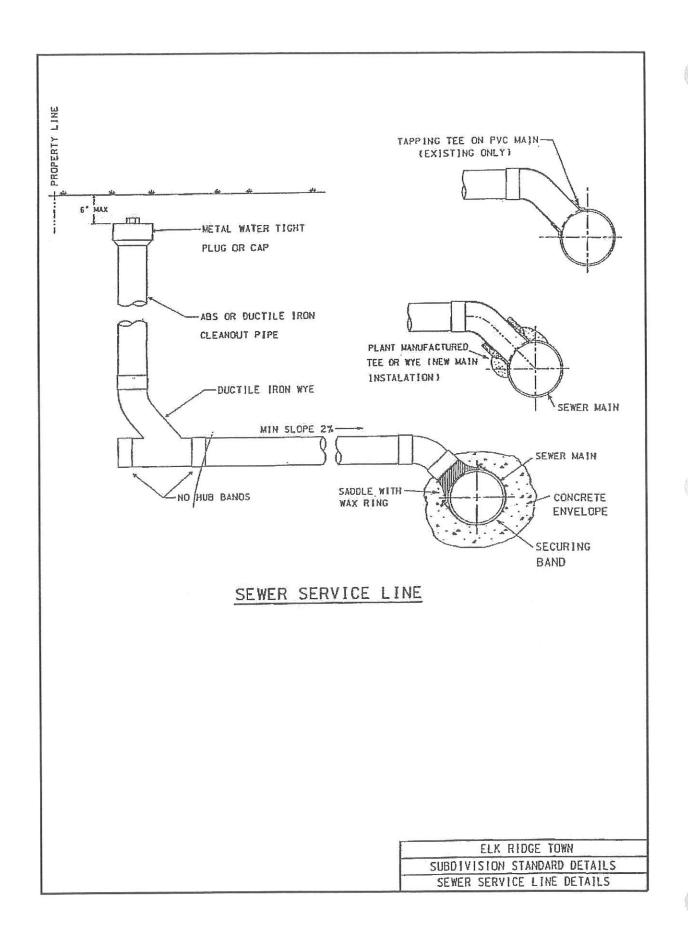
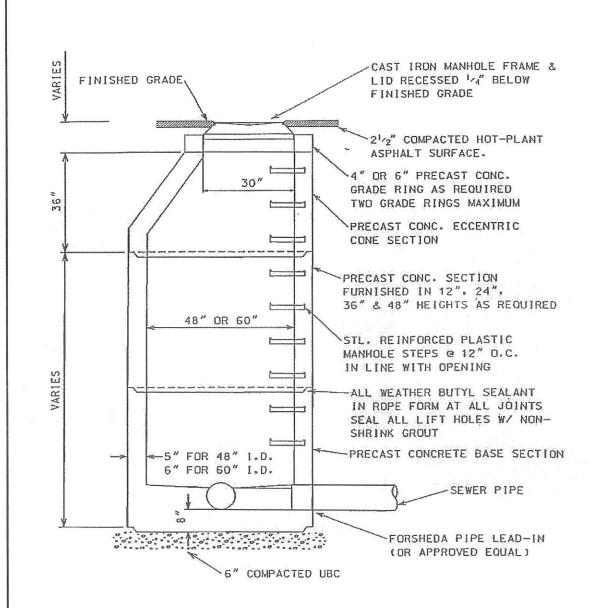


STANDARD CLEANOUT BOX

ELK RIDGE TOWN
SUBDIVISION STANDARD DETAILS
CLEANOUT BOX DETAILS

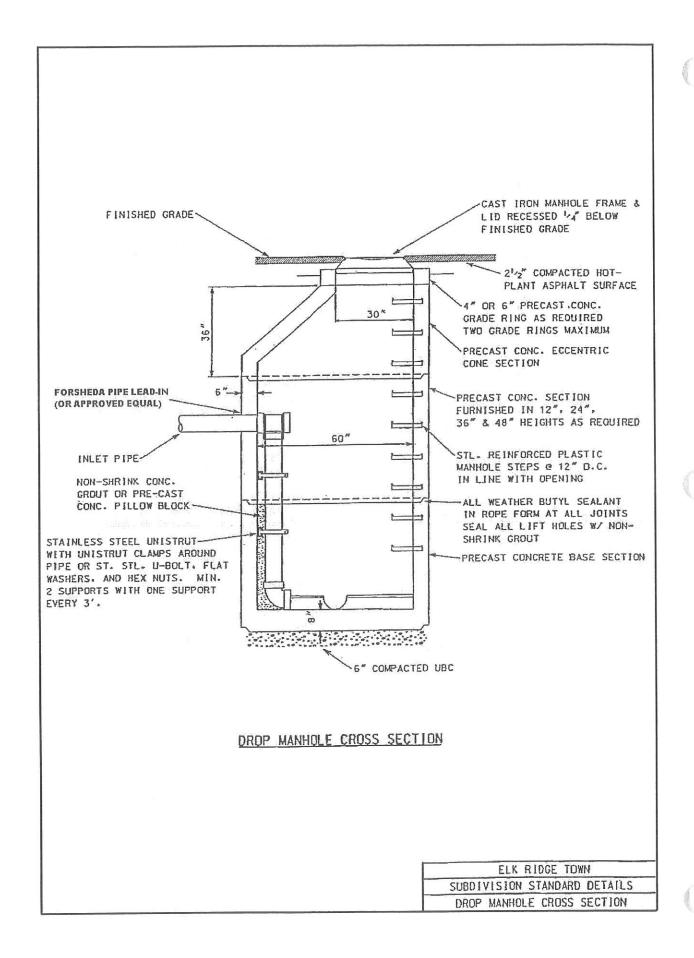


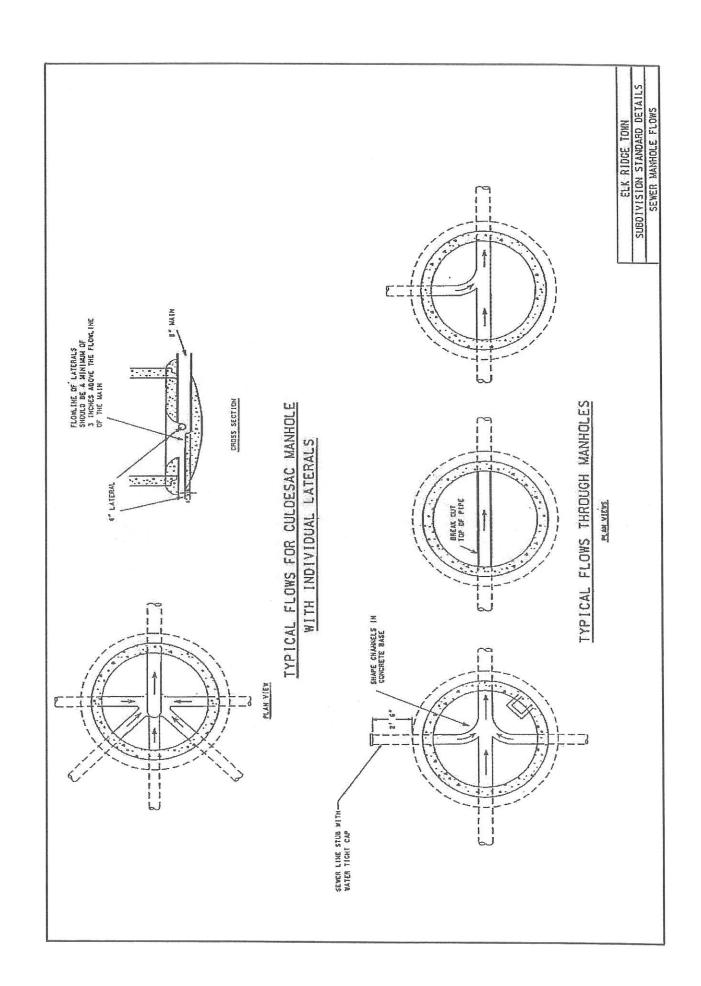


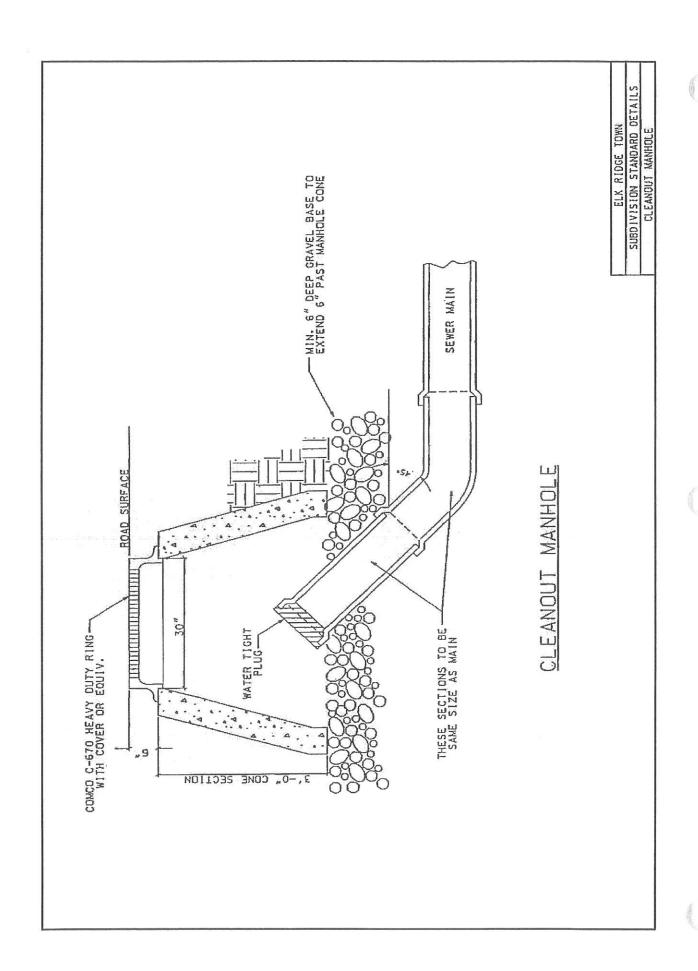
SEWER MANHOLE CROSS SECTION

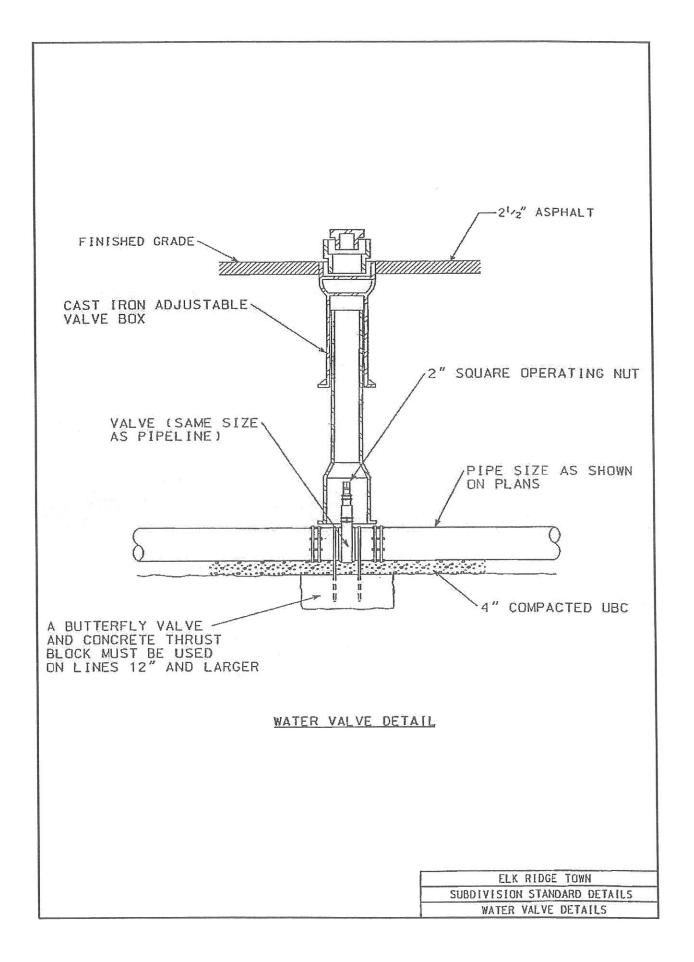
NOTE: USE 48" [. D. MANHOLES FOR MAIN LINES LESS THEN 18" IN DIAMETER AND 60" [.D. MANHOLES FOR MAIN LINES GREATER THEN 18" IN DIAMETER

