

Section 2

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11-8: ZONES AND DISTRICTS

11-8-1: ESTABLISHMENT OF ZONES

- A. For the purpose of this Title, the City is divided into the following zones in which land uses shall be limited as specified in this Title. Classification will be determined on the basis of location, topographic features, and other reasonable considerations to guide the orderly physical growth, establishment of neighborhoods, compatibility and overall stability of the City:
1. Rural residential zone RE-20 (11-9, Article A)
 2. Single-family residential zones R-1-8, R-1-8(A), R-1-8(AG), R-1-10, R-1-12.5 (11-9, Article B)
 3. Small lot residential zone R-1-5 (11-9, Article C)
 4. Residential zone R-2 (11-9, Article D)
 5. Multi-family residential zone R-3 (11-9, Article E)
 6. Multi-family residential zone R-4 (11-9, Article F)
 7. Roylance Farms Phase II Planned Unit Development zone (PUD) (11-9, Article G)
 8. Quail Ponds Planned Unit Development zone (PUD) (11-9, Article H)
 9. Cold Creek Village Planned Unit Development (PUD) (11-9, Article I)
 10. Residential City Center zone RCC (11-9, Article J)
 11. Master Planned Community Zone MPC (11-9, Article K)
 12. Civic Zone C (11-9, Article L)
 13. Commercial Zones CN, CC (11-10, Article A)
 14. Planned Manufacturing zone M-1 (11-10, Article B)
 15. Hillside protection zones HP-1, HP-2, HP-3 (11-12)
- B. Uses not specifically listed in a zone are not allowed.

11-8-1: BOUNDARIES OF ZONES

- A. Zoning Map Adopted. The boundaries of each of the zones are established as described herein, as shown on the map entitled "Official zoning map of North Ogden City", or as hereinafter amended, a copy of which is attached to the ordinance codified in this Title, and all boundaries, notations and other data shown on said maps are made by this reference as much a part of this Title as if fully described and detailed herein. Said maps shall be filed in the custody of the City Recorder and may be examined by the public in coordination with the Planning Director.

- B. Amendments. All amendments to the official zoning map shall only be located on property lines, except in commercial zoning districts, where amendments may extend to street centerlines.

11-8-3: RULES APPLICABLE WHERE BOUNDARIES UNCERTAIN

- A. Where uncertainty exists as to the boundary of any zone, the following rules shall apply:
 - 1. Wherever the zone boundary is indicated as being approximately upon the centerline of a street, alley or block, such centerline shall be construed to be the boundary of such zone.
 - 2. Whenever such boundary line is indicated as being approximately on the property line, the property line shall be construed to be the boundary of the zone.
 - 3. Where such zone boundary lines cannot be determined by the above rules, their location may be found by the use of the scale appearing upon the map and measuring the apparent distance from a known map feature or established line.
 - 4. Where the application of the above rules does not clarify the zone boundary location, the Planning Director shall interpret the map.

11-9: RESIDENTIAL AND CIVIC ZONES

ARTICLE A. RE-20, RURAL RESIDENTIAL

11-9A-1: PURPOSE AND INTENT

- A. The purpose of the RE-20 zone classification is to provide a regulated area for large lot, single-family residential and agricultural uses.

11-9A-2: PERMITTED USES

- A. The following uses shall be permitted:
 - 1. Accessory buildings and uses customarily incidental to any permitted use. See CCNO 11-9M-9.
 - 2. Accessory dwelling unit as a second residence. See CCNO 11-9M-10.
 - 3. Agriculture, subject to County Health regulations and CCNO 5-3, Sound Regulations to include nurseries and greenhouses, provided the sale of goods is limited to materials produced on the premises, and there is no retail shop operated in connection therewith. Roadside vegetable and fruits stands are permitted.
 - 4. Animals or fowl:
 - a. On one acre or more, up to five (5) acres, animals and fowl will be limited to four (4) horses, cows, sheep or goats, or combination thereof, per acre. Up to five (5) rabbits per acre shall be permitted.
 - b. On more than five (5) acres, an aggregate of a total of two (2) units of group A, B or C, or a combination thereof, may be kept per acre.
 - i. Group A: Four (4) horses or cows, or combination thereof. (equestrian stables exempt)
 - c. Group B: Four (4) sheep or goats.
Group C: Five (5) rabbits, or thirty (30) chickens, or thirty (30) pheasants, or ten (10) turkeys, or ten (10) ducks, or five (5) geese, or ten (10) pigeons.

The keeping of swine of any species, including pigs, is not permitted within North Ogden City Limits.

- d. Shade must be provided.
- e. Clean, fresh water and fresh feed must be readily available.
- 5. Attached dwelling units. See CCNO 11-13.
- 6. Barn upon a lot with a minimum of one (1) acre. Barns are not subject to the accessory building design standards found in CCNO 11-9M-9.
- 7. Cemeteries.
- 8. Church, synagogue or similar permanent building used for religious worship.
- 9. Daycare. See CCNO 11-9M-14.
- 10. Educational institution, which has a curricula substantially the same as customarily offered in the public school system for kindergarten through twelfth grade.
- 11. Golf course, except miniature golf course.
- 12. Home occupations. See CCNO 11-14.
- 13. Libraries.
- 14. Model homes, master planned village sales and information centers, and temporary sales trailers. See CCNO 11-9M-16.
- 15. Planned Unit Development. See CCNO 11-13.
- 16. Private equestrian training stable facilities on a minimum of five (5) acres of land and at a density of not more than ten (10) horses per acre.
- 17. Public buildings, public park recreation grounds and associated buildings.
- 18. Public utility substation. See CCNO 11-9M-19.
- 19. Preschools. See CCNO 11-9M-14.
- 20. Single-family dwelling.
- 21. Temporary building for use incidental to construction work. Such building shall be removed upon completion or abandonment of the construction work.

11-9A-3: SITE DEVELOPMENT STANDARDS

(Measurements in feet or square feet)

A. Minimum lot area: (sq. feet)	
1. Interior or corner lot	20,000
2. Interior or corner lot with animals	43,560 square feet/ 1 acre
B. Minimum lot width measured 30 feet back from the front property line	
1. Interior lot	100'
2. Corner lot	120'
C. Minimum yard setbacks (Movable building, i.e. without in ground foundation, may be placed over easements without restrictions, coordinate with utility companies to determine restrictions for placement of any permanent structures)	

1. Front	30'
2. Side	
a. Dwelling	10'
b. Total combination width not less than	24'
c. Exception: Where there is an attached garage with the required number of parking spaces, both side yards may be	10'
3. Side facing street on corner lot	20'
4. Rear	50'
5. Keeping of Animals or Fowl	
a. Animals or fowl may be maintained on a lot, there shall be provided a minimum spacing of	20' from the existing dwelling
b. From a dwelling on an adjacent lot	75'
c. Any barn, stable, coop or pen shall not be constructed closer to a street than:	100'
i. Exception: An enclosure or pasture may be adjacent to a public street if larger than:	1 Acre
ii. Exception: All utility easements must be maintained in an open state	
D. Total lot coverage	
1. Minimum vegetative area	50%
E. Building height	
1. Minimum	10'
2. Maximum	35'
F. Accessory building regulations (see also CCNO 11-9L-9)	
1. Accessory building height	15'
2. Accessory building setback	
a. Accessory building	
i. Interior lot	3'
ii. Corner lot (non-street side)	3'
iii. Corner lot (street side)	20'
b. Large accessory building	
i. Interior lot	

1) Height Maximum	Setback Minimum
2) 15-17'	6'
3) 18-19'	8'
4) 20-25'	12'
ii. Corner lot setback (non-street side)	20'
iii. Corner lot setback (street side)	20'
iv. Rear and side setbacks for buildings over 2,000 square feet	30'
3. Minimum separation required between primary building and accessory building	At least 6'
4. Maximum rear yard coverage by accessory building	25%
a. On lots less than an acre, the minimum rear yard area calculation is based upon the minimum lot width times the rear yard setback and not the actual rear yard dimensions	
5. Building size	
a. Maximum size on lots or parcels less than one acre or adjacent to any R-1 zone	1,500 square feet
b. Maximum size on lots or parcels greater than one acre	
i. 1-2 Acres	2,000
ii. 2-3 Acres	2,250
iii. 3-4 Acres	2,500
iv. 4-5 Acres	2,750
v. 5+ Acres	3,000 square feet
c. On lots adjacent to any R-1 zone, the accessory building width or length cannot exceed 40% of the total length of the side lot lines or 40% of the rear lot line when those lot lines are within 50 feet of the accessory building.	
6. Large accessory building separation from neighboring dwelling on any adjoining parcel	At least 60'
7. Building Design and Materials - See 11-10C	

11-9A-5: SIGN REGULATIONS

A. The height, size and location of signs shall be in accordance with the regulations set forth in CCNO 11-20.

ARTICLE B: SINGLE-FAMILY RESIDENTIAL ZONES R-1-8, R-1-8(A), R-1-8(AG), R-1-10, R-1-12.5

11-9B-1: PURPOSE AND INTENT

- A. The purpose of the R-1-12.5, R-1-10, R-1-8, R-1-8(A) and R-1-8(AG) zoning classification is to provide regulated areas for single-family residential use at three (3) different low density levels.

11-9B-2: PERMITTED USES

The following uses shall be permitted:

- A. Accessory buildings and uses customarily incidental to any permitted use.
- B. Accessory Dwelling Unit. See CCNO 11-9M-10.
- C. Agriculture. Subject to County Health regulations and CCNO 5-3, Sound Regulations.
- D. Animals or fowl permitted in the R-1-8(AG) zoning districts only:
 - 1. On lots one acre or more, up to five (5) acres in size, animals and fowl will be limited to four (4) horses, cows, sheep or goats, or combination thereof per acre.
 - 2. On lots more than five (5) acres in size, an aggregate of a total of two (2) units of group A, B or C, or a combination thereof, may be kept per acre.
 - Group A: Four (4) horses or cows, or combination thereof.
 - Group B: Four (4) sheep or goats.
 - Group C: Five (5) rabbits, or thirty (30) chickens, or thirty (30) pheasants, or ten (10) turkeys, or ten (10) ducks, or five (5) geese, or ten (10) pigeons.
 - 3. The keeping of swine of any species, including pigs, is not permitted within the corporate limits of the City.
- E. Attached dwelling units. See CCNO 11-13.
- F. Church, synagogue or similar permanent building used for regular religious worship.
- G. Daycare. See CCNO 11-9M-14.
- H. Home occupations. See CCNO 11-14.
- I. Household pets.
- J. Libraries.
- K. Planned Unit Development. See CCNO 11-13.
- L. Preschools. See CCNO 11-9M-14.
- M. Public buildings, public parks, recreation grounds and associated buildings.
- N. Public schools, private educational institutions having a curriculum similar to that ordinarily given in public schools, private parks, playgrounds and recreation areas that meet the requirements of CCNO 11-9M-18 and the following requirements:
 - 1. All facilities, equipment and buildings shall be set back not less than twenty feet (20') from any property line and shall be located not less than fifty feet (50') from any main building on an adjoining lot and from any area upon which any such main building may be constructed upon said adjoining lot if no such main building is in existence;
 - 2. The minimum size of the lot or site used for such recreational or other purposes shall be one acre;
 - 3. Any lights used to illuminate the premises shall be installed in such a manner that the source of light shall not be visible from outside the premises, and the source of light shall be suitably screened to avoid annoying illumination of lands outside said premises.
- O. Single-family dwellings.

- P. Temporary buildings, structures and uses incidental to construction work. Such building shall be removed upon completion or abandonment of the construction work.

11-9B-3: CONDITIONAL USES

- A. The following uses are permitted only when authorized by a conditional use permit as provided in CCNO 11-2-8:
- a. Private park, playground or recreation area not open to the general public and to which no admission charge is made and not including privately owned commercial amusement business.
 - b. Public utility substation in accordance with the standards stated in CCNO 11-10-15.

11-9B-4: SITE DEVELOPMENT STANDARDS

(Measurements in feet or square feet)

	R-1-12.5	R-1-10	R-1-8	R-1-8(A)	R-1-8(AG)
A. Minimum lot area (sq. ft.):					
1. Interior lot	12,500	10,000	8,000	8,000	8,000
2. Corner lot	13,500	11,000	9,000	8,000	9,000
B. Minimum lot width measured 30 feet back from the front property line	100'	90'	80'	80'	80'
C. Minimum yard setbacks: Written permission must be secured from all utility companies to place a non-movable structure; i.e. a structure with a permanent in-ground foundation, over the easements.					
1. Front	30'	30'	30'	30'	30'
2. Side:					
a. Dwelling-interior	10'	10'	8'	4'	8'
b. Total combination width not less than	24'	24'	18'	12'	18'
c. Exception: Where there is an attached garage with the required number of parking spaces, both side yards may be	10'	10'	8'	4'	8'
3. Side facing street on corner lot	20'	20'	20'	20'	20'
4. Rear:	20'	20'	20'	20'	20'
D. Total lot coverage:					

	R-1-12.5	R-1-10	R-1-8	R-1-8(A)	R-1-8(AG)
1. Primary/main-Building footprint	35%	35%	35%	35%	35%
2. Minimum vegetative area	50%	50%	50%	50%	50%
E. Building height (in feet):					
1. Minimum	10'	10'	10'	10'	10'
2. Maximum	35'	35'	35'	35'	35'
F. Accessory building regulations					
1. Accessory building height	<p>The ridge or highest point of the roof of an accessory building may be erected to a height no greater than the lesser of:</p> <ol style="list-style-type: none"> 1. 20', or 2. Eighty percent (80%) of the highest point of the roof of the main residential building, if the highest point of the roof of the main residential building is sixteen feet (16') or less then the highest point of the roof of the accessory building may not exceed twelve and one-half feet (12'6"); 3. For a metal accessory building, twelve and one-half feet (12'6"). 				
2. Accessory building setback					
a. Accessory/Large building					
i. Interior lot & Corner lot (non-street side)					
ii. Height Maximum in Feet	Setback Minimum in Feet				
1)10'	3'	3'	3'	3'	3'
2)11-15'	8'	8'	8'	8'	8'
3)16'-20'	15'	15'	15'	15'	15'
3. Corner lot setback (street side)	20'				
4. Minimum separation required between main building and accessory buildings	At least 6'				

	R-1-12.5	R-1-10	R-1-8	R-1-8(A)	R-1-8(AG)
5. Maximum rear yard coverage by accessory building	25%				
6. Building size					
a. Maximum size	One half the square footage of the main building main floor to a maximum of 1,000 square feet. The main floor size shall be the main floor living space plus 400 square feet.				
7. Large accessory building separation from neighboring dwelling on any adjoining parcel	At least 60'				
8. Maximum number of large accessory buildings per lot	1				
9. Building Design and Materials – See 11-10C					

11-7B-5: SIGN REGULATIONS

- A. The height, size and location of signs shall be in accordance with the regulations set forth in CCNO 11-20.

ARTICLE C: SMALL LOT RESIDENTIAL ZONE R-1-5

11-9C-1: PURPOSE AND INTENT

- A. The purpose of the Residential Zone R-1-5 zone classification is to provide a regulated area for single-family residential uses in a small lot configuration to provide flexibility for infill, redevelopment, and/or other similar projects in a planned residential unit development. Property designated in the General Plan as low to medium density may be rezoned to this designation with a maximum density of six (6) dwelling units per acre as averaged across the developable acreage. Property designated in the General Plan as low to medium density may be rezoned to this designation with a maximum density of ten (10) dwelling units per acre as averaged across the developable acreage.

11-9C-2: ZONE CHANGE CRITERIA

- A. A concept plan is required to be submitted with the zone change application per CCNO 11-4-4.

11-9C-3: PERMITTED USES

- A. The following uses shall be permitted:
 1. Attached dwelling units. See CCNO 11-13.
 2. Church, synagogue or similar permanent building used for regular religious worship.
 3. Home occupations. See CCNO 11-14.
 4. Household pets.

5. Planned Unit Development. See CCNO 11-13.
6. Public buildings, public or private parks, recreation grounds and associated buildings. See CCNO 11-9M-18
7. Single-family dwellings.
8. Temporary buildings, structures and uses incidental to construction work. Such building shall be removed upon completion or abandonment of the construction work.

11-9C-4: SITE DEVELOPMENT STANDARDS

(Measurements in feet or square feet)

A. Minimum zone area	5 Acres in low density General Plan areas 1 Acre in medium density General Plan areas
B. General Plan Low Density Areas	Maximum Density 6 dwelling units per acre
C. General Plan Medium Density Areas	Maximum Density 10 dwelling units per acre
D. Minimum lot area: (square feet)	
1. Interior with single-family dwelling	4,600 square feet low density area 4,000 square feet medium density area
2. Corner with single-family dwelling	5,600 square feet low density area 5,000 square feet medium density area
E. Minimum lot width measured 30 feet back from the front property line	55'
F. Minimum yard setback (in feet)	
1. Front (see 17-7C-6 below)	20'
2. Interior side	7'
3. Street side. All utility easements must be maintained in an open state	20 Exception: The street side setback can be reduced to 10 feet along all streets which do not extend beyond the depth of the lot for which the exemption shall apply
4. Rear	20' Exception: The rear yard setback for the main use/dwelling may be reduced by 10% provided that the combined distance between the neighboring structures remains 40 feet or greater
G. Building height	
1. Minimum one story	12'
2. Maximum one and a half story	27'
H. Maximum lot coverage:	
1. Primary/main-Building footprint	45%

2. Minimum vegetative area	40%
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11-9C-5: SIGN REGULATIONS

- A. The height, size and locations of signs shall be in accordance with the regulations set forth in CCNO 11-20.

11-7C-6 DESIGN STANDARDS

- A. All residential development shall include the following design features:
 1. Front yard setbacks shall not be the same for more than two adjacent lots – 3' variance may encroach into the front yard.
 2. Front yard setbacks may be reduced to 15' if rear loaded garages are utilized for units facing a street.
 3. Garages shall be recessed from the front façade by at least 5' and shall not encompass more than 50% or the front façade. If garages are rear loaded the front setback may be reduced to 15', but setback variance is still required.

ARTICLE D: RESIDENTIAL ZONE R-2

11-9D-1: PURPOSE AND INTENT

- A. The purpose of the R-2 zone is to provide residential areas that will accommodate the development of dwelling types from single-family through two-family dwelling units, with their associated necessary public services and activities. It is also to provide an orderly transition from less intensive, lower density uses to medium density uses.

11-9D-2: PERMITTED USES

- A. The following uses shall be permitted:
 1. Accessory buildings and uses customarily incidental to any permitted use. See CCNO 11-9L-9.
 2. Attached dwelling units. See CCNO 11-13.
 3. Church, synagogue or similar permanent building used for regular religious worship.
 4. Daycare. See CCNO 11-9L-14.
 5. Educational institutions, public schools, private parks, playgrounds, and recreational areas that meet the requirements of CCNO 11-9M-18.
 6. Golf course, except miniature golf.
 7. Home occupations. See CCNO 11-14.
 8. Household pets. Includes an allowance for 6 female chickens in a coop and pen. See CCNO 11-9M-11.
 9. Model homes, master planned village sales and information centers, and temporary sales trailers in accordance with CCNO 11-10-20 and approved during the subdivision process.
 10. Planned Unit Development. See CCNO 11-13.
 11. Public buildings, public parks, recreation grounds and associated buildings.
 12. Public utility substation in accordance with the standards stated in CCNO 11-9M-20.
 13. Preschools. See CCNO 11-9M-14.

