

ORDINANCE 24-2023 COMMUNITY DEVELOPMENT TITLE 15 UPDATES AND AMENDMENTS

ROLL CALL

VOTING	YES	NO	ABSENT	ABSTAIN
MIKE MENDENHALL <i>Mayor (votes only in case of tie)</i>				
CHAD ARGYLE <i>Councilmember</i>	X			
STACY BECK <i>Councilmember</i>	X			
JESSE CARDON <i>Councilmember</i>	X			
SHANE MARSHALL <i>Councilmember</i>	X			
KEVIN OYLER <i>Councilmember</i>	X			

I MOVE this ordinance be adopted: Councilmember Oyler

I SECOND the foregoing motion: Councilmember Marshall

ORDINANCE 24-2023 COMMUNITY DEVELOPMENT TITLE 15 UPDATES AND AMENDMENTS

**AN ORDINANCE AMENDING VARIOUS SECTIONS
OF THE SPANISH FORK MUNICIPAL CODE PERTAINING TO TITLE 15 UPDATES AND
AMENDMENTS REGARDING ADDING ILLUSTRATIONS, MAILBOXES AND OFF-STREET
PARKING.**

WHEREAS Spanish Fork City has enacted a land use ordinance as Title 15 of the Spanish Fork Municipal Code ("Code") to regulate the development of land within the City, establish zoning to protect property values, and establish administrative rules concerning land use;

WHEREAS amendments to the land use ordinance and other sections of the Code need to be made from time to time in order to remain compliant with state and federal law, become more efficient, and to keep standards in line with best construction and safety practices;

WHEREAS a public hearing was held before the Planning Commission on December 6, 2023, whereat public comment was received; and

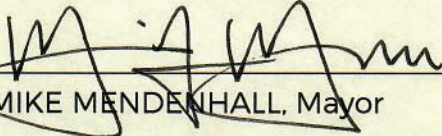
WHEREAS a public hearing was held before the Spanish Fork City Council on December 12, 2023, whereat additional public comment was received;

NOW THEREFORE, be it enacted and ordained by the Spanish Fork City Council as follows:

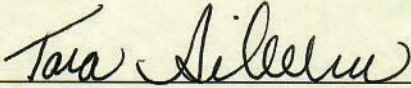
Section 1. Amendment of Code. The Spanish Fork Municipal Code is hereby amended as set forth in Exhibit A, attached hereto and incorporated herein. Only the sections of the Code set forth in the Exhibit A shall be amended. All other sections of the Code remain unchanged.

Section 2. Effective Date. This ordinance shall be effective twenty days after passage and publication.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK,
UTAH: December 12, 2023.


MIKE MENDENHALL, Mayor

Attest:


TARA SILVER, City Recorder



15.1.04.010 Rules Of Construction

For the purpose of carrying out the intent of this Title, certain words or terms are defined in §15.1.04.020. Any word not defined in this ordinance shall be construed as defined in the Building Code of the City, if defined therein. If no definition is found in either this ordinance or the Building Code, then the word or term shall be defined according to its commonly used meaning. Illustrations contained in this Title are for illustrative purposes only. If a conflict exists between the text of this Title and any illustration, the text shall control.

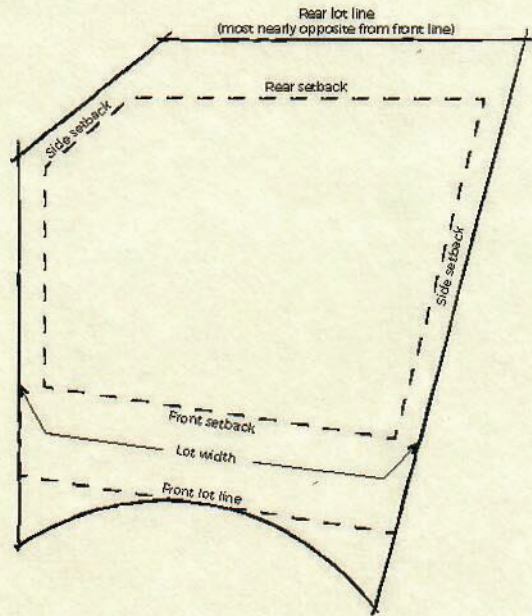
15.1.04.020 Definitions

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"Lot Line":

1. Front: The lot line adjacent to a street, except as follows:
 1. Corner Lot. The front property line is determined by which direction the required setbacks for the front and rear can both be met. If all applicable setbacks can be met either way, the front setback shall be located on the same side as the front door of the structure and the other frontage shall be the side-street side.
 2. Through or Double Frontage Lot. The lot line which is obviously the front by reason of the prevailing custom of the other buildings on the block. The other street frontage shall be a rear lot line. Where such property line is not obviously evident, the Community Development Director shall determine the front property line.
2. Rear: The lot line most nearly opposite the front property line or, if the front property is a curved line, to a line tangent to the front property line at its midpoint.
3. Side: Those other lot lines not defined as a front or rear lot line.

LOT LINES



15.1.04.040 Notices

Notices informing of public hearings shall provide a minimum of 10 days' notice and shall be given as follows: Zoning Map Changes, Zoning Text amendments, Comprehensive General Plan amendments, and Conditional Use approval requests.

15.2.04.020 Purpose

The purpose of the General Plan is to plan for present and future needs of the municipality and growth and development of all or any part of the land within the municipality. The General Plan provides for:

- A. Health, general welfare, safety, energy conservation, transportation, prosperity, civic activities, aesthetics, recreational, educational, and cultural opportunities.
- B. The reduction of the waste of physical, financial, or human resources that result from either excessive congestion or excessive scattering of population.
- C. The efficient and economical use, conservation, and production of the supply of:
 - 1. Food, water, drainage, sanitary, and other facilities, and resources.
 - 2. The use of energy conservation and solar and renewable energy resources.
 - 3. The protection of urban development.
 - 4. The protection or promotion of moderate income housing.
 - 5. The protection and promotion of air quality.
 - 6. Historic preservation.
 - 7. Identifying future uses of land that are likely to require an expansion or significant modification of services or facilities provided by each affected entity.
- D. Official Maps.

15.3.08.040 Variance And Appeals

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- E. **Review Procedures:** The Appeal Authority shall hold a public meeting on the application. Prior to the meeting, notice shall be provided as follows:
 - 1. A notice of time and place of such meeting shall be posted on the Utah Public Notice web page at least 10 days prior to the time of such meeting.

15.3.08.050 Amendments To The Zoning Ordinance - Text And Maps

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- 1. **Application:** Application is made by following the instructions on the electronic form provided by the Community Development Department and submitting all required materials. The application form will require the applicant to provide certain documentation

and information about the site, surrounding area, and proposed use that will help the City properly evaluate the request. A Zoning Text or Map Amendment application expires if it is not approved by the City within 24 months from the time its application is submitted and accepted.

15.3.16 Zoning District Regulations

15.3.16.010 Agricultural And Rural Residential Districts

15.3.16.020 Residential Districts

15.3.16.030 R-3 Residential District

15.3.16.032 R-4 Residential District

15.3.16.033 R-5 Residential District

15.3.16.040 R-O Residential Office

15.3.16.050 C-O Commercial Office

15.3.16.060 C-D Downtown Commercial

15.3.16.070 C-1 Neighborhood Commercial

15.3.16.080 C-2 General Commercial

15.3.16.090 S-C Shopping Center

15.3.16.100 C-UV Urban Village Commercial

15.3.16.110 B-P Business Park

15.3.16.120 I-1 Light Industrial

15.3.16.130 I-2 Medium Industrial

15.3.16.140 I-3 Heavy Industrial

15.3.16.150 (Reserved)

