

ORDINANCE #2000- 01

AN ORDINANCE REPEALING THE DENSITY ZONING PROVISIONS OF CHAPTER 18.16 AND AMENDING OR REPEALING OTHER APPURTENANT SECTIONS RELATING THERETO. SAID PROVISIONS THAT ARE BEING REPEALED PROVIDED FOR THE DEVELOPMENT OF RESIDENTIALLY ZONED PROPERTY AND ALLOW MAXIMUM DENSITIES FOR RESIDENTIAL ZONES AND INCREASED DENSITY THROUGH DENSITY BONUSSES.

BE IT ORDAINED by the City Council of Heber City, Utah, the following sections of the Heber Municipal Code be repealed or amended as follows:

18.08.165	(Repealed)
18.08.610	(Amended)
18.08.615	(Repealed)
18.16.030	(Amended)
18.16.040-18.16.150	(Repealed)
18.24.020 D, J	(Amended)
18.24.030	(Amended)
18.24.040	(Amended)
18.24.050 D	(Repealed)
18.52.020 F	(Repealed)
18.52.050 D	(Repealed)
18.52.060	(Amended)
18.56.020 E	(Repealed)
18.56.030 A	(Amended)
18.56.050 D	(Repealed)
18.56.060 C	(Repealed)
18.60.020 G.	(Repealed)
18.60.030 A & B	(Amended)
18.60.050 D	(Repealed)
18.60.060 B	(Amended)
18.64.010	(Amended)
18.64.020 J	(Amended)
18.64.020 N	(Amended)
18.64.030	(Amended)
18.64.040	(Amended)
18.64.050 D	(Repealed)
18.64.070 B	(Amended);

and that the form of each amendment and the location of the repealed and amended sections as they relate to other sections of this ordinance are as shown in the attached Exhibit A.

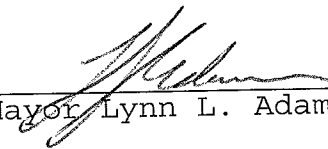
This ordinance shall take effect and be in force from and after (a) a copy has been deposited in the office of the City Recorder, and (b) a short summary has been published in the Wasatch Wave, or a complete copy has been posted in three public places within Heber City.

ADOPTED AND PASSED by the City Council of Heber City, Utah, this

6th day of January, 2000.

	AYE	NAY	
Councilman Bob Morris	_____	_____	Absent
Councilman Terry Wm. Lange	<u>X</u>	_____	
Councilman Jerry W. Smith	<u>X</u>	_____	
Councilman Robert J. Lucking	<u>X</u>	_____	
Councilman Vaun A. Shelton	<u>X</u>	_____	

Approved:



Mayor Lynn L. Adams

ATTEST:



Recorder

(Seal)

Date of First Publishing: 1-12-2000

Exhibit A

Repeal of Density Zoning

Repeal Ordinance #98-03

Chapter 18.08

Definitions

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Section 18.08.010 Generally.

A. It is the intent of the city council to define certain words and phrases as a means of facilitating understanding of terms which may not be universally understood in the sense that the city council intends that they should be understood.

B. Words used in the present tense include the future, the singular includes the plural and the plural the singular. (Ord. 199 §02.0501, 1973)

Section 18.08.020 Agriculture.

"Agriculture" means the growing of soil crops in the customary manner in the open. It does not include livestock raising activities, nor does it include retailing of products on the premises. (Ord. 199 §02.0502, 1973)

Section 18.08.030 Apartment House-Multiple Dwelling.

"Apartment house" or "multiple dwelling" means any building or portion thereof which is designed, built, rented, or leased, let, or hired out to be occupied or which is occupied as the home

or residence of three or more families living independently of each other and doing their own cooking within the premises. (Ord. 199 §02.0503, 1973)

Section 18.08.035 Bed and Breakfast Home.

Bed and Breakfast Home means an owner occupied single-family dwelling that contains not less than two and no more than eight guest rooms where lodging, with or without meals, is provided for compensation with stays not to exceed 29 days. If meals are served, they shall be prepared, served and placed upon the table family style, without service or ordering of individual portions from a menu. (Ord. 94-06, 1994)

Section 18.08.040 Boarding House.

An establishment, with lodging, where meals are regularly prepared and served for compensation and where food is placed upon the table family style, without service or ordering of individual portions from a menu. (Ord. 94-08, 1994; Ord. 199 §02.0504, 1973)

Section 18.08.050 Building.

"Building" means any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind.

A. "Accessory building" means a subordinate building, the use of which is incidental to that of the main building.

B. "Building line" means a line designated the minimum distance which buildings must set back from a street or lot line.

C. "Main building" means one or more of the principal buildings upon a lot. (Ord. 199 §02.0505, 1973)

Section 18.08.060 Carport.

"Carport" means a structure not completely enclosed by walls for the shelter of automobiles. (Ord. 199 §02.0506, 1973)

Section 18.08.070 Clinic.

"Clinic" means a building used for the diagnosis and treatment of ill, infirm and injured persons, but which building does not provide board, room or regular hospital care and services. (Ord. 199 §02.0507, 1973)

Section 18.08.080 Club.

"Club" means a building used, occupied and operated by an organized association of persons for social, fraternal, religious or patriotic purposes, whose activities are confined to the members and their guests, but shall not include any organization, group or association, the principal activity of which is to render a service usually and ordinarily carried on as a business. (Ord. 199 §02.0508, 1973)

Section 18.08.090 Common Area.

"Common area" means an area designed to serve two or more dwelling units or separate uses with convenient access to the area. (Ord. 199 §02.0509, 1973)

Section 18.08.100 Comprehensive Plan.

"Comprehensive plan" means 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, circulation, housing and public facilities and grounds. (Ord. 199 §02.0510, 1973)

Section 18.08.110 Conditional Use.

"Conditional use" means, generally, a use which requires approval of the planning commission, board of adjustment or city council before the zoning administrator may issue a permit therefor, such as uses which require individual consideration of surrounding conditions and circumstances to carry out the intent and purpose of the land use plan. It is also a use for which a conditional use permit is required by this title. (Ord. 199 §02.0511, 1973)

Section 18.08.115 Flag Lot

"Flag Lot" shall mean a site area that is characterized by a strip of land less than thirty-six feet wide, which provides access to the main portion of the site area from the street. Such strip of land shall be referred to as the "pole" of the flag lot. (Ord. 98-18, 1998)
(98-18, Added, 11/05/1998)

Section 18.08.120 Convalescent Home.

For the definition of "convalescent home" see "Rest home." (Ord. 199 §02.0513, 1973)

Section 18.08.130 Convenience Establishments.

"Convenience establishments" means establishments which are designated and intended to serve the daily or frequent trade or service needs of surrounding population. Such establishments include grocery stores, variety stores, drugstores, coin-operated laundry and dry cleaning establishments, beauty shops, barbershops, or combination thereof, but do not include repair garages, automobile sale yards, clothing stores, or drive-ins where customers consume food on the premises outside of buildings. (Ord. 199 §02.0512, 1973)

Section 18.08.140 Court Apartment--Dwelling Group.

"Court apartment" or dwelling group" means one or more dwellings (other than mobile home parks), arranged around two or three sides of a court which opens onto a street, that may include single-family, two-family or multiple-family dwellings. (Ord. 199 §02.0514, 1973)

Section 18.08.150 Curb Cut.

"Curb cut" means a cut in the curblines for the passage of vehicles. (Ord. 199 §02.0515, 1973)

Section 18.08.153 Day Care Center.

See Section 18.08.155, Day Care Facility. (Ord. 89-10, 1989)

Section 18.08.155 Day Care Facility.

An agency, organization or individual, person or persons, corporation, association or entity, primarily engaged in the provision of care during the day for a group of children not related by blood or marriage to, or not the legal wards or foster children of, the attendant adult, with or without compensation, specifically:

A. "Family Day Care" means an agency, organization or individual, person or persons, corporation, association or entity, providing care during the day for not more than six

persons (including children under the age of 12 who are members of the family housed at the family day care facilities) at one time.

B. "Mini-Day Care" means an agency, organization or individual, person or persons, corporation, association or entity, providing care during the day for not more than twelve persons (including children under the age of 12 who are members of the family housed at the mini-day care facilities) at one time.

C. "Day Care Center" means an agency, organization or individual, person or persons, corporation, association or entity, providing care during the day for thirteen or more people. (Ord. 89-10, 1989)

Section 18.08.160 Density.

"Density" means density of population measured by the number of dwelling units per acre of land. (Ord. 199 §02.0516, 1973)

~~Section 18.08.165 Density Zoning.~~

~~"Density Zoning" is a development approach allowed under Section 18.16 and the General Plan in which dwelling units are clustered closely together in order to maximize economy, infrastructure, and open space. For the purposes of this Title, "Cluster Zoning" or "Clustering" shall mean the same as~~

Section 18.08.170 Drive-in Retail.

"Drive-in retail" means any form of merchandising, serving, or dispensing of goods in which the customer is serviced while in his automobile. (Ord. 199 §02.0517, 1973)

Section 18.08.180 Dwelling.

As used in this title:

A. "Bachelor's dwelling" means a dwelling unit which is occupied by three or more non-related adults;

B. "Caretaker's dwelling" means a dwelling which is occupied by a person whose function it is to watch or take care of a business or industry which is located on the same premises as the dwelling;

C. "Dwelling unit" means one or more rooms in a building designed for living purposes, having one kitchen or set of cooking facilities, and an independent water closet and bathing facilities;

D. "Multiple-family dwelling" means a building containing three or more separate dwelling units each of which is designed for or occupied by one family;

E. "One-family dwelling" means a building containing one dwelling unit which is designed for or occupied by one family;

F. "Two-family dwelling" means a building containing two separate dwelling units each of which is designed for or occupied by one family. (Ord. 199 §02.0518, 1973)

Section 18.08.190 Environmental Impact Statement.