14. Single-family dwellings.
15. Temporary buildings, structures and uses incidental to construction work. Such building shall be removed upon completion or abandonment of the construction work.
16. Two-family dwellings and twin homes.

11-9D-4: SITE DEVELOPMENT STANDARDS
(Measurements in feet or square feet)

A. Minimum lot area	
1. Interior with single-family dwelling	8,000 square feet
2. Interior with two-family dwelling or other main building, includes twin homes	12,000 square feet total, 6000 per unit
3. Corner with single-family dwelling	9,000 square feet
4. Corner with two-family dwelling or main building with other than dwelling	12,000 square feet total, 6000 per unit
B. Minimum lot widths measured 30 feet back from the front property line	
1. For a single-family dwelling at a distance thirty feet (30') back from the front property line	80'
2. For a two-family dwelling at a distance thirty feet (30') back from the front property line	90'
C. Minimum yard setback	
1. Front	30'
2. Side	
a. Dwelling	8'
i. Minimum length of the total of the two (2) side yards	18'
ii. For interior lots where there is an attached garage with the required number of parking	

spaces, each side yard may be eight feet (8')	
b. Other main buildings (each side)	20'
c. Twin home	18'
3. Side facing street on corner lot	20'
4. All utility easements must be maintained in an open state, unless written permission is secured from all utility companies to place a structure over the easements	
5. Rear	
a. Main building	20'
b. Minimum spacing between main and accessory buildings	6'
6. Building height	
a. Minimum	10'
b. Maximum	35'
D. Accessory buildings	
1. Minimum setback requirements	a. 3' from the property line b. Large accessory building, 15' c. 6' from the main dwelling
2. Building height	
a. Maximum	15' if set back 3' from property line
i. Exception 1	25' if set back 20' from the property line and 60' from a neighboring dwelling
3. Maximum rear yard coverage for accessory building or group of accessory buildings	25%
4. Maximum lot coverage for building or group of buildings with the accessory buildings	35%

11-9F-4.5 DESIGN STANDARDS

- A. All residential development shall include the following design features:
 1. Front yard setbacks shall not be the same for more than two adjacent lots – 3' variance may encroach into the front yard
 2. Front yard setbacks may be reduced to 15' if rear loaded garages are utilized for units facing a street.
 3. Garages shall be recessed from the front façade by at least 5' and shall not encompass more than 50% or the front façade. If garages are rear loaded the front setback may be reduced to 15', but setback variance is still required.

11-9D-5: SIGN REGULATIONS

- A. The height, size and location of signs shall be in accordance with the regulations set forth in CCNO 11-20.

11-9D-6: SITE PLAN APPROVAL

- A. For all permitted uses other than single-family dwellings and agricultural uses, a site plan shall be required in accordance with CCNO 11-2-9.

ARTICLE E: MULTI-FAMILY RESIDENTIAL ZONE R-3

11-9E-1: PURPOSE AND INTENT

- A. The purpose of the R-3 zone is to provide higher density residential areas with associated necessary public services and activities. It is also to provide an orderly transition from less intensive, lower density uses to medium density uses.

11-9E-2: PERMITTED USES

- A. The following uses shall be permitted:
 1. Attached dwelling units. See CCNO 11-13.
 2. Church, synagogue or similar permanent building used for regular religious worship.
 3. Daycare. See CCNO 11-9M-14.
 4. Golf course, except miniature golf.
 5. Group homes. See CCNO 11-13.
 6. Home occupations. See CCNO 11-14.
 7. Household pets.
 8. Model homes, master planned village sales and information centers, and temporary sales trailers in accordance with CCNO 11-9M-17.
 9. Planned Unit Development. See CCNO 11-13.
 10. Preschools. See CCNO 11-9M-14.
 11. Public buildings, public libraries, public museums (nonprofit), public schools, public educational institutions having a curriculum similar to that ordinarily given in public schools; private parks, playgrounds and public recreation grounds, and associated buildings. See CCNO 11-9M-18.
 12. Public utility substation. See CCNO 11-9L-20.
 13. Single-family dwellings.

14. Temporary buildings, structures and uses incidental to construction work. Such building shall be removed upon completion or abandonment of the construction work.
15. Two-family dwellings and twin homes.

11-9E-4: SITE DEVELOPMENT STANDARDS

(Measurements in feet or square feet)

A. Minimum lot area	
1. Interior with single-family dwelling	8,000 square feet
2. Corner with single-family dwelling	9,000 square feet
3. Interior and corner - multi-family dwelling	10,000 square feet
4. Interior - nonresidential building	8,500 square feet
5. Corner - nonresidential building	9,500 square feet
B. Minimum lot width measured 30 feet back from the front property line	80'
C. Minimum Yard Setback:	
1. Front	30'
2. Side	
a. Single-family dwelling	8' Exception: The total of two side yards shall not be less than 17'
b. Other main buildings (each side)	20'
c. All utility easements must be maintained in an open state	
3. Side facing street on corner lot	20'
4. Rear (main building)	20'
D. Building Height	
1. Minimum	10'
2. Maximum	35'
E. Accessory Buildings	

<ol style="list-style-type: none"> 1. No accessory building or group of accessory buildings shall cover more of the rear yard than twenty five percent (25%). 2. No building or group of buildings with the accessory buildings shall cover more of the total lot area than fifty percent (50%). 	
<ol style="list-style-type: none"> 3. Minimum setback requirements 	3' from the property line Large accessory building, 15' 6' from the main dwelling
<ol style="list-style-type: none"> 4. Building height 	
<ol style="list-style-type: none"> a. Maximum 	15' if set back 3' from property line Exception: 25' if set back 20' from the property line and 60' from a neighboring dwelling Exception: On parcels larger than one acre location proposed closer than 15' may be allowed by conditional use permit

11-9E-4.5 DESIGN STANDARDS

- A. All residential development shall include the following design features:
 1. Front yard setbacks shall not be the same for more than two adjacent lots in the case of single family dwellings, twin homes, or duplexes – 3' variance may encroach into the front yard. For group dwellings the groups shall offset from each other by at least a 3' front yard setback
 2. Front yard setbacks may be reduced to 15' if rear loaded garages are utilized for units facing a street.
 3. Garages shall be recessed from the front façade by at least 5' and shall not encompass more than 50% or the front façade. If garages are rear loaded the front setback may be reduced to 15', garages can be flush with the facade, but setback variance is still required.

11-9E-5: SIGN REGULATIONS

- A. The height, size and location of signs shall be in accordance with the regulations set forth in CCNO 11-20.

11-9E-6: SITE PLAN APPROVAL

- A. For all permitted uses other than single-family dwellings and two-family dwellings, a site plan shall be required in accordance with CCNO 11-2-9.

ARTICLE F: MULTI-FAMILY RESIDENTIAL ZONE R-4

11-9F-5: PURPOSE AND INTENT

- A. The purpose of the R-4 zone is to provide higher density residential areas with associated necessary public services and activities. It is also to provide an orderly transition from less intensive, lower density uses to more intensive, higher density uses.

11-9F-2: PERMITTED USES

- A. The following uses shall be permitted:
1. Accessory buildings and uses customarily incidental to any permitted use.
 2. Attached dwelling units. See CCNO 11-13.
 3. Church, synagogue or similar permanent building used for regular religious worship.
 4. Daycare. See CCNO 11-9M-14
 5. Golf course, except miniature golf.
 6. Home occupations. See CCNO 11-14.
 7. Household pets.
 8. Model homes, master planned village sales and information centers and temporary sales trailers in accordance with CCNO 11-9M-17.
 9. Multi-family dwellings.
 10. Planned Unit Development. See CCNO 11-13.
 11. Preschools. See CCNO 11-9M-14
 12. Private park, playground or recreation area, but not including privately owned commercial amusement business. See CCNO 11-9M-18.
 13. Public schools, private educational institutions having a curriculum similar to that ordinarily given in public schools. See CCNO 11-9M-19.
 14. Public utility substation in accordance with standards stated in CCNO 11-9M-20.
 15. Single-family dwelling.
 16. Temporary building for use incidental to construction work. Such building shall be removed upon completion or abandonment of the construction work.
 17. Two-family dwelling and twin homes.
 18. Residential care facility.

11-9F-4: SITE DEVELOPMENT STANDARDS

(Measurements in feet and square feet)

A. Minimum lot area	
1. Interior with single-family dwelling	8,000 square feet
2. Corner with single-family dwelling	9,000 square feet
3. Interior and corner - two-family dwelling	8,000 square feet

4. Interior with nonresidential main building	8,500 square feet
5. Corner with nonresidential main building	9,500 square feet
6. Residential care facility, in addition to minimum, for each patient	500 square feet
B. Minimum lot width measured 30 feet back from the front property line	80'
C. Minimum Yard Setback:	
1. Front	30' If located on Washington Blvd. or 2700 North, the front yard setback is 20' with no parking allowed in the front yard.
2. Side	
a. Single-family dwelling	8' Exception: The total of two side yards shall not be less than 17' Exception: On interior lots where there is an attached garage with the required number of parking spaces, each side yard may be 8'
b. Other main buildings (each side)	20'
c. All utility easements must be maintained in an open state	
d. Twin homes	16'
e. Side facing street on corner lot	20'
3. Rear (main building)	20'
D. Building Height	
1. Minimum	10'
2. Maximum	35'
E. Accessory Buildings	
1. Minimum setback requirements	3' from the property line Large accessory building, 15' 6' from the main dwelling
2. Building height	

a. Maximum	15' if set back 3' from property line Exception: 25' if set back 20' from the property line and 60' from a neighboring dwelling Exception: On parcels larger than one acre location proposed closer than 15' may be allowed by conditional use permit
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11-9F-5 DESIGN STANDARDS

- A. All residential development shall include the following design features:
 1. Front yard setbacks shall not be the same for more than two adjacent lots in the case of single family dwellings, twin homes, or duplexes – 3' variance may encroach into the front yard. For group dwellings the groups shall offset from each other by at least a 3' front yard setback.
 2. Front yard setbacks may be reduced to 15' if rear loaded garages are utilized for units facing a street.
 3. Garages shall be recessed from the front façade by at least 5' and shall not encompass more than 50% or the front façade. If garages are rear loaded the front setback may be reduced to 15', garages can be flush with the facade, but setback variance is still required.
 4. Non-residential uses shall use brick, stone, or Hardie plank (cementitious material) for the entire front façade and extend that material to at least 10' on the sides with a wainscot required to continue around the building utilizing the front façade materials.

11-9F-6: SIGN REGULATIONS

- A. The height, size and location of signs shall be in accordance with the regulations set forth in CCNO 11-20.

11-9F-7: SITE PLAN APPROVAL

- A. For any permitted or conditional uses other than single-family dwellings and agricultural uses, a site plan shall be required in accordance with CCNO 11-2-9.

ARTICLE G: ROYLANCE FARMS PHASE II PLANNED UNIT DEVELOPMENT ZONE (PUD)

11-9G-1: PURPOSE AND INTENT

- A. The purpose of the Roylance Farms phase II Planned Unit Development zone classification is to provide a regulated area for single-family residential uses in a Planned Unit Development.

11-9G-2: PERMITTED USES

- A. The following uses shall be permitted:
 1. Attached dwelling units. See CCNO 11-13.
 2. Church, synagogue or similar permanent building used for regular religious worship.
 3. Home daycare center. See CCNO 11-9M-14.
 4. Home occupations. See CCNO 11-14.

5. Home preschool. See CCNO 11-9M-14.
6. Household pets.
7. Single-family dwellings.
8. Temporary buildings, structures and uses incidental to construction work. Such building shall be removed upon completion or abandonment of the construction work.

11-9G-3: SITE DEVELOPMENT STANDARDS

(Measurements in feet and square feet)

A. Minimum lot area (square feet)	2,232
B. Minimum lot width	37'
C. Minimum yard setback (in feet)	
1. Front	20'
2. Interior side	7'
3. Street side	20'
4. Rear	20'
5. All utility easements must be maintained in an open state	
D. Building height (in feet)	
1. Minimum one story	10'
2. Maximum one story	20'

11-9G-4: SIGN REGULATIONS

- A. The height, size and location of signs shall be in accordance with the regulations set forth in CCNO 11-20.

ARTICLE H: QUAIL PONDS PLANNED UNIT DEVELOPMENT ZONE (PUD)

11-9H-1: PURPOSE AND INTENT

- A. The purpose of the Quail Ponds Planned Unit Development zone classification is to provide a regulated area for single-family residential uses in a Planned Unit Development.

11-9H-2: PERMITTED USES

- A. The following uses shall be permitted:
 1. Attached dwelling units. See CCNO 11-13.

2. Church, synagogue or similar permanent building used for regular religious worship.
3. Home occupations. See CCNO 11-14.
4. Household pets.
5. Planned Unit Development. See CCNO 11-13.
6. Public buildings, public or private parks, recreation grounds, and associated buildings. See CCNO 11-9M-18.
7. Single-family dwellings.
8. Temporary buildings, structures and uses incidental to construction work. Such building shall be removed upon completion or abandonment of the construction work.

11-9H-3: SITE DEVELOPMENT STANDARDS

(Measurements in feet and square feet)

A. Minimum lot area	4,290 square feet
B. Minimum lot width	55 square feet
C. Minimum yard setback	
1. Front	18'
2. Interior side	5'
3. Street side	15'
4. All utility easements must be maintained in an open state	
5. Rear	On the lots numbered on the July 31, 1998 preliminary plat: 10' on lots 1 through 28 and lots 46 through 63; 20' on lots 29 through 45
D. Building height	
1. Minimum one story	10'
2. Maximum one and a half story	27'
E. Maximum lot coverage percentage	
Under roof	45%

11-9H-4: SIGN REGULATIONS

- A. The height, size and location of permitted signs shall be in accordance with the regulations set forth in CCNO 11-20.

ARTICLE I: COLD CREEK VILLAGE PLANNED UNIT DEVELOPMENT (PUD)

11-9I-1: PURPOSE AND INTENT

- A. The purpose of the Cold Creek Planned Unit Development zone classification is to provide a regulated area for single-family and multi-family residential uses in a Planned Unit Development.

11-9I-2: PERMITTED USES

- A. The following uses shall be permitted:
 - 1. Home occupations. See CCNO 11-14.
 - 2. Household pets.
 - 3. Multi-family dwellings.
 - 4. Single-family dwellings.
 - 5. Temporary buildings incidental to construction work.

11-9I-3: SITE DEVELOPMENT STANDARDS

(Measurements in feet and square feet)

A. Minimum lot area	
1. Interior with single-family dwelling	5,565 square feet
2. Corner with single-family dwelling	6,825 square feet
B. Minimum single-family lot width	53'
C. Minimum yard setback single-family	
1. Front	20'
2. Interior side	15' between one-story buildings 20' between two-story buildings
3. Street side	20'
4. Rear	20'
D. Minimum yard setback multi-family	
1. Front	6'

2. Interior side	15' between one-story buildings 20' between two-story buildings
3. Street side	20'
4. Rear	20'
E. Minimum street width	30' from back of curb to back of curb
F. Building height	
1. Minimum one story	10'
2. Maximum two story	30'

11-9I-4: SIGN REGULATIONS

- A. The height, size and locations of signs shall be in accordance with the regulations set forth in CCNO 11-20.

ARTICLE J: RESIDENTIAL CITY CENTER ZONE RCC

11-9J-1: PURPOSE AND INTENT

- A. The purpose of this zone is to provide a residential area that encourages the preservation of single-family dwellings in the historical area of North Ogden City, but also will accommodate the development of dwelling types from single-family through two-family dwelling units with their associated necessary public services and activities, which fits the character of the existing City Center. It is also to provide an orderly transition from less intensive, lower density uses to more intensive, higher density uses.

11-9J-2: PERMITTED USES

- A. The following uses shall be permitted:
 1. Accessory buildings and uses customarily incidental to any permitted use. See CCNO 11-9M-9.
 2. Accessory Dwelling Unit. See CCNO 11-9M-10.
 3. Attached dwelling units. See CCNO 11-13.
 4. Cemeteries with customary incidental buildings.
 5. Daycare. See CCNO 11-9M-14.
 6. Educational institutions, public schools, private parks, playgrounds, and recreational areas that meet the requirements of CCNO 11-9M-18.
 7. Golf course, except miniature golf.
 8. Home occupations. See CCNO 11-14.
 9. Household pets.

10. Model homes, master planned village sales and information centers, and temporary sales trailers in accordance with CCNO 11-9M-17.
11. Places of worship.
12. Planned Unit Development. See CCNO 11-13.
13. Preschools. See CCNO 11-9M-14
14. Private park, playground, or recreation area but not including privately owned commercial amusement business. See CCNO 11-9M-18.
15. Public buildings, public park, recreation grounds, and associated buildings.
16. Public utility substation. See CCNO 11-9M-20.
17. Single-family dwellings.
18. Temporary buildings, structures, and uses incidental to construction work. Such building shall be removed upon completion or abandonment of the construction work.

11-9J-4: SITE DEVELOPMENT STANDARDS

(Measurements in feet and square feet)

A. Minimum lot area	
1. Interior with single-family dwelling	8,000 square feet
2. Corner with single-family dwelling	9,000 square feet
B. Minimum lot widths	
1. For a single-family dwelling at a distance 30 feet back from the front property line	80'
C. Minimum yard setback	
1. Front	30'
2. Side:	
a. Single-family dwelling:	8'
i. Exception: The total of the 2 side yards shall not be less than	18'
ii. Exception: On interior lots where there is an attached garage with the required number of parking spaces, each side yard may be	8'
b. Other main buildings (each side)	20'
3. Side facing street on corner lot	20'

4. All utility easements must be maintained in an open state, unless written permission is secured from all utility companies to place a structure over the easements	
5. Rear:	
a. Main building	20'
6. Building height	
a. Minimum	10'
b. Maximum	35'
7. No building or group of buildings with accessory buildings shall cover more of the total lot area than	35%
D. Minimum vegetative open space lot	50%
E. Accessory building regulations (see also CCNO 11-10-31)	
1. Height	15'
a. Exception: The maximum height if the accessory building is set back at least 20 feet; rear and side setback	25'
2. Rear and side setback	
a. Accessory building:	
i. Interior lot (side and rear)	3'
ii. Corner lot (side only) (non-street side)	3'
iii. Corner lot (side only) (street side)	20'
b. Large accessory building:	
i. Interior lot	15'
ii. Corner lot (non-street side)	15'
iii. Corner lot (street side)	20'
3. There shall be provided a minimum spacing between main and accessory buildings of at least	6'

4. No accessory building or group of accessory buildings shall cover more of the rear yard than	25%
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11-9J-5 DESIGN STANDARDS

- A. All residential development in a PUD shall include the following design features:
 1. Front yard setbacks shall not be the same for more than two adjacent lots in the case of single family dwellings, twin homes, or duplexes – 3' variance may encroach into the front yard. For group dwellings the groups shall offset from each other by at least a 3' front yard setback
 2. Front yard setbacks may be reduced to 15' if rear loaded garages are utilized for units facing a street.
 3. Front porches are required with at least 60 square feet
 4. Garages shall be recessed from the front façade by at least 5' and shall not encompass more than 50% or the front façade. If garages are rear loaded the front setback may be reduced to 15', garages can be flus with the facade, but setback variance is still required.
 5. Front facades shall include a wainscot of brick or stone that extends at least 5' along the sides of the units. This requirement does not preclude all brick or stone facades. Groups of attached dwellings shall vary the front facades to distinguish between units.
 6. Pitched roofs are required with shingles that simulate the depth of wood shakes or tile. Minimum pitch of 4' in 12'
 7. Non-residential uses shall use brick, stone, or Hardie plank(cementitious material) for the entire front façade and extend that material to at least 10' on the sides with a wainscot required to continue around the building utilizing the from façade materials

11-9J-6: SIGN REGULATIONS

- A. The height, size, and locations of signs shall be in accordance with the regulations set forth in CCNO 11-20.

