Minor amendment: a minor amendment is an amendment that does not alter the density, intensity of use, amount of open space, or unit type, and may be approved by the Planning Director.
   b. Major amendment: a major amendment is an amendment that alters the density, intensity of use, amount of open space or unit type, and shall be approved by the City Council.

19.13.~~09~~11. Payment in Lieu of Open Space.

1. **Purpose.** In order to meet the City's recreational needs and to create a more attractive community, Open Space shall be dedicated to the City of Saratoga Springs in accordance with the standards provided in Chapters 19.04 and 19.07 of the Land Development Code. In cases where the City

Council finds that a voluntary payment to the City in lieu of providing all of the open space required by the City's Land Development Code will better meet the City's recreational needs, the City Council may allow a developer to utilize the City's Payment in Lieu of Open Space Program as described in this Section.

2. **Payment in Lieu of Open Space Program.** The City's Payment in Lieu of Open Space Program may be utilized for developments in the R-2, R-3, and R-4 zones-, or any other development containing less than four units per acre. The percentage of open space that may be satisfied with a Payment in Lieu of Open Space shall be determined by the City Council taking into account the following:
    a. The proximity of regional parks;
    b. The size of the development;
    c. The need of the residents of the proposed subdivision for open space amenities;
    d. The density of the project;
    e. Whether the Payment in Lieu furthers the intent of the General Plan; and
    f. Whether the Payment in Lieu will result in providing open space and parks in more desirable areas.

3. **Excluded Open Space**. Specific types of open space do not qualify for this program including landscaping strips, regional trail segments, landscaping buffers, sensitive lands, landscaping in parking areas, or other types of open space that may be specifically required by City ordinances and standards.

4. **Qualification for the Program.** Developments that the developers or the planning staff believe would result in better projects and would meet the above described standards may qualify for the Payment in Lieu of Open Space Program.
    a. Such developments will be presented to the Planning Commission and City Council as part of the review process for Concept Plans or Master Development Plans. Said payments in lieu of open space shall be presented for approval in connection with preliminary and final plat approval. During that review, the Planning Commission will make a recommendation to the City Council on the implementation of the Payment in Lieu of Open Space program.
    b. Subsequent to the Planning Commission's review, the City Council may approve, approve with modifications, or deny a request to implement the Payment in Lieu of Open Space Program. The City Council maintains complete discretion as to whether a request to provide Payment in Lieu of Open Space shall be granted.

5. **Arrangements and Handling of Payment.** If the City Council approves a request to implement the Payment in Lieu of Open Space for a particular development, the following procedure will be followed:
    a. The City shall maintain a list of no less than three appraisers whom the City has approved for purposes of appraising lands participating in this program. Using one of the City's approved appraisers, an appraisal of the entire project will be performed at the developer's expense. This appraisal will be performed on the basis that the property has received development entitlements of the approved development covered by the payment in lieu of open space.
    b. An estimate of the required open space improvements, including landscaping, parks, trails, and other amenities, shall be performed by a landscaping company or landscape architect.

c. Once complete, the appraisal and estimate shall be submitted to the City Recorder. The City shall have thirty days to review the appraisal and estimate to determine whether they are acceptable without further review.
d. If the City finds that the appraisal and estimate are acceptable without additional review, the developer shall be notified in writing.
    i. In the event that the City finds it necessary to further review the appraisal and estimate, the City shall employ, at the City's expense, an appraiser or landscape architect (or other professional) approved by the City to either review the original appraisal of the property or estimate or conduct a new appraisal or estimate. The City may, at the City's discretion, accept the original appraisal or use the average land value between the City's appraisal, if one is conducted, and the original appraisal. In addition, the City may, at the City's discretion, accept the original estimate of the open space improvements or use the average estimate of the developer's and City's estimate.
    ii. Upon completion of this process the City shall notify the developer in writing of its findings.
e. The City and the developer may agree as to the market value of the land or estimated open space improvements without an appraisal or estimate so long as there are circumstances that assure that the agreed value is at least equal to the expected appraised or actual value.
f. The developer shall pay as a Payment-in-Lieu the amount of money equivalent to the overall appraised value of the entire project times the percentage of land required for open space, plus the estimate of the anticipated open space improvements.
    i. Example: $100,000 (appraised value of entire project) x .30 (30% required open space) = $30,000 plus the estimated cost of the open space improvements.
    ii. In addition, the developer shall be required to pay an amount equal to the estimated costs of water connections and water rights for the land if it were developed as open space.
    iii. The developer shall pay to the City the land value, estimated cost of the open space improvements based upon an average per-square-foot cost of the improvements for the ~~three~~six most recent City parks with the highest and lowest park removed, and estimated water costs before any subdivision plats will be recorded.
g. Upon receipt of the payment, the City shall deposit those funds in an account that has been established for the purchase of park lands, the construction of parks and recreation improvements, or for upgrading existing park facilities. The City may expend the Payment in Lieu of Open Space funds at its discretion so long as they are only used for the purchase of parks, construction of parks and recreation improvements, or for upgrading existing parks facilities.
h. The City and developer may also agree to make other arrangements for the Payment in Lieu of Open Space if acceptable terms can be reached, but in no case shall the value of the Payment be less than the expected appraised value, estimated cost of open space improvements, and estimated water costs as described herein.