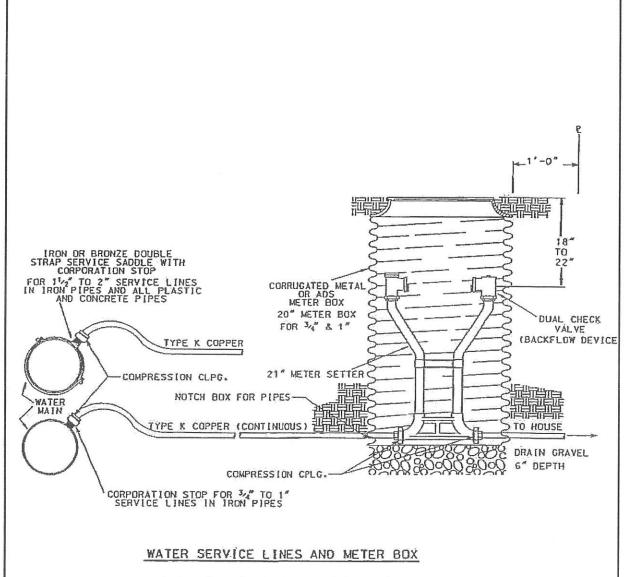
ELK RIDGE TOWN
 SUBDIVISION STANDARD DETAILS
SEWER MANHOLE CROSS SECTION





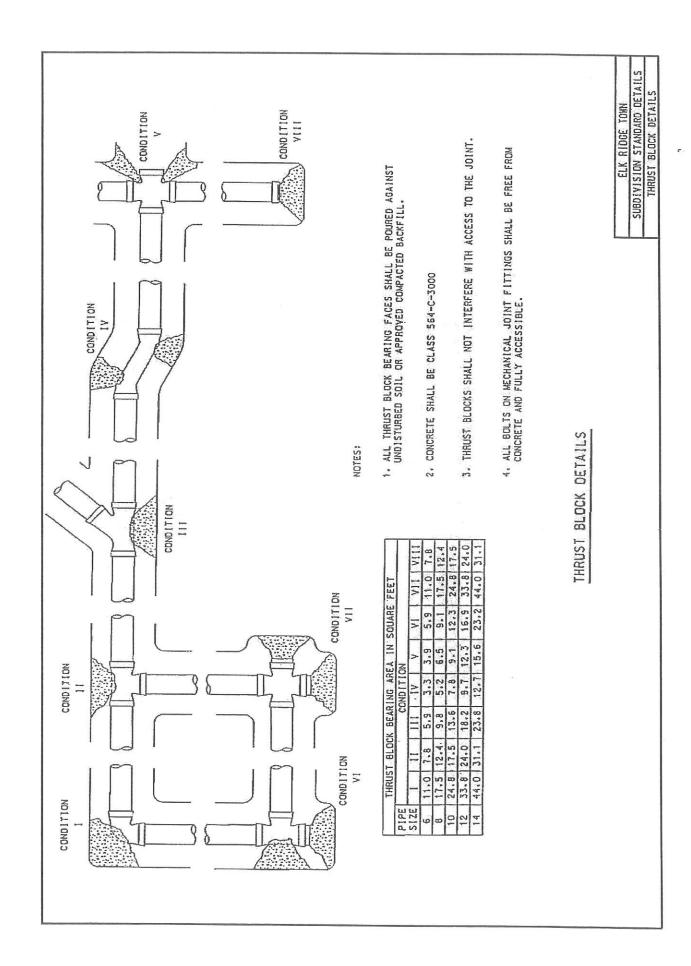


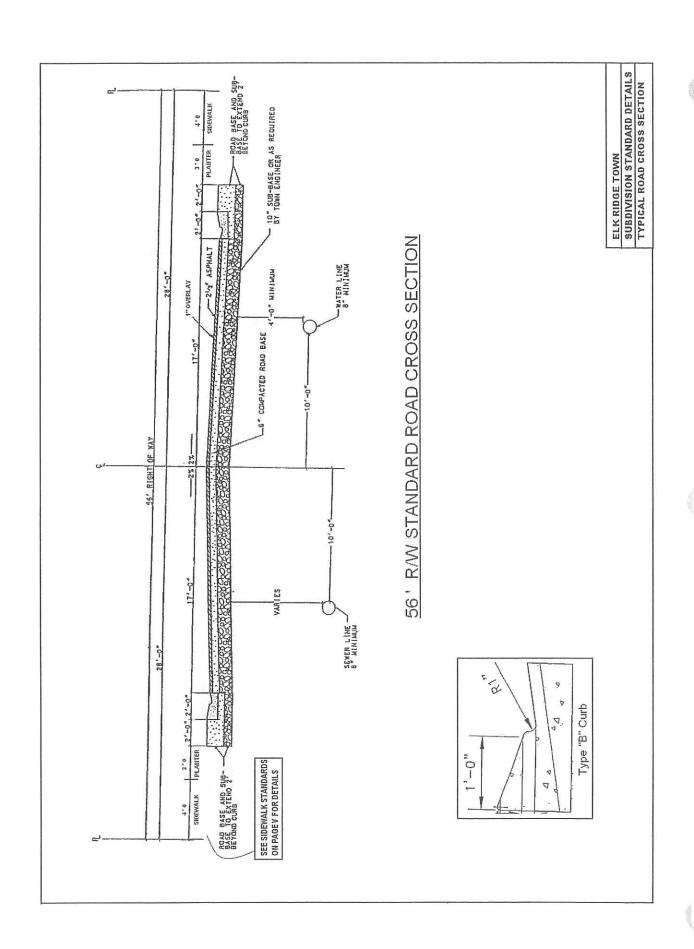


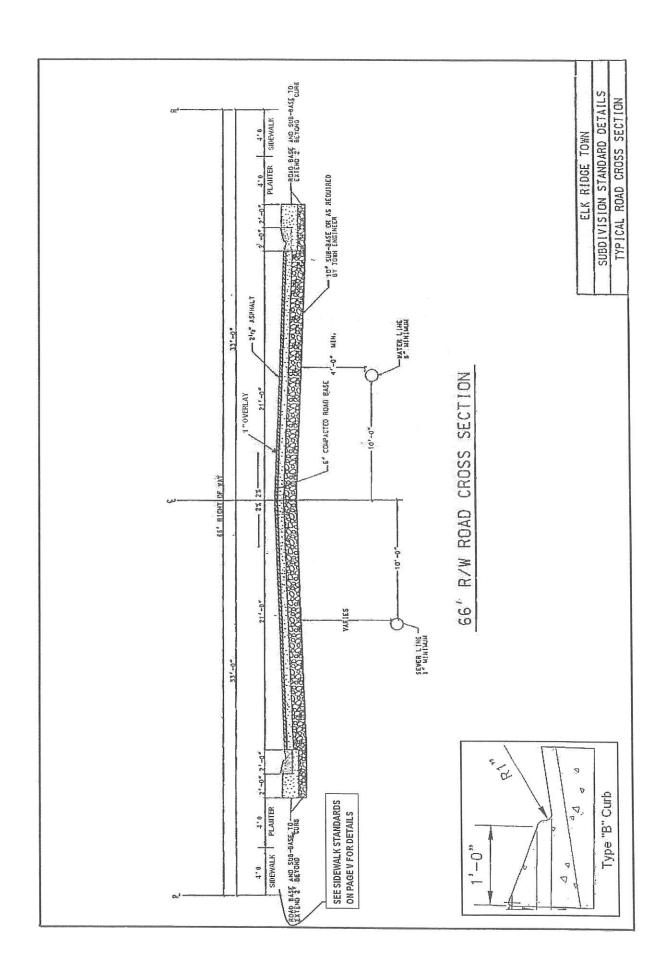


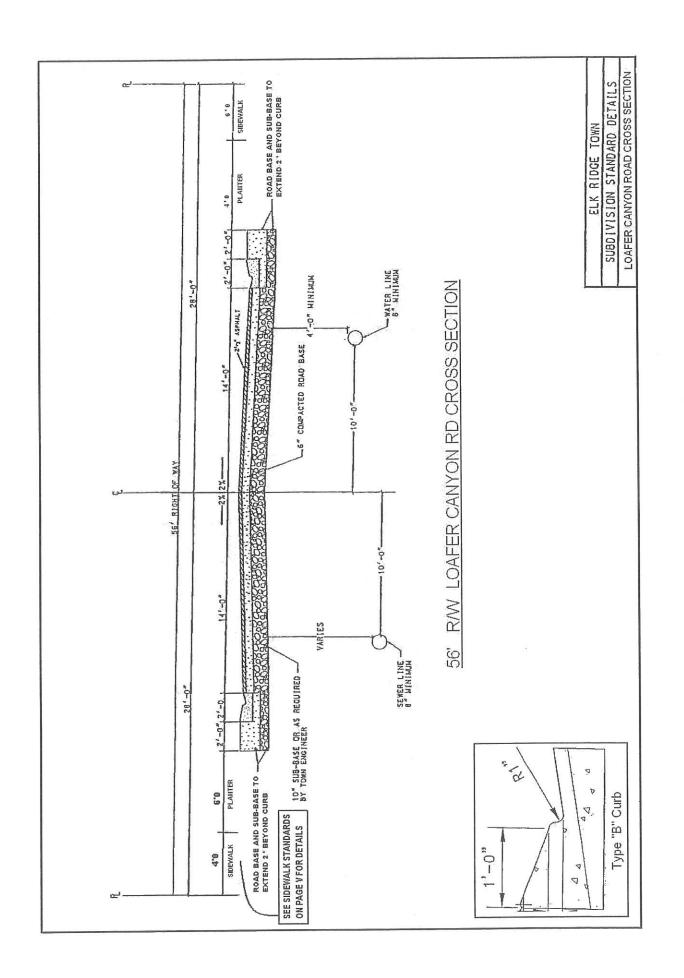
NOTE: 11/2" AND LARGER WATER METER SHALL CONFORM TO STANDARD FOR LARGE METERS.

