

Title 20

Zoning

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Chapter 20.08 – Changes of Zoning

20.08.010 Purpose and Intent. The purpose of this chapter is to establish responsibilities and commitments of both Pleasant View City and an applicant at the time the city considers rezoning of property in response to a filed application. This chapter also outlines the procedure and options of the city in considering rezoning approval. (Ord.2013-2, dated 5/28/13)

20.08.020 Development to Be Linked to Rezoning.

A. Since the purpose of zoning regulations is to promote the general welfare, safety, health, convenience and economic prosperity of the residents of the city, rezoning of property should further this purpose. As rezoning of property itself does nothing to promote these goals, the achievement of proposed development upon which rezoning is based is of prime importance to the city to justify the actual rezoning requested.

B. It is to the advantage of an applicant for rezoning to gain City acceptance of a development concept for property which is the subject of a zoning application. Acceptance of a development concept with rezoning approval should only occur when in accordance with policies and guidelines outlined in the city's adopted master plan respecting the need and desires of residents in the immediate area.

C. Therefore, in order to associate projected development with a rezoning application, Pleasant View City requires that a concept development plan showing an applicant's general development proposals be submitted as part of a rezoning application for all proposed developments.

D. With this information, the city can more readily determine whether a rezoning application would be in conformance with the city adopted master plan, its goals and policies and be compatible with surrounding land use and zoning and can better assess the impact of the proposed development on existing public infrastructure along with the attitudes of property owners and residents of the impacted area. The intent herein is to enhance flexibility and facilitate ease of acceptance in the city's response to rezoning requests. (Ord.2013-2, dated 5/28/13)

20.08.030 Application Procedure.

A. The city procedure for processing rezoning applications for developments requires an applicant to submit as part of the rezoning application, a concept development plan and to specify the general land uses, the general site and building arrangements which will occupy the property, and the general time frame and phasing of development if rezoning is granted.

B. Applications shall be on forms provided by the city and shall be accompanied by materials and plans as found in the check list provided with the application. Applications shall be submitted to the city planner.

C. Neighboring property owners will be notified of the rezoning application, and the general conceptual details of what is proposed, including how and when it would be located on the property.

D. The Planning Commission and the City Council will consider whether the application should be approved or disapproved based upon the merits and compatibility of the proposed project with the master plan and surrounding land uses and its impact on the surrounding area. They will consider also whether the proposed development, and in turn the petitioned-for rezoning, is needed to provide a service or convenience brought about

by changing conditions and which therefore promotes the public welfare. They may require subsequent changes in the concept development plan in order to achieve compatibility and may impose any conditions to lessen or eliminate adverse impacts. (Ord.2013-2, dated 5/28/13)

20.08.040 Concept Development Plan. The conceptual plan to be submitted with a rezoning application shall indicate general land use types, approximate locations and arrangements of buildings, structures, and facilities and general open space, parking access and traffic patterns, utility provisions, and all information determined by the city to be necessary to adequately review the proposal, and shall be regarded as a "concept development plan" only. More specific development plans are to be reviewed by the city at a later date as part of the subdivision, site plan review, conditional use approval and building permit issuance process. The information shown on the concept development plan may vary in detail depending on the scale of projects and may be described in broad general terms in plan and narrative form. (Ord.2013-2, dated 5/28/13)

20.08.050 Concept Development Plan Attached to Rezoning. At the time of rezoning approval by the City Council, the concept development plan becomes attached to the rezoning and the rezoned land. The applicant/owner and any assigns or successors in interest, becomes committed to develop in accordance with the conceptual proposals outlined in the plan. The city may require that a materially different concept, use, building arrangement, etc., be amended by the City after public hearings as per the procedure followed for original approval. If the city denies such changes or amendments and/or the concept plan is abandoned, the City may take steps to rescind zoning approval and revert the zoning to its former zone or to institute another appropriate zone. (Ord.2013-2, dated 5/28/13)

20.08.060 Procedure for Processing Development Proposals. After rezoning is completed, a development proposal shall be processed and specific plans for all or a phase of the development on the rezoned land shall be reviewed as required by the zoning and subdivision ordinance and other applicable regulations and codes in effect and shall be in general accordance with the concept plan and any conditions attached to approvals. (Ord.2013-2, dated 5/28/13)