15.3.16.160 Public Facilities (P-F)

15.3.16.170 Development Standards

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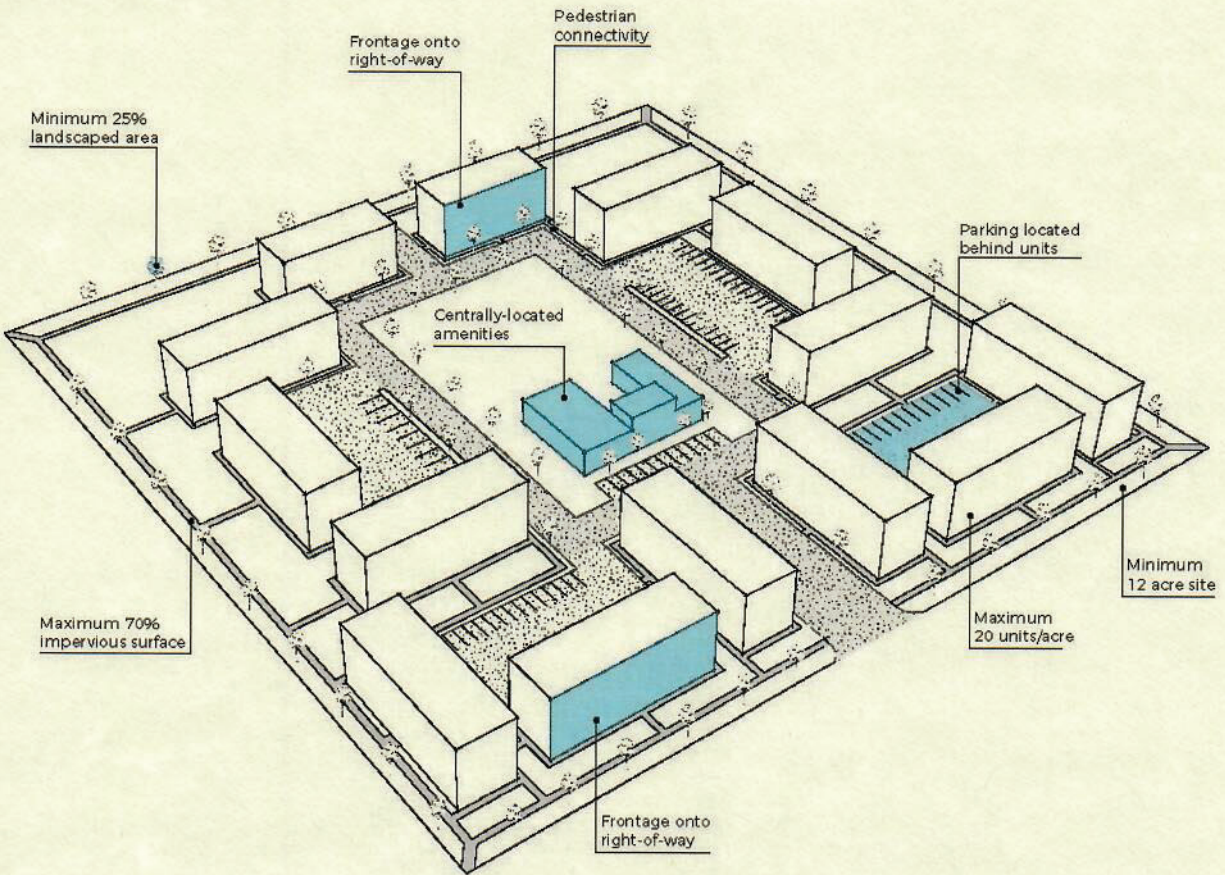
15.3.16.032 R-4 Residential District

This district is intended to allow high density residential uses. There will be a mix of home types in this zone and it is anticipated that the majority of the homes in this zone will be in multi-unit structures arranged in both townhome and stacked flat configurations. Only individual lots for single-family homes will be approved as standard subdivisions. For a project to include twin homes, duplexes, and multi-family dwellings, a project must be approved as a Master Planned Development §15.3.20.080.

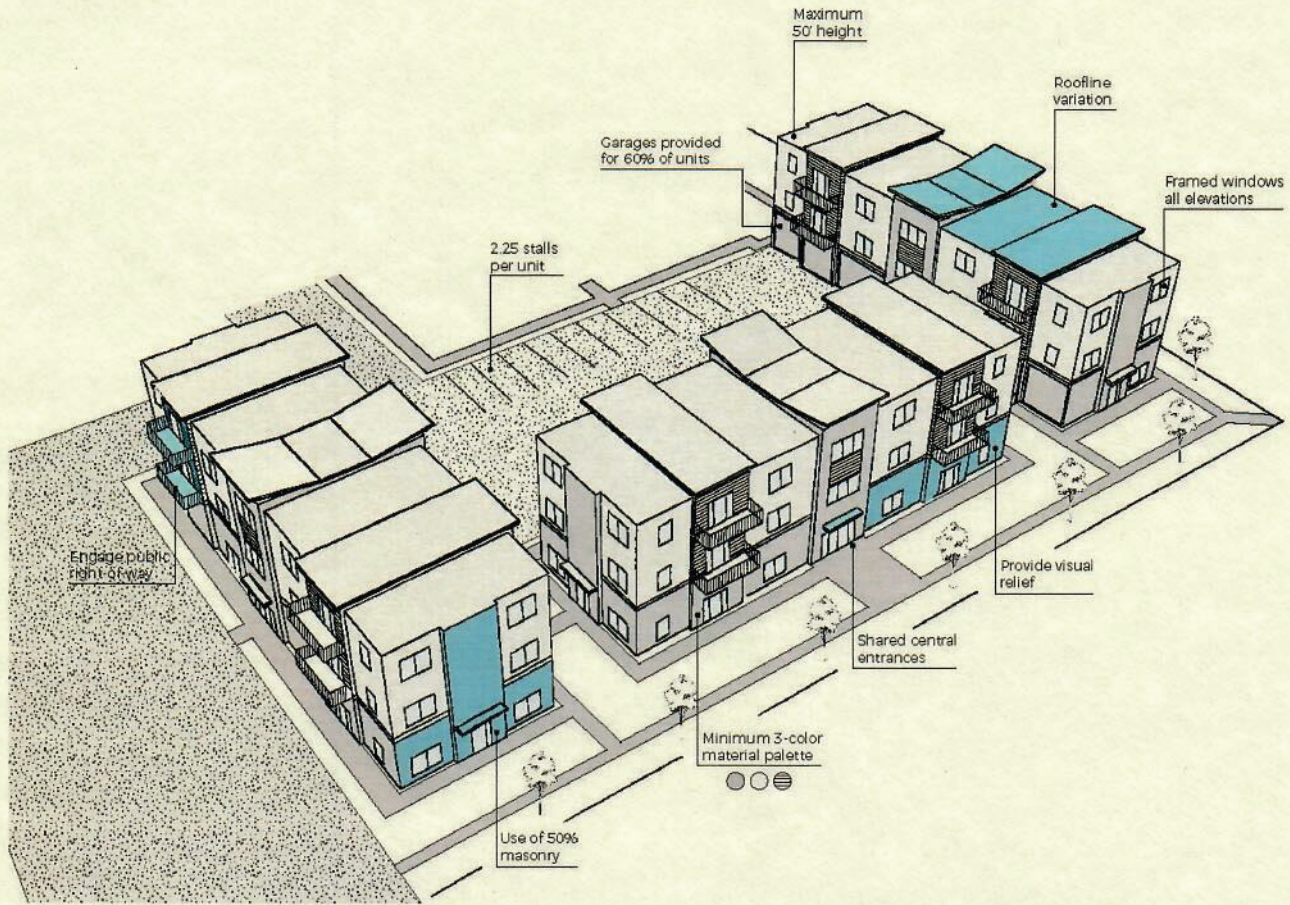
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7. Development Agreements: In order to ensure conformity to approved plans and conditions of approval, and to give assurance that any successor in interest is bound by the same plans and conditions, the City may require applicants to enter into project-specific development agreements with covenants which run with the land. A notice of the development agreement will be recorded against the land.