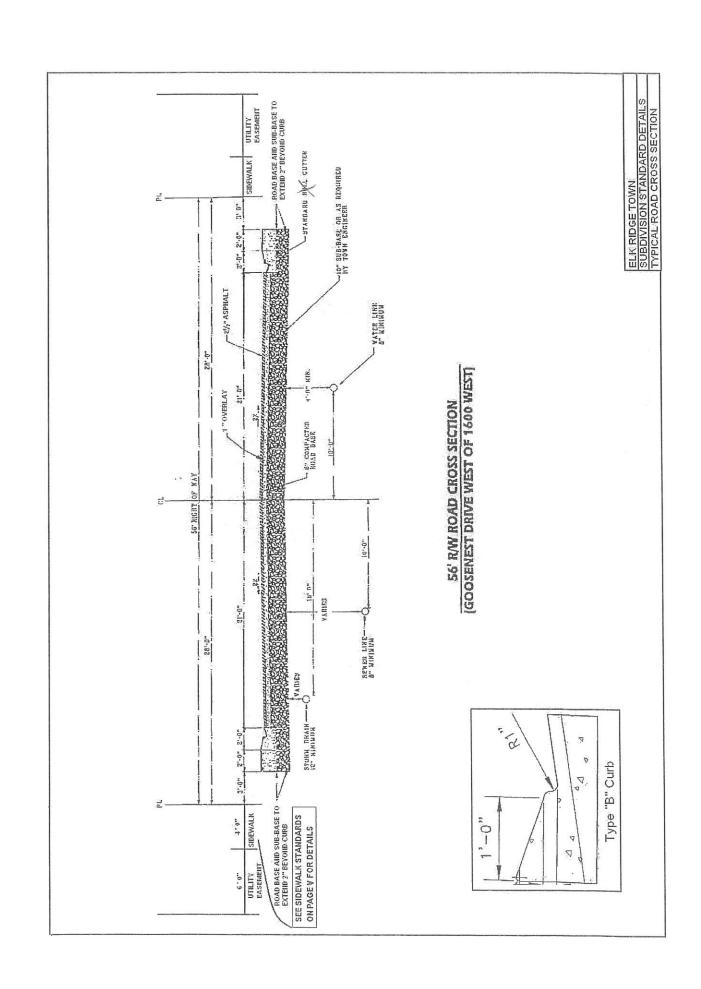
ELK RIDGE TOWN
SUBDIVISION STANDARD DETAILS
WATER LINE DETAILS

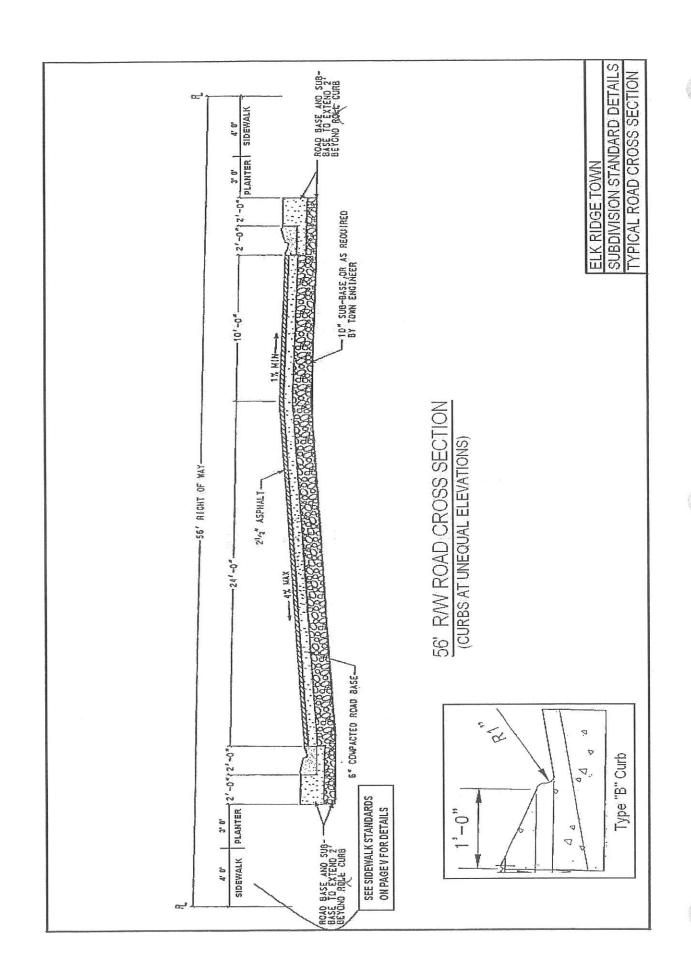


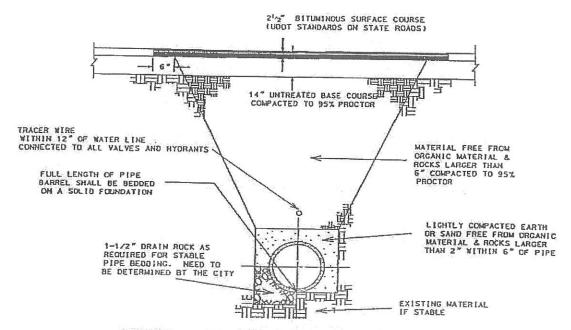






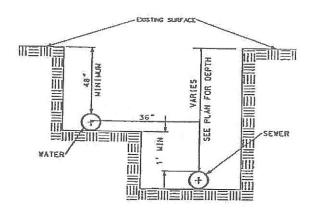






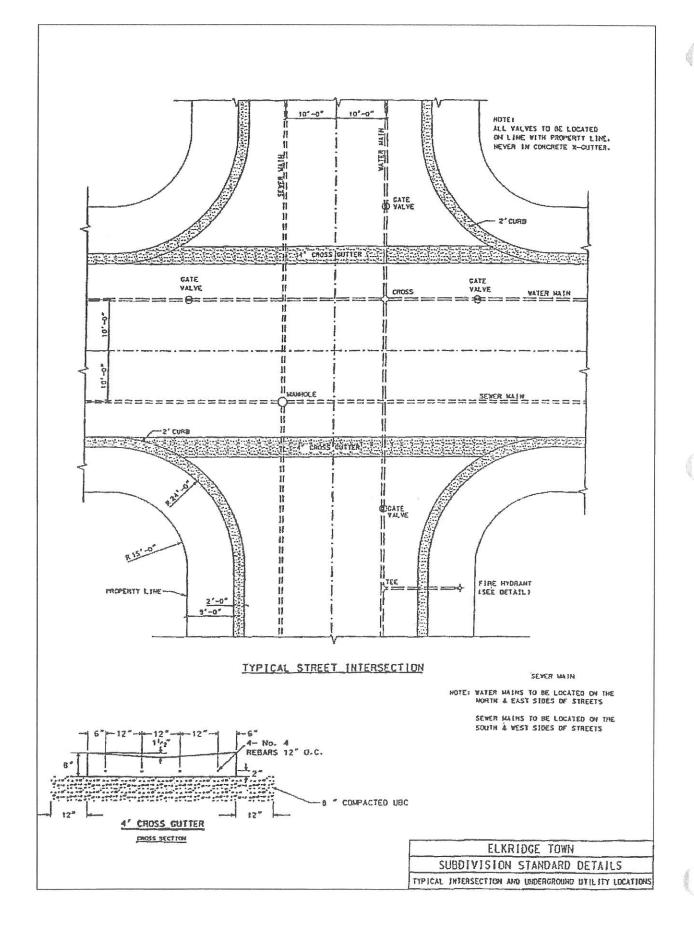
SEWER & WATER PIPE TRENCH DETAILS

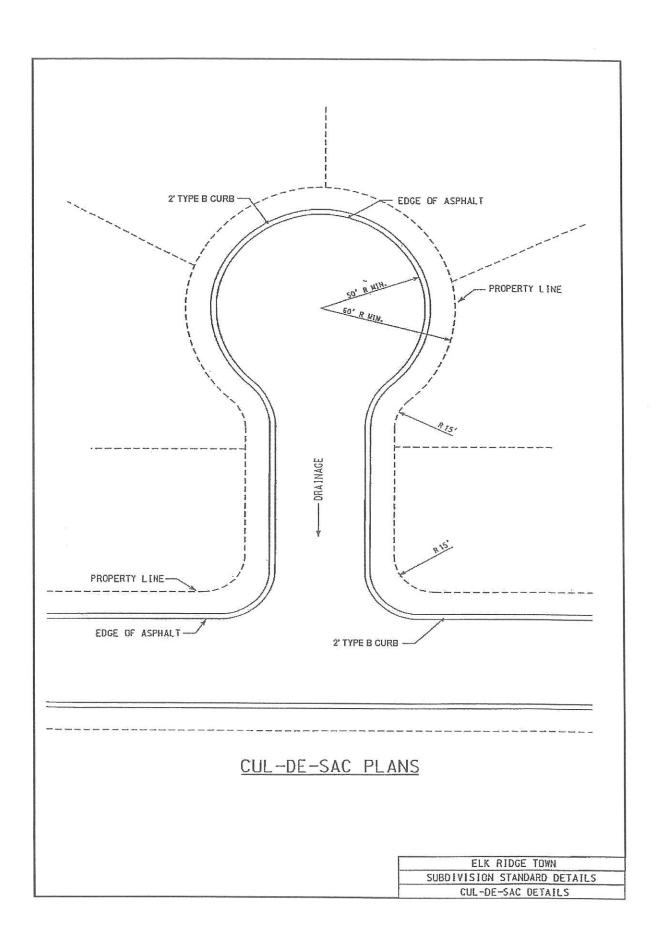
CROSS SECTION



DUAL PIPELINE TRENCH DETAIL

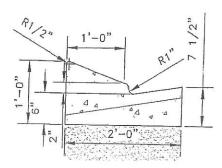
ELK RIDGE TOWN
SUBDIVISION STANDARD DETAILS
TRENCH DETAILS





CURB AND GUTTER STANDARD

TYPE B



CONCRETE AREA = 1.406 SQ. FT.

Curb and gutter

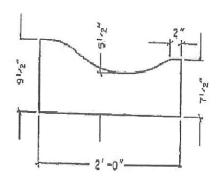
- UNTREATED BASE COURSE: Provide material specified in APWA Section 02060.
 Do not use gravet or sewer rock. Place per APWA Section 02322. Compact per APWA Section 02324 to a modified proctor density of 95-percent or greater.

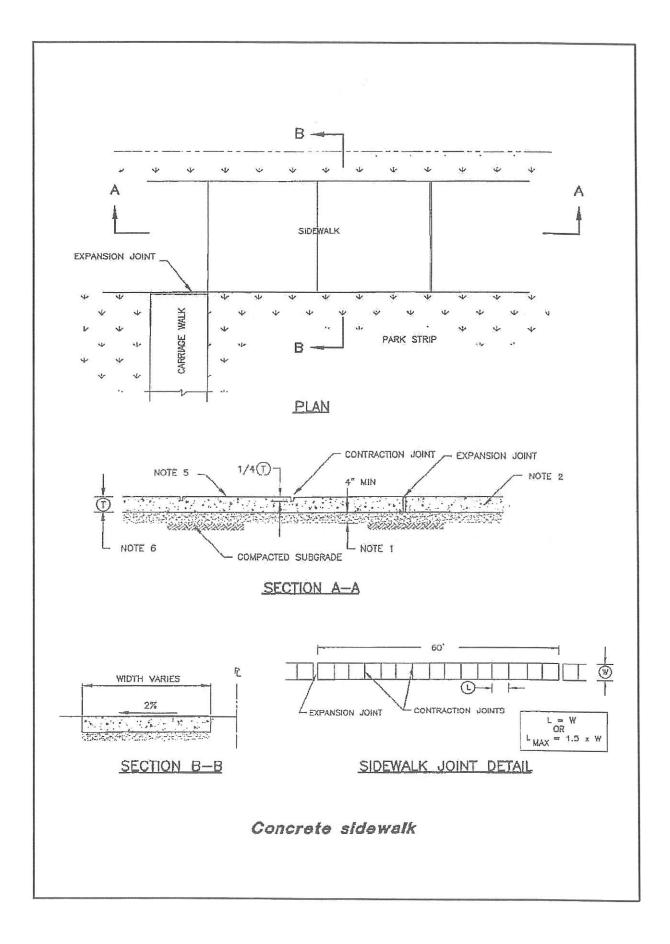
 Maximum lift thickness is 8-inches before compaction.
- DIMENSION: For curb and gutter with flowline grades greater than 0.5 percent (s = 0.005) madbase dimension is 8 inches. For curb and gutter with flowline grades less than 0.5 percent roadbase dimension is 8 inches.
- CONCRETE: Class 4000 per APWA Section 03304. Place per APWA Section 02770. Cure per APWA Section 03390.
 - A. If necessary, provide concrete that achieves design strength in less than 7 days. Use caution, however, as solder cracks develop if air temperature exceeds 90 degrees F.
 - Unless shown atherwise, provide 1/2 inch radius on concrete edges exposed to public view

4. EXPANSION JOINTS:

- A. Fuit depth 1/2 inch thick type F1 joint filler material per APWA Section 03060. Set top of filler flush with surface of concrete.
- Expansion joints are not required in slip formwork except at the start or end of the installation activity, and at the start or end of a street intersection curb radius return.
- CONTRACTION JOINTS: Make contraction joints vertical, at least 1/8 inch wide, and 2 inches deep or 1/4 slab thickness if the slab is greater than 8 inches thick. In lieu of 10 feet horizontal spacings, match location of contraction joints in portland cement concrete roadway pavements.

RECONSTRUCTION OF ROLL CURB





CONCRETE SIDEWALK STANDARD

- UNTREATED BASE COURSE: Provide material specified in APW A Section 02060.
 <u>Do not use gravel or sewer rock.</u> Place per APWA Section 02322. Compact per APWA Section 02324 to a modified proctor density of 95-percent or greater. Maximum lift thickness is 8-inches before compaction.
- CONCRETE: Class 4000 per APWA Section 03304. Place per APWA Section 02770. Cure per APWA Section 03390.
 - A If necessary, provide concrete that achieves design strength in less than 7 days. Use caution, however, as spider cracks develop if air temperature exceeds 90 degrees F.
 - B. Unless shown otherwise, provide 1/2-inch radius on concrete edges exposed to public view.
- 3. FINISH: Fine hair broom on longitudinal grades under 6% and rough hair broom on longitudinal grades over 6%.
- 4. DEPTH OF SIDEWALK (T):
 - A. New construction: Nominal 6" in residential zones, 8" in non-residential zones.
 - B. Removal and replacement construction: Match existing.

City of Elk Ridge Traffic Sign Standards

Adopted by City Council 13 June 2006 Street Name Signs Adopted 22 November 2005

Stop Signs

Four-Way Intersections; All four-way intersections shall have stop signs controlling at least two legs of the intersection. The roadway with the least amount of traffic shall be stopped. The city engineer can require that all legs of the intersection have stop signs if an engineering study or the engineer's judgment warrants it.



Three-Way Intersections; All three-way intersections shall have stop signs controlling the non-through movement leg of the intersection. The city engineer can require that all legs of the intersection have stop signs if an engineering study or the engineer's judgment warrants it.

A yield sign can be placed at the non-through movement leg of a three-way intersection when the ability to see all potentially conflicting traffic is sufficient to allow a road user traveling at the posted speed or the 85th-percentile speed to pass through the intersection or to stop in a reasonably safe manner.

Road Classification; The Elk Ridge City Circulation Map shows four types of road classification; Arterial, Major Collector, Minor Collector, and Local. All roads of a lower classification intersecting a roadway of a higher classification shall have a stop sign placed on the lower classified road. Intersecting roads with the same classification shall have stop signs controlling at least two legs of the intersection. The roadway with the least amount of traffic shall be stopped. The city engineer can require that all legs of the intersection have stop signs if an engineering study or the engineer's judgment warrants it.

Speed Limit Sign

Local Roads; A speed limit sign shall be placed on all Local Roads at the intersection of a higher classified road. A sign shall be placed 40 to 100 feet back from the intersection of the higher classified road preferably at a lot line.



Classified Roads; A speed limit sign shall be placed on all Collector and Arterial Roads when any type of these roads intersects. All four legs of an intersection shall have signs. A sign shall be placed 40 to 100 feet back from the intersection preferably at a lot line.

Speed Limits; Speed Limits in Elk Ridge range between 25 and 40 mph. The City Council can adjust limits on streets to reflect local needs and conflicts. In general, speed limits should be set to protect the functionality of each road type. All local streets and Minor Collectors shall be posted as 25 MPH. Major Collectors should have speed limits set between 30 and 35 MPH. All Arterials should have speed limits set between 35 and 40 MPH.

Share the Road Sign

Local Roads; A share The Road sign shall be placed on Local Roads that do not have sidewalks, at the intersection of a higher classified road on the same post as a Speed Limit sign, located under the Speed Limit sign.



Collector / Arterial Roads; A share The Road sign shall be placed on Collector and

Arterial roads that do not have sidewalks, near parks, bus stops or areas pedestrians/bicyclists frequent.

Dead End / No Outlet Signs

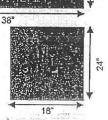
Dead End Sign Placement; the street name sign located at a cul-

de-sac or stub street shall have a Dead End sign place directly under the sign of the name of the street that ends. This sign is used to alert turning traffic. The Dead End sign shall be the same size as the street name sign. For through movements that end past an intersection, a Dead End sign facing the though movement shall be placed on a post separate than the street name sign.

18"

No Outlet Sign Placement; roadways that lead to other roadways all having no outlet sha18have a No 0Outlet sign posted on the street name sign located at the last possible through

movement intersection. This sign is used to alert turning traffic. The No Outlet sign shall be the same size as the street name sign. For through movements that have no outlet, a No Outlet sign facing the though movement shall be placed on a post separate than the street name sign.



Street Name Sign

Requirement; Street Name signs shall be double

38"
bladed, white lettering on green background, incorporate the city logo to right of sign (logo on file with city, Intermountain Traffic and Safety - SLC, Inter West - Provo), and shall have a letter size of 6 inches. The first letter of each word will be capitalized with the remaining in small case. 5 inch lettering can be used in the lowercase letters g, j, p, q or y or if the length of the name would be read better with 5 inch letters. The street designation (avenue, street, road, circle, etc) shall be abbreviated. The coordinate at the

The street designation (avenue, street, road, circle, etc) shall be abbreviated. The coordinate at the center of the intersection, rounded to the nearest 10th, shall be placed to the left of the sign in 3 inch lettering. The number coordinate shall be placed on top of the direction ("100" above "West"). The font for street name signs shall be Helvetica or a comparable. Street name signs shall be installed on their own post on a corner not having a stop sign. On 4-way stops, the street name sign can be placed on on the stop sign posts.