6. **Voluntary Participation.**
    a. This program is completely voluntary and developers who participate in it shall do so on a voluntary basis only. Written development agreements shall contain a description of the terms of this program.

Chapter 19.14. Site Plan Review.

Sections:

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

19.14.01. Purpose.

A design review procedure is established in order to encourage adequate advance planning and thereby assure a good quality of environment for the City. Such procedure is intended to provide for orderly, harmonious, safe, and functionally efficient development, and thus for the stability of property values and the general welfare of the community. It is not the purpose of this Chapter to so rigidly control design so as to stifle creativity or individual expression, or to cause substantial, unnecessary expense; rather, any control exercised is intended to be the minimum necessary to efficiently achieve the objectives stated above.

19.14.02. Approval Required.

Site Plan approval shall be required for all developments which contain the following uses, together with any others for which it is required elsewhere in these Ordinances:

1. Any industrial use;

2. Any commercial use;

3. Any institutional use;

4. Two-Family Structures and Three-Family Structures; and

5. A multi-family residential development.

19.14.03. Site Plan Development Standards.

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

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

2. **Buffering and Screening Requirements.** Any commercial lot which abuts a residential or agricultural use shall be effectively screened by a combination of a wall, fencing, and landscaping of acceptable design. No chain link or wood fences are permitted as buffering or screening between commercial and residential. Masonry and solid ~~white~~ vinyl are suggested types of fences, and as circumstances require, one or the other may be required. Unless otherwise required by this Title, walls or fences used as a buffer or screen shall not be less than six feet in height. Landscaped berms with sufficient trees may be reduced to 4-5 feet depending on specific adjacent uses. Such wall, fence and landscaping shall be maintained in good condition with no advertising thereon. All developments shall have a minimum number of both deciduous and evergreen trees to provide for shade and visual relief.

3. **Access Requirements.**
    a. **Access dimensions.** For each commercial lot:
        i. each roadway shall not be more than forty feet in width, measured at right angles to the center line of the driveway except as increased by permissible curb return radii; and
        ii. the entire flare of any return radii shall fall within the right-of-way.
    b. **Interconnection.** All parking and other vehicular use areas shall be interconnected with adjacent properties in order to allow maximum off-street vehicular circulation.
    c. **Acceleration and Deceleration Lanes.** Acceleration and deceleration lanes shall be required on major arterials when deemed necessary by the City Engineer or UDOT.
    d. **Off-street Truck Loading Space.** Every structure involving the receipt or distribution by vehicles of materials or merchandise shall provide and maintain on the building's lot adequate space for standing, loading, and unloading of the vehicles in order to avoid undue interference with public use of streets or alleys.

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

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

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

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

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

19.14.04. Urban Design Committee Requirements.

1. **Process.** Urban Design Committee review shall be done prior to the first Planning Commission or City Council meeting, whichever comes first.

~~1.~~2. **Mechanical Equipment**. All mechanical equipment shall be located or screened and other measures shall be taken so as to shield visibility of such equipment from any public or private streets.
   a. Screens shall be aesthetically incorporated into the design of the building whether located on the ground or roof.
   b. Rooftops of buildings shall be free of any mechanical equipment unless completely screened from all horizontal points of view.
   c. Screening materials shall conform to the color scheme of the primary building.
   d. Measures taken to shield mechanical equipment from view, other than screening, must be approved by the City Council.

~~2.~~3. **Windows**. Windows, other than rectangular windows, may be used as accents and trim. Untreated aluminum or metal window frames are prohibited.

~~3.~~4. **Building Lighting**. Plans for exterior building lighting shall be approved as part of the Site Plan approval. Building lighting shall be shielded and directed downward so that the light source is not visible from beyond the property where the structure is located. Lighting shall not project above or beyond the property line.

~~4.~~5. **Trash Enclosures, Storage Areas, and External Structures**. Landscaping, fencing, berms, or other devices integral to overall site and building design shall screen trash enclosures, storage areas, and other external structures.
   a. Trash and storage areas shall be comparable to the proposed or existing building and with surrounding structures. These areas shall be well maintained and oriented away from public view.
   b. The consolidation of trash areas between buildings is encouraged.

c. The use of modern disposal and recycling techniques is encouraged.
d. Chain link fences and chain link fencing with vinyl slats are prohibited. Solid fences and gates shall be required so as to help shield trash areas from public or private view.
e. Where trash enclosures, storage areas, or other external structures are adjacent to parking areas, a three foot landscaped buffer shall be provided that does not impede access into and out of vehicles.
f. This Section shall not apply to community or public recycling bins or drop boxes; however, the location shall be determined by Staff in accordance with the standards herein.