**R-4 REQUIREMENTS
DEVELOPMENT STANDARDS**



**R-4 REQUIREMENTS
DEVELOPMENT DESIGN**



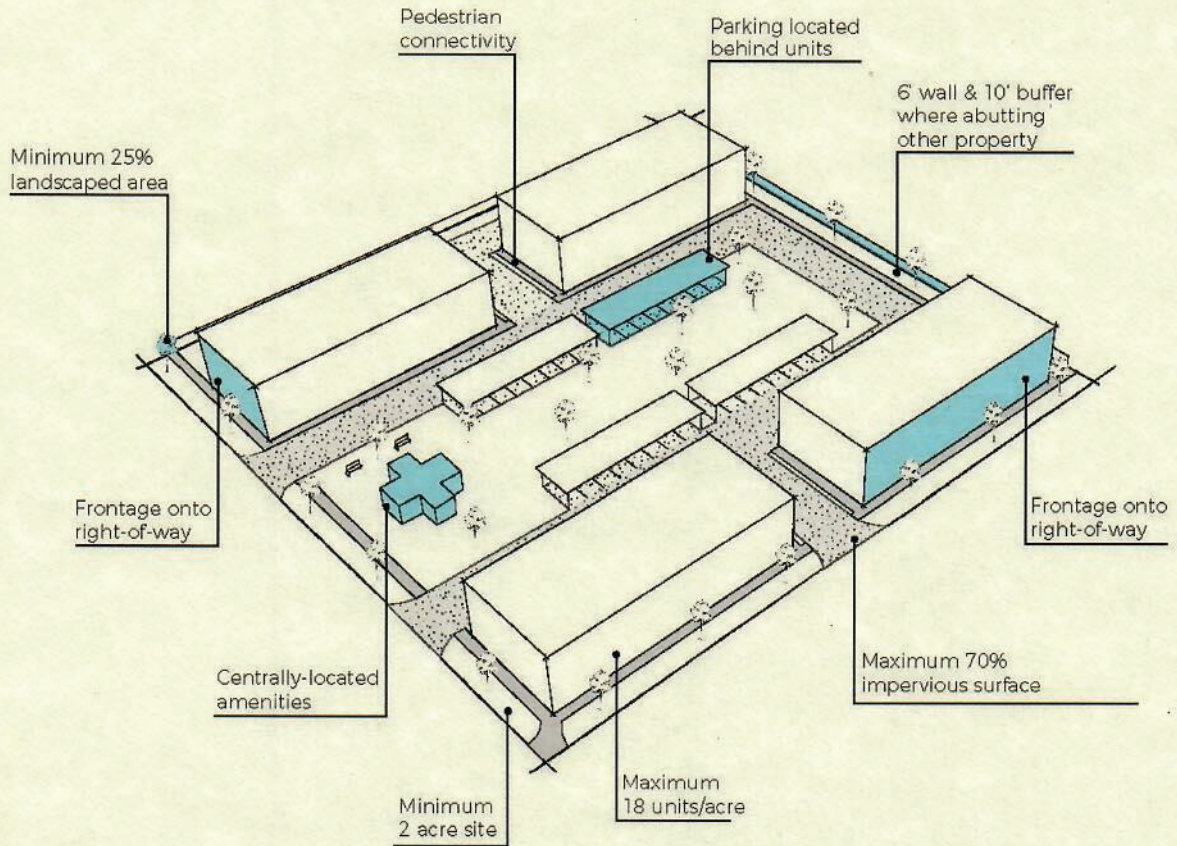
15.3.16.033 R-5 Residential District

Purpose: It is in the public interest to enhance, conserve, and stabilize property values by encouraging pleasant and attractive landscapes and surroundings, providing proper separations between uses, conserving public water resources and promoting water efficient landscapes. The purpose of this chapter is to protect and enhance the environmental, economic, recreational, and aesthetic resources in Spanish Fork by promoting attractive properties by establishing standards and practices for the design, installation and maintenance of water efficient landscapes throughout the City.

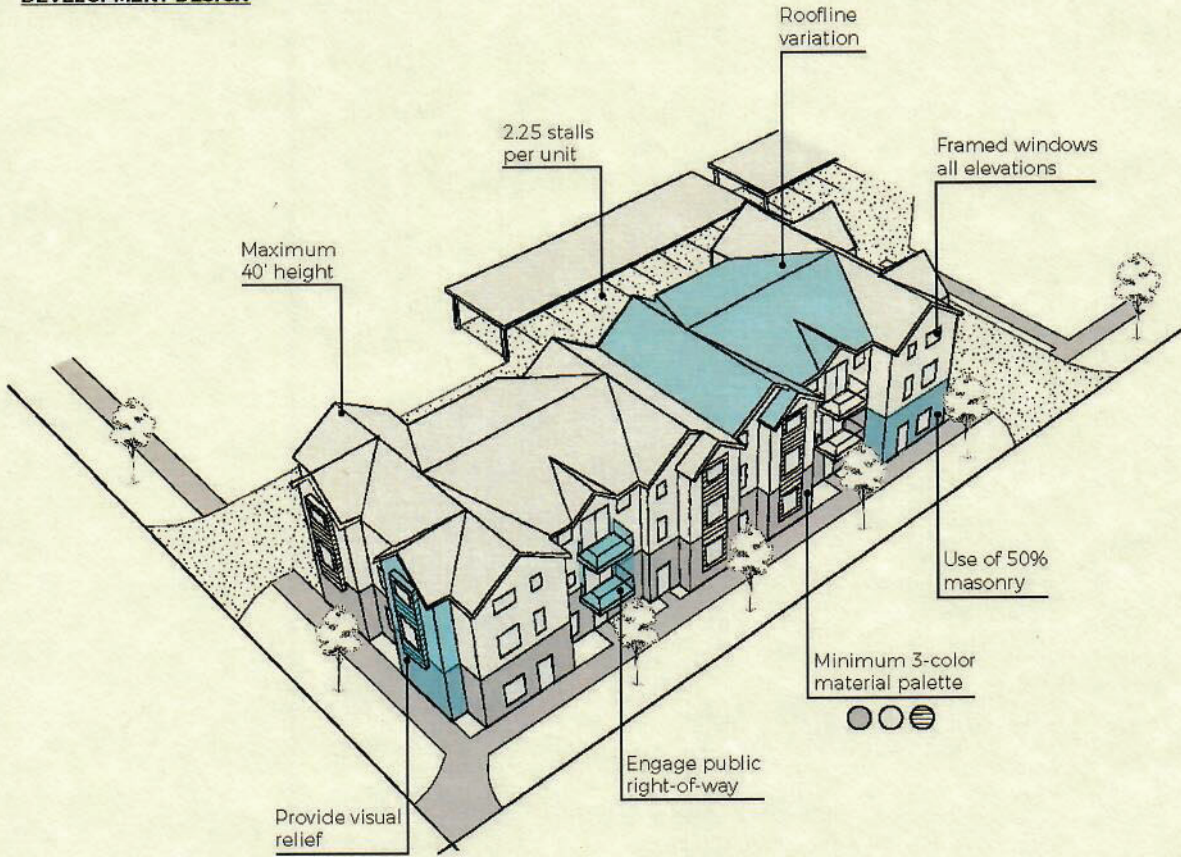
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**R-5 REQUIREMENTS
DEVELOPMENT STANDARDS**