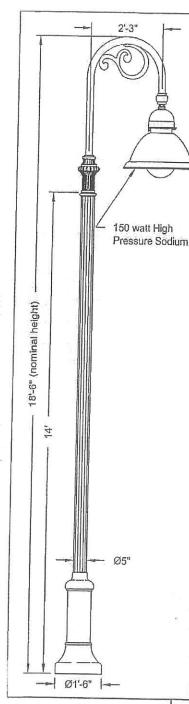
Sign Sheeting, Dimensions, and Post Standard

Sheeting; Prismatic - T6500 or equivalent diamond type sheeting shall be used.

Dimensions:

Stop Sign = 24 x 24
Yield Sign = 36
Speed Limit Sign = 18 x 24
Street Name Sign = 38 x 8
Share the Road Sign = 24 x 30
Dead End / No Outlet Sign
Facing turning traffic = 38 x 8
Facing through traffic = 18 x 18

Post / Anchor System; The required post is a Poz-Loc 11' tall round black powder coated, 16 gauge post with no holes, with a standard cap. The anchor system is a V-Loc Soil Anchor, 2 3/8th inch round post, 24" leg w/ wedge or equivalent.



Specifications

POST DESCRIPTION The lighting post shall be all aluminum, one-piece construction, with a classic base design. The shaft shall be #05" fluted. The post shall be Holophanes' catalog number RH14F5/18-CA/6K. A CVC series crossarm will mount atop the post.

MATERIALS The base shall be heavy wall, cast aluminum produced from certified ASTM 356.1 ingot per ASTM B-179-95a or ASTM B26-95. The straight shafts shall be extruded from aluminum, ASTM 6061 alloy, heat treated to a T6 temper. All hardware shall be tamper resistant stainless steel. Anchor bolts to be completely hot dip galvanized.

CONSTRUCTION The shaft shall be double welded to the base casting and shipped as one piece for Secretary free from a find a first and the second of the cost costing and a species of a present of maximum structural integrity. The shaft shall be circumferentially welded inside the base casting at the top of the access door, and externally where the shaft exits the base. All exposed welds below 8 shall be ground smooth. All welding shall be per ANSI/AWS D1.2-90. All welders shall be certified per Section 5 of ANSI/AWS D1.2-90.

DIMENSIONS The post shall be 14" 0" in height with an 18" diameter base. The shaft diameter shall be 5". At the top of the post, a 3" O.D. by 12" tall tenon with a transitional donut shall be provided for crossarm mounting.

NSTALLATION The post shall be provided with four, hot dip galvanized L-type anchor bolts to be installed on an 11" diarnotor bolt circle. A door shall be provided in the base for anchorage and wiring access. A grounding screw shall be provided inside the base opposite the door.

<u>LUMINAIRE DESCRIPTION</u>
The Euro styled luminaire consists of a prismatic glass optical assembly shielded by a dome shaped

The Euro styled luminaire consists of a prismatic glass optical assembly shielded by a dome shaped cut-off reflector and a top mounted cast aluminum ballast assembly with a circumferential 1-1/2 Inch reveal. A softened decretive uplight component is also available.

OPTICAL ASSEMBLY
The optical assembly consists of a thermal resistant annealed borosilicate glass refractor mechanically held in a formed aluminum door frame. The hinged door frame is attached to the spun cover with two tool-less screws and hinge. An optional cast aluminum vertical or horizontal guard door frame is available on most optical options. The hinged door assembly allows easy access for re-lamping. Light from a vertical lamp is distributed by precisely molded refracting prisms to maximize utilization, uniformity and luminaire spacing. Fifteen unique refractors are available for symmetrical or asymmetric distribution.

BALLAST ASSEMBLY

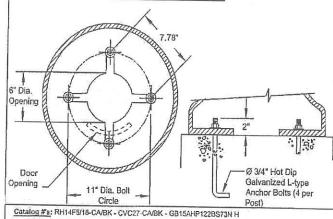
BALLAST ASSEMBLY
The cast aluminum ballast housing, has a smooth domed contour. A terminal block is provided with a quick disconnect receptacle. The ballast housing is hinged with a too-less latch to provide assy access to the ballast assembly. The unitized ballast assembly, containing the ballast and other electrical the ballast assembly. The unitized ballast assembly, containing the ballast and other electrical components, plugs into the quick disconnect receptacte. The ballast plate is attached with two tool-less screws. A nickel plated lamp grip socket of street lighting grade with a glazed porcelain body and the center contact backed by a colled spring, is positioned mechanically to the ballast plate, placing the lamp at the light center of the prismatic glass refractor. The pendant mount version has a 1-1/2 inch circumferential reveal. This housing has an integral 1-1/2 inch NPT threaded entry with stainless steel set

BALLASTS

All HPS ballasts are High Power Factor Lag type.

The luminaire is finished with polyester powder paint applied after a seven stage pretreatment process to insure maximum durability.

ANCHORAGE DETAIL

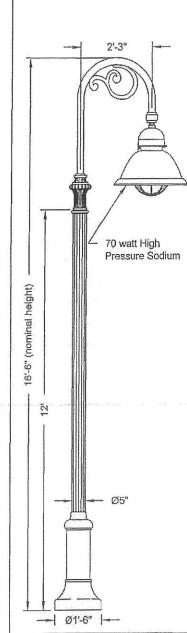




Elk Ridge Arterial Elk Ridge, UT

DRAWING #: ORDER #: TYPE: TSG 001571 REVISION: 2 REVISION DATE: 08-31-06 DRAWN: ACH ORIGIN DATE: 08-30-06 PAGE: 2

FOR THE MATTERN. TO BE PURMERHOLD BY MOLDPHANE ON THE OIDER NOTED ABOVE. A JUST OF SIMELAR DESIGNAMAY BE EXPOSED, BUT ONLY AFTER APPROVAL BY THE LES EXPLICED WITH EACH KNO OR BOLT DOUGHT ON MICHAEL PROVIDED. THE PRINT IS THE PROCEDITY OF HOLDPHANE AND IN LOW-ED SHALED TO RETURN LEADN MORPHING WITH ANY DETRIBUTED TO OUR RITERSHEED, AND DAY NO CONTROLLOR WITH ANY THE PROPERTY OF HOLDPHANE AND IN LOW-ED SHALED TO RETURN LEADN.



Specifications

POST DESCRIPTION The lighting post shall be all aluminum, one-piece construction, with a classic base design. The shall shall be 95° fluted. The post shall be Holophanes' catalog number RH12F5/18-CA/BK. A CVC series crossarm will mount atop the post.

MATERIALS The base shall be heavy wall, cast aluminum produced from certified ASTM 356.1 lngot per ASTM B-179-95a or ASTM B26-95. The straight shall be extruded from aluminum, ASTM 6061 alloy, heat treated to a T6 temper. All hardware shall be tamper resistant stainless steel. Anchor bolts to be completely hot dip galvanized.

CONSTRUCTION The shaft shall be double welded to the base casting and shipped as one piece for maximum structural integrity. The shaft shall be circumferentially welded inside the base casting at the top of the access door, and externally where the shaft exits the base. All exposed welds below 8 shall be ground smooth. All welding shall be per ANSI/AWS D1.2-90. All welders shall be certified per Section 5 of ANSI/AWS D1.2-90.

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crossarm mounting.

INSTALLATION The post shall be provided with four, hot dip galvanized L-type anchor bolts to be installed on an 11" diameter bolt circle. A door shall be provided in the base for anchorage and wining access. A grounding screw shall be provided inside the base opposite the door.

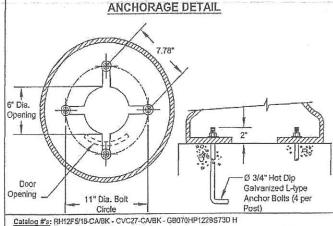
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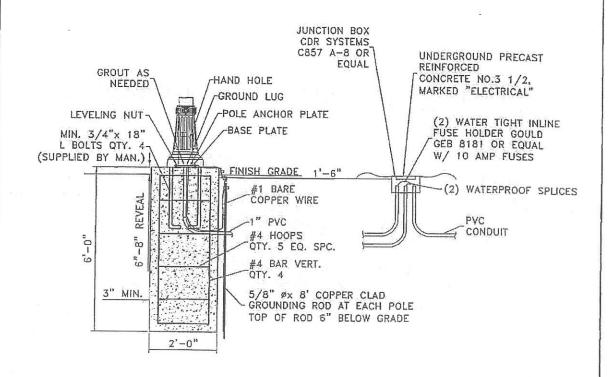




Elk Ridge Trails Elk Ridge, UT

ORDER#: TYPE: TSG001571 REVISION DATE: 08-31-06 REVISION: 2 PAGE: 1 of 2 ORIGIN DATE: 08-30-06 DRAWN: ACH

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POLE FOUNDATION INSTALLATION DETAIL

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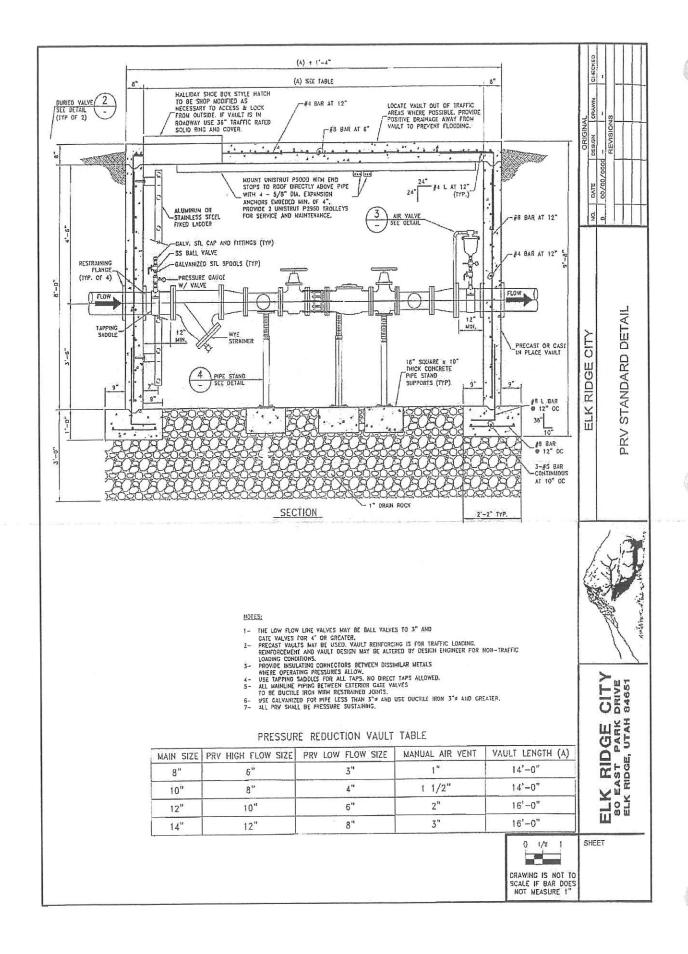
ELK RIDGE CITY 80 EAST PARK DRIVE ELK RIDGE, UTAH 84651

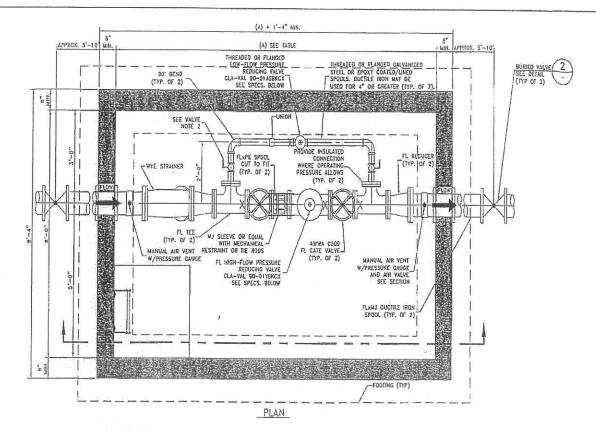


ELK RIDGE CITY

LIGHT POLE FOUNDATION

REVISION: 07/17/2007

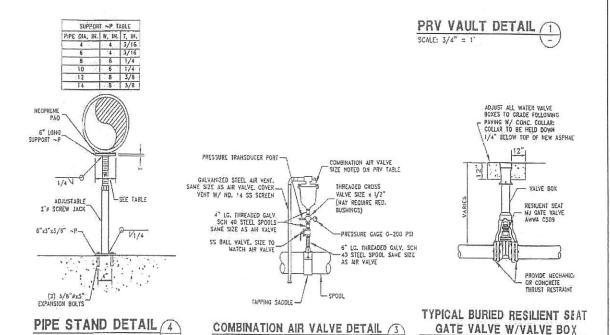




PRY SPECIFICATIONS:

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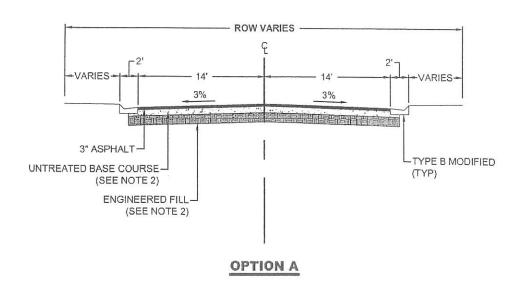
- 1- 150 LB. CLASS DUCTILE IRON 8007. 2- STAINLESS STEEL TUBES AND FITTINGS. 5- STAINLESS STEEL INTERNAL TRIM. 4- 30-300 PSI STRING RANGE.