~~5.~~6. **Exterior Materials**. The Urban Design Committee shall ensure that all buildings are finished with high quality materials that conform to the City's design standards and an overall master design theme or plan. Building elevations shall be submitted that indicate all colors, styles, materials, and other proposed building treatments.

~~6.~~7. **Landscape Requirements.** All Site Plans shall conform to the landscaping requirements established in Chapter 19.06 of this Title.

~~7.~~8. **Parking Lot, Building, and Street Lighting.** [37]All Site Plans shall conform to the lighting requirements established in Chapter 19.11 of this Title.[38]

~~0. All parking lot light fixtures shall be installed to prevent light glare from adversely affecting adjacent properties.~~

~~. Pole mounted fixtures are required for street lighting.~~

~~. Lighting of all pedestrian pathways is recommended.~~

~~0. Lighting will be judged [39][40]as to how adequately it meets its intended purpose.~~

~~0.Design and location of standards and fixtures shall be specified on the site development drawings.~~

~~0.Intensities shall be controlled so that glare or excessive direct light will not adversely affect neighboring areas.~~

~~0.All streetlights and interior parking lot lights shall meet the City's adopted design standards for lighting.~~

19.14.05. Special Provisions.

1. **Uses Within Buildings.** All uses established in any commercial, office warehouse, business park, or industrial zone shall be conducted entirely within a fully enclosed approved building except those uses deemed by the City Council to be customarily and appropriately conducted in the open.
   a. Uses which may qualify for this exception include vegetation nurseries, home improvement centers with lumber, vegetation nurseries, outdoor cafes, and auto dealerships.
   b. Approved temporary uses, such as Christmas tree lots, shall be exempt from this requirement.

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

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

19.14.06. Application.

~~2.~~1. **Overview of application process.** The property owner or an authorized agent shall make application on a form prescribed for Site Plan Review by the City.

a. Applicants for development approval must provide complete and accurate information regarding the specific site and the proposed use on the application.

b. No application shall be processed until the application fee has been paid and the application has been reviewed for completeness and accepted by the City. Incomplete applications shall not be processed under any circumstance.

~~3.~~2. **Pre-Application conference.** Prior to a complete application, a pre-application conference shall be held between the applicant and the planning staff, once the applicant can provide the following:

~~a. Documentation that all applicable fees have been paid.~~

~~b.~~a. A site analysis meeting the requirements of 19.14.06.3 below.

~~c.~~b. A site plan meeting the requirements of 19.14.06.3. below.

~~d.~~c. Conceptual elevations.

~~e.~~d. Vicinity map meeting the requirements of 19.14.06.3. below.

3. **Accompanying Maps, Reports, and ~~and~~ Drawings Required.** The information submitted with the application shall ~~include five full-size 24 x 36 inch copies and seven 11 x 17 inch copies of the site plan, landscaping plan, elevation, drainage plan, and shall~~ include the following:

~~f.~~a. **Ownership Affidavit.** A statement of ownership and control of the subject property and a statement describing the nature of the intended use.

~~g.~~b. **Vicinity Map.** A general location map indicating the approximate location of the subject parcel.

~~h.~~c. **Context plan.** A context plan shall include the existing features within 200 feet of the proposed Site Plan property line. Existing features include, but are not limited to, buildings, ingress and egress points, landscaping areas, pedestrian paths, and property names.

~~i.~~d. **Site Analysis.** A site analysis is a plan view drawing demonstrating land constraints and existing features. Existing features may consist of the presence of boulders, existing man-made features, significant trees, canals or ditches, access points or public rights-of-way, and existing conditions within 200 feet of the property line.

~~j.~~e. **Survey.** A survey prepared and stamped by a Utah registered land surveyor listing the metes and bounds legal description and the gross acreage within the subject parcel.

