

CHAPTER 12-17 SPECIAL USE ZONE S-1

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12-17-101. Purpose.

This zone is established for areas with characteristics unique from other areas in the City. The areas subject to this zone are unique because of their proximity to primary transportation corridors and nodes, access to major traffic arterials and highway interchanges, high visibility, special development problems involving proximity to established uses, or a strong relationship to existing sensitive land uses. To define the land uses in these areas within the structure of traditional commercial, industrial and residential zones could prove to be too limiting to existing needs of the City and to future development opportunities that may necessitate consideration of a variety of possible uses in the zone.

The residential uses within this zone are designed, in part, to provide a buffer between lower-density residential zones and commercial or industrial developments. The standards for height, setback and massing are designed to promote residential uses that fit well, both architecturally and otherwise, with nearby residential developments, while allowing higher densities with access to transportation corridors, shared open space within the development and promoting pedestrian activity within the development and to nearby commercial developments.

To ensure safe and pleasing development within the Special Use Zone, to ensure buffers from potentially hazardous or dangerous adjacent uses, and to ensure wise land use and planning principles, some uses are excluded entirely or allowed only upon conditional use review. Public need, safety, welfare, vehicular and pedestrian traffic circulation, compatibility with surrounding existing and proposed land uses, architectural character, buffering between adjacent uses, and impact on existing services and tax base are critical factors in the review process, and each should be weighed in the decision. Additional consideration must be given to the impact of hazards and of nuisances, such as, noise, odor or lighting and their potential incompatibility with nearby uses.

It is intended that the creation of the Special Use Zone will curb irrational and sporadic land uses in the area, and increase the ability of the Planning Commission to facilitate the most appropriate land uses as development pressure increases.

12-17-102. General Prohibition: Residential Development Adjacent to Hazardous Uses.

The following uses shall be prohibited within Two Hundred Feet (200') of any adjacent use involving the storage, processing or otherwise dealing with hazardous substances and chemicals, including without limitation, petroleum products: any residential use; day care; hotel or motel; group home; or similar use.

12-17-103. Single-Family Dwellings.

The following minimum standards shall apply to single-family dwellings:

- (a) Lot Standards – Setbacks. Not more than One Dwelling Unit per lot or parcel. All lots shall be developed with the following minimum standards:
 - (1) Lot Size: 8,000 square feet
 - (2) Lot Frontage: 70 feet (70')
 - (3) Front and Rear Setback: 25 feet (25')
 - (4) Side Yard Setback: 8 feet (8'), one side and total of 18 feet (18') for both sides, main buildings only; must have 15-foot (15') set back on any side abutting a residential zone.
 - (5) Side Yard Corner: 20 feet (20'), on the side adjacent to the street.
 - (6) Accessory Buildings: Accessory buildings shall be located at least 3 feet (3') behind the rear line of the main building, at least 1 foot (1') from all property lines, and at least 15 feet (15') from dwellings on adjacent lots. Accessory buildings shall not be built over utility easements. In no case may accessory buildings or structures cover more than thirty percent (30%) of the rear yard.
 - (7) Height Regulations: Main buildings not to exceed two stories with a maximum height of 35 feet (35'). Accessory buildings shall not exceed the height of the main building and in no event shall accessory buildings exceed the height of 25 feet (25'). No structure shall have a height of less than 8 feet 6 inches (8'6") above grade.
 - (8) Parking Regulations: The number of parking stalls for a single-family dwelling unit shall be not less than 2 for each dwelling unit and shall otherwise be governed by the requirements of Chapter

12-24 and elsewhere in City ordinances, rules and regulations. Required parking within the development shall be designed and constructed to ensure that all parking needs are met within the boundaries of each lot.

12-17-104. Two, Three and Four Family Dwellings (Duplex, Tri-plex or Four-plex).

