

Chapter 5: ZONE DISTRICTS and REGULATIONS

The regulations set forth in this chapter detail each of the Zone Districts and describe the various uses, both permitted and conditional allowed in each zone. Uses not expressly allowed as a permitted or conditional use are not allowed in the zone.

Any applicant desiring a use not expressly allowed must complete the provisions for a Code amendment in accordance with Section 1.5 herein. Additionally, if a determination of whether or not a particular use is allowed in a zone, the applicant will apply for a written determination from the Town Council. The Council will discuss the use at the next Council meeting with adequate time to fully discuss the proposed use and will provide the applicant with a written determination. In no case shall the Town Council approve a use which is clearly not allowed in that zone without following the correct amendment procedure found in Section 1.5 herein.

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Agriculture-Grazing Zone

The Agriculture-Grazing Zone, also known and referred to as the AG-1 zone, is established to provide areas where the growing of crops and the raising of livestock can be encouraged and supported within the Town. The AG-1 zone is intended to protect agricultural uses from encroachment of urban development until such time as residential or commercial uses in such areas become necessary and desirable by the Town, if ever. Uses permitted in the AG-1 zone, in addition to agricultural uses, should be incidental thereto and should not change the basic agricultural character of the zone. Clustering of homes is encouraged to maximize the amount of open and usable agricultural space. Conversion of the AG-1 zone to zones allowing urban uses should be accomplished in an orderly and careful manner following the General Plan, while minimizing "leap-frog" development patterns in agricultural areas.

5.1.1. Permitted Uses

The following characteristic uses of land, are permitted in the AG-1 zone:

1. Single-Family Dwellings & Manufactured Homes - Detached.
2. Residential Accessory Structures.
3. Fruit and vegetable stands for the selling of farm products which are grown on the premise, not to exceed six hundred (600) sq. ft. in area and limited to one stand per lot.
4. Home Occupations as regulated by the business license procedures of the Town and this Code.
5. Agriculture activities (except animal specialties and exotic animals) and the following industries (which do not qualify as a Feed Yard as defined by this code): dairy farm, fur farm, hog farm, poultry, fowl and game birds (accessory buildings shall be a minimum of two hundred (200) feet from any residential zone).
6. Household pets.
7. Nurseries (trees, flowers, shrubs, bedding plants, etc.).
8. Non-Commercial Storage Buildings.
9. Contractor's equipment storage yard as per regulations for such in Section 3.31 of this Code. Repair shops shall require a conditional use permit and shall be located at least two hundred (200) feet from any residential home.

5.1.2. Conditional Uses

The Planning Commission may recommend the issuance of a Conditional Use Permit for the following uses of land in the AG-1 zone in accordance with Section 1.14 herein:

1. Residential care facilities for elderly or handicapped persons subject to the conditions found in § 10-9-501 et. seq. and § 10-9-601 et. seq. of the Utah Code 1996, as amended.
2. Nursery, primary and secondary educational schools.
3. Religious structures and activities.
4. Equestrian facilities, riding academies, schools and accompanying stables.

5. Exotic animals.
6. Kennels.
7. Accessory apartments (above a garage or in a basement, not a separate dwelling such as a mobile home or manufactured home) not to exceed 1,000 sq. ft. and not to exceed the size of the main dwelling in total living area.
8. Welding, blacksmith, auto body repair, auto repair, and maintenance shops.
9. Sawmills.
10. Coal and firewood yards.
11. Hospitals and clinics.
12. RV Park or Campground
13. Agricultural feed yards as defined by Section 2.5.1 of this Code

5.1.3. Lot Area and Density

Amended August 17, 2004

Applicants for subdivision approval in the AG-1 zone are entitled to one (1) unit per five (5) acres. Lots or parcels should be arranged in a manner that encourages the retention of open and usable agricultural land. Although clustering of lots is not required, if the applicant chooses not to cluster evidence and information as to why the lots or parcels will not be clustered should be provided to the Planning Commission. Lots or parcels created under the provisions of this code in the AG-1 zone shall contain a minimum of one (1) acre. All area not included in lots must be preserved in permanent agricultural open space.

Open and usable land created by the clustering of lots or parcels shall be clearly indicated on the subdivision plat and all recorded deeds of the subject property. Deed restrictions, donation of land to an approved land trust or the Town, or other development restrictions must be satisfactory to the Planning Commission and Town Council. Development on land designated as open and usable land will require, at a minimum, a plat amendment and possibly a zone change either of which may be denied by the Town.

5.1.4. Lot Frontage

All lots developed for residential use in the AG-1 zone shall abut along the right-of-way line of a public street for a minimum distance of one hundred fifty (150) feet. No more than twelve (12) homes may be constructed on a street with only one point of ingress or egress in the AG-1 zone, with a maximum length of 1200 feet. All streets must be constructed in such a manner that emergency service vehicles can operate properly upon them and shall be constructed to Town Standard Engineering Specifications including required widths and right of way.

5.1.5. Prior Created Lots of Record

Lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the adoption of this Code shall not be denied a building permit solely for reason of non-conformance with the parcel or density

requirements of this Chapter and are declared a non-conforming use under this Code.

5.1.6. One Dwelling Per Lot

Not more than one (1) primary single-family dwelling may be placed upon a lot or parcel of land in the AG-1 zone. One (1) secondary accessory apartment may be allowed.

5.1.7. Yard Requirements for Dwellings and Main Buildings

The following yard setback requirements for dwellings and main buildings shall apply on all lots in the AG-1 zone:

5.1.7.1. Front Yard Set Back

The minimum front yard setback for all buildings in the AG-1 zone shall be thirty (30) feet including any deck more than eight (8) inches above the finished grade.

5.1.7.2. Side Yard Set Back

The minimum side yard setback for all buildings on interior lots in the AG-1 zone shall be twelve (12) feet.

5.1.7.3. Side Yard Set Back on Corner Lots

The minimum side yard setback for all buildings on corner lots in the AG-1 zone shall be twelve (12) feet on the side adjoining another lot and thirty (30) feet on the side adjoining the street.

5.1.7.4. Rear Yard Setback

The minimum rear yard for all buildings in the AG-1 zone shall be twenty five (25) feet.

5.1.7.5. Easements

No dwelling or main building shall be located within a platted easement area of any kind.

5.1.8. Yard Requirements for Accessory Buildings

The following yard setback requirements for accessory buildings shall apply on lots in the AG-1 zone:

5.1.8.1. Front Yard Setback

The minimum front yard setback for all accessory buildings in the AG-1 zone shall be thirty (30) feet including any deck more than eight (8) inches above the finished grade.

5.1.8.2. Side Yard Setback

An accessory building may be located in a side yard no closer than eight (8) feet from the side property line and no closer than six (6) feet from

the dwelling or main building, except that an accessory building may not be located in the required street side yard of a corner lot.

5.1.8.3. Rear Yard Setback

An accessory building may be located in a rear yard no closer than eight (8) feet from the dwelling or main building, or rear property lines.

5.1.8.4. Animal Accessory Buildings

Accessory buildings used for the housing or shelter of animals shall be located a minimum distance of forty (40) feet from any dwelling or proposed dwelling.

5.1.8.5. Easements

No permanent accessory building shall be located within a platted easement area of any kind.