"Environmental impact statement" means a statement prepared by an engineer, geologist, or other person qualified by training or experience, as determined by the planning commission, which indicates or describes the impact that the development will likely have on the natural features of the immediate area, and which describes the measures that will be taken to lessen the occurrence of adverse conditions with respect to:

A. Control of erosion within the subdivided area;

B. Reseeding of cuts and fills;

- C. Provision for potable water;
- D. Disposition of any geologic hazards or soil conditions which may cause injury to persons or injury or damage to improvements which may be constructed in the development, such as buildings, water and sewer lines, and streets;
- E. Provision for the proper disposal of solid and liquid wastes that will likely come from the occupants of the development when it is fully developed;
- F. Prevention of the destruction of vegetation or else the establishment of new vegetation;
- G. Prevention of the accumulation of weeds and debris;
- H. Disposal of surface water and disposition of flood hazards. (Ord. 199 §02.0519, 1973)

Section 18.08.200 Family.

"Family" means an individual or two 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, but not more than two, non-related persons living as guests with the residing family. The term "family" shall not be construed to mean a group of unrelated individuals, a fraternity, club, or institutional group. (Ord. 199 §02.0520, 1973)

Section 18.08.205 Family Day Care.

See Section 18.08.155, Day Care Facility. (Ord 89-10, 1989)

Section 18.08.210 Fence--Sight-obscuring.

"Sight-obscuring fence" means a fence having a height at least six feet above grade which permits vision through not more than ten percent of each square foot more than eight inches above ground. (Ord. 199 §02.0521, 1973)

Section 18.08.220 Floor Area.

The floor area of a building is the sum of the areas of the several floors of the building, including basements, mezzanines, and penthouses, of headroom height, measured from the exterior walls or from the centerline of walls separating buildings. The floor area does not include unoccupied features such as pipe trenches, exterior terraces, or steps, chimneys, roof overhangs, etc. (Ord. 199 §02.0522, 1973)

Section 18.08.230 Fractional Numbers or Measurements.

In determining the requirements of this title, whenever a fraction of a number or a unit is one-half or more, and whenever a fraction of a number or a unit resulting from a computation is one-half or more, said fraction shall be considered as a whole number or a unit, where the fraction is less than one-half, said fraction shall not be included in determining requirements. (Ord. 199 §02.0523, 1973)

Section 18.08.240 Garage--Private.

"Private garage" means a building or part thereof designed for the parking or temporary storage of automobiles of the occupants of the premises. (Ord. 199 §02.0524, 1973)

Section 18.08.250 Grade.

"Grade" means:

- A. For the buildings fronting on street only, the elevation of the sidewalk or centerline of street, whichever is higher, at right angles to the midpoint of the fronting a wall;
- B. For the buildings fronting more than one street, the average of the elevation of the sidewalk or centerline of street, at right angles to the midpoint of the fronting walls;
- C. For the buildings having no wall fronting the street, the average level of the sidewalk or centerline of surrounding streets, whichever is higher. (Ord. 199 §02.0525, 1973)

Section 18.08.260 Guest.

"Guest" means a person staying or receiving services for compensation at a hotel, motel, boardinghouse, roominghouse or rest home, or similar use. (Ord. 199 §02.0526, 1973)

Section 18.08.270 Height of Building.

"Height of building" means the vertical distance from the grade to top of the building walls. Where the building walls vary in height along a side, the height of the building shall be determined by multiplying the length of each section of said wall by its height and dividing the sum derived therefrom, by the total length of said wall. (Ord. 199 §02.0527, 1973)

Section 18.08.280 Home Occupation.

"Home occupation" means any occupation conducted within a dwelling and carried on by persons residing in the dwelling. (Ord. 199 §02.0528, 1973)

Section 18.08.283 Hospital.

An health-care facility for care of ambulatory and non-ambulatory patients accommodating ten or more patients and which provides regular hospital care services. (Ord. 96-05, 1996)"Density Zoning." (Ord. 98-

Section 18.08.285 Hotel.

A facility offering transient lodging accommodations on a daily rate to the public and providing additional services, such as restaurants, meeting rooms, and recreational facilities. (Ord. 94-08, 1994.)

Section 18.08.290 Junkyard.

"Junkyard" means a place where scrap, waste, discarded, or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, or handled or stored, including auto wrecking yards, house wrecking yards, used lumberyards, and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building or where salvaged materials are kept incidental to manufacturing operations conducted on the premises. (Ord. 199 §02.0529, 1973)

Section 18.08.300 Kennel.

"Kennel" means land or buildings used in the keeping of four or more dogs over four months old. (Ord. 199 §02.0530, 1973)

Section 18.08.310 Land Use Plan.

use plan" means a plan adopted and maintained by the city council which shows how the land should be used. The land use plan is an element of the master plan. (Ord. 199 §02.0532, 1973)

Section 18.08.320 Landscaping.

"Landscaping" means some combination of planted trees, shrubs, vines, groundcover, flowers, or lawns. In addition, the combination or design may include rocks and such structural features as fountains, pools, artworks, screens, walls, fences, or benches, but such objects alone shall not meet the requirements of this title. The selected combination of objects for landscaping purposes shall be arranged in a harmonious manner as determined by the zoning administrator. (Ord. 199 §02.0531, 1973)

Section 18.08.330 Large-scale Development.

"Large-scale development" means a development that contains two or more main buildings on a zoning lot and which development is planned and developed as a single entity. (Ord. 199 §02.0533, 1973)

Section 18.08.340 Livestock Corral.

"Livestock corral" means a place or pen where livestock are kept on a seasonal basis as part of an agricultural enterprise or operation as distinguished from a livestock feed yard. (Ord. 199 §02.0534, 1973)

Section 18.08.350 Living Open Space.

"Living open space" is that portion of the yards on a zoning lot which is not used by automotive vehicles, but reserved for outdoor living space, recreational space, and landscaping. (Ord. 199 §02.0535, 1973)

Section 18.08.360 Lodging House.

See "Rooming House". (Ord. 94-08, 1994; Ord. 199 §02.0536, 1973)

Section 18.08.370 Lot.

"Lot" means:

A. "Corner lot" means a lot situated at a junction of two public streets or situated on a curved street or way, the radius of which is thirty-five feet or less, and where the angle formed by the intersection of the tangent is one hundred five degrees or less;

B. "Interior lot" means a lot other than a corner lot;

C. "Lot of record" means a lot designated on a subdivision plat or deed, duly recorded pursuant to statute in the county recorder's office. A lot of record may or may not coincide with a zoning lot;

D. "Zoning lot" means a parcel of land, composed of one or more recorded lots, occupied or to be occupied by a principal building or buildings or principal use or uses along with permitted accessory buildings or uses, meeting all the requirements for area, buildable area, frontage, width, yards, setbacks, and any other requirements set forth in this title. (Ord. 199 §02.0537, 1973)

Section 18.08.380 Manufactured Home.

"Manufactured home" means a dwelling unit which meets the building code for permanent structures designed to be transported after fabrication and which is ready for occupancy as an independent unit, except for connection to utilities and location on a foundation. (Ord. 199 §02.0538, 1973)

Section 18.08.386 Mini-Day Care.

See Section 18.08.155, Day Care Facility. (Ord. 89-10, 1989)

Section 18.08.390 Mobile Home.

"Mobile home" means a vehicular or portable structure which is constructed for movement on the public highways, which has been constructed in accordance with the building code for mobile homes as adopted by the city, but which has not been demonstrated to conform to the requirements of the building code for other residences. (Ord. 199 §02.0539, 1973).

Section 18.08.400 Mobile Home Park.

"Mobile home park" means an area or tract of land used to accommodate two or more mobile homes. (Ord. 199 §02.0540, 1973)

Section 18.08.410 Motel or Motor Hotel.

A building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for automobile travelers and having parking adjacent to a sleeping room. An automobile court or a tourist court with more than one unit or a motor lodge shall be deemed a motel. (Ord. 94-08, 1994; Ord. 83-112 (part), 1983; Ord. 199 §02.0541, 1973)

Section 18.08.420 Nonconforming Building.

"Nonconforming building" means a building, structure, or portion thereof, which does not conform to the regulations of this title applicable to the zone or district in which such building is situated but which was in existence on the effective date of the ordinance codified in this title. (Ord. 199 §02.0542, 1973)

Section 18.08.430 Nonconforming Use.

"Nonconforming use" means a use or premises which does not conform to the regulation of this title, but which was in existence in the effective date of the ordinance codified in this title. (Ord. 199 §02.0543, 1973)

Section 18.08.440 Nursery School.

An agency, organization or individual, person or persons, corporation, association, or entity, engaged primarily in educational work with preschool children not related by blood or marriage to, or not the legal wards or foster children of, the attendant adult, and in which no child is enrolled on a regular basis for more than four hours per day. Such a school when enrolling a child for more than four hours per day shall be deemed a day care facility. (Ord. 89-10, 1989; Ord. 199 §02.0544, 1973)

Section 18.08.450 Parking Space.

"Parking space" means a space within a building or parking area, exclusive of driveways, ramps, columns, office and working area, for the parking of a motor vehicle, not less than twenty feet in length and not less than eight and five-tenths feet in width. (Ord. 199 §02.0545, 1973)

Section 18.08.460 Pasture.

"Pasture" means an enclosure for animals in which no feed is provided except that which the animals obtain by grazing. (Ord. 199 §02.0546, 1973)

Section 18.08.470 Planned Unit Development.

"Planned unit development" means a tract of land which is planned and developed as a single entity wherein the requirements applying to all buildings and improvements are modified to conform to the approved plan. (Ord. 199 §02.0547, 1973)

Section 18.08.480 Planting Plan.

"Planting plan" means a plan showing the location and dimensions of plants, irrigation equipment, curbs and other protective features around the edge of the planting beds and the location and species of plants to be planted. (Ord. 199 §02.0548, 1973)

Section 18.08.490 Premises.

