

ORDINANCE 2021-06

AN ORDINANCE OF THE SOUTH WEBER CITY COUNCIL AMENDING PROVISIONS OF TITLE 10, CHAPTER 5 OF THE CITY CODE TO CONSOLIDATE LAND USES IN SOUTH WEBER CITY.

WHEREAS, the South Weber City Council adopted the General Plan in 2020; and

WHEREAS, after adoption of the General Plan, the City determined that it would be necessary and proper to review and amend various land uses throughout the City; and

WHEREAS, the City Council is authorized by State statute and municipal ordinances to make such amendments; and

WHEREAS, in order to consolidate the land uses, it is necessary to remove the land use classifications from their present location in City Code; and

WHEREAS, the South Weber City Planning Commission has made a favorable recommendation to the City Council that the location of land uses be consolidated and Title 10, Chapter 5 be amended accordingly.

NOW, THEREFORE, BE IT ORDAINED by the City Council of South Weber City, Utah, as follows:

Section 1. Amendment. The attached Exhibit A, is hereby adopted and incorporated as the amended Title 10, Chapter 5 of the South Weber City Code.

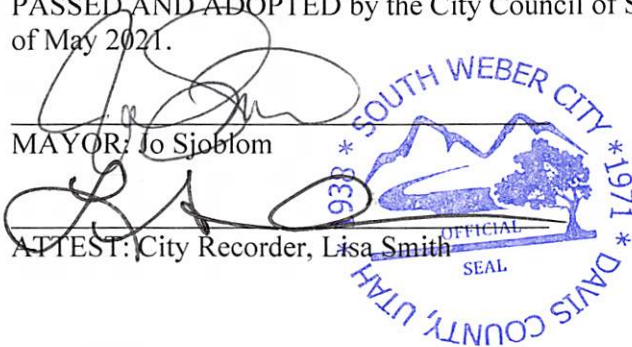
Section 2. Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance; and all sections, parts, and provisions of this Ordinance shall be severable.

Section 3. Effective Date. In accordance with Utah Code Ann. § 10-3-701 et seq. and Title 1, Chapter 2, Section 5 of South Weber City Code, this Ordinance shall take effect immediately upon adoption and recordation.

PASSED AND ADOPTED by the City Council of South Weber, Davis County, on the 25th day of May 2021.

MAYOR: Jo Sjoblom

ATTEST: City Recorder, Lisa Smith



Roll call vote is as follows:

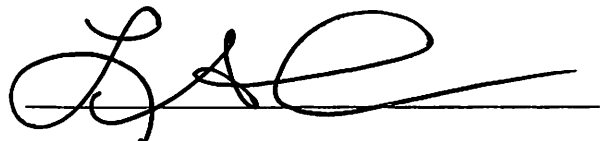
Council Member Winsor	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Soderquist	FOR	AGAINST
Council Member Alberts	FOR	AGAINST
Council Member Halverson	FOR	AGAINST

**EXHIBIT A
TITLE 10 CHAPTER 5
ZONING DISTRICTS**

CERTIFICATE OF POSTING

I hereby certify that Ordinance 2021-06 was passed and adopted the 25th day of May 2021 and that complete copies of the ordinance were posted in the following locations within the City this 26th day of May 2021.

1. South Weber Elementary, 1285 E. Lester Drive
2. South Weber Family Activity Center, 1181 E. Lester Drive
3. South Weber City Building, 1600 E. South Weber Drive

A handwritten signature in black ink, appearing to be 'LAE', is written over a horizontal line.

CHAPTER 5 ZONING DISTRICTS

SECTION:

10-5-1: Zoning Map

10-5-2: Boundary Determination

10-5-2: BOUNDARY DETERMINATION:

A. Street, Alley Or Block: Whenever the boundary is indicated as being approximately upon the centerline of a street, alley or block, or along a property line, then unless otherwise definitely indicated on the map, the centerline of such street, alley or block or such property line shall be construed to be the boundary.

B. Waterway: Whenever such boundary line is indicated as being approximately at the line of any river, irrigation canal or other waterway or any section line, then in such case the center of such stream, canal or waterway or the boundary line of such public land or such section line shall be deemed to be the boundary.

C. Undetermined; Use Of Scale: Where such boundary lines cannot be determined by the above rules, their location may be found by the use of the scale appearing upon the map. (1989 Code § 12-2-002)

ARTICLE A. RESIDENTIAL MODERATE DENSITY ZONE (R-M)

SECTION:

10-5A-1: Purpose

10-5A-2: Permitted Uses

10-5A-3: Conditional Uses

10-5A-4: Building Lot Requirements

10-5A-5: Location Of Structures

10-5A-6: Maximum Structure Height

10-5A-7: Off Street Parking

10-5A-8: Permitted Signs

10-5A-1: PURPOSE:

To provide for areas in appropriate locations where quiet, moderate density, residential neighborhoods may be established and protected. The regulations of this zone are designed to promote compatible land uses consistent with a suburban environment enjoyed by residents within the zone. With proper controls that ensure the integrity of the zone, alternate forms of residential living are provided for by allowing flexibility in housing type, preference and costs. (Ord. 2000-9, 7-11-2000)

10-5A-2: PERMITTED USES:

Permitted uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title.

10-5A-3: CONDITIONAL USES:

Conditional uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title. Conditions for approval shall be made in accordance with the provisions of chapter 7 of this title.

10-5A-4: BUILDING LOT REQUIREMENTS:

A. Density: There shall be no more than 2.80 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same

development have sufficiently low density so that the average is still 2.80 building lots per acre or less. (Ord. 15-05, 7-14-2015)

B. Lot Area: There shall be a minimum of nine thousand (9,000) square feet in each lot.

C. Lot Width:

1. A maximum of twenty five percent (25%) of all lots within any development phase may be a minimum of eighty feet (80') in width; and

2. A minimum of twenty five percent (25%) of all lots within any development phase shall be a minimum of one hundred feet (100') in width; and

3. The width of all lots within any development phase shall average a minimum of ninety feet (90') in width. (Ord. 2000-9, 7-11-2000)

10-5A-5: LOCATION OF STRUCTURES:

All buildings and structures shall be located as provided in chapter 11 of this title and as follows:

Structures	Front Setback	Side Setback	Rear Setback
Dwellings	60 foot right-of-way: 25 feet from all front lot lines	10 feet minimum on each side, except 20 feet minimum for side fronting on a street	25 feet
	70 foot right-of-way: 20 feet from all front lot lines		
Other main buildings	60 foot right-of-way: 25 feet from all front lot lines	20 feet minimum for each side	25 feet
	70 foot right-of-way: 20 feet from all front lot lines		
Detached accessory buildings and garages	25 feet from all front lot lines	Same as for dwellings, except when the structure is at least 10 feet behind the main building or 10 feet behind a line extending from the rear corners of the main building to the side lot lines parallel to the rear lot line(s); the side and rear setbacks may be reduced to 1 foot; provided, that the structure must be at least 20 feet from main buildings on adjacent lots; and on corner lots the minimum setback for a side facing a street is 20 feet and minimum rear setback adjacent to a side lot line is 10 feet	

(Ord. 09-09, 8-11-2009)

10-5A-6: MAXIMUM STRUCTURE HEIGHT:

Main buildings or structures, two and one-half (21/2) stories or thirty five feet (35'). (Ord. 2000-9, 7-11-2000)

10-5A-7: OFF STREET PARKING:

The provisions of chapter 8 of this title shall apply and shall be in full force and effect in this zone, except in the case of a bona fide temporary use. (Ord. 2000-9, 7-11-2000)

10-5A-8: PERMITTED SIGNS 1 :

Class 1 signs shall be permitted. For home occupations or service accessory businesses, Class 2 signs will be allowed in addition to Class 1 signs. For public and institutional uses as allowed by conditional use permit, Class 3 signs will be allowed in addition to Class 1 signs. (Ord. 2000-9, 7-11-2000; amd. Ord. 2001-4, 2-13-2001)

Notes

1. See also chapter 9 of this title.

ARTICLE B. RESIDENTIAL LOW-MODERATE DENSITY ZONE (R-LM)

SECTION:

10-5B-1: Purpose

10-5B-2: Permitted Uses

10-5B-3: Conditional Uses

10-5B-4: Building Lot Requirements

10-5B-5: Location Of Structures

10-5B-6: Maximum Structure Height

10-5B-7: Off Street Parking

10-5B-8: Permitted Signs

10-5B-1: PURPOSE:

To provide for areas in appropriate locations where quiet, moderate/low density, residential neighborhoods may be established and protected and where there may be animal keeping on some parcels. The regulations of this district are designed to promote compatible land uses consistent with a suburban environment enjoyed by residents within the district. With proper controls that ensure the integrity of the district, alternate forms of residential living are provided for by allowing flexibility in housing type, preference and costs. (Ord. 2000-9, 7-11-2000)

10-5B-2: PERMITTED USES:

Permitted uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title.