5.1.9. Projections into Yards

The following structures may be erected on or projected into any required yard:

1. Fences and walls in conformance with this Code or other Town ordinances. No fence or wall, which is sight obscuring, shall exceed four (4) feet in the required front yard setback nor shall any fence exceed six (6) feet anywhere on the lot unless the applicant applies for and receives a Conditional Use Permit in accordance with Section 1.14 herein.
2. Landscape elements including trees, shrubs, agricultural crops and other plants in conformance with this Code or other Town ordinances.
3. Necessary appurtenances for utility service.

5.1.10. Building Height

No lot or parcel of land in the Agricultural Zone shall have a building which exceeds a height of thirty (30) feet, except that silos, windmills, and other agricultural related accessory structures not used for human occupancy may exceed thirty (30) feet in height. All structures over thirty (30) feet will require a Conditional Use Permit.

5.1.11. Parking and Access

Revised April 29, 1999

Each lot or parcel on which a single family dwelling is located shall have on the same lot or parcel a minimum of two (2) off-street parking spaces.

5.1.12. Trash and Waste Storage

No used materials, wrecked or non-operational or abandoned vehicles or equipment shall be stored in an open yard. All such materials must be screened from public streets and adjacent property and shall require a conditional use permit. All trash storage shall be screened and hidden from the public and adjoining property by appropriate fencing or landscaping methods. No trash,

hazardous materials, chemicals, or oils/solvents shall be stored in areas that do not meet health department regulations or are accessible to the public.

5.2 Residential Zones

Density

Zone	Minimum Lot Size	Density (dwellings per acre)
Agricultural, AG-1	1 Acre	1 Dwelling Per Five (5) Acres
Residential, R-1	15,000 sq. ft.	2 Dwelling Per One (1) Acre
Residential, R-2	10,000 sq. ft. (duplex 15,000 sq. ft.)	
Residential/Ag, RA-1	1 Acre	1 Dwelling Per Two (2) Acre

Setbacks

Zone	Front (from property line)	Side*	Rear
Agricultural, AG-1	30 ft.	12 ft.	25 ft.
Residential, R-1	30 ft.	12 ft.	25 ft.
Residential, R-2	25 ft.	10 ft.	20 ft.
Residential, Ag. RA-1	35 ft.	12 ft.	30 ft.
Commercial, C-1	30 ft.	30 ft.	30 ft.
Public Facilities, P-F	30 ft.	See Code	20 ft.
Light Industrial, LI-1	30 ft.	30 ft.	30 ft.

* See Development Code for corner lot setbacks

5.2.1. R-1 Residential Zone

The R-1 Residential Zone is established to provide a residential environment within the Town which is characterized by attractively landscaped single family residential lots, two family dwellings, and open space. The R-1 Zone is not intended to be an agricultural zone although limited animal rights are preserved and development is intended to occur at relatively low densities.

5.2.1.1. Permitted Uses

The following characteristic uses of land, are permitted in the R-1 Residential Zone:

1. Single family dwellings and Manufactured Homes, detached.
2. Residential accessory structures.
3. Home Occupations, as regulated by this Code (see Supplementary Regulations) and Town business license regulations, including child care of less than eight (8) children.
4. Parks, trails and other recreational facilities.

5.2.1.2. Conditional Uses

The Planning Commission may recommend the issuance of a Conditional Use Permit for the following uses of land in the R-1 Residential Zone in

accordance with Section 1.14 herein:

1. Residential care facilities for elderly or handicapped persons subject to the conditions found in § 10-9-501 et. seq. and § 10-9-601 et. seq. of the Utah Code 1996, as amended.
2. Nursery, primary, secondary and higher education, including child care in single family dwellings for eight (8) to sixteen (16) children.
3. Religious structures and related activities.
4. Large playgrounds and athletic areas.
5. Accessory apartments (above a garage or in a basement, not a separate dwelling such as a mobile home or manufactured home) not to exceed 1,000 sq. ft. and not to exceed the size of the main dwelling in total living area.

5.2.1.3. Lot Area, Density and Open Space

The minimum area of any single lot or parcel is 15,000 sq. ft. with the maximum density being two (2) dwelling units per acre. Density calculation shall be determined after the required easements and rights-of-way have been platted from the original acreage. The maximum number of lots allowed will be calculated by multiplying the total amount of acreage available for lots (after the required easements and rights-of-way have been subtracted) by two. Lot sizes of 15,000 sq. ft. will only be approved if the proposed open space is deemed to have a high value to the community by the Planning Commission. High value open space may include the following uses: agricultural, cultural heritage, aesthetic, recreational, or environmental in nature. All proposed open space shall have a conservation easement and shall be accompanied by an adequate management agreement, including “seed” money for initial maintenance.

5.2.1.4. Density of Residential Housing Developments

To encourage the preservation of agricultural and natural open space, enhance its profitability, minimize the cost of public services, reduce yard sizes to conserve water and improve landscaping quality and to discourage evenly spaced development running along public streets, clustered residential housing may be approved as provided herein.

Clustering will only be allowed if the total dwellings in the proposed development do not exceed the density allowed in the zone in accordance to Section 5.2.4 herein. If the development includes property in more than one zone, the total residential density per acre of the project shall not exceed the total of all residential densities combined in each zone. Minimum lot sizes per residential unit for each zone must also be adhered to, even if this results in different sizes of residential lots in the same development.

Please note that area used for roads and rights-of-way, shall not be used

in the calculations of density and open space. Density shall be measured after the acreage for these items has been removed from the calculations.

5.2.1.5. Lot Frontage

Each lot or parcel of land located in the R-1 zone shall abut along the right-of-way line of a public street for a minimum distance of one hundred (100) feet, lots on a cul-de-sac shall abut the right-of-way for a minimum of 35 feet at the property line (flag-lots are prohibited). No more than twelve (12) homes may be constructed on a street with only one point of ingress or egress in the R-1 zone, with a maximum length of 600 feet for a permanent dead-end (1200 feet for temporary dead-ends). All streets must be constructed in such a manner that emergency service vehicles can operate properly upon them and shall be constructed to Town Standard Engineering Specifications including required widths and right of way.

5.2.1.6. Lots of Record

Lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the application of this Code shall not be denied a building permit solely for reason of non-conformance with the parcel requirements of this Code and are declared a Non-Conforming Use in accordance with Section 1.23 herein.

5.2.1.7. One Dwelling Per Lot

Not more than one (1) single-family dwelling may be placed on a lot or parcel in a residential zone.

5.2.1.8. Yard Requirements - Dwellings and Main Buildings

The following yard setback requirements shall apply on all lots in Residential Zones:

A. Front Yard and Side Street Setback

The minimum front yard and side street setback for all buildings in Residential Zones shall be thirty (30) feet from the property line or 60 feet from the centerline of the right-of-way, whichever is greater.

B. Side Yard Setback

The minimum side yard for all buildings on interior lots in the R-1 zone shall be twelve (12) feet.

C. Rear Yard Setback

The minimum rear yard for all buildings in Residential Zones shall be twenty five (25) feet.