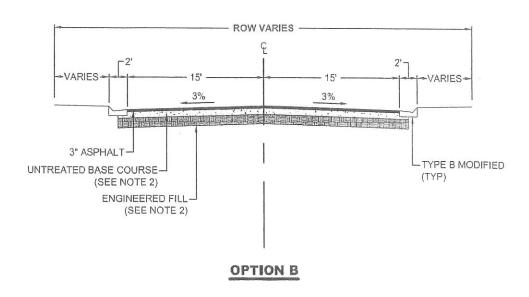


SCALE: H.T.S.

0
Alliston,







NOTES:

- 1. THESE CROSS SECTIONS ARE TO BE USED AS APPROVED BY CITY COUNCIL FOR RE-CONSTRUCTION OF EXISTING ROADWAYS AND NOT FOR NEW CONSTRUCTION.
- 2. UNTREATED BASE COURSE SECTION AND ENGINEERED FILL TO BE DETERMINED ON A CASE BY CASE BASIS BY THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR.

ELK RIDGE CITY

80 EAST PARK DRIVE ELK RIDGE, UTAH 84651



ELK RIDGE CITY

REVISION

TYPICAL SECTION
EXISTING ROADWAY UPGRADES

4-16-12

TITLE 10 | DEVELOPMENT CODE

CITY OF ELK RIDGE UTAH

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10-2: DEFINITIONS	
10-3: ADMINISTRATION AND ENFORCEMENT	
10-4: GENERAL PROVISIONS	
10-5: ESTABLISHMENT OF ZONES	
10-6: REGULATIONS WITHIN ZONES	
10-7: RESIDENTIAL ZONES	
ARTICLE A. R-1-15,000 RESIDENTIAL ZONE	
ARTICLE B. R-1-20,000 RESIDENTIAL ZONE	
ARTICLE C. R-1-12,000 RESIDENTIAL ZONE	
10-8: RESIDENTIAL AND LIVESTOCK RAISING ZONES	
ARTICLE A. RR-1 RURAL RESIDENTIAL ZONE	
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10-11: OTHER ZONES	
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ARTICLE B. TRANSFERABLE DEVELOPMENT RIGHTS OVERLAY ZONE	
ARTICLE C. HILLSIDE CLUSTER OVERLAY ZONE	
ARTICLE D. SENIOR HOUSING OVERLAY ZONE	
ARTICLE E. PLANNED UNIT DEVELOPMENT OVERLAY ZONE	
ARTICLE F. MOUNTAIN HOME DEVELOPMENT OVERLAY ZONE	
10-12: SUPPLEMENTARY REGULATIONS WITHIN ZONES	
10-13: NON CONFORMING BUILDINGS AND USES1	
10-14: LARGE SCALE DEVELOPMENTS (RECENDED)	

TITLE 10 | DEVELOPMENT CODE

CITY OF ELK RIDGE UTAH

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CHAPTER 1 | TITLE, INTENT AND PURPOSE, INTERPRETATION

TITLE 10
DEVELOPMENT
CODE

CHAPTER:

10-1: TITLE, INTENT AND PURPOSE, INTERPRETATION

SECTIONS:

10-1-1: TITLE

10-1-2: INTENT AND PURPOSE 10-1-3: INTERPRETATION

10-1-1: TITLE:

This title shall be entitled and known as the DEVELOPMENT CODE OF ELK RIDGE, UTAH, and may be so cited and pleaded. (Ord. 97-7-8-8, 7-8-1997)

10-1-2: INTENT AND PURPOSE:

It is the intent and purpose of the city council to avail itself of the powers granted under Utah Code Annotated sections 10-9-101 et seq., 10-2-401 et seq., and 57-8-35, as amended, and to do so in a manner that will:

- A. Provide for the health, safety and welfare of the citizens.
- B. Promote the prosperity, improve the morals, peace and good order, comfort, convenience and aesthetics of the municipality and its present inhabitants and businesses.
- C. Protect the tax base, secure economy in governmental expenditures, foster agricultural and other industries.
- D. Protect both urban and nonurban development and protect property values. (Ord. 97-7-8-8, 7-8-1997)

10-1-3: INTERPRETATION:

In interpreting and applying the development code, the provisions thereof shall be held to be the minimum requirements needed to promote the public health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of the city.

Where the provisions of the development code impose a greater restriction than is required by any ordinance, code, regulation, standard or other provisions of law or by any easement, covenant or private agreement, the provisions of the development code shall govern. (Ord. 97-7-8-8, 7-8-1997)

CHAPTER 2 | DEFINITIONS

TITLE 10
DEVELOPMENT
CODE

CHAPTER:

10-2: DEFINITIONS

SECTIONS:

10-2-1: CONSTRUCTION OF WORDS

10-2-2: DEFINITIONS

10-2-1: CONSTRUCTION OF WORDS:

Words in the present tense include the future and the future includes the present; the singular number includes the plural and the plural the singular; the word "lot" includes the word tract or parcel of land; the term "erected" means constructed, altered, moved or repaired; the words "shall" and "must" are always mandatory. The term "district" is synonymous with the term zone; the term "ordinance" is synonymous with the term code. Words not included herein, but which are defined in the building code, shall be construed as defined therein. (Ord. 97-7-8-8, 7-8-1997)

10-2-2: DEFINITIONS:

For the purposes of this development code, certain words and terms are defined as hereinafter set forth:

ADA: Any term, condition or improvement required to be included or constructed within a project pursuant to the provisions of the Americans with disabilities act.

ACCESSORY APARTMENTS: A portion of a one-family dwelling (primary dwelling unit), containing separate cooking, sleeping and sanitary facilities, and occupied or intended for occupancy as a separate but subordinate dwelling unit.

ACCESSORY BUILDING: A building located on a lot or parcel of land, the use of which is appropriate, subordinate and customarily incidental to that of the main building and/or principal use of the land.

ANIMAL UNIT:

A. An animal unit shall be one or a proportionate combination of the following:

- 1. One cow (bovine), horse (equine), or similar large animal.
- 2. Four (4) adult sheep or feeder lambs.
- 3. Four (4) goats.
- 4. Twenty (20) chickens.
- 5. Thirty (30) rabbits or similar small animals.
- B. For types of animals not specified above, the appeal authority shall determine the number which shall constitute an animal unit; except that, for the purposes of compliance with this development code, porcine (pig), and mink are specifically excluded from consideration as part of an animal unit.
- C. For the purpose of determining compliance, said definition shall not include the unweaned offspring less than slx (6) months old of any residing animal.

BUILDABLE AREA: A lot or portion thereof possessing all of the following physical characteristics:

- A. The area contains no territory having a natural slope of thirty percent (30%) or greater and meets all conditions as provided in section 10-12-34 of this title.
- B. The area contains no territory which is located in any identified floodplain or within any recognized inundation zone, mud flow zone or zone of deformation, or lands subject to earth slippage, landslide or rock fall.
- C. The engineering properties of the soil provide adequate structural support for the intended use.
- D. The area does not possess any other recognized natural condition which renders it unsafe for building purposes.

- E. The area is within the building setback envelope as determined in accordance with the setback provisions of the zone.
- F. The area is readily capable of vehicular access from the adjacent public street over a driveway having a slope of not more than twelve percent (12%).

BUILDING: Any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind, but not including fences or corrals.

BUILDING FOOTPRINT: The area circumscribed within the outside perimeter of a proposed building, as determined along the outside edge of the foundation wall.

CHILDCARE CENTER: A dwelling unit wherein ordinary care and supervision are provided during customary daytime periods by the resident family to nonrelated persons.

COMMON AREA: An area designated to serve two (2) or more dwelling units in separate ownership with convenient access to the area.

COMMON HOUSEHOLD PETS: Considered to be dogs, cats, rabbits, and smaller animals such as domesticated rodents, fish, parrots, parakeets, canaries, guinea pigs, hamsters, non-poisonous reptiles, turtles, and other like animals that can be purchased in a licensed Utah pet store. See 10-18-4 for limits.

CONDOMINIUM: The ownership of a single unit in a multi-unit project, together with an undivided interest in common in the common areas and facilities of the property.

CONDOMINIUM PROJECT: A development project whereby two (2) or more units, together with an undivided interest in the common area or facility, are separately offered or proposed to be offered for sale. This definition shall apply to existing or proposed apartments, commercial or industrial buildings or structures. Condominium project shall

also mean the property when the context so requires.

CORRAL: A fence or other barrier used for the confinement of livestock for which the primary source of food is provided from other than grazing of grass or herbage growing on the site.

CUSTOMARY RESIDENTIAL ACCESSORY STRUCTURE.

A structure constructed on the same zoning lot as a dwelling and which is intended for the incidental and exclusive use of the residents of said dwelling, including, but not limited to, detached garages, carports, swimming pools, tennis courts, greenhouses, storage buildings and satellite dishes.

DENSITY: The number of dwelling units per acre of land.

DERELICT PARCEL: A residual parcel of land created or proposed to be created as part of a proposed subdivision design of a larger tract having insufficient area or dimension or possessing other conditions which prohibit its qualification as a zoning lot within the zone.

DESIGNATED CITY STREET: A federal or state highway or street within the city owned by the city and intended for automobile travel by the public.

DOCUMENTATION-DECLARATION: The legal instruments required under the provisions of this development code and applicable state law for approval of a planned development or subdivision.

DWELLING, CARETAKERS: A dwelling which is occupied by an individual or family whose livelihood is derived primarily from watching or taking care of a farm, industry or other use which is located on the same premises as the dwelling.

DWELLING, CONVENTIONAL CONSTRUCTION: A dwelling which is constructed in compliance with the provisions of the building code, mechanical code, electrical code and plumbing code, as adopted by the state or city.

DWELLING, FACTORY BUILT: A dwelling that is wholly or in substantial part made, fabricated,

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formed or assembled in manufacturing facilities for installation or assembly and installation on a building site. For purposes of this development code, the term factory built dwelling consists of three (3) types: modular housing, manufactured housing and mobile homes.

DWELLING, MULTIPLE-FAMILY: A building containing three (3) or more dwelling units.

DWELLING, ONE-FAMILY: A detached residence designed for or occupied by one family.

DWELLING, TWO-FAMILY: A building containing two (2) dwelling units.

DWELLING UNIT: One or more rooms in a building designed for living purposes (bathing, eating and sleeping), and occupied by one family.

FAMILY: An individual or two (2) or more persons related by blood, marriage or adoption, living together in a single dwelling unit and maintaining a common household. A family may include two (2), but not more than two (2), nonrelated persons living with the residing family. The term "family" shall not be construed to mean a group of nonrelated individuals, a fraternity, club or institutional group.

FENCE, SIGHT OBSCURING: A fence which permits vision through less than twenty percent (20%) of any square foot area.

FINAL PLAT; RECORD OF SURVEY MAP: A plat of survey of land within a subdivision or large scale development, which has been prepared in accordance with applicable city standards and/or state statutes for the purposes of recording in the office of the county recorder.

GARAGE: A structure situated on a residential lot, either attached to a dwelling or freestanding, enclosed on all sides by walls or doors, which is designed and intended for the shelter of automobiles.

GENERAL PLAN (MASTER PLAN): A coordinated plan which has been prepared and adopted for the purpose of guiding development, including, but not

limited to, a plan or plans of land use, resources, circulation, housing, and public facilities and grounds.

GRADE OF STREETS AND DRIVEWAYS: The ratio of vertical distance along such a street or driveway expressed in either percentage or degree.

HOME OCCUPATION: Any occupation conducted within a dwelling and carried on by persons residing in the dwelling.

HOBBY ANIMALS: Includes chickens, ducks, pigeons, ferrets, and other like animals approved by the planning commission. Roosters are not allowed as a hobby animal. The number of dogs and/or cats above what is allowed as common household pets are considered a hobby animal. See 10-18-5 for limits.

KENNEL: Where permitted by the city zoning ordinance, kennels must be approved by the planning commission and can be used for any purpose, including boarding, breeding, buying, grooming, letting for hire, training for fee, or selling. See 10-18-7 for limits.

LANDSCAPING: The use and integration of a combination of planted trees, shrubs, vines, ground covers, lawns, rocks, foundations, pools, artwork, screens, walls, fences, benches or surfaced walkways set into an aesthetically pleasing arrangement as determined by the planning commission or their authorized representatives. However, the use of structures or surfaced walkways alone, in the absence of planted trees, lawns, etc., shall not meet the requirements of this development code.

LIVESTOCK ANIMALS: Where permitted by the city zoning ordinance, livestock animals are allowed based on the land area of the lot and land provided for the livestock management area. The amount of animals allowed is based on the size and type of animals as shown in table 10-18-6-2. In some zones livestock animals are considered a conditional use and must be approved by the planning commission. See 10-18-6 for limits.

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LIVESTOCK MANAGEMENT AREA: All portions of a lot devoted exclusively to the care and keeping of livestock, including, but not limited to, barns, sheds, pens, coops, corrals and pastures, but not including any portion of a parcel devoted to a dwelling, yard, garden, parking area or unutilized open area.

LIVING AREA: Those portions of dwellings having a headroom height of not less than seven feet (7') and used for customary living activities. For purposes of this development code, the term "living area" shall not include those portions of a dwelling intended for parking of vehicles, unenclosed porches, storage rooms having only outside access and similar areas.

LOT:

- A. An independently described parcel of land as shown on the records of the county recorder; or
- B. Two (2) or more contiguous parcels each of which qualify under subsection A of this definition and for which a declaration of zoning lot has been approved and filed in the office of the county recorder.