"Premises" means a zoning lot together with buildings and structures located thereon. (Ord. 199 §02.0549, 1973)

Section 18.08.500 Premises Occupation.

"Premises occupation" means an occupation conducted on the premises outside of a dwelling, by persons residing on the premises. (Ord. 199 §02.0550, 1973)

Section 18.08.510 Public Parks and Playgrounds.

"Public parks" or "playgrounds" means a tract of land which is owned by the public and which has been partially or totally developed or designated for recreational purposes. (Ord. 199 §02.0551, 1973)

Section 18.08.520 Rest Home--Nursing Home--Convalescent Home.

"Rest home," "nursing home" or "convalescent home" means a building for the care and keeping of elderly or infirm people afflicted with infirmities or chronic illness. (Ord. 199 §02.0552, 1973)

Section 18.08.530 Recreational Vehicle--Camper, Travel Trailer, Motor Home or Vacation Vehicle.

"Recreational vehicle," "camper," "travel trailer," "motor home" or "vacation vehicle" means a vehicular unit, other than a mobile home, primarily designed as a temporary dwelling for travel, recreational and vacation use, which is either self-propelled or is mounted on or pulled by another vehicle; including, but not limited to, a travel trailer having a width of eight feet or less and a length of thirty-two feet or less, a camping trailer having a width of eight feet or less and length of thirty-two feet or less, a truck camper, a motor home comprised of a self-propelled vehicle primarily designed as a temporary dwelling for travel, recreational use, and vacation use. (Ord. 199 §02.0560, 1973)

Section 18.08.540 Recreational Vehicle Court--Vacation Vehicle Court.

"Recreational vehicle court" or "vacation vehicle court" means an area or tract of land used to accommodate two or more recreational vehicles. (Ord. 199 §02.0561, 1973)

Section 18.08.545 Rooming House.

A residential structure that provides lodging without meals, which is available for

permanent occupancy only. (Ord. 94-08, 1994)

Section 18.08.550 Salvage Yard.

For the definition of "salvage yard" see "junkyard." (Ord. 199 §02.0553, 1973)

Section 18.08.560 Setback.

"Setback" means the shortest distance between the property line and the foundation, wall, or main frame of the building. (Ord. 199 §02.0554, 1973)

Section 18.08.570 Signs.

For definitions pertaining to signs, see Chapter 18.104 of this title. (Ord. 199 §02.0555, 1973)

Section 18.08.580 Special Exception--Conditional Use.

"Special exception" or "conditional use" means a use which is not specifically permitted in a zone, such as an industrial use in a residential zone, but which is permitted as a special exception to this title subject to compliance with conditions prescribed by the board of adjustment. (Ord. 199 §02.0556, 1973)

Section 18.08.590 Street--Major.

"Major street" means one of the principal thoroughfares, as shown or designated on the major street plan. (Ord. 199 §02.0557, 1973)

Section 18.08.600 Street--Minor.

"Minor street" means any street serving as the principal means of access to property, which street is not shown on the major street plan, as a principal thoroughfare. (Ord. 199 §02.0558, 1973)

Section 18.08.610 Subdivision.

"Subdivision" means the division of a tract or lot or parcel of land into three two or more lots, plots, sites, or other division of land for the purpose, whether immediate or future, of sale or of building development. (Ord. 199 §02.0559, 1973)

~~**Section 18.08.615 Traditional Development.**~~

~~"Traditional Development" shall mean a residential development approach where lots are relatively uniform in size and dispersed consistently throughout the development and streets are generally laid out in standard grid pattern.~~

Section 18.08.620 Variance.

"Variance" means a waiver of specific regulations of this title granted by the board of adjustments in accordance with the provisions set forth in this title for the purpose of assuring that not property, because of special circumstances applicable to it, shall be deprived of privileges commonly enjoyed by other properties in the same zone. (Ord. 199 §02.0562, 1973)

Section 18.08.630 Yard.

"Yard" means an open space on the same lot with a building unoccupied or unobstructed

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from the ground upward, except as otherwise provided in this title:

A. "Front yard" means the minimum horizontal distance between the street front lot line and the front line of the building or any projection thereof, excluding non-enclosed steps. The main entrance (the main entrance shall not be an overhead garage door, door that enters the garage directly, or any similar door or entrance) to a single-family dwelling must be on the front side (side most parallel to the front lot line). On a corner lot, the front yard may be declared on either street. The address of a corner lot must be on the declared front;

B. "Rear yard" means an open, unoccupied space on the same lot as a building, measured from the rear line of the building (exclusive of steps), and the rear lot line, and extending for the entire width of the lot. In case of a corner lot, where the building facade faces on the side street, the rear yard may be established from the side of the house to the side property line;

C. "Required yard" means the open space around buildings which is required by the term of this title;

D. "Side yard" means a yard between the building and the side line of the lot and extending from the front yard to the rear yard. (Ord. 98-18, 1998; Ord. 236 §1, 1981; Ord. 199 §02.0563, 1973)

a standard grid pattern. (Ord. 98-03, 1998)03, 1998)(98-18, Amended, 11/05/1998)

Chapter 18.16

Zones Generally

Sections:

- 18.16.010 Establishment of Zones.**
 - 18.16.020 Boundaries of Zones.**
 - 18.16.030 Regulations within Zones Generally.**
 - ~~**18.16.040 Subdivision Design.**~~
 - ~~**18.16.050 Lot Arrangement and Project Density.**~~
 - ~~**18.16.060 Street Design.**~~
 - ~~**18.16.070 Setbacks.**~~
 - ~~**18.16.080 Design of Buildings under Density Zoning.**~~
 - ~~**18.16.090 Density Bonuses.**~~
 - ~~**18.16.100 Below Market Rate Housing Density Bonus.**~~
 - ~~**18.16.110 Open Space and/or Conservation Easement Density Bonuses.**~~
 - ~~**18.16.120 Permitted Uses within the Open Space and/or Conservation Easement.**~~
 - ~~**18.16.130 Conditional Uses.**~~
 - ~~**18.16.140 Ownership, Control, Liability of/for Open Space and/or Conservation Easements.**~~
 - ~~**18.16.150 Project Design and Open Space and/or Conservation Easement Placement.**~~
- Section 18.16.010 Establishment of Zones.**

In order to carry out the purpose of this title, the city is divided into zones as follows:

- A-2 Agricultural residential
- C-2 Commercial zone
- C-3 Central commercial zone
- C-4 General commercial zone
- I-1 Industrial zone
- R&D-1 Research & development zone
- R-1 Residential zone
- R-2 Residential zone
- R-3 Residential zone
- RA-2 Residential agricultural zone

(Ord. 89-10, 1989; Ord. 225 §1, 1978; Ord. 199 §02.0800, 1973)

Section 18.16.020 Boundaries of Zones.

Where uncertainty exists with respect to the boundaries of various zones, the following rules shall apply:

- A. Where the intended boundaries on the zone map are approximately street or alley lines, said streets or alleys shall be construed to be the zone boundaries;
- B. Where the indicated boundaries are approximately lot lines, said lot lines shall be construed to be the zone boundaries, unless otherwise indicated;
- C. Where land has not been subdivided into lots, the zone boundary shall be determined by the use of the scale of measurement shown on the map;
- D. Where other uncertainty exists, the board of adjustment shall interpret the map.

(Ord. 199 §02.0803, 1973)

Section 18.16.030 Regulations within Zones Generally.

Within each of the zones, the use, location, height and size of buildings and structure; the use of land and size of lots, yards, courts and other open spaces are regulated as set forth in this title, and no parcel less than ten contiguous acres shall be considered by the Planning Commission for approval as a density zoning subdivision. (Ord. 98-18, 1998; Ord. 98-03, 1998; Ord. 199 §02.0900, 1973)
(98-18, Amended, 11/05/1998)

~~Section 18.16.040 Subdivision Design.~~

~~At the Concept Plan meeting with the developer, the Planning Commission, on behalf of the citizens of Heber City and in consistency with the adopted General Plan, shall determine whether a proposed development should be platted as a traditional grid subdivision using minimum lot size or if the development should employ a density based zoning system. The Planning Commission shall present their findings to the developer either at the Planning Commission meeting or at the next Planning Commission meeting. The findings of the Planning Commission shall be based on the following guidelines:~~

- ~~A. What development layout is most practical and efficient for the City;~~
- ~~B. What development layout is most compatible with surrounding uses and development;~~
- ~~C. What development layout will create the land use pattern most consistent with the provisions of the General Plan;~~
- ~~D. What development pattern will preserve and protect the natural environment;~~
- ~~E. What development pattern will enhance the transportation and circulation system of the City;~~
- ~~F. Other information presented by the developer, staff, or members of the public;~~
- ~~G. Any other relevant information which will have an adverse effect on the development, the City, or the surrounding area.~~

~~The Planning Commission and the developer shall work together in the decision process. The developer may present evidence to the Planning Commission indicating why the development should be designed in the traditional grid pattern or based on density zoning. Additionally, if the developer does not agree with the assessment of the Planning Commission, the developer may appeal the decision of the Planning Commission to the City Council. The City Council shall not overturn the decision of the Planning Commission until they have reviewed the findings of the Planning Commission based upon the guidelines listed above and the evidence of the developer presented to the Planning Commission. The developer shall not present new evidence to the City Council until the Planning Commission has first seen and reviewed the information.~~

~~The City Council may defer the appeal to the Board of Adjustment. If it elects to do so, then the~~

Section 18.16.050 Lot Arrangement and Project Density.