20.08.070 Development to Take Place Only in Accordance with Approved Plans. Once City approvals have been granted, permits shall be issued only for uses, buildings and structures as approved by the City on relevant plans. Permits shall be issued and development shall only proceed in such a manner as to assure that all amenities and features of approved plans are constructed and all conditions of approval are complied with as development proceeds. (Ord.2013-2, dated 5/28/13)

20.08.080 Reversion to Original Zoning Designation.

A. If development does not occur as proposed at the time of zoning approval, the public benefits expected from the development cannot be realized and the effect of the rezoning is therefore without merit in terms of improving the public economic prosperity, general welfare, safety, health and convenience to the city's residents. If in such cases the city finds that the zoning purpose has not been attained, the City may take steps to rescind zoning approval and revert the zoning to its former zone or to institute another

appropriate zone so that future opportunities for similar development in the same general area may be shared by all properties deemed suitable, and so that a speculative zoning monopoly is not created.

B. If building permits have not been obtained or if construction of the development or an agreed upon phase thereof in accordance with the approved development plans, has not commenced within two years from the date of zoning approval or other time period as set by the City, the city may examine the reasons for the delay and the progress of the developers to that point and may either extend the time period or the City may take steps to rescind zoning approval and revert the zoning to its former zone or to institute another appropriate zone. The reversion of zoning shall follow the same procedure established by law for amending the zoning map. (Ord.2013-2, dated 5/28/13)

20.08.090 Development Agreement.

A. The City Council may require an applicant, at the time of zoning approval, to enter into a development agreement which specifies and details the petitioner's responsibilities and commitments in carrying out development contained in a concept development plan and which lists the conditions and limitations of development imposed by the City and also the contemplated action of the City in case of default by an applicant or any successors in interest in the rezoned property.

B. The agreement shall also contain the applicant's acknowledgement that the commitment of zoning is predicated upon the good faith accomplishment of the proposed development and if not started or constructed within the specified period of time, the City may take steps to rescind zoning approval and revert the zoning to its former zone or to institute another appropriate zone. (Ord.2013-2, dated 5/28/13)

20.08.100 Development Agreement to Constitute a Covenant Running with the Land.

A development agreement with appropriate time limitations, which has been executed as part of a rezoning process, shall be recorded in the county recorder's office as a covenant running with the land. (Ord.2013-2, dated 5/28/13)

20.08.110 City Zoning Alternative Actions.

A. In all rezoning petition considerations, the City Council, after considering the recommendations of the Planning Commission and after holding the required public hearing(s), may take any of the following alternative actions, subject to appropriate findings of fact:

1. By motion, grant conditional zoning approval with the rezoning to become effective by passage of an ordinance at a future date when more detailed development plans and/or other information have been approved by the city. This action represents a zoning commitment by the city with fulfillment based upon a petitioner's future more complete proposals for development.

a. Conditional zoning approval shall be valid for a period of two years or such other time period as expressly set by the City Council. Upon the expiration of such period of time without further proposals for development, the City Council shall either grant an extension of time or rescind its conditional approval and deny the rezoning petition.

b. Once further proposals are submitted, the City Council, after due consideration of additional material submitted, and upon a recommendation from the Planning Commission, shall:

- i. Approve rezoning subject to the development plan and adopt an ordinance rezoning the property; or
 - ii. Approve with changes or conditions and adopt an ordinance rezoning the property; or
 - iii. Deny the rezoning petition.
 2. Grant the petition, subject to the proposed concept plan and other requirements of this chapter and adopt an ordinance rezoning the property; or
 3. Deny the rezoning petition outright.
- B. City Initiated Zoning. The City Council, upon its own initiative and after receiving the recommendation of the Planning Commission may zone or rezone land:
 1. Where it is determined to be in the best interest of the general public; or
 2. In order to achieve consistency as a result of amendments to or the contents of the City's General or Master Plans; or
 3. Where changed conditions, public attitudes or life styles so indicate a need. (Ord.2013-2, dated 5/28/13)

Chapter 20.32 - Apartment (RM) Requirements

Repealed. (Ord. 2015-8, dated 12/8/15; prior codes: Ord.2013-2, dated 5/28/13; prior code: Ord.2012-5, dated 6/12/12)

Chapter 20.38 – Gateway Zones

SECTION I GENERAL PROVISIONS

20.38.100 Purpose. The purpose of the Gateway Zones is to provide an aesthetically pleasing entry into Pleasant View City that allows areas for a variety of retail, office, and entertainment while accommodating automobile traffic to regional services dependent upon a major transportation facility. (Ord.2015-8, dated 12/8/15; prior codes: Ord.2013-2, dated 5/28/13 and Ord.2012-5, dated 6/12/12)

