

Ordinance No. 2018-43

AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE OF PARK CITY, UTAH, AMENDING 15-2.1 HISTORIC RESIDENTIAL-LOW DENSITY (HRL); 15-2.2 HISTORIC RESIDENTIAL (HR-1); 15-2.3 HISTORIC RESIDENTIAL (HR-2) DISTRICT; 15-2.4 HISTORIC RESIDENTIAL MEDIUM DISTRICT (HRM); 15-2.5 HISTORIC RECREATION COMMERCIAL (HRC) DISTRICT; 15-2.6 HISTORIC COMMERCIAL BUSINESS (HCB) DISTRICT; 15-2.7 RECREATION AND OPEN SPACE (ROS); 15-2.8 PROTECTED OPEN SPACE (POS); 15-2.9 RURAL ESTATE (E-40); 15-2.10 ESTATE (E); 15-2.11 SINGLE FAMILY (SF); 15-2.12 RESIDENTIAL (R-1); 15-2.13 RESIDENTIAL DEVELOPMENT (RD) DISTRICT; 15-2.14 RESIDENTIAL DEVELOPMENT-MEDIUM DENSITY (RDM) DISTRICT; 15-2.15 RESIDENTIAL-MEDIUM DENSITY (RM); 15-2.16 RECREATION COMMERCIAL (RC) DISTRICT; 15-2.18 GENERAL COMMERCIAL (GC) DISTRICT; 15-2.19 LIGHT INDUSTRIAL (LI) DISTRICT; 15-2.22 PUBLIC USE TRANSITION (PUT) DISTRICT; 15-2.23 COMMUNITY TRANSITION (CT) DISTRICT; 15-3 OFF-STREET PARKING; 15-4 SUPPLEMENTAL REGULATIONS; AND 15-15 DEFINED TERMS TO UPDATE REFERENCES TO SETBACKS AND YARDS.

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents, visitors, and property owners of Park City; and

WHEREAS, the Land Management Code implements the goals, objectives and policies of the Park City General Plan to maintain the quality of life and experiences for its residents and visitors and to promote unique experiences for residents and visitors.

WHEREAS, the City reviews the Land Management Code on a regular basis and identifies necessary amendments to address planning and zoning issues that have come up; to address specific LMC issues raised by staff, Planning Commission, and City Council; and to align the Code with the Council's goals; and

WHEREAS, these proposed Land Management Code (LMC) amendments were reviewed for consistency with the Park City General Plan; and

WHEREAS, Section 15-2 provides land use regulations including Setbacks for all Zoning Districts; and

WHEREAS, Section 15-3 provides land use regulations including Setbacks for off-street parking; and

WHEREAS, Section 15-4 provides land use regulations including Setbacks for fences and retaining walls and for child care facilities; and

WHEREAS, Section 15-15 provides definitions of terms, how words shall be used, interpreted, and defined as set forth in the Land Management Code; and

WHEREAS, on May 26, 2018, legal notice was published in the Park Record as required by the Land Management Code; and

WHEREAS, the Planning Commission duly noticed and conducted public hearings at the regularly scheduled meeting on June 13, 2018 and forwarded a positive recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on July 12, 2018 and on July 19, 2018; and

WHEREAS, it is in the best interest of the residents and visitors of Park City, Utah to amend the Land Management Code to be consistent with the values and goals of the Park City General Plan and the Park City Council; to protect health and safety and maintain the quality of life for its residents and visitors.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 15-2 Zoning Districts Section 15-2.1-3, 15-2.2-3, 15-2.3-4, 15-2.3-8, 15-2.3-10, 15-2.4-4, 15-2.4-5, 15-2.4-9, 15-2.5-3, 15-2.5-11, 15-2.6-3, 15-2.6-5, 15-2.7-3, 15-2.8-3, 15-2.9-3, 15-2.10-3, 15-2.11-3, 15-2.12-3, 15-2.12-4, 15-2.13-3, 15-2.13-4, 15-2.14-3, 15-2.15-3, 15-2.15-4, 15-2.16-3, 15-2.16-5, 15-2.16-8, 15-2.18-3, 15-2.19-5, 15-2.22-3, and 15-2.23-3. The recitals above are incorporated herein as findings of fact. The applicable Sections of the Land Management Code of Park City is hereby amended as redlined (see Attachment 1);

Section 2. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 15-3 General Parking Area And Driveway Standards 15-3-3 and 15-3-4. The recitals above are incorporated herein as findings of fact. The applicable Sections of the Land Management Code of Park City is hereby amended as redlined (see Attachment 1);

Section 3. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 15-4 Supplemental Regulations Section 15-4-2 and 15-4-9. The recitals above are incorporated herein as findings of fact. The applicable Sections of the Land Management Code of Park City is hereby amended as redlined (see Attachment 1);

Section 4. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 15 Defined Terms Section 15-15-1. The recitals above are incorporated herein as findings of fact. The applicable Sections of the Land Management Code of Park City is hereby amended as redlined (see Attachment 1).

SECTION 5. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 19th day of July, 2018

PARK CITY MUNICIPAL CORPORATION



Andy B
Andy Beerman, Mayor

Attest:

Michelle Kellogg
City Recorder

Approved as to form:

Mark Harrington
Mark Harrington, City Attorney

15-2.1 Historic Residential-Low Density (HRL) District

15-2.1-3 Lot And Site Requirements

C. **BUILDING PAD (HRL DISTRICT).** The Building Pad is the Lot Area minus required Front, Rear and Side ~~Yard~~ **Setback** Areas.

D. **BUILDING FOOTPRINT (HRL DISTRICT).**

TABLE 15-2.1.

Lot Depth ≤ ft. **	Lot Width, ft. up to:	Side Yards Setbacks Min. Total		Lot Area Sq. ft.	Bldg. Pad Sq. ft.	Max. Bldg. Footprint Sq. ft.
75 ft.	37.5*	3 ft.	6 ft.	2,813	1,733	1,201
75 ft.	50.0	5 ft.	10 ft.	3,750	2,200	1,519
75 ft.	62.5	5 ft.	14 ft.	4,688	2,668	1,801
75 ft.	75.0	5 ft.	18 ft.	5,625	3,135	2,050
75 ft.	87.5	10 ft.	24 ft.	6,563	3,493	2,269
75 ft.	100.0	10 ft.	24 ft.	7,500	4,180	2,460
75 ft.	Greater than 100.0	10 ft.	30 ft.	Greater than 7,500	Per Setbacks and Lot Area	Per Formula

* for existing 25' wide lots, Use HR-1 standards.

** for lots > 75' in depth use Footprint formula and Table 15-2.1a for Front and Rear Setbacks.

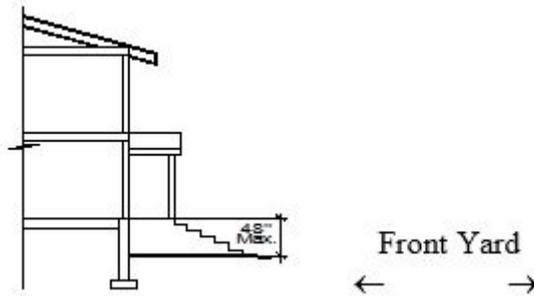
E. **FRONT AND REAR ~~YARDS~~ **SETBACKS**.** Front and Rear ~~Yards~~ **Setbacks** are as follows:

TABLE 15-2.1a

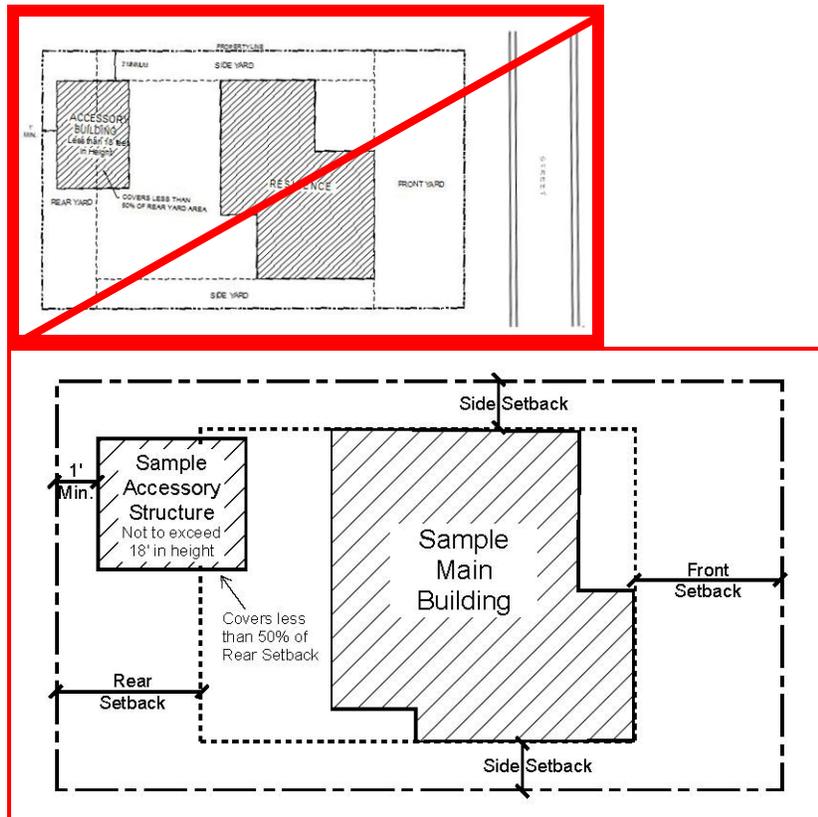
Lot Depth	Minimum Front/Rear Setback	Total of Setback
Up to 75 ft., inclusive	10 ft.	20 ft.
From 75 ft. to 100 ft.	12 ft.	25 ft.
Over 100 ft.	15 ft.	30 ft.

F. **FRONT ~~YARD~~ **SETBACK EXCEPTIONS**.** The Front ~~Yard~~ **Setback** must be open and free of any Structure except:

1. Fences and walls not more than four feet (4') in height, or as permitted in Section 15-4-2 Fences and Walls. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty-five feet (25') of the intersection, at back of curb.
2. Uncovered steps leading to the Main Building, provided the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause any danger or hazard to traffic by obstructing the view of the Street or intersection.



3. Decks, porches, or Bay Windows not more than ten feet (10') wide, projecting not more than three feet (3') into the Front ~~Yard-Setback~~.
 4. Roof overhangs, eaves, or cornices projecting not more than three feet (3') into the Front ~~Yard-Setback~~.
 5. Sidewalks and pathways.
 6. Driveways leading to a garage or Parking Area. No portion of a Front Yard, except for patios, driveways, allowed Parking Areas and sidewalks, may be Hard-Surfaced or graveled.
- G. **REAR ~~YARD-SETBACK~~ EXCEPTIONS.** The Rear ~~Yard-Setback~~ must be open and free of any Structure except:
1. Bay Windows not more than ten feet (10') wide, projecting not more than two feet (2') into the Rear ~~Yard-Setback~~.
 2. Chimneys not more than five feet (5') wide, projecting not more than two feet (2') into the Rear ~~Yard-Setback~~.
 3. Window wells or light wells extending not more than four feet (4') into the Rear ~~Yard-Setback~~.
 4. Roof overhangs or eaves projecting not more than two feet (2') into the Rear ~~Yard-Setback~~.
 5. Window sills, belt courses, cornices, trim, exterior siding, or other ornamental features projecting not more than six inches (6") into the Rear ~~Yard-Setback~~.
 6. A detached Accessory Building not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front facade of the Main Building, and maintaining a minimum Rear ~~Yard~~ Setback of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear ~~Yard~~ Setback. See the following illustration:



7. Hard-Surfaced Parking Areas subject to the same location requirements as a Detached Accessory Building.
8. Mechanical equipment (which must be screened), hot tubs, or similar Structures located at least three feet (3') from the Rear Lot Line.
9. Fences or walls as permitted in Section 15-4-2 Fences and Walls.
10. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") above Final Grade, located at least one foot (1') from the Rear Lot Line.
11. Pathways or Steps connecting to a City staircase or pathway.

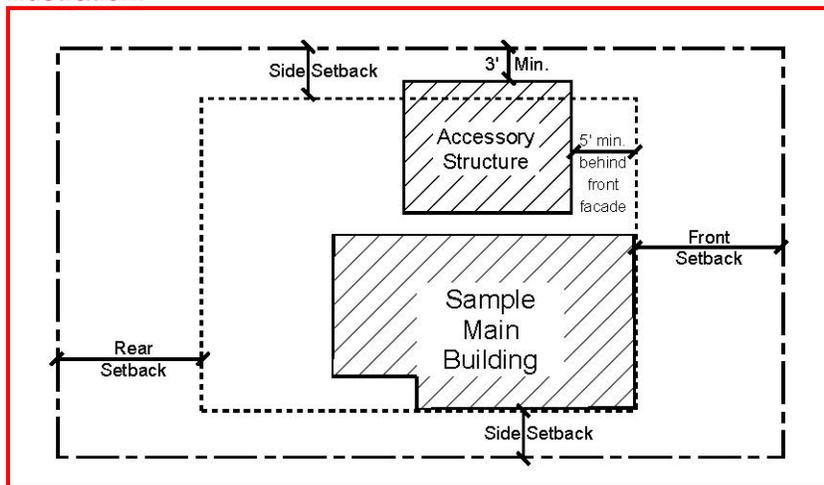
H. SIDE YARDS SETBACK.

1. The minimum Side ~~Yard-Setback~~ is three feet (3'), but increases for Lots greater than thirty seven and one-half feet (37.5') in Width, as per Table 15-2.1.above.
2. On Corner Lots, the ~~minimum~~ Side Yard that faces a ~~side Street~~ or platted Right-of-Way is ~~considered a Front Yard and the minimum Setback is five feet (5')~~.

I. SIDE YARD SETBACK EXCEPTIONS. The Side ~~Yard-Setback~~ must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, projecting not more than two feet (2') into the Side ~~Yard-Setback~~.
2. Chimneys not more than five feet (5') wide, projecting not more than two feet (2') into the Side ~~Yard-Setback~~.
3. Window wells or light wells projecting not more than four feet (4') into the Side ~~Yard-Setback~~.¹

4. Roof overhangs or eaves projecting not more than two feet (2') into the Side ~~Yard~~ **Setback**. A one foot (1') eave overhang is permitted on Lots with a ~~side Yard~~ **Side Setback** less than five feet (5').¹
5. Window sills, belt courses, trim, exterior siding, cornices, or other ornamental features projecting not more than six inches (6") into the Side ~~Yard~~ **Setback**.
6. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") in height from Final Grade.
7. Fences or walls, as permitted in Section 15-4-2 Fences and Walls.
8. A driveway leading to a garage or Parking Area.
9. Pathways or steps connecting to a City staircase or pathway.
10. A detached Accessory Building, not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front Facade of the Main Building, maintaining a minimum Side ~~Yard~~ **Setback** of three feet (3'). See the following illustration:



11. Mechanical equipment (which must be screened), hot tubs, or similar Structures, located at least three feet (3') from the Side Lot Line.

¹Applies only to Lots with a Side ~~Yard~~ **Setback** of five feet (5') or greater.

15-2.2 Historic Residential (HR-1) District

15-2.2-3 Lot And Site Requirements

C. **BUILDING PAD (HR-1 DISTRICT)**. The Building Pad is the Lot Area minus required Front, Rear, and Side ~~Yard~~ **Setback** Areas.

D. **BUILDING FOOTPRINT (HR-1 DISTRICT)**.

TABLE 15-2.2.

Lot Depth </= ft. *	Lot Width, ft. up to:	Side Yard Setback Min. Total		Lot Area Sq. ft.	Bldg. Pad Sq. ft.	Max. Bldg. Footprint Sq. ft.
75 ft.	25.0	3 ft.	6 ft.	1,875	1,045	844

75 ft.	37.5	3 ft.	6 ft.	2,813	1,733	1,201
75 ft.	50.0	5 ft.	10 ft.	3,750	2,200	1,519
75 ft.	62.5	5 ft.	14 ft.	4,688	2,668	1,801
75 ft.	75.0	5 ft.	18 ft.	5,625	3,135	2,050
75 ft.	87.5	10 ft.	24 ft.	6,563	3,493	2,269
75 ft.	100.0	10 ft.	24 ft.	7,500	4,180	2,460
75 ft.	Greater than 100.0	10 ft.	30 ft.	Greater than 75 ft.	Per Setbacks and Lot Area	Per Formula

*~~for~~ For Lots > 75' in depth use footprint formula and Table 15-2.2a for ~~front~~ Front and ~~rear~~ Rear Setbacks.

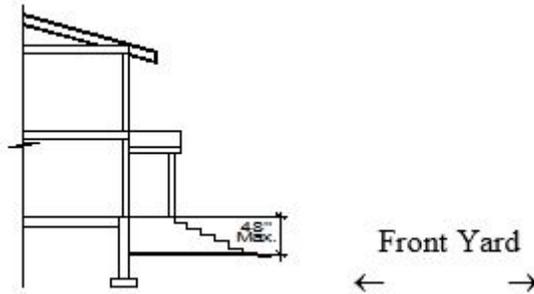
- E. **FRONT AND REAR ~~YARDS-SETBACKS~~**. Front and Rear ~~Yards-Setbacks~~ are as follows:

TABLE 15-2.2a

Lot Depth	Minimum Front/Rear Setback	Total of Setbacks
Up to 75 ft., inclusive	10 ft.	20 ft.
From 75 ft. to 100 ft.	12 ft.	25 ft.
Over 100 ft.	15 ft.	30 ft.

- F. **FRONT ~~YARD SETBACK EXCEPTIONS~~**. The Front ~~Yard-Setback~~ must be open and free of any Structure except:
1. Fences or walls not more than four feet (4') in height, or as permitted in Section 15-4-2, Fences and Walls. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty-five feet (25') of the intersection, at back of curb.
 2. Uncovered steps leading to the Main Building; provided the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause any danger or hazard to traffic by obstructing the view of the

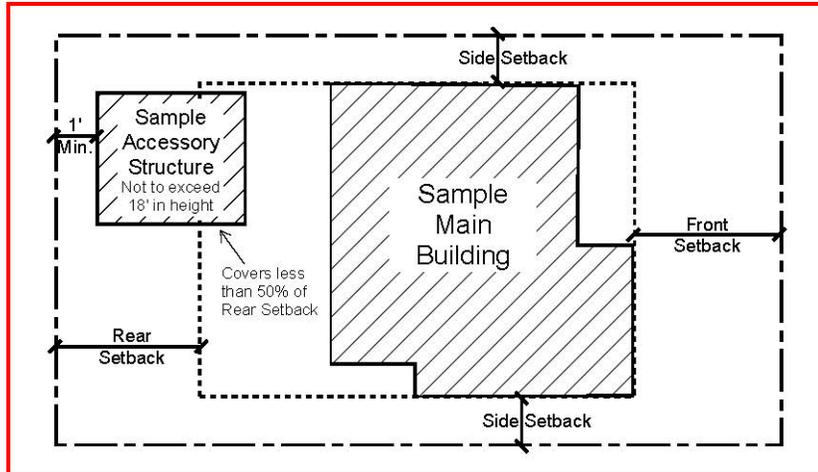
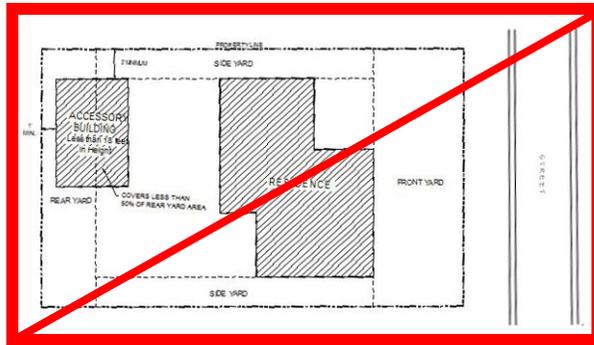
Street or intersection.