~~If the Planning Commission determines that a traditional grid pattern is most appropriate, the density will be calculated using minimum lot size. The minimum area of any single lot or parcel, the density of dwellings per acre, and the minimum frontage for all lots in the residential zones are indicated in the table below. The "Zone" column in the table represents the particular residential zone. The "Minimum Lot Size" column in the table represents the minimum size lot allowed in the zone. The "Minimum Frontage" column indicates the amount of frontage each lot in~~

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the zone shall have upon an approved road or street. This frontage is measured at the front setback line for lots located on a cul-de-sac or similar facility. In no way does the "Minimum Lot Size" column represent the allowed total density.

TABLE 1

Zone	Minimum Lot Size	Minimum Frontage
A-2 Agricultural Residential	20 Acres	900 feet
R-1 Residential Zone	10,000 square feet	100 feet
R-2 Residential Zone	8,000 sq. ft. Single Family,	80 feet Single Family
	Two Family 10,000 sq. ft. +	98 feet Multi-Family
	5 sq. ft. for each sq. foot of floor space on first story in excess of 1000 sq. ft. Two Family	
R-3 Residential Zone	6,500 sq. ft. for Single Family	65 feet
	Multi-family 6,500 sq. ft. +	98 feet
	5 sq. ft. for each sq. foot of floor space on first story in excess of 1000 sq. ft.	
RA-2 Residential/Agriculture Zone	20,000 sq. ft. for Single Family	180 Feet

To encourage the preservation of agricultural and natural open space, enhance affordability, minimize the cost of public services, reduce yard sizes to conserve water and improve landscaping quality and to discourage evenly spaced development running along public streets, the Planning Commission may allow clustered residential housing.

If the Planning Commission determines that a development should employ clustered residential housing, also referred to as a density based zoning system, the density will be calculated using a dwelling units per acre system. The minimum area of any single lot or parcel, the density of dwellings per acre, and the minimum frontage for all lots in the residential zones are indicated in the table below. The "Zone" column in the table represents the particular residential zone. The "Minimum Lot Size" column in the table represents the minimum size lot allowed in the zone. The "Density" column in the table represents the number of dwellings per acre allowed in each zone. The "Minimum Frontage" column indicates the amount of frontage each lot in the zone shall have upon an approved road or street. This frontage is measured at the front setback line for lots located on cul-de-sac or similar facility. In no way does the "Minimum Lot Size" column represent the allowed total density.

TABLE 2

Zone	Mim. Lot Size	Density w/o bonus;
Minimum Frontage		
A-2 Agricultural	5 Acre w/o Sewer	1 Dwelling per 20
330 w/o Sewer		

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Residential	1 Acre W/sewer	Aeres
150 feet w/Sewer		
R-1 Residential Zone	7,000 square feet	3 Dwellings per Acre 80 feet
R-2 Residential Zone	6,000 square feet	4 Dwellings per Acre 75 feet
Single Family, 8000		
for Two Family		
R-3 Residential Zone	5,000 square feet for	6 Dwellings per Acre 50 feet
Single Family, Site		
Plan for all Other		
RA-2 Residential	12,500 square feet for	2 Dwellings per Acre 100 feet
Agriculture Zone	Single Family	

~~This section does not preclude the possibility of density bonuses found elsewhere in this Ordinance.~~

~~In the A-2 Zone, only single family dwellings are allowed and no density bonus is allowed except with public sewer. In the R-1 Zone, only single family detached dwellings are allowed. In the RA-2 Zone, only single family detached dwellings are allowed. In the R-2 Zone, only single family detached and two family dwellings are allowed; however, at least 50% of the units in each proposed project phase in the R-2 Zone shall be single family detached dwellings. In the R-3 Zone, at least 30% of the dwelling units in each proposed project phase shall be single family detached dwellings and the remaining units may be placed in various building sizes and configurations. Maximum height restrictions for each zone shall apply. (Ord. 98-18, 1998; Ord. 98-03, 1998) rules in the previous paragraph shall apply to the Board of Adjustment. (Ord. 98-03, 1998)(98-18, Amended, 11/05/1998)~~

Section 18.16.060 — Street Design.

~~All streets shall be public dedicated streets. The minimum minor street right-of-way width (including cul-de-sac streets) in a density zoning development shall to fifty feet (50'), a seven foot (7') wide curb, gutter, and sidewalk on each side and thirty six feet (36') of pavement. In the case where a collector or arterial street as designated by the General Plan crosses the proposed development, the standards of~~

Section 18.16.070 — Setbacks.

~~There shall be no standard setbacks for developments proposed under density zoning provisions, except that no building with the development shall be closer than twenty feet (20') to a property line along a public street. All other setbacks shall be proposed by the developer and approved by the Planning Commission at the preliminary approval state. (Ord. 98-03, 1998)Chapter 17.24 shall apply. All other~~

Section 18.16.080 — Design of Buildings under Density Zoning.

~~No general design criteria is required, except:~~

~~A. All buildings shall be sided with 40% brick or natural stone or an approved equal.
B. All buildings containing dwelling units shall have a covered porch for each dwelling unit. Said covered porch shall be at least four feet (4') deep and eight feet (8') wide. The porch shall face a public street or common area as approved by the Planning Commission.~~

~~C. Attached or detached garages shall not be allowed to protrude in front of the main dwelling unit without the approval of the Planning Commission. (Ord. 98-03, 1998)provisions of Chapter 17.24 shall be~~

Section 18.16.090 — Density Bonuses.

~~Maximum density shall be 200% total of the base densities allowed in the table in 18.16.050 (increase of up to 100% bonus). All density bonuses shall be cumulative and in no case shall the total density go over the maximum allowed, even if mathematically possible by adding separate bonuses.~~

~~Any Public Notice of a public meeting involving any subdivision plat which includes a request for density bonus shall state that the application includes the request for a density bonus. (Ord. 98-03,~~

Section 18.16.100 — Below Market Rate Housing Density Bonus.

~~A. Definitions. The definitions of this Section and of Chapter 18.08 shall govern this Chapter.~~

~~1. Below Market Rate Housing Program ("The BMR Program"). A program to develop below market rate housing established in the Housing Element of the General Plan.~~

~~2. Below Market Rate Unit ("BMR Unit"). A unit developed in accordance with the Below Market Rate Housing Program. One-site BMR units are BMR units located on the site for which the application for development is submitted. Off-site BMR units are BMR units which are not located on the site for which the application for development is submitted.~~

~~3. Market Rate Unit. A housing unit or the legal lot for such unit offered on the open market at going market rates.~~

~~a. "Below Market Rate (affordable) Housing Units": Units governed by a legal covenant or other restriction enforceable by the City restricting the availability of said units to low and moderate income residents, which units are rented or sold to low and moderate income persons or households, as defined in this subsection.~~

~~b. "Household Income": The combined adjusted gross income for all adult persons living in the unit as calculated for Federal income taxation purposes. Household income shall be compared to the median monthly income for a household of four persons as established from time to time for Wasatch County by the United States Department of Housing and Urban development and adjusted for household size, such that the combined gross monthly income for all adult persons in the household, as calculated for Federal income taxation purposes, shall not exceed 80% for lower to moderate income households. The term "low income" shall mean the same as "lower income".~~

~~c. "A Housing Unit": A dwelling unit as defined in the Zoning Ordinance, Section 18.08.180C.~~

~~d. "Developer": Developer for approvals and permits required to construct a residential development project.~~

~~B. Density Bonus. For each on-site BMR unit provided under the BMR Program, a developer shall be permitted to build one additional market rate unit on site and to create a legal lot for such unit. In the event that the City permits the developer to provide off-site units to satisfy the requirements of the BMR Program and the City approves the off-site BMR project, for each off-site BMR unit provided by the developer, the developer shall be permitted to build one additional market rate unit on site and to create a legal lot for such unit. However, in no event shall the total number of units within the proposed development and related lots in a development be more than 20% over the number otherwise allowed by zoning for the development.~~

~~The determination as to how the developer shall satisfy the requirement of the BMR Program shall be made prior to time of the preliminary plan. Approval shall be granted by the City Council after consideration of any recommendations from the Planning Commission at the concept approval state.~~

~~C. Generally, the provisions of the Chapter shall apply only to proposed housing developments of ten (10) or more units in residential districts, where the developer has agreed to provide one or more BMR units in accordance with the BMR Program and such developer is~~

~~entitled to a density bonus.~~

~~D. BMR Unit Development Regulations. The development regulations specified for residential zoning districts shall not apply to on-site BMR units developed in accordance with plans approved by the City Council. The development regulations for on-site BMR units shall be as established by the City Council prior to approval of the preliminary plan. The City Council shall give consideration to any recommendations from the Planning Commission at concept approval. The application for project approval shall include such detail as shall be required by the City and shall be in accordance with the BMR Program. Any additional square footage or substantial modifications of the approved development regulations after concept plan or project approval shall require the prior approval of the Planning Commission and the City Council.~~

~~Development and/or Impact Fee assessments for BMR Units may be adjusted downward as approved by the City Council during these negotiations. Evidence for the amount of adjustment shall be provided by the developer and reviewed by the City Engineer, City Planning Director, and~~

~~**Section 18.16.110 Open Space and/or Conservation Easement Density Bonuses.**~~

~~Density bonuses shall be allowed at a rate of two percent (2%) density increase per one percent (1%) open space provided.~~

~~A. Open Space and/or Conservation Easements Calculations. Density bonus calculations shall be based and granted up to the maximum amount allowed in the zone (including bonuses given for compliance with other areas of this code).~~

~~B. Purpose. The purpose and intent of this section is:~~

- ~~1. To protect the public health, safety and welfare;~~
- ~~2. to protect and preserve open space land as a limited and valuable resource;~~
- ~~3. to assure its continued availability for the following: As agricultural land, scenic land, recreation land, conservation or natural resource land; for the containment of urban sprawl and the structuring of urban development, and for the retention of land in its natural or near natural state to protect life and property in the community from the hazards of fire, flood and seismic activity; and~~
- ~~4. to coordinate with and carry out federal, state, regional, county and city open space plans.~~