11-9J-7: SITE PLAN APPROVAL

- A. For any permitted or conditional uses other than single-family dwellings, a site plan shall be required in accordance with CCNO 11-2-9.

ARTICLE K: MASTER PLANNED COMMUNITY ZONE MPC

11-9K-1: PURPOSE AND INTENT

- A. The purpose of the Master Planned Community Zone is to provide opportunities for creative and unique developments within North Ogden City. This ordinance includes guidelines for creating neighborhood oriented village projects that may include a mix of residential, commercial, recreational and/or public uses.

An integral part of this Zone is a multistep review process to assure compatibility of proposed land uses with existing, and proposed adjacent neighborhoods, as well as the vision of the General Plan. The desired goal is to move toward vibrant, sustainable, and walkable neighborhood centers, with integrated streets.

Proposed plans for development shall follow or exceed design standards found within this ordinance. Specific plans shall be a reflection of a required development agreement.

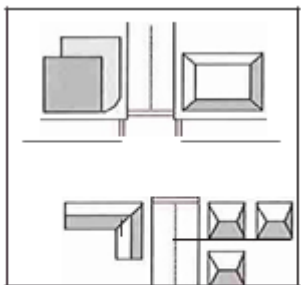
11-9K-2: MASTER PLANNED COMMUNITY REZONE REQUIRED

- A. Not all properties will be eligible for the Master Planned Community zone designation. Each proposed parcel shall be evaluated on its own merits and a rezone is required. All of the following criteria shall be used to assess the suitability of the parcel to be considered for the Master Planned Community zone:
1. The proposed parcel shall encompass a minimum of 5 acres; however, projects on smaller parcels may be considered if they fulfill the objectives of the City.
 2. The proposed parcel shall be located within or adjacent to the North Ogden Downtown, Southtown, between those nodes along Washington Boulevard, or to the west of Downtown, where more diverse and intense uses are anticipated in the General Plan.
 3. The primary use shall be residential.
 4. At least 5% of the total square footage of all buildings in the entire proposal shall be devoted to a secondary use, such as residential mixed with commercial uses or office uses. Greater mixes are encouraged.
 5. Proposals shall demonstrate an excellence in architecture, site design, and walkability, as described in the standards of this ordinance.
 6. Proposers shall be willing to enter into a development agreement that runs with the land.
 7. Proposals shall demonstrate how the potential project will address the specific goals and values found in the North Ogden General Plan and within the Downtown chapter.
 8. The entire parcel shall be reflected in a specific site plan, see sections 3 and 4 below.

11-9K-3: DEVELOPMENT STANDARDS

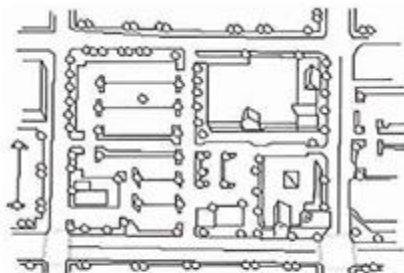
- A. Development Standards. The following standards apply specifically to development in the Master Planned Community zone (MPC) and shall supersede any other standards found elsewhere in this Code. These standards are guidelines that should be reinforced through the required development agreement. Significant deviations from these standards are possible, but only if coupled with a development agreement.
- B. Building Placement and Massing.
1. Setbacks. Building facades should comprise at least 65% of the frontage facing Washington Blvd. and 50% of all other public street edges. Building facades must be located 0-10 feet from the public right-of-way (typically inside edge of sidewalk) on major streets. Minor streets may include increased setbacks with a minimum of 15'. Awnings, balconies, and architectural features may project beyond building facades, but not over the sidewalk, as approved by the Planning Commission. Street side setback variations are encouraged when an activity related to pedestrian use is maintained, i.e. special landscaping, outside seating for a restaurant, patios, recessed plazas, courtyards,

and trellises are encouraged.



Buildings to the street

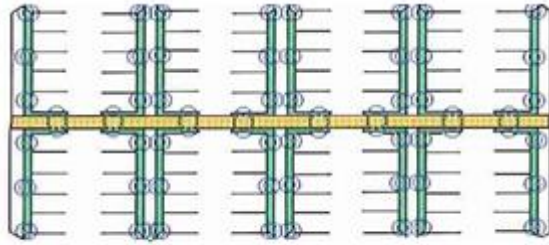
2. Zero lot line side setbacks with attached structures, in compliance with the International Building Code are anticipated except for necessary rear lot driveway access, pedestrian access, open space, transitions to other uses and landscape areas. Rear setbacks should be of sufficient depth to allow proper parking and landscaped areas to the rear of the buildings, coupled with appropriate transitions to adjacent uses. Rear yards and the rear of buildings shall not directly abut streets. If the rear of building is approved adjacent to a street, pedestrian access and street oriented building treatment must be adequately addressed.



Anchor Retail

3. Building Orientation. The entrances of all retail, civic, residential, institutional uses, and office buildings shall always front onto major streets, with the exception of center block residences (which still must front pedestrian ways) and anchor stores greater than 30,000 square feet in size. On minor streets this requirement is suggested but may be waived with an appropriately landscaped buffer yard adjacent to the minor street. Secondary entries may be required at the rear of street-facing buildings. Where possible, 'like land uses' shall face 'like land uses' or open space, i.e. retail across the street from retail, townhomes from townhomes, etc. Loading docks and service areas shall be screened from streets and adjacent properties through architectural design and landscaping. Anchor store entrances must front onto the street, and be connected to adjacent streets via landscaped, publicly accessible walkways. Access from parking

areas may be via mid-block passageways or "paseos," to the street.



Walkways thru parking areas

- C. Building Height. Buildings shall have a minimum and maximum height as indicated on the table by building type, with height to be measured in accordance with the City's adopted ordinances and standards.

Land Use	Commercial, Office & Vertical Mixed Use or residential flats	Condos, Town-homes, single purpose apartments	Single -family, duplexes, twin homes, & 4 unit buildings	Civic Uses & other stand-alone uses
Minimum Building Height	Two stories or 24'	Two stories or 24'	One story or 14'	One story or 14'
Maximum Building Height	Four stories or 45'	Three stories or 36'	Two stories or 24'	Three stories or 36'

The Planning Director may approve a height over three stories if the design includes suitable "step-back" architecture and other architectural features which encourage a "village" feel on the street level. Step-backs shall create usable spaces for residents.

- D. Land Use Impact and Buffering. Landscape buffers are strongly preferred over fences and walls where a separation is desirable. A visually open look should be encouraged between compatible uses. Visual screening which creates 'outdoor rooms' is often more important than a physical separation and the Planning Commission, shall evaluate such areas. Fences or walls, if determined to be necessary or desirable, must be reviewed for their effectiveness in protecting private space while not creating isolated uses or dead space void of natural surveillance. Approved fences or walls shall be compatible in color, texture, and design in relationship to building materials. In order to mitigate any negative impacts, the Planning Director, after due consideration, may modify building setbacks and heights to create better separation, and/or require additional architectural and/or landscape elements, as needed to mitigate anticipated detrimental impacts between uses. Transitions between buildings in the MPC and other zones shall be setback 20' for buildings up to 24' in height (measured to the peak of the roof) and then additional height shall be allowed with an additional foot of setback equal to one additional foot of height.
- E. Architectural Design and Materials. The treatment of building mass, façade variation, materials and exterior appurtenances shall create an aesthetically pleasing building and site that is in character with the proportions of other surrounding buildings, and yet provides diversity in design. A mix of materials is required. Requirements applicable to all buildings are stated below:
 1. All sides of buildings shall receive substantial design consideration, with an emphasis on areas visible to pedestrians, vehicular traffic, and neighbors. Repetitive design for any

project over 5 buildings is not acceptable. Within projects, sub-neighborhoods created by design shall be incorporated in the overall scheme, with a general intent of significant building façade changes every 5 to 10 buildings or as approved in the site plan. A mix of materials is required.

2. Screening: All building equipment and service areas, including on grade and roof mechanical equipment, utility meters, and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, especially from major streets, or they may be enclosed as to appear to be an integral part of the architectural design of the building. Dumpsters (shall not be located closer than 20' from any property line), and other necessary equipment shall be located or screened so as not to be visible from streets, pedestrian areas, and adjacent. Screening elements shall be aesthetically incorporated into the design of the site whether located on the ground or on a structure.
3. Basic building materials shall include, but are not necessarily limited to, architecturally treated pre-cast concrete, brick, stone, granite, ceramic tile, cement/fiber board, architectural metals, and/or glass. All residential uses shall have substantial brick and/or masonry exteriors. Limited amounts of stucco, vinyl siding and metal may be considered as accent materials, if the quality of the design merits such consideration. The use of exposed concrete (architectural concrete excepted), or vinyl for storefront facades is not permitted. All buildings within the development shall incorporate some common architectural theme and/or architectural elements, creating a unifying development.
4. No more than four colors shall be used per development excluding the roof. Earth tone colors are encouraged to help buildings blend into the environment, however, color may vary if approved by the land use authority as being compatible with surrounding developments. Approved tinted glass surfaces shall be considered as one of the colors allowed and shall conform to the color requirements included herein.
5. Buildings shall be designed to relate to grade conditions with a minimum of grading and exposed foundation walls, creating easy pedestrian access from sidewalks, parking areas, etc. Commercial buildings shall be designed with ground floor architectural distinction/separation in order to enhance street activity and walkability. All buildings shall have expansive windows, balconies, bay and/or box windows, terraces, or other design features which are oriented to the street, or other people spaces. Windows shall make up at least 50% of street-facing facades on the first story of commercial developments. Window shapes and sizes shall be so designed to be compatible from building to building. Substantially tinted windows and windows with reflective film or glass are not permitted at street level; however windows with a minimum of tinting to meet low-e and other energy efficiency standards are highly encouraged. Building facades shall provide at least one operable building entrance per elevation that faces a public street.
6. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
7. Plans shall include any existing buildings that will be incorporated into the project and any modifications to such buildings.

- F. Signage. Proper design and placement of signs and their lighting is critical. All developments shall have a sign theme which promotes use compatibility. Permitted permanent signs within the MPC Zone shall be, directional signs, or signs located on the building, such as wall signs, projecting wall signs, and window signs.
- G. In addition, a monument sign is allowed with the following limitations: the sign shall have as the prominent feature the name of the development. Font styles shall be consistent. Monument signs shall be constructed with materials similar to that of the main building. Monument signs may not obstruct the clear of view of any intersection or driveway.
Only A-frame signs and painted murals on the inside of a storefront window are allowed as temporary signs.
- H. Open Space. Significant usable open space equal to 20% of the project shall be provided within the MPC development, depending upon the size, scale, and nature of the development. Usable open space means spaces that serve a recreation function and not leftover non-usable pieces such as landscaped islands in parking lots. Such spaces should be appropriately sized for the development and should include at least one usable space with a minimum dimension of 50' by 100'.
 - 1. Approved open space may include but is not limited to: commons, pocket parks, plazas, courtyards, landscape features, water fountains and features, greenbelts, and trail connections.
 - 2. A "Village Green" or other commons area, may be required adjacent to mass transit connections or other significant activity.
 - 3. Building materials used within open space areas shall be related to the materials of adjacent buildings and shall be a non-skid finish.
 - 4. Design shall be designed to provide safe pedestrian use, including landscaping, seating areas, WIFI, and lighting as appropriate. Fruit tree, community gardens, and water themes are encouraged.
 - 5. Areas of environmental concern or interest may be required to be preserved or enhanced, i.e. water drainages, connections to trail systems, and water features. Unless otherwise specified through the development agreement with the City, all open space areas shall be maintained by the property owners or homeowner associations.
- I. Landscaping. Landscaping guidelines are established to improve and maintain site qualities. Landscaping, in general, shall conform CCNO 11-19 and the following principles:
 - 1. Landscape and streetscape plans are required to be submitted with any building, structure or other improvements meeting the standards of this ordinance and as specified in the Public Works Standards. All such plans shall promote water-wise landscaping designs and include xeriscape, where appropriate.
 - 2. Street trees are required along major streets unless this requirement is specifically waived by the City in exchange for other types of street landscaping, such as, flowering pots, shrubbery, rain gardens, etc. When available, the City's Street Tree Plan should be consulted.
 - 3. Future development areas or land area not occupied by buildings, structures, hard surfacing, vehicular driveways or pedestrian walkways shall be kept in a weed-free condition or landscaped

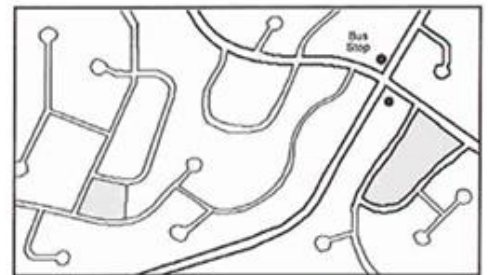
- a. Where possible, a 50/50 mix of deciduous and evergreen trees and shrubs shall be used for on-site landscaping.
- ↳ Outdoor Lighting. Lighting, in general, shall conform CCNO 11-11-6 and the following principles:
1. The lighting of streets, pedestrian areas, parking lots, and open space is required.
 2. Exterior wall mounted floodlights are expressly prohibited.
 3. Indirect lighting, bollard lighting, and landscape lighting is encouraged.
 4. Lighting of a building and site identification signs are permitted as allowed elsewhere in this Code.
 5. Lighting along Washington Blvd., the Downtown and Southtown, and 2700 N. shall be an approved fixture as selected by the City.
 6. Lighting shall be evaluated as to how adequately it meets its intended purpose. Design and location of standards and fixtures shall be specified on the site development drawings and a lighting plan provided. Intensities shall be controlled so that 'safety' lighting is provided while neighboring areas are protected from glare or excessive direct light.

K. Streets and Pedestrian Ways

1. Streets. All accesses within a MPC shall have connectivity with existing and future street patterns. A grid street pattern or modified grid pattern is required where possible. Cul-de-sac streets shall not be approved unless it can be demonstrated that no other practical way exists to make connectivity. In order to uphold and enhance traditional neighborhood development principles, private streets are discouraged and gated communities are prohibited.



Connected Street System



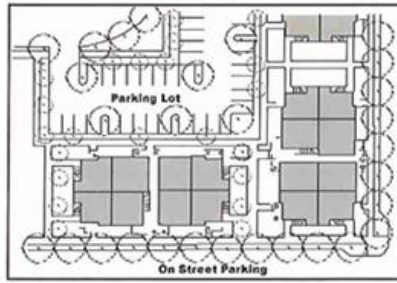
Disconnected Street System

2. Widths. Street widths shall be per Public Works Standards. In general, streets shall be designed to meet the level of travel and service, while incorporating principles of traffic calming and pedestrian compatibility, i.e. tree lined streets with pedestrian ways and linkages, decreasing the need for pavement width by spreading traffic through a grid or modified street hierarchy system.
3. Sidewalks and Walkways. The design of pedestrian ways may include a solitary meandering pathway or trail, a 'pedestrian street' and the many possible designs in-between. Walkways and connections to trail systems shall be incorporated into the project. Choice of appropriate pedestrian access shall be made based upon the scale and type of mixed use project being proposed and by the way uses are intermingled. A ten foot cross-section (five foot park strip, five foot sidewalk) is a minimum standard, while sidewalks widths of 10' are required for properties that front on Washington Blvd. and/or 2700 N. All public streets shall have walkways for pedestrians.

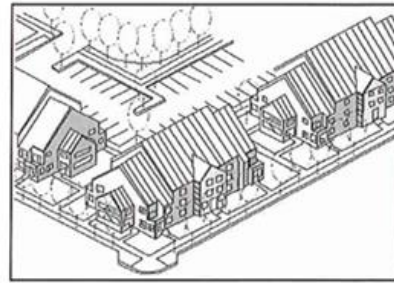
4. Pavers, borders, colored/textured concrete and other sidewalk design materials with compatible colors shall be used as needed in order break up expanses of hard-surfacing and to encourage pedestrian interest and activity. In vertical mixed use areas, wider sidewalks are required in order to enhance street and land use connectivity. Portions of the park strip may be paved or crushed rock, to accommodate street furniture, leaving tree wells for street trees. Corner plazas are required with a triangular area having at least 20' dimension parallel to the streets emanating from the intersection of ROW lines. Street furniture, including but not limited to benches, trash receptacles, artwork, drinking fountains, bike racks, etc. may be required depending upon the nature of approved uses. Street furniture requirements shall include an overall design theme for compatibility.
 5. Crosswalks. Extensive use of crosswalks shall be incorporated within the project. Crosswalks shall be so configured to be a design feature of the development, i.e. heavy painted lines in patterns, pavers, edges, and other methods of emphasizing pedestrian use. Bulb-outs and other pedestrian design shall be used to shorten walking distances across open pavement. Planted medians shall be used in appropriate areas to encourage walking and to act as a 'refuge' for crossing pedestrians.
 6. Street widths. The widths of streets shall be established as per Public Works Standards
- L. Other Forms of Transportation. All forms of transportation shall be considered within and without the MPC with the intent to improve convenience and reduce automobile trips. All forms of transportation should be encouraged, including, walking, bus, bicycle, and pedestrian. Access connections shall be required where deemed essential to provide circulation or access to churches, schools, playgrounds, shopping centers, transportation, and other community facilities.
- Conveniently located short term bicycle racks shall be required in every development along the street frontage with the ratio of one rack that accommodates at least 2 bikes per business with up to 25 employees and one rack that accommodates at least 4 bikes for businesses with over 25 employees. Long term bike rack/storage is required for residential developments with a ratio of one rack that accommodates at least 5 bikes for every 50 units.
- Appropriate bus turnouts, shelters, and stops shall be coordinated and planned as part of the development review process. Based upon land use and the level of demand, bicycle parking shall be provided in appropriate locations, i.e. visible from store fronts and entrances to office buildings and residential structures.
- M. Parking Areas. Parking areas shall be considered as structures since they present a three dimensional appearance when occupied. All parking areas shall meet the requirements of CCNO 11-19 as well as the following:
1. Parking Location. Location of parking shall be determined not only from its visual relationship to the building and site, but also as it relates to safe convenient pedestrian and vehicular circulation patterns. Where possible, Parking lots shall be broken up and planned as 'outdoor rooms'.
 - a. Large Parking lots. When approved, larger parking lots shall be broken up with substantial tree and ground cover broken up into 'rooms' of no more than 300 parking stalls thru the use of connecting walkways.