**R-5 REQUIREMENTS
DEVELOPMENT DESIGN**



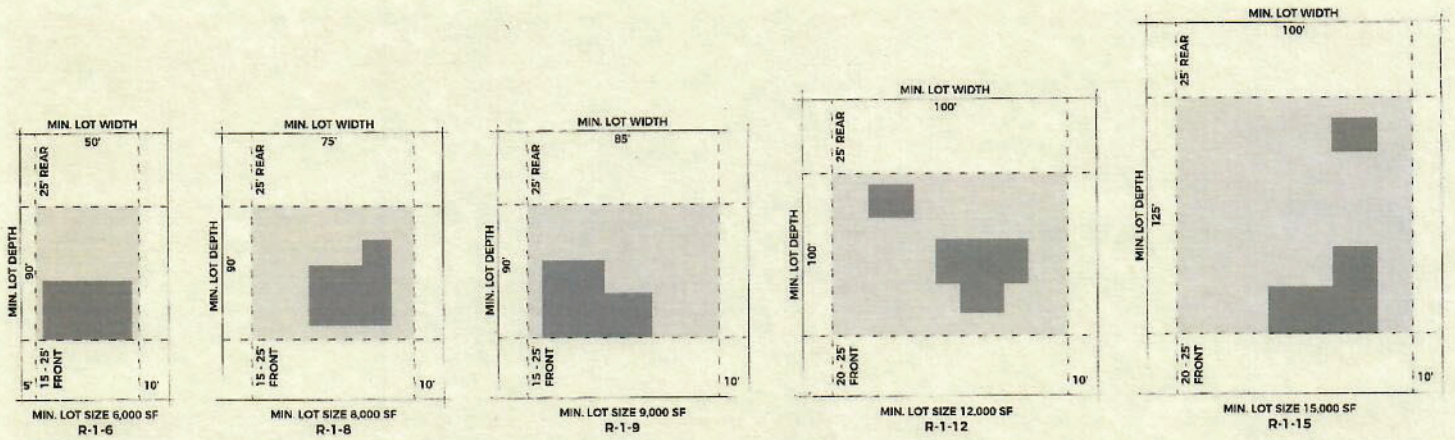
15.3.16.170 Development Standards

Table 1 Residential

Table 1 - Residential Development Standards										
District	Maximum Density Per Acre	Minimum lot dimensions			Minimum Setback				Max Building Height ⁵	
		Lot Area	Width	Depth	Front ⁶	Rear ⁷	Side	Corner	Principal Building	Accessory Building ¹
A-E	N/A	40 acres	400'	400'	50'	50'	50'	50'	35'	35'
R-R	N/A	5 acres	200'	200'	50'	50'	25'	50'	35'	35'
R-1-80	.4 units	80,000 sf	180'	200'	40'	80'	20'	30'	35'	20'
R-1-60	.53 units	60,000 sf	160'	200'	40'	60'	20'	30'	35'	20'
R-1-40	.8 units	40,000 sf	140'	200'	30'	40'	20'	30'	35'	20'
R-1-30	1.07 units	30,000 sf	130'	150'	40'	40'	15'	25'	35'	20'
R-1-20	1.60 units	20,000 sf	125'	150'	30'	30'	15'	25'	35'	20'
R-1-15	2.13 units	15,000 sf	100'	125'	20-25 ²	25'	10'	5-25 ⁴	35'	20'
R-1-12	2.67 units	12,000 sf	100'	100'	20-25 ²	25'	10'	15-25 ⁴	35'	20'
R-1-9	3.56 units	9,000 sf	85'	90'	15-25 ²	25'	10'	15-25 ⁴	35'	20'
R-1-8	4 units	8,000 sf	75'	90'	15-25 ²	25'	10'	15-25 ⁴	35'	20'
R-1-6	5.34 units	6,000 sf	50'	90'	15-25 ²	25'	5-10 ³	15-25 ⁴	35'	20'
R-3	12 units	6,000 sf	50'	90'	15-25 ²	25'	5-10 ³	15-25 ⁴	35'	20'
R-4	20 units	6,000 sf	50'	90'	15-25 ²	25'	5-10 ³	15-25 ⁴	50'	20'
R-5	18 units	6,000 sf	50'	90'	10-20 ⁸	15'	15'	15'	40'	20'
R-0	N/A	6,000 sf	50'	90'	115-25 ²	25'	5-10 ³	15-25 ⁴	35'	20'

1. Refer to 15.3.24.090(A) for accessory buildings.
2. 15 feet to porches, 20 feet to living areas, 25 feet to garages or carports, and 20 feet to the front of a side entry garage.
3. Five (5) feet on one side, 10 feet on the other side for single-family dwellings except for lots with 50 feet of lot width or less. When the lot width is 50 feet or less the minimum setback is five (5) feet on each side. The setback is 10 feet for non-residential uses.
4. 15 feet to living area, 25 feet to garages or carports, and 20 feet to the front of a side entry garage.

5. Flag poles are limited to the height of principal buildings in a residential zone.
6. Maximum setback is 250 feet, with an all-weather driveway, capable of supporting a fire truck, and with adequate turn around space for a fire truck at the end of the drive. Greater distances may be allowed if a fire hydrant is installed within 250 feet of the principal building.
7. On corner lots, the setback is reduced by five (5) feet.
8. 10 feet minimum front setback, 20-foot maximum front setback.
9. Except as defined with the Infill Overlay Zone.



15.3.20 Overlay District Regulations

15.3.20.010 Airport Impact Overlay

15.3.20.020 Floodplain Hazard Overlay (Reserved)

15.3.20.030 Geologic Hazards Overlay (Reserved)

15.3.20.040 Surface Mining Overlay

15.3.20.050 Self Storage Overlay

15.3.20.060 Development Enhancement Overlay

15.3.20.070 Aggregate Transportation, Storage And Reclamation Overlay

15.3.20.080 Master Planned Development Overlay District

15.3.20.090 Infill Overlay Zone (I-F)

15.3.20.090 Infill Overlay Zone (I-F)

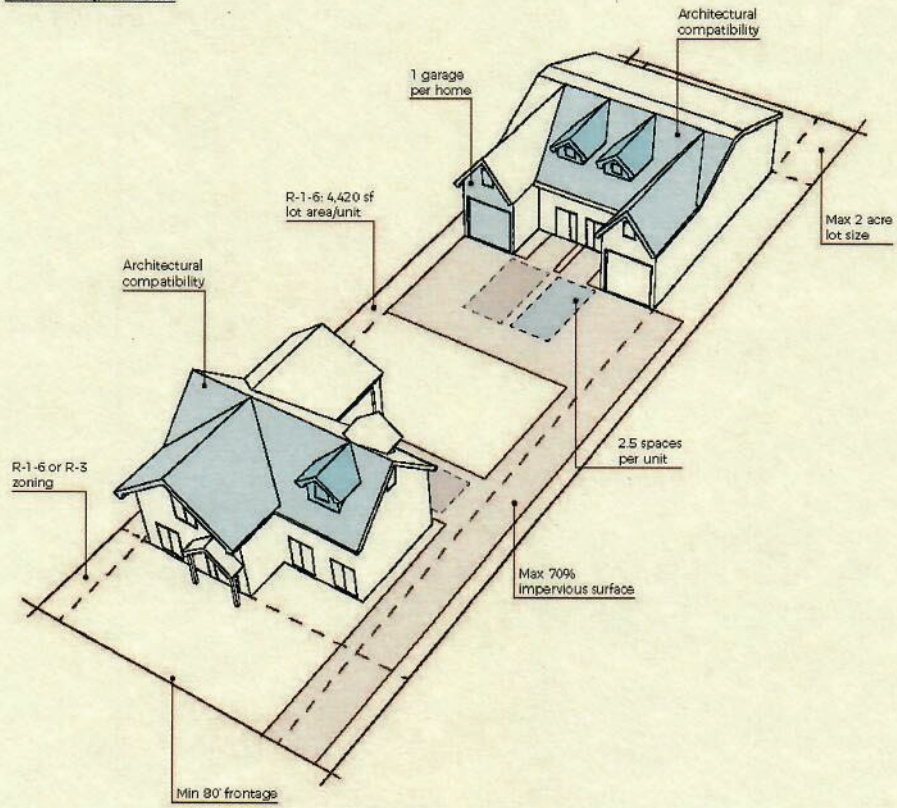
This district is intended to provide flexibility in development standards for small residential parcels, consisting of two (2) acres or less, that are difficult to develop under standard residential requirements, allowing them to be developed with modified standards, while maintaining high quality construction and maintaining the general character of the underlying zone. This zone may only be applied as an overlay zone in the R-1-6 and R-3 zones. Prior to approving the I-F Zone, the City Council shall determine that the proposed development promotes the historic character of the neighborhood and conforms to the physical characteristics of the adjoining properties including architectural style, materials and size.