3. Decks, porches, or Bay Windows not more than ten feet (10') wide, projecting not more than three feet (3') into the Front ~~Yard-Setback~~.
4. Roof overhangs, eaves or cornices projecting not more than three feet (3') into the Front ~~Yard-Setback~~.
5. Sidewalks and pathways.
6. Driveways leading to a Garage or Parking Area. No portion of a Front Yard, except for patios, driveways, allowed Parking Areas and sidewalks, may be Hard-Surfaced or graveled.

G. **REAR YARD SETBACK EXCEPTIONS**. The Rear ~~Yard-Setback~~ must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, and projecting not more than two feet (2') into the Rear ~~Yard-Setback~~.
2. Chimneys not more than five feet (5') wide, projecting not more than two feet (2') into the Rear ~~Yard-Setback~~.
3. Window wells or light wells extending not more than four feet (4') into the Rear ~~Yard-Setback~~.
4. Roof overhangs or eaves projecting not more than two feet (2') into the Rear ~~Yard-Setback~~.
5. Window sills, belt courses, cornices, trim, exterior siding, or other ornamental features projecting not more than six inches (6") into the Rear ~~Yard-Setback~~.
6. A detached Accessory Building not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front facade of the Main Building, and maintaining a minimum Rear ~~Yard~~ Setback of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear ~~Yard Setback~~. See the following illustration:



7. A Hard-Surfaced Parking Area subject to the same location requirements as a Detached Accessory Building.
8. Mechanical equipment (which must be screened), hot tubs, or similar Structures located at least three feet (3') from the Rear Lot Line.
9. Fences or walls as permitted in Section 15-4-2, Fences and Walls.
10. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") above Final Grade.
11. Pathways or steps connecting to a City staircase or pathway.

H. SIDE YARD-SETBACK.

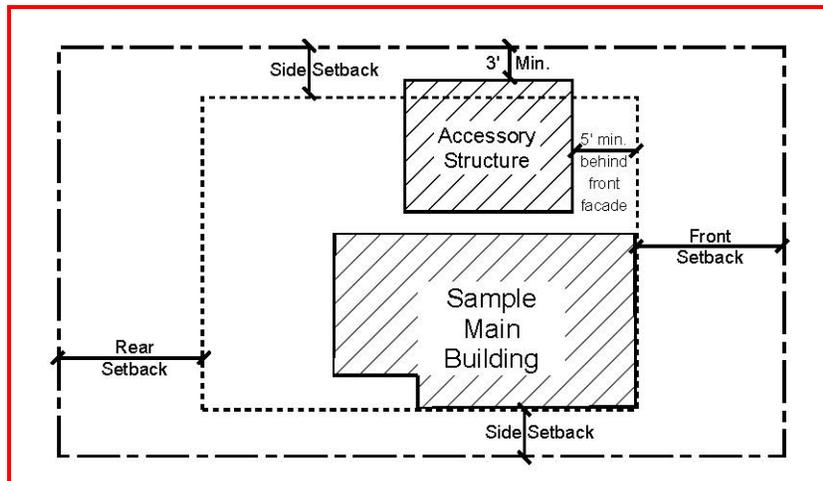
1. The minimum Side ~~Yard-Setback~~ is three feet (3'), but increases for Lots greater than thirty seven and one-half feet (37.5') in Width, as per Table 15-2.2.above.
2. On Corner Lots, the minimum Side ~~Yard-Setback~~ that faces a side Street or platted Right-of-Way is five feet (5').
3. A Side ~~Yard-Setback~~ between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 - a. Exterior Side ~~Yards-Setbacks~~ shall be based on the required minimum Side ~~Yard-Setback~~ for each Lot; however the Planning Commission may consider increasing exterior Side ~~Yards-Setbacks~~ during Conditional Use

Permit review to mitigate potential impacts on adjacent Property. Side ~~Yard-Setback~~ exceptions continue to apply.

- b. Building Footprint shall be based on the total lot Area of the underlying Lots. The Planning Commission may consider decreasing Building Footprint during Conditional Use Permit review to mitigate potential impacts on adjacent Property.

I. **SIDE ~~YARD SETBACK~~ EXCEPTIONS**. The Side ~~Yard-Setback~~ must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, and projecting not more than two feet (2') into the Side ~~Yard-Setback~~.¹
2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Side ~~Yard-Setback~~.¹
3. Window wells or light wells projecting not more than four feet (4') into the Side ~~Yard-Setback~~.¹
4. Roof overhangs or eaves projecting not more than two feet (2') into the Side ~~Yard-Setback~~. A one foot (1') roof or eave overhang is permitted on Lots with a Side ~~Yard-Setback~~ of less than five feet (5').¹
5. Window sills, belt courses, trim, cornices, exterior siding, or other ornamental features projecting not more than six inches (6") into the Side ~~Yard-Setback~~.
6. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") in height above Final Grade.
7. Fences, walls, or retaining walls as permitted in Section 15-4-2, Fences and Walls.
8. Driveways leading to a garage or Parking Area.
9. Pathways or steps connecting to a City staircase or pathway.
10. Detached Accessory Buildings not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the Front facade of the Main Building, maintaining a minimum Side ~~Yard-Setback~~ of three feet (3'). See the following illustration:



11. Mechanical equipment (which must be screened), hot tubs, or similar Structures located at least three feet (3') from the Side Lot Line.

¹Applies only to Lots with a minimum Side ~~Yard-Setback~~ of five feet (5').

15-2.3 Historic Residential (HR-2) District

15-2.3-4 Lot And Site Requirements

C. **BUILDING PAD (HR-2 DISTRICT).** The Building Pad is the Lot Area minus required Front, Rear, and Side ~~Yard-Setback~~ Areas.

D. **BUILDING FOOTPRINT (HR-2 DISTRICT).**

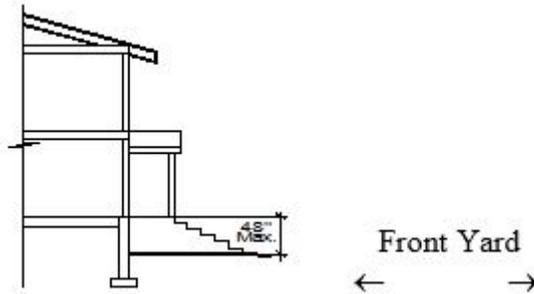
TABLE 15-2.3.

Lot Depth <=/= ft. *	Lot Width, ft. Up to:	Side Yards Setbacks Min. Total, ft.		Lot Area Sq. ft.	Bldg. Pad Sq. ft.	Max Bldg. Footprint
75 ft.	25.0	3 ft.	6 ft.	1,875	1,045	844
75 ft.	37.5	3 ft.	6 ft.	2,813	1,733	1,201
75 ft.	50.0	5 ft.	10 ft.	3,750	2,200	1,519
75 ft.	62.5	5 ft.	14 ft.	4,688	2,668	1,801
75 ft.	75.0	5 ft.	18 ft.	5,625	3,135	2,050
75 ft.	87.5	10 ft.	24 ft.	6,563	3,493	2,270
75 ft.	100.0	10 ft.	24 ft.	7,500	4,180	2,460
75 ft.	Greater than 100.0	10 ft.	30 ft.	Greater than 7,500 ft.	Per Setbacks and Lot Area	Per formula

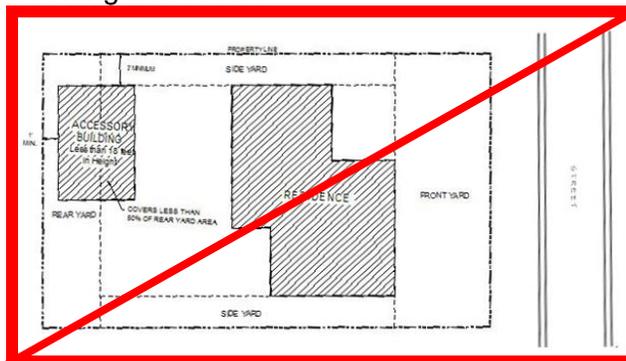
*for Lots > 75' in depth use footprint formula and Table 15-2.3a for Front and Rear Setbacks.

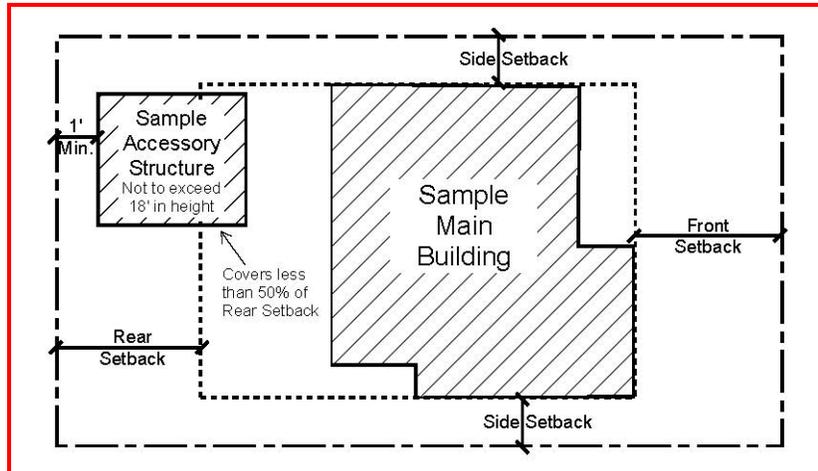
- E. **FRONT ~~YARD-SETBACK~~ EXCEPTIONS.** The Front ~~Yard-Setback~~ must be open and free of any Structure except:
1. Fences or walls not more than four feet (4') in height or as permitted in Section 15-4-2, Fences and Walls. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty-five feet (25') of the intersection, at the back of curb.
 2. Uncovered steps leading to the Main Building; provided, the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause any danger or hazard to traffic by obstructing the view of the

Street or intersection.



3. Decks, porches, or Bay Windows not more than ten feet (10') wide, projecting not more than three feet (3') into the Front ~~Yard~~-Setback.
 4. Roof overhangs, eaves or cornices projecting not more than three feet (3') into the Front ~~Yard~~-Setback.
 5. Sidewalks and pathways.
 6. Driveways leading to a Garage or Parking Area. No portion of a Front Yard except for driveways, allowed Parking Areas and sidewalks, may be Hard-Surfaced or graveled.
 7. Single car detached Garages approved as part of a Master Planned Development in Subzone A.
- F. **REAR YARD SETBACK EXCEPTIONS.** The Rear ~~Yard~~-Setback must be open and free of any Structure except:
1. Bay Windows not more than ten feet (10') wide, and projecting not more than two feet (2') into the Rear ~~Yard~~-Setback.
 2. Chimneys not more than five feet (5') wide, projecting not more than two feet (2') into the Rear ~~Yard~~-Setback.
 3. Window wells or light wells projecting not more than four feet (4') into the Rear ~~Yard~~-Setback.
 4. Roof overhangs or eaves projecting not more than two feet (2') into the Rear ~~Yard~~-Setback.
 5. Window sills, belt courses, cornices, trim, exterior siding, or other ornamental features projecting not more than six inches (6") into the Rear ~~Yard~~-Setback.
 6. Detached Accessory Buildings not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front facade of the Main Building, and maintaining a minimum Rear ~~Yard~~-Setback of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear ~~Yard~~ Setback. See the following illustration:





7. Hard-Surfaced Parking Areas subject to the same location requirements as a detached Accessory Building.
8. Mechanical equipment (which must be screened), hot tubs, or similar Structures located at least three feet (3') from the Rear Lot Line.
9. Fences or walls not more than six feet (6') in height or as permitted in Section 15-4-2.
10. Patios, decks, steps, pathways, or similar Structures not more than thirty inches (30") above Final Grade.
11. Pathways or steps connecting to a City staircase or pathway.

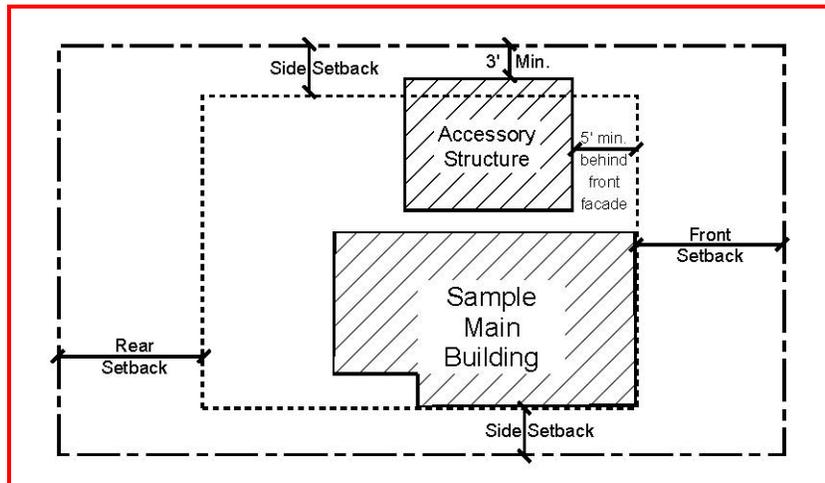
G. SIDE YARD SETBACK.

1. The minimum Side ~~Yard-Setback~~ is three feet (3'), but increases for Lots greater than thirty-seven and one-half feet (37.5') in width, as per Table 15-2.3 above.
2. On Corner Lots, the ~~minimum~~ Side Yard that faces a ~~side~~ Street or platted Right-of-Way is ~~considered a Front Yard, and the minimum Setback is~~ five feet (5').
3. A Side ~~Yard-Setback~~ between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 - a. Exterior Side ~~Yards-Setbacks~~ shall be based on the required minimum Side ~~Yard-Setback~~ for each Lot; however the Planning Commission may consider increasing exterior Side ~~Yards-Setbacks~~ during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side ~~Yard-Setback~~ exceptions continue to apply.
 - b. Building Footprint shall be based on the total lot Area of the underlying Lots. The Planning Commission may consider decreasing Building Footprint during Conditional Use Permit review to mitigate potential impacts on adjacent Property.

H. SIDE YARD SETBACK EXCEPTIONS. The Side ~~Yard-Setback~~ must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, and projecting not more than two feet (2') into the Side ~~Yard-Setback~~.¹
2. Chimneys not more than five feet (5') wide, projecting not more than two feet (2') into the Side ~~Yard-Setback~~.¹

3. Window wells or light wells projecting not more than four feet (4') into the Side ~~Yard~~ **Setback**.¹
4. Roof overhangs or eaves projecting not more than two feet (2') into the Side ~~Yard~~ **Setback**. A one foot (1') roof or eave overhang is permitted on Lots with a Side ~~Yard~~ **Setback** of less than five feet (5').¹
5. Window sills, belt courses, trim, cornices, exterior siding, or other ornamental features projecting not more than six inches (6") into the Side ~~Yard~~ **Setback**.
6. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") in height from Final Grade.
7. Fences or walls not more than six feet (6') in height or as permitted in Section 15-4-2.
8. Driveways leading to a garage or Parking Area.
9. Pathway or steps connecting to a City staircase or pathway.
10. Detached Accessory Buildings not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front facade of the Main Building, maintaining a minimum Side ~~Yard~~ **Setback** of three feet (3'). See the following illustration:



11. Mechanical equipment (which must be screened), hot tubs, or similar Structures located at least three feet (3') from the Side Lot Line.

¹Applies only to Lots with a minimum Side ~~Yard~~ **Setback** of five feet (5')

15-2.3-8 Special Requirements For Master Planned Developments And Conditional Use Permits In Sub-Zone A

A. SUB-ZONE A.

2. All Buildings within the HR-2 portion of the development must meet the minimum Side and Front ~~Yard~~ Setbacks of the HR-2 District as stated in Section 15-2.3-4, unless the Planning Commission grants an exception to this requirement during the MPD review and the development is consistent with the MPD Section 15-6-5(C). Below Grade Structures, such as parking structures and Commercial Floor Area extending from Main Street beneath a residential Structure or Structures on Park Avenue may occupy Side ~~Yard~~ Setbacks subject to Building and Fire Codes and trespass agreements.

15-2.3-10 Parking Regulations

- D. A common Parking Structure may occupy below Grade Side ~~Yards~~ **Setbacks** between participating Developments if the Structure maintains all Setbacks above Grade. Common Parking Structures are subject to a Conditional Use review, Section 15-1-10.

15-2.4 Historic Residential-Medium Density (HRM) District

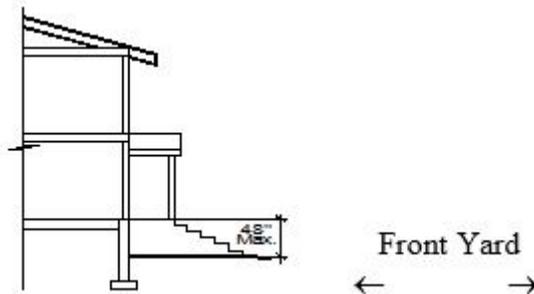
15-2.4-4 Lot And Site Requirements

C. **FRONT YARD SETBACK.**

1. The minimum Front ~~Yard-Setback~~ for Single-Family, Duplex Dwellings, and Accessory Buildings is fifteen feet (15'). If the Lot depth is seventy five feet (75') or less, then the minimum Front ~~Yard-Setback~~ is ten feet (10').
2. New Front Facing Garages for Single Family and Duplex Dwellings must be at least twenty feet (20') from the Front Lot Line.
3. See Section 15-2.4-5 for special requirements for Triplexes and Multi-Unit Dwellings.

D. **FRONT YARD SETBACK EXCEPTIONS.** The Front ~~Yard-Setback~~ must be open and free of any Structure except:

1. Fences, walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2. On Corner Lots, Fences more than three (3') in height are prohibited within twenty-five feet (25') of the intersection, at back of curb.
2. Uncovered steps leading to the Main Building; provided the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause any danger or hazard to traffic by obstructing the view of a Street or intersection.