- b. Where practical, parking lots shall incorporate LID techniques, by providing retention through the use of internal islands for storm water retention.
 - c. Unless otherwise approved by the Planning Director, parking lots are prohibited adjacent to any street and/or between a building and the street. Parking shall be located to the rear of the building or to the side. Parking lots located to the side of a building shall incorporate adequate screening, such as short walls and hedge type landscaping between the lot and the public sidewalk.
- 2. Underground parking, deck or terrace parking, and parking garages are encouraged. Parking structures with first level parking immediately adjacent to the frontage of a street are prohibited. Parking structures shall be designed around natural light with 'safety' lighting added as needed.
- 3. Landscaping, within and without, may be required to enhance compatibility and safety.
- 4. Developments may be approved with less than required parking if evidence can be shown that the nature of the land use proposed will not need the number of stalls as recommended in the City's parking ordinance, as may be approved by the land use authority.
- 5. Developments may also be 'under parked' if justified with a walkable design that demonstrates such, and/or where local multi-modal transit systems exist or are immediately planned, which would help reduce the number of needed parking stalls and/or automobile trips.
- 6. Shared parking arrangements may be required in order to reduce necessary parking areas and to encourage pedestrian activity. A parking study may be required during the pre-application process if determined by the Planning Director that some flexibility may be warranted, paid for by the developer and managed by the City to consider a reduction in the City parking standards.
- 7. Where possible, on-street parking shall be provided adjacent to developments, and a pro-rated share of such, may be used to satisfy overall parking requirements. Parallel or angle parking may be approved based upon the overall design and width of the street, as recommended by the City Engineer and approved by the land use authority. UDOT coordination and approvals may be required.
- 8. Visitor parking shall be carefully considered using the standard of 1 visitor parking space for every units. Tandem parking may be considered for up to 50% of this requirement.
- 9. RV storage lots and stalls occupied by RVs shall not be allowed.
- N. Environmental. Building, landscape, and solar design should be adjusted, where possible, to be compatible with the local climate. Such design should include, but may not be limited to, window placement, building recesses, overhangs, trellises, awnings, porches, and landscape placement, planned in such a way to enhance livability and reduce energy costs.
 - 1. The use of lighter colored building materials (i.e. roof tops), fences/walls, and extensive deciduous and evergreen tree cover shall be incorporated into developments in order to reduce the urban heat island effect.
 - 2. Where possible, streets, driveways, parking lots, etc., should use concrete or other materials which absorb less sunlight.
 - 3. Interior and perimeter parking lot landscaping shall be provided at the ratio of at least one tree per six parking stalls.

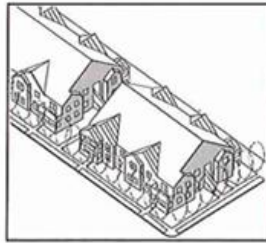
4. Where practical, drought resistant ground covers, shrubs, and trees shall be incorporated into the landscape to reduce water usage and storm runoff. Extensive areas of grass or other high water use plants without a public purpose are discouraged.
 5. Include 220 volt outlets in all garages, solar panels on roofs, and insulation exceeding standard code requirements by 20% for roofs and walls.
- O. Requirements Unique to Residential Uses. The following shall apply to residential uses:
1. Multi-family residential use shall comprise a variety of types of housing, fulfilling housing needs with a wide assortment of housing choices.
 - a. The following standards shall be required for multi-family residential:
 - i. Properly designed off-street surface parking hidden from streets, parking terraces, or underground parking. Attached or detached garage units associated with multi-family development should be rear loaded. Where only front loaded garages are possible, they shall be subservient and setback 5 feet from the front façade and at least 20' from the front property line.
 - ii. Flat roofs with a parapet and pitched roofs with a 4/12 pitch or greater, unless otherwise approved by the Land Use Authority.
 - iii. Extensive windows facing streets, alleys and pedestrian connections.
 - iv. Covered porch entrances.
 - v. Entry sidewalks that connect directly to public sidewalks.
 - vi. Livable balconies of 50 square feet or larger with a minimum of 5' in depth
 - vii. Material variety
 - viii. Building relief
 - b. The following standards for multi-family residential are required :
 - i. Multi-level structures.
 - ii. Dormers and/or shutters, and other window treatments such as bay or box type windows.
 - iii. Enhanced corner treatments on major streets including towers and larger corner setbacks for plazas
 - iv. Street side balconies/decks.
 - v. Streets which de-emphasize the need and speed of automobiles.
 - vi. Other pedestrian oriented design



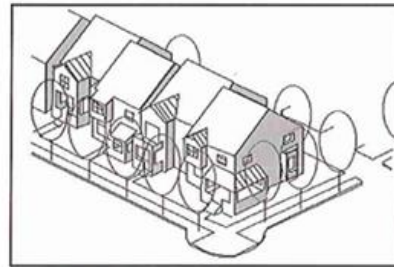
Garden Apartments - Plan View



Garden Apartments - Elevations

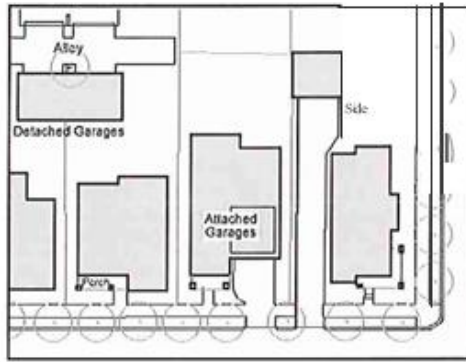


Condos w/ Underground Parking Elevations

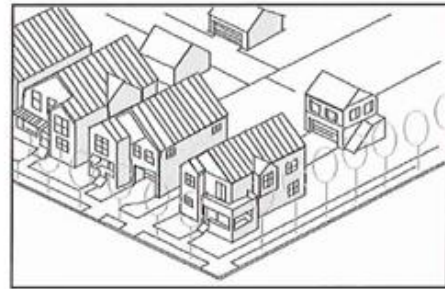


Townhomes - Elevations

2. Small lot Single family residential uses, if approved, shall be carefully designed using the following design principles. Front setbacks shall range between fifteen (15) and twenty (20) feet typically measured from the inside edge of sidewalk to the porch. Front loaded garages shall be subservient to the dwelling and shall not have a setback less than twenty feet. The following standards shall be required for single family residential:
 - a. Subservient garages, i.e. back loaded detached with alley access, front loaded detached, attached but setback from the front line of the home by at least five feet (and 20' from the public ROW), side entry attached, or a combination of the above.
 - b. Roofs with a 4/12 pitch or greater.
 - c. Covered open front porches comprising at least 50% of the front elevation (not including the garage), in no case being no less than fifteen feet (15') in width and six feet (6') in depth.
 - d. Entry sidewalks that connect directly to public sidewalks.
 - e. Lamp posts and/or entry door lighting with downward directed illumination
3. The following standards for small lot single family residential are required:
 - a. Two-story dwellings.
 - b. House dormers and/or shutters, and other window treatments.
 - c. Street side balconies/decks.
 - d. Wrap-around porches, particularly on corner lots.
 - e. Rear loaded garages



Single Family Residential - Plan View



Single Family Residential - Elevations

4. Service Areas. Loading and refuse collection areas shall be screened from public view. These areas are not permitted between buildings and streets unless they can be adequately screened thru landscaping and architectural design. Streets shall not be used as maneuvering areas for commercial loading, unloading, or refuse collection. Building and improvements upon lots shall be designed to properly accommodate loading, unloading and refuse collection. Screen walls and enclosures shall be constructed with materials compatible with the structures they serve. Loading and refuse collection areas shall be properly maintained in a debris-free condition. Dumpsters shall not be located within 20' of any property line.

- P. Density. It is anticipated that a Master Planned Community will fall in the medium to high density categories as established in the General Plan. Currently (2015) those densities are 6 to 18 units per acre for medium density and 18 to 40 units per acre for high density.

11-9K-4: LAND USES

- A. Land uses shall be established through the development agreement. The general categories of uses include: retail, service, office, and residential uses but all uses shall be enumerated in the development agreement.

11-9K-5: ZONE DESIGNATION ON THE OFFICIAL ZONING MAP OF NORTH OGDEN

- A. All Master Planned Community zoning shall be designated MPC with a suffix that refers to the actual development. As an example, if a project is approved and built with the name "Coldwater Springs", it would be designated on the Zoning Map as MPC-CS.

11-9K-6: MODIFICATIONS OF THE APPROVED PLANS

- A. After adoption of the MPC, there may be a need for deviations from the approved plans to address building code revisions, unknown existing conditions, material availability, and other unforeseeable issues. The City Planner, the City Engineer, and their designees may approve changes that are consistent with the intent of the original approval, so long as such changes do not constitute more than 5% of the original project area. Any changes shall be approved only if the modifications include improved or equivalent quality of materials or design. Any proposed changes that exceed 5% of the project area or that are deemed materially significant by the City

Planner or City Engineer shall require an amendment to the MPC per the approval process set forth in this ordinance. Planning Commission shall hold a hearing and may make a determination in favor of, against, or require a modification to the proposal. Any significant change shall require that the Development Agreement be updated with the City Council, in a public hearing process.

11-9K-7: MASTER PLANNED COMMUNITY ZONE CONFLICTS WITH OTHER REQUIREMENTS IN THE CITY CODE

- A. When the requirements of this chapter are found to be in conflict with other provisions of the City Code, the standards, requirements, and processes of this chapter shall take precedence, especially where a development agreement has been approved.

ARTICLE L: CIVIC ZONE C

11-9L-1: PURPOSE AND INTENT

The civic zone is specifically intended to regulate civic uses within the City. This zone identifies the standards for public land and structures that are developed and set aside for the use and benefit of the public.

11-9L-2: PERMITTED USES:

- A. The following uses shall be permitted:
 1. Accessory building and use customarily incidental to any permitted use. See CCNO 11-9M-9.
 2. Cemetery.
 3. Civic Buildings.
 4. Civic Complexes.
 5. Public Park, public recreation grounds, and associated buildings. See CCNO 11-9M-19.
 6. Public Utility substation or water storage reservoir developed by a public agency. See CCNO 11-9M-20.

11-9L-3: SITE DEVELOPMENT STANDARDS

The following standards reflect minimums; however, the variety of civic uses have unique circumstances and needs. The Planning Commission may approve alternative standards based upon unique circumstances while taking into account the need for appropriate buffering with adjacent properties.

A. Minimum Lot Area	No Minimum lot area.
B. Minimum Lot Width	No Minimum lot width, however, frontage access on a public street is required
C. Minimum Yard Setbacks for Structures	
1. Front	20'
2. Side	10'
3. Rear	20'
D. Building Height	
4. Minimum	One-story

5. Maximum	Two and one-half (2½) stories or thirty five feet (35') or as approved by the Planning Commission
E. Open Space	
6. Civic Building	20%
7. Public Parks	50%

11-9L-4: SITE PLAN APPROVAL

For any permitted uses a site plan shall be required in accordance with CCNO 11-26. Uses for each site plan will be identified.

11-9L-5: AMENDMENTS

- A. Minor Changes: All development shall conform to the final plan. Minor changes in the location, siting or character of buildings and structures may be authorized by the Planning Director if the change is consistent with the intent of the original approval, so long as such changes do not constitute more than 5% of the original project area. Any changes shall be approved only if the modifications include improve or equivalent quality of materials or design Any changes that exceed 5% of the project area or are deemed materially significant by the Planning Director shall require an amendment to the site plan. Examples of a minor change are the relocation of a use on the site.
- B. Changes to any of the following shall require a modified site plan review and approval by the Planning Commission.
 - 1. A change in the use or character of the development;
 - 2. A change in character of approved open space;
 - 3. A reduction of required off street parking;

11-9L-6: SIGN REGULATIONS

A comprehensive sign plan shall be submitted and approved for each civic facility.

A comprehensive sign plan shall include the location size, height, type of illumination, landscaping, time of placement and/or illumination, and orientation, of all proposed signs for the civic use, either permanent or temporary.

The comprehensive sign plan shall be approved by the Planning Commission as part of the site plan approval.

11-9L-7: FENCE REGULATIONS

Uses within the Civic zone are subject to 11-9M16.

A fencing plan shall be included with the site plan and approved by the Planning Commission.

11-9L-8: EXTERIOR LIGHTING

Uses within the Civic zone are subject to 11-11-6 (Exterior Lighting)

11-9L-9: TRASH ENCLOSURES

Uses within the Civic zone are subject to CCNO 11-11-9 (Trash Enclosures) Civic uses may use standard pickup service in lieu of a trash enclosure.

11-9-10: PARKING

Uses within the Civic zone are subject to CCNO 11-18. The number of required parking stalls shall be approved by the Planning Commission as part of the site plan review approval process.

ARTICLE M: USE REGULATIONS APPLICABLE TO RESIDENTIAL AND CIVIC ZONES

11-9M-1: APPLICABILITY

- A. The regulations included herein, qualify or supplement, as the case may be, the zone regulations contained within the Residential Zone Districts.

11-9M-2: ADDITIONAL PRINCIPAL BUILDING REGULATIONS

- A. Every principal building shall be located and maintained on a lot and every lot shall have required frontage on a street, except where a parcel of land was in separate ownership prior to December 31, 2000, and except as otherwise permitted in this Title.

11-ML3: ADDITIONAL YARD REGULATIONS

- A. Open or lattice enclosed fire escapes, fireproof outside stairways, regular unwallied porches, terraces, bay windows, chimneys, balconies, and balconies opening upon fire escapes, may project five feet (5') into a required front yard, ten feet (10') into a required rear yard, and three feet (3') into a required side yard; and the ordinary projections of chimneys and flues are permitted.

11-9M-4: ADDITIONAL HEIGHT REGULATIONS

- A. Chimneys in residential zoning districts may be two feet (2') above the roofline of the residential structure, even if the roofline is at the maximum building height.

11-9M-5: ZERO SIDE YARD PROVISIONS

- B. Purpose and Intent. The purpose of this section is to allow the Planning Commission to grant one zero side yard per lot in the subdivision as per the following conditions:
 1. When the remaining one side yard is equal to the combined total of the required two (2) side yards of the zone in which it is located.
 2. No window or other similar opening shall be installed in the building or any accessory building along the side having a zero side yard.
 3. No zero side yard will be permitted on the lot side bordering a nonresidential zone, or on the lot side bordering on a residential lot not utilizing zero side yard provisions.
 4. The use of the zero side yard provision is contingent upon development of, or commitment to development of, a zero side yard on adjacent lots.
 5. The approved location of each dwelling and accessory buildings utilizing the zero side yard concept must be designated on each lot on the approved final subdivision plat.

6. In the case of existing subdivisions, the zero side yard concept may be utilized upon compliance with the above provisions and upon issuance of a conditional use permit approved by the Planning Commission and City Council.
7. All building permits will be issued in strict accordance with the building site restrictions as shown on the approved subdivision final plat. Any changes in the location of buildings from the location shown on the approved final plat must be approved by the City Council and an amended final plat shall be recorded with the county recorder showing the approved changes.

11-9M-6: SETBACKS ON LOTS 10% OR GREATER SLOPE

- A. Purpose and Intent. The purpose of this section is to provide setback relief for lots with an overall slope greater than fifteen percent.
- B. Residential lots with an overall slope greater than ten percent may have the front setback reduced from 30 feet to 20 feet. Slopes shall be measured from the highest elevation on either the front or rear lot line to the lowest elevation on the lot.

11-9M-8: SPECIAL PROVISIONS FOR SIDE YARD REDUCTION

- A. Purpose and Intent. To provide residential single-family dwelling units built prior to 1980, not having adequate parking as required by current ordinance, to request a reduced side yard of not less than six feet (6') and/or a reduced garage width of not less than eighteen feet (18') for the purpose of adding a garage or carport provided, that:
- B. The side yard reduction must be on the garage or carport side of the dwelling and no living space will be allowed in connection with the addition.
- C. The combined total of the side yards of the dwelling requesting the change is not less than eighteen feet (18') in zones RE-20, R-1-12.5, R-1-10; and twelve feet (12') in zones R-1-8, R-1-8(A), R-1-8(AG), R-2, R-3 and R-4.

11-9M-9: ACCESSORY BUILDINGS

- A. Purpose and Intent. To allow for the construction of accessory buildings and ensure that accessory buildings are designed and built to minimize their impacts on neighboring properties.
- B. Location and Size:
 1. No detached accessory building, other than trellises, shall be allowed between the front of the main residential building and the street.
 2. A garage or carport attached to the main residential building is allowed between the front of the main residential building and the street if the front and side yard setback requirements for the zone are maintained and the garage or carport is integrated into the design of the residential building, with a similar residential exterior wall treatment, roof slope, and roofing material as the main building to which it is attached.
 3. A detached garage or carport may be located in the side yard so long as it meets the side and front yard setbacks, is a minimum of six feet from the main building, is integrated into the design of the residential building, and has similar residential exterior wall treatment and roofing material as the main building.
 4. Metal accessory buildings must be located in the rear yard.

5. Nonmetal accessory buildings regardless of size may be located in an interior side yard or rear yard provided they meet the required setbacks of the zone.
 6. On a corner lot, an attached or detached accessory building (with or without a roof) that is open on at least three (3) sides may extend into the side yard setback facing a street up to the minimum side yard setback for an interior lot in its respective zone. Such structures are limited to covered or uncovered decks, patios, gazebos, pergolas, and trellises.
- C. Height. The building shall not exceed the maximum height allowed per the development standards of each zone district.
- D. Design and Materials. The following standards shall apply to the design and materials of accessory buildings:
1. Accessory buildings in R-1 and RCC zones may be constructed of horizontal siding brick, wood or stucco or similar material as the main building.
 2. All accessory buildings larger than two hundred (200) square feet must be integrated into the design of the residential building with similar residential exterior wall color.
 - a. Roofing materials including metal roofs shall have a similar color as the main building.
 - b. An eave proportionate to the main building is required with a minimum of twelve (12) inches. Aluminum fascia soffits are allowed.
 - c. Accessory buildings fronting onto a street must have a window(s) that occupies a minimum of five percent (5%) of the façade of the building or have a person door or garage door with windows.
 1. Reuse of a metal structure originally designed for or used for other purposes, such as shipping or cargo containers, is not allowed unless the exterior of the metal structure is made to be integrated into the design of the main residential building, with a similar residential exterior wall treatment and roofing material as the main building.
 2. Metal accessory buildings two hundred (200) square feet or less are allowed in all residential zones, in rear yards only.
 3. Accessory buildings over two hundred (200) square feet finished with metal siding are not allowed in the R-1 and RCC zones.
 4. Architectural metal and prefabricated metal buildings are allowed as accessory buildings in the RE-20 zone.
 3. All accessory buildings shall have a buffer of either a fence or landscaping or a combination of the two.
- E. Prohibited Use. Accessory buildings shall not be used as living quarters. Accessory dwelling units are not considered accessory buildings.