D. Flag Lots

Flag lots may be permitted as a conditional use in the R-1 zone in certain areas of Francis Town along SR-32, SR-35 and Spring Hollow Lane. If the proposed flag lot is on SR 32 or SR 35, the applicant shall obtain approval from UDOT prior to receiving Town approval. No flag lots shall be allowed in any subdivision for which a plat has been recorded prior to the enactment of this ordinance or for which a plat is recorded on or after the date of this ordinance.

1. An allowed flag lot shall contain a driveway that enters and exits on a public road.
2. the driveway shall be a minimum of 30 feet in width.
3. The driveway shall be owned by the owner of the allowed flag lot which the driveway is used to access and shall be included as part of the lot and parcel description of the allowed flag lot.
4. Only one lot may be created and accessed by such a driveway.
5. The maximum length of the 'pole' shall be 400 feet, and all homes constructed on flag lots must be within 250 feet of a fire hydrant.

5.2.1.9. Setback for Accessory Buildings

An accessory building, allowed by this Code shall be located no closer than three (3) feet from the side and rear property lines. Accessory buildings shall not be permitted in the required front or side street yard areas required for main buildings. Roof drainage shall be required to be retained on site for all accessory buildings.

Accessory buildings used for the housing or shelter of animals shall be located a minimum distance of forty (40) feet from any dwelling.

5.2.1.10. Projections into Yards

The following structures may be erected on or projected into any required yard:

1. Fences and walls in conformance with this Code.
2. Landscape elements including trees, shrubs, agricultural crops and other plants.
3. Necessary appurtenances for utility service.

The structures listed below may project into a minimum front or rear yard not more than four (4) feet and into a minimum side yard not more than two (2) feet. See the Supplemental Regulations for more detailed regulations:

1. Cornices, eaves, belt courses, sills, buttresses or other similar architectural features.

2. Fireplace structures and bays, provided that they are not wider than ten (10) feet measured generally parallel to the wall of which they are a part.
3. Stairways, balconies, door stoops, fire escapes, awnings, porches and patio covers.
4. Planting boxes.

5.2.1.11. Height and Building Location

No lot or parcel of land in the Residential Zones shall have a building which exceeds a height of thirty (30) feet, measured from finished grade to the highest point on the roof line.

5.2.1.12. Parking and Access

Each residential dwelling unit is required to provide off-street parking for at least two (2) automobiles.

5.2.1.13. Landscaping

All property located in front of the residential structure and the front setback, except driveways, parking areas, walkways, utility areas, improved decks, patios, porches, shall be maintained with suitable landscaping of plants, shrubs, trees, grass or other landscaping materials.

5.2.1.14. Location of Boats, Trailers, Campers, and Motor Homes

Boats, trailers, campers and motor homes may not be stored in the front yard setback, the side yard setback of a corner lot, or in the street in front of a lot in excess of twenty four (24) hours, except that a vehicle owned by a guest of the resident may be stored in a required front yard setback or side yard setback of a corner lot for up to fourteen (14) consecutive days per calendar quarter. A motor home or RV may be occupied by a guest or guests of the resident for up to (14) consecutive days per calendar quarter.

5.2.1.15. Storage of Commercial Vehicles

No trucks, motor vehicles or commercial trailers having a registered weight exceeding twelve thousand (12,000) pounds shall be stored or parked on any lot or parcel within the R-1 zone.

5.2.1.16. Trash and Waste Storage

No trash, used materials, wrecked, or non-operational, non-licensed or abandoned vehicles or equipment shall be stored in an open area or yard. All such materials must be screened from public streets and adjacent property or stored within an enclosed building. All trash storage areas shall be screened from the public or adjoining residential area view by appropriate fencing or landscaping methods and placed in a rear area of the main building if possible. No hazardous materials, chemicals or oils/solvents shall be stored in areas that do not meet Health Department

regulations or are accessible to the public.

5.2.2. R-2 – Residential Zone

The R-2 Residential Zone is established to provide a residential environment within the Town which is characterized by attractively landscaped single family residential lots, two-family dwellings, condominiums, town homes and open space. The R-2 Zone is not intended to be an agricultural zone and development is intended to occur at medium densities. All multi-family housing units require a Conditional Use Permit.

5.2.2.1. Permitted Uses

The following characteristic uses of land, are permitted in the R-2 Residential Zone:

1. Single-family dwellings and manufactured homes, detached.
2. Single-family dwellings, attached (Owner occupied Duplexes, Condominiums, Town Homes).
3. Residential accessory structures.
4. Home Occupations, as regulated by this Code (see Supplementary Regulations) and Town business license regulations, including child care of eight (8) children, or fewer.
5. Parks, trails and other recreational facilities.
6. Household pets (limited to three (3) animals, more than three (3) may be allowed as a conditional use).

5.2.2.2. Conditional Uses

The Planning Commission may recommend the issuance of a Conditional Use Permit for the following uses of land in the R-2 Residential Zone in accordance with Section 1.14 herein:

1. Residential care facilities for elderly or handicapped persons subject to the conditions found in § 10-9-501 et. seq. and § 10-9-601 et. seq. of the Utah Code 1996, as amended.
2. Nursery, primary, secondary and higher education, including child care for eight (8) to sixteen (16) children.
3. Religious structures and related activities.
4. Large playgrounds and athletic areas.

5.2.2.3. Minimum Lot Area

Single Family Lot, detached	10,000 sq. ft.
Single Family Lot, attached	7,500 sq. ft. per dwelling unit

5.2.2.4. Lot Frontage

Single Family Lot, detached	100 feet (35 feet on a cul-de-sac, flag lots prohibited)
Single Family Lot, attached	75 feet (35 feet on a cul-de-sac, flag

lots prohibited) per dwelling unit

No more than twelve (12) dwelling units may be constructed on a street with only one point of ingress one egress in the R-2 zone, with a maximum length of 300feet for permanent dead-end streets (600 feet for temporary dead-end streets). All streets must be constructed in such a manner that emergency service vehicles can operate properly upon them and shall be constructed to Town Standard Engineering Specifications including required widths and right of way.

5.2.2.5. Lots of Record

Lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the application of this Code shall not be denied a building permit solely for reason of non-conformance with the parcel requirements of this Code and are declared a Non-Conforming Use in accordance with Section 1.23 herein.

5.2.2.6. Yard Requirements - Dwellings and Main Buildings

The following yard setback requirements shall apply on all lots in the R-2 Zone:

A. Front Yard and Side Street Setback

The minimum front yard and side street setback shall be twenty-five (25) feet from the front property line or fifty-five feet from the center line of the right-of-way, whichever distance is greater.

B. Side Yard Setback

The minimum side yard for all buildings on interior lots in the R-2 zone shall be ten (10) feet, with the exception of single family attached units in which there shall be no setback on the adjoining unit side.

C. Rear Yard Setback

The minimum rear yard for all buildings in Residential Zones shall be twenty (20) feet.

D. Flag Lots

Flag lots may be permitted as a conditional use in the R-1 zone in certain areas of Francis Town along SR-32, SR-35 and Spring Hollow Lane. If the proposed flag lot is on SR 32 or SR 35, the applicant shall obtain approval from UDOT prior to receiving Town approval. No flag lots shall be allowed in any subdivision for which a plat has been recorded prior to the enactment of this ordinance or for which a plat is recorded on or after the date of this ordinance.