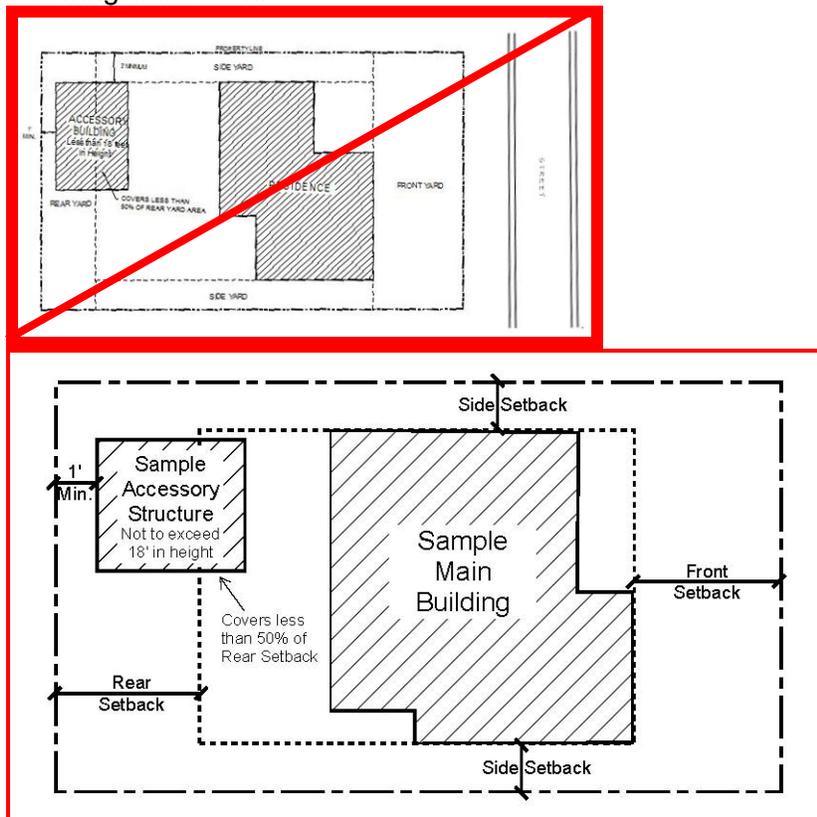
3. Decks, porches, and Bay Windows, not more than ten feet (10') wide, projecting not more than three feet (3') into the Front ~~Yard-Setback~~.
4. Roof overhangs, eaves, and cornices projecting not more than three feet (3') into the Front ~~Yard-Setback~~.
5. Sidewalks, patios, and pathways.
6. Driveways leading to a garage or Parking Area. No portion of a Front Yard except for approved driveways and patios, allowed Parking Areas, and sidewalks may be Hard-Surfaced or graveled.

E. REAR ~~YARD~~ SETBACK.

1. The minimum Rear ~~Yard~~ Setback is ten feet (10') for all Main Buildings, and one foot (1') for detached Accessory Buildings.
2. See Section 15-2.4-5, Special Requirements for Multi-Unit Dwellings.

F. REAR ~~YARD~~ SETBACK EXCEPTIONS.

1. Bay Windows not more than ten feet (10') wide, projecting not more than two feet (2') into the Rear ~~Yard~~ Setback.
2. Chimneys not more than five feet (5') wide, projecting not more than two feet (2') into the Rear ~~Yard~~ Setback.
3. Window wells and light wells projecting not more than four feet (4') into the Rear ~~Yard~~ Setback.
4. Roof overhangs and eaves projecting not more than three feet (3') into the Rear ~~Yard~~ Setback.
5. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which they are attached.
6. A detached Accessory Building not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front façade of the Main Building, and maintaining a minimum Rear ~~Yard~~ Setback of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear ~~Yard~~ Setback. See the following illustration:

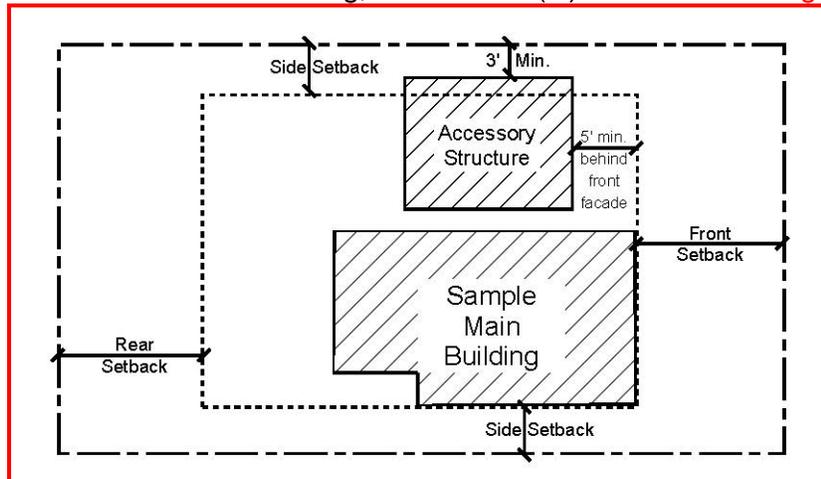


7. A Hard-Surfaced Parking Area subject to the same location requirements as a detached Accessory Building.

8. Mechanical equipment (which must be screened), hot tubs, or similar Structures located at least three feet (3') from the Rear Lot Line.
9. Fences, walls, and retaining walls not over six feet (6') in height, or as permitted in Section 15-4-2.
10. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") above Final Grade.

G. SIDE YARD SETBACK.

1. The minimum Side ~~Yard-Setback~~ for any Single Family, Duplex Dwelling or Accessory Building is five feet (5').
2. The minimum Side ~~Yard-Setback~~ for Lots twenty-five feet (25') wide or less is three feet (3').
3. A Side ~~Yard-Setback~~ between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 - a. Exterior Side ~~Yards-Setbacks~~ shall be based on the required minimum Side ~~Yard-Setback~~ for each Lot; however the Planning Commission may consider increasing exterior Side ~~Yards-Setbacks~~ during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side ~~Yard-Setback~~ exceptions continue to apply.
 - b. The longest dimension of a Building joined at the Property Line may not exceed one hundred feet (100').
4. The minimum Side ~~Yard-Setback~~ for a detached Accessory Building, not greater than eighteen feet (18') in height, located at least five feet (5') behind the front facade of the Main Building, is three feet (3'). See the following illustration:



5. On Corner Lots, the **minimum** Side Yard that faces a **side Street** or platted Right-of-Way is **considered a Front Yard**, and the **minimum Setback** is ten feet (10') for both Main and Accessory Buildings.
6. See Section 15-2.4-5 special requirements for Multi-Unit Dwellings.

H. SIDE YARD-SETBACK EXCEPTIONS. The Side ~~Yard-Setback~~ must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, projecting not more than two feet (2') into the Side ~~Yard-Setback~~.¹
2. Chimneys not more than five feet (5') wide, projecting not more than two feet (2') into the Side ~~Yard-Setback~~.¹
3. Window well and light wells projecting not more than four feet (4') into the Side ~~Yard-Setback~~.¹
4. Roof overhangs and eaves projecting not more than two feet (2') into the Side ~~Yard-Setback~~.¹
5. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which they are attached.
6. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") in height above Final Grade.
7. Fences, walls and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2.
8. Driveways leading to a garage or approved Parking Area.
9. Pathways and steps connecting to a City staircase or pathway.
10. Mechanical equipment (which must be screened), hot tubs, or similar Structures located at least three feet (3') from the Side Lot Line.

¹Applies only to Lots with a minimum Side ~~Yard-Setback~~ of five feet (5').

15-2.4-5 Special Requirements For Multi-Unit Dwellings

- A. **FRONT YARD-SETBACK**. The Front ~~Yard Setback~~ for any Triplex, or Multi-Unit Dwelling is twenty (20') feet. All new Front-Facing Garages shall be a minimum of twenty-five feet (25') from the Front Property Line. All Yards fronting ~~on~~ any Street are considered Front Yards for the purposes of determining required Setbacks. See Section 15-2.4-4(D), Front ~~Yard Setback~~ Exceptions.
- B. **REAR YARD-SETBACK**. The Rear ~~yard Setback~~ for a Triplex or Multi-Unit Dwelling is ten feet (10'). See Section 15-2.4-4(F), Rear ~~Yard Setback~~ Exceptions.
- C. **SIDE YARD-SETBACK**. The Side ~~Yard Setback~~ for any Triplex, or Multi-Unit Dwelling is ten feet (10'). See Section 15-2.4-4(H), Side ~~Yard Setback~~ Exceptions.

15-2.4-9 Sullivan Road Access

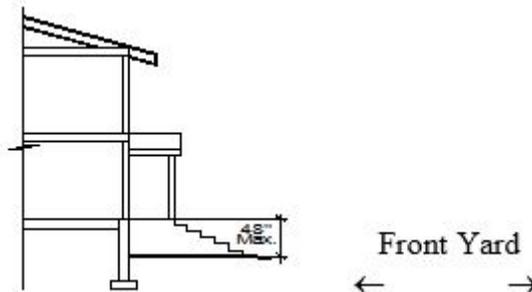
- B. **NEIGHBORHOOD MANDATORY ELEMENTS CRITERIA**. The Planning Commission shall review and evaluate the following criteria for all projects along Sullivan Road and Eastern Avenue:
 1. **UTILITY CONSIDERATIONS**. Utility extensions from Park Avenue are preferred, which provide the least disturbance to the City Park and the public as a whole.
 2. **ENHANCED SITE PLAN CONSIDERATIONS**. These review criteria apply to both Sullivan Road and Park Avenue Street fronts:
 - a. Variation in Front Yard and Building Setbacks to orient porches and windows onto Street fronts.
 - b. Increased Front ~~Yard-Setbacks~~.
 - c. Increased snow storage.

- d. Increased Transferred Development Right (TDR) Open Space, and/or preservation of significant landscape elements.
 - e. Elimination of Multi-Unit or Triplex Dwellings.
 - f. Minimized Access to Sullivan Road.
 - g. Decreased Density.
3. **INCORPORATION OF PEDESTRIAN AND LANDSCAPE IMPROVEMENTS ALONG PARK AVENUE, SULLIVAN ROAD, AND EASTERN AVENUE.** Plans must save, preserve, or enhance pedestrian connections and landscape elements along the Streetscape, within the Development Site, and between Park Avenue and Sullivan Road.
4. **PARKING MITIGATION.** Plans that keep the Front ~~Yard~~ Setbacks clear of parking and minimize parking impacts near intensive Uses on Sullivan Road are positive elements of any Site plan.

15-2.5 Historic Recreation Commercial (HRC) District

15-2.5-3 Lot And Site Requirements

- A. **FRONT ~~YARD~~ SETBACK.** The minimum Front ~~Yard~~ Setback is ten feet (10').
- B. **FRONT ~~YARD~~ SETBACK EXCEPTIONS.** The Front ~~Yard~~ Setback must be open and free of any Structure except:
- 1. Fences, walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty five feet (25') of the intersection at back of curb.
 - 2. Uncovered steps leading to the Main Building; provided the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause danger or hazard to traffic by obstructing the view of the Street or intersection.



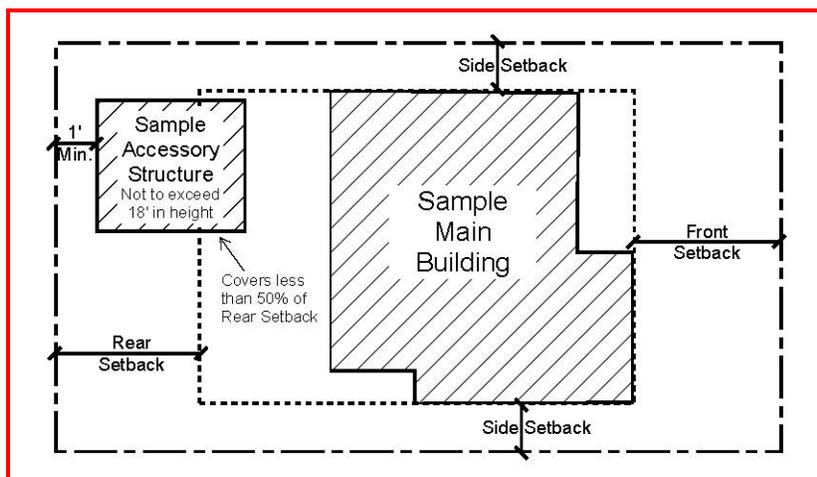
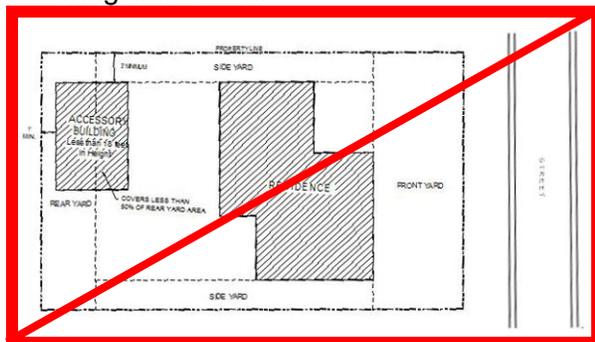
- 3. Decks, porches, and Bay Windows, not more than ten feet (10') wide, projecting not more than three feet (3') into the Front ~~Yard~~ Setback.
- 4. Roof overhangs, eaves, and cornices, projecting not more than three feet (3') into the Front ~~Yard~~ Setback.
- 5. Sidewalks, patios, and pathways.
- 6. Driveways leading to a garage or Parking Area. No portion of a Front Yard, except for approved driveways, allowed Parking Areas, patios, and sidewalks

may be Hard-Surfaced or graveled.

C. **REAR YARD-SETBACK.** The minimum Rear ~~Yard-Setback~~ is ten feet (10').

D. **REAR YARD-SETBACK EXCEPTIONS.** The Rear ~~Yard-Setback~~ must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Rear ~~Yard-Setback~~.
2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Rear ~~Yard-Setback~~.
3. Window wells and light wells projecting not more than four feet (4') into the Rear ~~Yard-Setback~~.
4. Roof overhangs and eaves projecting not more than two feet (2') into the Rear ~~Yard-Setback~~.
5. Window sills, belt courses, cornices, trim, exterior siding, or other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
6. A detached Accessory Building not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front facade of the Main Building, and maintaining a minimum Rear ~~Yard-Setback~~ of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear ~~Yard-Setback~~. See the following illustration:



7. Hard-Surfaced Parking Areas subject to the same location requirements as a detached Accessory Building.
8. Screened mechanical equipment, hot tubs, and similar Structures located at least five feet (5') from the Rear Lot Line.
9. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2.
10. Patios, decks, steps, pathways, and similar Structures not more than thirty inches (30") above Final Grade, located at least five feet (5') from the Rear Lot Line.

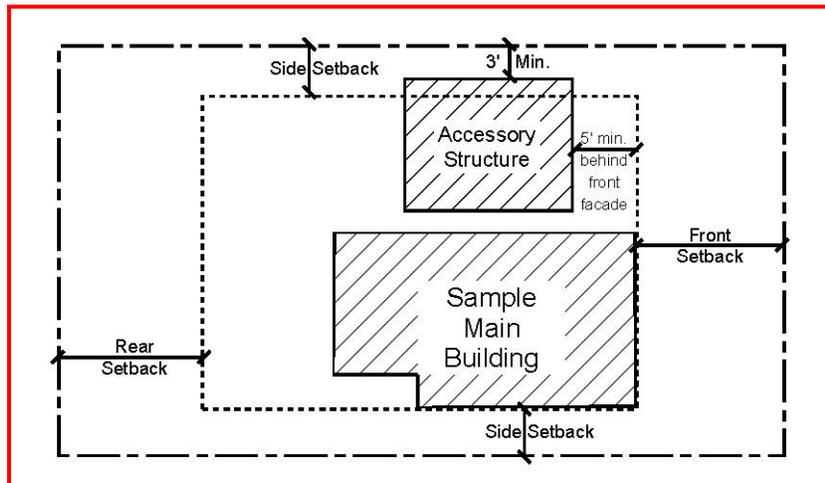
E. SIDE YARD SETBACK.

1. The minimum Side ~~Yard-Setback~~ is five feet (5').
2. On Corner Lots, the Side ~~Yard-Setback~~ that faces a Street is ten feet (10') for both main and accessory Structures.
3. A Side ~~Yard-Setback~~ between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 - a. Exterior Side ~~Yards-Setbacks~~ shall be based on the minimum required Side ~~Yard-Setback~~ for each Lot; however the Planning Commission may consider increasing exterior Side ~~Yards-Setbacks~~ during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side ~~Yard-Setback~~ exceptions continue to apply.

F. SIDE YARD-SETBACK EXCEPTIONS. The Side ~~Yard-Setback~~ must be open and free of any Structure except:

1. Bay Windows, not more than ten feet (10') wide, projecting not more than two feet (2') into the Side ~~Yard-Setback~~.
2. Chimneys not more than five feet (5') wide, projecting not more than two feet (2') into the Side ~~Yard-Setback~~.
3. Window wells and light wells projecting not more than four feet (4') into the Side ~~Yard-Setback~~.
4. Window sills, belt courses, cornices, trim, exterior siding, and other ornamental features, projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
5. Roof overhangs and eaves projecting not more than two feet (2') into the Side ~~Yard-Setback~~.
6. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") in height from Final Grade, provided there is at least a one foot (1') Setback to the Side Lot Line.
7. Fences, walls and retaining walls not more than six feet (6'), or as permitted in Section 15-4-2.
8. Driveways leading to a garage or approved Parking Area.
9. Pathways and steps connecting to a City stairway or pathway.
10. A detached Accessory Building not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front facade of the Main Building, maintaining a minimum Side ~~Yard-Setback~~ of three feet (3'). See the following

illustration:



11. A covered arcade between projects provided that the highest point of the arcade is not more than fifteen feet (15') above the elevation of the walk.

15-2.5-11 Parking Regulations

- D. A common Parking Structure may occupy below Grade Side ~~Yards~~ **Setbacks** between participating Developments if the Structure maintains all Setbacks above Grade. Common Parking Structures are subject to a Conditional Use Review, Section 15-1-10.