Accessory Buildings in CCNO 11-9D (Residential Zone R-2), CCNO 11-9E (Multi-family Residential Zone R-3), CCNO 11-9F (Multi-family Residential Zone R-4) and the following PUD Zones CCNO 11-9G (Roylance Farms Planned Unit Development Zone), CCNO 11-9H (Quail Ponds Planned Unit Development Zone), and CCNO 11-9I (Cold Creek Village Planned Unit Development Zone):

Accessory Building

	R-2	R-3	R-4	PUD
A. Interior side yard setback (in feet)	3	3	3	3
B. Corner lot side yard setback (in feet)	20	20	20	20
C. Maximum height (in feet)	15	15	15	15
D. Maximum size	599 sq. ft.	599 sq. ft.	599 sq. ft.	599 sq. ft.
E. Minimum distance between buildings	6	6	6	6
F. Maximum rear yard coverage by all accessory buildings	25%	25%	25%	25%

11-9M-10: ACCESSORY DWELLING UNITS

- A. Purpose and Intent. The purpose and intent of this section is to recognize the residential character of North Ogden City and to provide for supplementary living accommodations in the community. These provisions are intended to provide for affordable housing with reasonable limitations to minimize the impact on neighboring properties and neighborhoods, and to promote the health, safety, and welfare of the property owners and residents of accessory dwelling units (ADUs).
- B. Owner Occupied. No ADU shall be created, established, or occupied in a single-family dwelling unless the owner of the property occupies either a portion of the primary dwelling or a detached accessory unit on the same single-family lot. For the purpose of this section, the term "owner occupied" shall be defined as full time residency within the home by the bona fide property owner(s) as shown on the Weber County tax assessment rolls.
1. Owner Occupant. An Owner occupant shall be considered:
 - a. An individual who:
 - i. Possesses, as shown by a recorded deed, fifty (50) percent or more ownership in a dwelling unit; and
 - ii. Occupies the dwelling unit with a bona fide intent to make it his or her primary residence; or
 - b. An individual who:
 - 1) Is a trustor of a family trust which possesses fee Title ownership to the dwelling unit which was created for estate planning purposes by one (1) or more trustors of the trust; and
 - 2) Occupies the dwelling unit owned by the family trust with a bona fide intent to make it his or her primary residence. Each living trustor of the trust shall so occupy the dwelling unit except for a trustor who temporarily resides elsewhere due to a disability or infirmity. In such event, the dwelling unit shall nevertheless be the domicile of the trustor during the trustor's temporary absence.
 - c. A person who because of a temporary work, military, or non-profit related assignment which is less than 36 months is relocated outside of the City but maintains the property associated with the ADU as their legal residence as

evidenced by providing proof annually of the temporary assignment and one of the following: the current years income taxes (with financial information redacted), driver's license, vehicle registrations, or voting registration.

- C. Dwelling Unit Occupancy. The occupants of an accessory dwelling unit shall be limited by one of the following family categories:
 - 1. Temporary guests. A "temporary guest" is defined as a person who stays with a family for a period of less than thirty (30) days within any rolling one year period and does not utilize the dwelling as a legal address for any purpose.
- D. Zones. An ADU which meets ordinance requirements is a permitted use in a single-family dwelling unit or in a detached accessory unit within the RE-20, R-1-8, R-1-8(AG), R-1-10, R-1-12.5 and RCC zones. No accessory dwelling unit may be allowed in any multi-family dwelling.
- E. Number of ADUs. A maximum of one ADU shall be allowed in each owner occupied single-family dwelling, or in a detached ADU associated with a single-family dwelling.
- F. Address. The principal dwelling unit and the ADU shall have the same address number, but shall refer to the ADU as unit B. Addresses must be located in a visible location on the street frontage side of the home.
- G. Separate Living Areas. An ADU must provide living areas for eating, sleeping and sanitation facilities separate from the principal dwelling unit.
- H. Fire, Building, and Health Codes. An ADU shall comply with all building construction and fire codes in effect at the time the ADU is constructed, created or subsequently remodeled, including the obtaining of required building and other permits.
- I. Utility Meters. A single-family dwelling with an ADU shall have one (1) but no more than two (2) meters for each water, gas, and electricity utility service, and each meter shall be in the property owner's name. Impact fees are required when adding a detached ADU.
- J. Not Intended For Sale. ADUs shall not be sold separately from the primary dwelling unit.
- K. ADU Registration / Business License. Any person owning an existing ADU that has not previously been permitted by the City, or any person constructing or causing the construction of a residence that has an ADU, or any person remodeling or causing the remodeling of a residence for an ADU, shall register the accessory dwelling unit with the Planning department. If the ADU is a rental unit a business license is required. This shall be in addition to a building permit for the work to be performed. In order to meet the requirements of the registration, the applicant shall:
 - 1. Submit a fee as identified in the Consolidated Fee Schedule with a completed registration form including a site plan that shows property lines and dimensions, the location of existing buildings and building entrances, proposed buildings or additions, dimensions from buildings or additions to property lines, the location of parking stalls, and utility meters.
 - 2. Include detailed floor plans with labels on rooms indicating uses or proposed uses.
 - 3. Pay building permit fees, if applicable, for the construction of a new dwelling, or the remodeling of an existing dwelling, in accordance with the established fees and charges.
 - 4. Make all corrections identified as necessary to comply with building code requirements, as identified by the chief building official or his designee, and provide photos of the life safety items required by building code, including carbon monoxide detectors, smoke detectors, and earthquake strapping on water heaters.

5. Existing non-conforming duplexes which were legally established prior to the elimination of duplexes from the underlying zone shall continue to operate as a duplex even if an Owner Occupant maintains one of the units as their primary residence, provided the Owner Occupant continues to treat the property as a duplex.
 - a. The Owner Occupant establishes the intent to maintain the duplex use by:
 - 1) Obtaining the necessary rental license annually; and
 - 2) Paying the required utility billing charges for two dwelling units; and
 - 3) Paying all other necessary licensing procedures which may be imposed in the future on all landlords throughout the City.
 - b. Failure to maintain the license and pay all necessary utility and other fees for a period of one year or more shall be interpreted as the intent to abandon the duplex use in favor of the conforming ADU use whether or not the unit is occupied.
 - c. Registering the duplex as an ADU for a period of one year or more shall be interpreted as the intent to abandon the duplex use.
- L. Failure to Complete Registration. If the property owner does not complete the registration as outlined above, the ADU shall not be considered legal or approved. Failure to complete the registration of an existing ADU within two (2) years of the passing of this section may result in a fine of five hundred dollars (\$500.00) which may result in a lien on the property. After the fine is assessed, the building official or his designee shall determine an appropriate deadline for compliance. An additional fine may be assessed for each deadline that is not met.
- M. Home Occupation Businesses. Home occupation businesses which may be approved in an ADU shall be restricted to a home office use which creates no customer traffic. No home occupation business shall be established within an accessory dwelling unit without the express written permission of the property owner.
- N. Development Standards:
 1. The total area of the ADU shall fifty percent (50%) or less of the living space of the primary residence for an attached ADU. The total area of the ADU shall be forty percent (40%) or less of the living space of the primary residence for a detached ADU.
 2. ADUs shall not be located in a front or corner lot side yard and shall meet the same setbacks as required for the primary residence in the zone.
 3. Appearance. The architectural design, color pallet, and materials for an ADU shall be similar to the primary dwelling unit.
 4. ADUs and the primary dwelling must be on the same parcel and may not be subdivided.
 5. The height of an attached ADU may be equal to the main building maximum height. A detached ADU may have a maximum height of twenty five (25) feet.
 6. Location: Accessory dwelling units may be allowed as long as the zoning requirements for properties in a single-family neighborhood are met. The ADU shall not be within the building front, rear, or side yard setbacks for the zoning district in which the dwelling lot is located. In addition the following standards apply:
 - a. All accessory dwelling units are allowed over the garage, provided the parking within the garage is not converted, or
 - b. Attached accessory dwelling units are allowed:

- 1) Inside the primary residential dwelling through an internal conversion of the housing unit as an addition or in the basement.
 - 2) By an addition to the house, containing an internal connection between dwelling units provided that the addition will not alter the single-family character of the building
- c. Detached accessory dwelling units are allowed:
- 1) Over a detached garage.
 - 2) Only in the rear yard.
 - 3) On lots having a minimum area of 20,000 square feet.
 - 4) Shall have a minimum separation from the primary dwelling of 15 feet.
 - 5) Subject to 11-7A-4, 11-7B-4, and 11-7J-4 Site Development Standards.
7. Building Entrances. An accessory dwelling unit shall have a separate entrance located on any side or rear of the single family home or at the front of the home if it is below grade and maintains the characteristics of a single family home. The purpose of this requirement is to preserve the single-family residential appearance of the building.
8. Parking. A single-family dwelling with an ADU shall provide at least three (3) off street parking spaces. In no case shall the number of off street parking spaces be less than the number of vehicles being maintained on the premises. This shall include covered parking, garages and tandem parking in driveways. Tandem parking within a driveway is allowed to meet the parking requirement. No parking spaces may be located within the front or side yard setbacks adjacent to a street, except for within an approved driveway. The minimum width of parking areas and driveways shall be paved with concrete, asphalt, masonry, or concrete pavers. No ADU may be allowed on any lot that cannot satisfy the parking requirements.

11-9M-11: ANIMALS AND FOWL

- A. Purpose and Intent. These provisions are intended to allow for animals and fowl on residential properties with minimal impact on neighboring properties and neighborhoods.
- B. Barns, Coops, Pens or Corrals. No barn, coop, pen or corral shall be maintained closer than fifty feet (50') from any dwelling and not closer than seventy five feet (75') from a dwelling on any adjacent lot. Any barn, stable, coop, pen or corral for the housing or keeping of animals or fowl shall be kept, constructed or maintained not less than one hundred feet (100') from a public street. A fenced pasture of one acre or more will be permitted to abut adjoining property lines and the property line adjacent to the public street, except as otherwise permitted in subsection E of this section.
- C. Kenneling Of Dogs. The pen or run in which the dog or dogs are kept shall not be built closer than one foot (1') to the property lines, but in no case shall it encroach upon existing utility easements. The pen or run shall be designed so as not to permit runoff onto adjoining property.
- D. Keeping Of Backyard Chickens In Residential Zones:

Zone	Less Than 0.49 Acre (No Rooster)	0.5 Acre To 0.99 Acre (No Rooster)	1 Acre To 4.99 Acres	Over 5 Acres
RE-20	10 hens	15 hens	15 chickens per acre	30 chickens per acre

R-1-12.5	10 hens	15 hens	15 chickens per acre	
R-1-10	10 hens	15 hens	15 chickens per acre	
R-1-8	10 hens	15 hens	15 chickens per acre	
R-1-8(A)	10 hens	15 hens	15 chickens per acre	
R-1-8(AG)	10 hens	15 hens	15 chickens per acre	30 chickens per acre
HP-1	10 hens	15 hens	15 chickens per acre	
HP-2	10 hens	15 hens	15 chickens per acre	
HP-3	10 hens	15 hens	15 chickens per acre	
RCC	10 hens	15 hens	15 chickens per acre	

1. Additional requirements:

- a. Coops will be treated the same as accessory buildings however coops must be maintained not closer than twenty-five feet (25') from any dwelling on any adjacent lot.
- b. Feed must be stored in a rodent proof container.
- c. Clean water shall be made available to the chickens at all times.
- d. Chickens must be housed in a covered, ventilated, and predator resistant coop.
- e. The coop must be located in the rear yard.
- f. The chickens must be contained within the owner's property lines.
- g. If the chickens have access to an outdoor run, the coop must have at least two (2) square feet per chicken.
- h. If chickens stay in the coop at all times, the coop must have at least six (6) square feet per chicken.
- i. The coop and enclosed area must be kept clean and sanitary to prevent any insect breeding, vermin attraction, nuisance, or offensive odor past the property line.
- j. Dead birds and discarded or rotting eggs shall be removed as soon as possible but no longer than twenty four (24) hours and shall be properly disposed of.
- k. A chicken permit must be obtained annually from the animal control office at the cost of five dollars (\$5.00) per year.
- l. The permit for keeping chickens may be revoked upon the conviction of the permit holder of a violation of this section.

11-9M-12: ATHLETIC COURT

- A. Purpose and Intent. The purpose of this section is to permit residents to install an athletic court for recreational purposes.
- B. Permits. Athletic courts shall require a land use permit and building permit, and in addition to the impervious surface/landscaping requirements found elsewhere in this code, shall be subject to the following requirements:
- C. Athletic courts shall be considered an accessory structure and shall be subject to CCNO 11-9M-9 and CCNO 11-9M-10.
- D. Setbacks. An athletic court shall be constructed in the side or rear yard only with a 5-foot setback if the athletic court has a fence height higher than 6 feet. The setback to be measured from the property line to the fence fabric. Construction upon any utility easement will be done at the property owner’s risk.
- E. Fencing. Fencing around the athletic court may be up to twelve feet (12') in height. Fencing enclosures shall not be considered as part of standard property line fencing. Fencing materials for athletic courts shall consist of open mesh fabric or vinyl coated or color coated chain link without slats. Fencing for athletic courts that are less than six feet (6') in height may be placed along a rear property line or side property line within the rear yard.
- F. Lighting. All athletic court lighting shall be subject to CCNO 11-11-6, must be shielded, directed downward, and shall not spill on to an adjacent property. The applicant shall provide evidence indicating that their light product and lighting plan will not cause light or light pollution from the athletic court light(s) to extend beyond their property line. Lights and light poles including the light base and any supporting structures shall not be in excess of twenty feet (20') in height. Light operating hours shall be restricted to 7am - 10pm.
- G. Grading and Drainage. All athletic courts areas shall be designed and constructed so that storm water runoff shall be contained on the owner’s property and cannot discharge onto any adjacent property.

11-9M-13 BEEKEEPING

- A. Purpose and Intent. The purpose and intent of this section is to permit residents in all single family residential and R-2 zones to keep bees.
- B. Development Standards. An apiary, consisting of not more than five (5) hives or an equivalent capacity, may be maintained in a rear yard (or side yard) of any residential lot or parcel. On a residential lot or parcel which is one-half (0.5) acre or larger, the number of hives located on the lot may be increased to ten (10) hives.
 - 1. Additional requirements:
 - a. A person shall not locate or allow a hive on property owned or occupied by another person without first obtaining written permission from the owner or occupant.
 - b. Each beekeeper shall be registered with the Utah Department of Agriculture and Food as provided in the Utah Bee Inspection Act set forth in Utah Code 4-11, as amended.
 - c. Hives shall be placed at least three feet (3') from any property line and six inches (6") above the ground, as measured from the ground to the lowest portion of the hive.

- d. Hives shall be operated and maintained as provided in the Utah Bee Inspection Act.
 - e. Each hive shall be conspicuously marked with the owner's name, address, telephone number, and state registration number.
 - f. A hive shall be placed on property so the general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals. If any portion of a hives located between three feet (3') and fifteen feet (15') from any property line that does not have a six foot (6') solid fence, a flyway barrier shall be established and maintained around the hive except as needed to allow access.
 - g. On all lots, if the apiary is located in an area that borders a public walk, street or public area, the area shall be separated from the public walk or street by a six foot (6') so lid fence or wall that extends at least ten feet (10') from the hive in each direction.
 - h. Each beekeeper shall ensure that a convenient source of water is available to the colony continuously. The water shall be in a location that minimizes any nuisance created by bees seeking water on neighboring property.
 - i. Each bee keeper shall comply with all State laws and regulations pertaining to beekeeping.
- 2. Harvesting. Honey may be extracted from the hives for personal use and limited sales. Processing and packaging for sale is prohibited per the CCNO 11-14.
 - 3. In the event of a conflict between any regulation set forth in this chapter and bee management regulations adopted by the State of Utah and/or the Weber County Health Department, the most restrictive regulations shall apply.

11-9M-14: IN-HOME DAYCARES AND PRESCHOOLS

- A. Purpose and Intent. The purpose and intent of this section is to permit residents in specific residential zones to conduct in-home daycares and preschools in a manner that will retain the character of the home in a residential setting while not significantly impacting the residential character of the neighborhood.
 - 1. In-home Daycares and preschools are allowed in specific residential zones as a permitted use that requires a site plan per CCNO 11-2-9.
 - 2. Development Standards of all Daycares It shall be unlawful to conduct or pursue an in-home daycare or preschool within the corporate limits of the City, unless each of the following conditions are observed:
 - a. In-home daycares in the operator's residence shall not exceed sixteen (16) people.
 - b. Preschools in the operator's residence shall not exceed a total of fourteen (14) children per day.
 - c. Residents of Premises: Only persons who are bona fide residents of the premises shall operate the daycare or preschool; if the daycare or preschool has more than 8 people or children then one additional person not residing in the dwelling may be employed in the daycare if they have been certified by the state and not a minor.

- d. Total Floor Area. The daycare or preschool shall not occupy more than 50% of the ground floor area of the residence.
- e. Minimum Interior Floor Area. A minimum floor area of thirty-five (35) square feet per child shall be provided.
- f. Signs and Advertising. No sign or advertising shall be displayed on the premises.
- g. Parking and Drop Off. Off street parking shall be provided to satisfy the requirements of CCNO 11-18. No additional parking required. The safe drop off of children is the responsibility of the daycare operator and shall be illustrated in the site plan application.
- h. Play Areas. A minimum outdoor play area of forty (40) square feet per child shall be provided in the rear yard. All outdoor play areas shall be within a fenced area and shall be limited to use by the children in the daycare in normal operating hours. Fence height shall be in accordance with CCNO 11-9M-14.
- i. Conformance with Laws: There shall be complete conformity with fire, building, plumbing, electrical and health codes; and to all state and city ordinances and other laws, covenants, restrictions or regulations pertaining to the premises upon which the daycare is conducted. State Law Applicable: The regulations and licensing of daycare centers shall be in accordance with Utah Code 26-39, as amended, or as hereafter amended
- j. Licensing and Regulation. Appropriate city and state licenses shall be acquired.
- k. An annual inspection for continued compliance will be required for business license renewal of all in-home daycare and preschool facilities.
- l. A criminal background check is required for any adult who resides at a dwelling used for an in-home daycare or preschool business.
- m. No person who has been convicted of a sexually oriented crime may operate, be employed by, or reside at a dwelling that is used for an in-home daycare or preschool business.