~~k.~~f. **Compliance statement.** A statement indicating how the proposed development complies with the City's adopted Land Use Element of the General Plan.

l.g. **Site Plan. Final Construction Drawings** containing, at a minimum, all items specified in the City's "Standard Technical Specification and Drawings" manual. Applicant shall provide three full-size 24" x 36" copies and five 11 x 17 inch reductions. Additional copies may be required prior to adding the application to the Planning Commission or City Council agenda. Final Construction Drawings for aAA Site Plan is hereby required and shall be prepared and stamped by licensed or certified professionals including architects, landscape architects, land planners, engineers, surveyors, transportation engineers, or other professionals deemed necessary by the Planning Director. The City may require plans prepared by any or all of the above-noted professionals. A S Site Plan application shall also contain the following[41]:

i. date, scale, and north arrow;

ii. boundaries of the subject parcel and the entire parcel (where the project does not occupy the entire parcel of which it is a part);

iii. existing streets, watercourses, easements and other rights-of-way, and section lines;

iv.i. locations, dimensions, floor plans, and uses and heights of all proposed buildings and structures, including overhangs, porches, stairwells, and balconies, and the locations of all structures on adjoining properties;

v.ii. access points, provisions for vehicular and pedestrian circulation on and off site, interconnection to adjacent sites, dimensions of such access and circulation, and pedestrian paths within 200 feet of the property boundary;

vi.iii. acceleration and deceleration lanes, and dimensions thereof, if required;

vii.iv. off-street parking and loading areas complying with the City's off-street parking requirements contained in Chapter 19.09 of this Title;

viii.v. screening and buffering provisions, including types and heights of existing and proposed buffering and fencing elements;

ix.vi. location and treatment of refuse collection areas, storage areas, mechanical equipment, and external structures;

x. location and size of existing utilities and general location of utility access points and hook ups;

xi.vii. location, type, and size of all business and on-site circulation signage;

xii.viii. tabulation of square footage devoted to various land uses, ground coverage by structures, and other impervious surfaces;

xii. location of existing and proposed curb, gutter, sidewalk, park strip, and edge of asphalt to be prepared, signed, and stamped by a registered engineer;

xii. type of construction of all structures, presence or absence of fire sprinkling, and location of existing and proposed fire hydrants;

ix.

h. **Final Hydraulic and Hydrologic storm drainage report** and calculations

i. **Final Traffic report**. Said report shall comply with the standards outlined in the City's adopted Transportation Master Plan and shall include, but not be limited to, the following:

i.an analysis of the average daily trips generated by the proposed project;

ii.an analysis of the distribution of trips on City street systems;

iii.a description of the type of traffic generated; and

iv. recommendations on what mitigation measures should be implemented with the project to maintain an level of service for existing and proposed residents acceptable to the City.

j. **Data table** including

i. total project area

ii. total number of lots, dwellings, and buildings

iii. square footage of proposed building footprints and, if multiple stories, square footage by floor

iv. number of proposed garage parking spaces

v. number of proposed surface parking spaces

vi. percentage of buildable land

vii. acreage of sensitive lands and what percent sensitive lands comprise of total project area and of open space area

viii. area and percentage of open space or landscaping

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

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

xi. number of off-street parking spaces (e.g., number of proposed garage parking spaces, number of proposed surface parking spaces, etc.)

~~i. **location of all existing and proposed secondary irrigation systems, both on site and on adjacent properties, including ditches, pipes, and culverts;**~~

~~ii. **a statement on the Site Plan that all applicable elements of Section 19.09.07 with respect to accessible parking will be adhered to;**~~

~~iii. **the piping of all existing irrigation ditches which affect the site;**~~

~~iv. **the names of all adjacent property owners;**~~

~~v. **data table** including total number of lots, dwellings, and buildings, square footage of proposed buildings by floor, number of off-street parking spaces (e.g., number of proposed garage parking spaces, number of proposed surface parking spaces, etc.), percentage of buildable land, percentage and amount of sensitive lands, percentage and amount of open space or landscaping, and net density of dwellings by acre; and~~

~~vi.~~k. ~~a~~ A file of all submitted plans, documents, and reports in pdf ~~-~~format.

~~b.~~l. **Landscaping Plan.** A landscaping plan, prepared and stamped by a licensed landscape architect, indicating the location, spacing, types, and sizes of landscaping elements and existing trees, and showing compliance with the City's off-street parking requirements, the City's design guidelines and policies, and the requirements of the appropriate zone.

~~c. **Grading and Drainage Plan.** A grading and drainage plan which indicates the proposed grading and techniques for controlling and discharging drainage. The plan must include:~~

~~. topographical plans showing existing grades and proposed grades and elevations;~~

~~. location and elevations of all existing and proposed drainage facilities within the subject parcel and the general vicinity within 100 feet of the site;~~

~~. retention areas and exfiltration systems;~~

~~. storm sewer piping and other appurtenances, sizes, and locations;~~

~~. contour lines showing adequate intervals to show topography of site; and~~

~~. a note indicating that all storm drainage facilities will conform to the City's construction standards and policies.~~

j. m. **Lighting Plan.** A lighting plan indicating the illumination of all interior areas and immediately adjoining streets showing the location, candle power, and type of lighting proposed, and in conformance with the City's lighting standards. An individual photometric plan is also required.