10-5B-3: CONDITIONAL USES:

Conditional uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title. Conditions for approval shall be made in accordance with the provisions of chapter 7 of this title.

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10-5B-4: BUILDING LOT REQUIREMENTS:

A. Density: There shall be no more than 1.85 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 1.85 building lots per acre or less. (Ord. 15-05, 7-14-2015)

B. Lot Area: There shall be a minimum of ten thousand (10,000) square feet in each lot.

C. Lot Width:

1. A maximum of twenty five percent (25%) of all lots within any development phase may be a minimum of eighty feet (80') in width; and

2. A minimum of twenty five percent (25%) of all lots within any development phase shall be a minimum of one hundred feet (100') in width; and

3. The width of all lots within any development phase shall average a minimum of ninety feet (90') in width. (Ord. 2000-9, 7-11-2000)

10-5B-5: LOCATION OF STRUCTURES:

All buildings and structures shall be located as provided in chapter 11 of this title and as follows:

Structures	Front Setback	Side Setback	Rear Setback
Dwellings	60 foot right-of-way: 25 feet from all front lot lines	10 feet minimum on each side, except 20 feet minimum for side fronting on a street	25 feet
	70 foot right-of-way: 20 feet from all front lot lines		
Other main buildings	60 foot right-of-way: 25 feet from all front lot lines	20 feet minimum for each side	25 feet
	70 foot right-of-way: 20 feet from all front lot lines		
Detached accessory buildings and garages	25 feet from all front lot lines	Same as for dwellings, except when the structure is at least 10 feet behind the main building or 10 feet behind a line extending from the rear corners of the main building to the side lot lines parallel to the rear lot line(s); the side and rear setbacks may be reduced to 1 foot; provided, that the structure must be at least 20 feet from main buildings on adjacent lots; and on corner lots the minimum setback for a side facing a street is 20 feet and minimum rear setback adjacent to a side lot line is 10 feet	

(Ord. 09-09, 8-11-2009)

10-5B-6: MAXIMUM STRUCTURE HEIGHT:

Main buildings or structures, two and one-half (2 1/2) stories or thirty five feet (35'). (Ord. 2000-9, 7-11-2000)

10-5B-7: OFF STREET PARKING:

The provisions of chapter 8 of this title shall apply and shall be in full force and effect in this zone, except in the case of a bona fide temporary use. (Ord. 2000-9, 7-11-2000)

10-5B-8: PERMITTED SIGNS 1 :

Class 1 signs shall be permitted. For home occupations or service accessory businesses, Class 2 signs will be allowed in addition to Class 1 signs. For public and institutional uses as allowed by conditional use permit, Class 3 signs will be allowed in addition to Class 1 signs. (Ord. 2000-9, 7-11-2000; amd. Ord. 2001-4, 2-13-2001)

Notes

1. See also chapter 9 of this title.

ARTICLE C. RESIDENTIAL MULTI-FAMILY SEVEN ZONE (R-7)

SECTION:

10-5C-1: Purpose

10-5C-2: Architectural Site Plan Review

10-5C-3: Permitted Uses

10-5C-4: Conditional Uses

10-5C-5: Building Lot Requirements

10-5C-6: Location Of Structures

10-5C-7: Maximum Structure Height

10-5C-8: Off Street Parking And Loading

10-5C-9: Permitted Signs

10-5C-10: Special Conditions

10-5C-11: Landscaping Requirements

10-5C-1: PURPOSE:

To provide for areas in appropriate locations where neighborhoods of varying degrees of density may be established, maintained and protected. The regulations of this zone are designed to promote an intensively developed residential environment suitable primarily for adult living. With proper controls that ensure the integrity of the zone, alternate forms of residential living ranging from single- family to twelve-family dwellings and necessary public services. (Ord. 2000-9, 7-11-2000; amd. Ord. 2001-4, 2-13-2001)

10-5C-2: ARCHITECTURAL SITE PLAN REVIEW:

All dwellings which are designed to be occupied by three (3) or more families shall receive architectural site plan approval according to the requirements of chapter 12 of this title. (Ord. 2000-9, 7-11-2000)

10-5C-3: PERMITTED USES:

Permitted uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title.

10-5C-4: CONDITIONAL USES:

Conditional uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title. Conditions for approval shall be made in accordance with the provisions of chapter 7 of this title.

10-5C-5: BUILDING LOT REQUIREMENTS:

A. Density: There shall be no more than seven (7) dwelling units per acre contained within the boundaries of each phase of every development; except when previously completed phases of the same development have sufficiently low density so that the average is still seven (7) dwelling units per acre or less.

B. Lot Area:

1. There shall be a minimum of twelve thousand (12,000) square feet in each lot on which a single-family or two-family dwelling is built.

2. There is no minimum lot area for other dwelling types, but the density requirement listed above must be adhered to in all cases.

C. Lot Width: Each lot shall have a minimum width of one hundred feet (100'). (Ord. 2000-9, 7-11-2000; amd. Ord. 19-16, 11-26-2019)

10-5C-6: LOCATION OF STRUCTURES:

All buildings and structures shall be located as provided in chapter 11 of this title and as follows:

Structures	Front Setback	Side Setback	Rear Setback
Dwellings	30 feet from all front lines	10 feet minimum for each side, except 20 feet minimum for side fronting on a street	30 feet
Other main buildings	30 feet from all front lot lines	20 feet minimum for each side	30 feet
Detached accessory buildings and garages	30 feet from all front lot lines	Same as for dwellings, except when the structure is at least 10 feet behind the main building or 10 feet behind a line extending from the rear corners of the main building to the side lot lines parallel to the rear lot line(s); the side and rear setbacks may be reduced to 1 foot; provided, that the structure must be at least 20 feet from main buildings on adjacent lots; and on corner lots the minimum setback for a side facing a street is 20 feet and minimum rear setback adjacent to a side lot line is 10 feet	

(Ord. 2000-9, 7-11-2000)

10-5C-7: MAXIMUM STRUCTURE HEIGHT:

Main, accessory and temporary buildings and structures are not to exceed thirty five feet (35'). (Ord. 2000-9, 7-11-2000)

10-5C-8: OFF STREET PARKING AND LOADING:

The provisions of chapter 8 of this title shall apply and shall be in full force and effect in this zone, except in the case of a bona fide temporary use. (Ord. 2000-9, 7-11-2000)

10-5C-9: PERMITTED SIGNS 1 :

Class 1 signs shall be permitted. For home occupations, Class 2 signs will be allowed in addition to Class 1 signs. For public and institutional uses as allowed by conditional use permit, Class 3 signs will be allowed in addition to Class 1 signs. (Ord. 2000-9, 7-11-2000; amd. Ord. 2001-4, 2-13-2001)

Notes

1. See also chapter 9 of this title.

10-5C-10: SPECIAL CONDITIONS:

Due to the higher residential densities permitted by this article, the following conditions are required in order to assure a quality livable environment:

- A. Minimum And Maximum Area: The minimum area that may be zoned R-7 shall be two (2) acres and the maximum area which may be zoned R-7 in any zone district shall be nine point five (9.5) acres.
- B. Open Space: Multi-family dwellings shall provide usable functional open space for outdoor leisure in the following amounts:
 1. Eight hundred (800) square feet per unit for one- and two- family dwellings;
 2. Six hundred (600) square feet per unit for three- and four- family dwellings; and
 3. An additional four hundred (400) square feet per dwelling unit for each additional unit over four (4).
- C. Outdoor Storage Space: Three-family, four-family and multi- family dwellings shall provide enclosed outside storage space of at least thirty (30) square feet for each dwelling unit. (Ord. 2000-9, 7-11-2000; amd. Ord. 19-16, 11-26-2019)