11-9M-15: FAMILY SWIMMING POOL

- A. Purpose and Intent. Family swimming pools shall be permitted in the rear yard of a dwelling as an accessory use. The purpose of this section is to ensure the following requirements are met:
 - 1. Location: The location of a family swimming pool or accessory machinery shall be located thirty five (35) feet or more from any dwelling on an adjoining lot and ten (10) feet or more from any interior property line. Pools, accessory machinery, and decking located in a corner side yard may not be located farther forward in the lot than a line which is parallel to the required front setback, extending from the required front setback for a main dwelling to the side property line. Additionally, no swimming pool, decking or accessory machinery in a corner side yard shall be permitted in the area that is farther forward on a lot than the front corner of the main dwelling that is closest to the pool.
 - 2. Fencing and Lighting: An outside family swimming pool shall be completely enclosed by a fence structurally adequate to resist wind load conforming to the international building code (IBC), and not less than six (6) feet in height with a self-latching gate with the latch on the pool facing side of the gate. Any lights used to illuminate said pool or its

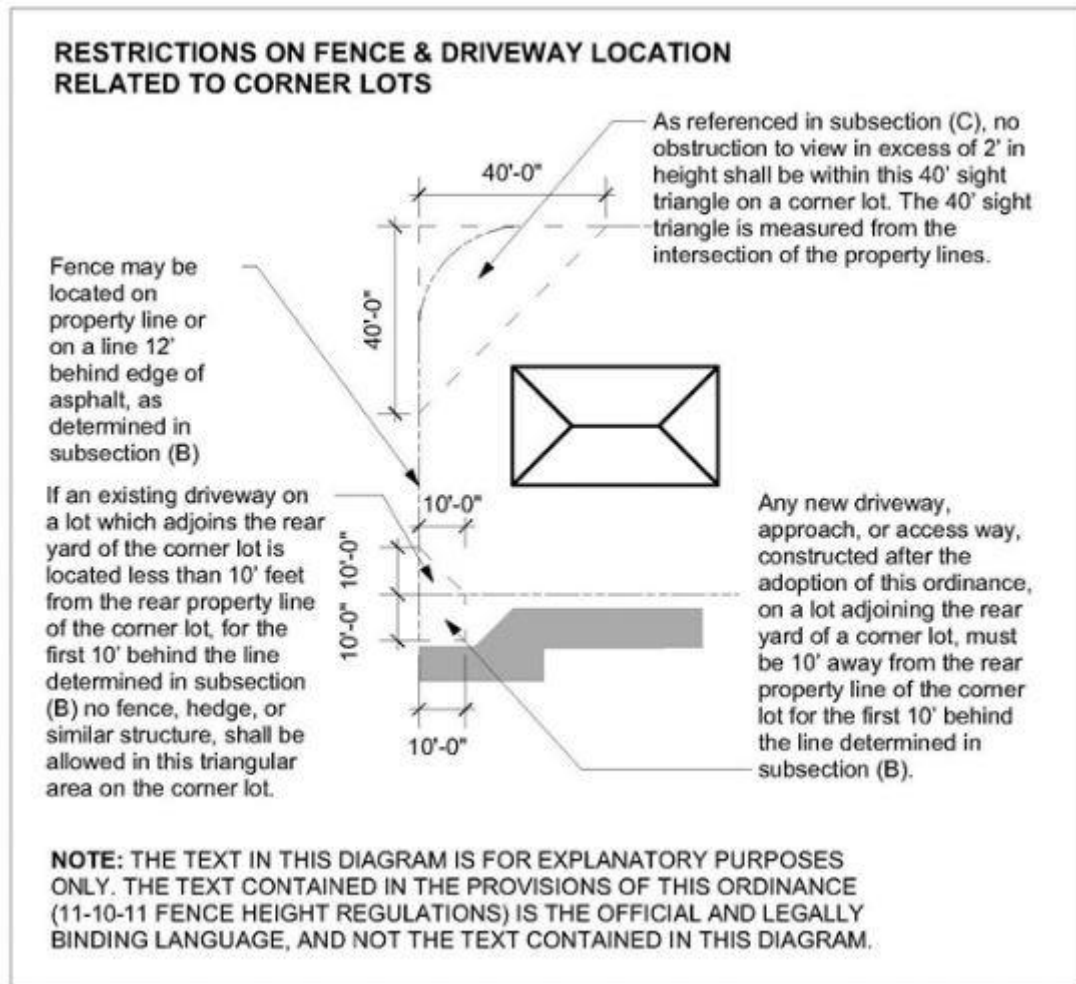
accessories shall be shielded, directed downward, and shall not spill on to an adjacent property.

11-9M-16: RESIDENTIAL FENCE REGULATIONS

- A. Purpose and Intent
- B. Front, Side and Rear Yards. Except as otherwise stated in subsections, D, E, and F of this section, no fence, hedge or other similar structure shall be erected in any required front yard of a lot to a height in excess of three feet (3'); nor shall any fence or other similar structure be erected in any side or rear yard to a height in excess of six feet (6'), or as stated in other provisions in this Title. Fence posts or similar structure may exceed the maximum fence height. Hedges shall not exceed seven feet (7') in height in the side and rear yard.
- C. Corner Lots. No fence, hedge or other similar structure shall be erected to a height in excess of six feet (6') in the rear or side yard of a corner lot. All such fencing, shall maintain appropriate sight lines on the corner of the intersecting streets, as per C 1.
- D. Fences located in a side yard or portion of a rear yard of a corner lot which adjoins a street or public right-of-way, may be solid in appearance, or may preserve a degree of visibility between slats or similar elements, and may be located either on the property line or on a line located twelve feet (12') behind the edge of the asphalt in the street; whichever of these locations is farther away from the edge of the asphalt. The fence may also be located at a distance farther behind the edge of the asphalt than the distance determined from among the two listed above to be the farthest from the edge of the asphalt. (While not required, a three foot (3') distance behind the sidewalk is recommended, if a sidewalk is present, in order to provide an increase in space for snow storage, safety, practical usability of the entire width of the sidewalk by pedestrians, and aesthetic value.) Along the rear boundary of the corner lot, the fence may be located on the rear property line. A fence located in a side yard or portion of a rear yard of a corner lot which adjoins a street a public right-of-way, shall have the following additional limitations and requirements.
 - 1. Any fence erected in a side yard of a corner lot, in excess of 2 feet in height, shall not encroach into the forty foot (40') triangular area required for visibility on a corner lot, as specified in subsection (C) of this section.
 - 2. On any corner lot where a driveway on an adjoining lot is located less than ten feet (10') from the rear property line of the corner lot, any fence constructed in a side yard or portion of a rear yard of that corner lot, which adjoins a street or public right of way, after the date of adoption of this ordinance, shall preserve a clear view through a triangular area on a portion of the rear yard of the corner lot (in addition to and separate from the 40' triangular area specified in subsection C of this section), wherein no fence, hedge, similar structure, or other obstruction to view shall be allowed. This triangular area shall be determined by measuring a line ten feet (10') in length, starting at the point where the rear property line of the corner lot intersects the public right-of-way or the line twelve feet (12') behind the edge of the asphalt (whichever has been determined to be farther behind the edge of asphalt), along the rear property line of the corner lot, and then measuring another line ten feet (10') in length, also starting at the same point as the first line mentioned immediately above, along the public right-of-way, or the line twelve feet (12') behind the edge of the asphalt (whichever has been

determined to be farther behind the edge of asphalt), towards the front of the corner lot, and then connecting the farthest points of the two ten foot (10') lines with a straight line.

3. Any lot which is adjacent to the rear yard of a corner lot and which does not have a driveway, approach, or access way within ten feet (10') of the rear property line of the corner lot, shall not (upon the construction of a home, a new or expanded garage, or at any other time) after the date of adoption of this ordinance, be allowed to have a new driveway, approach, or access way constructed on it which is less than ten feet (10') from the rear property line of a corner lot which adjoins the two lots, for the first ten feet (10') behind the line mentioned above whereon a fence on a corner lot, in a side yard or portion of a rear yard which adjoins a street or public right-of-way, may be located, as described earlier in this subsection. Further, a clear view shall be maintained through this same ten foot (10') by ten foot (10') area, as well as the area directly between this ten foot (10') by ten foot (10') area and the edge of the asphalt, wherein no fence, hedge, similar structure, or other obstruction to view shall be allowed.



- E. Obstruction to View. In all zones, no obstruction to view in excess of two feet (2') in height as measured from the top of the curb or edge of the hard street surface, shall be placed on any

corner lot within a triangular area formed by the street property lines and a line connecting them at points forty feet (40') from the intersection of the street lines, or at any other location which would obstruct the vision of street and regulatory signs or oncoming vehicles by automobile drivers, except a reasonable number of trees pruned high enough to permit an unobstructed view of street and regulatory signs or oncoming vehicles by automobile drivers.

- F. Fence Height and Fence Transparency on Retaining Walls.
1. All retaining walls and grading for the area surrounding the location of those retaining walls must comply with CCNO 11-21.
 2. Fence Height. a. Fences constructed on the high side of a retaining wall, within three feet (3') (measured horizontally) of the top back of the retaining wall, shall have a maximum height of six feet (6'), measured from the vertical elevation of the top back of the retaining wall, and a required minimum height of three and one-half feet (3.5') measured from the finished grade on which the fence is constructed, when the retaining wall is two and one-half feet (2.5') tall or taller. The fence height is measured to the top of the picket, baluster, mesh, or top rail, or the highest typical fence element (not including posts or post caps). Fence posts, including the post cap, may extend up to eight inches (8") above the maximum fence height. When a public right-of-way or trail is on the high side of a retaining wall which is two and one-half feet (2.5') or taller, and the public right of way or trail is within five feet (5') of that retaining wall, and a fence is installed between the retaining wall and the public right-of-way or trail, a minimum fence height of three and one-half feet (3.5') is required.
 3. Fence Transparency. Fences constructed on the high side of a retaining wall, within three feet (3') (measured horizontally) of the top back of the retaining wall, shall comply with the following standards for fence transparency.
 - a. Retaining Wall Height shall be determined using the same standard used in 11-24.
 - b. The height of the retaining wall shall determine the minimum fence transparency, according to the following table.

Existing or Proposed Retaining Wall Height	Minimum Fence Transparency
0' - 5'	0%
Greater than 5', up to 8'	50%
Greater than 8'	80%

- c. The above listed transparency requirements shall not apply if the applicant is the owner of the property on the low side of the retaining wall, and both the fence and the exposed surface of the retaining wall are on the same parcel as the low side of the retaining wall.
- d. The above listed transparency requirements shall not apply where a fence is built on the high side of a retaining wall and a public right-of-way or trail is directly adjacent to the property where the fence is built.

- e. Obstruction to view and sight triangle requirements shall apply to retaining walls and all fences built upon retaining walls.
- G. Fence Support Structure (other than retaining wall).
 - 1. The fence support structure average height measurement shall not exceed 12 inches in height and shall not exceed 20 inches in any single location.
- H. Security Fencing. Public utility substations and institutional uses, e.g., churches, government buildings, or schools, may be enclosed by security fencing not less than six feet (6') in height and no more than eight feet (8') in height, which shall be constructed of cement block, masonry, precast masonry, and / or wrought iron and may be equipped with an appropriate anti climbing device. Chain link may only be used as approved by the Planning Commission for security.
- I. The Planning Director may vary the fence height for nonconforming commercial sites in residential zones if it determines the proposed fence design, materials, and location will not create a safety hazard due to obstructed vision of approaching vehicles or pedestrians and will:
 - 1. Not isolate the surrounding neighborhoods;
 - 2. Be consistent with the theme of the development; and
 - 3. Provide an effective screen to adjacent properties.
 - 4. Chain link, vinyl, cement block, masonry, and wrought iron are acceptable materials.
 - 5. If the fence is a solid screen wall it shall have at least a ninety five percent (95%) screen value.
 - 6. The owner of the nonconforming commercial property shall construct, maintain, and keep the fence in good repair.

11-9M-17: MODEL HOMES, MASTER PLANNED VILLAGE SALES AND INFORMATION CENTERS, AND TEMPORARY SALES TRAILERS

- A. Purpose and Intent. Model homes may be permitted in a residential area by a land use permit if not part of subdivision application. In the review for a model home, the Planning Director, shall consider lighting, landscaping, hours of operation, signage, parking, duration and neighborhood impact.
- B. As a minimum, the following standards shall apply:
 - 1. In no case shall a model home be open before seven o'clock (7:00) A.M. or after nine o'clock (9:00) P.M.
 - 2. The model home shall be for the purpose of initial marketing of houses within the subdivision where the model home is located. A model home may not be used as an office for the marketing of property in the subdivision that was previously sold, or the marketing of property outside of the subdivision.
 - 3. Space shall be provided for parking for each person stationed on site, plus two additional (2) spaces. Parking for model homes may be located on an adjacent lot owned by the owner of the model home and can be comprised of a temporary surface material such as gravel.

11-9M-18: PRIVATE PARK, PLAYGROUND OR RECREATION AREA

- A. Purpose and Intent. The purpose of this section is to ensure that private parks, playgrounds or recreation areas, with or without a swimming pool, in residential zones, meet the following requirements:
 - 1. Sanitary Facilities. Adequate restrooms and sanitary facilities shall be provided and kept available for use by members, their families and guests, and shall be maintained in proper working order and in a clean and sanitary condition and in full compliance with the reasonable standards, rules and regulations established by the county health department.
 - 2. Hours Of Operation. Operation or use of the recreational or other facilities shall be prohibited outside the hours of 7am - 10pm.
 - 3. Setback: All facilities, equipment and buildings shall be set back not less than twenty feet (20') from any property line and shall be located not less than fifty feet (50') from any main building on an adjoining lot and from any area upon which any such main building may be constructed upon said adjoining lot, if no such main building is in existence.
 - 4. Lot Size. The minimum size of the lot or site used for such recreational or other purposes shall be one acre.
 - 5. Lighting: Any lights used to illuminate the premises shall be shielded, directed downward, and shall not spill on to an adjacent property..

11-9M-19 PUBLIC SERVICE FACILITIES

- A. Purpose and Intent. The purpose and intent of this section is to provide regulations for public service facilities within residential zone districts.
 - 1. A permitted use and building permit shall be required by all public service companies in order to establish or substantially expand utility buildings, structures or appurtenances thereto, in any residential zoning district. Extension of public service lines in public or private rights of way is exempt from these requirements.

11-9M-20: PUBLIC UTILITY SUBSTATION

- A. Purpose and Intent. The purpose of this section is to ensure that public utility substations in civic and residential zones meet the following requirements:
 - 1. Lot Area. Each public utility substation in a residential and civic zone shall be located on a lot not less than two thousand (2,000) square feet in area.
 - 2. Yards. Each public utility substation in a residential or civic zone shall be provided with a yard on each of the four (4) sides of the building or utility not less than five feet (5') in width.
 - 3. Street Access. Each public utility substation in a residential or civi zone shall be located on a lot which has access from a street, alley, or easement.
 - 4. Location to be approved. The location of a public utility substation in a residential or civic zone shall be subject to site plan approval in accordance with CCNO 11-2-9.
 - 5. Landscaping. A landscape plan will demonstrate appropriate buffering from adjoining uses.

6. Fencing. The site plan will indicate opaque fencing as required by the Planning Commission.
7. Parking. Permanent parking will not be required unless there is an onsite employee assigned to the substation.

11-9M-21: STORAGE OF RECREATIONAL VEHICLES AND TRAILERS

- A. Purpose and Intent. The purpose and intent of this section is to state regulations for storage of recreational vehicles and trailers in residential zones.
 1. Storage Permitted. Motor homes, travel trailers, camping trailers, other trailers, boats or utility trailers, shall only be stored, parked or located in any residential zoning district in the following ways:
 - a. Such vehicles must be noncommercial if located in any residential zoning district.
 - b. Such vehicles, including trailer tongue and hitches, must be located no closer to the front property line than ten feet (10') in front of the front wall plane of the house and entirely on the owner's property.
 - c. No such vehicle may be located on a residentially zoned lot or parcel of land that does not have a residential structure. In planned residential unit development projects, approved screened storage yards may be allowed; however, occupancy of any vehicle in the storage yard is prohibited.
 - d. Motor homes, travel trailers, camping trailers, other trailers and boats, shall not be stored on the public street or private driveway for more than two (2) consecutive days and not more than ten (10) days in any one month. No recreational vehicle or trailer can impede any public right of way, which includes the public sidewalks. No recreational vehicle may be stored in the public street during and twenty four (24) hours after the end of a snowstorm. In multi-family developments and planned residential unit development projects, recreational vehicles shall only be parked in approved screened storage yards; however, occupancy of any vehicle in the storage yard is prohibited.
 - e. All motor homes, travel trailers, camping trailers, other trailers, and boats stored in residential zoning districts shall comply with these regulations by October 23, 2002; provided, that motor homes, travel trailers, camping trailers, other trailers, and boats which are stored on a concrete or asphaltic concrete pad for which a building permit was obtained between April 10, 2002 and October 22, 2002, shall have until October 22, 2005 to comply with the regulations described in subsection A2 of this section.

11-10: COMMERCIAL AND MANUFACTURING ZONES

ARTICLE A: COMMERCIAL ZONES CN, CC

11-10A-1: PURPOSE AND INTENT

- A. The purpose of the commercial zones is to provide suitable areas for the location of the various types of commercial activity needed to serve the people and commerce of the City. The intent of

the commercial zones is to permit establishment of a well-designed complex of retail facilities for a neighborhood, community or region which will provide goods and services for the people to be served.

- B. The two (2) commercial zones in this chapter are as follows:
 - 1. Neighborhood Commercial (CN). Provides for the sale and supply of daily living needs for the people in neighborhoods;
 - 2. Community Commercial (CC). Provides, in addition to the convenience goods, a wider range of facilities for the sale of retail goods and personal services for the community and region. Community commercial is generally located along Washington Boulevard from 2600 North to the south City boundary. The designation is further defined between the Downtown (CC-DT) subdistrict (2750 North to 2100 North) and Southtown (CC-ST) subdistrict (2100 North to the south City boundary).

11-10A-2: SITE DEVELOPMENT STANDARDS

- A. Minimum Lot Area: Eight thousand (8,000) square feet.
- B. Minimum Lot Width: None.
- C. Minimum Yard Setbacks:
 - 1. Front: Twenty feet (20') for all buildings and walls or fences over three feet (3') high; buildings that front onto Washington Boulevard, 2550 North, or 2700 North may be required to have a reduced 0 foot setback, if warranted for mixed use, street side dining, or the creation of a plaza as determined during the site plan process, by the Planning Commission.
 - 2. Side: None, except ten feet (10') adjacent to residential boundary;
 - 3. Side facing street on corner lot: Twenty feet (20');
 - 4. Rear: None, except ten feet (10') where building rears on a residential zone which shall meet buffering requirements of CCNO 11-20 and includes a 6' wall, rock mulch and trees.
- D. Building Height:
 - 1. Minimum: Ten feet (10').
 - 2. Maximum:
 - a. CN zone: Twenty five feet (25')
 - b. CC zone: Thirty five feet 38' for CC-ST and 50' for CC-DT.
- E. Lot Coverage: No building or accessory buildings shall cover over eighty percent (80%) of lot area.
- F. Mixed Use Standards Determined: Minimum site development standards for dwelling units shall be subject to 11-7K-5.
- G. Building Orientation, Building facades, Materials, and Utilities
 - 1. Building Entrances. Building facades should provide at least one operable/ functioning building entrance per elevation that faces a public street although, other entrances may face the interior of the site.
 - a. In the case of corner lots the building owner may select which street the main entrance faces. A corner entrance that faces the intersecting streets satisfies the two entrance requirement. Such angled corner entrances shall create a small plaza with a triangular area of at least 150 square feet. Such plazas shall include benches and additional trees for shade.