k. n. **Elevations.** The elevations of all proposed buildings, fences, and other structures viewed from all sides indicating height of structures, the average finished grade of the site at the foundation area of all structures, percentage of building materials proposed, and color of all materials. A board showing building colors and materials is required.

l. o. **Signage Plan.** The Planning Commission shall approve aAn overall signage plan shall be approved during the Site Plan approval process. All information to be provided for the sign approval shall be submitted concurrent with Site Plan application materials, consistent with the requirements in Section 19.18.

m. **Traffic Impact Study.** A traffic impact study (completed by a certified traffic engineer) may be required if it is estimated by the City Engineer that the project could generate trips for any given time period in excess of five percent of the existing volume of traffic on adjacent street systems. Said study shall include, but not be limited to, the following:

- an analysis of the average daily trips generated by the proposed project;
- an analysis of the distribution of trips on City street systems; and
- a description of the type of traffic generated.

q. **Fee.** A fee set by resolution of the City Council shall accompany the application for any Site Plan review.

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4. **Fee.** A fee set by resolution of the City Council shall accompany the application for any Site Plan review.

5. **Public Notice and Hearing.** All site plans shall comply with the noticing and public hearing requirements of Section 19.13, and .04.applicants shall pay the cost to post and mail required notice to property owners, upon invoice from the City.

6. **Development or Bond Agreement.** A development agreement and bond agreement shall be required based on the conditions, requirements, findings, and recommendations made by the City Council. The development agreement and bond agreement shall also be based on requirements of the City Code and legal requirements as specified by the City Attorney. The City Council may determine that a development agreement is not required, but in all cases a bond agreement shall be required. A development agreement is not required when conditions, requirements, findings, and recommendations are all consistent with Title 19 requirements unless the City Council, in exercising its legislative authority pursuant to Utah Code § 10-9a-102, determines that a development agreement is necessary to further the public health, safety, or welfare or any other legitimate purpose outlined in Utah Code § 10-9a-102(1).

7. **Consideration in Review of Applications.** The Planning Commission, City Council, and the Planning Director shall review the application and consider the following matters and others when applicable:
    a. Considerations Relating to Traffic Safety and Traffic Congestion:
        i. the effect of the site development plan on traffic conditions on adjacent street systems;

ii. the layout of site with respect to location and dimensions of vehicular and pedestrian entrances, exits, driveways, and walkways;
iii. the arrangement and adequacy of off-street parking facilities to prevent traffic congestion and compliance with the provisions of Chapter 19.09, off-street parking requirements;
iv. the location, arrangement, and dimensions of truck loading and unloading facilities;
v. the circulation patterns within the boundaries of the development; and
vi. the surfacing and lighting of off-street parking facilities.

b. Considerations Relating to Outdoor Advertising. Outdoor advertising shall comply with the provisions of Chapter 19.18.

c. Consideration Relating to Landscaping:
   i. the location, height, and materials of walls, fences, hedges, and screen plantings to ensure harmony with adjacent development, to provide buffer areas, or to conceal storage areas, utility installations, or other unsightly development;
   ii. the requirements of Chapter 19.06;
   iii. the planting of ground cover or other surfaces to prevent dust and erosion; and
   iv. the unnecessary destruction of existing healthy trees.

d. Considerations Relating to Buildings and Site Layout:
   i. the general silhouette and mass, including location on the site, elevations, and relation to natural plan coverage, all in relationship to the character of the neighborhood;
   ii. the exterior design in relation to adjoining structures in height, bulk, and area openings, breaks in facade facing the street, line and pitch of roofs, and the arrangement of structures on the parcel;
   iii. compliance with the City's Architectural design standards.

e. The effect of the site development plan on the adequacy of the storm and surface water drainage.

f. Adequate water pressure and fire flow must be provided on the site as required by the applicable fire code.

g. The proposed project shall comply with the City's adopted Land Use Element of the General Plan, Land Use Ordinance, land development regulations, architectural guidelines, and all other adopted ordinances, regulations, policies, and standards.

~~h.~~

~~.~~ 7. **Site Plan Application and Approval Process.**

a. All persons seeking Site Plan approval shall submit an application to the Planning Department for review by the City's Development Review Committee (DRC).

~~b. Upon compliance with the Development Review Committee's recommendations, the revised application shall be forwarded to the Planning Commission.~~

~~c.~~ b. Complete engineering drawings for all on-site and off-site improvements must be provided prior to the Site Plan application being scheduled for any public meeting or hearing. The Engineering Department and Development Review Committee shall review the drawings for compliance with City ordinances, regulations, and standards.

c. New site plans shall follow the process below:

~~d.~~i. Prior to being scheduled for any public meeting or hearing, the developer shall ~~produce five copies of~~~~of~~provide a soils report for the development.

ii. Upon compliance with the Development Review Committee's recommendations, the revised application shall be forwarded to the Planning Commission for a public hearing and possible recommendation.

iii. Upon recommendation by the Planning Commission, the application shall be forwarded to the City Council.