10-5C-11: LANDSCAPING REQUIREMENTS:

- A. General Landscaping: At least fifteen percent (15%) of the total site shall be thoroughly landscaped, including an irrigation system to maintain such landscaping. Landscaping shall meet the requirements of chapter 15 of this title. For use of exceptional design and materials, as determined by the Planning Commission, the landscaping may be reduced to ten percent (10%) of the total site.
- B. Fencing: A six foot (6') tall solid screening fence shall be required between the Residential Multi-Family (R-7) Zone and all lower density residential zones. (Ord. 18-05, 8-14-2018; amd. Ord. 19-16, 11-26-2019)

ARTICLE D. RESIDENTIAL LOW DENSITY ZONE (R-L)

SECTION:

10-5D-1: Purpose

10-5D-2: Permitted Uses

10-5D-3: Conditional Uses

10-5D-4: Building Lot Requirements

10-5D-5: Location Of Structures

10-5D-6: Maximum Structure Height

10-5D-7: Off Street Parking And Loading

10-5D-8: Permitted Signs

10-5D-1: PURPOSE:

To provide for areas in appropriate locations where quiet, low density, residential neighborhoods may be established and protected. The regulations of this zone are designed to promote compatible land uses consistent with a semirural residential environment enjoyed by residents within those districts. With proper controls that ensure the integrity of the zone, alternate forms of residential living are provided for by allowing diversity in housing type, preference and costs. (Ord. 2000-9, 7-11-2000)

10-5D-2: PERMITTED USES:

Permitted uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title.

10-5D-3: CONDITIONAL USES:

Conditional uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title. Conditions for approval shall be made in accordance with the provisions of chapter 7 of this title.

10-5D-4: BUILDING LOT REQUIREMENTS:

A. Density: There shall be no more than 1.45 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 1.45 building lots per acre or less. (Ord. 15-05, 7-14-2015)

B. Lot Area: There shall be a minimum of twelve thousand (12,000) square feet in each lot.

C. Lot Width:

1. A maximum of twenty five percent (25%) of all lots within any development phase may be a minimum of eighty feet (80') in width; and

2. A minimum of twenty five percent (25%) of all lots within any development phase shall be a minimum of one hundred feet (100') in width; and

3. The width of all lots within any development phase shall average a minimum of ninety feet (90') in width. (Ord. 2000-9, 7-11-2000)

10-5D-5: LOCATION OF STRUCTURES:

All buildings and structures shall be located as provided in chapter 11 of this title and as follows:

Structures	Front Setback	Side Setback	Rear Setback
Dwellings	60 foot right-of-way: 30 feet from all front lines	10 feet minimum for each side, except 20 feet minimum for side fronting on a street	30 feet
	70 foot right-of-way: 25 feet from all front lot lines		
Other main buildings	60 foot right-of-way: 30 feet from all front lot lines	20 feet minimum for each side	30 feet
	70 foot right-of-way: 25 feet from all front lot lines		
Detached accessory	30 feet from all front lot lines	Same as for dwellings, except when the structure is at least 10 feet behind the main building or 10 feet behind a line extending from	

buildings and garages		the rear corners of the main building to the side lot lines parallel to the rear lot line(s); the side and rear setbacks may be reduced to 1 foot; provided, that the structure must be at least 20 feet from main buildings on adjacent lots; and on corner lots the minimum setback for a side facing a street is 20 feet and minimum rear setback adjacent to a side lot line is 10 feet
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(Ord. 09-09, 8-11-2009)

10-5D-6: MAXIMUM STRUCTURE HEIGHT:

Main, accessory and temporary buildings and structures, two and one-half (2 1/2) stories, not to exceed thirty five feet (35'). (Ord. 2000-9, 7-11-2000)

10-5D-7: OFF STREET PARKING AND LOADING:

The provisions of chapter 8 of this title shall apply and shall be in full force and effect in this zone, except in the case of a bona fide temporary use. (Ord. 2000-9, 7-11-2000)

10-5D-8: PERMITTED SIGNS 1 :

Class 1 signs shall be permitted. For home occupations or service accessory businesses, Class 2 signs will be allowed in addition to Class 1 signs. For public and institutional uses as allowed by conditional use permit, Class 3 signs will be allowed in addition to Class 1 signs. (Ord. 2000-9, 7-11-2000; amd. Ord. 2001-4, 2-13-2001)

Notes

1. See also chapter 9 of this title.

ARTICLE E. AGRICULTURAL ZONE (A)

SECTION:

10-5E-1: Purpose

10-5E-2: Permitted Uses

10-5E-3: Conditional Uses

10-5E-4: Building Lot Requirements

10-5E-5: Location Of Structures

10-5E-6: Maximum Structure Height

10-5E-7: Off Street Parking And Loading

10-5E-8: Permitted Signs

10-5E-1: PURPOSE:

The purpose of this zone is to promote and preserve open space and areas where families may engage in food production and keep limited numbers of animals and fowl. (Ord. 2000-9, 7-11-2000)

10-5E-2: PERMITTED USES:

Permitted uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title.

10-5E-3: CONDITIONAL USES:

Conditional uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title. Conditions for approval shall be made in accordance with the provisions of chapter 7 of this title.

10-5E-4: BUILDING LOT REQUIREMENTS:

A. Density: There shall be no more than 0.90 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 0.90 building lots per acre or less. (Ord. 15-05, 7-14-2015)

B. Lot Area: There shall be a minimum of twelve thousand (12,000) square feet in each lot.

C. Lot Width:

1. For lots less than one-half (1/2) acre, the same as subsection 10-5D-4C of this chapter.

2. Lots one-half (1/2) acre to ninety nine one-hundredths (0.99) acre in area shall be at least one hundred feet (100') in width.

3. Lots one acre or larger shall be at least one hundred fifty feet (150') in width. (Ord. 2000-9, 7-11-2000)

10-5E-5: LOCATION OF STRUCTURES:

All buildings and structures shall be located as provided in chapter 11 of this title and as follows:

Structures	Front Setback	Side Setback	Rear Setback
Dwellings	60 foot right-of-way: 30 feet from all front lot lines	10 feet minimum for each side, except 20 feet minimum for side fronting on a street	30 feet
	70 foot right-of-way: 25 feet from all front lot lines		
Other main buildings	60 foot right-of-way: 30 feet from all front lot lines	20 feet minimum for each side	30 feet
	70 foot right-of-way: 25 feet from all front lot lines		
Detached accessory buildings and garages	30 feet from all front lot lines	Same as for dwellings, except when the structure is at least 10 feet behind the main building or 10 feet behind a line extending from the rear corners of the main building to the side lot lines parallel to the rear lot line(s); the side and rear setbacks may be reduced to 1 foot; provided, that the structure must be at least 20 feet from main buildings on adjacent lots; and on corner lots the minimum setback for a side facing a street is 20 feet and minimum rear	

	setback adjacent to a side lot line is 10 feet
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(Ord. 09-09, 8-11-2009)

10-5E-6: MAXIMUM STRUCTURE HEIGHT:

Main buildings and structures, two and one-half (21/2) stories, not to exceed thirty five feet (35'). (Ord. 2000-9, 7-11-2000)

10-5E-7: OFF STREET PARKING AND LOADING:

The provisions of chapter 8 of this title shall apply and shall be in full force and effect in this zone, except in the case of a bona fide temporary use. (Ord. 2000-9, 7-11-2000)

10-5E-8: PERMITTED SIGNS 1 :

Class 1 signs shall be permitted. For home occupations or service accessory businesses, Class 2 signs will be allowed in addition to Class 1 signs. For public and institutional uses as allowed by conditional use permit, Class 3 signs will be allowed in addition to Class 1 signs. (Ord. 2000-9, 7-11-2000; amd. Ord. 2001-4, 2-13-2001)

Notes

1. See also chapter 9 of this title.

ARTICLE F. AGRICULTURAL-AIRCRAFT HAZARD ZONE (A-10)

Repealed by Ordinance _____

ARTICLE G. COMMERCIAL ZONE (C)

SECTION:

- 10-5G-1: Description And General Limitation
- 10-5G-2: Commercial Development Over One Acre
- 10-5G-3: Architectural Site Plan Review
- 10-5G-4: Permitted Uses
- 10-5G-5: Conditional Uses
- 10-5G-6: Building Lot Requirements
- 10-5G-7: Location Of Structures
- 10-5G-8: Maximum Structure Height
- 10-5G-9: Off Street Parking And Loading
- 10-5G-10: Permitted Signs And Lighting
- 10-5G-11: Special Provisions And Limitations
- 10-5G-12: Landscaping Requirements

10-5G-1: DESCRIPTION AND GENERAL LIMITATION:

Zone C has been established for the purpose of providing space within the various neighborhoods of the City for the establishment of neighborhood shopping centers used primarily to provide the retailing of convenience goods, the furnishing of certain personal services and the weekly household or personal needs of the residents of abutting

residential neighborhoods. C Districts are located generally on neighborhood feeder streets or on minor traffic streets rather than on main arterial highways. Such districts are almost always small in size, its area being determined by the size of the neighborhood it is designed to serve. Characteristically, it is surrounded by residential districts. (Ord. 2002-4, 3-26-2002)

10-5G-2: COMMERCIAL DEVELOPMENT OVER ONE ACRE:

A. Conditional Use: Because of the possible adverse impacts of large scale commercial developments on surrounding neighborhoods, in terms of site design and layout, traffic control, as well as visual appearance, all C developments greater than one acre shall fall under the conditional use permit procedure pursuant to chapter 7 of this title. (Ord. 2002-4, 3-26-2002)

B. Subdivided Parcels: In the event commercial parcels are subdivided and retained under single ownership or sold separately and the total sum of all the commercial properties was greater than one acre at the time of adoption of the ordinance codified herein, then each commercial development must be approved as a conditional use. (1989 Code § 12-8-002)

10-5G-3: ARCHITECTURAL SITE PLAN REVIEW:

All proposed C developments shall meet the requirements of chapter 12 of this title. (Ord. 2002-4, 3-26-2002)

10-5G-4: PERMITTED USES:

Permitted uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title.

10-5G-5: CONDITIONAL USES:

Conditional uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title. Conditions for approval shall be made in accordance with the provisions of chapter 7 of this title.

10-5G-6: BUILDING LOT REQUIREMENTS:

All buildings must comply with the provisions of this section, except those exempted as provided in chapter 11 of this title.

- A. Lot width: No particular requirements, as approved by the Planning Commission.
- B. Lot area: No particular requirements, as approved by the Planning Commission. (1989 Code § 12-8-006)

10-5G-7: LOCATION OF STRUCTURES:

Structures	Front Setback	Side Setback	Rear Setback
Main and accessory structures	10 feet	No requirement, except 10 feet minimum for sides fronting on street	No requirement, except that 20 feet shall be provided where the lot line is coterminous with any residential zone boundary
Temporary structures	10 feet	10 feet	30 feet

(1989 Code § 12-8-007)

10-5G-8: MAXIMUM STRUCTURE HEIGHT:

Main buildings and structures, two and one-half (2 1/2) stories or thirty five feet (35'). Temporary structures, one story. (1989 Code § 12-8-008)

10-5G-9: OFF STREET PARKING AND LOADING:

Provisions of chapter 8 of this title shall apply and shall be in full force and effect in this zone, except in the case of a bona fide temporary use. (1989 Code § 12-8-009)

10-5G-10: PERMITTED SIGNS AND LIGHTING 1 :

Class 5 signs shall be permitted. (Ord. 2004-04, 6-22-2004)

Notes

1 1. See also chapter 9 of this title.

10-5G-11: SPECIAL PROVISIONS AND LIMITATIONS:

Where accessory living quarters are provided as permitted herein, no window shall be permitted in any wall of the same which is located within eight feet (8') of a side property line. (1989 Code § 12-8-011)

10-5G-12: LANDSCAPING REQUIREMENTS:

A. General Landscaping: At least fifteen percent (15%) of the total site shall be thoroughly landscaped, including an irrigation system to maintain such landscaping. Landscaping shall meet the requirements of chapter 15 of this title. For use of exceptional design and materials, as determined by the Planning Commission, the landscaping may be reduced to ten percent (10%) of the total site.

B. Buffer Yard Landscaping: A buffer yard shall be required between the C Zone and all residential zones and shall meet the requirements of chapter 15 of this title.

C. Park Strip Landscaping: Park strip landscaping shall meet the requirements of chapter 15 of this title. (Ord. 18-05, 8-14-2018)

ARTICLE H. HIGHWAY-COMMERCIAL ZONE (C-H)

SECTION:

10-5H-1: Purpose

10-5H-2: Development Over One Acre

10-5H-3: Architectural Site Plan Review

10-5H-4: Permitted Uses

10-5H-5: Conditional Uses

10-5H-6: Building Lot Requirements

10-5H-7: Location Of Structures

10-5H-8: Maximum Structure Height

10-5H-9: Off Street Parking

10-5H-10: Permitted Signs And Lighting

10-5H-11: Special Provisions And Limitations

10-5H-12: Landscaping Requirements

10-5H-1: PURPOSE:

To provide areas in appropriate locations adjacent to highways or major streets where activities dependent upon or catering to thoroughfare traffic and the traveling public may be established, maintained and protected. The regulations of this district are designed to encourage harmony between traffic needs and centers for retail commercial, entertainment, automotive facilities and other appropriate highway related activities. (1989 Code § 12-9-001)

10-5H-2: DEVELOPMENT OVER ONE ACRE:

Development over one acre must follow the conditional use permit procedure of chapter 7 of this title. (1989 Code § 12-9-002)

10-5H-3: ARCHITECTURAL SITE PLAN REVIEW:

All proposed C-H development shall meet the requirements of chapter 12 of this title. (1989 Code § 12-9-003)

10-5H-4: PERMITTED USES:

Permitted uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title.

10-5H-5: CONDITIONAL USES:

Conditional uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title. Conditions for approval shall be made in accordance with the provisions of chapter 7 of this title.

10-5H-6: BUILDING LOT REQUIREMENTS:

The provisions of this section pertain to all buildings, except those exempted in chapter 11 of this title.

- A. Lot width: No particular requirements, as approved by the Planning Commission.
- B. Lot area: No particular requirements, as approved by the Planning Commission. (1989 Code § 12-9-006)

10-5H-7: LOCATION OF STRUCTURES:

Structures	Front Setback	Side Setback	Rear Setback
Main and accessory structures	50 feet	No requirement, except 20 feet minimum for sides fronting on street. Where any wall has no windows exposed on that side, then no side setback shall be required, except that 10 feet shall be provided where the lot line is coterminous with any residential boundary	10 feet from other zones, 20 feet from residential zones
Temporary structures	30 feet	10 feet	10 feet

(1989 Code § 12-9-007)

10-5H-8: MAXIMUM STRUCTURE HEIGHT:

Main buildings and structures, two and one-half (21/2) stories or thirty five feet (35'). Temporary structures, one story. (1989 Code § 12-9-008)

10-5H-9: OFF STREET PARKING:

The provisions of chapter 8 of this title shall apply and shall be in full force and effect in this zone, except in the case of a bona fide temporary use. (1989 Code § 12-9-009)

10-5H-10: PERMITTED SIGNS AND LIGHTING 1 :

Class 5 signs shall be permitted. (1989 Code § 12-9-010)

Notes

1. See also chapter 9 of this title.

10-5H-11: SPECIAL PROVISIONS AND LIMITATIONS:

Where accessory living quarters are provided as permitted herein, no window shall be permitted in any wall of the same which is located within eight feet (8') of a side property line. (1989 Code § 12-9-011)

10-5H-12: LANDSCAPING REQUIREMENTS:

A. General Landscaping: At least fifteen percent (15%) of the total site shall be thoroughly landscaped, including an irrigation system to maintain such landscaping. Landscaping shall meet the requirements of chapter 15 of this title. For use of exceptional design and materials, as determined by the Planning Commission, the landscaping may be reduced to ten percent (10%) of the total site.

B. Buffer Yard Landscaping: A buffer yard shall be required between the C-H Zone and all residential zones and shall meet the requirements of chapter 15 of this title.