- b. In the case where the Planning Commission does not require a reduced front setback, at least one entrance shall be on the street.
 - c. In the case of a commercial center, where there is intended to be more than one commercial building, with or without a subdivision an overall or, master site plan is required. Subdivisions shall comply with 11-22. The site plan shall consist of the components found in 11-7 and the parking requirements found in 11-18.
 - 1. The streets and other accessways shall be planned in connection with the grouping of buildings, and the provision for alleys, truck loading and maneuvering areas, walks and parking areas so as to minimize conflict or movement between the various types of traffic, including pedestrian.
 - 2. Access to the center will be through joint access points with cross access easements between buildings or lots.
 - 3. Parking and interior access lanes will be designed to be on the interior or rear of the commercial building. Off-street parking shall not occupy any required front yard area unless the Planning Commission determines due to the size of the property, the site plan options are so limited that the parking location improves the functionality of the site.
 - d. In the case where a commercial project adjoins a residential zone appropriate buffering shall be established as identified in 11-10A-4.
2. Loading Facilities. Commercial loading and unloading facilities shall be designed to be to the rear of the building and not visible from the public street. The Planning Commission as part of a master site plan review may approve a side yard location in a commercial center, if the site plan demonstrates that the location improves the functionality of the site and provides adequate screening thorough architectural design and landscaping. Loading facilities shall not occupy any required front yard area.
 3. Trash Enclosures. Trash receptacles must comply with 11-10-25. The Planning Commission as part of a master site plan review may approve a side yard location in a commercial center, if the site plan demonstrates that the location improves the functionality of the site and provides adequate screening.
 4. Windows. Windows shall make up at least 50% of the horizontal length street-facing facades on the first story of commercial developments. Window shapes and sizes shall be so designed to be consistent from building to building. Substantially tinted windows and windows with reflective film or glass are not permitted at street level; however, windows with a minimum of tinting to meet low-e and other energy efficiency standards are highly encouraged.
 5. Building facades. Buildings over 100' in length shall vary the front façade with indentations of a minimum of 1' every 30' to 50' to create the appearance of storefronts.
 6. Building materials. In the CC-ST district red brick that simulates the appearance of an older building, like the Cannery, is required on the first floor facing Washington Boulevard. Utility Meters. All utilities meters shall be directly attached to the main building or other location as approved by Planning Commission but shall not be located between the main building and public right of way.

11-10A-3: SITE PLAN APPROVAL

- A. For any development or use in a commercial zone, a site plan shall be submitted in accordance with CCNO 11-2-9.

11-10A-4: PROTECTION OF ADJOINING RESIDENTIAL PROPERTIES; BUFFER ZONE

- A. When a commercial or manufacturing development takes place that abuts a residential zoning district, a solid screen wall must be erected. In addition to the overall landscaping required per CCNO xyz, the screen wall shall be eight feet (8') in height along the rear and interior side yards. In front yards and street side yards of either zoning districts, the solid walls shall maintain the maximum fence height regulations for front and street side areas. The solid, non-living, screen wall shall be opaque. The buffer yard requirement of ten (10) feet shall be landscaped with a weed control mat and rock mulch coupled with medium to large deciduous trees planted at thirty (30) foot to 40 foot intervals depending on the tree type, and include a drip irrigation system. The owner of the commercial or manufacturing property shall construct, maintain and keep the screen wall in good repair.

11-10A-5: SIGN REGULATIONS

- A. The height, size and location of the permitted signs shall be in accordance with the regulations set forth in CCNO 11-20.

	CN	<u>CC-D</u>	<u>CC-ST</u>
<u>LAND USE DESCRIPTION</u>			
1. Entertainment / Recreation Uses			
a. Amusement, Commercial, Indoor	N	P	P
b. Amusement, Commercial, Outdoor	N		
c. Athletic / Tennis / Swim Club	C	NC	P
d. Golf Course – Public Private	N	N	N
e. Theater, Indoor (including live)	N	P	P
2. Automobile-Related Uses			
a. Commercial Auto Repair, Paint and Body Shops	N	N	P
b. Commercial Auto Parts (new and used), Tires, & -Sales	N	P	P
c. Commercial Car Wash	N	<u>CN</u>	P
d. Gas/convenience store with or w/o car wash	P	P	P
3. General Retail/Commercial/Hospitality			

a. Retail shops/Services— under 10,000 sq. ft.	P	P	P
b. Mid-box retail – 10,001 to 80,000 sq. ft.	N	P	P
c. Big Box Retail – 80,001 and larger	N	P	N
d. Animal Clinic or Pet Hospital with No Outdoor Pens	P	P	P
e. Financial Institutions	N	P	P
f. Restaurants including fast food	N	NC	P
g. Restaurants without fast food	P	P	P
h. Commercial Kennels, Boarding	P	P	P
i. Professional offices, Business Medical/Dental/Optical Office/Clinics and Laboratories	P	P	P
j. Mortuary – Crematorium	N	N	P
k. Pawn Shop	N	N	N
l. Private Instructional Studio - Artist, Photography, Dance, Music, Drama, Health, Exercise	P	P	P
m. Hotel or Motel	N	P	N
n. Bed and Breakfast	P	N	P
4. Mixed Use Residential			
	N	P	P

ARTICLE B: MANUFACTURING ZONE M-1

11-10B-1: PURPOSE AND INTENT

1. The intent of the manufacturing zone is to permit the establishment of a well-designed complex of manufacturing facilities for the community or region. Which will minimize traffic congestion on public streets in the vicinity, and which shall best fit the general environment and land use pattern of the area to be served. The protective standards contained in this article are intended to minimize any adverse effect the established surrounding environment, especially residential uses in abutting residential zones.
2. It is the intent of this zone to provide for light manufacturing uses.

11-10B-2: PERMITTED USES

LAND USE DESCRIPTION	
Light Manufacturing (within an enclosed building)	P
General Manufacturing	P
Contractor Storage Yard	C
Storage Units	C
Office/Warehouse	P
Instructional Facility	P
Sexually Oriented Businesses	P

A. P=Permitted Use, C=Conditional Use 11-10B-3: CANNABIS PRODUCTION ESTABLISHMENTS:

Cannabis Production Establishments:

1. Shall only be located in a Manufacturing Zone.
2. Shall be operated entirely within a permanent enclosed building;
3. Shall be designed to filter inside air exchanges to the outside through air filter systems that remove dust, fumes, vapors, odors, or waste from air that exits the building;
4. Exterior facade materials that are transparent or translucent, such as greenhouse materials, and intended to allow natural light into the interior of the structure shall be treated to prevent any interior view of the cannabis growing operations/product. Non-visible skylights on the roof of a building are excluded.
5. Exterior building colors shall not be allowed that draw attention to the building such as fluorescent or bright colors in the green, orange, red, yellow or blue spectrum.
6. Provide a security system with a backup power source that detects and records entry into the cannabis production establishment and provides notice of an unauthorized entry to law enforcement when the cannabis production establishment is closed;
7. Shall maintain locks or equivalent restrictive security features on any area where the cannabis production establishment stores cannabis or a cannabis product;
8. Outdoor signs on the building may include only the cannabis production establishment’s name and hours of operation and a green cross.
9. Shall obtain a North Ogden business license before conducting business within the City; and
10. Shall meet all land use requirements for the zone in which it is located.
11. A medical cannabis pharmacy:
 - i. Shall only be located in a Manufacturing Zone;
 - ii. Shall be located in a permanent building and not have drive-through service;
 - iii. Shall not have outdoor seating or seating areas;
 - iv. Shall not have outdoor vending machines of any kind;
 - v. Shall have one public entry door at the front of the building facing the street;
 - vi. Shall not darken or cover any windows on the front of the building but shall maintain windows clear and allow visibility into the pharmacy from the street;
7. Shall not have cannabis products visible from outside the medical cannabis pharmacy;
8. Shall not have bars on windows, but shall maintain locks or equivalent restrictive security features on any area where the medical cannabis pharmacy stores cannabis or a cannabis product;

9. Provide a security system with a backup power source that detects and records entry into the cannabis production establishment and provides notice of an unauthorized entry to law enforcement when the cannabis production establishment is closed;
10. Exterior building colors shall not be allowed that draw attention to the building such as fluorescent or bright colors in the green, orange, red, yellow or blue spectrum;
11. Shall be designed to filter inside air exchanges to the outside through air filter systems that remove dust, fumes, vapors, odors, or waste from air that exits the building;
12. Shall meet all land use requirements for the zone in which it is located;

11-10B-4: SITE DEVELOPMENT STANDARDS

- A. Area, Width, Yard And Height Regulations: None for buildings, except that no building or structure shall be built to a height in excess of thirty five feet (35') or closer than fifty feet (50') to any state highway or ten feet (10') to any other street or residential zone boundary.
- B. Lot Coverage: No building or structure or group of buildings with their accessory buildings shall cover more than eighty percent (80%) of the area of the lot.
- C. A masonry wainscot is required
- D. Garage doors and loading docks shall not face the street

11-10B-5: PROTECTION OF ADJOINING RESIDENTIAL PROPERTIES; BUFFER ZONE

- A. When a manufacturing development takes place that abuts a residential or mixed use zoning district, the buffer requirements set forth in CCNO 11-20-8 shall be met.

11-10B-6: SITE PLAN APPROVAL

- A. For any development or use in a manufacturing zone, a site plan shall be submitted in accordance with CCNO 11-2-9.

11-10B-7: SPECIAL PROVISIONS

- A. Ownership. An M-1 zone may be established upon land held in single ownership or under unified control.
- B. Nonconforming Uses. An M-1 zone shall not be established upon a tract of land which would contain a nonconforming use after the passage of such amendment to this Title unless the development planned for the tract includes the elimination of the nonconforming use or its integration into planned development.
- C. Hazards. The zone is intended for light manufacturing and shall not create a hazard using flammable, explosive, or other dangerous materials and shall not be associated with noise, dust, odors, noxious fumes, glare, or other hazards to safety and health which may be discernable beyond the premises.

ARTICLE C: DESIGN STANDARDS FOR COMMERCIAL AND MANUFACTURING DEVELOPMENT

11-10C-1: PURPOSE AND INTENT

- A. The purpose of these design standards and regulations is to enhance the economic viability and aesthetic value of commercial properties, to provide a quality environment for both citizens and visitors.

11-10C-2: SCOPE

- A. All new development proposals in commercial or manufacturing zones, including all new structures and parking lots and expanded structures, remodels and renovations when the cost of such expansion, remodel or renovation (as determined by the building inspector) is equal to or exceeds fifty percent (50%) of the current assessed value of the structure, shall be subject to the standards and regulations of this article. Such standards and regulations are intended to be in addition to existing standards and regulations of the underlying zone of the property and other applicable regulations of this Title. In cases of expansion, remodel or renovation costing less than fifty percent (50%) of the current assessed value of the structure, though not required, it is recommended that these standards be considered.
1. This article establishes two (2) kinds of design criteria: design standards and design guidelines.
 - a. Design standards are required in addition to all other standards set forth in this Title and are indicated by the verb "shall". In the event of conflict between this article and other applicable provisions of this Title, the more restrictive provision shall apply.
 - b. It is the intent of the City that every development subject to this article be designed in conformity to the purpose and requirements of this article. However, the City also recognizes that it cannot anticipate all possible circumstances, nor the best means for dealing with them, in the preparation and adoption of these regulations. For example, criteria established herein may be more germane to larger projects than to smaller ones, depending on the individual characteristics of the site, such as size, configuration, topography and location.
 2. Design guidelines are recommended, but not required. Design guidelines are generally preceded by a "should" as opposed to a "shall".

11-10C-3: ARCHITECTURE

- A. Articulation:
1. A building shall reflect a human scale and be inviting to the public. Large buildings should be vertically and horizontally varied with façade indentations of at least one foot and the front façade roof edge varying every 30' to 50' by at least two feet, to break up the building mass and provide aesthetic relief.

Figure 1. Appropriate



Figure 2. Inappropriate



Buildings shall be accessible for pedestrians and public transit users, not just for people driving private automobiles.

- a. Building entrances shall be identifiable and directly accessible from public sidewalks via on site pedestrian walkways. (Drive aisles and other vehicular accesses shall not be considered pedestrian walkways.)
- b. Pedestrian walkways shall have at least five feet (5') of unobstructed width, and shall be part of an approved pedestrian circulation plan.

B. Site Amenities:

1. Overhangs and canopies should be integrated into the building design so as to enhance pedestrian walkways but shall not be backlit.
2. Along 2700 North and Washington Boulevard comfortable and attractive amenities such as benches, tables, drinking fountains, and trash receptacles shall be provided. Such amenities are required at a rate of one for every 50' of frontage
3. All accent areas, exclusive of public sidewalks, including patios, outdoor seating areas, plazas and walkways between buildings shall be comprised of decorative paving (i.e., colored, stamped or exposed aggregate concrete,, pavers, or brick) to differentiate from the primary pedestrian sidewalks.

Figure 3. Accent Area Paving



C. Colors And Materials:

1. All applicants for commercial or other site plan review or construction within North Ogden City's commercial districts shall include a color board ~~of~~ and architectural renderings/elevations indicating the colors and materials to be used on site. Proposed materials should reflect earth tones and not include bright colors or reflective materials.
2. External surfaces shall be predominantly natural, muted earth tones representing natural, earth colors and values, including browns, black, grays, greens, rusts, etc.
 - a. White may be used as an accent color only.
 - b. Contrasting accent colors are allowed.

Figure 4. Representation of Appropriate Colors



3. Exposed fronts and street sides of buildings shall be constructed of non-reflective materials and shall include, but not be limited to, textured colored concrete (split face or honed block), brick, stone and/or considered wood/wood like materials.

- a. Concrete masonry units or block CMUs shall not be considered acceptable materials unless it is specifically colored and textured.
- b. Siding and stucco may be used for accents and eaves/soffits
- c. In addition to building articulation and materials as required in 11-10C-3(A), front and corner lot facades shall include at least four of the following features:
 - i. Windows at 50% or more of the front first story façade
 - ii. Contrasting material wainscot
 - iii. Downward directed and shielded decorative style lighting
 - iv. Roof height variation of 2' or more, every 30'
 - v. Roof style changes such as flat to hip, or flat to shed, etc.
 - vi. Corner accents, such as a tower of greater than a 5' height from other roof surfaces
 - vii. Consistent pan-channel type lettering for all signage on the building facades
 - viii. Angled and recessed door entries
 - ix. Awnings not including signage
 - x. Columns, posts, or other features to define separate storefronts
 - xi. Structural entryway accent
 - xii. Side and rear facades shall incorporate at least 2 of the above features.
 - xiii. In cases where a building has double frontage, each street facing side shall be treated as a front.
- 4. On the front façade the use of glass to allow visual access to interior spaces is required
 - a. Mirrored glazing is not allowed.
 - b. Tinted or solar absorption glazing may be used.
- 5. Metal as a window framing support or mounting material shall be painted, stained, anodized or vinyl clad in approved colors.
- 6. The side and rear of buildings with walls longer than fifty (50) linear feet shall be broken up at periodic intervals using architectural features in order to provide visual relief.

Figure 5. Appropriate Visual relief



Figure 6. Inappropriate Visual Relief



7. As an alternative, where blank walls are proposed, they may be covered with murals that may be thematic to the uses within the building but not overtly sales oriented. Mountain or pioneer scenes are preferred.

11-10C-4: SITE DESIGN

A. Overall Design Concepts:

1. Dedicated walkways, plazas and other pedestrian oriented hardscape areas may be included as landscaping, provided that they do not exceed thirty percent (30%) of the required minimum landscaping requirement.
2. The landscaping plan shall include a pedestrian circulation element that shows interconnectivity with surrounding sidewalks, urban trails and surrounding uses. The City encourages appropriate pedestrian connections to adjacent neighborhoods.
 - a. The size and spacing of landscape elements should be consistent with the size of the project and should relate to the structures and the streetscape. No landscape element may be constructed, erected or otherwise placed on site without City approval.

- b. Trees overhanging pedestrian walkways and drive areas shall be one of the species found in the City's approved tree list and pruned to have a general canopy clearance of at least nine feet (9').

B. Site Grading:

1. Site design should minimize the removal of mature trees and shrubs. Where removal is necessary, mature trees shall be salvaged or replaced on a three to one (3:1) basis. Any trees listed as prohibited in the approved City tree list, shall be removed and not replaced.
2. Abrupt or unnatural changes in grade may create barriers or disrupt drainage patterns. Proposed grading should be designed to take advantage of the natural grade and land features.
3. Steep slopes, generally three to one (3:1) or greater, shall be stabilized with vegetation, retaining walls or other appropriate measures. Sites shall be designed to minimize erosion.
4. Landscape plans shall preserve and incorporate natural land features such as streams, washes, springs, etc., into the overall site plan.

C. Water Elements:

1. Fountains and other water features should be sited and designed so that they are efficient users of water.
2. Filtered backwash effluent should be discharged into landscaped areas whenever possible.

D. Art and Furnishings:

1. If public art is used, it should be integrated into the overall design of a project.
2. Lighting fixtures and illumination should complement a structure and be of similar design and character as the project's building components. Site lighting shall be subject to CCNO 11-11-6.

E. Maintenance:

1. Projects should demonstrate that maintenance factors have been considered in the landscape design.
2. Irrigation systems should be designed to minimize maintenance and water consumption.
3. Phased developments shall indicate a mechanism for dust, weed and debris control on undeveloped portions of the site and shall ensure continuing compliance.

11-10C-5: SIGNS

- A. Signs shall comply with CCNO 11-20.

ARTICLE D: USE REGULATIONS APPLICABLE TO COMMERCIAL AND MANUFACTURING ZONES

11-10D-1: PURPOSE AND INTENT

- A. The regulations included hereinafter qualify or supplement, as the case may be, the zone regulations contained within the Commercial and Manufacturing Zone Districts.

11-10D-2: ADDITIONAL PRINCIPAL BUILDING REGULATIONS

- B. Every principal building shall be located and maintained on a lot and every lot shall have required frontage on a street, except for commercial complexes and where a parcel of land was in separate ownership prior to December 31, 2000, and except as otherwise permitted in this Title.

11-10D-3: ADDITIONAL HEIGHT REGULATIONS

- A. In the M-1 zoning district, to conveyors or similar structures wherein the industrial process involved customarily requires a height greater than otherwise permitted; provided, that such structure shall be so located and constructed that if it should collapse, its reclining length would still be contained on the property on which it was constructed.
- B. Parapets in any commercial or manufacturing zone may extend six feet (6') above the maximum zone building height.
Exception: Maximum height of twenty five feet (25') if set back twenty feet (20') from the property line and sixty feet (60') from a neighboring dwelling.

11-10D-4: VENDING MACHINES

- A. Vending Machines. In commercial and manufacturing zoning districts only, up to three (3) vending machines placed outdoors on one property is permitted. Such machines shall be located next to the building.

11-10D-5: SHORT TERM LOAN BUSINESSES

- A. Location. No short term loan business shall be located within one thousand feet (1,000') of another short term loan business or within six hundred sixty feet (660') of a community center, school, or other public gathering place, e.g., park, library, private or public school, licensed child-care facility or pre-school, church, etc., or sexually oriented business.
- B. Measurements. Distances shall be measured in a straight line, without regard to intervening structures or zoning districts, from the property line of each business to the closest property boundary of the short term loan business, community center, school, or other public gathering place, or sexually oriented business.
- C. Zoning. Short term loan businesses shall only be allowed in C-2 or CP-2 zones. When allowed within a zoning district, a short term loan business may only be located on the following street: Washington Boulevard.
- D. Disclosure Signs. Each short term loan business shall post a sign with solid black lettering on a white background, in 50-point, non-italicized, bold Arial typeface designed to achieve a letter height of at least one-half inch (1/2), in the English and Spanish languages, at every public entrance to the business bearing the following disclosure:

DISCLOSURE REQUIRED BY NORTH OGDEN CITY:

THIS BUSINESS SPECIALIZES IN MAKING LOANS FOR SHORT-TERM NEEDS. THESE LOANS SHOULD NOT BE USED AS A LONG-TERM FINANCIAL SOLUTION. THE INTEREST RATE FOR SHORT TERM LOANS IS EQUAL TO X ANNUAL PERCENTAGE RATE (APR) TO X ANNUAL PERCENTAGE RATE (APR).