1. An allowed flag lot shall contain a driveway that enters and exits on a public road.
2. the driveway shall be a minimum of 30 feet in width.

3. The driveway shall be owned by the owner of the allowed flag lot which the driveway is used to access and shall be included as part of the lot and parcel description of the allowed flag lot.
4. Only one lot may be created and accessed by such a driveway.
5. The maximum length of the 'pole' shall be 400 feet, and all homes constructed on flag lots must be within 250 feet of a fire hydrant.

5.2.2.7. Setback for Accessory Buildings

- A. An accessory building, allowed by this Code shall be located no closer than three (3) feet from the side and rear property lines. Accessory buildings shall not be permitted in the required front or side street yard areas required for main buildings. Roof drainage shall be required to be retained on site for all accessory buildings.
- B. Accessory buildings greater than twelve (12) feet in height shall not be permitted on single family, attached lots.

5.2.2.8. Projections into Yards

The following structures may be erected on or projected into any required yard:

- A. Fences and walls in conformance with this Code.
- B. Landscape elements including trees, shrubs, agricultural crops and other plants.
- C. Necessary appurtenances for utility service.

The structures listed below may project into a minimum front or rear yard not more than four (4) feet and into a minimum side yard not more than two (2) feet. See the Supplemental Regulations for more detailed regulations:

- A. Cornices, eaves, belt courses, sills, buttresses or other similar architectural features.
- B. Fireplace structures and bays, provided that they are not wider than ten (10) feet measured generally parallel to the wall of which they are a part.
- C. Stairways, balconies, door stoops, fire escapes, awnings, porches and patio covers.
- D. Planting boxes not exceeding twenty four (24) inches in height.

5.2.2.9. Height and Building Location

Building shall be limited to a height of thirty (30) feet, measured from finished grade to the highest point on the roof line.

5.2.2.10. Parking and Access

Each residential dwelling unit is required to provide off-street parking for

at least two (2) automobiles.

5.2.2.11. Landscaping

All property located in front of the residential structure and the front setback, except driveways, parking areas, walkways, utility areas, improved decks, patios, porches, shall be maintained with suitable landscaping of plants, shrubs, trees, grass or other landscaping materials.

5.2.2.12. Location of Boats, Trailers, Campers, and Motor Homes

Boats, trailers, campers and motor homes may not be stored in the front yard setback, the side yard setback of a corner lot, or in the street in front of a lot in excess of twenty four (24) hours, except that a vehicle owned by a guest of the resident may be stored in a required front yard setback or side yard setback of a corner lot for up to fourteen (14) consecutive days per calendar quarter. A motor home or RV may be occupied by a guest or guests of the resident for up to (14) consecutive days per calendar quarter.

5.2.2.13. Storage of Commercial Vehicles

No trucks, motor vehicles or commercial trailers having a registered weight exceeding twelve thousand (12,000) pounds shall be stored or parked on any lot or parcel within the R-2 zone.

5.2.2.14. Trash and Waste Storage

No trash, used materials, wrecked, or non-operational, unlicensed or abandoned vehicles or equipment shall be stored in an open area or yard. All such materials must be screened from public streets and adjacent property or stored within an enclosed building. All trash storage areas shall be screened from the public or adjoining residential area view by appropriate fencing or landscaping methods and placed in a rear area of the main building if possible. No hazardous materials, chemicals or oils/solvents shall be stored in areas that do not meet Health Department regulations or are accessible to the public.

5.2.3. RA - Residential Agricultural Zone

The RA Residential Agricultural Zone is established to provide areas where single family residential development and associated uses may be harmoniously integrated with agricultural pursuits. This zone is intended to allow the keeping of farm animals in conjunction with single-family dwelling units, yet retain land in parcels large enough to provide efficient and attractive development or as clustered developments to encourage natural or agricultural open spaces. The RA Zone is also intended to accommodate equestrian oriented residential developments, allowing a design which could contain non-commercial stables, training areas and equestrian or pedestrian trails as an integral part of the development.

5.2.3.1. Permitted Uses

The following characteristic uses of land are permitted uses in the RA-1, Residential Agricultural Zone:

1. Single family dwellings and manufactured homes - detached.
2. Residential accessory structures.
3. Home Occupations, as regulated by this Code (see Supplementary Regulations) and Town business license regulations, including child care of eight (8) children other than members of the family residing in the dwelling.
4. Parks, trails and other recreational facilities.
5. Field and Seed Crops and related activities.
6. Orchards and Vineyards.
7. Household pets.
8. Pasture and range land.

5.2.3.2. Conditional Uses

The Planning Commission may recommend the issuance of a Conditional Use Permit for the following uses of land in the RA-1 Residential Zone in accordance with Section 1.14 herein:

1. Residential care facilities for elderly or handicapped persons subject to the conditions found in § 10-9-501 et. seq. and § 10-9-601 et. seq. of the Utah Code 1996, as amended.
2. Accessory apartments (above a garage or in a basement, not a separate dwelling such as a mobile home or manufactured home) not to exceed 1,000 sq. ft. and not to exceed the size of the main dwelling in total living area..
3. Nursery, primary, secondary and higher education, including child care in single family dwellings for eight (8) to sixteen (16) children.
4. Religious structures and related activities.
5. Golf courses, private or public.
6. Large playgrounds and athletic areas.
7. Outdoor Commercial Recreation
8. Kennels.

5.2.3.3. Minimum Lot Area/Density

The minimum Lot size shall be one acre while the maximum density for subdivisions in this zone shall be one dwelling per 2 acres. All area not included in lots must be preserved in permanent agricultural open space.

5.2.3.4. Lot Frontage

The minimum lot frontage shall be one hundred fifty (150) feet. No more than twelve (12) dwelling units may be constructed on a street with only one point of ingress and egress in the RA-1 zone, with a maximum length of 1200 feet for a permanent dead-end street.

5.2.3.4. Lots of Record

Lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the application of this Code shall not be denied a building permit solely for reason of non-conformance with the parcel requirements of this Code and are declared a Non-Conforming Use in accordance with Section 1.23 herein.

5.2.3.5. Yard Requirements - Dwellings and Main Buildings

The following yard setback requirements shall apply on all lots in the RA Zone:

A. Front Yard and Side Street Setback

The minimum front yard and side street setback shall be thirty-five (35) feet from the front property line or sixty-five (65) feet from the centerline of the right-of-way, whichever distance is greater.

B. Side Yard Setback

The minimum side yard for all buildings on interior lots in the RA zone shall be twelve (12) feet.

C. Rear Yard Setback

The minimum rear yard for all buildings in the RA Zone shall be thirty (30) feet from property line.

5.2.3.6. Setback for Accessory Buildings

- A. An accessory building, allowed by this Code shall be located no closer than three (3) feet from the side and rear property lines. Accessory buildings shall not be permitted in the required front or side street yard areas required for main buildings. Roof drainage shall be required to be retained on site for all accessory buildings.
- B. Accessory buildings used for the housing or shelter of livestock shall be located a minimum distance of forty (40) feet from any dwelling.

5.2.3.7. Projections into Yards

The following structures may be erected on or projected into any required yard:

- A. Fences and walls in conformance with this Code.
- B. Landscape elements including trees, shrubs, agricultural crops and other plants.
- C. Necessary appurtenances for utility service.