C. Park Strip Landscaping: Park strip landscaping shall meet the requirements of chapter 15 of this title. (Ord. 18-05, 8-14-2018)

ARTICLE I. TRANSITIONAL LIGHT INDUSTRIAL ZONE (T-1)

SECTION:

10-5I-1: Purpose

10-5I-2: Development Over One Acre

10-5I-3: Architectural Site Plan Review

10-5I-4: Permitted Uses

10-5I-5: Conditional Uses

10-5I-6: Landscaping Requirements

10-5I-7: Building Lot Requirements

10-5I-8: Location Of Structures

10-5I-9: Building Coverage Regulations

10-5I-10: Off-Street Parking

10-5I-11: Permitted Signs And Lighting

10-5I-12: Performance Standards

10-5I-1: PURPOSE:

To provide a zone which will act as a buffer between residential uses and natural resource excavations and where some industrial uses are appropriate and to provide a review procedure to ensure compatibility of uses internal to this zone and with uses in adjacent zones. (1989 Code § 12-10-001)

10-5I-2: DEVELOPMENT OVER ONE ACRE:

Light industrial development over one acre must follow the conditional use permit procedure pursuant to chapter 7 of this title. (1989 Code § 12-10-002)

10-5I-3: ARCHITECTURAL SITE PLAN REVIEW:

All proposed T-1 development shall meet the requirements of chapter 12 of this title. (1989 Code § 12-10-003)

10-5I-4: PERMITTED USES:

Permitted uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title.

10-5I-5: CONDITIONAL USES:

Conditional uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title. Conditions for approval shall be made in accordance with the provisions of chapter 7 of this title.

10-5I-6: LANDSCAPING REQUIREMENTS:

A. General Landscaping: At least fifteen percent (15%) of the total site shall be thoroughly landscaped, including an irrigation system to maintain such landscaping. Landscaping shall meet the requirements of chapter 15 of this title. For use of exceptional design and materials, as determined by the Planning Commission, the landscaping may be reduced to ten percent (10%) of the total site.

B. Buffer Yard Landscaping: A buffer yard shall be required between the T-1 Zone and all residential zones and shall meet the requirements of chapter 15 of this title.

C. Park Strip Landscaping: Park strip landscaping shall meet the requirements of chapter 15 of this title. (Ord. 18-05, 8-14-2018)

10-5I-7: BUILDING LOT REQUIREMENTS:

A. Lot width: No minimum requirement, as approved by the Planning Commission.

B. Lot area: No minimum requirement, as approved by the Planning Commission. (1989 Code § 12-10-007)

10-5I-8: LOCATION OF STRUCTURES:

No minimum requirements, except no commercial or industrial building or structure shall be located closer than twenty feet (20') to any street or the average of existing buildings where at least fifty percent (50%) of the frontage is developed. (1989 Code § 12-10-008)

10-5I-9: BUILDING COVERAGE REGULATIONS:

No building, structure or group of buildings, including accessory buildings, shall cover more than sixty percent (60%) of the area of the lot. (1989 Code § 12-10-009)

10-5I-10: OFF STREET PARKING:

Provisions of chapter 8 of this title shall apply and shall be in full force and effect in this zone, except in the case of a bona fide temporary use. (1989 Code § 12-10-010)

10-5I-11: PERMITTED SIGNS AND LIGHTING 1 :

Class 4 signs shall be permitted. (1989 Code § 12-10-011)

Notes

1. See also chapter 9 of this title.

10-5I-12: PERFORMANCE STANDARDS:

The following performance standards are intended to ensure that all uses within the T-1 Zone will provide the necessary control methods to protect the City from hazards and nuisances:

A. General: No land or building devoted to uses authorized in this article shall be used or occupied in any manner so as to create dangerous, injurious, noxious or otherwise objectionable hazards, noise, odor, smoke, heat, glare or other disturbance. The determination of the existence of these elements shall be made at the lot line in the case of elements that are objectionable only if they travel off the site.

B. Sound Emission 1 : No use shall emit or cause the emission of sound from a stationary source such that the one hour equivalent sound level (Leq) caused by ground transportation as estimated for that point of measurement and at that time of day, pursuant to FHWA-RD-77-108 highway traffic noise prediction model, or by other techniques at least as accurate. The sound level measuring instrumentation shall conform with ANSI S1.4-1971 type 1, and the measurement procedure shall be compatible with that, according to ANSI S1.13-1971.

C. Odorous Gases: No emission of odorous gases or other odorous matter shall be permitted in such quantities as to be readily detectable at the property line. (1989 Code § 12-10-012)

Notes

1. See also subsection 10-13-7A of this title.

ARTICLE J. NATURAL RESOURCE ZONE (N-R)

SECTION:

10-5J-1: Purpose

10-5J-2: Establishment Of Zone

10-5J-3: Permitted Uses

10-5J-4: Conditional Uses

10-5J-5: Area, Height And Yard Regulations

10-5J-6: Permitted Signs And Lighting

10-5J-1: PURPOSE:

To permit the extraction and processing of a natural resource in the city such as sand, gravel, clay, burrow, stone, rock, topsoil and road base material. (1989 Code § 12-11-001)

10-5J-2: ESTABLISHMENT OF ZONE:

The natural resource zone has been established to identify areas which contain significant native natural resources either: a) where extraction and related activities are currently underway; or b) where planning studies indicate that the land is necessary for future extraction of the natural resource. Where it can be determined that the resource is available and where existing land uses may be somewhat buffered, the establishment of the N-R zone will be considered. The natural resource zone would be for the purpose of conservation and protection of mineral

resources which are vital to the orderly development of the city. There is hereby created natural resource zones, the boundaries of which are designated on the zoning map. (1989 Code § 12-11-002)

10-5J-3: PERMITTED USES:

Permitted uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title.

10-5J-4: CONDITIONAL USES:

Conditional uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title. Conditions for approval shall be made in accordance with the provisions of chapter 7 of this title.

10-5J-5: AREA, HEIGHT AND YARD REGULATIONS:

- A. Area: No requirement. (1989 Code § 12-11-005)
- B. Height: No building or structure shall be erected to a height greater than sixty feet (60') and no dwelling structure shall be erected to a height greater than thirty five feet (35'), except as otherwise provided by the planning commission. (1989 Code § 12-11-010)
- C. Width: The minimum width of any lot shall be three hundred feet (300') at building or operation site, with a minimum street frontage of seventy feet (70'). (1989 Code § 12-11-006)
- D. Yard:
 - 1. Side: The minimum side yard for any building shall be twenty feet (20') and a total side yard requirement of forty feet (40'), except as otherwise provided in chapter 11 of this title. (1989 Code § 12-11-007)
 - 2. Front: The minimum front yard for structures with a twenty foot (20') side yard shall be forty feet (40'). Those with one hundred foot (100') side yards shall be one hundred feet (100') from zone boundary and as close as twenty feet (20') to the property line with planning commission approval, except as otherwise provided in chapter 11 of this title. (1989 Code § 12-11-008)
 - 3. Rear: The minimum depth of the rear yard for any building shall be forty feet (40'). Those with one hundred foot (100') side yards shall be one hundred feet (100') from zone boundary and as close as twenty feet (20') to the property line with planning commission approval, except as otherwise provided in chapter 11 of this title. (1989 Code § 12-11-009)

10-5J-6: PERMITTED SIGNS AND LIGHTING 1 :

Class 7 signs shall be permitted. (Ord. 2004-04, 6-22-2004)

Notes

- 1. See also chapter 9 of this title.

ARTICLE K. PROFESSIONAL OFFICE ZONE (P-O)

SECTION:

- 10-5K-1: Description And General Limitation
- 10-5K-2: Professional Office Development Over One Acre
- 10-5K-3: Architectural Site Plan Review
- 10-5K-4: Permitted Uses
- 10-5K-5: Conditional Uses

- 10-5K-6: Building Lot Requirements
- 10-5K-7: Location Of Structures
- 10-5K-8: Maximum Structure Height
- 10-5K-9: Off-Street Parking And Loading
- 10-5K-10: Permitted Signs And Lighting
- 10-5K-11: Landscaping Requirements

10-5K-1: DESCRIPTION AND GENERAL LIMITATION:

The Professional Office Zone is established to provide areas where professional and business offices, laboratories, studios, and other office facilities may be located in the City. The intent of the zone is to allow only those uses which will promote a professional office environment. Uses which produce loud noises, excessive vehicle traffic, excessive parking needs, objectionable odors, storage of large amounts of hazardous materials, or the outside storage of equipment or supplies are not appropriate in this zone. Buildings, signs and other structures in this zone should be architecturally compatible with their surroundings. (Ord. 2000-13, 12-12-2000)

10-5K-2: PROFESSIONAL OFFICE DEVELOPMENT OVER ONE ACRE:

A. Conditional Use: Because of the possible adverse impacts of large-scale office developments on surrounding neighborhoods, in terms of site design and layout, traffic control, as well as visual appearance, all development in this zone that includes a site greater than one acre in area shall fall under the conditional use permit procedure pursuant to chapter 7 of this title.