20.38.110 Parking and Access. Parking areas and access shall meet requirements of this code. Strategies for walkable commercial development shall be implemented where appropriate. All access and street placements shall be subject to the UDOT Cooperative Agreement, and be in compliance with the Pleasant View Access Study and the City's Master Street Plan. (Ord.2013-2, dated 5/28/13; prior code: Ord.2012-5, dated 6/12/12)

20.38.120 Architectural and Site Standards. All development shall incorporate the Design Requirements of the City that are appropriate to the type of project or design alternatives approved by the City. Site plan approval shall be required of all developments. (Ord.2013-2, dated 5/28/13; prior code: Ord.2012-5, dated 6/12/12)

20.38.130 Other Requirements.

The following provisions shall apply:

A. Private Covenants: If applicable, the developer shall submit a proposed declaration of covenants to the city for review, and record the accepted covenants with the subdivision plat for the project.

B. Grading and Drainage: All developments shall be graded according to the city engineering and building requirements to provide adequate drainage on and off the property. Buildings shall be equipped with facilities for the discharge of all roof drainage onto the subject lot or parcel in a manner acceptable to the City. Unless specifically determined otherwise by the City, land drain systems shall be included.

C. Easements: Buildings may not be located within public easements without written approval of the City and utility providers.

D. Maintenance: All developments shall be properly maintained by the owners.

E. Phasing Plan: A project phasing plan shall be submitted for review at the time of preliminary plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the city.

F. Utilities and street improvements.

1. Complete utility plans shall be provided including onsite storm drain provisions.

2. Streets and appropriate access shall be required and plans for placement of such shall be approved by the City based on the UDOT Cooperative Agreement, the Pleasant View Access Study and the City's Master Street Plan. Plans for completion of improvements to adjacent and/or any required new streets shall be provided by the developer and be subject to City approval.

G. Conflicts. Whenever the Mixed Use zones conflict or overlap the Gateway Zones, as depicted on the General Plan, the Gateway zone requirements shall prevail.

(Ord.2015-8, dated 12/8/15; prior codes: Ord.2013-2, dated 5/28/13 and Ord.2012-5, dated 6/12/12)

20.38.140 Use Regulations. Uses may be conducted only in accordance with the following regulations:

A. Only those uses listed as permitted, conditional or accessory uses as set forth in this chapter may be conducted.

1. Except where parcels are deemed by the City to have restricted development options or where in proximity to transportation hubs, residential uses must not be located any closer than two hundred feet of Highway 89 or 2700 North.

2. A conditional use permit must be obtained prior to establishing a conditional use.

3. Sexually oriented businesses are prohibited.

B. All uses shall be conducted within completely enclosed buildings, except those customarily associated with outside use such as auto sales or unless otherwise allowed in this chapter, or those temporary uses customarily conducted in the outdoors, including Christmas tree lots, fireworks stands and parking lot sales associated with an approved use on the property. Parking lot sales may be conducted up to four (4) 1-week periods per year.

C. Accessory uses and buildings may be conducted or used only in conjunction with allowed permitted and conditional uses. Accessory uses or buildings include, but are not limited to, parking lots and terraces, properly screened utility and loading areas and other buildings and activities which are customarily incidental and subordinate to the principal permitted or conditional use on the premises.

D. There shall be no storage of trash or debris nor any used, wrecked or neglected materials, equipment or vehicles. No commercial materials, goods or inventory may be stored in open areas, except for temporary display items which may be located only on private property no closer than ten feet from any public right of way. Outdoor storage of inventory or products such as firewood, water softener salt, garden supplies and building materials is permitted only in specific areas approved for such purpose by the City and shall be screened from view through the use of solid fencing, a minimum of six (6) feet high and shall be an accessory use to the principle use. Fencing and walls shall be made of high quality, durable materials that require minimal maintenance. Acceptable material includes, but not limited to tilt-up concrete, masonry block, brick, stone, metal, composite/recycled materials or other manufactured materials or combination of materials commonly used for fencing.

E. No vehicle, boat or trailer, or parts thereof, which is in a wrecked, junked, dismantled, inoperative or abandoned condition, attended or not, may be parked or stored for longer than twenty-four hours unless stored within a completely enclosed building.