The structures listed below may project into a minimum front or rear yard not more than four (4) feet and into a minimum side yard not more than two (2) feet. See the Supplemental Regulations for more detailed regulations:

- A. Cornices, eaves, belt courses, sills, buttresses or other similar architectural features.
- B. Fireplace structures and bays, provided that they are not wider than ten (10) feet measured generally parallel to the wall of which they are a part.
- C. Stairways, balconies, door stoops, fire escapes, awnings, porches and patio covers.
- D. Planting boxes not exceeding twenty four (24) inches in height.

5.2.3.8. Height and Building Location

Building shall be limited to a height of thirty (30) feet, measured from finished grade to the highest point on the roof line. Heights between thirty and forty feet may be approved by conditional use permit.

5.2.3.9. Parking and Access

Each residential dwelling unit is required to provide off-street parking for at least two (2) automobiles.

5.2.3.10. Landscaping

All property located in front of the residential structure and the front setback, except driveways, parking areas, walkways, utility areas, improved decks, patios, porches, shall be maintained with suitable landscaping of plants, shrubs, trees, grass or other landscaping materials.

5.2.3.11. Location of Boats, Trailers, Campers, and Motor Homes

Boats, trailers, campers and motor homes may not be stored in the front yard setback, the side yard setback of a corner lot, or in the street in front of a lot in excess of twenty four (24) hours, except that a vehicle owned by a guest of the resident may be stored in a required front yard setback or side yard setback of a corner lot for up to fourteen (14) consecutive days per calendar quarter. A motor home or RV may be occupied by a guest or guests of the resident for up to (14) consecutive days per calendar quarter.

5.2.3.12. Trash and Waste Storage

No trash, used materials, wrecked, or non-operational, unlicensed or abandoned vehicles or equipment shall be stored in an open area or yard. All such materials must be screened from public streets and adjacent property or stored within an enclosed building. All trash storage areas shall be screened from the public or adjoining residential area view by appropriate fencing or landscaping methods and placed in a rear area of the main building if possible. No hazardous materials, chemicals or oils/solvents shall be stored in areas that do not meet Health Department regulations or are accessible to the public.

5.3. Commercial Zone

The Commercial Zone, hereinafter also referred to as the C-1 Zone, is established to encourage commercial and retail development. Businesses that provide services directly to the residents of Francis will be highly encouraged. Transportation and other concerns may limit the types of businesses approved in the C-1 Zone. The provisions contained herein should be used to encourage greater integrity and aesthetic improvements as these areas are developed and improved. Integrated and coordinated landscaping, parking, ingress, egress, signing and building design should be encouraged. New construction should be in harmony with the characteristics of the surrounding developed commercial and residential areas. The uses characteristic of this zone will be small retail and service stores and shops. Parking must conform to Section 3.28 herein and is encouraged to be located behind the building.

Special approval procedures, landscaping requirements and design guidelines are applicable in the C-1 Zone. These regulations can be found in Chapter 7 herein.

Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by the Utah State Air Conservation Board or the Board of Health and any use which emits or discharges liquids or solid material onto the soil or water in amounts which results in pollutants entering ground water in amounts exceeding the standards prescribed by the Utah State Water Pollution Control Board or the Board of Health, shall be prohibited.

5.3.1. Permitted Uses

Revised April 29, 1999

The following general use categories are permitted uses in the C-1 zone:

1. Office buildings, commercial and retail shops smaller than twenty thousand (20,000) square feet.
2. Barber shops and hair salons.
3. Restaurants and other eating establishments, except that drive through restaurants and similar fast food businesses require a Conditional Use Permit in accordance with Section 1.14 herein.
4. Banks and other financial institutions.
5. Gas stations, except that any repair shops require a Conditional Use Permit in accordance with Section 1.14 herein.
6. Trails and recreational facilities.
7. Contractor's equipment storage yard as per regulations for such in section 3.31 of this Code. Repair shops shall require a conditional use permit.

5.3.2. Conditional Uses

The following general use categories require a Conditional Use Permit in the C-1 zone in accordance with Section 1.14 herein:

1. Retail grocery stores larger than twenty thousand (20,000) square feet.

2. Office buildings, commercial and Retail stores larger than twenty thousand (20,000) square feet.
3. Drive through restaurants and fast food businesses.
4. Auto repair shops, welding, and blacksmiths shops.
5. Hospitals and clinics.
6. Schools and other educational institutions.
7. Single family dwellings and multi-family housing units with lot size and setbacks to be set as conditions.
8. Freightling or trucking terminals or yards.
9. Liquor stores or private clubs.
10. Rental Storage Sheds.

5.3.3. Permitted Accessory Uses

Accessory uses and structures are permitted in the C-1 Zone provided they are incidental to, and do not alter, the character of the permitted principal use or structure. Such permitted uses and structures include, but are not limited to, the following:

1. Accessory buildings such as garages, carports, equipment storage buildings and supply storage buildings which are customarily incidental to a principal use or structure permitted in the C-1 Zone.
2. Storage of materials used for construction of buildings, including the contractor's temporary office provided that such use be located on the building site or immediately adjacent thereto, and provided further, that such use shall be permitted only during the construction period.

5.3.4. Lot Area

There shall be no minimum lot area requirements in the C-1 Zone except as may be dictated by off-street parking requirements, adequate circulation, and property site utilization. Lot area requirements shall be determined by the Planning Commission.

5.3.5. Lot Width

There shall be no requirements for lot width, provided all requirements of necessary parking regulations can be satisfied.

5.3.6. Lot Frontage

Each lot or parcel of land in the C-1 zone shall have frontage on a public street for a minimum distance of thirty-five (35) feet.

5.3.7. Setback Requirements

The following setback requirements shall apply in the C-1 Zone:

1. Each structure in the C-1 Zone shall be located at least thirty (30) feet from any public street, provided however, that no parking stalls or

structures shall be located closer than thirty (30) feet from any public street right of way.

2. Each structure in the C-1 Zone shall be located at least thirty (30) feet from the nearest building or parcel.
3. Each structure in the C-1 Zone shall be located at least thirty (30) feet from the rear property line in order to allow enough room for deliveries.

5.3.8. Building Height

Buildings in the C-1 Zone should not exceed forty (40) feet. Any building design of over forty (40) feet in height shall be a conditional use to ensure adequate fire protection. No building in the C-1 Zone shall exceed fifty (50) feet from the finished grade to the tallest portion of the building.

5.3.9. Parking, Loading, and Access

All parking spaces shall be paved with asphaltic cement or concrete, and shall be provided with adequate drainage which shall not run across a public sidewalk. Parking spaces shall not be provided within a required front or side setback.

5.3.10. Signs

All signs erected in the C-1 Zone shall be in conformance with the sign provisions of Section 3.28 of this Code.

5.3.11. Trash and Waste Storage

No trash, used materials, wrecked or non-operational or abandoned vehicles or equipment shall be stored in an open area or yard. All such materials must be screened from public streets and adjacent property located within the C-1 Zone with an opaque fence or wall, or must be stored within an enclosed building. All trash storage areas shall be screened and hidden from the public or adjoining residential area view by appropriate fencing or landscaping methods and placed in a rear area of the main building if possible. No hazardous materials, chemicals or oils/solvents shall be stored in areas that do not meet Health Department regulations or are accessible to the public. Trash storage plans must be presented to the Planning Commission for approval, prior to issuance of a building permit.