B. Subdivided Parcels: In the event professional office parcels are subdivided and retained under single ownership or sold separately and the total sum of all the commercial properties was greater than one acre at the time of adoption of the ordinance codified herein, then each professional office development must be approved as a conditional use. (Ord. 2000-13, 12-12-2000)

10-5K-3: ARCHITECTURAL SITE PLAN REVIEW:

All proposed development in this zone shall meet the requirements of chapter 12 of this title and shall receive architectural site plan approval from the Planning Commission prior to the issuance of any building permits or the commencement of any construction. (Ord. 2000-13, 12-12-2000)

10-5K-4: PERMITTED USES:

Permitted uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title.

10-5K-5: CONDITIONAL USES:

Conditional uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title. Conditions for approval shall be made in accordance with the provisions of chapter 7 of this title.

10-5K-6: BUILDING LOT REQUIREMENTS:

All buildings must comply with the provisions of this section, except those exempted as provided in chapter 11 of this title.

- A. Lot width: No particular requirements, as approved by the Planning Commission.
- B. Lot area: No particular requirements, as approved by the Planning Commission. (Ord. 2000-13, 12-12-2000)

10-5K-7: LOCATION OF STRUCTURES:

Structures	Front Setback	Side Setback	Rear Setback
Main and accessory structures	10 feet	No requirement, except 20 feet minimum for sides fronting on a street	No requirement, except that 30 feet shall be provided where the lot line is coterminous with any residential zone boundary
Temporary structures	10 feet	10 feet	30 feet

(Ord. 2000-13, 12-12-2000)

10-5K-8: MAXIMUM STRUCTURE HEIGHT:

Main buildings and structures, two and one-half (2 1/2) stories or thirty five feet (35'). Temporary structures, one story. (Ord. 2000-13, 12-12-2000)

10-5K-9: OFF STREET PARKING AND LOADING:

Provisions of chapter 8 of this title shall apply and shall be in full force and effect in this zone, except in the case of a bona fide temporary use. (Ord. 2000-13, 12-12-2000)

10-5K-10: PERMITTED SIGNS AND LIGHTING 1 :

Class 6 shall be permitted. (Ord. 2000-13, 12-12-2000)

Notes

1. See also chapter 9 of this title.

10-5K-11: LANDSCAPING REQUIREMENTS:

A. General Landscaping: At least fifteen percent (15%) of the total site shall be thoroughly landscaped, including an irrigation system to maintain such landscaping. Landscaping shall meet the requirements of chapter 15 of this title. For use of exceptional design and materials, as determined by the Planning Commission, the landscaping may be reduced to ten percent (10%) of the total site.

B. Buffer Yard Landscaping: A buffer yard shall be required between the P-O Zone and all residential zones. Buffer yards shall meet the requirements of chapter 15 of this title.

C. Park Strip Landscaping: Park strip landscaping shall meet the requirements of chapter 15 of this title. (Ord. 18-05, 8-14-2018)

ARTICLE L. LIGHT INDUSTRIAL ZONE (L-I)

SECTION:

10-5L-1: Purpose

10-5L-2: Development Over One Acre

10-5L-3: Architectural Site Plan Review

10-5L-4: Permitted Uses

10-5L-5: Conditional Uses

10-5L-6: Landscaping Requirements
10-5L-7: Building Lot Requirements
10-5L-8: Location Of Structures
10-5L-9: Building Coverage Regulations
10-5L-10: Off Street Parking
10-5L-11: Permitted Signs And Lighting
10-5L-12: Performance Standards

10-5L-1: PURPOSE:

To provide a zone where some low impact industrial uses are appropriate and to provide a review procedure to ensure compatibility of uses internal to this zone and adjacent zones. (Ord. 08-03, 2-26-2008)

10-5L-2: DEVELOPMENT OVER ONE ACRE:

Light industrial development over one acre must follow the conditional use permit procedure pursuant to chapter 7 of this title. (Ord. 08-03, 2-26-2008)

10-5L-3: ARCHITECTURAL SITE PLAN REVIEW:

All proposed L-I development shall meet the requirements of chapter 12 of this title. (Ord. 08-03, 2-26-2008)

10-5L-4: PERMITTED USES:

Permitted uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title.

10-5L-5: CONDITIONAL USES:

Conditional uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title. Conditions for approval shall be made in accordance with the provisions of chapter 7 of this title.

10-5L-6: LANDSCAPING REQUIREMENTS:

A. General Landscaping: At least fifteen percent (15%) of the total site shall be thoroughly landscaped, including an irrigation system adequate to maintain such landscaping. Landscaping shall meet the requirements of chapter 15 of this title.

B. Buffer Yard Landscaping: A buffer yard shall be required between the L-I Zone and all residential zones. Buffer yards shall meet the requirements of chapter 15 of this title.

C. Park Strip Landscaping: Park strip landscaping shall meet the requirements of chapter 15 of this title. (Ord. 18-05, 8-14-2018)

10-5L-7: BUILDING LOT REQUIREMENTS:

A. Lot width: No minimum requirement, as approved by the Planning Commission.

B. Lot area: No minimum requirement, as approved by the Planning Commission. (Ord. 08-03, 2-26-2008)

10-5L-8: LOCATION OF STRUCTURES:

No minimum requirements, except no commercial or industrial building or structure shall be located closer than twenty feet (20') to any street or the average of existing buildings where at least fifty percent (50%) of the frontage is developed. (Ord. 08-03, 2-26-2008)

10-5L-9: BUILDING COVERAGE REGULATIONS:

No building, structure or group of buildings, including accessory buildings, shall cover more than sixty percent (60%) of the area of the lot. (Ord. 08-03, 2-26-2008)

10-5L-10: OFF STREET PARKING:

Provisions of chapter 8 of this title shall apply and shall be in full force and effect in this zone, except in the case of a bona fide temporary use. (Ord. 08-03, 2-26-2008)

10-5L-11: PERMITTED SIGNS AND LIGHTING:

Class 4 signs shall be permitted. (Ord. 08-03, 2-26-2008)

10-5L-12: PERFORMANCE STANDARDS:

The following performance standards are intended to ensure that all industries will provide necessary modern control methods to protect the City from hazards and nuisances; to set objective quantitative standards for the maximum tolerated levels of frequently hazardous or annoying emissions; and to protect any industry from arbitrary exclusion or persecution based solely on the characteristics of that type of industry's past controlled operation.

A. Noise:

1. Level: No use shall emit or cause the emission of sound from a stationary source such that the one hour equivalent sound level (Leq) of resultant sound measurement at the lot line of the establishment or use exceeds by six (6) dB or more than one hour equivalent sound level (Leq) caused by ground transportation as estimated for that point of measurement and that time of day, pursuant to FHWA-RD-77-108 highway traffic noise prediction model, or by other techniques at least as accurate as those set out in FHWA-RD-77-108. The sound level measuring instrumentation shall conform with ANSI S1.4-1971 type 1, and the measurement procedure shall be compatible with that according to ANSI S1.13-1971, with the following adjustments:

a. Temporal And Tonal Characteristics Of Sound: If the sound has a pronounced audible tonal quality such as a whine, screech, buzz or hum, or if the sound has an audible cyclic variation in sound level such as beating or other amplitude modulation, five (5) dB shall be added to the measured sound level to allow for increased subjective response to the sound.

b. Quasi-Steady Impulsive Sound: Where the sound is of a repetitive impulse nature so that a steady reading is obtained using the "slow response" setting on the sound level meter, then ten (10) dB shall be added to the measured value to allow for the increased subjective response to the sound. An adjustment may be made under only one of subsection A1a of this section and this subsection A1b. In a case where both subsections apply, then this subsection A1b takes precedence.