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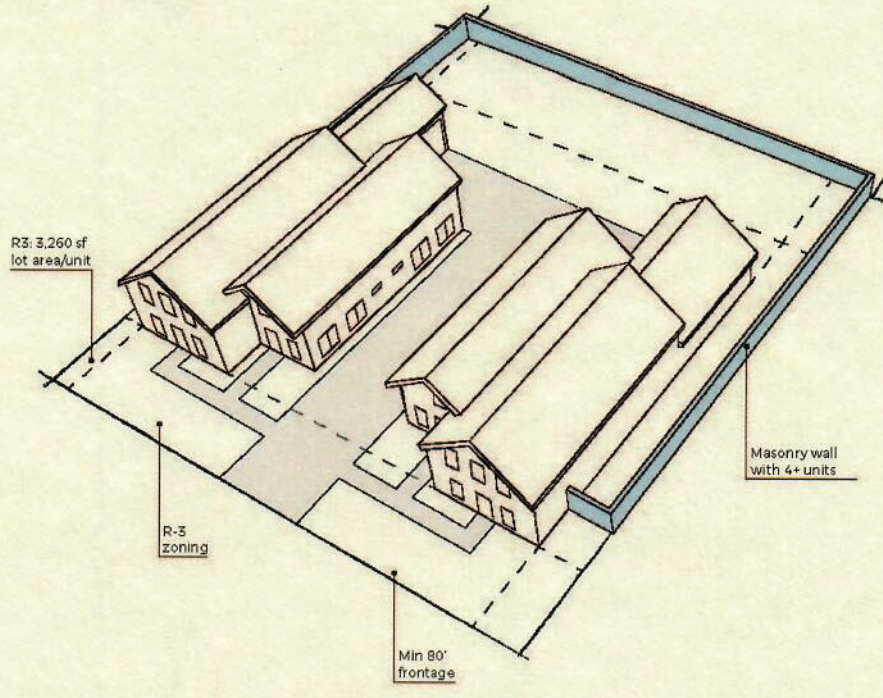
F. Detailed landscape plans shall be submitted with each application for I-F Zone approval. Landscape plans shall be generally consistent with surrounding properties. Projects shall be landscaped in a manner that is consistent with the approved plans. Landscape Plans shall identify the following:

1. Details for any proposed structures or features.
2. Irrigation plan.
3. Parking (see §15.4.16.120).
4. Plant schedule.
5. Planting plan, including all ground cover.
6. Signs (see §5.36.010 et seq.).
7. Walls.

**INFILL OVERLAY
GENERAL REQUIREMENTS**



**INFILL OVERLAY
MULTIFAMILY REQUIREMENTS**



15.3.24.090 Supplementary Regulations

Accessory Buildings, Structures, or Satellite Earth Stations.

Swimming Pools

Yard/Garage Sales

Irregular Lots

Accessory Dwelling Units (ADUs)

Awnings, Carports or Covered Decks

Animals

Wind Turbines (WT)

Outdoor Storage Areas

Public Rights-of-Way

Temporary Uses

Amateur Radio Antennas

A. Accessory Structures:

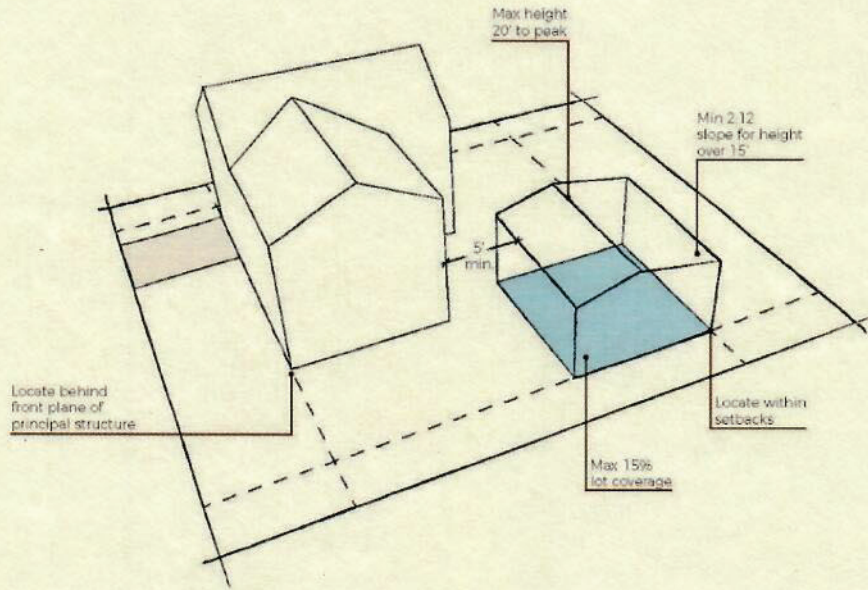
1. All accessory structures must meet the following requirements:
 - a. All accessory structures are required to obtain a building permit. Permits for structures that are less than 200 square feet or are otherwise exempt from the adopted Building Code, as set forth in §14.04.010, are free of charge.
 - b. All detached accessory structures must be located behind the front wall plane of the principal structure.
 - c. Where property abuts against Interstate 15 or U.S. Highway 6, accessory structures have no required set back from the Interstate 15 or Highway 6 right-of-ways.
 - d. The combined square footage of all detached accessory structures shall not exceed 15% of the total lot area if the structure is entirely within the setbacks for the principal structure, or 10% of the total lot area if the structure is located elsewhere on the lot.
 - e. If any accessory structure must be removed, relocated, or otherwise modified in any manner in order to access public utilities, the property owner shall bear the full expense of such removal, relocation or modification, together with all costs of restoration.
 - f. Accessory structures located on a corner lot shall meet the same front, rear, and side setbacks as required for accessory structures on an interior lot. Accessory structures located behind the front plane of the house and within 20 feet a public right-of-way shall be architecturally compatible with the

primary structure on the lot. The second clear vision area as addressed in §15.4.16.150 needs to be maintained at all times.

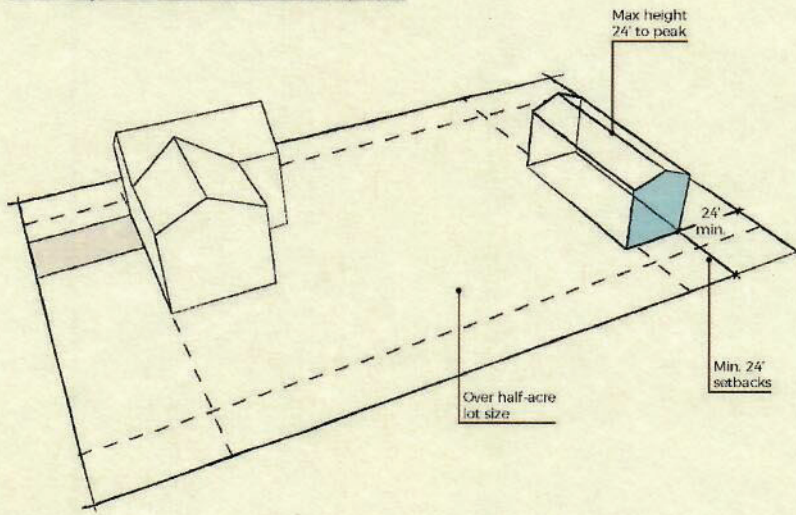
- g. The minimum front setback for detached accessory structures shall conform to the minimum front setback for the existing principal structure and shall be set at least five (5) feet, measured from eave to eave, from all structures on the property.
 - h. Accessory structures that meet the setback requirement for the principal building may be allowed to meet the maximum height allowed in that zone.
 - i. The maximum height for detached accessory structures shall be 20 feet to the peak of the roof measured from the finish grade (measured five (5) feet from the proposed structure). Any structures taller than 15 feet shall have a roof pitch of no less than 2/12.
 - j. Properties over one-half (1/2) acre in size can increase the maximum height to 24 feet by having the rear and side setbacks the same as the building height.
 - k. The structure must be constructed so all water runoff from the accessory structure does not flow onto adjoining properties.
 - l. Accessory structures that house Accessory Dwelling Units shall be architecturally compatible with the Primary Structure on the lot, shall be permanently connected to utilities via laterals from the Primary Structure or laterals from the public right-of-way, and shall maintain setbacks of no less than five (5) feet from all property lines and other structures.
 - m. External or detached ADUs shall not have more than 1,000 square feet of habitable living space.
 - n. A Recreational Vehicle is not considered an accessory structure and may not be used as a dwelling unit within any zone. It shall be unlawful for any person to reside in a Recreational Vehicle as a dwelling unit.
2. Structures that are 200 square feet and less in area and are less than five (5) feet from the property line must meet the following additional requirements:
 - a. Structures with a wall height of eight (8) feet or less and a maximum peak height of 12 feet may be constructed with no side or rear setback from property lines. In no case may any portion of a structure extend beyond the property line.
 3. Structures larger than 200 square feet in area must meet the following additional requirements:
 - a. Meet all adopted Building Code regulations as set forth in §14.04.010.