F. No commercial vehicles such as earthmoving or material handling equipment, semi-trucks or trailers or any commercial truck, trailer or vehicle may be stored for longer than twenty-four hours, except in conjunction with an approved use, or approved development or construction activities on the property.

G. Utility trailers and recreational vehicles such as motor homes, travel trailers, watercraft, campers and all-terrain vehicles, may not be stored in any area unless part of an approved business for such or except in conjunction with a single-family dwelling, and must be in accordance with City requirements.

- H. Access and street location. Access to public streets and roads and the placement of such roads and access shall be subject to City approval and the following:
1. Along Highway 89 and 2700 North, UDOT approval shall be required for all access.
 2. On street intersections connecting to Highway 89 and 2700 North there shall be no curb cuts closer than one hundred feet to that intersection. Corner lots on all other streets shall have no curb cuts closer than sixty feet to the intersection. The City may require greater distances as uses and conditions dictate.
 3. All access and street placement shall be subject to specific City approval based on the UDOT Cooperative Agreement, the Pleasant View Access Study, and the City's Master Street Plan.

(Ord.2015-8, dated 12/8/15; prior codes: Ord.2015-2, dated 3/10/15, Ord.2013-2, dated 5/28/13 and Ord.2012-5, dated 6/12/12)

20.38.150 Lot Requirements.

- A. Width. Minimum lot width shall be as established with development approval. Each lot or parcel must front on or have legal access to a public street.
- B. The following area requirements shall apply:
1. Minimum Project Area: "Project" shall be defined as any development for which preliminary plat or site plan approval has been proposed or granted. The minimum area of any project shall be one acre.
 2. Minimum Lot Area: Minimum lot area shall be as established with development approval. (Ord.2013-2, dated 5/28/13; prior code: Ord.2012-5, dated 6/12/12)

20.38.160 Yard Requirements.

- A. Yard requirements shall be determined during the site plan, Subdivision and/or mixed use review by the City.
- B. Single-family residential buildings shall be buffered from non-single family lot lines as required by the City. The City may require fencing, screening, setbacks, landscaping and other buffers based on the intensity of the non-single family residential use, the location of the project, the extent of the adjacent residential use including the project longevity, and whether said uses are contained in the same building.
- C. Prior Created Lots: Nonconforming lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the establishment of the zone shall be brought into conformance with the requirements of this chapter prior to or with new development. (Ord.2013-2, dated 5/28/13; prior code: Ord.2012-5, dated 6/12/12)

20.38.170 Development Review.

- A. All uses proposed may only be established in conformance with development review procedures of the city. Applicants shall follow the procedures and requirements of City codes regarding development review in the preparation and review of development proposals. Appropriate site plan review shall be included.
- B. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the city.
- C. Development agreements may be required and included in development approvals. (Ord.2013-2, dated 5/28/13; prior code: Ord.2012-5, dated 6/12/12)

SECTION II GATEWAY WEST

20.38.200 Description and Intent.

A. Description. As depicted in the City General Plan, the area in which Gateway West zone could be applied is the entrance to the City from 1-15 extending east on 2700 North to roughly 900 West.

B. Intent.

1. The intent of the Gateway West Zone is to provide areas for development that is compatible with a major arterial highway corridor. It is intended to provide a full range of office, restaurant, retail commercial and service uses which are oriented to serve the City as a whole.

2. It is further intended that a variety of retail, office, entertainment intermixed in the area to create a walkable environment for workers, shoppers, residents and visitors while accommodating automobile traffic to regional services dependent upon a major transportation facility.

3. It is also intended to encourage orderly, aesthetically pleasing development and a balance of uses while discouraging strip commercial with its attendant congestion, pollution and visual blight. (Ord.2015-8, dated 12/8/15; prior codes: Ord.2013-2, dated 5/28/13 and Ord.2012-5, dated 6/12/12)

20.38.210 Uses.

A. The following uses are permitted:

1. Banks, credit unions, financial institutions.
2. Beauty, health or fitness centers.
3. Books, videos, media, photography, copies; retail sales.
4. Art and drafting and/or office supplies, stationery; retail sales.
5. Clothing retail including apparel, footwear, sewing supplies
6. Department or food stores.
7. Furniture, electronics, appliances or home furnishings retailing.
8. Hardware and/or home improvement retailing.
9. Health, beauty, medical products retailing.
10. Hobbies, crafts and/or toy retailing.
11. Household goods retailing.
12. Medical, dental, health services.
13. Office uses (professional, insurance, legal, travel, similar).
14. Pharmacy.
15. Restaurants and/ or fast food establishments.
16. Shopping centers, malls.
17. Sporting goods, retailing

B. The following are conditional uses:

1. Auto and/or equipment parts retailing.
2. Automobile sales, new and/or used; maximum three acres per business.
3. Automotive services enclosed within a building, including lube, tune up, automatic wash, inspection, tires, mufflers, repairs.