~~e.~~iv. The City Council shall review and take action to table, approve, deny, or to modify the same.

v. Upon action by the City Council on the Site Plan application, the City Recorder shall prepare written minutes of the decision.

d. Amended site plans shall follow the process below:

i. Minor amendment: an amendment that does not alter the density, intensity of use, amount of open space, or unit type, and may be approved by the Planning Commission.

ii. Major amendment: an amendment that alters the density, intensity of use, amount of open space or unit type, shall follow the same process as a new site plan.

~~f.~~

19.14.07. Issuance of Building Permit.

1. **Conformity with approved plans.** Any building permit issued shall expressly require that development be undertaken and completed in conformity with the plans as approved by the City Council.

2. **Application compliance.** A building permit shall not be issued for any building or structure or external alterations thereto until the provisions of this Chapter and the approved Site Plan and written development agreement and/or bond agreement have been met.

19.14.08. Issuance of a Certificate of Occupancy.

A Certificate of Occupancy shall not be issued for any building or structure or alteration thereto until the provisions of this Chapter, approved Site Plan, development agreement, and/or bond agreement have been completed.

19.14.09. Failure to Begin and Complete Development.

If no substantial construction (as defined in the applicable building code) has occurred in a development ~~which~~ that has been granted Site Plan approval pursuant to this Chapter within twenty-four months from the date of approval, the Planning Director shall revoke Site Plan approval.

1. The City Council may grant extensions of time when such extensions will promote public health, safety, and general welfare. Said extension must be requested within twenty-four months of Site Plan approval and shall not exceed twenty-four months.

Chapter 19.15. Conditional Use Permit.

Sections:

19.15.01. Purpose.
19.15.02. Conditional Use Permit.
19.15.03. Approval Process.
19.15.04. Determination.
19.15.05. General Standards and Considerations Governing Conditional Uses.
19.15.06. Special Standards and Considerations Governing Particular Uses.
19.15.07. Optional Conditions.
19.15.08. Inspection.
19.15.09. Time Limit.

19.15.01. Purpose.

The purpose of this Chapter is to allow the proper integration into the City of Saratoga Springs of uses that may be suitable only under certain circumstances, or only if such uses are designed or developed on the site in a particular manner.

19.15.02. Conditional Use Permit.

1. **Required.** A Conditional Use permit shall be required for all uses listed as a Conditional Use in the zone regulations. A Conditional Use permit may be revoked upon failure to comply with conditions precedent of the original approval of the permit or failure to comply with the City Code.

2. **Application.** Application for a Conditional Use permit shall be made by the property owner or his duly authorized agent to the Planning Department.

3. **Accompanying Data.**

   a. Applications for Conditional Uses in New or Expanded Structures and Sites shall be accompanied by:
      i. ~~The application shall be accompanied by~~ a Site Plan application and supporting materials, and
      ii. a description of the use, and
      iii. the Planning Director may require additional information to be presented on the Project Plan so long as the information is reasonably necessary to determine whether the proposed conditional use complies with City ordinances, regulations, and standards.
   b. Applications for Conditional Uses in Existing Structure and Sites ~~maps, drawings, or other documents sufficient to meet the requirements of a Site Plan review as specified in Chapter 19.14 of this Title and sufficient to demonstrate that the general and specific requirements of this Title will be met by the construction and operation of the proposed~~

building, structure, or use. For applications that do not require Site Plan approval, the application shall be accompanied by:

i. a Project Plan which represents existing building siting, parking, vehicular circulation, landscaping, lighting, fencing, trash enclosures, signage, and storm drainage. , and any internalsite changes necessary for the new use.

3.c. The Planning Director may require additional information to be presented on the Project Plan so long as the information is reasonably necessary to determine whether the proposed conditional use complies with City ordinances, regulations, and standards.

4. **Granting of a Permit.** In considering an application for a Conditional Use permit, the City Council Land Use Authority may deny a permit or may grant a permit subject to the requirements of this Chapter. The granting of a Conditional Use permit shall not exempt the applicant from other relevant provisions of this Chapter, other ordinances, regulations, or standards of the City, or the Utah Code.

5. **Fee.** The application for any Conditional Use permit shall be accompanied by a fee set by resolution of the City Council, and applicants shall pay the cost to post and mail public hearing notices.