~~C. Definitions. Definitions of this Section and of Chapter 18.08 shall govern this Chapter.~~

- ~~1. "Conservation or Natural Resource" includes, but is not necessarily limited to, streams, watersheds, ground water recharge, soils, wildlife habitat, as defined herein, special land forms, natural vegetation;~~
- ~~2. "Conservation or Natural Resource Land" means land which possesses or encompasses conservation or natural resources;~~
- ~~3. "Open Space and/or Conservation Easement" means any area of land or water designated "OSCE" and subject to all of the terms and regulations of this Chapter;~~
- ~~4. "Open Space Land" means any parcel or area of land improved or essentially unimproved or in its natural state, and devoted to an open space use as defined herein, and which is designated in the open space and conservation easement of the plat map for open space use. Open space does not include required parking areas, roads, areas containing dwelling units and yards dedicated to or owned by individual dwellings for their exclusive use;~~
- ~~5. "Open Space Use" means the use of land for:~~
 - ~~a. public recreation;~~

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- ~~b. enjoyment of scenic beauty;~~
- ~~c. conservation or use of natural resources;~~
- ~~d. managed resource production;~~
- ~~e. public safety;~~
- ~~f. structuring urban growth.~~
- ~~6. "Recreation Land" means any area of land or water susceptible to recreational uses;~~
- ~~7. "Scenic Land" means any area of land or water which possesses scenic qualities worthy of preservation; or~~
- ~~8. "Wildlife Habitat" means any area of land or water valuable or necessary to the preservation or enhancement of wildlife resources. (Ord. 98-03, 1998)~~

~~Section 18.16.120 — Permitted Uses within the Open Space and/or Conservation Easement.~~

~~There are no permitted uses in an OSCE. All uses are considered Conditional Uses. (Ord. 98-03, 1998)~~

~~Section 18.16.130 — Conditional Uses.~~

~~A. Conditional uses which may be allowed in the OSCE, subject to obtaining a use permit are as follows:~~

- ~~1. Public or private recreation facilities including but not limited to golf courses, equestrian facilities, tennis facilities, boating and other water sport facilities, etc.;~~
- ~~2. public buildings;~~
- ~~3. overnight accommodations such as hotels, cabins, bungalows, and bed and breakfasts when a part of a private or public recreation facility allowed in item (1), noting that the following limitations shall apply:
 - ~~a. the calculation of total dwelling units (including bonuses) shall be determined and one dwelling unit may be traded for three overnight units;~~
 - ~~b. overnight facilities may be clustered in one or more units or may be separate facilities such as "cabins", "bungalows", etc.;~~
 - ~~c. no over night facility may be placed within 500' of any permanent dwelling unit; and~~
 - ~~d. the maximum number of overnight units shall be ten percent (10%) of the total allowed in the zone including bonuses, except that the square footage of overnight accommodation buildings and land within 50', parking lots, and accessory buildings land shall be exempt from density calculation.~~~~
- ~~4. Agricultural uses;
 - ~~a. Animal husbandry;~~
 - ~~b. crop or tree farm, greenhouse, horticulture;~~
 - ~~c. dairying;~~
 - ~~d. livestock farming.~~~~
- ~~5. Botanical conservatories, outdoor nature laboratories and similar facilities;~~
- ~~6. Native wildlife sanctuaries;~~
- ~~7. Accessory buildings and accessory uses.~~

~~B. Development regulations. Development regulations in the OSCE are as specified in the use permit. The total gross floor area of all buildings within the OSCE shall not exceed 10% of the total OSCE area. (Ord. 98-03, 1998)~~

Section 18.16.140 — Ownership, Control, Liability of/for Open Space and/or Conservation Easements.

— Before preliminary approval by the Planning Commission, the developer shall meet with the City Council and determine how the open space(s) and/or conservation easement(s) area(s) shall be held in ownership. The City Council shall give consideration to any recommendations given to them from the Planning Commission at concept approval.

— An agreement shall be drawn up by the attorney for the developer which shall specify who shall own, maintain, and be liable for torts and claims coming out of use or other circumstances from the area. After the agreement has been drawn up, the City Attorney shall be given sufficient time to review the recommended agreement and make further recommendations to the City Council. Any additional square footage or substantial modifications of the approved agreement after this agreement has been decided upon shall require the approval of the Planning Commission and the City Council. (Ord. 98-03,

Section 18.16.150 — Project Design and Open Space and/or Conservation Easement Placement.

— The Planning Commission and the developer shall work together on project design and placement of open space(s) and/or conservation easement(s). The Planning Commission may require open space(s) and/or conservation easements to be contiguous to and join other open space(s) and/or conservation easements on adjoining developments. (Ord. 98-03, 1998)1998)City attorney. (Ord. 98-03, 1998) — 1998)adhered

to. (Ord. 98-03, 1998)

Chapter 18.24

A-2 Agricultural Zone

Sections:

- 18.24.010 Objectives--Characteristics.
- 18.24.020 Permitted Uses.
- 18.24.030 Area Requirements.
- 18.24.040 Width Requirements.
- 18.24.050 Setbacks.
- 18.24.060 Special Provisions.
- Section 18.24.010 Objectives--Characteristics.

A. The A-2 agricultural zone has been established for the primary purpose of providing a location where the cultivation of crops and the raising and keeping of livestock and related uses can be carried on and where such uses can be protected and encouraged. While dwellings and certain other uses not related to agriculture are permitted, such development is not encouraged in the A-2 agricultural zone because of the conflict which occurs between farm and non-farm uses. For this reason, owners or developers of land should bear in mind that primacy is given in this zone to agriculture and livestock raising and any development should be undertaken in recognition thereof.

B. The A-2 agriculture zone is characterized by dwellings situated on large lots and tracts of land which are devoted to the growing of crops and the pasturing and care and keeping of animals and fowl. Caretaker or owner occupied dwellings situated on the large lots and tracts of land are also characteristic of this zone. (Ord. 199§02.0902.01(part), 1973)

Section 18.24.020 Permitted Uses.

In order to accomplish the objectives and purposes of this title and to stabilize and protect the essential characteristics of the zone, the following regulations shall apply in the A-2 agricultural zone:

- A. Agriculture;
- B. The raising, care and keeping of animals and fowl in unlimited numbers, except for hogs in numbers exceeding twenty-five head;
- C. Barns, corrals, pens, coops and feed storage buildings for the keeping of animals and fowl and the storage of farm products;
- D. One-family dwellings and buildings accessory thereto when located on lot containing at least five acres; ~~twenty-acre lots under traditional development, a five-acre lots under density zoning without sewer, and on-acre with sewer; however, the total density may not go over one unit per 20 acres;~~
- E. Home occupations subject to Chapter 18.08 of this title;
- F. Vegetable and fruit packing and processing plants, farm machinery storage beds, fur farms, plant nurseries and animal hospitals;
- G. Day care nurseries which have been approved by the State Division of Health and the State Welfare Department; boys' ranches subject to approval of the State Welfare Department;

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H. Rest homes subject to approval of the county health department and the State Welfare Department;

I. Public parks and playgrounds, hunting and fishing reserves, wildlife sanctuaries and arboretums;

J. Residential subdivisions in which all lots contain at least 20 acres of land subject to the requirements set forth in Title 17 of this code., ~~except 17.40.010B3; density zoning subdivisions as permitted in Section 18.16 of this Title when all lots are over five (5) acres when not serviced by a public sewer and one acre when serviced by a public sewer;~~

K. Kennels, riding academies, beehives and fisheries;

L. Fences, walls and hedges and railroad tracks;

M. Water reservoirs, ponds, dams, water pumping plants and pipelines, water facilities, public utility buildings and structures (except power plants), flood control structures, transmission lines, substations; also sewage treatment plants subject to review and approval of the State Division of Health;

N. Temporary buildings and yards for the storage of construction materials and equipment incidental and accessory to construction of uses otherwise permitted in the zone. A permit shall be valid for not more than one year and shall not be renewable for more than two successive periods of time at the same location;

O. Schools, churches, monasteries and similar institutions;

P. Cemeteries, public and private, subject to the laws of the state, when approved by the board of adjustment;

Q. Accessory advertising signs not exceeding fifteen square feet in area, provided such sign is maintained in good repair, also nameplates not exceeding two hundred twenty-six square inches in area;

R. Golf courses containing at least ten acres. A golf club house may be Permitted when part of a permitted golf course containing at least forty-five acres of land;

S. Other uses rules by the board of adjustment to be similar to uses specifically permitted in the zone and which will harmonize with the objectives and characteristics of the A-2 agricultural zone.

T. Nursery schools, family day care, mini-day care, and day care centers if they meet the conditions set forth in Chapter 18.86. (Ord. 98-03, 1998; Ord. 94-12, 1994; Ord. 89-10, 1989; Ord. 202 §4, 1974; Ord. 199 §02.0902.01(part), 1973)

Section 18.24.030 Area Requirements.

In the A-2 Zone, each dwelling, day care, nursery, rest home shall contain at least 20 acres of land subject to the requirements set forth in Title 17 of this Code. ~~except 17.04.010B3; density zoning subdivisions as permitted in Section 18.16 of this Title and Title 17 when all lots contain at least five (5) acres when not serviced by a public sewer and at least one (1) acre when serviced by a public sewer. (Ord. 98-03, 1998; Ord. 199 §02.0902.03, 1973)~~

Section 18.24.040 Width Requirements.

In the A-2 Zone, the minimum width of any building site for a dwelling shall be 330' three hundred thirty feet. For uses other than dwelling, there shall be no width requirements. ~~900' under traditional zoning and when density zoning is permitted under 18.16 of this Title, 330' without service from a public sewer and 150' with service from a public sewer~~

Section 18.24.050 Setbacks.

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Section 18.24.050 Setbacks.