The following minimum standards shall apply to two, three and four family dwellings:

- (a) Lot Standards. Not more than four Dwelling units per lot or parcel. All lots shall be developed with the following minimum standards:
 - (1) Lot Size: 10,000 square feet for first two dwelling units, plus 4,000 square feet for each additional dwelling unit to a maximum of 4 dwellings per building lot.
 - (2) Lot Frontage: 100 feet (100')
 - (3) Front and Rear Setback: 25 feet (25')
 - (4) Side Yard Setback: 8 feet (8'), one side and total of 18 feet (18') for both sides, main buildings only; except must have 15-foot (15') setback on any side abutting a residential zone.
 - (5) Side Yard Corner: 20 feet (20'), on the side adjacent to the street.
 - (6) Accessory Buildings: Accessory buildings shall be located at least 3 feet (3') behind the rear line of the main building, at least 1 foot (1') from all property lines, and at least 15 feet (15') from dwellings on adjacent lots. Accessory buildings shall not be built over utility easements. In no case may accessory buildings or structures cover more than thirty percent (30%) of the rear yard.
 - (7) Height Regulations: Main buildings shall not exceed two stories with a maximum height of 35 feet (35'). Accessory buildings shall not exceed the height of the main building and in no event shall accessory buildings exceed the height of 25 feet (25'). No structure shall have a height of less than 8 feet 6 inches (8'6") above grade.

- (8) Parking Regulations: The number of parking stalls for a 2, 3 or 4 family dwelling unit shall be as follows: for a 1 or 2-bedroom unit, 2 parking spaces per unit; for a 3-bedroom unit, 2.5 parking spaces per unit; and for a unit with more than 3 bedrooms, 2.5+ parking spaces per unit as outlined in Chapter 12-24. All other parking regulations of Chapter 12-24 and parking regulations elsewhere in City ordinances, rules and regulations shall apply. Required parking within the development shall be designed and constructed to ensure that all parking needs are met within the boundaries of each lot.

12-17-105. Planned Dwelling Groups.

The following provisions shall apply to the development of Planned Dwelling Groups in the city:

- (a) Ownership: The property to be developed as a planned dwelling group shall be owned by one person, partnership or legal entity during all phases of design and construction; the purpose of which shall be to enable full supervision and control of the development and to ensure conformance with these provisions and all conditions required throughout the approval and development process.
- (b) Minimum Area – Density Limitations: The development of a planned dwelling group shall require a minimum area of one acre. Densities shall not exceed sixteen (16) dwelling units per acre.
- (c) Setbacks:
 - (1) Except as modified herein, the planned dwelling group shall maintain minimum setbacks from adjacent developments as specified in Subsection 12-17-107 of this Chapter.
 - (2) Within a planned dwelling group development, and subject to the separation and distances provisions from adjacent developments and as provided elsewhere in this Chapter, minimum setbacks shall be as follows:
 - (A) front and back yards – ten feet (10’);
 - (B) side yard – fifteen feet (15’);
 - (C) corner units – fifteen feet (15’) on sides facing streets or other rights of way.
 - (3) The Planning Commission may require increased setback distances where required to ensure the health, safety and welfare of owners, residents and others, including without limitation, safe pedestrian or vehicular travel.