15-2.6 Historic Commercial Business (HCB) District

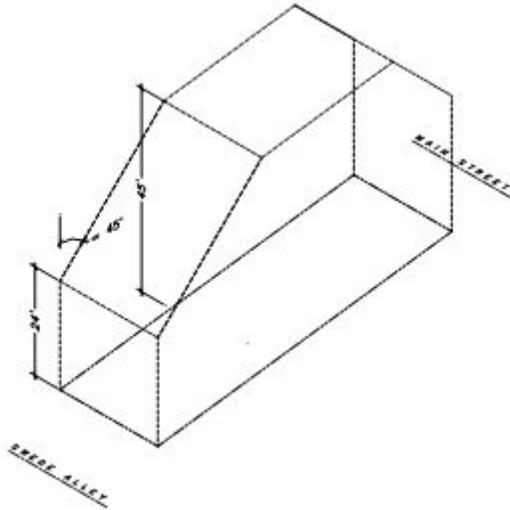
15-2.6-3 Lot And Site Requirements

- B. **FRONT, REAR AND SIDE ~~YARDS~~ **SETBACKS****. There are no minimum required Front, Rear, or Side ~~Yard-Setback~~ dimensions in the HCB District.

15-2.6-5 Maximum Building Volume And Height

- B. The rear portion of the bulk plane for each Lot that does not abut Swede Alley is defined by the plane that rises vertically at the Rear ~~Yard~~ Property Line to a height of thirty feet (30') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the Front Lot Line until it intersects with a point forty-five feet (45') above the Natural Grade of the Building Site. No part of a Building shall be erected to a height greater than forty-five feet (45'), measured from Natural Grade at the Building Site. This provision must not be construed to encourage solid roofing to following the forty-five degree (45°) back plane.
- C. For Lots abutting Swede Alley, the rear portion of the bulk plane is defined by a plane that rises vertically at the Rear ~~Yard~~ Property Line to a height of twenty-four feet (24') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the Front Lot Line until it intersects with a point forty-five feet (45') above the Natural Grade. This provision must not be construed to encourage solid

roofing to follow the forty-five degree (45°) back plane.



15-2.7 Recreation And Open Space (ROS) District

15-2.7-3 Lot And Site Requirements

- A. **FRONT, SIDE, AND REAR ~~YARD SETBACK~~ EXCEPTIONS.** Fences, walls, stairs, paths, trails, sidewalks, patios, driveways, Ancillary Structures, approved Parking Areas, and Screened mechanical and utility equipment are allowed as exceptions in the Front, Side and Rear ~~Yards~~ Setbacks.

15-2.8 Protected Open Space (POS) District

15-2.8-3 Lot And Use Requirements

- A. **FRONT, SIDE, AND REAR ~~YARD SETBACK~~ EXCEPTIONS.** Fences, walls, stairs, paths, trails, sidewalks, at Grade patios, driveways, Ancillary Structures, approved Parking Areas and Screened mechanical and utility equipment are allowed in the Front, Side, and Rear ~~Yards~~ Setbacks.

15-2.9 Rural Estate (E-40) District

15-2.9-3 Lot And Site Requirements

- C. **SETBACKS.** The minimum Front, Side, and Rear ~~yards~~ Setbacks for all Structures are thirty feet (30').

15-2.10 Estate (E) District

15-2.10-3 Lot And Site Requirements

C. REQUIRED SETBACKS. The minimum Front, Side and Rear ~~Yard~~ **Setback** for all Structures is thirty feet (30'). The Planning Commission may vary required ~~yards~~ **Setbacks** in Subdivisions and Master Planned Developments. In no case shall the Planning Commission reduce Side ~~Yards~~ **Setbacks** to allow less than ten feet (10') between Structures.

D. FRONT ~~YARD~~ SETBACK EXCEPTIONS. The required Front ~~Yard~~ **Setback** must be open and free of any Structure except for the following:

3. Decks, porches, and Bay Windows, not more than ten feet (10') wide, projecting not more than five feet (5') into the Front ~~Yard~~ **Setback**.
4. Roof overhangs, eaves, and cornices projecting not more than three feet (3') into the Front ~~Yard~~ **Setback**.
6. Driveways leading to a garage or Parking Area. No portion of a Front Yard, except for patios, driveways, allowed Parking Areas, and sidewalks may be Hard-Surfaced or graveled.

E. REAR ~~YARD~~ SETBACK EXCEPTIONS. The required Rear ~~Yard~~ **Setback** must be open and free of any Structure except for the following:

1. Bay Windows not more than ten feet (10') ~~long wide~~, projecting not more than two feet (2') into the Rear ~~Yard~~ **Setback**.
2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Rear ~~Yard~~ **Setback**.
3. Window wells and light wells projecting not more than four feet (4') into the Rear ~~Yard~~ **Setback**.
4. Roof overhangs and eaves projecting not more than three feet (3') into the Rear ~~Yard~~ **Setback**.
6. Detached Accessory Buildings not more than eighteen (18') feet in height and maintaining a minimum Setback of five feet (5'). Such Structures must not cover over twenty-five percent (25%) of the Rear ~~Yard-Setback~~.

F. SIDE ~~YARD~~ SETBACK EXCEPTIONS. The required Side ~~Yard~~ **Setback** must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Side ~~Yard~~ **Setback**.
2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Side ~~Yard~~ **Setback**.
3. Window wells and light wells projecting not more than four feet (4') into the Side ~~Yard~~ **Setback**.
4. Roof overhangs and eaves projecting not more than three feet (3') into the Side ~~Yard~~ **Setback**.
9. Detached Accessory Building not greater than eighteen feet (18') in height located a minimum of five feet (5') behind the front facade of the Main Building and maintaining a minimum Side ~~Yard~~ **Setback** of five feet (5').

15-2.11 Single Family (SF) District

15-2.11-3 Lot And Site Requirements

B. ~~**FRONT, REAR, AND SIDE YARDS.** All Development activity must comply with the following minimum Yard.~~

C. **FRONT YARD SETBACK.**

1. In Thaynes Canyon Subdivision 1 and 2 and Prospector Village Subdivision, the minimum Front **Yard Setback** for Main Buildings is twenty feet (20') and minimum Front **Yard Setback** for Garages is ten feet (10').
2. In Prospector Park Subdivisions 1, 2, and 3, the minimum Front **Yard Setback** is 20 feet (20'), including Garages.
3. In all other subdivisions, the minimum Front **Yard Setback** is twenty feet (20'). New Front-Facing Garages for Single Family and Duplex Dwellings must maintain a minimum of twenty five feet (25') from Front Lot Line.

D. **FRONT YARD SETBACK EXCEPTIONS.**

1. The Planning Commission may designate specific Single Family Lots on which the Front **Yard Setback** is ten feet (10') for the Main Building and fifteen feet (15') for a new Front Facing Garage or garage element, including any habitable **space** above the garage. This exception may be granted to:
 - a. solve Access problems with relatively steep Grades,
 - b. preserve Significant Vegetation,
 - c. eliminate or minimize cut and fill Areas,
 - d. promote Clustered Development, and
 - e. preserve Open **Space**.

Lots to which this exception applies must be so designated on the Subdivision Plat at the time the plat is approved.

2. The Front **Yard Setback** must be open and free of any Structure except:
 - a. Fences, walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty-five feet (25') of the intersection at back of curb.
 - b. Uncovered steps leading to the Main Building provided the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause any danger or hazard to traffic by obstructing the view of a Street or intersection.
 - c. Decks, porches, and Bay Windows, not more than ten feet (10') wide, projecting not more than five feet (5') into the Front **Yard Setback**.
 - d. Roof overhangs, eaves, and cornices projecting not more than three feet (3') into the Front **Yard Setback**.
 - e. Sidewalks, patios, and pathways.
 - f. Driveways leading to a garage or Parking Area. No portion of a Front Yard, except for approved driveways and patios, allowed Parking Areas, and sidewalks may be Hard-Surfaced or graveled.
 - g. Circular driveways meeting all requirements stated in Section 15-3-4.

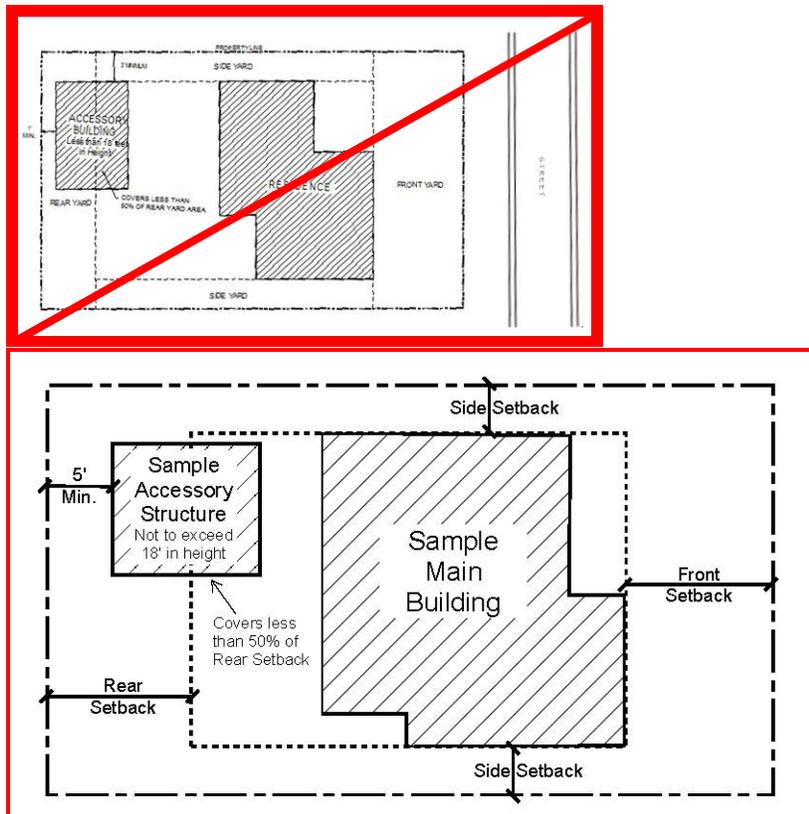
E. **REAR YARD SETBACK.**

1. In Thaynes Canyon Subdivision 1 and 2 and Prospector Village Subdivision, the minimum Rear **Yard Setback** is 10 feet (10').

2. In Prospector Park Subdivisions 1, 2, and 3 the minimum Rear ~~Yard~~ **Setback** is ten feet (10').
3. In all other subdivisions, the minimum Rear ~~Yard~~ **Setback** is fifteen feet (15').

F. **REAR ~~YARD~~ **SETBACK** EXCEPTIONS.** The Rear ~~Yard~~ **Setback** must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Rear ~~Yard~~ **Setback**.
2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Rear ~~Yard~~ **Setback**.
3. Window wells and light wells projecting not more than four feet (4') into the Rear ~~Yard~~ **Setback**.
4. Roof overhangs and eaves projecting not more than three feet (3') into the Rear ~~Yard~~ **Setback**.
5. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
6. Detached Accessory Buildings not more than eighteen feet (18') in height and maintaining a minimum Rear ~~Yard~~ **Setback** of five feet (5'). Such Structure must not cover over fifty percent (50%) of the Rear ~~Yard~~ **Setback**. See the following illustration:



7. Hard-Surfaced Parking Areas subject to the same location requirements as detached Accessory Buildings.
8. Screened mechanical equipment, hot tubs, and similar Structures located at least five feet (5') from the Rear Lot Line.

9. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. Retaining walls may have multiple steps, however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.¹
10. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") above Final Grade, provided it is located at least five feet (5') from the Rear Lot Line.

G. SIDE YARD SETBACK.

1. In Thaynes Canyon Subdivision 1 and 2 and Prospector Village Subdivision, the minimum Side **Yard Setback** is five feet (5'). On Corner Lots the minimum Side **Yard Setback** abutting a Street is ten feet (10').
2. In Prospector Park Subdivisions 1, 2, and 3 the minimum Rear **Yard Setback** is ten feet (10').
3. In all other subdivisions, the minimum Side **Yard Setback** is twelve feet (12').
4. A Side **Yard Setback** between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 - a. Exterior Side **Yard Setbacks** shall be based on the required minimum Side **Yard Setback** for each Lot; however the Planning Commission may consider increasing exterior Side **Yard Setbacks** during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side **Yard Setbacks** exceptions continue to apply.

H. SIDE YARD SETBACK EXCEPTIONS. The Side **Yard Setback** must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Side **Yard Setback**.
2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Side **Yard Setback**.
3. Window wells and light wells projecting not more than four feet (4') into the Side **Yard Setback**.
4. Roof overhangs and eaves projecting not more than three feet (3') into the Side **Yard Setback**.
5. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
6. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") in height above Final Grade, provided there is at least one foot (1') Setback to the Side Lot Line.
7. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Sections 15-4-2. Retaining walls may have multiple steps, however, each exposed face cannot exceed six feet (6') in height and the horizontal

distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.²

8. Driveways leading to an approved garage or Parking Area maintaining a three foot (3') landscaped Setback to the Side Lot Line. A paved turn out Area, to aid in backing a vehicle out of a garage or Parking Area, is allowed but may not be used for parking, and must maintain a one foot (1') landscaped Setback to the Side Lot Line.
9. Detached Accessory Buildings not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front facade of the Main Building, and maintaining a minimum Side ~~Yard~~ Setback of five feet (5').
10. Screened mechanical equipment, hot tubs, and similar Structures located a minimum of five feet (5') from the Side Lot Line.

15-2.12 Residential (R-1) District

15-2.12-3 Lot And Site Requirements

B. FRONT ~~YARD SETBACK~~.

1. The minimum Front ~~Yard Setback~~ is fifteen feet (15').
2. New Front Facing Garages for Single Family and Duplex Dwellings must be at least ~~than~~ twenty feet (20') from the Front Property Line.
3. Parking Spaces are allowed within the required Front ~~Yard Setback~~, but not within five feet (5') of Side Lot Lines.

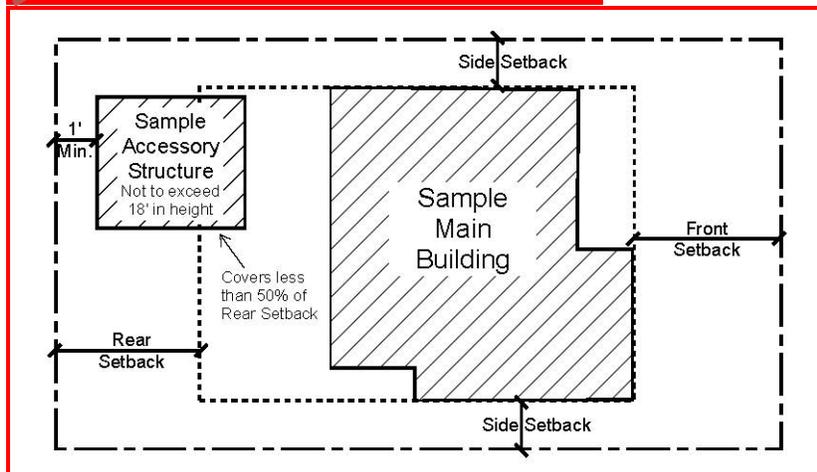
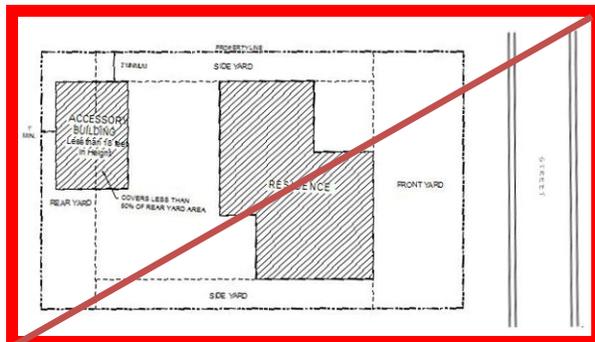
C. FRONT ~~YARD SETBACK EXCEPTIONS~~. The Front ~~Yard Setback~~ must be open and free of any Structure except:

1. Fences, walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty-five feet (25') of the intersection at back of curb.
2. Uncovered steps leading to the Main Building provided the steps are not more than four feet (4') in height from Final Grade, not including any required handrails, and do not cause any danger or hazard to traffic by obstructing the view of a Street or intersection.
3. Decks, porches, and Bay Windows not more than ten feet (10') wide, projecting not more than five feet (5') into the Front ~~Yard Setback~~.
4. Roof overhangs, eaves, and cornices projecting not more than two feet (2') into the Front ~~Yard Setback~~.
5. Sidewalks, patios, and pathways.
6. Driveways leading to a garage or Parking Area. No portion of a Front Yard, except for approved driveways, allowed Parking Areas, patios, and sidewalks may be Hard-Surfaced or graveled.
7. Circular driveways meeting all requirements stated in Section 15-3-4 herein.

D. **REAR YARD SETBACK.** The minimum Rear ~~Yard~~ **Setback** is ten feet (10').

E. **REAR YARD SETBACK EXCEPTIONS.** The Rear ~~Yard~~ **Setback** must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, projecting not more than two feet (2') into the Rear ~~Yard~~ **Setback**.
2. Chimneys not more than five feet (5') wide, projecting not more than two feet (2') into the Rear ~~Yard~~ **Setback**.
3. Window wells and light wells, projecting not more than four feet (4') into the Rear ~~Yard~~ **Setback**.
4. Roof overhangs and eaves projecting not more than two feet (2') into the Rear ~~Yard~~ **Setback**.
5. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or Structure to which it is attached.
6. Detached Accessory Buildings, not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front façade of the Main Building and maintaining a minimum Rear ~~Yard~~ **Setback** of five feet (5'). Such Structure must not cover over fifty percent (50%) of the Rear ~~Yard~~ **Setback**. See the following illustration:



Screened mechanical equipment, hot tubs, and similar Structures located at least five feet (5') from the Rear Lot Line.

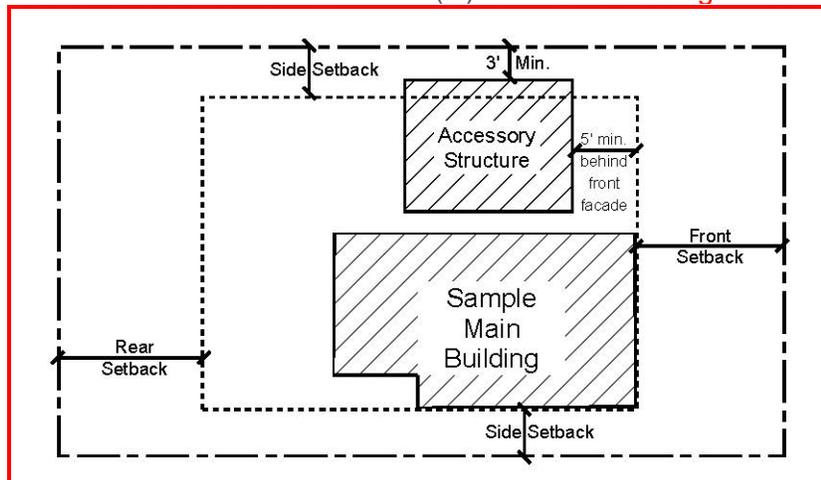
7. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. Retaining walls may have multiple steps; however,

each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.¹

8. Patios, decks, pathways, steps and similar Structures not more than thirty inches (30") above Final Grade, located at least five feet (5') from the Rear Lot Line.