The following provisions apply in the A-2 Zone:

A. Front Setback. All buildings and structures shall be set back at least thirty feet from the front lot line.

B. Side Setback. All dwellings shall be set back a minimum of ten feet from each side property line, except on corner lots. The minimum side setback for accessory buildings shall be the same as for main buildings, except that a three-foot side setback shall be required for accessory buildings which are located more than one hundred feet from the front lot line and at least twelve feet in the rear of any dwelling. On corner lots, the side setback from any street shall not be less than thirty feet for both main and accessory buildings;

C. Rear Setback.

1. Interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least thirty feet. Accessory buildings on interior lots shall be set back not less than ten feet from the rear property line, except that no rear setback shall be required for accessory buildings having fire-resistive walls of two hours or more.

2. For corner lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least thirty feet. Accessory buildings on corner lots shall be set back from the rear property line a distance of not less than ten feet.

D. ~~All setbacks for density zoning developments shall be set forth in 18.16.070. (Ord. 98-18, 1998; Ord. 98-03, 1998; Ord. 90-11, 1990; Ord. 90-04, 1990; Ord. 199 §02.0902.05, 1973)~~
(1998, Amended, 11/05/1998)

Section 18.24.060 Special Provisions.

The following special provisions shall apply in the A-2 zone in order to protect its essential characteristics and to promote the purposes of this title:

A. For the purpose of determining front, side and rear setback requirements, any separate building situated within twelve feet from a dwelling or other main building shall be considered as part of the main building and not as an accessory building. (Ord. 199 §02.0902.06, 1973)

Chapter 18.52

R-1 Residential Zone

Sections:

- 18.52.010 Objectives--Characteristics.
- 18.52.020 Permitted Uses.
- 18.52.030 Area Requirements.
- 18.52.040 Width Requirements.
- 18.52.050 Setbacks.
- 18.52.060 Special Provisions.
- 18.52.070 Supplementary Requirements.

Section 18.52.010 Objectives--Characteristics.

The objective in establishing the R-1 residential zone is to encourage the creation and maintenance of residential areas within the city which are characterized by large lots on which single-family dwellings are situated, surrounded by well-kept lawns, trees and other plantings. A minimum of vehicular and pedestrian traffic and quiet residential conditions favorable to family living and the rearing of children shall also be characteristic of this zone. (Ord. 199 §02.0950.01, 1973)

Section 18.52.020 Permitted Uses.

In order to accomplish the objectives and purposes of this title, and to promote the characteristics of the zone, the following regulations shall apply in the R-1 residential zone:

- A. Agriculture;
- B. Customary household pets, including but not limited to cats, dogs and canaries, but not including the breeding of dogs and cats for sale;
- C. Fences, walls and hedges which do not exceed six feet in height provided that no fence, wall or hedge shall exceed four feet in height within the required front or side yards that front on a street;
- D. Home occupations;
- E. One-family dwellings and the following accessory buildings and structures:
 - 1. Private garage and/or carport for the storage of automobiles owned by persons residing on the premises;
 - 2. Greenhouses for private use only;
 - 3. Private swimming pools;
 - 4. Pergolas and arbors;
- F. ~~Residential subdivisions in which all lots contain at least 10,000 square feet of land subject to the requirements set forth in Title 17 of this Code; Density zoning subdivisions as permitted in Section 18.16 and of the Title and Title 17 when all single family lots are at least 7,000 square feet;~~
- G. Public schools, public libraries, public parks, playgrounds, recreation buildings and churches, but not temporary revival tents or buildings;
- H. Temporary buildings and yards for the storage of materials and equipment incidental to the construction of dwellings and other permitted uses; provided, however, that a permit for such temporary building shall not be effective for more than one year.
- I. Nursery schools, family day care, mini-day care, and day care centers if they meet

the conditions set forth in Chapter 18.86. (Ord. 98-03, 1998; Ord. 92-12, 1992; Ord. 91-03, 1991; Ord. 89-10, 1989; Ord. 88-01 §3, 1988; Ord. 202 §7, 1974; Ord. 199 §02.0950.02, 1973)

Section 18.52.030 Area Requirements.

In the R-1 zone, the following area requirements shall apply:

- A. An area of not less than ten thousand square feet shall be provided and maintained for each one-family dwelling and uses accessory thereto;
- B. An area of not less than four acres shall be provided and maintained for each planned unit development except that there shall be no area requirements for additions to an approved planned unit development. An area of not less than two acres shall be provided and maintained for each main church building. (Ord. 199 §02.0950.03, 1973)

Section 18.52.040 Width Requirements.

The minimum width of any building site for a dwelling in the R-1 zone shall be one hundred linear feet. (Ord. 199 §02.0950.04, 1973)

Section 18.52.050 Setbacks.

In the R-1 zone, the following setback requirements shall apply:

- A. **Front Setback.** All buildings and structures shall be set back at least thirty feet from the front lot line;
- B. **Side Setback.** All dwellings shall be set back a minimum of ten feet from each side property line, except on corner lots. On corner lots, the side setback from any street shall not be less than thirty feet for main buildings.
- C. **Rear Setback.** For interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least thirty feet. For corner lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least thirty feet, except that for dwellings having an attached garage or carport, the setback shall not be less than twenty feet.
- ~~D. All setbacks for density zoning developments shall be as set forth in 18.16.070.~~

E. Accessory Building Setbacks.

- 1. **Front Setback.** No accessory buildings shall be placed or constructed within the area defined as front yard.
- 2. **Side Setback.** Accessory buildings shall be setback not less than three feet from the side property line, except that no side setback shall be required if the accessory building meets the fire resistive requirements as set forth in the current Uniform Building Code. On corner lots, the setback from the side street shall not be less than 45 feet from the street property line.
- 3. **Rear Setback.** Accessory buildings shall be setback not less than three feet from the rear property line, except that no rear setback shall be required if the accessory building meets the fire resistive requirements as set forth in the current Uniform Building Code.
- 4. **Separation from other Structures.** Accessory buildings shall be a minimum of twelve feet from any dwelling or other main building and not less than eight feet from any other building. The separation applies to structures on this or any adjacent property, except if the accessory building is located in the rear yard and the "other building" is in a separate yard, then the accessory building may be placed within three feet of the property line.
- 5. **Accessory Building over Easements.** Accessory buildings may be constructed over utility easements provided that all applicable public utility companies have in

writing released the easement for such a purpose. These releases must accompany the building permit application.

6. **Accessory Buildings in Side Yards.** Accessory buildings other than garages may not be placed in a side yard unless approved by the Board of Adjustment which consent may be given after notice has been given to the adjoining property owner and the Board has determined that the same will not adversely affect the market value of the adjoining lot and will not be materially detrimental to the aesthetics of the neighborhood. The Board of Adjustment may attach such conditions to its consent as is deemed appropriate to preserve the market and aesthetic value.

7. **Provisions for Roof Drainage.** No roof eave shall extend over any property line and any roof that drains toward the adjoining property shall be set back at least three feet from the property line. (Ord. 98-18, 1998; Ord 98-03, 1998; Ord. 90-11, 1990; Ord. 86-231 §1, 1986; Ord. 202 §8, 1974; Ord. 199 §02.0950.05, 1973)
(98-18, Amended, 11/05/1998)

Section 18.52.060 Special Provisions.

The following special provisions shall apply in the R-1 zone in order to protect its essential characteristics and to promote the purposes of this title:

A. For the purpose of determining front, side and rear setback requirements, any separate building situated within twelve feet from a dwelling or other main building shall be considered as a part of the main building and not as an accessory building;

B. The ground or first floor living area of all single story single-family dwellings shall be at least one thousand two hundred (1200) square feet exclusive of garages and/or carports. All two-story or multi-story dwellings shall contain at least one thousand eight hundred (1800) square feet of living space exclusive of basements, garages, and/or carports. Basements do not qualify as or for ground floor living area.

C. The maximum density in a planned unit development shall not exceed five dwelling units per acre of land contained within the development. ~~the R-1 Zone shall be three (3) dwellings per acre under traditional development; up to six (6) dwelling units per acre under density zoning with bonuses;~~

D. All buildings for human occupancy shall be connected to the city's sewage collection system. (Ord. 98-03, 1998; Ord. 95-03, 1995; Ord. 199 §02.0950.06, 1973)

Section 18.52.070 Supplementary Requirements.

See also supplementary requirements and procedures applicable within the R-1 zone. (Ord. 199 §02.0950.07, 1973)

Chapter 18.56

R-2 Residential Zone

Sections:

- 18.56.010 Objectives--Characteristics.
- 18.56.020 Permitted Uses.
- 18.56.030 Area Requirements.
- 18.56.040 Width requirements.
- 18.56.050 Setbacks.
- 18.56.060 Special Provisions.
- 18.56.070 Supplementary Requirements.

Section 18.56.010 Objectives--Characteristics.

A. The objective in establishing the R-2 residential zone is to provide a residential environment within the city which is characterized by smaller lots and somewhat denser residential environment than is characteristic of the R-1 residential zone. Nevertheless, this zone is characterized by spacious yards and other residential amenities adequate to maintain desirable residential conditions. The principal uses permitted in this zone shall be one-family and two-family dwellings and certain other public facilities needed to promote and maintain stable residential neighborhoods.

B. In order to accomplish the objectives and characteristics of this title and to promote the essential characteristics of this zone, the regulations set out in this chapter shall apply to the R-2 residential zone. (Ord. 199 §02.0954.01, 1973)

Section 18.56.020 Permitted Uses.

The following uses shall be permitted in the R-2 residential zone:

- A. Any use permitted in the R-1 zone;
- B. Agriculture and the pasturing only of animals;
- C. Two-family dwellings when approved by the planning commission as set forth in Chapter 18.84 of this title.
- D. Bed and Breakfast Homes when approved by the Planning Commission as set forth in this chapter.