- (d) Common Open Space: Common open space shall be provided in all planned dwelling groups. This open space shall comprise not less than fifteen percent (15%) of the gross square footage of the site, shall be accessible to all units, and shall be of such dimensions as to provide adequate space for general recreational activities, such as playgrounds, picnicking, volleyball, etc. streets, sidewalks, driveways, parking areas, front, side and rear setbacks, and areas with slopes greater than thirty percent (30%) shall not be included in the computation of common open space. Open space and common areas shall be held in common by an owner's association with a permanent open space easement. The open space shall be designed to accommodate the needs and use of all residents of the project. Such spaces shall include improvements such as playgrounds, pathways, pavilions, play courts, ball fields, as well as informal spaces which encourage the use and enjoyment of the open space. Such areas may include lawn or similar maintained areas designed to accommodate the storm water retention needs of the project; provided, however that storm water retention areas shall comprise not more than thirty percent (30%) of open space.
- (e) Parking – Enclosed Garage Required.
- (1) Number of Stalls. For a 1 or 2-bedroom unit, 2 parking spaces per unit; for a 3-bedroom unit, 2.5 parking spaces per unit; and for a unit with more than 3 bedrooms, 2.5+ parking spaces per unit as outlined in Chapter 12-24. Except as expressly modified herein, the parking requirements within the development shall be consistent with or exceed the requirements of Chapter 12-24, Off Street Parking and Loading. Required parking shall be designed and constructed to ensure that all parking needs will be met within the boundaries of the development.
 - (2) Each residential unit shall have an enclosed garage, designed to accommodate not less than two (2) vehicles. Enclosed garages should be designed as provided in Chapter 8, SFRT Zone.
 - (3) Other parking areas shall be comprised of covered or uncovered stalls in locations that will provide not less than the minimum number of parking stalls required for the development and that will provide safe and efficient access to dwelling units throughout the development.
- (f) Facing Rear of Another Building Prohibited: No residential building shall face the rear of another building on the development site.
- (g) Separation Between Buildings: A separation of at least fifteen feet (15') shall be maintained between buildings which are located adjacent to each other.
- (h) Distance Between Building Fronts: The minimum distance between the fronts of buildings which face one another shall be thirty feet (30').
- (i) Surfacing: All parking spaces, walkways and driveways shall be hard surfaced.
- (j) Sewer, Water Supply: All buildings shall be served by public sewer and public water supply.

- (k) Recreational Vehicles: All recreational vehicles shall be stored within a completely enclosed building, or within the confines of a secure storage hard surfaced area designed for storage of such vehicles, surrounded by a 100% opaque wall or fence not less than 6 feet (6') high.
- (l) Height Regulations: Height requirements shall be based on proximity to other uses.
 - (1) Where located within one hundred seventy-five feet (175') of another residential zone allowing single or 2-family dwellings (R-1-8, R-1-15/20, SFRT, R-2 and R-4), buildings within a planned dwelling group development shall not exceed two (2) stories with a maximum height of 35 feet (35').
 - (2) Where located more than one hundred seventy-five feet (175') of another residential zone allowing single or 2-family dwellings, buildings within a planned dwelling group development shall not exceed three (3) stories with a maximum height of 42 feet (42').
 - (3) Accessory Buildings shall not exceed the lesser of one-half (1/2) the height of residential structures or 15 feet (15').
 - (4) No residential structure shall have a height of less than 8 feet 6 inches (8'6") above grade.
- (m) Lot sizes. The Planning Commission may consider and recommend reduced lot sizes as are deemed appropriate for a development in light of other considerations described for this zone, including without limitation reduced size lots for townhomes, green court or patio homes, and shared open and green space.
- (n) Other Reasonable Conditions: The Planning Commission may impose other reasonable conditions as may be necessary to accomplish the purpose of this title, to otherwise meet the health safety and welfare needs of the development, adjacent uses and the community, to mitigate adverse effects of development, and to meet the goals and objectives of this Chapter and the General Plan.
- (o) The initial application for approval of a planned dwelling group shall be accompanied by a set of preliminary plans to include the following;
 - (1) A complete and accurate legal description of the property which is the subject of the planned dwelling group development. A preliminary title search showing ownership of the property and any encumbrances thereon. If the developer is not the property owner, written proof demonstrating to the satisfaction of the City that the developer has sufficient legal claim on the property, and each parcel therein, or authority to represent its owners, must be provided to proceed with development plans;
 - (2) Topographic maps of the entire site, including contour intervals no greater than two feet (2');

- (3) A tabulation of the total acreage of the site and the percentages thereof to be designated for various uses, i.e., parking, residential units, open space, streets, building densities, etc.;
- (4) Proposed circulation pattern including private driveways, public and private streets, and pedestrian and bicycle paths;
- (5) Parks, common open spaces, playgrounds, school sites, and other public or private recreation facilities and improvements proposed within the project;
- (6) General locations of all dwellings and other structures in the project, and an indication of proposed building densities (units per acre), including tables or graphs showing the percentages of each dwelling type proposed;
- (7) Proposed location of parking, ingress, and egress;
- (8) A general landscaping plan, meeting the requirements of this Chapter and of Chapters 25 (Landscape Standards) and 26 (Water Efficient Landscape and Irrigation Requirements), showing what areas are to be landscaped and the types of plants and materials that are contemplated;
- (9) A general storm water drainage and grading plan meeting the requirements of this Title and other City ordinances.
- (10) Preliminary elevations or perspectives of all building types proposed within the development;
- (11) Preliminary subdivision plat, if the site is being divided, showing a general layout of all proposed lots;
- (12) A preliminary utility plan showing how and where sewage disposal, storm drainage, and water services are to be provided, including the point from which said services are to be extended or connected;
- (13) A geotechnical report; and
- (14) Other information and drawings deemed appropriate by the developer.