5.3.12. Storage Developments

All storage doors and entrances, and parking in storage developments shall be internally located and not located on a public street. Internal streets should be constructed at a width sufficient to allow movement of all anticipated vehicles, including fire and other emergency vehicles. Each development of this type shall be reviewed and approved by the South Summit Fire District. It is the responsibility of the applicant to demonstrate that adequate traffic flow can be accomplished. Provisions should be made which allow authorized access for public safety employees into these developments for public and personal safety. This includes access to entrance codes, electronic opening devices, lock combinations, and the like.

All storage and warehouse developments shall be fenced in a manner which will provide adequate security and a deterrent from public access. These fences should be kept in good repair. The rear sides of buildings which provide adequate security may satisfy this requirement.

5.3.13. Landscaping.

Landscaping guidelines are established to maintain the site qualities that exist in the E-C Zone area and minimize alteration, removal, or degradation of landscaping that currently exists in the area.

1. No plans for any building, structure or other improvements shall be approved by the Planning Commission unless there shall also have been submitted separate landscape plans satisfactory to the Planning Commission.
2. Landscaping in accordance with the plans submitted must be installed within 30 days following the occupancy of the site or as otherwise approved by the Planning Commission as seasonal conditions may dictate.
3. The land area not occupied by buildings, structures, hard surfacing, vehicular driveways or pedestrian walkways shall be kept in a weed-free condition or landscaped, as approved by the Planning Commission.
4. The developer shall bond for such landscape improvements to ensure that installations are completed as submitted and approved. Performance assurance requirements for landscape improvements shall be the same as required by the City for street improvements.
5. Plant Materials.
 - a. 60% Medium trees and shrubs in a combination with deciduous trees with a caliper from 2 to 3 inches and evergreen trees with a height from 5 to 8 feet.
 - b. 40% Small trees and shrubs in a combination with deciduous trees with a caliper of 1 1/2 to 2 inches and evergreen trees with a height of 4 feet.
 - c. Where possible, a **50/50** mix of deciduous and evergreen tree species shall be used for on-site landscaping.
 - d. Street trees with a minimum 2 inch caliper shall be installed along all public rights-of-way by the developer of the property. The species-type, location, and spacing of trees shall be as shown on the approved landscape plan..
6. Installation. It shall be the responsibility of the developer to grade, place topsoil, seed, sod, install sprinkler irrigation systems, and properly plant trees, shrubs, and other approved plant materials.
7. Maintenance. It shall be the responsibility of the developer to properly maintain landscaped areas including watering, mowing, pruning, fertilizing, and the removal and replacement of dead plant materials in a timely manner. Pruning trees for "exposure" is prohibited.
8. Vegetation Removal. Removed vegetation shall be replaced with equal or better quality plant materials. Trees that are necessarily removed shall be

replaced with trees with comparable total caliper. Street trees that are necessarily removed shall be replaced with comparable individual caliper as approved by the Planning Division.

When utility connections or other disturbances are made to existing landscaped areas the existing landscaping must be replaced to its previous condition. Other modification of landscaped areas shall require approval by the City Planner.

5.3.14. Grading And Drainage.

Drainage from any lot must follow current Francis Town requirements. Drainage shall not be allowed to flow upon adjoining lots unless an easement for such purpose has been granted by the owner of the lot upon which the water flows.

A site plan with grading, drainage, and clearing plans must be approved by the Planning Commission before any such activities may begin. Lot grading shall be kept to a minimum. Where possible, roads and development shall be designed for preservation of natural grade.

5.3.15. Utilities

All utility lines shall be underground in designated easements. No pipe, conduit, cable, line for water, gas, sewage, drainage, steam, electricity or any other energy or service shall be installed or maintained upon any lot (outside of any building) above the surface of the ground except for hoses, movable pipes used for irrigation or other purpose during construction.

1. Transformers shall be grouped with other utility meters where possible and screened with vegetation or other appropriate method.
2. Each contractor and owner/developer shall be responsible to know the whereabouts of all underground utilities. Protection of such utilities shall also be their responsibility.
3. Prior to construction, contact must be made with "Blue Stakes" to identify underground utility lines.
4. Each development shall be required to be serviced by City Water and Sewer unless expressly approved by the City Council.

5.3.16. Architectural Design and Materials

The treatment of building mass, materials and exterior appurtenances shall create an aesthetically pleasing building and site that is in character with the proportions of other surrounding developments. Proposed developments shall be designed with a common theme that reflects the heritage and community of Francis Town. Theme shall be reviewed and approved by the Planning Commission and may include but are not limited to agricultural or mountain tourism. Requirements applicable to all buildings are stated below:

1. All sides of buildings shall receive equal design consideration, particularly where exposed to vehicular traffic and adjacent properties. Facade shifts

- shall be encouraged on structures with a width greater than 50 feet.
2. Basic materials shall be limited to no more than three types of materials per building and all buildings within the development shall possess a similar architectural theme. Building styles shall be compatible with existing buildings in the E-C Zone.
 3. Buildings shall be designed to relate to grade conditions with a minimum of grading and exposed foundation walls.
 4. Mechanical equipment shall be located or screened so as not to be visible from public and private streets. Screens shall be aesthetically incorporated into the design of the building whether located on the ground or on the roof. Screen materials shall be compatible with those of the building.
 5. Plans for the exterior modifications to any existing structures must be submitted to the Planning Commission for approval and must meet the same requirements as all other structures within the E-C Zone.

5.3.17. Buffers, Fences and Walls

The intent in having special buffer, fence, and wall requirements is to provide quality separation between incompatible commercial uses, and to provide physical and visual protection between commercial and residential uses.

Landscape buffers are preferred over fences and walls where a separation is desirable. A visually open look should be encouraged between similar uses. Visual screening is often more important than a physical separation and the Planning Commission may, at its own option, require special treatment of such areas.

Buffer treatment may be required whenever a change occurs between residential and non-residential uses. Additional landscaping and screening may be required at the discretion of the Planning Commission within the setback which separates the uses. Fences or walls will be reviewed for their effectiveness in screening a view, and for their color and texture in relationship to building materials.

Where differing uses are to be developed adjacent to existing residential areas, special consideration shall be made to protect the privacy of residents and requirements shall be the discretion of the Planning Commission. As a minimum, the negative effects of noise and artificial lighting shall be minimized to protect existing residents.

Service areas shall be properly screened. Outdoor lighting shall be designed to prevent exposure of light source to the view of residents. Facilities that require late night customers and activities shall be located away from residential areas to reasonably prevent disruption of privacy.

5.3.18. Parking Areas

Parking areas shall be considered as structures since they present a three

dimensional appearance when occupied.