DIVULGACIÓN REQUERIDA POR LA CIUDAD DE NORTH OGDEN ESTE NEGOCIO SE ESPECIALIZA EN HACER PRÉSTAMOS PARA LAS NECESIDADES A CORTO PLAZO. ESTOS PRESTAMOS NO DEBEN UTILIZARSE COMO UNA SOLUCION FINANCIERA A LARGO PLAZO. LA TASA DE INTERÉS DE LOS PRÉSTAMOS A CORTO PLAZO ES DE UN PORECNTAJE ANNUAL DE PR CIENTO A X POR CIENTO A X POR CIENTO.

The disclosure signs required by this section shall face the entrance to the business, and shall be placed either on the interior surface of the door so that the top edge of the sign is between forty eight inches (48") and seventy two inches (72") from the entrance threshold (measured vertically) or shall be located directly behind the entry door without any intervening obstruction between forty eight inches (48") and seventy two inches (72") from the floor (measured vertically), as near to the entry door as is allowed by the current building code adopted by North Ogden City. Existing short term loan businesses shall post the disclosure signs no later than October 1, 2014.

E. Additional Disclosures:

1. Post in a conspicuous location on its premises that can be viewed by a person seeking a short term loan a complete schedule of any interest or fees charged using dollar amounts;
2. Enter into a written contract for the short term loan;
3. Provide the person seeking the short term loan a copy of the written contract described in Subsection (2); and
4. Orally review with the person seeking the short term loan the terms of the short term loan including;
 - a. the amount of any interest rate or fee;
 - b. the date on which the full amount of a short term loan is due;
5. Comply with the following as in effect on the date the short term loan is extended:
 - a. Truth in Lending Act, 15 U.S.C. Sec. 1601 et seq., and its implementing federal regulations;
 - b. Equal Credit Opportunity Act, 15 U.S.C. sec. 1691 and its implementing federal regulations;
 - c. Bank Secrecy Act, 12 U.S.C. Sec. 1829b, 12 U.S.C. Sec. 1951 through 1959, and 31 U.S.C. Sec. 5311 through 5332, and its implementing regulations; and
 - d. Title 70C, Utah Consumer Credit Code.

11-11: USE REGULATIONS APPLICABLE TO RESIDENTIAL, CIVIC, COMMERCIAL, AND MANUFACTURING ZONES

11-11-1: PURPOSE AND INTENT

- A. The regulations included hereinafter qualify or supplement, as the case may be, the zone regulations contained within all zone districts in this Title.

11-11-2: APPLICABILITY

- A. The requirements of this Title as to minimum site development standards shall not be construed to prevent a use as permitted in a respective zone of any parcel of land in the event such parcel was held in separate ownership prior to December 31, 2000. Each such parcel to be developed must have not less than twenty feet (20') of frontage on a street, and the density of development may not exceed that permitted by area requirements in the respective zone.
- B. On any lot proposed for development, under the same ownership as an adjoining lot and of record as of December 31, 2000, and such lot having a smaller width than required for the zone in which it is located, and the adjoining lot has sufficient width and size to allow both lots to meet at least the minimum zoning requirements, the lot shall be reconfigured and recorded so both lots meet at least the minimum standards of the zoning district wherein they are located.

11-11-3: ADDITIONAL YARD REGULATIONS

- A. No required yard or other open space around an existing building, or which is hereafter provided around any building for the purpose of complying with provisions of this Title, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected or established.
- B. Except for landscaping vegetation, every part of a required yard shall be open to the sky unobstructed, except for accessory buildings in a rear yard, and except for the ordinary projections of skylights, sills, belt courses, cornices, and other ornamental features, which do not project more than two feet (2') into the required yard.
- C. No space needed to meet the width, yard, area, coverage, parking, or other requirements of this Title for a lot, parcel, or building may be conveyed away from such lot, parcel, or building.
- D. No parcel of land which has less than the minimum width and area requirements for the zone in which it is located may be divided off from a larger parcel of land for the purpose, whether immediate or future, of building or development as a lot.

11-11-4: ADDITIONAL HEIGHT REGULATIONS

- A. No building shall be erected, reconstructed or structurally altered to exceed in height the limit hereinafter designated for the zone in which such building is located, except as otherwise specifically provided, below.
 - 1. In any district, to church spires, monuments and water towers; provided, that such structure shall be so located and constructed that if it should collapse, its reclining length would still be contained on the property on which it was constructed. Cupolas may be constructed to a maximum of three (3) feet in width and four (4) feet in height. A weather vane or lightning rod may be located on top of the cupola. Further, that these structures shall not be used for human occupancy.
 - 2. In any nonresidential district, to noncommercial radio, telecommunication towers, or television antennas.
 - 3. Wireless communications towers and antennas as approved in accordance with the requirements and provisions stated in CCNO 11-16.

11-11-5: PRIVATE WATER SUPPLY AND SEWAGE DISPOSAL

- A. Public Water and Sewer Not Available. Domestic water supply and sewage disposal shall comply with the county health department and state health department requirements in all applications for a building permit where an approved supply of piped water under pressure, or a sewer, is not available.
- B. Public Sewer Not Available. Where a public sewer is not available, a building permit will be issued only upon compliance with the following requirements:
 - 1. The lot upon which the building is to be constructed is at least one acre in size. This requirement shall not apply to a lot of less than one acre in existence and of record prior to May 11, 1953, so long as all other requirements of this Title are complied with;
 - 2. No other building permits have been granted for buildings to be located on the same lot;
 - 3. The lot for which the building permit is sought is not located within an approved or proposed subdivision;
 - 4. The proposed sewage or waste disposal system has been approved by the county board of health for the lot in question;
 - 5. If the foregoing requirements have been met, then the applicant shall appear before the City Council for final approval of the building permit and construction of the sewage disposal system;
 - 6. Final approval may be granted when the City Council finds:
 - a. The proposed sewage system meets the requirements heretofore set forth;
 - b. The construction or installation of the proposed sewage system will not constitute a nuisance;
 - c. The proposed sewage system will not endanger the health, safety or general welfare of the citizens of the City.
 - 7. Any septic tanks or other means of private sewage disposal constructed or maintained in violation of the provisions of this section are declared to be a public nuisance and it shall be the duty of the City Attorney to proceed forthwith with proceedings declaring the subject matter of such violation to be a nuisance, and also to proceed forthwith the filing of a complaint for the criminal violations of this section and to abate the nuisance.

11-11-6: EXTERIOR LIGHTING

- A. All fixtures must be fully shielded or full cutoff and downward directed so that no light is projected above the horizontal plan of the fixture.
- B. The color temperature rating of fixtures lamps shall not exceed 2000 Kelvin.
- C. All lighting fixtures shall limit horizontal light levels such that no direct light falls onto adjacent property.
- D. Exterior lighting on residential properties shall be downward directed and no brighter than a 60 watt incandescent (or equivalent, compact fluorescent or LED rating)
- E. With motion sensors, lighting on residential properties shall be no brighter than a 75 watt incandescent (or equivalent, compact fluorescent or LED rating).
- F. The following lighting types are prohibited from being installed in the County:
 - 1. Lighting that simulates, imitates or conflicts with warning signals, emergency signals or traffic signals.

2. Blinking or flashing lights and exposed strip lights used to illuminate building facades or to outline buildings.
3. Searchlights, laser lights, and aerial lasers or holograms.
4. Lighting that is not in a full cut-off-fixture.
5. Lighting in which any single luminaire exceeds 20,000 lumens.
6. Bare lamps (not housed within a fixture) or lamp strings—except for holiday lighting—with outputs exceeding 25 lumens per lamp.

11-11-7: WASTE DISPOSAL/DUMPING

- A. Prohibited Dumping. The use of land for the dumping or disposal of scrap metal, junk, garbage, rubbish, refuse, ashes, slag or industrial wastes or byproducts, shall be prohibited in every district.

11-11-8: CONSTRUCTION TRAILERS AND MOBILE HOMES

- A. Construction Office or Security Personnel Housing. A mobile home, motor home, truck camper or trailer may be allowed in any zone to conduct business or provide housing for security personnel during the construction of a permanent building when a valid building permit is in effect. Such a mobile home, motor home or travel trailer shall be removed immediately upon the completion or stoppage of construction.
- B. Placement of Occupied Mobile Homes, Motor Homes, Truck Campers, Camping Trailers, Travel Trailers and Other Trailers. Mobile homes, not placed on permanent foundations, shall be located only in approved mobile home parks or subdivisions approved for mobile homes. Except as otherwise provided in this section, motor homes, camping trailers, truck campers and travel trailers that are occupied or used for living, sleeping or housekeeping purposes may be located only in recreational vehicle parks, campgrounds or recreational vehicle subdivisions. Aircraft and boats may not be used for living or housekeeping purposes.

11-11-9: TEMPORARY SPECIAL EVENT AND SIMILAR ACTIVITIES

- G. Applicability. The provisions of this section do not apply to garage sales. All other temporary carnivals, circuses, revivals, rodeos, swap meets, and similar activities may be permitted only in commercial and manufacturing zoning districts, subject to the conditions of subsection B of this section.
- H. Conditional Use Permit. A conditional use permit shall be obtained from the Planning Commission in accordance with the following:
 1. The Planning Commission shall ensure that health and safety are considered, and the applicant shall obtain the approval of the county health department, the North View Fire Department and the Police Department prior to issuing the conditional use permit.
 2. The Planning Commission shall ensure that land area and parking are adequate for the proposed use, and shall ensure that traffic safety is considered.
 3. The Planning Commission shall require measures necessary to protect surrounding property, including setbacks, off-street parking, hours of operation, restroom availability, and lighting.
 4. A time limit shall be established for each use conducted under the conditional use permit. This time limit shall in no case exceed seven (7) consecutive days, nor shall more

than four (4) conditional use permits be issued for the same use during any calendar year.

5. Permanent structures shall not be permitted under a conditional use permit issued under this section.

11-11-10: TRASH ENCLOSURES

- A. Purpose and Intent. The purpose of this section is to provide minimum standards for permanent enclosures for temporary storage of garbage, refuse and other waste materials shall be provided for every use, other than single-family dwellings and multiple-family dwellings of less than four (4) units.
- B. Screening. The enclosure shall be entirely surrounded by screen walls or buildings. Trash enclosures shall comply with the following regulations:
- C. Construction. Trash enclosures shall be so constructed that contents are not visible from a height of five feet (5') above grade from any abutting street or property and shall be constructed of materials to complement the building with solid concrete floor sloped for drainage and maintenance of sanitary conditions. Enclosures shall have a minimum height of 5'. Gates are required and shall be solid or baffled, with a minimum height of 5'.
- D. Location: Trash enclosures shall not be located in any required front or side yard.

11-11-11: COMMERCIAL GROUP HOMES

- A. A residential facility for persons with disabilities when conducted consistent with existing zoning of the desired location requires a permitted use application.
- B. A residential facility for persons with disabilities shall:
 1. Have twenty four (24) hour adult supervision for facilities for the housing of minors.
 2. Not house persons whose asserted "disability" is based upon their status as current users of illegal controlled substances, conviction for illegal manufacture or distribution of a controlled substance, sex offenders, or juvenile offenders.
 3. Comply with applicable fire and building codes, including requirements imposed under the American's with disabilities act; obtain a City business license; and acquire within thirty (30) days of receiving the City license, and maintain current, any necessary state license.
 4. Not house persons who present a direct threat to the persons or property of others. When presented with clear and convincing evidence that a person housed in a facility does pose such a threat, that person shall be immediately removed from the facility.
- C. Upon request for a reasonable accommodation from the owner or operator of a facility for disabled persons from strict compliance with a regulation imposed by local ordinance, the director of community and economic development is authorized to make any accommodation that in his or her opinion will not result in an imminent health or safety threat to residents of the facility.

11-11-12: FLAG LOTS

- A. Flag lots shall not be allowed in any residential, commercial, or manufacturing zone, except as provided elsewhere in this Code.

11-11-13: PORTABLE STORAGE CONTAINERS

- A. A storage container is not allowed in any residential zone, commercial or manufacturing zone for more than 14 days except as a temporary use associated with construction or renovation as outlined below. In such instances, the storage container shall be located on a concrete or asphalt surface, and shall meet all of the following criteria:
 - 1. A storage container shall not be placed on a site more than thirty (30) days prior to the permitted activity.
 - 2. A storage container shall be removed within thirty (30) days after a permitted activity is substantially completed.
 - 3. Portable storage containers shall not be used as dwellings, or for camping, cooking or recreation purposes, and may not be connected to plumbing or electricity.
 - 4. Portable storage containers shall be kept in good repair.
 - 5. Portable storage containers shall not be allowed on vacant parcels of real property.
 - 6. It is unlawful to use a storage container as a permanent structure or as an appendage to a permanent structure.
 - 7. It is unlawful, in any zone, to vertically stack two (2) or more storage containers or stack/place any other materials or items on top of or around a storage container.
- B. A storage container in a commercial or manufacturing zone shall be used in accordance with the following criteria:
 - 1. A storage container shall be used solely for the transportation or shipment of goods and products, and
 - 2. It is unlawful to use a storage container for business operations, and
 - 3. A storage container not being actively used for transportation or shipment shall not be stored within North Ogden City.
 - 4. Temporary fireworks stands are exempted from this subsections B (1-4).
- C. A storage container in a residential zone shall be used in accordance with the following criteria:
 - 1. Portable storage containers shall not be allowed for permanent storage.
 - 2. Only one portable storage container shall be allowed per parcel or lot and not allowed on a vacant lot or parcel.
 - 3. Portable storage containers used for moving in or out of a residence shall be allowed for a maximum of fourteen (14) days, and shall only be located on a driveway or other paved area on private property.
- D. A construction storage container shall not be located on any property for more than six (6) months in any twelve (12) month period, measured continuously from the day the container is first placed. A construction storage container is not required to be placed on an asphalt or concrete surface. The Planning Director may grant extensions of up to six (6) months, but only if he/she determines that:
 - 1. The storage container is located on a site with an active building permit.
 - 2. The storage container is a necessary part of the construction process.
 - 3. Not be allowed in the public right of way.
 - 4. Construction is moving forward in a timely manner and in accordance with generally accepted industry standards.
 - 5. The storage container may receive electricity with an electrical permit.

6. The storage containers shall be removed prior to the granting of a certificate of occupancy.
- E. Existing prohibited storage containers will be given a 6 month amortization time period to continue to operate from November 1, 2016.

11-11-14: STREETSCAPE STANDARDS

- A. As per Public Works standards, the streetscape design shall include the space behind the projected curb and tie into the required onsite landscape plan, e.g., depending on the street the development is located on, may include street trees, tree grates, pedestrian lighting, 5' sidewalks, bus shelter location, and street furniture. Street art or other amenities may also be included. Storm water design may also be included such as bioswales.
- B. The North Ogden Streetscape design standards are located in the North Ogden City Public Works Standards in section 20. Streetscape designs are required for properties going through site plan review and shall be approved by the Planning Commission, upon the recommendation of the City Engineer.
- C. The Planning Commission, at the request of the applicant, may adjust the streetscape design requirements based upon the unique characteristics of each property and after receiving a recommendation from the Engineering and Parks Department.

11-12: HILLSIDE PROTECTION ZONES HP-1, HP-2, HP-31

11-12-1: PURPOSE

- A. The principal purpose of the hillside protection zones are to allow for the reasonable use and development of the hillside land in the City while promoting the public health, safety, convenience and general welfare of the citizens. These standards are to help maintain the character, identity, and image of the City. These zoning districts implement the "North Ogden City North Hillside Development Study".
- B. To meet these objectives, it is necessary during planning and implementation of development activities to give consideration to the following: 1) conservation of the natural environmental function of the site; 2) compatibility with the surrounding land; 3) stabilization of hillsides, slopes or other areas subject to erosion or mass movement; and 4) preservation of the natural capacity of drainage courses and protection of natural drainageways.

11-12-2: PERMITTED USES

Uses permitted in the HP-1, HP-2 and HP-3 zoning districts shall be limited to the following:

- A. Accessory buildings. See 11-9M-8.
- B. Accessory Dwelling Units. See 11-9M-10.
- C. Agriculture subject to County Health regulations and CCNO 5-3, Sound Regulations.
- D. Attached Dwelling Units. See 11-13.
- E. Places of worship.
- F. Cemeteries.
- G. Daycare.
- H. Educational institutions, public schools, public playgrounds and recreational areas.
- I. Golf course, except miniature golf.

- J. Home occupations. See 11-14.
- K. Household pets.
- L. One single-family dwelling per lot or parcel.
- M. Preschool.
- N. Private park, playground or recreation areas. See 11-9M-18.
- O. Public buildings, public parks, recreation grounds and associated buildings. See 11-9M-19
- P. Public utility substation or water storage reservoir developed by a public agency. See 11-9M-20

11-12-5: GRADING AND DRAINAGE STANDARDS

The regulations for Grading and Drainage are found in 11-21.

11-12-6: DEVELOPMENT CONSTRAINTS

The regulations for Development Constraints are found in 11-21.

11-12-7: SIGN REGULATIONS

The height, size and location of signs shall be in accordance with the regulations set forth in CCNO 11-20.

11-12-8: SITE DEVELOPMENT STANDARDS

(Measurements in feet or square feet)

Zoning District		HP-1	HP-2	HP-3
A. Minimum lot area (square feet or acres)		10,000	12,500	2 acres
B. Minimum lot width in feet (measured 30 feet from front lot line)		90'	100'	200'
C. Minimum yard setback (in feet)				
1. Front		30'	30'	50'
2. Side		10'	10'	25'
a. Minimum street side yard		20'	20'	50'
3. Rear		20'	20'	150'
D. Total lot coverage		35%	35%	35%
D. Building Height (in feet)				

	1. Minimum building height	10'	10'	10'
	2. Maximum building height	35'	35'	35'
E. Accessory building regulations (in feet) (see also CCNO 11-10-31)				
	1. Accessory Building Smaller than 600 square feet rear and interior side yard setback	3'	3'	3'
	2. Large accessory building greater than 600 square feet:			
	a. interior lot rear and side yard setback:	15'	15'	15'
	b. Corner lot (non-street side)	15'	15'	15'
	c. Corner lot (street side)	20'	20'	20'
F. There shall be provided a minimum of 6 feet of spacing between main and accessory buildings.				
G. In the HP-1 and HP-2 zoning districts, no accessory building shall be greater than 1 story (15') nor more than 25 percent (25%) of the footprint square footage of the main building. In the HP-3 zoning district, no accessory building shall be greater than 1 story (15') nor have a footprint larger than the house. No accessory buildings are permitted without a single-family residence or main building.				
	1. Building separation between large accessory buildings and neighboring dwelling on any adjacent parcel: Large accessory building to be 60 feet from any neighboring dwelling on any adjoining parcel	60'	60'	60'
	2. Maximum Number of Large Accessory Buildings Per Lot	1	1	1
	3. Building Design and Materials - See 11-10C			