4. Community uses.
5. Convention, arena, reception and/or assembly facilities.
6. Cultural exhibits and activities.
7. Daycare center.
8. Entertainment, amusement, recreational activities.
9. Equipment or appliance light repairs and/or service enclosed within a building.
10. Gas stations, convenience stores.
11. Hospitals.
12. Hotels and motels.
13. Laundry.
14. Lumber, building material and/or landscaping retail sales yards.
15. Movie theaters, concert halls.
16. Public or quasi-public facilities.
17. Recreational vehicle or boat sales.

C. Other uses. Uses substantially similar to, or customarily accessory to, a listed use or category may be administratively allowed as determined by the Community Development Department. (Ord.2015-8, dated 12/8/15; prior codes: Ord.2013-2, dated 5/28/13 and Ord.2012-5, dated 6/12/12)

SECTION III GATEWAY NORTH

20.38.300 Description and Intent.

A. As depicted in the City General Plan, the area in which the Gateway North zone could be applied is the entrance to the City on north US 89.

B. Intent.

1. The intent of the Gateway North Zone is to allow, on the Hill Side of the highway, some limited office and retail facilities that are more in the nature of neighborhood commercial. On the Freeway Side of the highway, along with retail uses of a regional scale, some low scale commercial/industrial uses are envisioned.

2. The area is intended to provide for specific uses in a planned commercial setting which will be compatible and complimentary with adjacent uses including nearby residential neighborhoods and will promote a high level of architectural and landscaping excellence.

3. This area should include uses with creatively designed structures, following an architecturally unique model or theme, and other innovative features and amenities that provide an inviting welcome to the City. (Ord. 2015-8, dated 12/8/15; prior codes: Ord.2013-2, dated 5/28/13 and Ord.2012-5, dated 6/12/12)

20.38.310 Uses.

A. The following uses are permitted on the Freeway Side of Highway 89:

1. Those uses listed as permitted in the Gateway West Zone.

B. The following are conditional uses on the Freeway Side of Highway 89:

1. Those uses listed as conditional uses in the Gateway West Zone

2. Manufacturing within an enclosed building.

3. Warehousing/Distribution.

C. The following uses are permitted on the Hill Side of Highway 89

1. Neighborhood Services.
 2. Banks, credit unions, financial institutions.
 3. Medical, dental, health services.
 4. Daycare center.
- D. The following are conditional uses on the Hill Side of Highway 89:
1. Automobile sales, new and/or used; maximum three acres per business.
 2. Automotive services enclosed within a building, including lube, tune up, automatic wash, inspection, tires, mufflers, repairs, parts retailing
 3. Community uses.
 4. Cultural exhibits and/or activities.
 5. Gas stations, convenience stores.
 6. Recreational vehicle or boat sales.
 7. Restaurants.
 8. Office uses, small scale (professional, insurance, legal, travel, similar).
- E. Other uses. Uses substantially similar to, or customarily accessory to, a listed use or category may be administratively allowed as determined by the Community Development Department. (Ord.2015-8, dated 12/8/15; prior codes: Ord.2013-2, dated 5/28/13 and Ord.2012-5, dated 6/12/12)

Chapter 20.40 – Mixed Use Zones

SECTION I GENERAL PROVISIONS

20.40.100 Purpose. The purpose of the Mixed Use Zones is to provide areas for development compatible with the major arterial highway corridors. It is intended that a variety of retail, office be intermixed in the area to create a walkable environment for workers, shoppers, residents and visitors while accommodating automobile traffic to regional services dependent upon a major transportation facility. It is also intended that some mixed use areas will include commercial and industrial uses in a planned environment consistent with such uses and compatible with other adjacent uses. (Ord.2015-8, dated 12/8/15; prior codes: Ord.2013-2, dated 5/28/13 and Ord.2012-5, dated 6/12/12)

20.40.110 Parking and Access. Parking areas and access shall meet requirements of this code. Strategies for walkable commercial development shall be implemented where appropriate. All access and street placements shall be subject to the UDOT Cooperative Agreement, and be in compliance with the Pleasant View Access Study and the City's Master Street Plan. (Ord.2013-2, dated 5/28/13; prior code: Ord.2012-5, dated 6/12/12)