1. Location of parking shall be determined not only from its visual relationship to building and site, but also as it relates to safe convenient pedestrian and vehicular circulation patterns. The placing of building and parking elements on a site shall be evaluated by and Planning Commission on the basis of the following factors:
 - A. Type of land use and structure.
 - B. Building height and configuration.
 - C. Relationship to other buildings both horizontally and vertically.
 - D. Natural land features such as slopes and vegetation.
 - E. Physical features such as rail lines, canals, and controlled ingress and egress.
 - F. Visibility from vehicular approaches and distant highways.
 - G. Parking is strongly encouraged to be located on the side and to the rear of any proposed structures, with minimum parking between the front of the building and the street.
2. Parking shall not occur adjacent to any public street except when:
 - A. It has been established that such a location is needed or justified by other site conditions or building entrance orientation.
 - B. The use is restricted to visitors and/or key employees.
 - C. Parking is 80% screened by fencing, walls, and/or landscaping from the highway or street by either depressing the paved areas or using elevated landscape berms.
 - D. A minimum of 10 feet of landscaped screening consisting of mixed evergreen and deciduous trees shall surround the periphery of paved areas adjacent to buildings or property lines. The number of trees for this area shall be determined by a standard of 1 tree per every 200 square feet of landscaping required.

5.3.19. Service & Loading Areas

Loading and refuse collections areas shall not be permitted between buildings and streets, and must be screened from view of public and private streets. Streets shall not be used directly for loading, unloading, or refuse collection. Building and improvements upon lots must be designed to properly accommodate loading, unloading and refuse collection. Loading and refuse collection areas shall be properly screened meeting standards stated herein.

5.3.20. Outdoor Lighting

All street light fixtures shall be installed to prevent light glare from adversely affecting adjacent properties. Exterior wall mounted floodlights are expressly prohibited. For parking lot lighting, pole mounted fixtures are recommended. Lighting of all pedestrian pathways is recommended. Lighting of a building and site identification signs are permitted as allowed by this ordinance.

Lighting will be judged as to how adequately it meets its intended purpose.

Design and location of standards and fixtures shall be specified on the site development drawings. Intensities shall be controlled so that neighboring areas will not be adversely affected by glare or excessive direct light. All street lights shall be "shoe box" design type fixtures and installed as required by the Street Lighting Policy.

5.3.21. General Maintenance

An overall maintenance schedule shall be implemented by property owners in maintaining all buildings, landscaping, fences, walls, drives, parking lots (including surfacing & striping, signs, or other structures. The above shall be maintained in good and sufficient repair in a safe and aesthetically pleasing manner. Roads and pavements shall be kept true to line and grade and in good repair. Drainage ditches shall be kept clean and free of any obstacles.

5.3.22. Highway Access

All access from State Road 32 shall be in accordance with the master street plan for Francis Town. Access for this zone shall be made from a properly designed and landscaped frontage road or as otherwise approved by Francis Town and UDOT.

5.4. Public Facilities Zone

5.4.1. Purpose and Objectives

The Public Facilities (P-F) Zone is established to provide areas for the location and establishment of facilities which are maintained for public or quasi-public use. The P-F Zone should be created in areas which are suitable and compatible with neighboring zones, possibly providing buffer areas where appropriate.

5.4.2. Permitted and Conditional Uses

Those general uses or categories of uses listed below may be conducted in the P-F Zone as limited herein.

5.4.2.1. Permitted Uses

The following general uses of land are permitted in the P-F Zone:

1. Automobile parking
2. Cemeteries
3. Government-executive, legislative & judicial functions
4. Protective functions
5. Postal services
6. Schools and Educational Services
7. Miscellaneous service organization
8. Cultural activities and nature exhibitions
9. Public assembly

5.4.2.2. Conditional Uses

The following general use categories require a Conditional Use Permit in the P-F Zone in accordance with Section 1.14 herein:

1. Railroad, or other rapid transit
2. Motor vehicle transportation
3. Aircraft transportation
4. Communications
5. Public Utilities
6. Hospitals
7. Operations centers
8. Correctional institutions
9. Military bases and reservations
10. Amusements
11. Recreational activities
12. Parks
13. Other cultural, entertainment & recreational activities

5.4.3. Lot Area

The minimum area of a lot or parcel in the P-F Zone shall be determined by the uses and structures intended and the requirements of this chapter pertaining to setbacks, access, parking and landscaping.

5.4.4. Lot Width

Each lot or parcel of land in the P-F Zone shall have, at the front setback line, a minimum width of 100 feet.

5.4.5. Lot Frontage

Each lot or parcel of land in the P-F Zone shall abut along the right-of-way line of a public street a minimum distance of 50 feet.

5.4.6. Prior Created Lots

Lots or parcels of land in the P-F Zone which legally existed or were created by a preliminary or final plat approval prior to the application of this zone shall not be denied a building permit solely for the reason of non-conformance with the parcel requirements of this chapter.

5.4.7. Setback Requirements

The following setback requirements shall apply in the P-F Zone:

1. Front Yard. The minimum front yard for all lots in the P-F Zone shall be 30 feet. The minimum front yard shall be landscaped and shall not be used for vehicle parking.
2. Side Yards-interior lots. No side yard is required on interior lots in the P-F Zone, except that the minimum side yard which is adjacent to a residential zone or structure shall be 20 feet.

3. Side Yards-corner lots. No side yard is required on the side of a corner lot which is adjacent to another lot in the P-F Zone. The minimum street side yard of a corner lot in the P-F Zone shall be 20 feet. The minimum street side yard shall be landscaped and shall not be used for vehicle parking.
4. Rear Yard. The minimum rear yard for all lots in the P-F Zone shall be 20 feet. The minimum rear yard may be used for vehicle parking or access.
5. Property line construction. All buildings located closer than 5 feet from a property line shall be equipped with facilities for the discharge of all roof drainage onto the subject lot.

5.4.8. Projections into Yards

The following structures may be erected on or projected into any required yard:

1. Fences and walls in conformance with Town codes or ordinances.
2. Landscape elements including trees, shrubs, and other plants.
3. Necessary appurtenances for utility services.

The structures listed below may project into a minimum front or rear yard not more than 4 feet and into a minimum side yard not more than 2 feet.

1. Cornices, eaves, belt courses, sills, buttresses or other similar architectural features.
2. Fireplace structures and bays, provided that they are not wider than 8 feet measured generally parallel to the wall of which they are a part.
3. Stairways, ramps, balconies, door stoops, fire escapes, awnings, canopies and patio covers.

5.4.9. Building Height

No lot or parcel of land in the P-F Zone shall have a building which exceeds a height of 30 feet unless a Conditional Use Permit has been granted in accordance with Section 1.14 of this Code.

5.4.10. Building Separation

All buildings in the P-F Zone shall have a minimum separation of 20 feet.

5.4.11. Parking and Access

Each lot or parcel of land in the P-F Zone shall have sufficient, marked parking spaces to meet requirements of this section as well as the parking regulations of Chapter 3 of this Code. Parking spaces and accesses to public streets shall be paved with concrete or asphaltic cement. Notwithstanding minimum landscaping and yard requirements of 5.4.7., parking areas and accesses located in front and street side setback areas shall be accented with landscaped islands in appropriate locations to mitigate the negative effects of large paved surfaces and to control traffic circulation. Planting of shade trees is encouraged in parking areas to reduce heat, wind, noise and glare. Concrete curb walls shall be used around parking areas and driveways. All public street accesses shall be

located a minimum of 50 feet from other driveways or streets. One-way driveways shall have a minimum width of 12 feet. Two-way driveways and all driveways on developments of 1 acre or larger in size shall have a minimum width of 20 feet. Concrete or masonry walkways shall be required for access to buildings and parking areas.