2. Stationary Source: No use shall emit or cause to permit the emission of sound of an impulsive nature from a stationary source such that it results in an impulsive sound level at a point of measurement in excess of eighty (80) dB or in a one hour equivalent level (Leq) exceeding that one hour equivalent level (Leq) caused by ground transportation as estimated for that point of measurement and that time of day, pursuant to FHWA-RD-77-108 or equivalent method.

B. Vibration: No vibration (other than from transportation facilities or temporary construction work) shall be permitted which is discernable without instruments at the property line.

C. Odors: No emission of odorous gases or other odorous matter shall be permitted in such quantities as to be readily detectable when diluted in the ratio of one volume of odorous air to four (4) volumes of clean air (1:4) at the point of greatest concentration. Any process which may involve the creation or emission of any odors shall be provided with a secondary safeguard system so that control will be maintained if the primary safeguard system should fail.

D. Glare: No direct or sky reflected glare, whether from floodlights or from high temperature processes, such as combustion or welding or otherwise, shall be permitted to be visible at the property lines. This restriction shall not apply to signs or lighting of buildings or grounds for advertising or protection otherwise permitted by the provisions of this chapter.

E. Fire And Explosion Hazards: All activities involving and all storage of flammable and explosive materials shall be provided at any point with adequate safety devices against the hazard of fire and explosion and adequate firefighting and fire suppression equipment and devices standard in the industry. Burning of waste materials in open fires is prohibited at any point.

F. Air Pollution: No particulate or gaseous pollutants shall be emitted into the air in violation of the Utah State Air Conservation Act, its amendments, or resulting regulations.

G. Liquid Or Solid Wastes: No discharges at any point into a public sewer, private sewage system or stream, or into the ground shall be allowed contrary to the Utah State Water Pollution Control Act, its amendments, the subsequent wastewater disposal regulations or the Utah Code of Solid Waste Disposal regulations. (Ord. 08-03, 2-26-2008)

ARTICLE M. COMMERCIAL RECREATION ZONE (C-R)

SECTION:

10-5M-1: Purpose

10-5M-2: Development Over One Acre

10-5M-3: Architectural Site Plan Review

10-5M-4: Permitted Uses

10-5M-5: Conditional Uses

10-5M-6: Landscaping Requirements

10-5M-7: Building Lot Requirements

10-5M-8: Location Of Structures

10-5M-9: Building Coverage Regulations

10-5M-10: Off Street Parking

10-5M-11: Permitted Signs And Lighting

10-5M-12: Performance Standards

10-5M-1: PURPOSE:

To provide a zone that will facilitate and encourage the establishment and growth of retail commercial areas that support the wide range of recreational/sporting opportunities in the region. This zone allows for retail sales and rental of recreational/sporting equipment and the conducting of recreational/sporting activities for profit. It is also intended to allow other land uses that support recreational/sporting retail facilities and uses. (Ord. 08-12, 9-9-2008)

10-5M-2: DEVELOPMENT OVER ONE ACRE:

Development over one acre must follow the conditional use permit procedure pursuant to chapter 7 of this title. (Ord. 08-12, 9-9-2008)

10-5M-3: ARCHITECTURAL SITE PLAN REVIEW:

All proposed C-R developments shall meet the requirements of chapter 12 of this title. (Ord. 08-12, 9-9-2008)

10-5M-4: PERMITTED USES:

Permitted uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title.

10-5M-5: CONDITIONAL USES:

Conditional uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title. Conditions for approval shall be made in accordance with the provisions of chapter 7 of this title.

10-5M-6: LANDSCAPING REQUIREMENTS:

A. General Landscaping: At least fifteen percent (15%) of the total site shall be thoroughly landscaped, including an irrigation system adequate to maintain such landscaping. Landscaping shall meet the requirements of chapter 15 of this title. For use of exceptional design and materials, as determined by the Planning Commission, the landscaping may be reduced to ten percent (10%) of the total site.

B. Buffer Yard Landscaping: A buffer yard shall be required between the C-R Zone and all residential zones, except where there are legal restrictions on the residential zoned property that prevent the construction of residences.

C. Park Strip Landscaping: Park strip landscaping shall meet the requirements of chapter 15 of this title. (Ord. 18-05, 8-14-2018)

10-5M-7: BUILDING LOT REQUIREMENTS:

A. Lot width: No minimum requirement, as approved by the Planning Commission.

B. Lot area: No minimum requirement, as approved by the Planning Commission. (Ord. 08-12, 9-9-2008)

10-5M-8: LOCATION OF STRUCTURES:

No minimum requirements, except no commercial building or structure shall be located closer than twenty feet (20') to any street or the average of existing buildings where at least fifty percent (50%) of the frontage is developed. (Ord. 08-12, 9-9-2008)

10-5M-9: BUILDING COVERAGE REGULATIONS:

No building, structure or group of buildings, including accessory buildings, shall cover more than sixty percent (60%) of the area of the lot. (Ord. 08-12, 9-9-2008)

10-5M-10: OFF STREET PARKING:

Provisions of chapter 8 of this title shall apply and shall be in full force and effect in this zone, except in the case of a bona fide temporary use. (Ord. 08-12, 9-9-2008)

10-5M-11: PERMITTED SIGNS AND LIGHTING:

Class 4 signs shall be permitted. (Ord. 08-12, 9-9-2008)

10-5M-12: PERFORMANCE STANDARDS:

The following performance standards are intended to ensure that all uses within the C-R Zone will provide the necessary control methods to protect the City from hazards and nuisances:

A. General: No land or building devoted to uses authorized in this article shall be used or occupied in any manner so as to create dangerous, injurious, noxious or otherwise objectionable hazards, noise, odor, smoke, heat, glare or other disturbance. The determination of the existence of these elements shall be made at the lot line in the case of elements that are objectionable only if they travel off the site.

B. Sound Emission: No use shall emit or cause the emission of sound from a stationary source such that the one hour equivalent sound level (Leq) caused by ground transportation as estimated for that point of measurement and at that time of day is exceeded, pursuant to FHWA-RD-77-108 highway traffic noise prediction model, or by other techniques at least as accurate. The sound level measuring instrumentation shall conform with ANSI S1.4-1971 type 1, and the measurement procedure shall be compatible with that, according to ANSI S1.13-1971.

C. Odorous Gases: No emission of odorous gases or other odorous matter shall be permitted in such quantities as to be readily detectable at the property line. (Ord. 08-12, 9-9-2008)

ARTICLE N. COMMERCIAL OVERLAY ZONE (C-O)

(Rep. by. Ord. 19-15, 9-24-2019)

ARTICLE O. BUSINESS COMMERCE ZONE (B-C)

SECTION:

10-5O-1: Purpose

10-5O-2: Development Over One Acre

10-5O-3: Architectural Site Plan Review

10-5O-4: Permitted Uses

10-5O-5: Conditional Uses

10-5O-6: Landscaping Requirements

10-5O-7: Building Lot Requirements

10-5O-8: Location Of Structures

10-5O-9: Hillside Development

10-5O-10: Building Coverage Regulations

10-5O-11: Off Street Parking

10-5O-12: Permitted Signs And Lighting

10-5O-13: Performance Standards

10-5O-1: PURPOSE:

To provide a zone that will act as a buffer between residential uses and higher commercial or industrial uses. A zone in which job creation and business commerce can be combined. All uses within this zone shall be reviewed in order to ensure compatibility with surrounding uses and to preserve hill sight views and maximize safety in developing the upper bench area of South Weber City. (Ord. 11-04, 3-8-2011)

10-5O-2: DEVELOPMENT OVER ONE ACRE:

Business commerce development over one acre must follow the conditional use permit procedure pursuant to chapter 7 of this title. (Ord. 11-04, 3-8-2011)

10-5O-3: ARCHITECTURAL SITE PLAN REVIEW:

All proposed B-C development shall meet the requirements of chapter 12 of this title. (Ord. 11-04, 3-8-2011)

10-5O-4: PERMITTED USES:

Permitted uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title.

10-5O-5: CONDITIONAL USES:

Conditional uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title. Conditions for approval shall be made in accordance with the provisions of chapter 7 of this title.

10-50-6: LANDSCAPING REQUIREMENTS:

A. General Landscaping: At least fifteen percent (15%) of the total site shall be thoroughly landscaped, including an irrigation system adequate to maintain such landscaping. Landscaping shall meet the requirements of chapter 15 of this title. For use of exceptional design and materials, as determined by the Planning Commission, the landscaping may be reduced to ten percent (10%) of the total site.