20.40.120 Architectural and Site Standards. All development shall incorporate the Design Requirements of the City that are appropriate to the type of project, or design alternatives approved by the City. Site plan approval shall be required of all developments. (Ord.2013-2, dated 5/28/13; prior code: Ord.2012-5, dated 6/12/12)

20.40.130 Other Requirements.

The following provisions shall apply:

A. Private Covenants: if applicable, the developer shall submit a proposed declaration of covenants to the city for review, and record the accepted covenants with the condominium map or subdivision plat for the project.

B. Grading and Drainage: All developments shall be graded according to the city engineering and building requirements to provide adequate drainage on and off the property. Buildings shall be equipped with facilities for the discharge of all roof drainage onto the subject lot or parcel in a manner acceptable to the City. Unless specifically determined otherwise by the City, land drain systems shall be included.

C. Easements: Buildings may not be located within public easements without written approval of the City and utility providers.

D. Maintenance: All developments shall be properly maintained by the owners.

E. Phasing Plan: A project phasing plan shall be submitted for review at the time of preliminary plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the city and adopted as an exhibit. Such phasing plan shall be included in a development agreement.

F. Utilities and street improvements.

1. Complete utility plans shall be provided including onsite storm drain provisions.

2. Streets and appropriate access shall be required and plans for placement of such shall be approved by the City based on the UDOT Cooperative Agreement, the Pleasant View Access Study and the City's Master Street Plan. Plans for completion of improvements to adjacent and/or any required new streets shall be provided by the developer and be subject to City approval.

G. Conflicts. Whenever the Mixed Use zones conflict or overlap the Gateway Zones, as depicted on the General Plan, the Gateway zone requirements shall prevail. (Ord.2015-8, dated 12/8/15; prior codes: Ord.2013-2, dated 5/28/13 and Ord.2012-5, dated 6/12/12)

20.40.140 Use Regulations. Uses may be conducted only in accordance with the following regulations:

A. Only those uses listed as permitted, conditional or accessory uses as set forth in this chapter may be conducted. A conditional use permit must be obtained prior to establishing a conditional use.

B. All uses shall be conducted within completely enclosed buildings, except those customarily associated with outside use such as auto sales, as determined by the city or unless otherwise allowed in this chapter, or those temporary uses customarily conducted in the outdoors, including Christmas tree lots, fireworks stands and parking lot sales associated with an approved use on the property. Parking lot sales may be conducted up to four (4) 1-week periods per year.

C. Accessory uses and buildings may be conducted or used only in conjunction with allowed permitted and conditional uses. Accessory uses or buildings include, but are not limited to, parking lots and terraces, properly screened utility and loading areas and other buildings and activities which are customarily incidental and subordinate to the principal permitted or conditional use on the premises.

D. There shall be no storage of trash or debris nor any used, wrecked or neglected materials, equipment or vehicles. No commercial materials, goods or inventory may be stored in open areas, except for temporary display items which may be located only on private property no closer than ten feet from any public right of way. Outdoor storage of inventory or products such as firewood, water softener salt, garden supplies and building materials is permitted only in specific areas approved for such purpose by the City and shall be screened from view through the use of solid fencing, a minimum of six (6) feet high and shall be an accessory use to the principle use. Fencing and walls shall be made of high quality, durable materials that require minimal maintenance. Acceptable material includes, but not limited to tilt-up concrete, masonry block, brick, stone, metal, composite/recycled materials or other manufactured materials or combination of materials commonly used for fencing.

E. No vehicle, boat or trailer, or parts thereof, which is in a wrecked, junked, dismantled, inoperative or abandoned condition, attended or not, may be parked or stored for longer than twenty-four hours unless stored within a completely enclosed building.

F. No commercial vehicles such as earthmoving or material handling equipment, semi-trucks or trailers or any commercial truck, trailer or vehicle may be stored for longer than twenty-four hours, except in conjunction with an approved use, or approved development or construction activities on the property.

G. Utility trailers and recreational vehicles such as motor homes, travel trailers, watercraft, campers and all-terrain vehicles, may not be stored in any area unless part of

an approved business for such or except in conjunction with a single-family dwelling, and must be in accordance with City requirements.