F. SIDE YARD SETBACK.

1. The minimum Side **Yard Setback** is five feet (5').
2. A Side **Yard Setback** between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 - a. Exterior Side **Yard Setbacks** shall be based on the required minimum Side **Yard Setback** for each Lot; however the Planning Commission may consider increasing exterior Side **Yard Setbacks** during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side **Yard Setback** exceptions continue to apply.
3. The minimum Side **Yard Setback** for a Detached Accessory Building not greater than eighteen feet (18') in height, located at least five feet (5') behind the front facade of the Main Building is one foot (1'), except when an opening is proposed on an exterior wall adjacent to the Property Line, at which time the minimum Side **Yard Setback** must be three feet (3'). **See the following illustration:**



4. On a Corner Lot, the **minimum** Side Yard that faces a Street or platted Right-of-Way is considered a Front Yard, and a ten **feet** (10') **Setback** is required for both the Main and Accessory Buildings.

G. SIDE YARD SETBACK EXCEPTIONS. The Side **Yard Setback** must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, projecting not more than two feet (2') into the Side **Yard Setback**.

2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Side ~~Yard~~ **Setback**.
3. Window wells and light wells projecting not more than four feet (4') into the Side ~~Yard~~ **Setback**.
4. Roof overhangs and eaves projecting not more than two feet (2') into the Side ~~Yard~~ **Setback**.

15-2.12-4 Special Setback Requirements For Conditional Uses

Conditional Uses in the R-1 District must maintain the following Setbacks:

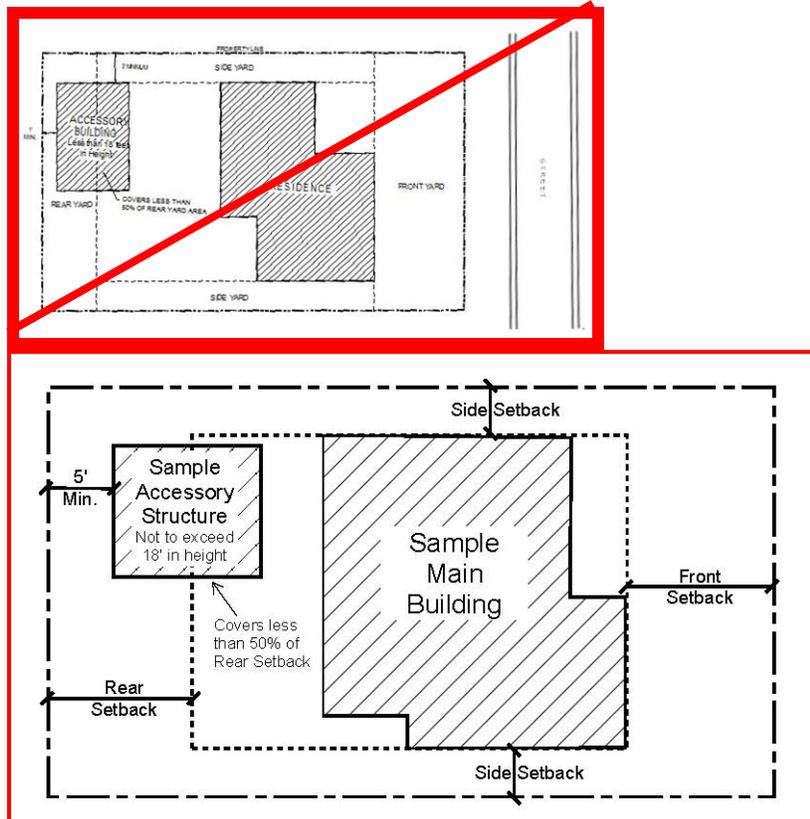
- A. **SIDE ~~YARD~~ **SETBACK****. The minimum Side ~~Yard~~ **Setback** is ten feet (10').
- B. **FRONT ~~YARD~~ **SETBACK****. The minimum Front ~~Yard~~ **Setback** is twenty feet (20'). All yards of Structures fronting on any Streets must be considered Front Yards for the purposes of determining required Setbacks. Garages must be a minimum of five feet (5') behind the front facade of the Main Building or underground.
- C. **REAR ~~YARD~~ **SETBACK****. The minimum Rear ~~Yard~~ **Setback** is ten feet (10').
- D. Front, Rear, and Side ~~Yard~~ **Setback** Exceptions as stated in Section 15-2.12-3 apply.

15-2.13 Residential Development (RD) District

15-2.13-3 Lot And Site Requirements

- B. **FRONT ~~YARD~~ **SETBACK****. The minimum Front ~~Yard~~ **Setback** is twenty feet (20'). New Front Facing Garages for Single-Family and Duplex Dwellings must be at least twenty-five feet (25') from the Front Lot Line.
- C. **FRONT ~~YARD~~ **SETBACK** EXCEPTIONS**.
 1. Within any subdivision, the Planning Commission may designate specific Single Family and Duplex Dwelling Lots on which the Front ~~Yard~~ **Setback** is ten feet (10') for the Main Building and fifteen feet (15') for the new Front Facing Garage or garage element, including any Habitable Space above the garage. This exception may be granted to:
 - a. solve Access problems to Lots with relatively steep Grades,
 - b. preserve Significant Vegetation,
 - c. eliminate or minimize cut and fill Areas,
 - d. promote Clustered Development, and
 - e. preserve Open Space.Lots to which this exception applies must be so designated on the Subdivision Plat at the time the plat is approved.
 2. **EXCEPTIONS FOR STRUCTURES**. The Front ~~Yard~~ **Setback** must be open and free of any Structure except:
 - a. Fences, walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2. On Corner Lots Fences more than three feet (3') in height are prohibited within twenty-five feet (25') of the intersection at back of curb.

- b. Uncovered steps leading to the Main Building, provided the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause any danger or hazard to traffic by obstructing the view of a Street or intersection.
 - c. Decks, porches, and Bay Windows, not more than ten feet (10') wide, projecting not more than five feet (5') into the Front **Yard Setback**.
 - d. Roof overhangs, eaves, and cornices projecting not more than three feet (3') into the Front **Yard Setback**.
 - e. Sidewalks, patios, and pathways.
 - f. Driveways leading to a garage or Parking Area. No portion of a Front Yard, except for approved driveways, patios, allowed Parking Areas, and sidewalks may be Hard-Surfaced or graveled.
 - g. Circular driveways, meeting all requirements stated in Section 15-3-4 herein.
- D. **REAR YARD-SETBACK**. The minimum Rear **Yard Setback** is fifteen feet (15') for Main Buildings and ten feet (10') for Accessory Buildings and detached garages.
- E. **REAR YARD-SETBACK EXCEPTIONS**. The Rear **Yard Setback** must be open and free of any Structure except:
- 1. Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Rear **Yard Setback**.
 - 2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Rear **Yard Setback**.
 - 3. Window wells and light wells projecting not more than four feet (4') into the Rear **Yard Setback**.
 - 4. Roof overhangs and eaves projecting not more than three feet (3') into the Rear **Yard Setback**.
 - 5. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
 - 6. Detached Accessory Buildings not more than eighteen feet (18') in height and maintaining a minimum Rear **Yard Setback** of five feet (5'). Such Structures must not cover over fifty percent (50%) of the Rear **Yard-Setback**. See the following illustration:



7. Hard-Surfaced Parking Areas subject to the same location requirements as detached Accessory Buildings.
8. Screened mechanical equipment, hot tubs, and similar Structures located at least five feet (5') from the Rear Lot Line.
9. Fences, walls, and retaining walls not more than six feet (6') in height. A retaining wall may have multiple steps, however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.¹
10. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") above Final Grade, provided it is located at least five feet (5') from the Rear Lot Line.

F. SIDE YARD-SETBACK.

1. The minimum Side Yard Setback is twelve feet (12').
2. A Side Yard Setback between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 - a. Exterior Side Yard Setbacks shall be based on the required minimum Side Yard Setback for each Lot; however the Planning Commission may

consider increasing exterior Side **Yard Setbacks** during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side **Yard Setback** exceptions continue to apply.

G. **SIDE ~~YARD-SETBACK~~ EXCEPTIONS.** The Side **Yard Setback** must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, projecting not more than two feet (2') into the Side **Yard Setback**.
2. Chimneys not more than five feet (5') wide, projecting not more than two feet (2') into the Side **Yard Setback**.
3. Window wells and light wells projecting not more than four feet (4') into the Side **Yard Setback**.
4. Roof overhangs and eaves projecting not more than three feet (3') into the Side **Yard Setback**.
5. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
6. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") in height above Final Grade, provided there is at least one foot (1') Setback to the Side Lot Line.
7. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. Retaining walls may have multiple steps; however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.²
8. Driveways leading to an approved garage or Parking Area, maintaining a three foot (3') landscaped Setback to the Side Lot Line.
9. Detached Accessory Buildings not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front facade of the Main Building and maintaining a minimum Side **Yard** Setback of five feet (5').
10. Screened mechanical equipment, hot tubs, and similar Structures located a minimum of five feet (5') from the Side Lot Line.

H. **OTHER EXCEPTIONS.** The Planning Commission may vary Side **Yard Setbacks** in Subdivisions and Master Planned Developments. In no case shall the Planning Commission reduce Side **Yard Setbacks** to less than ten feet (10') between Structures, except as provided for in Section 15-2.13-3(F2).

15-2.13-4 Building Height

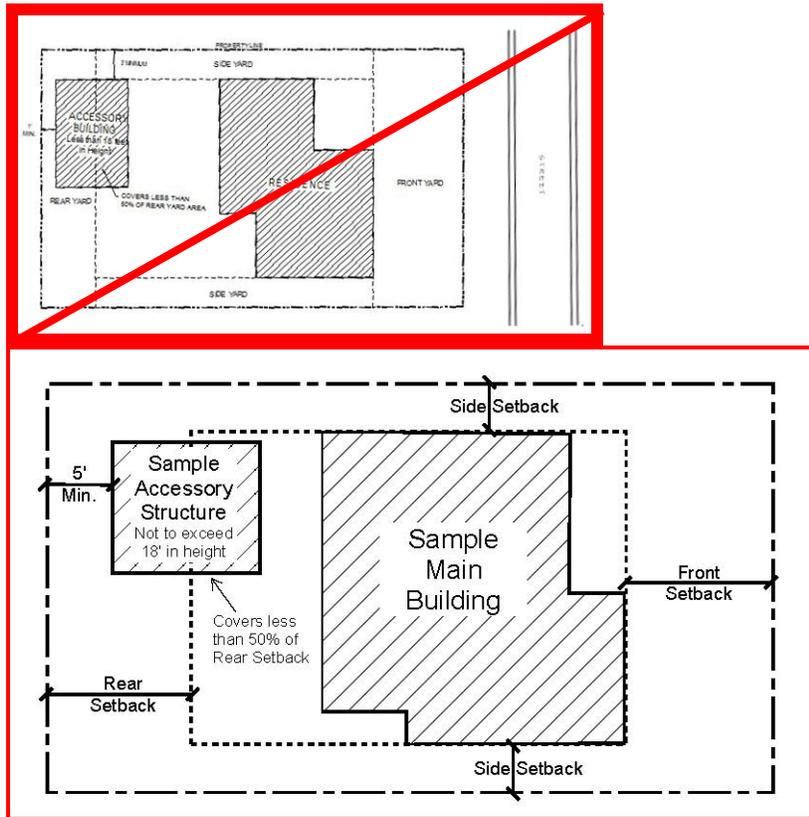
B. **OTHER HEIGHT EXCEPTIONS.** The Planning Commission may designate and condition a recorded Subdivision Plat to restrict Building Height to less than twelve feet (12') above Natural Grade for uphill Lots between the ten foot (10') Setback allowed for garages, Section 15-2.13-3(C) (1) Front **Yard Setback** Exceptions, and the normal twenty-five foot (25') Setback.

15-2.14 Residential Development-Medium Density (RDM) District

15-2.14-3 Lot And Site Requirements

- C. **FRONT YARD-SETBACK**. The minimum Front **Yard Setback** is twenty feet (20'). New Front Facing Garages for Single Family and Duplex Dwellings must be at least twenty five feet (25') from the Front Lot Line. Open Parking Spaces may be allowed within the required Front **Yard Setbacks**, but not within five feet (5') of the Side Lot Lines.
- D. **FRONT YARD-SETBACK EXCEPTIONS**. The Front **Yard Setback** must be open and free of any Structure except:
1. Fences, walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty five feet (25') of the intersection at back of curb.
 2. Uncovered steps leading to the Main Building, provided the steps are not more than four feet (4') in height from Final Grade, not including any required hand rails, and do not cause any danger or hazard to traffic by obstructing the view of a Street or intersection.
 3. Decks, porches, and Bay Windows not more than ten feet (10') wide, projecting not more than five feet (5') into the Front **Yard Setback**.
 4. Roof overhangs, eaves, and cornices projecting not more than three feet (3') into the Front **Yard Setback**.
 5. Sidewalks, patios, and pathways.
 6. Driveways leading to a garage or Parking Area. No portion of a Front Yard, except for patios, approved driveways, allowed Parking Areas, and sidewalks may be Hard Surfaced or graveled.
 7. Circular driveways meeting all requirements stated in Section 15 3 4 herein.
- E. **REAR YARD-SETBACK**. The minimum Rear **Yard Setback** is ten feet (10'). On Corner Lots that ~~back up on~~ the Side **Yard Setback** of another Lot, the minimum Rear **Yard Setback** is ten feet (10').
- F. **REAR YARD-SETBACK EXCEPTIONS**. The Rear **Yard Setback** must be open and free of any Structure except:
1. Bay Windows not more than ten feet (10') wide, projecting not more than two feet (2') into the Rear **Yard Setback**.
 2. Chimneys not more than five feet (5') wide, projecting not more than two feet (2') into the Rear **Yard Setback**.
 3. Window wells and light wells projecting not more than four feet (4') into the Rear **Yard Setback**.
 4. Roof overhangs and eaves projecting not more than three feet (3') into the Rear **Yard Setback**.
 5. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") into the Rear **Yard Setback**.
 6. Detached Accessory Buildings not more than eighteen (18') feet in height, located a minimum of five feet (5') behind the front facade of the Main Building, and maintaining a minimum Setback of five feet (5'). Such Structure must not

cover more than fifty percent (50%) of the Rear ~~Yard Setback~~. See the following illustration:



7. Hard-Surfaced Parking Areas subject to the same location requirements as a detached Accessory Building.
8. Screened mechanical equipment, hot tubs, and similar Structures located at least five feet (5') from the Rear Lot Line.
9. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. Retaining walls may have multiple steps; however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Community Development Director may approve minor deviations to the height and stepping requirements based on Site specific review.¹
10. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") above Final Grade, provided it is located at least five feet (5') from the Rear Lot Line.

G. SIDE YARD SETBACK.

1. The minimum Side ~~Yard Setback~~ for any Structure is ten feet (10').
2. A Side ~~Yard Setback~~ between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.

- a. Exterior Side **Yards Setbacks** shall be based on the required minimum Side **Yard Setback** for each Lot; however the Planning Commission may consider increasing exterior Side **Yards Setbacks** during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side **Yard Setback** exceptions continue to apply.
 3. On Corner Lots, the Side Yard that faces a Street or platted Right-of-Way is considered a Front Yard, ~~may not have a Side Yard that is less than~~ and the minimum Setback is fifteen feet (15').
- H. **SIDE YARD-SETBACK EXCEPTIONS**. The Side **Yard Setback** must be open and free of any Structure except:
1. Bay Windows not more than ten feet (10') wide, projecting not more than two feet (2') into the Side **Yard Setback**.
 2. Chimneys not more than five feet (5') wide, projecting not more than two feet (2') into the Side **Yard Setback**.
 3. Window wells and light wells projecting not more than four feet (4') into the Side **Yard Setback**.
 4. Roof overhangs and eaves projecting not more than three feet (3') into the Side **Yard Setback**.
 5. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or Structure to which it is attached.
 6. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") in height above Final Grade, located at least a minimum of one foot (1') from the Side Lot Line.
 7. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. A retaining wall may have multiple steps, however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.¹
 8. Driveways leading to a garage or approved Parking Area, maintaining a three foot (3') landscaped Setback to the Side Lot Line.
 9. Detached Accessory Buildings not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front façade of the Main Building and maintaining a minimum Side **Yard Setback** of five feet (5').
 10. Screened mechanical equipment, hot tubs, and similar Structures located a minimum of five feet (5') from the Side Lot Line.
- I. **OTHER EXCEPTIONS**. The Planning Commission may vary Front, Rear and Side **Yards Setbacks** in Subdivisions and Master Planned Developments. In no case may the Planning Commission reduce Side **Yards Setbacks** to less than ten feet (10') between Structures, except as provided for in LMC Section 15-2.14-3(G) herein.

15-2.15 Residential- Medium Density (RM) District

15-2.15-3 Lot And Site Requirements

C. **FRONT YARD SETBACK.**

1. The minimum Front **Yard Setback** for all Single Family, Duplex Dwellings, and Accessory Buildings is fifteen feet (15'). See 15-2.13-3(C)(3) for exception for Lots with a depth of seventy-five feet (75') or less.
2. New Front Facing Garages for Single-Family and Duplex Dwellings must be at least twenty feet (20') from the Front Lot Line.
3. The minimum Front **Yard Setback** for Lots seventy-five feet (75') deep or less is ten feet (10').
4. See Section 15-2.15-4 for special requirements for Tri-Plex and Multi-Unit Dwellings.

D. **FRONT YARD SETBACK EXCEPTIONS.** The Front **Yard Setback** must be open and free of any Structure except:

1. Fences, walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty-five feet (25') of the intersection at back of curb.
2. Uncovered steps leading to the Main Building, provided, the steps are not more than four feet (4') in height from Final Grade, not including any required handrails, and do not cause any danger or hazard to traffic by obstructing the view of a Street or intersection.
3. Decks, porches, and Bay Windows not more than ten feet (10') wide, projecting not more than five feet (5') into the Front **Yard Setback**.
4. Roof overhangs, eaves, and cornices projecting not more than three feet (3') into the Front **Yard Setback**.
5. Sidewalks, patios, and pathways.
6. Driveways leading to a garage or approved Parking Area. No portion of a Front Yard, except for approved driveways, patios, allowed Parking Areas, and sidewalks, may be Hard-Surfaced or graveled.
7. Circular driveways meeting all requirements stated in Section 15-3-4 herein.