LOT, CORNER: A lot abutting on two (2) intersecting or intercepting streets where the interior angle of intersection or interception does not exceed one hundred thirty five degrees (135°).

LOT, INTERIOR: A lot other than a corner lot.

LOT LINE:

A. Front:

- The front boundary line of a lot bordering on the street or in the case of a flag lot, the boundary line located closest to and approximately parallel to the street upon which the driveway portion abuts.
- In the instance of a corner lot, the front lot line shall be the lot line adjacent to the street having the lowest level of service or determined to have the least amount of

potential traffic and subject to section 10-15C-4 of this title.

- B. Rear: A lot line which is opposite and most distance from the front lot line. In the case of an irregular, triangular or gore shaped lot, the rear lot line shall be a line within the lot parallel to and at the maximum distance from the front lot line, having a length of at least ten feet (10').
- C. Side: Any lot boundary line not a front lot line or a rear lot line.

LOT, UNIMPROVED RESIDUAL: See section 10-15F-10 of this title.

MAIN BUILDING: One or more of the principal buildings upon a lot. Garages, carports and other buildings which are attached to a dwelling or other main building or which are situated closer to the main building than the minimum distance specified in the zone requirements shall be considered as a part of the main building.

MAIN FLOOR LIVING AREA: The area of a dwelling, measured from the outside wall line on a horizontal plane, which when viewed from above, contains living area on one or more floors or levels, which floors or levels are located entirely above the finished ground level surrounding the dwelling.

MANUFACTURED HOME: A transportable factory built housing unit constructed on or after June 15, 1976, according to the federal home construction and safety standards act of 1974 (HUD code), in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width, or forty (40) body feet or more in length, or when erected on site, is four hundred (400) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems. All manufactured homes constructed on or after June 15, 1976, shall be identifiable by the manufacturer's data plate bearing the date the unit was manufactured and a HUD label attached to the

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exterior of the home certifying the home was manufactured to HUD standards.

MINOR UTILITY TRANSMISSION PROJECT: The construction of transmission and distribution facilities for electric power, telephone, gas and oil, water, cable TV, microwave and similar commodities for the purpose of supplying such services or commodities primarily to structures in the immediate vicinity.

MIXED USE DEVELOPMENT: Developments which combine a combination of development types within a single development project or phase. Such combinations are typically of one or more of the following characteristics:

- A. Residential Only Mixtures: A mixture of residential uses within a single project or phase, such as single-family detached dwelling units combined with single-family attached and/or multiple-family dwelling units.
- B. Residential And Commercial Mixtures: A mixture of any residential use and commercial uses within a single development project or phase.

MOBILE HOME: A transportable factory built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to the federal manufactured housing and safety standards act (HUD code).

MOBILE HOME PARK: An area or tract of land used to accommodate two (2) or more mobile homes.

MODULAR HOUSING: A factory built dwelling constructed in accordance with the provisions of the building code.

NONCONFORMING LOT OF RECORD: A parcel of land which does not conform to the minimum area and/or width requirements for the zone in which it is located, but which was legally created and was shown on the records of the county recorder as a conforming lot of record prior to the effective date of the applicable controlling provisions. Substandard

lots in illegal subdivisions shall not be considered as nonconforming lots of record.

NONCONFORMING USE OR BUILDING: A building or structure, or portion thereof, or use of a building or land existing at the time of the passage hereof, which does not conform to the zoning regulations as set forth herein but which legally existed prior to the effective date of the now controlling provision.

OFF SITE: Of or pertaining to land, area or facilities not located within the boundaries of a final plat of a planned development or subdivision.

OFF STREET PARKING: An area adjoining a building providing for the parking of automobiles which does not include a public street, but has convenient access to it.

PASTURE: An area confined by wire, wood or other fence structure used for the confinement of livestock for which the primary source of food is obtained from the grazing of grass or herbage growing on the site.

PENINSULA: An area of land as defined by property lines which contains an irregular extension and where said extension has an opening width, as determined to be the distance measured across the opening of the extension in as close to a perpendicular manner as possible, which is less than twenty percent (20%) of the total distance of circumference as measured along the property boundaries excluding the opening width.

PUBLIC BUILDING: A building owned and operated or owned and intended to be operated by a public agency of the United States of America, of the state of Utah, or any of its subdivisions.

PUBLIC SCHOOL: One or more buildings, together with the appurtenant yards, incidental structures, parking areas, etc., operated by the school district or other public agency for educational purposes.

RECREATION VEHICLE: A vehicle used, designed or maintained primarily as a temporary dwelling for travel, vacation or recreation purposes, having a width of not more than eight feet (8') and length of

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not more than forty feet (40'), and which can be driven or pulled upon the highways without a special permit.

RECREATION VEHICLE COURT: An area or tract of land used to accommodate two (2) or more recreation vehicles or camper units for a short period of time (less than 30 days).

RETAINER STRIP: A parcel of land less than the minimum depth required for a building lot bordering the boundary of a subdivision and a street within the subdivision for the purpose of controlling the access of the property owners abutting the subdivision to the street.

SETBACK: The shortest distance between the property line and the building, or part thereof, as measured on a horizontal plane from the property line to the nearest point of the foundation.

SIGN: Any device designed and intended to bring the subject thereof to the attention of the public; provided, however, that the following shall not be included in the application of regulations relating to signs:

- A. Flags or insignia of any government, except when displayed in connection with a commercial promotion.
- B. Legal notices and signs used for regulation, identification and informational purposes erected by a governmental body.
- C. Signs directing and guiding traffic and parking on private property but bearing no advertising matter.
- D. Political campaign signs.

SIGN, ACCESSORY: A sign which directs attention to a business or profession conducted on the premises.

SIGN, NONACCESSORY-BILLBOARD: A sign which directs attention to a business, commodity, service or entertainment which is conducted, sold or offered at a location other than the premises.

STRUCTURE: Anything constructed or erected which requires location on the ground, but not including a tent or vehicle.

SUBDIVISION:

- A. Any land that is divided, resubdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development either on the installment plan or upon any and all other plans, terms and conditions.
- B. "Subdivision" includes:
 - 1. The division or development of land, whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument; and 2. Except as provided in subsection C of this definition, divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.
- C. "Subdivision" does not include:
 - A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable zoning ordinance;
 - 2. A recorded agreement between owners of adjoining properties adjusting their mutual boundary if:
 - a. No new lot is created; and
 - The adjustment does not result in a violation of applicable zoning ordinances; or
 - A recorded document, executed by the owner of record, revising the legal description of more than one contiguous parcel of property into one legal

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description encompassing all such parcels of property.

D. The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a "subdivision" under this definition as to the unsubdivided parcel of property or subject the unsubdivided parcel to the municipality's subdivision ordinance.

USE, LAND: Any purpose for which a lot, building or other structure or a tract of land may be designated, arranged, intended, maintained or occupied; or any activity, occupation, business or operation carried on or intended to be carried on in a building or other structure or on a tract of land.

- A. Permitted: A use of land that is expressly permitted within a specific zone by the development code, without the need for special administrative review and approval, upon satisfaction of the standards and requirements of this title.
- B. Conditional: A land use that, because of its unique characteristics or potential impacts on the municipality, surrounding neighbors or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts within a specific zone by the development code.
- C. Not Permitted: A land use that is either listed as a nonpermitted use or is not listed as a permitted use within a specific zone by the development code. The use does not enjoy a legal conforming or legal nonconforming status, as defined in this title.

YARD: Any space on a lot other than a court, which is open and unobstructed from the ground to the sky.

YARD, FRONT: A yard extending across the full width of the lot, between the front lot line and the closest part of the main building.

YARD, REAR: A yard extending across the full width of the lot, between the rear lot line and the closest part of the main building.

YARD, REQUIRED: The minimum yard area located around buildings as established by the applicable setback requirements of this development code.

YARD, SIDE: A yard extending from the front lot line to the rear lot line, between the side lot line and the closest part of the main building.

ZONING LOT: A lot or parcel of land which:

- A. Meets all area (lot size), frontage (width), setback (yard), and other zoning requirements applicable within the zone in which it is located;
- B. Abuts upon and has direct access to a designated city street which street has been:
 1) dedicated to the city; or 2) accepted by the city council as an approved city street; and 3) has an established right of way width not less than required for the class of street, as shown on the major street plan;
- C. Is served by the minimum level of improvements required for issuance of a building permit or for which the construction of the minimum level of improvements is secured through the posting of a performance guarantee; and
- D. Is shown as a separate lot on the final plat of subdivision or similar development which has been approved in accordance with the applicable ordinance, or is legally exempted from compliance with said ordinance. A parcel which is part of an unapproved or illegal subdivision shall not qualify as a zoning lot.

(Ord. 97-7-8-8, 7-8-1997; amd. Ord. 99-6-22-4, 6-22-1999; Ord. 01-4-10-7, 4-10-2001, eff. 4-10-2001; Ord. 01-6-26-12, 6-26-2001, eff. 6-26-2001; Ord. 01-11-13-13, 11-13-2001, eff. 12-14-2001; Ord. 01-12-11-21, 12-11-2001, eff. 1-11-2002; 2003 Code; Ord. 03-8-12-3, 8-12-2003, eff. 9-12-2003; Ord. 03-8-26-4, 8-26-2003, eff. 9-26-2003; Ord. 04-7, 8-17-2004, eff.

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9-17-2004; Ord. 04-9, 9-28-2004, eff. 10-28-2004; Ord. 05-7, 10-11-2005, eff. 11-3-2005; Ord. 07-7, 4-24-2007; Ord. 08-9, 7-8-2008)

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CHAPTER:

10-3: ADMINISTRATION AND ENFORCEMENT

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10-3-2: POWERS AND DUTIES OF ZONING ADMINISTRATOR

10-3-3: ZONING CLEARANCE REQUIRED

10-3-4: BUILDINGS TO BE ON ZONING LOT

10-3-5: BUILDING PERMIT TO COMPLY WITH DEVELOPMENT CODE

10-3-6: CONSTRUCTION AND USE TO COMPLY WITH PERMIT

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10-3-1: ENFORCEMENT OFFICER:

There is hereby created the office of zoning administrator. The mayor, with the advice and consent of the city council, shall appoint one or more persons to act as zoning administrator. Said administrator is hereby charged with the administration and enforcement of the development code and such other duties as are set forth below. (Ord. 97-7-8-8, 7-8-1997)

10-3-2: POWERS AND DUTIES OF ZONING ADMINISTRATOR:

It shall be the duty of the zoning administrator to:

A. Review all applications for building permit and zoning approvals and to issue zone clearance permits for those projects and uses found to be in compliance with the development code.

- B. Refuse to issue any zone clearance permit unless the plans of and for the proposed erection, construction or use fully conform to all zoning regulations in effect within the city.
- C. Review all applications for site plan review and conditional use permits, and inform the appropriate approval authority of the findings of that review.
- D. Enforce the provisions of the zoning regulations and the terms of any site plan or conditional use permit which shall have been approved and, wherever violations occur, to consult with the city attorney, to issue a notice to comply or other appropriate action, to prepare exhibits, testimony and other data which may be needed in such enforcement. (Ord. 97-7-8-8, 7-8-1997)
- E. Render administrative decisions on those certain routine and uncontested matters as are delegated to him by the city council or appeal authority and pursuant to established guidelines relating thereto. (Ord. 97-7-8-8, 7-8-1997; amd. Ord. 07-7, 4-24-2007)

10-3-3: ZONING CLEARANCE REQUIRED:

- A. A zone clearance permit shall be required prior to the issuance of any building permit. No zone clearance or building permit shall be issued within the city until the application there for has been reviewed and the proposed use or structure found to be in compliance with all applicable provisions of the development code.
- B. Where the use is one which requires the prior approval of a site plan, special exception or conditional use permit, no zone clearance or building permit shall be issued until such time as the required approval shall have been granted by the appropriate approval body. (Ord. 97-7-8-8, 7-8-1997)

10-3-4: BUILDINGS TO BE ON ZONING LOT:

No building permit authorizing the use of land or the construction or alteration or moving of a building or structure on a lot shall be issued unless the parcel of land upon which the use is to be conducted or the

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building constructed, altered or moved shall qualify as a "zoning lot", as defined in section 10-2-2 of this title. (Ord. 97-7-8-8, 7-8-1997)

10-3-5: BUILDING PERMIT TO COMPLY WITH DEVELOPMENT CODE:

From the effective date hereof, no building permit shall be granted for the construction or alteration of any building or structure or for the moving of a building or structure onto a lot or for the change of use of any land, building or structure if such construction, alteration, moving or change of use would be a violation of any of the provisions of this development code, nor shall any municipal service or electric utilities be installed to serve the premises if such use would be a violation of this development code. (Ord. 97-7-8-8, 7-8-1997)

10-3-6: CONSTRUCTION AND USE TO COMPLY WITH PERMIT:

Permits issued on the basis of plans and specifications approved by the zoning administrator authorize only the use, arrangement and construction set forth in such approved application. Any use, arrangement or construction at variance with that authorized shall be deemed to be a violation of this development code. (Ord. 97-7-8-8, 7-8-1997)

10-3-7: PERMITS GRANTED PRIOR TO DEVELOPMENT CODE:

Authorization granted by the city to construct a building or structure, or to change the use of land, shall not be denied or abridged in the event that construction has taken place thereon to the extent of one thousand dollars (\$1,000.00) or more in replaceable value by the date on which this development code or an amendment thereto shall become effective; provided, however, that such authorization to construct a building or structure shall be denied if construction would not have complied with all applicable laws and ordinances existing prior to the effective date hereof, or amendment. Replaceable value shall be construed to mean the expenditure necessary to duplicate the material and labor at market prices. (Ord. 97-7-8-8, 7-8-1997)