- b. Must maintain a minimum setback of five (5) feet to the side or rear property line.
- c. Be anchored to concrete footings as outlined in the adopted Building Code as set forth in §14.04.010.
- d. Accessory structures over 200 square feet in size that are located between the front and back planes of the house must be architecturally compatible with the principal structure.

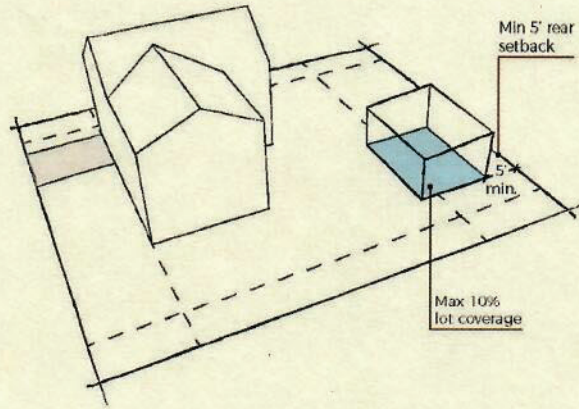
ACCESSORY STRUCTURES



HEIGHT REQUIREMENT FOR PROPERTIES OVER 1/2 ACRE



SQUARE FOOTAGE REQUIREMENT IF LOCATED OUTSIDE SETBACKS



15.3.24.090 Supplementary Regulations

Accessory Buildings, Structures, or Satellite Earth Stations.

Swimming Pools

Yard/Garage Sales

Irregular Lots

Accessory Dwelling Units (ADUs)

Awnings, Carports or Covered Decks

Animals

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Outdoor Storage Areas

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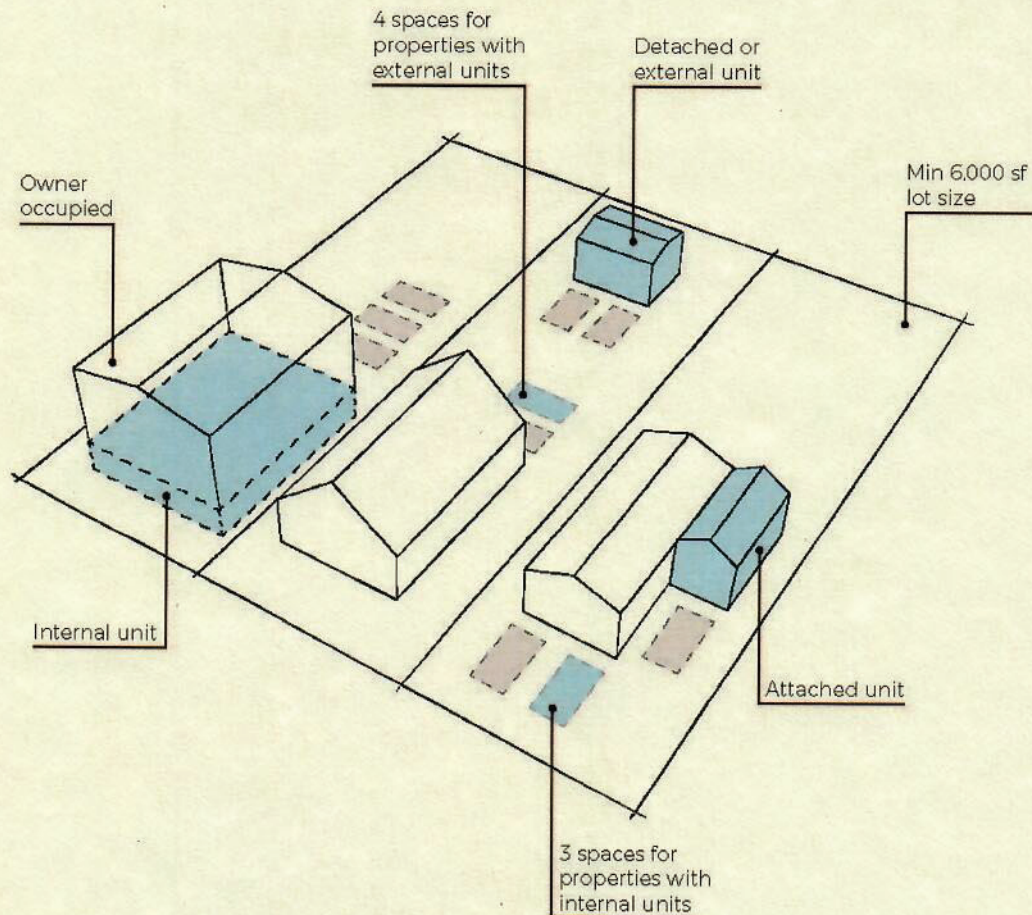
Amateur Radio Antennas

E. Accessory Dwelling Units (ADUs):

1. This sub-section is established to provide regulations for ADUs.
2. Requirements for Approval. A building permit may only be issued for ADUs provided that the following requirements are met:
 - a. The property must be located in the R-3, R-1-6, R-1-8, R-1-9, R-1-12 or R-1-15, R-1-20, R-1-30, R-1-40, R-1-60, R-1-80 or R-R zones.
 - b. The owner of the property must reside on the property. Exceptions shall be permitted if the property owner applies to have the occupancy requirement suspended, if the owner has resided on the property for at least one (1) year and if any of the following situations exist:
 1. The owner has a bona fide, temporary absence of three (3) years or less for activities such as temporary job assignments, sabbaticals, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this suspension).
 2. The owner is placed in a hospital, nursing home, assisted living facility or other similar facility.
 - c. Only one (1) ADU shall be created on a parcel. The ADU may only be located within a single-family dwelling or in an Accessory Structure. Accessory Structures that house ADUs shall be constructed as permanent structures. A Recreational Vehicle is not considered an accessory structure and may not be used as an ADU.
 - d. ADUs are only permitted on lots 6,000 square feet or larger.

- e. The property must have a total of three (3) parking spaces for the primary single-family dwelling with an internal ADU and four (4) parking spaces for a primary single-family dwelling with an external or detached ADU, which meet the criteria provided in section §15.4.16.120. i.e., two (2) parking spaces are required for the primary single-family dwelling and one (1) parking space for the internal ADU. The parking spaces for the ADU may not be provided in a tandem arrangement.
- f. The ADU must be registered with the City Community Development Department. Any fees required for registration shall be defined in the City's Annual Budget.
- g. The ADU shall meet all applicable building and fire codes.

ACCESSORY DWELLING UNITS



15.4.04.120 Review And Approval Procedure Of Final Plats

Final plat and construction drawings shall be submitted to the City for review to insure conformity to the present ordinances and standards and for the adequacy and availability of public facilities. If the Final Plat or construction drawings are not in conformity, the City shall refer it back to the subdivider or developer with a list of items necessary to bring the Final Plat or construction drawings into compliance. If the Final Plat and construction drawings are in conformity, the plat or complete drawings will be submitted to the DRC with suggestions and comments noted thereon. The DRC shall act as the land use authority for Final Plat approval.

After considering the recommendation of the City Engineer, the DRC may table the matter, approve, or grant approval upon conditions stated. If approved, the City Manager, Community Development Director, City Attorney and City Engineer shall sign the Final Plat. If any conditions are attached, the Final Plat or construction drawings shall be amended to reflect such changes and an accurate Final Plat shall be submitted to the City, prior to signing.

15.4.04.130 Recordation - Copy To Be Supplied To City Engineer

Following acceptance by the DRC, the Final Plat, bearing all official approvals, shall be deposited in the office of the Utah County Recorder for recording by the City. Only the City may record Final Plats. Approval expires and the plat must be resubmitted for approval if all materials required to record the plat are not provided to the City within one (1) year of the plat's approval.

All inspection, testing and/or connection fees required by ordinance shall be paid and permits required shall be obtained prior to the recording of the Final Plat.

15.4.04.140 Commencement/Completion Time Frame

- A. Prior to the construction of any improvements required by this Title, the subdivider shall furnish to the City Engineer the following:
 1. Approved sets of construction plans.
 2. Full security deposit (bond) required by this Title (§15.4.16.110).
 3. Inspection fee deposit.
 4. Subdivision Bond Agreement for Improvements.
 5. Hold a preconstruction meeting.
 6. Meet all conditions for approval as established by the DRC.