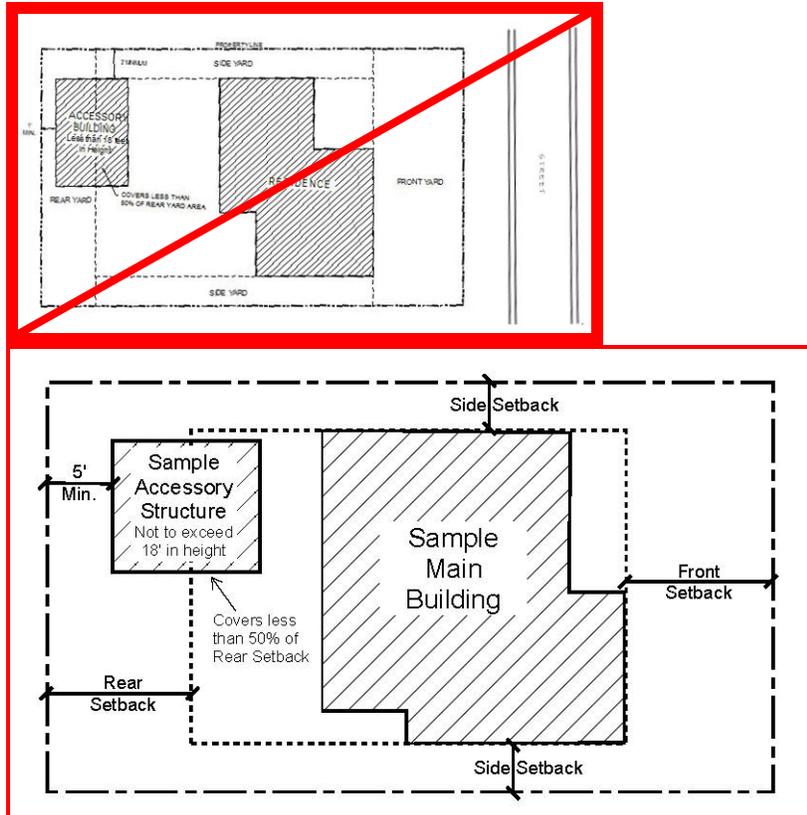
E. **REAR YARD SETBACK.**

1. The minimum Rear **Yard Setback** for Single Family and Duplex Dwellings is ten feet (10').
2. See Section 15-2.15-4 special requirements for Multi-Unit Dwellings.

F. **REAR YARD SETBACK EXCEPTIONS.** The Rear **Yard Setback** must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, projecting not more than two feet (2') into the Rear **Yard Setback**.
2. Chimneys not more than five feet (5') wide, projecting not more than two feet (2') into the Rear **Yard Setback**.
3. Window wells and light wells projecting not more than four feet (4') into the Rear **Yard Setback**.

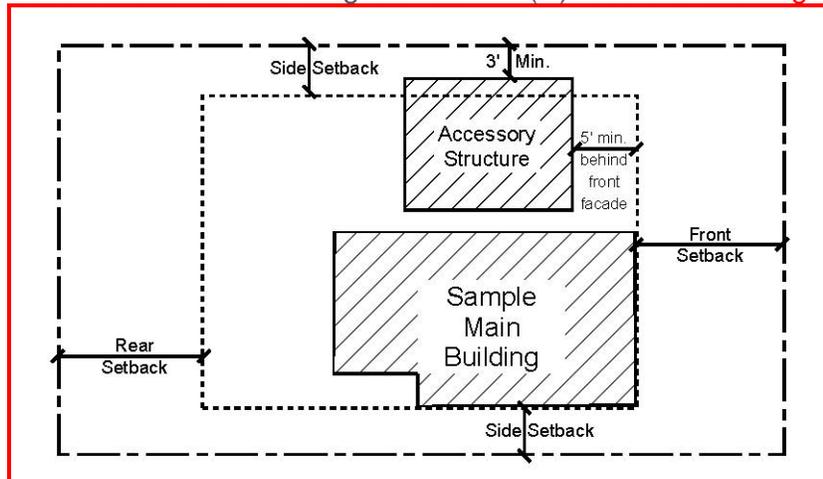
4. Roof overhangs and eaves projecting not more than three feet (3') into the Rear ~~Yard~~ **Setback**.
5. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
6. Detached Accessory Buildings not more than eighteen feet (18') in height and maintaining a minimum Rear ~~Yard~~ **Setback** of five feet (5'). Such Structures must not cover over fifty percent (50%) of the Rear ~~Yard-Setback~~ **Setback**. See the following illustration:



7. Hard-Surfaced Parking Areas subject to the same location requirements as a detached Accessory Building.
8. Screened mechanical equipment, hot tubs, and similar Structures located at least five feet (5') from the Rear Lot Line.
9. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. Retaining walls may have multiple steps, however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation.
The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.¹
10. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") above Final Grade, located at least five feet (5') from the Rear Lot Line.

G. SIDE YARD-SETBACK.

1. The minimum Side **Yard Setback** for any Single Family, Duplex Dwelling or Accessory Building is five feet (5').
2. A Side **Yard Setback** between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 - a. Exterior Side **Yard Setback** s shall be based on the required minimum Side **Yard Setback** for each Lot; however the Planning Commission may consider increasing exterior Side **Yard Setback** s during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side **Yard Setback** exceptions continue to apply.
3. The minimum Side **Yard Setback** for a detached Accessory Building not greater than eighteen feet (18') in height, located at least five feet (5') behind the front facade of the Main Building is three feet (3'). **See the following illustration:**



4. On Corner Lots, the Side Yard that faces a Street or platted Right-of-Way is considered a Front Yard, and the minimum Setback is ten feet (10') for both Main and Accessory Buildings.
5. See Section 15-2.15-4 Special Requirements for Multi-Unit Dwellings.

H. SIDE YARD-SETBACK EXCEPTIONS. The Side **Yard Setback** must be open and free of any Structure except:

1. Bay windows not more than ten feet (10') wide, projecting not more than two feet (2') into the Side **Yard Setback**.
2. Chimneys not more than five feet (5') wide, projecting not more than two feet (2') into the Side **Yard Setback**.
3. Window wells and light wells projecting not more than four feet (4') into the Side **Yard Setback**.
4. Roof overhangs and eaves projecting not more than three feet (3') into the Side **Yard Setback**.

5. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
6. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") in height above Final Grade, provided there is at least a one foot (1') Setback to the Side Lot Line.
7. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. Retaining walls may have multiple steps, however each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.¹
8. Driveways leading to an approved garage or Parking Area maintaining a three foot (3') landscaped Setback to the Side Lot Line.
9. Paths, patios, and steps connecting to a City stairway or path.
10. Screened mechanical equipment, hot tubs, and similar Structures located a minimum of five feet (5') from the Side Lot Line.

15-2.15-4 Special Requirements For Multi-Unit Dwellings

- A. **FRONT ~~YARD~~ SETBACK.** The Front ~~Yard~~ Setback for any Triplex, or Multi-Unit Dwelling is twenty feet (20'). All new Front Facing Garages shall be a minimum of twenty-five feet (25') from the Front Property Line. All Yards fronting ~~on~~ any Street are considered Front Yards for the purposes of determining Setbacks. See Front ~~Yard~~ Setback Exceptions, Section 15-2.15-3(D).
- B. **REAR ~~YARD~~ SETBACK.** The Rear ~~Yard~~ Setback for a Triplex, or Multi-Unit Dwelling is fifteen feet (15'). See Rear ~~Yard~~ Setback Exceptions, Section 15-2.15-3(F).
- C. **SIDE ~~YARD~~ SETBACK.** The minimum Side ~~Yard~~ Setback for any Triplex, or Multi-Unit Dwelling is ten feet (10'). See Side ~~Yard~~ Setback Exceptions, Section 15-2.15-3(H).

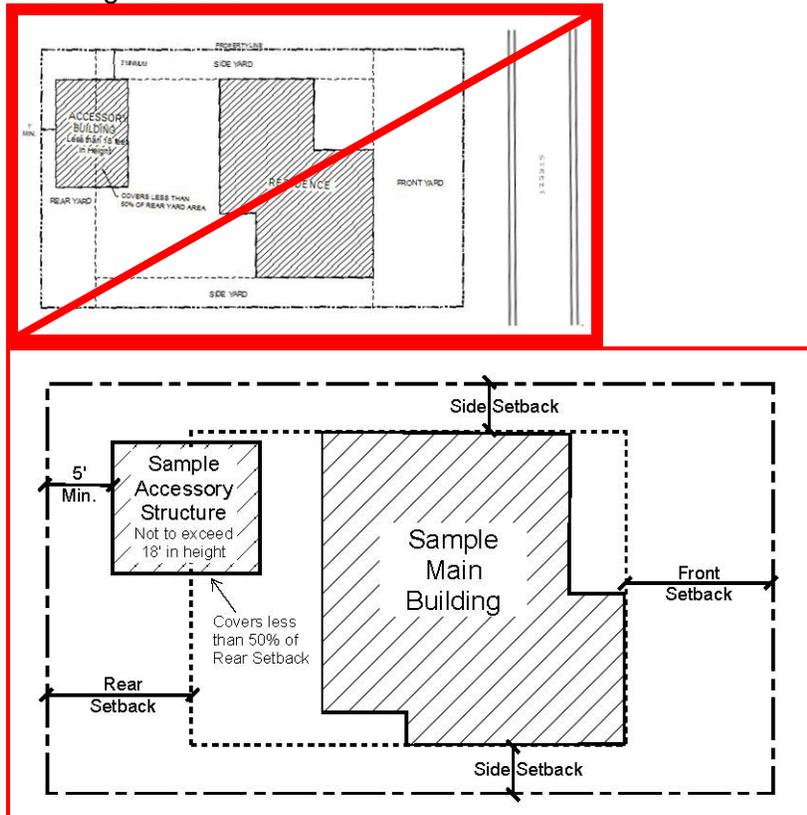
15-2.16 Recreation Commercial (RC) District

15-2.16-3 Lot And Site Requirements

- C. **FRONT ~~YARD~~ SETBACK.** The minimum Front ~~Yard~~ Setback is twenty feet (20'). See Section 15-2.16-5 for Front ~~Yard~~ Setback requirements for Single Family and Duplex Dwellings.
- D. **FRONT ~~YARD~~ SETBACK EXCEPTIONS.** The Front ~~Yard~~ Setback must be open and free of any Structure except:
- E. **REAR ~~YARD~~ SETBACK.** The minimum Rear ~~Yard~~ Setback is ten feet (10'). See Section 15-2.16-5 for Rear ~~Yard~~ Setback requirements for Single Family and Duplex Dwellings.

F. **REAR YARD SETBACK EXCEPTIONS.** The Rear **Yard Setback** must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Rear **Yard Setback**.
2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Rear **Yard Setback**.
3. Window wells and light wells projecting not more than four feet (4') into the Rear **Yard Setback**.
4. Roof overhangs and eaves projecting not more than three feet (3') into the Rear **Yard Setback**.
5. Window sills, belt courses, cornices, trim, exterior siding, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
6. Detached Accessory Buildings not more than eighteen feet (18') in height and maintaining a minimum Rear **Yard Setback** of five feet (5'). Such Structures must not cover more than fifty percent (50%) of the Rear **Yard Setback**. See the following illustration:



7. Hard-Surfaced Parking Areas subject to the same location requirements as a detached Accessory Building.
8. Mechanical equipment (which must be screened), hot tubs, or similar Structures located at least three feet (3') from the Rear Lot Line.
9. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. Retaining walls may have multiple steps, however, each exposed face cannot exceed six feet (6') in height and the horizontal

distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.

10. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") above Final Grade.

G. SIDE YARD-SETBACK.

1. The minimum Side ~~Yard~~ **Setback** is ten feet (10'). See Section 15-2.16-5 for Side ~~Yard~~ **Setback** requirements for Single Family and Duplex Dwellings.
2. A Side ~~Yard~~ **Setback** between connected Structures is not required where Structures are designed with a common wall on a Property Line and the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official.

H. SIDE YARD-SETBACK EXCEPTIONS. The Side ~~Yard~~ **Setback** must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, projecting not more than two feet (2') into the Side ~~Yard~~ **Setback**.
2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Side ~~Yard~~ **Setback**.
3. Window wells and light wells projecting not more than four feet (4') into the Side ~~Yard~~ **Setback**.
4. Roof overhangs and eaves projecting not more than three feet (3') into the Side ~~Yard~~ **Setback**.
5. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
6. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") in height above Final Grade.
7. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. Retaining walls may have multiple steps, however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.
8. Driveways leading to a garage or Parking Area maintaining a three foot (3') landscaped Setback to the Side Lot Line.
9. Detached Accessory Buildings not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front facade of the Main Building and maintaining a minimum Side ~~Yard~~ **Setback** of five feet (5').
10. Mechanical equipment (which must be screened), hot tubs, or similar Structures located at least three feet (3') from the Side Lot line.

15-2.16-5 Special Requirements For Single Family And Duplex Dwellings

C. **BUILDING PAD - RC DISTRICT.** The Building Pad is the Lot Area minus required Front, Rear and Side **Yard Setback** Areas.

D. **BUILDING FOOTPRINT – RC DISTRICT.**

TABLE 15-2.16

Lot Depth </=ft.*	Lot Width, ft. Up to:	Side Yards Setbacks Min. Total, ft.		Lot Area Sq. ft.	Bldg. Pad Sq. ft.	Max. Bldg. Footprint
75 ft.	25.0	3 ft.	6 ft.	1,875	1,045	844
75 ft.	37.5	3 ft.	6 ft.	2,813	1,733	1,201
75 ft.	50.0	5 ft.	10 ft.	3,750	2,200	1,519
75 ft.	62.5	5 ft.	14 ft.	4,688	2,668	1,801
75 ft.	75.0	5 ft.	18 ft.	5,625	3,135	2,050
75 ft.	87.5	10 ft.	24 ft.	6,563	3,493	2,270
75 ft.	100.0	10 ft.	24 ft.	7,500	4,180	2,460
75 ft.	Greater than 100.0	10 ft.	30 ft.	Greater than 75 ft.	Per Setbacks and Lot Area	Per formula

*For Lots > 75' in depth use Footprint formula and Table 15-2.16a for Front and Rear Setbacks.

E. **FRONT AND REAR YARDS SETBACK.** Front and Rear **Yard Setbacks** are as follows:

Table 15-2.16a

Lot Depth	Min. Front/Rear Setback
Up to 75 ft., inclusive	10 ft.
From 75 ft. to 100 ft.	12 ft.
Over 100 ft.	15 ft.

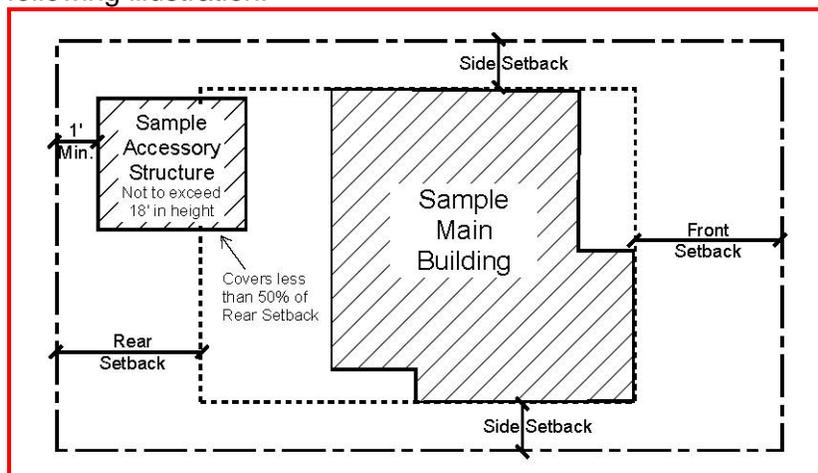
F. **FRONT YARDS SETBACK EXCEPTIONS.** The Front **Yard Setback** must be open and free of any Structure except:

1. Fences or walls not more than four feet (4') in height, or as permitted in Section 15-4-2. Fences and Walls. On Corner Lots, Fences more than three feet (3') in

- height are prohibited within twenty-five feet (25') of the intersection at back of curb.
2. Uncovered steps leading to the Main Building; provided the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause any danger or hazard to traffic by obstructing the view of the Street or intersection.
 3. Decks, porches, and Bay Windows not more than ten feet (10') wide, projecting not more than three feet (3') into the Front **Yard Setback**.
 4. Roof overhangs, eaves, and cornices projecting not more than three feet (3') into the Front **Yard Setback**.
 5. Sidewalks, patios, and pathways.
 6. A driveway leading to a garage or Parking Area. No portion of a Front Yard, except for patios, driveways, allowed Parking Areas and sidewalks may be Hard-Surfaced or graveled.

G. REAR YARDS SETBACK EXCEPTIONS. The Rear **Yard Setback** must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, projecting not more than two feet (2') into the Rear **Yard Setback**.
2. Chimneys not more than five feet (5') wide, projecting not more than two feet (2') into the Rear **Yard Setback**.
3. Window wells and light wells projecting not more than four feet (4') into the Rear **Yard Setback**.
4. Roof overhangs and eaves projecting not more than two feet (2') into the Rear **Yard Setback**.
5. Window sills, belt courses, cornices, trim, exterior siding, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
6. Detached Accessory Buildings not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front façade of the Main Building, and maintaining a minimum Rear **Yard Setback** of one foot (1'). Such Structures may not cover more than fifty percent (50%) of the Rear **Yard Setback**. See the following illustration:



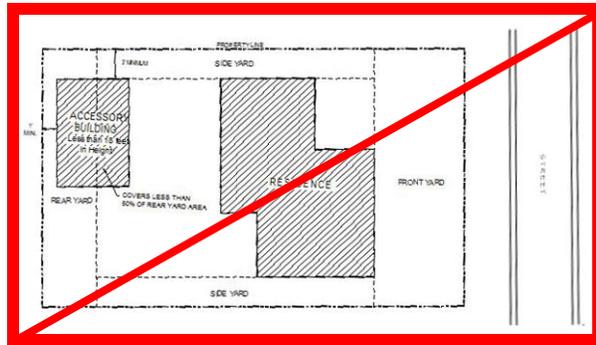
7. Hard-Surfaced Parking Areas subject to the same location requirements as a detached Accessory Building.
8. Mechanical equipment (which must be screened), hot tubs, or similar Structures located at least three feet (3') from the Rear Lot Line.
9. Fences and walls as permitted in Section 15-4-2, Fences and Walls.
10. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") above Final Grade.
11. Pathways and steps connecting to a City staircase or pathway.