~~E. Traditional residential subdivisions in which all lots contain the minimum lot sizes as outlined in this Title and subject to the requirements set forth in Title 17 of this code; density zoning subdivisions as permitted in Section 18.16 and of this Title and Title 17 when all single family lots are at least 6,000 square feet and two-family dwelling unit buildings sites contain at least 8,000 square feet. (Ord. 98-03, 1998; Ord. 94-06, 1994; Ord. 91-03, 1991; Ord. 89-10, 1989; Ord. 88-01 §4, 1988; Ord. 220 §1(part), 1978; Ord. 202 §9, 1979; Ord. 199 §02.0954.02, 1973)~~

Section 18.56.030 Area Requirements.

In the R-2 zone, the following area requirements are applicable:

- A. A area of not less than 8,000 square feet shall be provided and maintained for each one-family or two-family dwelling shall have a building site area of at least 10,000 square feet plus five (5) additional square feet for each square foot of floor space with in the frist story of the structure in excess of one thousand (1,000) square feet. ~~and uses accessory thereto developed under~~

~~traditional zoning and 6,000 square feet under density zoning.~~

B. An area of not less than four acres shall be provided and maintained for each planned unit development except that there shall be no area requirements for additions to an approved planned unit development. An area of not less than two acres shall be provided and maintained for each main church building. (Ord. 98-18, 1998; Ord. 98-03, 1998; Ord. 94-04, 1994; Ord. 92-08, 1992; Ord. 91-03, 1991; Ord. 220 §1(part), 1978; Ord. 199 §02.0954.03, 1973)

(98-18, Amended, 11/05/1998)

Section 18.56.040 Width requirements.

The minimum width of any building site for a dwelling in the R-2 zone shall be eighty linear feet, except when a building site is situated in an approved large-scale development permitted in the R-2 zone. (Ord. 199 §02.0954.04, 1973)

Section 18.56.050 Setbacks.

In the R-2 zone, the following setback requirements are applicable:

A. **Front Setback.** All buildings and structures shall be set back at least twenty feet from the front lot line.

B. **Side Setback.** All dwellings shall be set back so that the total of both side setbacks is not less than fourteen feet, with no side being closer than six feet, except on corner lots. On corner lots, the side setback from any street shall not be less than twenty feet for both main buildings;

C. **Rear Setback.** For interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least twenty-five feet. For corner lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least twenty feet;

~~D. All setbacks for density zoning developments shall be as set forth in 18.16.070.~~

E. **Accessory Building Setbacks.**

1. **Front Setback.** No accessory buildings shall be placed or constructed within the area defined as front yard.

2. **Side Setback.** Accessory buildings shall be setback not less than three feet from the side property line, except that no side setback shall be required if the accessory building meets the fire resistive requirements as set forth in the current Uniform Building Code. On corner lots, the setback from the side street shall not be less than 45 feet from the street property line.

3. **Rear Setback.** Accessory buildings shall be setback not less than three feet from the rear property line, except that no rear setback shall be required if the accessory building meets the fire resistive requirements as set forth in the current Uniform Building Code.

4. **Separation from other Structures.** Accessory buildings shall be a minimum of twelve feet from any dwelling or other main building and not less than eight feet from any other building. The separation applies to structures on this or any adjacent property, except if the accessory building is located in the rear yard and the "other building" is in a separate yard, then the accessory building may be placed within three feet of the property line.

5. **Accessory Building over Easements.** Accessory buildings may be constructed over utility easements provided that all applicable public utility companies have in writing released the easement for such a purpose. These releases must accompany the building permit application.

6. **Accessory Buildings in Side Yards.** Accessory buildings other than

garages may not be placed in a side yard unless approved by the Board of Adjustment which consent may be given after notice has been given to the adjoining property owner and the Board has determined that the same will not adversely affect the market value of the adjoining lot and will not be materially detrimental to the aesthetics of the neighborhood. The Board of Adjustment may attach such conditions to its consent as is deemed appropriate to preserve the market and aesthetic value.

7. Provisions for Roof Drainage. No roof eave shall extend over any property line and any roof that drains toward the adjoining property shall be set back at least three feet from the property line. (Ord. 98-18, 1998; Ord. 98-03, 1998; Ord. 90-11, 1990; Ord. 86-231 §2, 1986; Ord. 199 §02.0954.05, 1973)
(98-18, Amended, 11/05/1998)

Section 18.56.060 Special Provisions.

The following provisions shall apply in the R-2 zone in order to protect its essential characteristic and to promote the purpose of this title:

A. For the purpose of determining front, side and rear setback requirements, any separate building situated within twelve feet from a dwelling or other main building shall be considered as part of the main building and not as an accessory building;

B. The ground or first floor living area of single-story single-family dwellings shall be at least nine hundred fifty (950) square feet exclusive of garages and/or carports. All two-story or multi-story single family dwellings shall contain at least one thousand five hundred-fifty (1550) square feet of living space exclusive of basements, garages, and/or carports. Basements do not qualify as or for ground floor living area.

~~C. The maximum density in the R-2 Zone shall be four (4) dwellings per acre under traditional development and up to eight (8) dwelling units per acre under density zoning with bonuses. (Ord. 98-03, 1998; Ord. 95-03-1995; Ord. 94-04, 1994; Ord. 91-03, 1991; Ord. 83-010 §4, 1983; Ord. 199 §02.0954.06, 1973)~~

Section 18.56.070 Supplementary Requirements.

See also supplementary requirements and procedures applicable within the R-2 zone. (Ord. 199 §02.0954.07, 1973)

Chapter 18.60

R-3 Residential Zone

Sections:

- 18.60.010 Objectives--Characteristics.**
- 18.60.020 Permitted Uses.**
- 18.60.030 Area Requirements.**
- 18.60.040 Width Requirements.**
- 18.60.050 Setback Requirements.**
- 18.60.060 Special Provisions.**
- 18.60.070 Supplementary Requirements.**

Section 18.60.010 Objectives--Characteristics.

A. The objective in establishing the R-3 residential zone is to provide appropriate locations within the city for high density residential development. In general, this zone is located in the central part of the city, adjacent to commercial areas where the impact of vehicular travel and parking is consonant with adjacent use of land, and where multiple dwellings can best be supplied with necessary public facilities. This zone is characterized by more compact development and somewhat higher volumes of traffic than is characteristic of the R-1 and R-2 zones.

B. Representative of the uses within the R-3 zone are one-family, two-family, three-family and four-family dwellings and apartment houses and related community facilities; however, commercial and industrial uses are prohibited therein.

C. Owners and developers of property should bear in mind that primacy is given to multiple-family dwellings, boardinghouses, rest homes and other high-density residential uses and should develop and maintain their property in recognition thereof.

D. In order to accomplish the objectives and purposes of this title, and to promote the characteristics of this title, the regulations set out in this chapter shall apply in the R-3 residential zone. (Ord. 202 §10, 1974; Ord. 199 §02.0956.01, 1973)

Section 18.60.020 Permitted Uses.

The following uses shall be permitted in the R-3 residential zone:

- A. Any use permitted in the R-2 residential use;
- B. Boardinghouses and roominghouses;
- C. Clinics and hospitals (also, signs for these facilities) as conditional uses when approved by the Planning Commission as set forth in Chapter 18.08.025 of this title.

D. Clubs and lodges (nonprofit), not including those carried on primarily as a business;

E. Multiple dwellings when approved by the planning commission as set forth in Chapter 18.84 of this title.

F. Manufactured home parks in accordance with section 18.92 herein.

~~G. Traditional residential subdivisions and density zoning developments meeting the provisions of this section. (Ord. 98-03, 1998; Ord. 96-05, 1996; Ord. 96-04B, 1996; Ord. 83-010 §2, 1983; Ord. 236 (part), 1981; Ord. 220 §1(part), 1978; Ord. 199 §02.0956.02, 1973)~~

Section 18.60.030 Area Requirements.

In the R-3 zone, the following area requirements are applicable:

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A. An area of not less than six thousand five hundred (6,500) square feet shall be provided and maintained for each one-family dwelling and uses accessory thereto developed under traditional zoning and five thousand (5,000) square feet under density zoning;

B. ~~Under traditional zoning development, Two-family dwellings and multi-family dwellings shall have a building site area of at least 6,500 square feet plus five additional square feet for each square foot of floor space within the first story of the structure in excess of one thousand square feet. Under density zoning, two-family dwelling units and larger shall have no minimum lot sizes, but shall require approval of the proposed sizes by the Planning Commission at concept approval—see 17.20; However, in no case shall the number of dwelling units exceed the maximum density of the R-3 Zone. (Ord. 98-18, 1998; Ord. 98-03, 1998; Ord. 98-03, 1998; Ord. 94-04, 1994; Ord. 83-010 §3, 1983; Ord. 220 §1(part), 1978; Ord. 199 §02.0956.03, 1973)~~
(98-18, Amended, 11/05/1998)

Section 18.60.040 Width Requirements.

The minimum width of any building site (a) for a one-family dwelling or other main building in the R-3 zone shall be sixty-five lineal feet, measured at a distance of thirty feet back from the front lot line and (b) for a two family dwelling is 80 lineal feet. (Ord 98-18, 1998; Ord. 220 §1(part), 1978; Ord. 211 (part), 1976; Ord. 199 §02.0956.04, 1973)
(98-18, Amended, 11/05/1998)

Section 18.60.050 Setback Requirements.

In the R-3 zone, the following setback requirements are applicable:

A. Front Setback. All buildings and structures shall be set back at least twenty feet from the front lot line;

B. Side Setback. All dwellings shall be set back so that the total of both side setbacks is not less than ten feet, with no side being closer than four feet, except on corner lots. On corner lots, the side setback from any street shall not be less than twenty feet for main buildings;

C. Rear Setback. For interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least twenty feet. For corner lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least twenty feet;

~~D. All setbacks for density zoning developments shall be as set forth in 18.16.070.~~

E. Accessory Building Setbacks.

1. Front Setback. No accessory buildings shall be placed or constructed within the area defined as front yard.

2. Side Setback. Accessory buildings shall be setback not less than three feet from the side property line, except that no side setback shall be required if the accessory building meets the fire resistive requirements as set forth in the current Uniform Building Code. On corner lots, the setback from the side street shall not be less than 45 feet from the street property line.