12-17-106. Minimum Standards for Conditional Uses.

The Planning Commission shall abide by the provisions of Chapter 22, Conditional Uses to review and consider applications for conditional use permits. As set forth in Chapter 22, before a conditional use permit is issued, a public hearing before the Planning Commission shall be required. The lot size, width and yard requirements, setbacks and other standards and maximum building heights will be determined by the Planning Commission for all non-residential conditional uses in the Special Use Zone. Absent a written finding of a compelling need, such considerations shall be reviewed in light of the other regulations of the City for the use proposed, e.g., for commercial uses the Planning Commission shall consider the requirements

of Chapter 12-14 General Commercial Zone C-2), and for industrial uses, Chapter 19 Light Industrial/Business Park Zone I-1.

12-17-107. Coverage Regulations.

No building, structure or group of buildings, including accessory buildings, shall cover more than 60 percent (60%) of the area of the development.

12-17-108. Off-Street Parking, Loading and Access.

The requirements of Chapter 24 of this Title shall apply to this zone. Where the requirements of Chapter 24 conflict with those of this zone, the provisions made in this zone shall govern; otherwise, the Planning Commission shall approve designs and uses that best meet the purposes of this Chapter and the General Plan and that mitigate any adverse effects of the parking or loading.

12-17-109. Signs.

The requirements of the Sign Ordinance of the City (Chapter 27) shall apply to this zone.

12-17-110. Site Plan Review.

The requirements of Chapter 23 of this Title shall apply to this zone.

12-17-111. Fencing.

The requirements of Chapter 28 (Supplementary Regulations) of this Title shall apply to this zone.

12-17-112. Storage and Displays.

All materials, supplies, merchandise or other similar matter not on display for direct sale, rental or leased to the ultimate consumer or user shall be stored within a completely enclosed building within the S-1 zone, or within the confines of a secure storage area surrounded by a 100% opaque wall or fence not less than 6 feet high (6'). Merchandise which is offered for sale as described above may be displayed beyond the confines of a building in the S-1 Zone, but the area occupied by such outdoor display shall not constitute a greater number of square feet than ten percent (10%) of the ground floor area of the building housing the principal use, unless such merchandise is of a type customarily displayed outdoors, such as garden supplies, automobiles, etc.

12-17-113. Storage, Trash and Mechanical Equipment.

No trash, garbage, used materials or wrecked, inoperable or abandoned vehicles or equipment shall be stored in an area that is not within a completely enclosed building or completely enclosed by a 100% opaque fence or similar screening device designed for that purpose. All structures and enclosures built to accommodate the storage of trash and garbage shall be constructed using a design and materials compatible with the primary structure and meeting all architectural design standards outlined in Section 12-17-117.

All mechanical equipment, transformers, meters and similar devices shall not be visible from the street. Where site constraints would otherwise force these items into visible locations, they shall

be screened by decorative walls or fences of materials compatible with the primary structure or by berms, landscaping or other architectural treatments to screen views from streets and sidewalks. If such devices are located on rooftops, they shall be screened by roof components, parapets, cornices or other architectural features.

12-17-114. Development Standards.