H. **SIDE YARDS SETBACKS.**

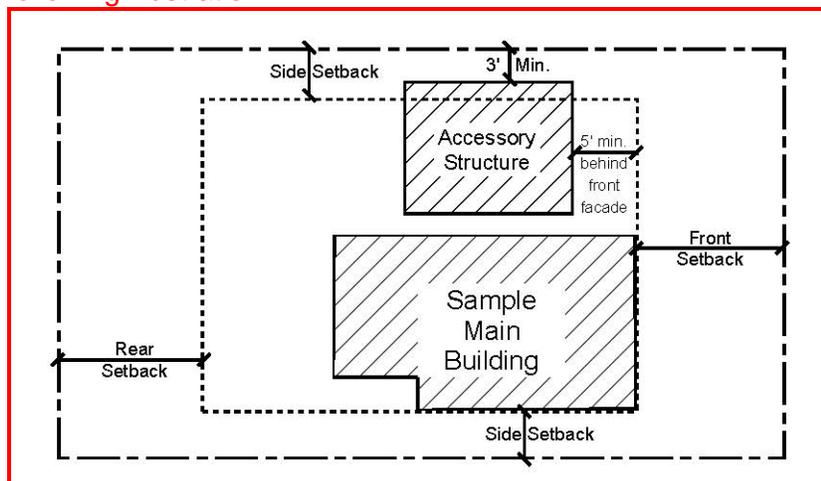
1. The minimum Side **Yard Setback** is three feet (3'), but increases for Lots greater than thirty-seven and one-half feet (37.5') in Width, as per Table 15-2.16 above.
2. Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.
3. On Corner Lots, the minimum Side **Yard Setback** that faces a side Street or platted Right-of-Way is five feet (5').
4. A Side **Yard Setback** between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 - a. Exterior Side **Yards Setbacks** shall be based on the required minimum Side **Yard Setback** for each Lot; however the Planning Commission may consider increasing exterior Side **Yards Setbacks** during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side **Yard Setback** exceptions continue to apply.
 - b. Building Footprint shall be based on the total lot Area of the underlying Lots. The Planning Commission may consider decreasing Building Footprint during Conditional Use Permit review to mitigate potential impacts on adjacent Property.

I. **SIDE YARDS SETBACK EXCEPTIONS.** The Side **Yard Setback** must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Side **Yard Setback**.¹
2. Chimneys not more than five Feet (5') wide projecting not more than two feet (2') into the Side **Yard Setback**.¹
3. Window wells and light wells Projecting not more than four feet (4') into the Side **Yard Setback**.¹
4. Roof overhangs and eaves projecting not more than two feet (2') into the Side **Yard Setback**. A one foot (1') roof or eave overhang is permitted on Lots with a Side **Yard Setback** of less than five feet (5').¹
5. Window sills, belt courses, trim, cornices, exterior siding, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.



6. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") in height from Final Grade.
7. Fences and walls as permitted in Section 15-4-2.
8. Driveways leading to a garage or approved Parking Area.
9. Pathways and steps connecting to a City staircase or pathway.
10. A detached Accessory Building, not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front facade of the Main Building, and maintaining a minimum Side Yard Setback of three feet (3'). See the following illustration:



11. Mechanical equipment (which must be screened), hot tubs, or similar Structures located a minimum of three feet (3') from the Side Lot Line.
- J. **SNOW RELEASE.** Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.
 - K. **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet (2') in height above Road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.
 - L. **BUILDING HEIGHT.** No Single Family or Duplex Dwelling Structure shall be erected to a height greater than twenty-seven feet (27'). This is the Zone Height for Single Family and Duplex Dwellings. Final Grade must be within four vertical feet (4') of Existing Grade
- LMC Setbacks and Yards Redlines Page | 45

1. Antennas, chimneys, flues, vents, and similar Structures, may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.
2. Water towers, mechanical equipment, and associated Screening, when Screened or enclosed, may extend up to five feet (5') above the height of the Building.
3. Elevator access. The Planning Director may allow additional height to allow for an elevator compliant with the American Disability Acts standards. The Applicant must verify the following:
 - a. The proposed height exception is only for the Area of the elevator. No increase in square footage is being achieved.
 - b. The proposed option is the only feasible option for the elevator on the site.
 - c. The proposed elevator and floor plans comply with the American Disability Act (ADA) standards.
4. Garage on Downhill Lot. The Planning Commission may allow additional Building Height (see entire Section 15-2.16-5 (L) on a downhill Lot to accommodate a single car wide garage in a Tandem Parking configuration; to accommodate circulation, such as stairs and/or an ADA elevator; and to accommodate a reasonably sized front entry area and front porch that provide a Compatible streetscape design. The depth of the garage may not exceed the minimum depth for internal Parking Space(s) as dimensioned within this Code, Section 15-3. The additional Building Height may not exceed thirty-five feet (35') from Existing Grade.

¹Applies only to Lots with a minimum Side ~~Yard~~ **Setback** of five feet (5') or greater.

15-2.16-8 Parking Regulations

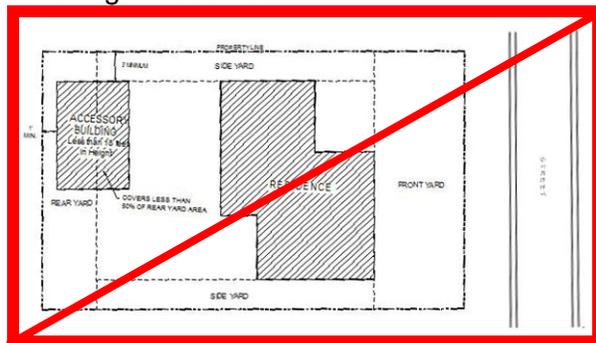
- D. A Parking Structure may occupy below Grade Side and Rear ~~Yards~~ **Setbacks** if the Structure maintains all Setbacks above Grade. Common Parking Structures requiring a Conditional Use permit are subject to a Conditional Use review, Chapter 15-1-10.

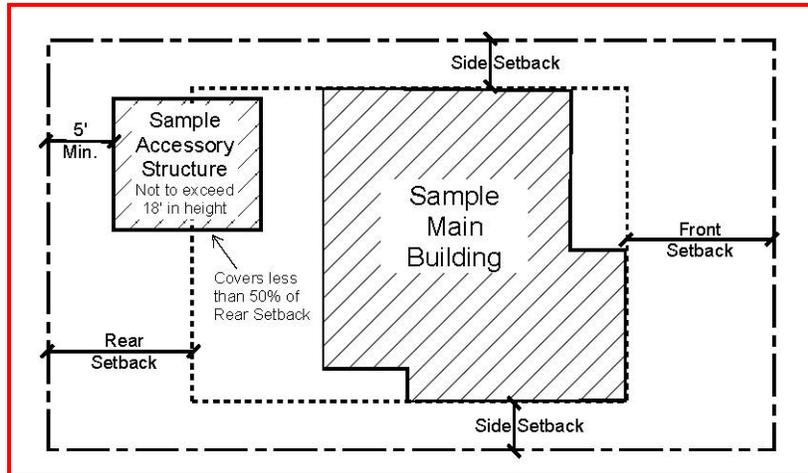
15-2.18 General Commercial (GC) District

15-2.18-3 Lot And Site Requirements

- A. **FRONT ~~YARDS~~ SETBACK**. The minimum Front ~~Yard~~ **Setback** is twenty feet (20') for all Main and Accessory Buildings and Uses. The twenty foot (20') Front ~~Yard~~ **Setback** may be reduced to ten feet (10'), provided all on-Site parking is at the rear of the Property or underground. The Frontage Protection Overlay Zone (FPZ) requires a minimum landscaped buffer of thirty-feet (30') in width abutting the Street. See Section 15-2.20. The Prospector Overlay allows reduced site requirements for designated Affected Lots. See Section 15-2.18-3(l)
- B. **FRONT ~~YARD~~ SETBACK EXCEPTIONS**. The Front ~~Yard~~ **Setback** must be open and free of any Structure except:

1. Fence, walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty-five feet (25') of the intersection at back of curb.
 2. Uncovered steps leading to the Main Building; provided, the steps are not more than four feet (4') in height from Final Grade, not including any required handrails, and do not cause any danger or hazard to traffic by obstructing the view of the Street or intersection.
 3. Roof overhangs, eaves, and cornices projecting not more than three feet (3') into the Front **Yard Setback**.
 4. Sidewalks, patios, and pathways.
 5. Decks, porches, and Bay Windows not more than ten feet (10') wide, projecting not more than three feet (3') into the Front **Yard Setback**.
 6. Driveways leading to a garage or Parking Area. No portion of a Front Yard, except for driveways, allowed Parking Areas and sidewalks may be Hard-Surfaced or graveled. See Section 15-3-3 General Parking Area and Driveway Standards.
 7. Circular driveways meeting all requirements stated in Section 15-3-4.
- C. **REAR YARD SETBACK.** The minimum Rear **Yard Setback** is ten feet (10'). The Prospector Overlay allows reduced site requirements for designated Affected Lots. See Section 15-1-2.18-3(l).
- D. **REAR YARD SETBACK EXCEPTIONS.** The Rear **Yard Setback** must be open and free of any Structure except:
1. Bay Window or chimneys not more than ten feet (10') wide, projecting not more than two feet (2') into the Rear **Yard Setback**.
 2. Window wells and light wells projecting not more than four feet (4') into the Rear **Yard Setback**.
 3. Roof overhangs and eaves projecting not more than three feet (3') into the Rear **Yard Setback**.
 4. Window sills, belt courses, cornices, trim and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
 5. Detached Accessory Buildings not more than eighteen feet (18') in height and maintaining a minimum Rear **Yard Setback** of five feet (5'). Such Structures must not cover more than fifty percent (50%) of the Rear **Yard-Setback**. See the following illustration:





6. Hard-Surfaced Parking Areas subject to the same location requirements as a detached Accessory Buildings and meeting all landscaping requirements stated in Section 15-3-3.
7. Screened mechanical equipment, hot tubs, and similar Structures located at least five feet (5') from the Rear Lot Line.
8. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. Retaining walls may have multiple steps, however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation.

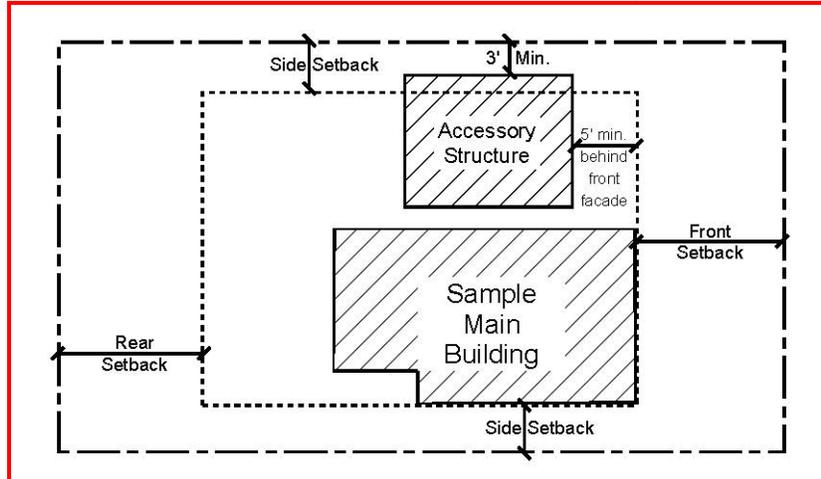
The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.

9. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") above Final Grade, provided it is located at least five feet (5') from the Rear Lot Line.
10. Enclosed porches, including a roof and open on three (3) sides, and similar Structures not more than nine feet (9') into the Rear ~~Yard~~ **Setback** provided the adjoining Property is dedicated as Natural or Landscaped Open Space and meets minimum International Building Code (IBC) and Fire Code requirements.

E. SIDE ~~YARD~~ **SETBACK.**

1. The minimum Side ~~Yard~~ **Setback** is ten feet (10').
2. A Side ~~Yard~~ **Setback** between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 - a. Exterior Side ~~Yards~~ **Setbacks** shall be based on the required minimum Side ~~Yard~~ **Setback** for each Lot; however the Planning Commission may consider increasing exterior Side ~~Yards~~ **Setbacks** during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side ~~Yard~~ **Setback** exceptions continue to apply.

3. The minimum Side **Yard Setback** for a Detached Accessory Building not greater than eighteen feet (18') in height, located at least five feet (5') behind the front facade of the Main Building must be one foot (1'), except when an opening is proposed on an exterior wall adjacent to the Property Line, at which time the minimum Side **Yard Setback** must be three feet (3'). See the following illustration:



4. On Corner Lots, the Side Yard that faces a Street is considered a Front Yard, and the Setback must not be less than twenty feet (20').
5. The Prospector Overlay allows reduced site requirements for designated Affected Lots. See Section 15-2.18-3(l).

F. **SIDE YARD SETBACK EXCEPTIONS.** The Side **Yard Setback** must be open and free of any Structure except:

1. Bay Windows and chimneys not more than ten feet (10') wide projecting not more than two feet (2') into the Side **Yard Setback**.
2. Window wells and light wells projecting not more than four feet (4') into the Side **Yard Setback**.
3. Roof overhangs and eaves projecting not more than three feet (3') into the Side **Yard Setback**.
4. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
5. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") above Grade, provided there is at least one foot (1') Setback from the Side Lot Line.
6. Awnings over a doorway or window extending not more than three feet (3') into the Side **Yard Setback**.
7. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. Retaining walls may have multiple steps, however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.
8. Driveways leading to a garage or Parking Area maintaining a three foot (3') landscaped Setback to the Side Lot Line.

9. Paths and steps connecting to a City stairway, trail, or path.
 10. Screened mechanical equipment, hot tubs, and similar Structures located a minimum of five feet (5') from the Side Lot Line.
 11. Unenclosed porches, including a roof and open on three (3) sides, and similar Structures not more than nine feet (9') into the Side ~~Yard~~ **Setback** provided the adjoining Property is dedicated as Natural or Landscaped Open Space and meets minimum International Building Code (IBC) and Fire Code requirements.
- G. **SNOW RELEASE**. Site plans and Building design must resolve snow release issues to the satisfaction of the Chief Building Official.
- H. **CLEAR VIEW OF INTERSECTION**. No visual obstruction in excess of two feet (2') in height above Road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.
- I. **PROSPECTOR OVERLAY ESTABLISHING A MAXIMUM FLOOR AREA FOR DEVELOPMENT**. The following requirements apply to specific Lots in the Prospector Square Subdivision:
1. **AFFECTED LOTS**. Lots 2A through Lot 49D, except Lots 40, 41, 42, 43, 44, 45, and 46, and parking Lots A through K as shown on the Amended Prospector Square Subdivision Plat.
 2. **MAXIMUM FLOOR AREA RATIO (FAR)**. The FAR must not exceed two (2.0) for all Affected Lots as specified above. All Uses within a Building, except enclosed Parking Areas, are subject to the Floor Area Ratio (FAR). Parking Lots A - K must have no Use other than parking and related Uses such as snow plowing, striping, repaving and landscaping.
 3. **REDUCED SITE REQUIREMENTS**. In the Prospector Square Subdivision, Front, Side and Rear ~~Yards~~ **Setbacks** may be reduced to zero feet (0') for all Affected Lots as specified above. Commercial Lots within the Frontage Protection Zone shall comply with FPZ ~~s~~**Setbacks** per LMC Section 15-2-20. This section is not intended to conflict with the exceptions listed above nor shall it be interpreted as taking precedence over the requirement of Section 15-2.18-3(H) Clear View of Intersection.

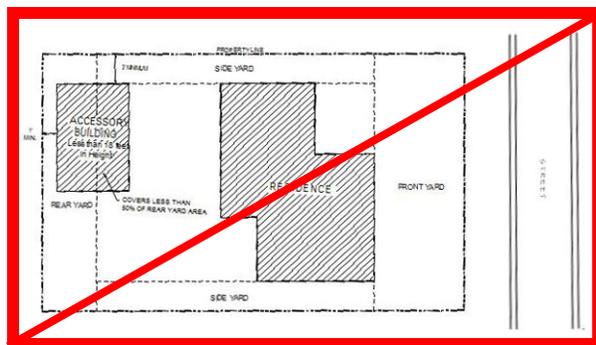
15-2.19 Light Industrial (LI) District

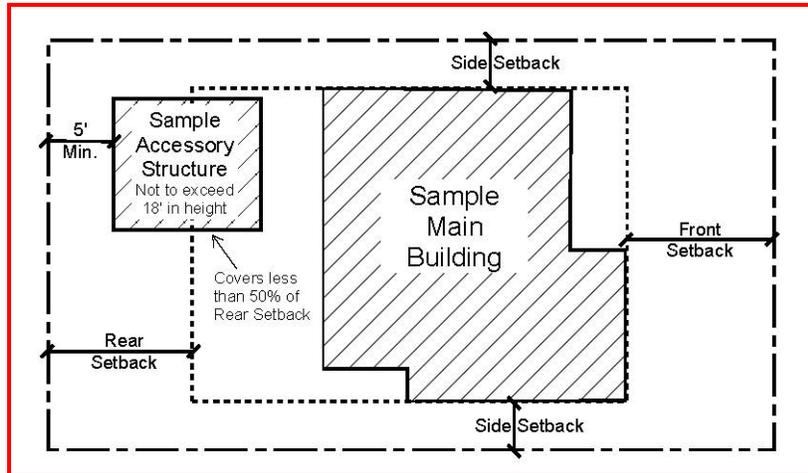
15-2.19-5 Lot And Site Requirements

- C. **FRONT ~~YARD~~ **SETBACK****. The minimum Front ~~Yard~~ **Setback** is thirty feet (30').
- D. **FRONT ~~YARD~~ **SETBACK EXCEPTIONS****. The Front ~~Yard~~ **Setback** must be open and free of any Structure except:
1. Fences, walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2. On Corner Lots, Fences more than three feet (3') in

height are prohibited within twenty-five feet (25') of the intersection at back of curb.

2. Uncovered steps leading to the Main Building; provided the steps are not more than four feet (4') in height from Final Grade, not including any required handrails, and do not cause danger or hazard to traffic by obstructing the view of the Street or intersection.
 3. Roof overhangs, eaves, and cornices projecting not more than three feet (3') into the Front ~~Yard~~ **Setback**.
 4. Sidewalks, patios, and pathways.
 5. Decks, porches, and Bay Windows not more than ten feet (10') wide, projecting not more than three feet (3') into the Front ~~Yard~~ **Setback**.
 6. Driveway leading to a garage or Parking Area. No portion of a Front Yard except for driveways and/or allowed Parking Areas and sidewalks may be Hard-Surfaced or graveled. See Section 15-3.3 General Parking Area and Driveway Standards.
 7. Circular driveways meeting all requirements stated in Section 15-3-4.
- E. **REAR ~~YARD~~ SETBACK**. The minimum Rear ~~Yard~~ **Setback** is ten feet (10').
- F. **REAR ~~YARD~~ SETBACK EXCEPTIONS**. The Rear ~~Yard~~ **Setback** must be open and free of any Structure except:
1. Bay Windows and Chimneys not more than ten feet (10') wide projecting not more than two feet (2') into the Rear ~~Yard~~ **Setback**.
 2. Light wells and window wells projecting not more than four feet (4') into the Rear ~~Yard~~ **Setback**.
 3. Roof overhangs and eaves projecting not more than three feet (3') into the Rear ~~Yard~~ **Setback**.
 4. Window sills, belt courses, cornices, trim, or other ornamental features projecting not more than six inches (6') beyond the window or Structure to which it is attached.
 5. Detached Accessory Buildings not more than eighteen feet (18') in height and maintaining a minimum Rear ~~Yard~~ **Setback** of five feet (5'). Such Structures must not cover more than fifty percent (50%) of the Rear ~~Yard~~ **Setback**. See the following illustration:





6. Hard-Surfaced Parking Areas subject to the same location requirements a detached Accessory Building meeting all landscaping requirements stated in LMC Chapter 15-3-3 and Title 14.
7. Screened mechanical equipment, hot tubs, and similar Structures located at least five feet (5') from the Rear Lot Line.
8. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. Retaining walls may have multiple steps, however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.¹
9. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") above Final Grade provided it is located at least five feet (5') from the Rear Lot Line.