3. Rear Setback. Accessory buildings shall be setback not less than three feet from the rear property line, except that no rear setback shall be required if the accessory building meets the fire resistive requirements as set forth in the current Uniform Building Code.

4. Separation from other Structures. Accessory buildings shall be a minimum of twelve feet from any dwelling or other main building and not less than eight feet from any other building. The separation applies to structures on this or any adjacent property, except if the accessory building is located in the rear yard and the "other building" is in a separate yard, then the accessory building may be placed within three feet of the property line.

5. Accessory Building over Easements. Accessory buildings may be

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constructed over utility easements provided that all applicable public utility companies have in writing released the easement for such a purpose. These releases must accompany the building permit application.

6. **Accessory Buildings in Side Yards.** Accessory buildings other than garages may not be placed in a side yard unless approved by the Board of Adjustment which consent may be given after notice has been given to the adjoining property owner and the Board has determined that the same will not adversely affect the market value of the adjoining lot and will not be materially detrimental to the aesthetics of the neighborhood. The Board of Adjustment may attach such conditions to its consent as is deemed appropriate to preserve the market and aesthetic value.

7. **Provisions for Roof Drainage.** No roof eave shall extend over any property line and any roof that drains toward the adjoining property shall be set back at least three feet from the property line. (Ord. 98-18, 1998; Ord. 98-03, 1998; Ord. 90-11, 1990; Ord. 86-231 §3, 1986; Ord. 199 §02.0956.05, 1973)
(98-18, Amended, 11/05/1998)

Section 18.60.060 Special Provisions.

The following special provisions shall apply in the R-3 zone in order to protect its essential characteristics and to promote the purpose of this title:

A. For the purpose of determining front, side and rear setback requirements, any separate building situated within twelve feet from a dwelling or other main building shall be considered as a part of the main building and not as an accessory building;

B. The maximum density in the multi-family ~~R-3 Zone~~ shall be six (6) dwelling units per acre of land contained within the development. ~~under traditional development and up to 12 dwelling units per acre under density zoning with bonuses.~~

C. The ground floor or first floor living area of single-story single-family dwellings shall be at least eight hundred-fifty (850) square feet exclusive of garages and/or carports. All two-story or multi-story single-family dwellings shall contain at least one thousand four hundred-fifty (1450) square feet of living space exclusive of basements, garages, and/or carports. Basements do not qualify as or for ground floor living area. (Ord. 98-03, 1998; Ord 95-03, 1995; Ord 94-04, 1994; Ord. 83-010 §1, 1983; Ord. 199 §02.0956.06, 1973)

Section 18.60.070 Supplementary Requirements.

See also supplementary requirements and procedures applicable within the R-3 zone. (Ord. 199 §02.0956.07, 1973)

Chapter 18.64

RA-2 Residential-Agricultural Zone

Sections:

- 18.64.010 Objectives--Characteristics.
- 18.64.020 Permitted Uses.
- 18.64.030 Area Requirements.
- 18.64.040 Width Requirements.
- 18.64.050 Setbacks.
- 18.64.060 Size of Dwelling.
- 18.64.070 Special Provisions.
- 18.64.080 Supplementary Requirements.

Section 18.64.010 Objectives--Characteristics.

A. The RA-2 Residential-agricultural Zone has been established for the primary purpose of providing a location where residential development associated with limited numbers of livestock can be maintained. This Zone is characterized by large lots or tracts of land interspersed with dwellings, barns, corrals and agricultural service buildings used in connection with farming operations. While the zone is thus characterized, it is intended that the land within this zone shall be further developed into a residential environment exclusive of animals and fowl. Builders and developers of property should bear in mind, therefore, that privacy is given in this zone to residential development and that the raising of animals and fowl will likely be curtailed as residential development takes place.

B. In order to accomplish the objectives and purposes of this Title and to stabilize and protect the essential characteristics of this Zone, the following regulations shall apply in the RA-2 Residential-agricultural Zone. (Ord. 98-03, 1998; Ord. 199 §02.0960.01, 1973)

Section 18.64.020 Permitted Uses.

The following buildings, structures and uses of land shall be permitted in the RA-2 residential-agricultural zone upon compliance with requirements as set forth in this title:

A. Accessory signs not exceeding fifteen square feet in area pertaining to the sale of property or produce raised on the premises; also, nameplates not exceeding two hundred sixty-six square inches in area;

B. Agriculture;

C. Barns, corrals, pens, coops, shed and feed storage buildings for the keeping of animals and fowl and the storage of farm products, provided uses for the care and keeping of livestock and fowl are located at least one hundred feet distant from any existing dwelling and one hundred feet from the front property lines; also, small animal hospitals without outside runs;

D. Cemeteries, public and private, subject to the laws of the state when approved by the board of adjustment;

E. Rest homes.

F. Farm machinery and farm products, storage sheds;

G. Fences, walls and hedges and railroad tracks;

H. Golf courses containing at least ten acres. Golf clubhouses may be permitted when part of a permitted golf course contains at least forty-five acres of land;

I. Home occupations, subject to conditions set forth in Chapter 18.108 of this title,

and nursery schools, family day care, mini-day care, and day care centers if they meet the conditions set forth in Chapter 18.86;

J. ~~Traditional subdivision developments containing~~One-family dwellings and buildings accessory thereto; ~~For traditional developments in the RA-2 Zone, sidewalks required in Section 17.40.010B area are not required for minor streets only; however, all other requirements apply;~~

K. The raising, care and keeping of farm animals and fowl for family use and consumption on parcels one-half (1/2) acre and larger. Animals shall be allowed on a point system. Each one-half (1/2) acre shall be allotted 50 points. Animals being kept will be given points as follows:

1. Large animals such as horses, cows, llamas, pigs, or ostriches—20 points per animal;
2. medium animals such as sheep or goats, but not including pigs—10 points per animal;
3. small animals such as chickens, geese, rabbits, pheasants or pigeons—2 points.

L. Schools, churches, public parks and playgrounds, arboretums and public buildings;

M. Temporary buildings and yards for the storage of construction materials and equipment incidental and necessary to construction of uses otherwise permitted in the zone;

N. ~~Density zoning subdivisions~~ Two-family dwellings when approved by the Planning Commission as set forth in Chapter 18.84 of this title; ~~permitted in Section 18.16 and of this Title and Title 17;~~

O. Water reservoirs, ponds, dams, water pumping plants and pipelines, flood control structures, public utility buildings (except power plants), water wells, utility transmission lines and substations, sewage treatment plants subject to review and approval by the State Division of Health;

P. Other uses ruled by the Board of Adjustment to be similar to uses specifically permitted in the zone and which will harmonize with the objectives and characteristics of the RA-2 residential-agricultural zone. (Ord. 98-03, 1998; Ord. 96-04B, 1996; Ord 94-12, 1994; Ord 92-12, 1992; Ord 89-10, 1989; Ord. 220 §1 (part), 1978; Ord. 199 §02.0960.02, 1973)

Section 18.64.030 Area Requirements.

Area requirements in the RA-2 zone are the same as those in the R-2 zone. ~~In the RA-2 Zone, the following area requirements are applicable:~~

~~An area of not less than 20,000 square feet shall be provided and maintained for each one-family dwelling and uses accessory thereto developed under traditional zoning and 12,500 square feet under density zoning. (Ord. 98-03, 1998; Ord. 199 §02.0960.03, 1973)~~

Section 18.64.040 Width Requirements.

The minimum required lot width in the RA-2 zone is one hundred (100) linear feet (Ord. 199 §02.0960.04, 1973)

Section 18.64.050 Setbacks.

In the RA-2 zone, the following setback requirements are applicable:

- A. Front Setback. All buildings and structures shall be set back at least thirty feet

from the front lot line;

B. **Side Setback.** All dwellings shall be set back a minimum of ten feet from each side property line, except on corner lots. On corner lots, the side setback from any street shall not be less than thirty feet for main buildings;

C. **Rear Setback.** For interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least thirty feet. For corner lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least thirty feet, except that for dwellings having an attached garage or carport, the setback shall not be less than twenty feet;

~~D. All setbacks for density zoning developments shall be as set forth in 18.16.070. (Ord. 98-18, 1998; Ord. 98-03, 1998; Ord. 90-11, 1990; Ord. 199-02.0960.05, 1973) (98-18, Amended, 11/05/1998)~~

Section 18.64.060 Size of Dwelling.

The ground or first floor living area of single-story single-family dwellings shall be at least one thousand (1000) square feet exclusive of garages and/or carports. All two-story or multi-story single-family dwellings shall contain at least one thousand six hundred (1600) square feet of living space exclusive of basements, garages, and/or carports. Basements do not qualify as or for ground floor living area. (Ord 95-03, 1995; Ord. 220 §1(part), 1978; Ord. 199 §02.0960.06, 1973)

Section 18.64.070 Special Provisions.

In the RA-2 zone, the following provisions shall be applicable:

A. For the purpose of determining front, side and rear setback requirements, any separate building situated within twelve feet from a dwelling or other main building shall be considered as a part of the main building and not as an accessory building;

B. The maximum density in a planned unit development shall not exceed five units per acre contained in the development. ~~the RA-2 Zone shall be two (2) dwellings per acre under traditional development and up to four (4) dwelling units per acre under density zoning with bonuses. (Ord. 98-03, 1998; Ord. 199-02.0960.07, 1973)~~

Section 18.64.080 Supplementary Requirements.

See also supplementary requirements and procedures applicable within the RA-2 zone. (Ord. 199 §02.0960.08, 1973)