19.15.03. Approval Process.

The approval process for a Conditional Use permit shall be as follows:

1. Conditional Use Permit for a Use in a New or Expanded Structure or Site:

1. Upon receipt of a completed application and subsequent review for application completeness by the Planning Department, the Planning Department shall place the Conditional Use application and related Site Plan application on the next available Planning Commission agenda for a public hearing as outlined by application deadlines established by the Planning Department.

a. The Planning Commission shall review each application and make a recommendation to the City Council to approve, approve with conditions, or deny the application, or the Planning Commission may defer action if an applicant fails to appear at the public hearing or meeting or there is insufficient application information provided.

b. The City Council is the Land Use Authority, and shall review each application at a public meeting and approve, approve with conditions, or deny the application, or may defer action if an applicant fails to appear at the public meeting or there is insufficient application information provided.

2. Conditional Use Permit for a Use in an Existing Structure or Site:

a. Upon receipt of a completed application and subsequent review for application completeness by the Planning Department, the Planning Director shall review the application for compliance with the standards in this Title.

b. If the application does not include external changes to the site, the Planning Director shall be the Land Use Authority and shall approve, approve with conditions, or deny the application, or may defer action if there is insufficient application information provided.

~~3.~~c. If the application includes external changes to the site, a site plan amendment shall be required, the Conditional Use Permit shall follow the same process as the related site plan, and the Land use authority for the site plan shall become the Land Use Authority for the Conditional Use Permit.

19.15.04. Determination.

1. The ~~Planning Commission~~ Land Use Authority may only permit a Conditional Use to be located within zones where the particular Conditional Use is listed as a Conditional Use by the use regulations of this Title.

2. 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 the standards contained in this Chapter.

3. 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 the standards contained in this Chapter, the conditional use may be denied.

19.15.05. General Standards and Considerations Governing Conditional Uses.

In reviewing an application for a Conditional Use permit, the ~~Planning Department shall apply the~~ following considerations and standards shall be applied:

1. The siting of the structure or use, and in particular:
    a. the adequacy of the site to accommodate the proposed use or building and all related activities;
    b. the location and possible screening of all outdoor activities;
    c. the relation of the proposed building or use to any adjoining building with particular attention to protection of views, light, air, and peace and quiet;
    d. the location and character of any display of goods and services; and
    e. the size, nature, and lighting of any signs.

~~2.~~
~~3.~~2. Traffic circulation and parking, and in particular:
    a. the type of street serving the proposed use in relation to the amount of traffic expected to be generated;
    b. the adequacy, convenience, and safety of provisions for vehicular access and parking, including the location of driveway entrance and exits; and
    c. the amount, timing, and nature of traffic generated by the proposed conditional use.

~~4.~~3. The compatibility of the proposed conditional use with its environment, and in particular:
    a. the number of customers or users and the suitability of the resulting activity level to the surrounding uses;
    b. hours of operation;

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

2. **Temporary Subdivision Sales Offices.** One temporary sales office may be granted as a conditional use so long as it is listed as a conditional use in the use regulations of this Title, located in a subdivision of not less than five acres, located at least 200 feet from any existing dwelling outside of the subdivision measured along street lines, and issued a subdivision sales office permit.
   a. A permit for a subdivision sales office may be issued by the Planning Commission at any time after recording of the subdivision; however, the applicant may proceed with the conditional use approval process simultaneously with the subdivision approval process.
   b. The permit shall become void one year following the date on which the permit was issued. The temporary office shall then be removed unless thirty days prior to the expiration of the one year period, a request for an extension of time is made and granted by the Planning Commission. In no case will more than one extension be granted, and such extension may not be more than one year.

3. **Non-residential Group Day Care and Preschool Center Special Conditions.** Development or operation of a group day care or preschool center must be approved in advance by the City Council and must be found to conform to the following conditions:

i. The City shall not allow such schools to accept students with serious mental or behavior disorders, students with current or recent drug or alcohol problems, students that are sex offenders, or students that are having or have recently had problems with the law.

ii. The City may provide that the school may not contract with any correctional office or agency for placement of students nor accept students placed or referred by judicial or correctional offices or agencies.

e. The City shall impose such reporting, inspection, certification, review, and self-regulating conditions on Private or Quasi-public Schools as the City deems necessary to assure compliance with the limitations imposed by the City for its Conditional Use approval.

f. The City may restrict the location of Private or Quasi-public School in the interest of the community. Such restrictions shall include not allowing Private or Quasi-public Schools to be located in close proximity to similar schools and facilities or to facilities, improvements, or developments that may be negatively affected by such schools or that may create potential risks or problems for the schools.

6. **Public & Private Utility Building or Facility.** Conditional Use approval shall be given based on compliance with all other standards in this Chapter, and upon compliance with the following conditions and considerations:

a. Where above-ground structures will be located within or adjacent to a residential zone, the site shall be fully screened with a minimum six-foot tall solid wall set back a minimum of five feet from the side and rear property lines, and meeting the front setback requirement for the zone.

b. Landscaping shall be placed along the exterior of the site at the foot of any required wall; the interior of the site within required solid walls shall be exempt from landscaping requirements.