15.4.04.210 Recordation Of Minor Final Plats

Following acceptance by the DRC, the Minor Subdivision Plat bearing all official approvals shall be deposited in the office of the County Recorder for recording by the City. Only the City may record Minor Subdivision Plats. Approval expires and the plat must be resubmitted for approval if all materials required to record the plat are not provided to the City within one (1) year of the plat's approval. All inspection, testing and/or connection fees required by ordinance shall be paid and permits required shall be obtained prior to the recordation of the Minor Subdivision Plat.

15.4.08.040 Approval Or Disapproval - Procedure

Each Site Plan submitted to the City shall be referred to the DRC, for review to insure conformity to the present ordinances and standards and for adequacy and availability of public facilities. The DRC may table the matter to further study the issues presented. The DRC may approve, reject, or grant approval upon the conditions stated. If approved, the DRC shall express its approval with whatever conditions are attached. If any conditions are attached, the Site Plan shall be amended to reflect such changes and an accurate Site Plan shall be submitted to the City. Receipt of this accurate copy shall be authorization for the developer to proceed with the preparation of plans and specifications for the minimum improvements hereinafter required by this Title. Original Site Plans are subject to the standards, policies, and regulations that are in constraints for the proposed development.

A. Staff Review.

1. Application for Site Plan approval can be made by following instructions on the electronic form provided by the Community Development Department and by submitting a in a computer aided design (CAD) file of the plans on a CD, or by an e-mail in a dwg or dxf format. The CAD file of the subdivision must be in the 1927 North American Datum (NAD27) or 1983 North American Datum (NAD83) State Plane Coordinate System, Utah Central Zone, US Foot, with a tie to a section corner.

15.4.16.120 Off Street Parking

- A. Purpose: To provide adequate, but not excessive, parking to meet the needs of residents, employees, and business patrons, in a manner this is functional, safe, and aesthetically pleasing.
- B. General Requirements:
 - 1. Off-street parking is not required for permitted uses in the C-D Downtown Commercial district, except for residential uses, which must meet the requirements that are otherwise prescribed in subparagraph C.
 - 2. Each parking space shall be at least nine (9) feet wide and 18 feet deep (See parking design standards in the Construction and Development Standards for details on aisle widths, maneuvering areas, and fire lanes).
 - 3. Required parking shall be provided in highly visible, well-lit areas with clearly identified pedestrian paths to building entrances. Parking may not be provided in secluded areas in the backs of buildings that are remote from building entrances.
 - 4. Required parking may not be used for the storage or display of materials.
 - 5. Required parking may not be occupied with storage containers, tractor trailers or other items that inhibit the use of the space for customer parking.
 - 6. Tandem parking (front to rear) is permitted except as required parking for ADUs.
 - 7. All parking spaces and driveway areas serving such parking spaces shall be surfaced with concrete, asphalt, or paving blocks except that portions of driveway areas located farther than 200 feet from a public road and which service a single residence home in the R-R or A-E zoning districts may be constructed and surfaced to an all-weather standard as approved by the City Engineer. Such surfacing may include gravel, slag, or similar materials.
 - 8. Required parking shall be provided on-site or on contiguous lots.
 - 9. Backing and maneuvering areas shall be provided on-site for all uses other than single-family, twin homes, and duplexes.
 - 10. For the purpose of identifying required parking, square feet shall mean the gross floor area of the building.
 - 11. No part of any vehicle may overhang onto a public sidewalk or within five (5) feet of a street curb where no sidewalk exists.
 - 12. All parked vehicles must comply with the City's clear vision area requirements §15.3.16.150.
 - 13. Parking of commercial vehicles in residential districts is limited to one (1) commercial vehicle with a one (1) ton chassis, having a capacity of not more than 10,000 pounds' gross vehicle weight rating (GVWR).
 - 14. Landscaping and screening of parking lots shall be in accordance with the requirements of §15.4.16.130, Landscaping, Buffering, Walls, and Fences.

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15.4.16.130 Landscaping, Buffering Walls, And Fences

D. Landscape Requirements for Multi-family, Professional Office, Commercial and Industrial Uses.

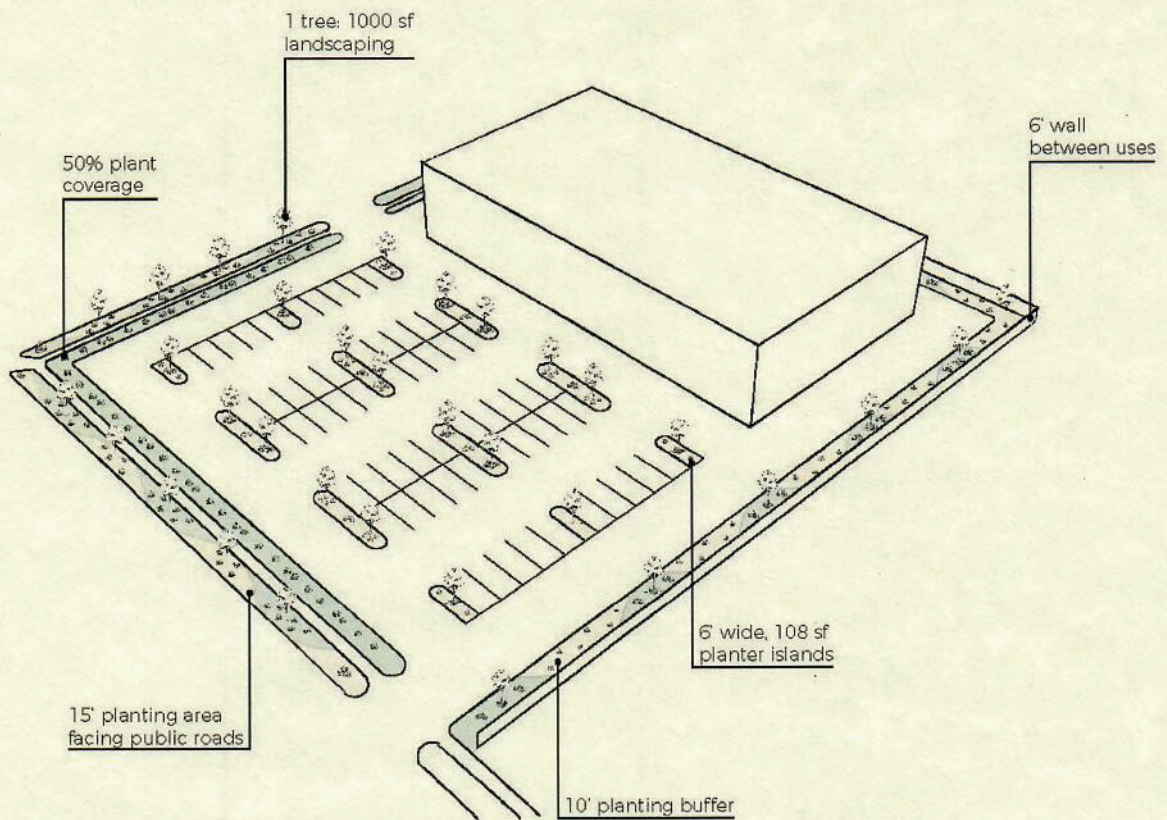
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d. Industrial Uses.

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- (8) Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade.