H. Access and street location. Access to public streets and roads and the placement of such roads and access shall be subject to City approval and the following:

1. Along Highway 89 and 2700 North, UDOT approval shall be required for all access.

2. On street intersections connecting to Highway 89 and 2700 North there shall be no curb cuts closer than one hundred feet to that intersection. Corner lots on all other streets shall have no curb cuts closer than sixty feet to the intersection. The City may require greater distances as uses and conditions dictate.

3. All access and street placement shall be subject to specific City approval based on the UDOT Cooperative Agreement, the Pleasant View Access Study, and the City's Master Street Plan.

(Ord.2015-8, dated 12/8/15; prior codes: Ord.2015-2, dated 3/10/15, Ord.2013-2, dated 5/28/13 and Ord.2012-5, dated 6/12/12)

20.40.150 Lot Requirements.

A. Width. Minimum lot width shall be as established with development approval. Each lot or parcel must front on or have legal access to a public street.

B. The following area requirements shall apply:

1. Minimum Project Area: "Project" shall be defined as any development for which preliminary plat or site plan approval has been proposed or granted. The minimum area of any project shall be one acre.

2. Minimum Lot Area: Minimum lot area shall be as established with development approval.

C. Prior Created Lots: Nonconforming lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the establishment of the zone shall be brought into conformance with the requirements of this chapter prior to or with new development. (Ord.2013-2, dated 5/28/13; prior code: Ord.2012-5, dated 6/12/12)

20.40.160 Yard Requirements.

A. Yard requirements shall be determined during the site plan, subdivision.

(Ord.2015-8, dated 12/8/15; prior codes: Ord.2013-2, dated 5/28/13 and Ord.2012-5, dated 6/12/12)

20.40.170 Development Review.

A. All uses proposed may only be established in conformance with development review procedures of the city. Applicants shall follow the procedures and requirements of City codes regarding development review in the preparation and review of development proposals. Appropriate site plan and conditional use reviews shall be included.

B. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the city.

C. Development agreements may be required and included in development approvals. (Ord.2013-2, dated 5/28/13; prior code: Ord.2012-5, dated 6/12/12)

SECTION II

MIXED USE WEST

20.40.200 Description and Intent.

A. Description. As depicted in the City General Plan, the area in which the Mixed Use West zone could be applied is north of 2700 North to the north City boundary between the railroad tracks and I-15, includes the Transit Oriented Development (TOD) areas, and includes the area south of 2550 North between Highway 89 and the railroad tracks.

B. Intent.

1. The Mixed Use West Areas are intended to encourage commercial and industrial uses in a planned, aesthetically pleasing business park setting, which are compatible both in architecture and landscaping to other uses in the zone.

2. This area is intended for general commercial and light manufacturing, as well as retail and office particularly along Highway 89 and adjacent to the Freeway, and could include a variety of residential and mixed uses.

3. Retail services, professional business parks and manufacturing/industrial uses are promoted when they are complementary and can function as a unified cohesive development with adjacent uses.

(Ord.2015-8, dated 12/8/15; prior codes: Ord.2013-2, dated 5/28/13 and Ord.2012-5, dated 6/12/12)

20.40.210 Uses.

A. The following uses are permitted:

1. Uses listed as permitted in the Gateway West Zone.
2. Business parks.
3. Manufacturing within an enclosed building.
5. Warehousing/Distribution.

B. The following are conditional uses:

1. Automobile sales, new and/or used.
2. Automotive services enclosed within a building, including lube, tune up, automatic wash, inspection, tires, mufflers, repairs, parts retailing.
3. Community uses.
4. Contractor/Construction Equipment yards and/or facilities; may not be located east of the UP rail tracks and not within 500 feet of the freeway.
5. Equipment and/or appliance repairs and/or service enclosed within a building.
6. Gas stations, convenience stores.
7. Hospitals.
8. Lumber, building material retail sales.
9. Mixed uses (residential/retail/office/industrial).
10. Motorcycle, snowmobile, other similar recreation equipment sales and/or service.
11. Office/warehouse facilities, small scale.
12. Outdoor storage as part of a principle use with an approved CUP.
13. Public or quasi-public facilities, utility facilities.
14. Recreational vehicle or boat sales.
15. Recreational facilities, non-motorized.

16. Self storage facilities, subject to the requirements found in Supplementary regulations.

17. Sexually Oriented Businesses, not within five hundred feet of UDOT controlled roads, nor east of the U.P. (the operating freight line) rail tracks.