The following development standards shall apply within the S-1 Zone:

- (a) Architectural Design.
 - (1) All buildings within this zone shall be designed by a licensed, professional architect and all drawings submitted for approvals and/or permits shall bear the architect's stamp for the State of Utah.
 - (2) All sides of a building shall receive equal design consideration with particular attention given to areas exposed to public view.
 - (3) Building exterior materials visible from the public road shall be 85 percent (85%) brick, stone, stucco, glass, colored decorative block, fiber cement board, composite board, or stone aggregate. Decorative aluminum composite metal siding may be used if approved by the Planning Commission. Corrugated metal siding is prohibited unless used as a decorative element to accent a particular architectural style if approved by the Planning Commission. Building exterior materials not visible from the public street shall in the least case be painted or covered with a brick veneer or stone aggregated. All buildings within a development shall possess a similar architectural theme. Building styles and colors shall be compatible with existing buildings in the area.¹
 - (4) Design of building facade facing any public street must be of a quality that is equal to or exceeds the quality of the front or main entrance to the building.
 - (5) Buildings shall be designed to relate to grade conditions with a minimum of grading and exposed foundation walls.
 - (6) Exterior building materials shall be composed of colors that will be consistent with the nearby environment.
 - (7) Mechanical equipment shall be located or screened so as not to be visible from public and private streets. Screens shall be aesthetically incorporated into the design of the building whether located on the ground or on the roof. Roof tops of buildings shall be free of any mechanical equipment unless completely screened from all points of view along all public streets by an architectural parapet. Screening materials shall be compatible with those of the building.

¹ Building exterior materials and architectural features for single family homes shall be governed by the similar standards of Chapter 12-6 (R-1-8).

- (b) Landscaping. With the exception of single-family home developments, the requirements of Chapter 25 and 12-26 of this Title shall apply to this zone.
- (c) Grading and Drainage. All drainage of water from any lot must follow applicable City requirements. Drainage shall not be allowed to flow upon adjacent lots unless an easement for such purpose has been granted by the owner of the lot upon which the water flows.

A site plan with grading and drainage plans and showing the relationship of all proposed improvements on the site must be approved by the Planning Commission and City Council before such activities may begin. Lot grading shall be kept to a minimum. Roads and development shall be designed for preservation of natural grade.

- (d) Ditches and Canals. Open ditches or canals shall not be allowed within the project site. The developer shall work with the property owners and irrigation companies to:
 - (1) Determine methods of covering, realigning, or eliminating ditches or canals within or adjoining the development.
 - (2) Determine the sizes of pipe and culverts required.
 - (3) Determine responsibility of periodic inspection, cleaning and maintenance of such ditches, pipes and culverts.
- (e) Utilities. All new utility distribution lines shall be underground within designated easements. No pipe, conduit, cable, line for water, gas, sewer, drainage, steam, electricity or any other energy or service shall be installed or maintained upon any lot (outside of any building) above the surface of the ground except hoses, movable pipes used for irrigation or other purposes during construction. Transformers and other mechanical equipment shall be grouped with other utility meters where possible and screened with approved fencing, berms, vegetation and other appropriate methods.
- (f) Lighting. Electrical reflectors, spotlights, floodlights and other sources of illumination may be used to illuminate buildings, landscaping, signs, parking and loading areas, provided they are equipped with proper lenses or other devices concentrating the illumination upon the building, landscaping, signs, parking and loading areas, on any property, and preventing any bright, direct illumination upon adjacent property or any public right-of-way. No unshielded lights, reflectors, or spotlights shall be so located that they are shining towards or are directly visible from frequently traveled public right-of-way.

12-17-115. City Approval of HOA Rules or Conditions, Covenants and Restrictions.

For any Planned Dwelling Group, the Developer shall establish rules and regulations that are memorialized in Conditions, Covenants and Restrictions (or other recorded instrument) (“CCRs”) that provide for:

- (a) enforcement of parking and loading requirements of this Chapter;

- (b) landscaping and irrigation;
- (c) maintenance of all streets, walkways and common areas;
- (d) maintenance of approved design features and the exterior of all buildings; and
- (e) prohibit the outside storage of garbage, trash, debris, used materials or wrecked, inoperable or abandoned vehicles or equipment that can be viewed from the street or from any other dwelling unit.

Said rules shall be enforceable by a homeowner's association and/or by other owners or residents of the development. Prior to the recording of CCRs, said rules shall be submitted to the City for its review and approval.