B. Buffer Yard Landscaping: A buffer yard shall be required between the B-C Zone and all residential zones. Buffer yards shall meet the requirements of chapter 15 of this title.

C. Park Strip Landscaping: Park strip landscaping shall meet the requirements of chapter 15 of this title. (Ord. 18-05, 8-14-2018)

10-50-7: BUILDING LOT REQUIREMENTS:

A. Lot width: No minimum requirement, as approved by the Planning Commission.

B. Lot area: No minimum requirement, as approved by the Planning Commission. (Ord. 11-04, 3-8-2011)

10-50-8: LOCATION OF STRUCTURES:

No minimum requirements, except no commercial or industrial building or structure shall be located closer than twenty feet (20') to any street or the average of existing buildings where at least fifty percent (50%) of the frontage is developed. (Ord. 11-04, 3-8-2011)

10-50-9: HILLSIDE DEVELOPMENT:

A. Slope Distance: No development is allowed on or within fifty feet (50') (map distance) of very steep slopes, areas subject to landsliding, and other high hazard geologic areas. As used herein, an area of very steep slopes must cover a topographic area at least twenty five feet (25') vertically (upslope or downslope) and fifty feet (50') horizontally in any direction to be subject to this prohibition.

B. Visually Sensitive Areas: Generally, development may not be placed on any hillside or ridge top in a manner that causes significant portions of a structure to extend into the skyline as viewed from public roadways when the roadway is located below the ground elevation of the structure. Visually sensitive areas shall be determined at the time of a development application.

C. Hillside Development: Development shall minimize the highly visible placement of homes and other structures on hillsides. Whenever possible, development shall be sensitively sited in order to encourage effective open space and the conservation of the natural appearance and aesthetic beauty of the mountains. When hillside development is permitted, it shall be integrated into the site, using topography, vegetation and other reasonable techniques, in a manner that causes it to blend into the hillside. Development near the toe of the hill, including the transitional area between the hillside and flat meadow areas, is appropriate. (Ord. 11-04, 3-8-2011)

10-50-10: BUILDING COVERAGE REGULATIONS:

No building, structure or group of buildings, including accessory buildings, shall cover more than sixty percent (60%) of the area of the lot. (Ord. 11-04, 3-8-2011)

10-50-11: OFF STREET PARKING:

Provisions of chapter 8 of this title shall apply and shall be in full force and effect in this zone, except in the case of a bona fide temporary use. (Ord. 11-04, 3-8-2011)

10-50-12: PERMITTED SIGNS AND LIGHTING:

Class 4 signs shall be permitted. (Ord. 11-04, 3-8-2011)

10-50-13: PERFORMANCE STANDARDS:

The following performance standards are intended to ensure that all uses within the B-C Zone will provide the necessary control methods to protect the City from hazards and nuisances:

A. General: No land or building devoted to uses authorized in this article shall be used or occupied in any manner so as to create dangerous, injurious, noxious or otherwise objectionable hazards, noise, odor, smoke, heat, glare or other disturbance. The determination of the existence of these elements shall be made at the lot line in the case of elements that are objectionable only if they travel off the site.

B. Sound Emission: No use shall emit or cause the emission of sound from a stationary source such that the one hour equivalent sound level (Leq) caused by ground transportation as estimated for that point of measurement and at that time of day, pursuant to FHWA-RD-77-108 highway traffic noise prediction model, or by other techniques at least as accurate. The sound level measuring instrumentation shall conform with ANSI S1.4-1971 type 1, and the measurement procedure shall be compatible with that, according to ANSI S1.13-1971.

C. Odorous Gases: No emission of odorous gases or other odorous matter shall be permitted in such quantities as to be readily detectable at the property line.

D. Hillside Impacts: No land use or building devoted to uses in this article shall be positioned in any manner as to create an unsafe or unstable hillside environment. Uses shall be pulled back from the top of the hillside in a manner to limit visual impacts along the top of the bluff.

E. Design Guidelines: Commercial development shall be consistent with South Weber City Business Commerce Zone design guidelines. (Ord. 11-04, 3-8-2011)

ARTICLE P. RESIDENTIAL PATIO (R-P)

SECTION:

10-5P-1: Purpose

10-5P-2: Permitted Uses

10-5P-3: Conditional Uses

10-5P-4: Building Lot Requirements

10-5P-5: Location Of Structures

10-5P-6: Maximum Structure Height

10-5P-7: Off Street Parking And Loading

10-5P-8: Permitted Signs

10-5P-9: Special Conditions

10-5P-10: Landscaping Requirements

10-5P-1: PURPOSE:

To provide for areas in appropriate locations where residential neighborhoods of moderately high density may be established, maintained and protected. The regulations of this zone are designed to promote an intensively developed residential environment in a one building per lot design suitable primarily for adult living. (Ord. 14-02, 8-12-2014)

10-5P-2: PERMITTED USES:

Permitted uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title.

10-5P-3: CONDITIONAL USES:

Conditional uses shall be in accordance with Chapter 1, Section 10-A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title. Conditions for approval shall be made in accordance with the provisions of chapter 7 of this title.

10-5P-4: BUILDING LOT REQUIREMENTS:

A. Density: There shall be no more than 4.0 dwelling units per acre contained within the boundaries of each phase of every development; except when previously completed phases of the same development have sufficiently low density so that the average is still no more than 4.0 dwelling units per acre.

B. Lot Area: There shall be a minimum of six thousand (6,000) square feet in each lot on which a single-family dwelling is located. Single-family dwellings shall each be located on a separate lot.

C. Lot Width: Each lot shall have a minimum width of sixty five feet (65'). (Ord. 17-16, 11-21-2017)

10-5P-5: LOCATION OF STRUCTURES:

All buildings and structures shall be locate as provided in chapter 11 of this title and as follows:

Structures	Front Setback	Side Setback	Rear Setback
Dwellings	20 feet from all front lines	6 feet minimum for each side, except 20 feet minimum for side fronting on a street	10 feet
Other main buildings	30 feet from all front lot lines	20 feet minimum for each side	30 feet
Detached accessory buildings and garages	20 feet from all front lot lines	Same as for dwellings, except when the structure is at least 10 feet behind the main building or 10 feet behind a line extending from the rear corners of the main building to the side lot lines parallel to the rear lot line(s); the side and rear setbacks may be reduced to 1 foot; provided, that the structure must be at least 20 feet from main buildings on adjacent lots; and on corner lots the minimum setback for a side facing a street is 20 feet and minimum rear setback adjacent to a side lot line is 10 feet	

(Ord. 14-02, 8-12-2014)

10-5P-6: MAXIMUM STRUCTURE HEIGHT:

Main, accessory and temporary buildings and structures are not to exceed twenty five feet (25'). (Ord. 17-16, 11-21-2017)

10-5P-7: OFF STREET PARKING AND LOADING:

The provisions of chapter 8 of this title shall apply and shall be in full force and effect in this zone, except in the case of a bona fide temporary use. (Ord. 17-16, 11-21-2017)

10-5P-8: PERMITTED SIGNS:

Class 1 signs shall be permitted. For home occupations, Class 2 signs will be allowed in addition to Class 1 signs. For public and institutional uses as allowed by conditional use permit, Class 3 signs will be allowed in addition to Class 1 signs. (Ord. 14-02, 8-12-2014)

10-5P-9: SPECIAL CONDITIONS:

Due to the higher residential densities permitted by this article, the following conditions are required in order to assure a quality livable environment:

A. Minimum And Maximum Area: The minimum area that may be zoned R-P shall be two (2) acres and the maximum area which may be zoned R-P in any zone district shall be ten (10) acres. (Ord. 17-16, 11-21-2017)

10-5P-10: LANDSCAPING REQUIREMENTS:

A. General Landscaping: At least fifteen percent (15%) of the total site shall be thoroughly landscaped, including an irrigation system to maintain such landscaping. Landscaping shall meet the requirements of chapter 15 of this title. For use of exceptional design and materials, as determined by the Planning Commission, the landscaping may be reduced to ten percent (10%) of the total site.

B. Screening Fence: A fence of at least six feet (6') in height and that provides a visual screen shall be provided between the R-P Zone and all lower density residential zones. (Ord. 17-16, 11-21-2017)