C. Other uses. Uses substantially similar to, or customarily accessory to, a listed use or category may be administratively allowed as determined by the Community Development Department. (Ord.2015-8, dated 12/8/15; prior codes: Ord.2015-2, dated 3/10/15, Ord.2013-2, dated 5/28/13 and Ord.2012-5, dated 6/12/12)

SECTION III MIXED USE CENTRAL

20.40.300 Description and Intent.

A. Description. As depicted in the City General Plan, the areas in which the Mixed Use Central zone could be applied includes two areas, one is along the west side of US 89 extending from the north end of the TOD district to the north city boundary, the other is roughly 2800 to 2550 north between the RR tracks and the Mixed Use East boundary. It overlaps the central portion of the west Gateway area and the north Gateway area.

B. Intent.

1. The Mixed Use Central Area is intended to encourage commercial, office, retail and small business manufacturing uses in a planned, aesthetically pleasing business park setting, which are compatible both in architecture and landscaping to other uses in the zone.

2. Retail service professional business parks and manufacturing uses are promoted when they are complementary and can function as a unified cohesive development with adjacent uses, particularly residential.

3. Quality of materials, design excellence, a high level of architectural quality, including landscaped street themes, and appropriate land uses are the foundation of this Zone. (Ord.2015-8, dated 12/8/15; prior codes: Ord.2013-2, dated 5/28/13 and Ord.2012-5, dated 6/12/12)

20.40.310 Uses.

A. The following uses are permitted:

1. Uses listed as permitted in the Gateway West Zone.
2. Automobile sales, new and/or used.
3. Automotive services enclosed within a building, including lube, tune up, automatic wash, inspection, tires, mufflers, repairs, parts retailing.
4. Bottling works, non-alcoholic.
5. Business parks.
6. Equipment or appliance light repairs and/or service enclosed within a building.
7. Manufacturing within an enclosed building.
8. Motorcycle, snowmobile, other similar recreation equipment sales and/or service.
9. Office/warehouse facilities, small scale.
10. Recreational vehicle or boat sales.
11. Warehousing/Distribution.

B. The following are conditional uses:

1. Community uses.
2. Contractor/Construction Equipment yards and/or facilities; may not be located within 200 feet of Highway 89.
3. Gas stations, convenience stores.
4. Hospitals.
5. Lumber, building material retail sales.
6. Outdoor storage as part of a principle use with an approved CUP.
7. Public or quasi-public facilities.
8. Recreational facilities, non-motorized.
9. Self Storage Facilities, subject to the requirements found in Supplementary Regulations.

C. Other uses. Uses substantially similar to, or customarily accessory to, a listed use or category may be administratively allowed as determined by the Community Development Department.

D. Sexually Oriented Businesses are prohibited. (Ord.2015-8, dated 12/8/15; prior codes: Ord.2015-2, dated 3/10/15, Ord.2013-2, dated 5/28/13 and Ord.2012-5, dated 6/12/12)

SECTION IV MIXED USE EAST

20.40.400 Description and Intent.

A. Description. As depicted in the City General Plan, the area in which the Mixed Use East zone could be applied is along 2700 North from approximately 900 West to the east city boundary and including 2550 North.

B. Intent.

1. This area is intended to provide a range of uses focusing on retail and office commercial. The overall mix should consist of office, retail, and restaurant developed in a coordinated, complimentary fashion with significant public spaces and amenities.

2. The area is intended to provide for specific uses in a planned commercial setting which will be compatible and complimentary with adjacent uses including nearby residential neighborhoods and will promote a high level of architectural and landscaping excellence.

3. Enhancements of the architectural quality and landscaping themes are required.

4. Streetscape treatments are required. (Ord.2015-8, dated 12/8/15; prior codes: Ord.2013-2, dated 5/28/13 and Ord.2012-5, dated 6/12/12)

20.40.410 Uses.

A. The following uses are permitted:

1. Uses listed as permitted in the Gateway West Zone.

B. The following are conditional uses:

2. Community uses.
3. Gas stations, convenience stores.
4. Public or quasi-public facilities.
5. Recreational facilities, non-motorized.

C. Other uses. Uses substantially similar to, or customarily accessory to, a listed use or category may be administratively allowed as determined by the Community Development Department.

D. Sexually Oriented Businesses are prohibited. (Ord.2015-8, dated 12/8/15; prior codes: Ord.2013-2, dated 5/28/13 and Ord.2012-5, dated 6/12/12)