5.4.12. Landscaping

The required front and side yard areas of lots in the P-F Zone shall be planted with shrubs and trees, as well as other plant materials and ground cover, including evergreen species. No landscape materials shall exceed 3 feet in height in a clear vision zone. In addition to any required front or side yard landscaping, at least 2% of each lot or parcel in the P-F Zone shall be landscaped with berms, trees, shrubs, ground cover or other landscape elements. All landscaping in the P-F Zone shall be installed and properly maintained according to an approved landscape plan.

5.4.13. Site Plan Review

Developments in the P-F Zone shall be designed according to the requirements of this Section of the Code. A site plan shall be submitted for review by the Planning Commission prior to the issuance of a building permit. All signs, fences, walls, lighting, parking, access, architecture and landscaping will be reviewed by the Planning Commission at the time of site plan review.

5.4.14. Other Requirements

5.4.14.1. Trash containers and utility fixtures

All trash dumpsters and containers, utility fixtures, power transformers and other appurtenances in developments in the P-F Zone shall be screened with a sight obscuring fence, wall or landscaping feature as approved by the Planning Commission.

5.4.14.2. Fences and walls

Fences and walls in the P-F Zone may be constructed after first obtaining approval of the Planning Commission. Said fences or walls shall not exceed 4 feet in height in front yards and 6 feet in side and rear yards. Sight obscuring fences, wall and shrubs shall not exceed 3 feet in a clear vision zone. A masonry fence is required adjacent to other zoning districts unless the Planning Commission determines that a satisfactory barrier or open space presently exists.

5.4.15. Reversion of Zoning

If a building permit has not been issued and construction commenced within 1 year of the establishment of the P-F one on a project that required re-zoning to the P-F Zone, the Town Council, by resolution, may at any time thereafter direct the Town Planner to initiate a re-zoning action to revert the P-F Zone to its original zone or any other appropriate zone. For purposes of this section,

commencement of construction shall be deemed to be the installation of footings and foundation of one main building as set forth on the approved site plan for the proposed development.

5.5. Light Industrial Zone

Adopted April 29, 1999

5.5.1. Purpose and Objectives

The Light Industrial (LI-1) Zone is established to provide areas for the location and establishment of mining sites and light industrial operations which, because of their nature of operation, are not appropriate near residential areas.

5.5.2. Permitted and Conditional Uses

Those general uses or categories of uses listed below may be conducted in the LI-1 Zone as limited herein.

5.5.2.1. Permitted Uses

The following general uses of land are permitted in the LI-1 Zone:

1. Office, equipment storage, and other non-residential structures that are accessory to a conditionally permitted mine, or sand, gravel or clay pit when located on the same lot or adjoining land in the same ownership as the mine or pit.
2. Oil, gas and water wells, and appurtenant pumps and pumphouses.
3. Agriculture activities (except animal specialties and exotic animals) and the following industries (which do not qualify as a Feed Yard as defined by this code): dairy farm, fur farm, hog farm, poultry, fowl and game birds (accessory buildings shall be a minimum of two hundred (200) feet from any residential zone).
4. Contractor=s equipment storage yard in accordance with section 3.31. of this Code.

5.5.2.2. Conditional Uses

The Planning Commission may recommend the issuance of a Conditional Use Permit for the following uses of land in the LI-1 Zone in accordance with Section 1.14 of this Code.

1. Mines; sand, gravel, topsoil and earth-products pits; and the attendant stockpiles and waste dumps located on the same lot as the mine or pit, subject to the provisions of Section 3.32. of this Code.
2. A concrete or asphalt batch plant, rock crusher, or mineral reduction or processing plant which is located on the same lot

as the pit or mine from which the rock materials are derived.

3. Public utilities.
4. A hunting preserve or a shotgun, pistol or rifle shooting range (plus incidental accessory structures) subject to the applicant submitting a site plan and providing adequate evidence of safe setbacks, location, layout, noise reduction, and continuing management.
5. Welding, blacksmith, auto body repair, and maintenance shops.
6. Sawmills
7. Coal and firewood yards.

5.5.3. Lot Area

There shall be no minimum lot area requirements in the LI-1 Zone except as may be dictated by off-street parking requirements, adequate circulation, and property site utilization. Lot area requirements shall be determined by Town Planner and may be appealed to the Planning Commission.

5.5.4. Lot Width

There shall be no minimum requirements for lot width, provided all requirements of necessary parking regulations can be satisfied.

5.5.5. Lot Frontage

Each lot or parcel of land in the LI-1 Zone shall have frontage on a public street for a minimum distance of thirty-five feet.

5.5.6. Setback Requirements

The following setback requirements shall apply in the LI-1 Zone:

1. Each structure in the LI-1 Zone shall be located at least thirty (30) feet from any public street, provided however, that no parking stalls or structures shall be located no closer than thirty (30) feet from any public street right-of-way.
2. Each structure in the LI-1 Zone shall be located at least thirty (30) feet from the nearest building or parcel.
3. Each parcel in the LI-1 Zone shall be located at least thirty (30) feet from the rear property line.

5.5.7. Building Height

Buildings in the LI-1 Zone shall not exceed thirty (30) feet. Any building or structure design of over thirty (30) feet in height shall be a conditional use to ensure adequate fire protection. No building in the LI-1 Zone shall exceed fifty (50) feet from the finished grade to the tallest portion of the building.

5.5.8. *Parking, Loading, and Access*

All parking spaces shall be paved with asphaltic cement or concrete, and shall be provided with adequate drainage which shall not run across a public sidewalk. Parking spaces shall not be provided within a required front or side setback.

5.5.9. *Signs*

All signs erected in the LI-1 Zone shall be in conformance with the sign provisions of Section 3.28 of this Code.

5.5.10. *Trash and Waste Storage*

No trash, used materials, wrecked or non-operational or abandoned vehicles or equipments shall be stored in an open area or yard. All such materials must be screened from public streets and adjacent property located within the LI-1 Zone with a sight obscuring fence or wall, or must be stored within an enclosed building. All trash storage areas shall be screened and hidden from the public street or adjoining residential areas view by appropriate fencing or landscaping features and place in a rear area of the min building or use if possible. No hazardous materials, chemicals or oils/solvents shall be stored in areas that do not meet Health Department regulations or are accessible to the public. Trash storage plans must be presented to the Planning Commission for approval, prior to issuance of a building permit.

5.5.11. *Other Requirements***5.5.11.1. *Flammable Materials***

The yards around buildings shall be kept free of debris, refuse weeds and other flammable material which may constitute a fire hazard. Must be stored in approved containers meeting all applicable state fire and health codes.

5.5.11.2. *Critical Angle of Repose*

No building site, street, driveway, or other cut or fill shall be made so the side slopes exceed the critical angle of repose of the soil, as determined by the City Engineer.

5.5.11.3. *Topsoil*

All land surface from which topsoil is removed and all land surface on which subsoil is deposited shall be covered by buildings, hard surfacing, or a layer of topsoil at least one inch in depth. In order to prevent the soil from eroding, it shall be re-seeded with plant material having sufficient concentration to screen at least twenty-five (25) percent of exposed surface from view.