10-3-8: LICENSES TO COMPLY WITH DEVELOPMENT CODE:

No business or similar license shall be issued which would not be in conformance with the provisions of this development code. Any permit so issued shall be null and void. (Ord. 97-7-8-8, 7-8-1997)

10-3-9: RESPONSIBILITY FOR VIOLATION:

It shall be the responsibility of the owner and any and all builders, contractors, subcontractors, real estate agents and any other persons having to do with the establishment of any use of land or the erection, altering or relocation of any building to make sure that a proper permit has been obtained before work is begun. Any person doing any work on a project for which a proper permit has not been obtained shall be deemed guilty of a violation of this development code. (Ord. 97-7-8-8, 7-8-1997)

10-3-10: UTILITY INSTALLATION UNLAWFUL WITHOUT BUILDING PERMIT:

It shall be unlawful for any person, firm or corporation to install or allow to be installed, any sewer or water service lines, or any gas, telephone or electric utility connection to serve the premises before a building permit has been properly approved and issued by the zoning administrator, and any person who shall install or authorize the installation of any such line or connection shall be in violation of this development code. Each day such violation is continued shall be considered as a separate offense. (Ord. 97-7-8-8, 7-8-1997)

10-3-11: INJURED PERSON MAY RECOVER DAMAGES; NONLIABILITY OF CITY:

Any person purchasing a lot or parcel or land who may be injured as the consequence of a denial of a building permit, which purchase was made pursuant to inaccurate, incorrect, untrue or fraudulent information on the part of the seller or his agent, may recover damages from the seller or his agent by civil action. However, the city shall not be liable for any damages that may occur as a consequence of the denial of a building permit based upon such information. (Ord. 97-7-8-8, 7-8-1997)

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10-3-12: AMENDMENTS:

- A. Procedure: This development code, and the zoning map adopted as a part thereof, may be amended from time to time by the city council, but all proposed amendments must first be submitted to the planning commission for its recommendation. The procedure to be followed in amending the development code and map shall be as set forth below.
 - 1. Written Petition Required; City Initiated Amendments Permitted:
 - a. Any person seeking an amendment of the development code or zoning map shall submit to the planning commission a written petition designating the change desired and the reasons therefor, and shall pay a nonrefundable filing fee in an amount established by resolution of the city council.
 - b. Amendments to the development code and map may also be initiated by action of the planning commission or upon request of the city council.
 - Planning Commission To Make
 Recommendation: Upon receipt of the
 petition, the planning commission shall
 consider the request and shall submit its
 recommendations with respect thereto to
 the city council. (Ord. 97-7-8-8, 7-8-1997)
 - 3. Public Hearing Required; Notice Published:
 - a. No amendment to the map or development code may be adopted by the city council unless and until the planning commission shall have conducted a public hearing on the proposed amendment. Reasonable notice of the public hearing shall be given at least ten (10) days before the date of the hearing in accordance with the provisions of Utah Code Annotated section 10-9a-205, as amended.

- b. No material change in or departure from an amendment recommended by the planning commission following the hearing shall be made unless such proposed change or departure shall have been first resubmitted to the planning commission for its consideration and recommendation with respect thereto. (Ord. 06-7, 4-25-2006, eff. 5-16-2006)
- 4. Amendments Adopted By Ordinance; Public Notice Required: All amendments to the development code and map shall be adopted, published or posted and recorded in accordance with the applicable provisions of Utah Code Annotated section 10-3-701 et seq.
- B. Intent With Respect To Amendments: All amendments to this development code shall be made in accordance with the comprehensive plan of land use. It is hereby declared to be public policy that this development code shall not be amended unless it can be shown that changed or changing conditions make the proposed amendment reasonably necessary to the promotion of the purposes of this development code. (Ord. 97-7-8-8, 7-8-1997)

10-3-13: CONFLICTING PROVISIONS:

Whenever the provisions of this development code conflict with the provisions of any other ordinance, resolution or part thereof, the more stringent shall prevail. (Ord. 97-7-8-8, 7-8-1997)

10-3-14: VIOLATIONS:

A. Any owner or agent of the owner of any land who shall fail to comply with any of the provisions of this development code or who knowingly makes false statements, representations or certifications in any application or document filed or required to be maintained under this code shall be guilty of a violation of this code.

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- B. Any owner or agent of the owner of any land who transfers or sells land in a subdivision without first preparing and having approved and recorded a final plat thereof in accordance with the provisions of this development code, shall be deemed guilty of a violation for each parcel transferred or sold, and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt such transaction from a violation or from the penalties and remedies provided in this development code.
- C. Any plat of a subdivision filed or recorded without the approval required by this development code is void. (Ord. 97-7-8-8, 7-8-1997)

10-3-15: REMEDIES FOR VIOLATION; PENALTY:

- A. Injunction, Mandamus, Abatement:
 - 1. The city council, zoning administrator or any owner of real estate within the city in which a violation of this development code occurs or is about to occur may, in addition to other remedies provided by law, institute injunction, mandamus, abatement or any other appropriate action or proceeding to prevent, enjoin, abate or remove any unlawful building, use or act.
 - 2. The city need only to establish the violation to obtain the injunction.
- B. Civil Penalties: In addition to being subject to injunctive or abatement actions under this development code, any person who shall violate this development code or any regulation, order or permit adopted or issued under this development code is liable for a civil penalty not to exceed one thousand dollars (\$1,000.00) per violation per day, to be collected in a civil action4.
- C. Withholding Building Permits: In addition to all other remedies, the city may enforce the provisions of this development code by

- withholding building, grading, excavation or similar permits, and may also refuse to issue such a permit for a building or development upon a parcel which has not been subdivided in accordance with the provisions of this development code. (Ord. 97-7-8-8, 7-8-1997)
- D. Criminal Penalties: Violation of this code shall be punishable as a class C misdemeanor and, upon conviction, subject to penalty as provided in section 1-4-1 of this code. (Ord. 97-7-8-8, 7-8-1997; amd. 2003 Code)
- E. Each Day Separate Violation: Each person, firm or corporation found guilty of violation shall be deemed guilty of a separate offense for every day during which any violation of any provision of this development code is committed, continued or permitted. (Ord. 97-7-8-8, 7-8-1997)

CHAPTER 4 | GENERAL PROVISIONS

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CHAPTER:

10-4: GENERAL PROVISIONS

SECTIONS:

10-4-1: CERTAIN USES PROHIBITED IN CERTAIN ZONES

10-4-2: STATUS OF PREEXISTING ILLEGAL USES

10-4-3: USES ON LEASED LAND TO COMPLY

10-4-4: REVIEW FEES

10-4-5: ENTITLEMENT TO LAND USE APPLICATIONS

10-4-1: CERTAIN USES PROHIBITED IN CERTAIN ZONES:

Uses of land which are specifically identified as permitted or conditional uses in any zone that is included within this title are specifically prohibited in any other zone within this title in which said use is not included as either permitted or a conditional use. (Ord. 03-2-11-1, 2-11-2003, eff. 3-11-2003)

10-4-2: STATUS OF PREEXISTING ILLEGAL USES:

Any building or use of land or any construction thereon, or any subdivision of land, which was not authorized by or under the preexisting zoning or subdivision regulations, as amended, or which is illegal under such regulations, shall remain unauthorized and illegal unless expressly authorized or permitted in the provisions of this development code. (Ord. 97-7-8-8, 7-8-1997)

10-4-3: USES ON LEASED LAND TO COMPLY:

Any person who may obtain state or federal properties by purchase, lease or other arrangement must utilize such properties in accordance with the provisions of this development code. (Ord. 97-7-8-8, 7-8-1997)

10-4-4: REVIEW FEES:

All costs for the processing of applications for subdivisions, large scale developments, zone changes, conditional use approvals, appeal authority rulings, and similar actions required under the terms of this development code shall be borne by the applicant. The city council may, by resolution, establish fees for the processing of such applications and the administration of this development code,

and provide for the assessment and collection thereof. (Ord. 97-7-8-8, 7-8-1997; amd. Ord. 07-7, 4-24-2007)

10-4-5: ENTITLEMENT TO LAND USE APPLICATIONS:

- A. An applicant is entitled to approval of a land use application if the application conforms to the requirements of the city's land use maps, zoning map, and applicable land use ordinances in effect when a complete preliminary application is submitted for official review by the land use authority (except as otherwise provided in the city land use ordinances) and all fees have been paid, unless:
 - The land use authority, on the record, finds that a compelling municipal or public welfare/safety issue would be jeopardized by approving the application; or
 - In the manner provided by local ordinance and before the application is submitted, the city has formally initiated proceedings to amend its ordinances in a manner that would prohibit approval of the application as submitted.
- B. The city shall process an application without regard to proceedings initiated to amend the city's ordinances if:
 - One hundred eighty (180) days have passed since the proceedings were initiated; and
 - 2. The proceedings have not resulted in an enactment that prohibits approval of the application as submitted.
- C. An application for a land use approval is considered submitted and complete when the application is provided in a form that complies with the requirements of applicable ordinances and all applicable fees have been paid.

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- D. The continuing validity of an approval of a land use application is conditioned upon the applicant proceeding after approval to implement the approval with reasonable diligence.
- E. The city may not impose on a holder of a paid and completed preliminary application a requirement that is not expressed:
 - In the preliminary application or in documents on which the preliminary application is based; or
 - 2. In this chapter or the municipality's ordinances.
- F. The city may not withhold issuance of a certificate of occupancy because of an applicant's failure to comply with a requirement that is not expressed:
 - 1. In the building permit or in documents on which the building permit is based; or
 - 2. In the city's ordinances. (Ord. 07-1, 1-23-2007)

CHAPTER 5 | ESTABLISHMENT OF ZONES

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CODE

CHAPTER:

10-5: ESTABLISHMENT OF ZONES

SECTIONS:

10-5-1: ZONES ESTABLISHED

10-5-2: LOCATION OF ZONES; ADOPTION OF ZONE

MAP

10-5-3: RULES FOR DETERMINING ZONE BOUNDARIES

10-5-1: ZONES ESTABLISHED:

In order to carry out the purposes of this development code, the city is hereby divided into zones as follows:

- A. Residential Zones:
 - R-1-15,000 residential zone
 - R-1-20,000 residential zone
 - R-1-12,000-PUD residential zone
- B. Residential And Livestock Raising Zones:
 - RR-1 rural residential zone
 - R&L-1-20,000 residential and limited livestock zone
- C. Residential And Environmental Conservation Zones:
 - HR-1 hillside residential 1 zone
 - CE-2 critical environmental zone
- D. Commercial And Industrial Zones:
 - C-1 retail commercial zone
- E. Other Zones:
 - PF public facilities zone
 - Transferable development rights overlay zone
 - Hillside cluster overlay zone
 - Senior housing overlay zone

(Ord. 98-12-8-14, 12-8-1998; amd. Ord. 00-9-12-12, 9-12-2000, eff. 10-9-2000; Ord. 01-12-11-23, 12-11-2001, eff. 1-11-2002; Ord. 08-4, 2-26-2008; Ord. 08-5, 2-26-2008; Ord. 08-8, 5-27-2008, eff. 6-17-2008; Ord. 08-10, 7-22-2008, eff. 8-12-2008)

10-5-2: LOCATION OF ZONES; ADOPTION OF ZONE MAP:

The location and boundaries of each zone shall be as set forth on the official zone map of Elk Ridge City, Utah, 1993, revised, which map is appended hereto and by this reference included as a part of this development code. (Ord. 97-7-8-8, 7-8-1997)

10-5-3: RULES FOR DETERMINING ZONE BOUNDARIES:

Where uncertainty exists with respect to the boundaries of zones, as shown on the zone map, the following rules shall apply:

- A. Where the indicated boundaries of the zone map are approximately street or land survey lines, said street or land survey lines shall be construed to be the zone boundaries.
- B. Where the indicated boundaries are approximately canals, natural streams or similar watercourses, the center of said canal, natural stream or watercourse shall be construed to be the zone boundary line.
- C. In the absence of any street, land survey, canal, natural stream or watercourse as forming the boundaries of any zone, the scale or measurement shown on the map shall be used to determine the zone boundary line. (Ord. 97-7-8-8, 7-8-1997)
- D. Where other uncertainty exists, the appeal authority shall interpret the map. (Ord. 97-7-8-8, 7-8-1997; amd. Ord. 07-7, 4-24-2007)

CHAPTER 6 | REGULATIONS WITHIN ZONES

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CHAPTER:

10-6: REGULATIONS WITHIN ZONES

SECTIONS:

10-6-1: DECLARATION

10-6-1: DECLARATION:

The specific regulations and restrictions applicable within each zone and governing: a) the location and use of land, buildings and other structures for residential, commercial, industrial or other purposes; b) the size of yards, courts and other open spaces; c) the height, number of stories and size of buildings and other structures; d) the density of population; e) the percentage of a lot that may be occupied; and f) such other elements of development as authorized by law or court action, shall be as herein set forth. (Ord. 97-7-8-8, 7-8-1997)

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CHAPTER:

10-7: RESIDENTIAL ZONES

ARTICLE A. R-1-15,000 RESIDENTIAL ZONE ARTICLE B. R-1-20,000 RESIDENTIAL ZONE ARTICLE C. R-1-12,000 RESIDENTIAL ZONE

ARTICLE A. R-1-15,000 RESIDENTIAL ZONE

SECTIONS:

10-7A-1: LEGISLATIVE INTENT:

10-7A-2 PERMITTED USES

10-7A-3 CONDITIONAL USES

10-7A-4: AREA AND WIDTH:

10-7A-5: ACCESS:

10-7A-6: LOCATION:

10-7A-7: UTILITIES:

10-7A-8: DWELLINGS:

10-7A-9: BUILDING SITE:

10-7A-1: LEGISLATIVE INTENT:

- A. The R-1-15,000 residential zone covers the portion of the city which is primarily suited for residential development represented by a commingling of one-family dwellings and parks, schools, churches and other community facilities designed to serve the residents of the city. The zone is characterized by spacious lots, uncrowded buildings and quiet residential conditions favorable to the rearing of children. Owners and developers of property within this zone should bear in mind that primacy is given to residential development and maintain their properties in recognition thereof. (Ord. 97-7-8-8, 7-8-1997; amd. Ord. 04-7, 8-17-2004, eff. 9-17-2004)
- B. The specific regulations necessary for the accomplishment of the intent of the zone are hereinafter set forth. (Ord. 97-7-8-8, 7-8-1997)

10-7A-2 PERMITTED USES

The following buildings, structures and uses of land shall be permitted upon compliance with the applicable requirements of this title:

- Common Household Pets
- Foster care homes containing not more than 3 nonrelated foster care occupants.
- Orchards and field crops.
- Home occupations subject to the provisions of section 10-12-17 of this title.
- Residential facilities for persons with a disability pursuant to Utah Code Annotated section 10-9-605.
- Residential facilities for the elderly pursuant to Utah Code Annotated section 10-9-502.
- Single-family dwellings.
- Utility transmission projects, minor. (Ord. 04-7, 8-17-2004, eff. 9-17-2004)

10-7A-3 CONDITIONAL USES

The following buildings, structures and uses of land shall be permitted conditional uses upon compliance with the applicable requirements of this title and after approval has been given by the designated review agency: (Ord. 02-4-9-5, 4-9-2002, eff. 4-25-2002)

- Accessory apartments (see 10-12-29 for requirements)
- Wells, water storage tanks and similar facilities and structures. (Ord. 04-7, 8-17-2004, eff. 9-17-2004; amd. Ord. 08-9, 7-8-2008)
- Hobby Animals

10-7A-4: AREA AND WIDTH:

The minimum area and width requirements for a zoning lot shall be as follows:

Use	Minimum Area	Minimum Width* (Feet)
One-family dwellings	15,000 sq ft	100
Churches	2.5 acres	200
Schools	5 acres	200

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*For purposes of determining compliance with the width requirements, the measurement of lot width shall be made along the front lot line at the minimum front setback line. In the instance of a lot where more than 75 percent of the front lot line abuts upon a cul-de-sac or curve having a radius of less than 80 feet, the width of lot shall be measured along a line which is at right angle to the point of tangency of said curve at its approximate midpoint, and at a distance of not more than 40 feet from the front lot line. (Ord. 97-7-8-8, 7-8-1997)

10-7A-5: ACCESS:

Each lot shall abut upon and have direct access to a city street. The distance of said abutting side shall be not less than the minimum width requirement of the zone, except that the length of the abutting side may be reduced to not less than sixty feet (60') when the lot fronts upon a cul-de-sac or curve in a designated city street and the lot lines radiate in such a manner that the width of the lot will meet or exceed the minimum lot width requirements as determined in accordance with the provisions section 10-7A-4 of this article. (Ord. 97-7-8-8, 7-8-1997)

10-7A-6: LOCATION:

- A. Main Buildings: All dwellings and other main buildings and structures shall be set back in accordance with the following:
 - Front Setback: All dwellings and other main buildings shall be set back not less than thirty feet (30') from the front lot line which abuts on any existing or proposed public street. (Ord. 01-1-9-3, 1-9-2001, eff. 1-18-2001)

2. Side Setback:

 Interior Lots: All dwellings and other main buildings, including any attached garage or similar structure, shall be set back not less than twelve feet (12') from any side property line not abutting a street. (Ord. 02-4-9-6, 4-9-2002, eff. 4-25-2002) b. Corner Lots; Side Abutting Street: All dwellings and other main buildings shall be set back not less than thirty feet (30') from the side lot line which abuts on any existing or proposed public street.

3. Rear Setback:

- a. Interior Lots: All dwellings or other main buildings shall be set back not less than thirty feet (30') from the rear lot line.
- b. Corner Lots: All dwellings and other main buildings shall be set back not less than thirty feet (30') from the rear lot line, except that where a garage is attached to the rear of the dwelling, the required rear setback for said garage may be reduced to not less than twelve feet (12') as measured from the rear lot line to the closest part of the building.
- B. Accessory Buildings: For accessory building requirements, see supplemental regulations, section 10-12-5 of this title. (Ord. 01-1-9-3, 1-9-2001, eff. 1-18-2001)

10-7A-7: UTILITIES:

All dwellings and other structures used for human occupancy shall be served by the city's culinary water and sanitary sewer system, or other approved system, in accordance with the provisions of section 10-12-21 of this title, and also electric, natural gas and telephone utility systems. (Ord. 01-1-9-3, 1-9-2001, eff. 1-18-2001)

10-7A-8: DWELLINGS:

- A. Area Of Dwellings: Each dwelling shall conform to one of the following:
 - The rambler type dwelling shall contain a main floor living area of not less than one thousand two hundred (1,200) square feet; or

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- 2. The multi-story dwelling shall meet or exceed all of the following:
 - a. The dwelling shall have a total "building footprint area" of not less than one thousand four hundred (1,400) square feet as measured from the outside of the foundation wall;
 - Not less than one thousand (1,000) square feet of the "building footprint area" shall be devoted exclusively to living space (portions of the footprint area occupied by garages, porches, breezeways and similar areas shall be excluded); and
 - c. The dwelling shall contain a total living area of not less than one thousand eight hundred (1,800) square feet located on building floors or levels, located entirely above the finished grade of the ground surface adjacent to the foundation of the structure.
- B. Minimum Dimension: The minimum width or length dimension of any dwelling as measured from the outside wall shall be not less than twenty four feet (24'). Nonliving spaces such as garages, porches and sheds shall not be included in determining compliance with this requirement. (Ord. 01-1-9-3, 1-9-2001, eff. 1-18-2001)

C. Off Street Parking:

- Not less than two (2) off street parking spaces shall be required for each dwelling unit. Each off street parking space shall be not less than ten feet by twenty feet (10' x 20') per space and shall not be located within any portion of a front or side setback area adjacent to a street.
- 2. Not less than two (2) off street parking spaces appurtenant to a dwelling shall be enclosed within a garage.

D. Special Provisions: All dwellings shall conform to the special provisions relating to dwellings set forth under section 10-12-27 of this title. (Ord. 01-1-9-3, 1-9-2001, eff. 1-18-2001; amd. Ord. 08-15, 9-23-2008, eff. 9-24-2008)

10-7A-9: BUILDING SITE:

- A. Reverse Slope Driveways Prohibited;
 Exceptions: No driveway providing access to a garage or off street parking area within a lot shall have a downslope grade from the adjacent street to the garage or covered off street parking area except when approved by the planning commission. The planning commission may approve a downslope driveway upon finding that any drainage of surface water will be adequately diverted from entry into the dwelling, garage or other covered parking area and that the proposed diversion treatment will not impact adjacent properties.
- B. Buildable Area Required For Lots In All Residential Zones; Exceptions:
 - Each lot shall contain a "buildable area", as defined in section 10-2-2 of this title, of not less than four thousand (4,000) square feet. All dwellings shall be located within said buildable area.
 - 2. Notwithstanding the requirements of subsection B1 of this section, a building permit may be issued for any existing lot of record which does not contain a "buildable area", as defined in section 10-2-2 of this title, upon an approval of a site plan by the planning commission and a finding that the proposed placement of the building conforms to all other requirements of the zone.
- C. Grading Plan Required: A final grading plan will be required for each lot prior to the issuance of a building permit for construction of a dwelling therein. (Ord. 98-5-26-6, 6-26-1998)

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CHAPTER 7: RESIDENTIAL ZONES

ARTICLE B. R-1-20,000 RESIDENTIAL ZONE

SECTIONS:

10-7B-1: LEGISLATIVE INTENT:

10-7B-2 PERMITTED USES

10-7B-3 CONDITIONAL USES

10-7B-4: AREA AND WIDTH:

10-7B-5: ACCESS:

10-7B-6: LOCATION:

10-7B-7: UTILITIES:

10-7B-8: DWELLINGS:

10-7B-9: BUILDING SITE:

10-7B-1: LEGISLATIVE INTENT:

- A. The R-1-20,000 residential zone covers the portion of the city initially subdivided for residential development on one-half (1/2) acre or larger lots. Representative of uses within the zone are one-family dwellings commingled with parks, schools, churches and other community facilities designed to serve the residents of the city. The zone is characterized by spacious lots, uncrowded buildings and quiet residential conditions favorable to the rearing of children. Owners and developers of property within this zone should bear in mind that primacy is given to residential development and maintain their properties in recognition thereof. (Ord. 97-7-8-8, 7-8-1997; amd. Ord. 04-7, 8-17-2004, eff. 9-17-2004)
- B. The specific regulations necessary for the accomplishment of the intent of the zone are hereinafter set forth. (Ord. 97-7-8-8, 7-8-1997)

10-7B-2 PERMITTED USES

The following buildings, structures and uses of land shall be permitted upon compliance with the applicable requirements of this title:

- Common Household Pets
- Foster care homes containing not more than 3 nonrelated foster care occupants.
- Home occupations subject to the provisions of section 10-12-17 of this title.
- Orchards and field crops.
- Residential facilities for persons with a disability pursuant to Utah Code Annotated section 10-9-605.
- Residential facilities for the elderly pursuant to Utah Code Annotated section 10-9-502.
- Single-family dwellings.
- Utility transmission projects, minor. (Ord. 04-7, 8-17-2004, eff. 9-17-2004)

10-7B-3 CONDITIONAL USES

The following buildings, structures and uses of land shall be permitted conditional uses upon compliance with the applicable requirements of this title and after approval has been given by the designated review agency: (Ord. 02-4-9-5, 4-9-2002, eff. 4-25-2002)

- Accessory apartments (see 10-12-29 for requirements)
- Wells, water storage tanks and similar facilities and structures. (Ord. 04-7, 8-17-2004, eff. 9-17-2004; amd. Ord. 08-9, 7-8-2008)
- Hobby Animals

10-7B-4: AREA AND WIDTH:

The minimum area and width requirements for a zoning lot shall be as follows:

San Artista Use	Minimum Area	Minimum Width* (Feet)
One-family dwellings	20,000 sq ft	120
Churches	2.5 acres	200
Schools	5 acres	200

*For purposes of determining compliance with the width requirements, the measurement of lot width shall be made along the front lot line at the minimum front setback line. In the instance of a lot where more than 75 percent of the front lot line abuts upon a cul-de-sac or curve having a radius of

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less than 80 feet, the width of lot shall be measured along a line which is at right angle to the point of tangency of said curve at its approximate midpoint, and at a distance of not more than 40 feet from the front lot line. (Ord. 97-7-8-8, 7-8-1997)

10-7B-5: ACCESS:

Each lot shall abut upon and have direct access to a city street. The distance of said abutting side shall be not less than the minimum width requirement of the zone, except that the length of the abutting side may be reduced to not less than sixty feet (60') when the lot fronts upon a cul-de-sac or curve in a designated city street and the lot lines radiate in such a manner that the width of the lot will meet or exceed the minimum lot width requirements as determined in accordance with the provisions section 10-7B-4 of this article. (Ord. 97-7-8-8, 7-8-1997)

10-7B-6: LOCATION:

- A. Main Buildings: All dwellings and other main buildings and structures shall be set back in accordance with the following:
 - 1. Front Setback: All dwellings and other main buildings shall be set back not less than thirty feet (30') from the front lot line which abuts on any existing or proposed public street. (Ord. 01-1-9-3, 1-9-2001, eff. 1-18-2001)

2. Side Setback:

- Interior Lots: All dwellings and other main buildings, including any attached garage or similar structure, shall be set back not less than twelve feet (12') from any side property line not abutting a street. (Ord. 02-4-9-6, 4-9-2002, 4-25-2002)
- b. Corner Lots; Side Abutting Street: All dwellings and other main buildings shall be set back not less than thirty feet (30') from the side lot line which abuts on any existing or proposed public street.

3. Rear Setback:

- Interior Lots: All dwellings or other main buildings shall be set back not less than thirty feet (30') from the rear lot line.
- b. Corner Lots: All dwellings and other main buildings shall be set back not less than thirty feet (30') from the rear lot line, except that where a garage is attached to the rear of the dwelling, the required rear setback for said garage may be reduced to not less than twelve feet (12') as measured from the rear lot line to the closest part of the building.
- B. Accessory Buildings: For accessory building requirements, see supplemental regulations, section 10-12-5 of this title. (Ord. 01-1-9-3, 1-9-2001, eff. 1-18-2001)

10-7B-7: UTILITIES:

All dwellings and other structures used for human occupancy shall be served by the city's culinary water and sanitary sewer system or other approved system, in accordance with the provisions of section 10-12-21 of this title, and also electric, natural gas and telephone utility systems. (Ord. 01-1-9-3, 1-9-2001, eff. 1-18-2001)

10-7B-8: DWELLINGS:

- A. Area Of Dwellings: Each dwelling shall conform to one of the following:
 - The rambler type dwelling shall contain a main floor living area of not less than one thousand two hundred (1,200) square feet; or
 - 2. The multi-story dwelling shall meet or exceed all of the following:
 - a. The dwelling shall have a total "building footprint area" of not less than one thousand four hundred (1,400) square feet as measured from the outside of the foundation wall;