**LANDSCAPING REQUIREMENTS
NONRESIDENTIAL DEVELOPMENTS**

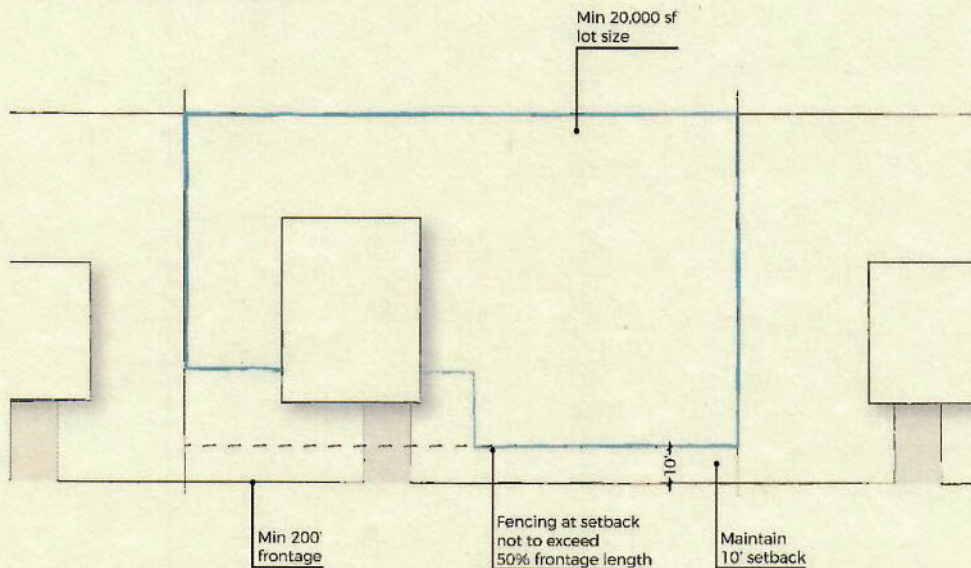


15.4.16.150 Fencing And Clear Vision Area

A. General Fencing Requirements

1. A Building Permit is required for all fences that are taller than three (3) feet. No fee is charged for Fence Permits unless the Permit is required by the Building Code.
2. The maximum height of a fence is six (6) feet in all zoning districts; fence pillars are not to exceed six and one-half (6 1/2) feet in height. The Council may waive the height requirement at its sole discretion.
3. The maximum height of a solid fence within the front yard setback area is three (3) feet. Substantially open fences such as chain link, or wrought iron may be four (4) feet high.
 - a. A residential lot with over 200 feet of frontage and that is a minimum of 20,000 square feet in areas, may obtain permission from the Community Development Director to locate a solid six (6) foot tall fence within a front yard. The fence must maintain a minimum setback of 10 feet from the front property line
 - (1) A fence located within the front yard setback shall not be located in front of the residence, but must be to the sides of the residence. Clear vision requirements shall still apply
 - (2) No more than 50% of the lot frontage shall have said fencing within the front yard setback.
 - (3) The area between said fencing and the property line shall be landscaped within one (1) year of installing said fencing.

**FENCING REQUIREMENTS
20,000 SF LOTS WITH 200' FRONTAGE**

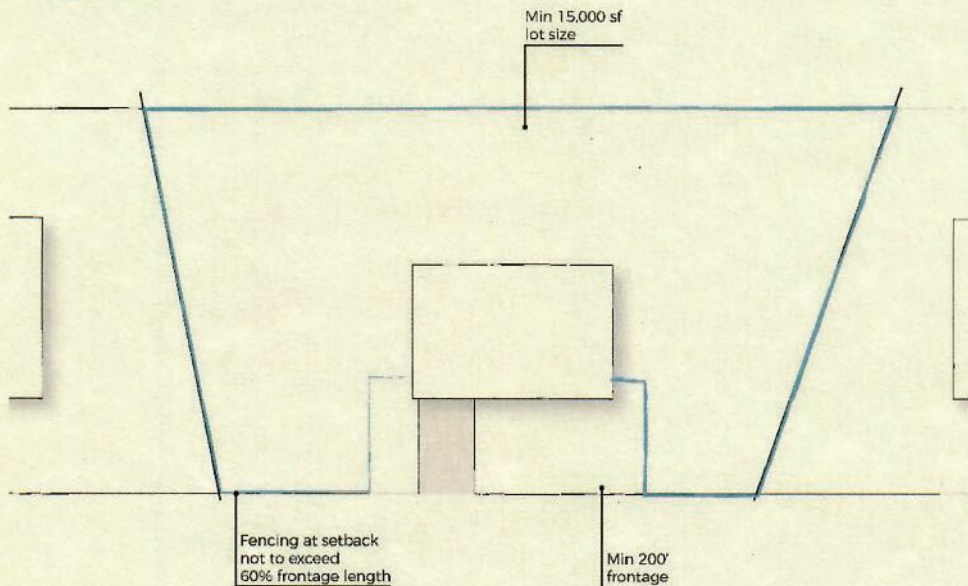


b. An irregular shaped residential lot with over 200 feet of frontage and that is a minimum of 15,000 square feet in area, may obtain permission from the Community Development Director to locate a solid six (6) foot tall fence within a front yard.

(1) A fence located within the front yard setback shall not be located in front of the residence, but must be to the sides of the residence. Clear vision requirements shall still apply.

(2) No more than 60% of the lot frontage shall have said fencing within the front yard setback.

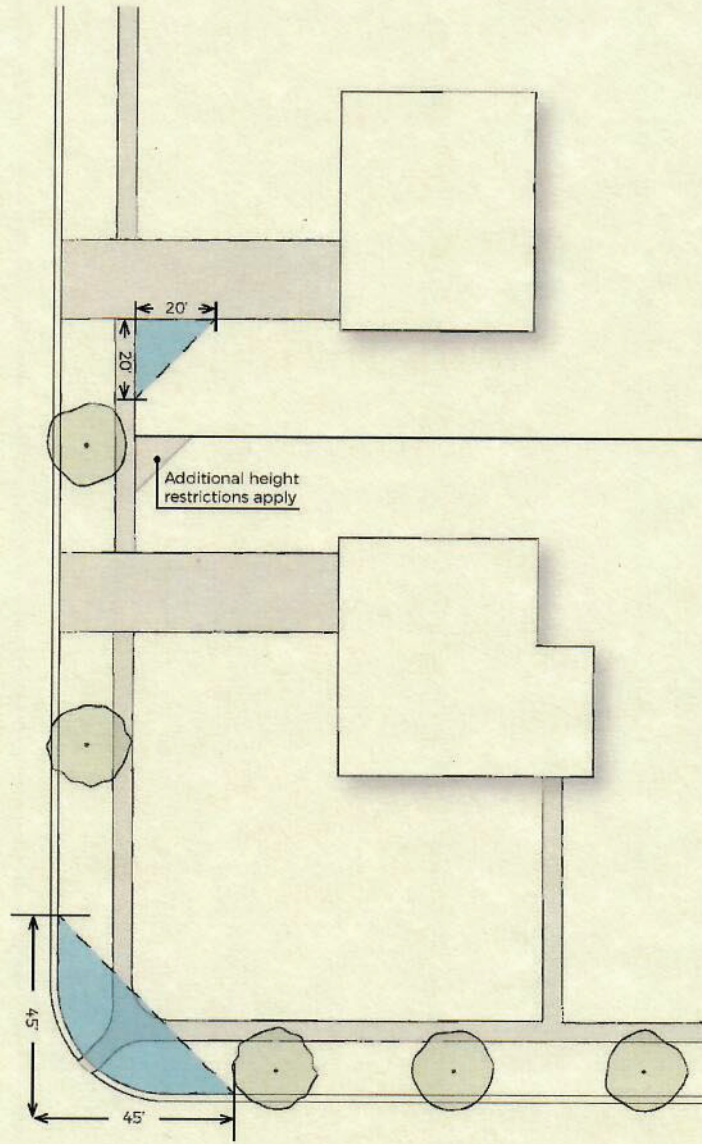
**FENCING REQUIREMENTS
15,000 SF IRREGULAR LOTS
WITH 200' FRONTAGE**



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7. A second clear vision area is also required at each driveway or where the rear of a corner lot adjoins an interior lot's driveway. This clear vision area is formed by extending lines from the point that the driveway or property line intersects the sidewalk, measuring back 20 feet along the sidewalk and the driveway or property line and connecting those points. The same restrictions for landscaping, fencing and obstacles apply in this area.

CLEAR VISION AREA



15.4.16.180 Neighborhood Mailboxes

Residential Preliminary Plats are required to identify locations for neighborhood mailboxes, also known as Neighborhood Delivery Collection Box Units, meeting the following criteria:

- A. Neighborhood mailboxes shall contain collection boxes with one (1) unit for each lot in a residential subdivision that is less than 6,000 square feet and two (2) units for each lot that is 6,000 square feet or larger.