~~a.~~c. All site lighting shall be downward directed and fully shielded.

19.15.07. Optional Conditions.

Applicants for Conditional Use permits shall meet all applicable requirements of this Title. In addition, the City Council may establish conditions as outlined herein to meet the concerns of safety for persons and property, health and sanitation, environment, master plan proposals, and neighborhood needs, performance, and administration. More specifically, the City Council may require:

1. **Conditions Relating to Safety of Persons and Property.**

a. Building elevations and grading plans which will prevent or minimize flood water damage, where property may be subject to flooding.

b. The relocation, covering, or fencing of irrigation ditches, drainage channels, and other potential attractive nuisances existing on or adjacent to the property.

c. Increased setback distances from lot lines where the Planning Commission determines it to be necessary to ensure the public safety and to ensure compatibility with the intended characteristics of the zone as outlined in applicable land use ordinances.

d. Appropriate design, construction, and location of structures, buildings, and facilities in relation to any earthquake fault which may exist on the property, and limitations and

City of Saratoga Springs
Planning Commission Meeting
July 10, 2014
Regular Session held at the City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

Planning Commission Minutes

Present:
Commission Members: Jeff, Cochran, Kirk Wilkins, Sandra Steele, Hayden Williamson, Jarred Henline, Kara North
Staff: Sarah Carroll, Nicolette Fike, Kimber Gabryszak, Kevin Thurman, Jeremy Lapin
Others: No public were in attendance.
Excused: Eric Reese

Call to Order - 6:35 p.m. by Jeff Cochran
Pledge of Allegiance - led by Kirk Wilkins
Roll Call – Quorum was present

Public Input Open by Jeff Cochran
No input was given.
Public Input Closed by Jeff Cochran

4. Public Hearing and Possible Recommendation: Preliminary Plat for Harbor Point located at approximately 4200 South Redwood Road, Land Solutions Partners, applicant.

Kimber Gabryszak presented the Plat. Public notice on the State website was missing. The recommendation from Staff was to continue the item. Applicant was also not present.

Public Hearing Open by Jeff Cochran
No public input was given.
Public Hearing is Continued to the next meeting by Jeff Cochran

Sandra Steele mentioned it would be good to see a traffic study, radius fixed and determination on drainage issues. She felt the applicant should comply with requests of planning commission and work with staff better.
Hayden Williamson noted that lots 118 and 119 needed to have the driveways open to Captain Street like lots 103 and 104.
Kirk Wilkins echoed the previous comments.
Jarred Henline agreed with the previous comments. He reiterated that he would like the applicant to comply.
Jeff Cochran would like to see open space discrepancy be resolved and wondered what the staffs position was on secondary water options.
Jeremy Lapin noted that secondary system was currently having problems with pressure in the area. They didn't feel comfortable adding more development that would decrease levels for current residents. They are hoping to bond for an additional secondary water source. It would be a condition of preliminary plat on the three impacted plats that secondary water be in place before acceptance.

Motion by Kara North Based on the information in the Staff report and received tonight, I move to continue the Harbor Point Preliminary Plat, on Parcel 16:003:0034 and located at approximately 4200 South Redwood Road as shown in Exhibit 2, to a future Commission meeting, on July 31, with the following direction on information needed to render a decision: those identified in the

report with the addition that lots 118 and 119 have their driveways be limited to Captain Street. Seconded by Hayden Williamson Aye: Sandra Steele, Hayden Williamson, Jeffrey Cochran, Kirk Wilkins, Kara North, Jarred Henline. Motion passed unanimously.

5. **Approval of Reports of Action.**
   No reports of action.

6. Approval of Minutes:
   1. June 26, 2014.

   Motion made by Kara North that the Commission approve the minutes from June 26, 2014 with the corrections provided by Commissioner Henline and Commissioner Steele. Seconded by Hayden Williamson. Aye: Sandra Steele, Hayden Williamson, Jeffrey Cochran, Kirk Wilkins, Kara North, Jarred Henline. Motion passed unanimously.

7. **Commission Comments.**
   Sandra Steele wanted to communicate with staff about the Planning Commission Rules and procedures.
   Kimber Gabryszak indicated that the Land Use required Planning Commission forward a recommendation. A tie vote could not go to council. Discussion with staff thought a tie should mean a negative recommendation. She would get back to them when they had a solid answer.

8. **Director's Report.**
   Kimber Gabryszak summarized what happened at City Council meeting. She briefly mentioned items coming up for the next meeting, July 31.

Meeting adjourned without objection by Jeff Cochran

Adjourn 7:00 p.m.

_____
Date of Approval

_____
Planning Commission Chair
Jeff Cochran

_____
Lori Yates, City Recorder