G. SIDE YARD SETBACK.

1. The minimum Side **Yard Setback** is ten feet (10').
2. A Side **Yard Setback** between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 - a. Exterior Side **Yard Setback** shall be based on the required minimum Side **Yard Setback** for each Lot; however the Planning Commission may consider increasing exterior Side **Yard Setback** during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side **Yard Setback** exceptions continue to apply.
3. The minimum Side **Yard Setback** for a detached Accessory Buildings not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front facade of the Main Building, ~~and maintaining a minimum Side Yard~~ is five feet (5').

4. On Corner Lots, the Side Yard that faces a Street is considered a Front Yard and the Setback must not be less than twenty feet (20').
- H. **SIDE YARD SETBACK EXCEPTIONS**. The Side ~~Yard~~ **Setback** must be open and free of any Structure except:
1. Bay Windows and chimneys not more than ten feet (10') wide, projecting not more than two feet (2') into the Side ~~Yard~~ **Setback**.
 2. Window wells and light wells projecting not more than four feet (4') into the Side ~~Yard~~ **Setback**.
 3. Roof overhangs and eaves projecting not more than three feet (3') into the Side ~~Yard~~ **Setback**.
 4. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
 5. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") above Grade, provided there is at least one foot (1') Setback from the Side Lot Line.
 6. Awnings over doorways and windows projecting not more than three feet (3') into the Side ~~Yard~~ **Setback**.
 7. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. Retaining walls may have multiple steps, however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.¹
 8. Driveways leading to a garage or Parking Area maintaining a three foot (3') landscaped Setback to the Side Lot Line.
 9. Paths and steps connecting to a City stairway, trail, or path.
 10. Screened mechanical equipment, hot tubs, and similar Structures located a minimum of five feet (5') from the Side Lot Line.

15-2.22 Public Use Transition (PUT) District

15-2.22-3 Lot And Size Requirements

- B. **FRONT, REAR AND SIDE YARDS SETBACKS**. There are no minimum required Front, Rear, or Side ~~Yard~~ **Setback** dimensions in the PUT District; however, where new construction abuts a residential zone, the new construction shall meet the required minimum Setback of the abutting zone.

15-2.23 Community Transition (CT) District

15-2.23-3 Lot And Size Requirements

- B. **FRONT, REAR AND SIDE YARDS SETBACKS**. The minimum Front, Side, and Rear ~~Yards~~ **Setbacks** for all Structures is twenty-five feet (25'). The Planning Commission may vary required ~~yards~~ **Setbacks** in Subdivisions and Master Planned Developments. In no

case shall the Planning Commission reduce Side ~~Yards~~ **Setbacks** to allow less than ten feet (10') between Structures. Setbacks may be further restricted by Frontage Protection Overlay (FPZ) standards and/or Master Planned Development conditions of approval.

1. A Side ~~Yard~~ **Setback** between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 2. Exterior Side ~~Yard~~ **Setback** shall be based on the required minimum Side ~~Yard~~ **Setback** for each Lot; however the Planning Commission may consider increasing exterior Side ~~Yards~~ **Setbacks** during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side ~~Yard~~ **Setback** exceptions continue to apply.
- C. **FRONT, SIDE, AND REAR ~~YARDS~~ **SETBACK EXCEPTIONS****. Fences, walls, stairs, paths, trails, sidewalks, patios, driveways, Ancillary Structures, and approved Parking Areas are allowed as exceptions in the Front, Side, and Rear ~~Yards~~ **Setbacks**. Screened mechanical and utility equipment, hot tubs, and decks are allowed as exceptions in the Side and Rear ~~Yards~~ **Setbacks** provided that a minimum five feet (5') Setback is maintained.

15-3-3 General Parking Area And Driveway Standards

Off-Street parking shall meet the following standards:

A. GRADING AND DRAINAGE.

1. Parking Areas must be Graded for proper drainage with surface water diverted to a specified Area approved by the City Engineer, to keep the Parking Area free of accumulated water and ice.
2. Adequate control curbs must be installed to control drainage and direct vehicle movement.
3. Parking Area drainage must be detained on Site, treated if required under NPDES (National Pollution Discharge Elimination Standards), and channeled to a storm drain or gutter as approved by the City Engineer.
4. Driveways must not exceed a fourteen percent (14%) Slope.
5. Drives serving more than one Single-Family Dwelling shall provide a minimum twenty foot (20') transition Area at no greater than two percent (2%) Slope beginning at the back of the curb, or as otherwise approved by the City Engineer, in anticipation of future Street improvements.

B. SURFACING. Parking Areas and driveways must be Hard-Surfaced, maintained in good condition, and clear of obstructions at all times. See Required ~~Yard Setback~~ Exceptions in Chapter 2 for further drive and parking requirements in specific Zoning Districts.

C. PARKING AREA LIGHTING. Low pressure or high pressure sodium light sources are the only allowed light sources for Parking Areas with five (5) or more spaces. Lighting fixtures affixed to Buildings for the purposes of lighting Parking Areas shall be prohibited. Light levels should be designed with minimum light trespass off Site by using cut off Luminaries that are Fully Shielded with no light distributed above the horizontal plane of the Luminaire.

1. **MAXIMUM LIGHT DISTRIBUTION.** For uniformity in lighting and prevention of shadows, an average horizontal luminance level of two (2) Foot Candles with a 4:1 Uniformity Ratio over the Site is the maximum allowed.
2. **POLE HEIGHT/WATTAGE/DESIGN.** Luminaries mounting height must be, measured from the Parking Lot or driveway surface, in the range of twelve feet (12') to twenty feet (20') as determined by the Planning Department and/or the Planning Commission. The maximum height shall only be allowed after the review and approval of the Planning Department with specific findings. The determination shall be based on:
 - a. review of the Site plan,
 - b. proposed land Uses
 - c. surrounding land Uses,
 - d. Parking Area size
 - e. Building mass,
 - f. location of the Site with respect to other lighting sources,
 - g. impacts on the adjacent Properties,

- h. topography of Site, and
- i. other Site features.

Light poles higher than sixteen feet (16') are appropriate only for Parking Areas exceeding two hundred (200) stalls and not in close proximity to residential Areas.

3. PARKING AREA WATTAGE/DESIGN STANDARD.

- a. Luminaries for twelve foot (12') to sixteen foot (16') poles must not exceed fifty (50) watts per fixture or 105 watts per pole.
- b. Luminaries for eighteen foot (18') and twenty foot (20') poles must not exceed seventy-five (75) watts per fixture or 150 watts per pole.
- c. Wood fixtures and fixtures mounted on wooden poles are encouraged. They must be naturally stained or painted in earth tones. If metal fixtures or poles are used they should be black, dark brown or earth tone.
- d. The base of the pole shall be treated with paint, stain, stucco or another form of decorative cover. All attempts shall be made to place the base of light poles within landscape Areas.

4. UNDERGROUND PARKING GARAGE ENTRYWAYS. Light sources within the first thirty feet (30') of an open garage entryway must be high pressure sodium light sources with partially shielded fixtures.

5. SUBMISSION REQUIREMENTS. An Application for Development with Off-Street parking must contain the following:

- a. plans indicating the location on the premises, and the type of illumination devices, fixtures, lamps, supports, reflectors, installation and electrical details;
- b. description of illuminating devices, fixtures, lamps, supports, reflectors, and other devices, that may include, but is not limited to, manufacturer catalog cuts and drawings, including section where required;
- c. photometric data, such as that furnished by manufacturers or similar showing the angle of the cut off or light emission. A point by point light plan may be required to determine the adequacy of the lighting over the Site.

6. NON-CONFORMANCE. All operable outdoor light fixtures previously lawfully installed, that do not meet these lighting requirements, are considered to be non-conforming fixtures. The Applicant must bring such fixtures into compliance with this Code with any exterior Building Permit. On residential Structures, only new exterior fixtures on remodels or new additions must comply with these requirements.

D. PARKING AREA LANDSCAPING. Landscaping for Parking Areas is considered Landscaped Open Space.

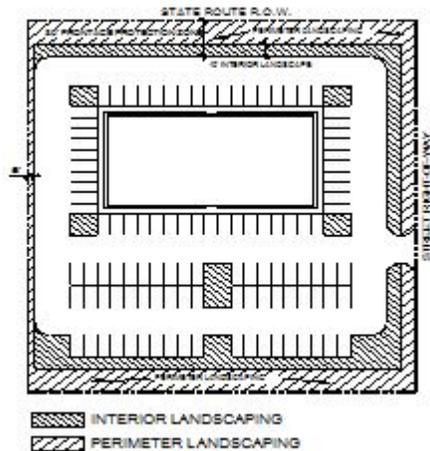
- 1. **SIZE OF PARKING AREA.** For purposes of this Section, a Parking Area is defined as five spaces or more. Underground parking or Parking Structures are excluded from the provisions of this Section except Screening.
- 2. **CALCULATION OF PARKING AREA.** The Parking Area includes all spaces, aisles, and drives, as defined by the top-back of curb or edge of pavement.

- 3. INTERIOR LANDSCAPING REQUIREMENTS IN THE GENERAL COMMERCIAL (GC), REGIONAL COMMERCIAL OVERLAY (RCO), COMMUNITY TRANSITION (CT), AND LIGHT INDUSTRIAL (LI) ZONING DISTRICTS.** Each Parking Area in the GC, RCO, CT, and LI Districts must have an Interior Landscaped Area equivalent to twenty percent (20%) of the total Parking Area, including drive aisles. Parking Areas with fewer than fifty (50) spaces must have an Interior Landscaped Area equivalent to ten percent (10%) of the Parking Area. Ten feet (10') of required Perimeter Landscaping may count towards the Interior Landscaped Area.

In the design of large Parking Areas, bays or stalls shall generally be separated approximately every twelve to fifteen (12-15) stalls, by landscaping islands to break up the mass of Hard-Surfaced paving. The Parking Area must be designed to provide adequate snow storage in winter and should utilize best management practices, such as bio swales, oil and sand separators, and other methods to prevent surface and ground water contamination. See Section 15-3-3(E).

Landscaped Areas shall generally not be less than five feet (5') wide. A reduction in the landscape Area width may be granted by the Planning Director if the Applicant provides acceptable mitigation to vegetate and buffer the unenclosed Parking Area. Building foundation landscaping does not count towards Interior Landscaping Area.

NON-CONFORMANCE. All landscaping previously lawfully installed, that does not meet these requirements is considered non-conforming landscaping. The Applicant must bring such landscaping into compliance with this Code with any change in Use that increases the Parking Ratio requirements for the Site.



- 4. INTERIOR LANDSCAPING IN OTHER ZONES.** Parking should generally be located to the rear of Buildings or Screened so it does not dominate the Streetscape. In the design of large Parking Areas, bays or stalls shall generally be separated by approximately every ten to twelve (10-12) stalls landscaping islands to break up the mass of Hard-Surface paving. The Parking Area must be designed to provide adequate snow storage in winter.

Landscaped Areas shall generally not be less than five feet (5') wide. A reduction

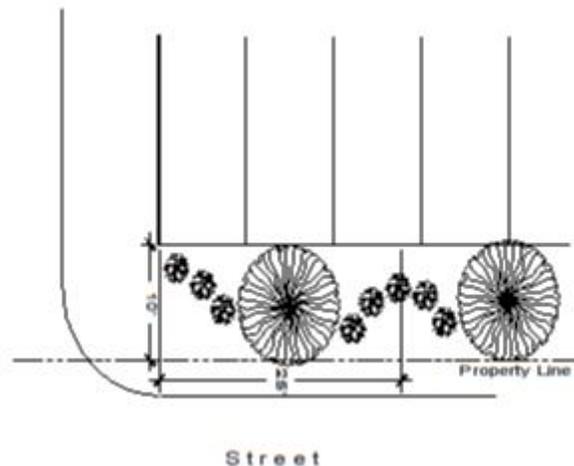
in the landscape Area width may be granted by the Planning Director if the Applicant provides acceptable mitigation to vegetate and buffer the unenclosed Parking Area.

5. **PERIMETER LANDSCAPING.** Unless a driveway exception is used, unenclosed Parking Areas shall generally include landscaping on all perimeter Property Lines. This provision shall not be required in zoning districts that allow zero Lot Line Development, or within the Historic District Zones, unless required as part of an approved Master Planned Development.

Landscaped Areas shall generally not be less than five feet (5') wide. A reduction in the Landscape Area width may be granted by the Planning Director if the Applicant provides acceptable mitigation to vegetate and buffer the unenclosed Parking Area.

The Applicant shall generally maintain a minimum of one (1) tree and five (5) shrubs per twenty-five linear feet (25') of Landscaped Area. Trees and shrubs may be clustered as part of good design.

The Frontage Protection Overlay Zone (FPZ) requires a minimum landscaped buffer of thirty feet (30') in width, abutting the Street.



6. **SNOW STORAGE.** Snow storage Areas may be included in the Interior or Perimeter Landscaped Areas if they are landscaped to accommodate snow storage.
7. **STORM WATER DETENTION/POLLUTION CONTROL.** Landscaped Areas used for storm water detention and pollution control may count towards the landscaping requirements.
8. **CLEAR VIEW OF INTERSECTION.**
 - a. Corner Lots. No landscape obstruction is allowed in excess of two feet (2') in height above Street Grade within the Sight Distance Triangle. A reasonable number of trees with lower branches pruned to six feet (6') to

permit automobile drivers and pedestrians an unobstructed view of the intersection may be allowed by Administrative Permit.

- b. Driveway Access. The same criteria as used on corner Lots apply to driveway Access except that the triangular Area is defined by the intersection of the road Right-of-Way, the line extending from the point-of-curve at the top-back-of-curb, and a line connecting them at points twenty-five feet (25') from their intersection.

E. **SNOW STORAGE.** Where parking availability will be affected by weather conditions, the Owner must provide adequate non-Hard Surfaced and landscaped snow storage Areas. Said snow storage Areas must be on-Site and equivalent to fifteen percent (15%) of the total Hard-Surfaced Area; including, Parking Spaces, aisles, driveways, curbing, gutters, and sidewalks adjacent to each surface Lot in a usable, readily accessible location. Landscaping of these Areas shall accommodate snow removal and storage on-Site.

F. **PARKING SPACE DIMENSIONS.**

- 1. Parking Spaces must be at least nine feet (9') wide by eighteen feet (18') long. The City Engineer may approve minor variations in Parking Space dimensions.
- 2. ADA Parking Space width requirements vary and shall be consistent with current International Building Code standards.
- 3. Compact spaces with dimensions of nine feet (9') wide by sixteen feet (16') long may be provided. These spaces are not Code spaces for the purpose of satisfying parking requirements.

G. **STREET ACCESS AND CIRCULATION.** Off-Street Parking Areas must have unobstructed Access to a Street or alley. The Parking Area design for five (5) or more vehicles must not necessitate backing cars onto adjoining public sidewalks, parking strips, or roadways. With the exception of permitted Tandem Parking, Parking Spaces shall be independently accessible and unobstructed.

Applicants for all Drive-up or Drive-through service windows or facilities must provide sufficient stacking space for vehicles waiting for service, to prevent vehicles from waiting in the Right-of-Way.

H. **DRIVEWAY WIDTHS AND SPACING.**

- 1. **DRIVEWAY WIDTHS AND SPACING.** The following driveway width dimensions are required. Additional driveway standards for the Historic District are outlined in Section 15-3-8 of this Chapter. Minor variations in driveway widths may be approved by the City Engineer.

PROPOSED USE	MINIMUM WIDTH	MAXIMUM WIDTH
RESIDENTIAL Single-Family Duplex Shared Driveways	10'	27'
RESIDENTIAL Multi-Unit, 5 or more Parking Spaces	18'	30'

COMMERCIAL Requiring 5 or more Parking Spaces	24'	30'
COMMERCIAL Requiring 4 or fewer Parking Spaces	18'	30'

2. **SPACING.** A minimum of seventy-five feet (75') Spacing between major commercial driveways is recommended. Shared Use of commercial drives is strongly recommended.

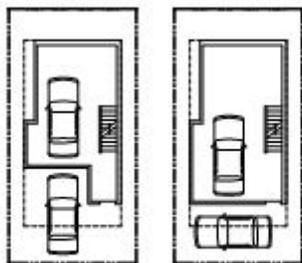
A minimum of fifteen feet (15') Spacing between Single-Family driveways is required if the Lot frontage is sufficient. In the Historic District a minimum of ten feet (10') Spacing between driveways is recommended. Shared driveways are strongly recommended.

The center line of intersections of the driveways of major traffic generators entering from opposite sides of roadway must be either perfectly aligned or offset by a minimum of one hundred and fifty feet (150').

The City Engineer may approve minor Spacing divisions. Access must be spaced as follows:

STREET CLASSIFICATION	MINIMUM SPACING BETWEEN DRIVEWAYS	MINIMUM SPACING AT INTERSECTION
LOCAL	15'	25'
COLLECTOR	50'	75'
ARTERIAL	75'	150'
HISTORIC DISTRICT	7.5'	10'

- I. **TANDEM SPACES.** Parking designs, which necessitate parking one vehicle directly behind another, not perpendicular to each other, are permitted only for Single Family Dwellings, Accessory Apartments, and Duplex Dwellings in all zoning districts. In any Zoning District where the Front **Yard Setback** is twenty feet (20') or less, both Parking Spaces must be perpendicular to the Street, unless there is an adequate landscaped buffer between the Street and Parking pad, subject to review by the Planning Director.



Yes

No

- J. **CLEAR VIEW OF INTERSECTING STREETS.** In all Zoning Districts, no obstruction is allowed in excess of two feet (2') in height above Street Grade on any corner Lot within the Site Distance Triangle. See 15-3-3(D)(8).
A reasonable number of trees with lower branches pruned to six feet (6') to permit automobile drivers and pedestrians an unobstructed view of the intersection may be allowed by Administrative Permit.

- K. **SIGNS.** Refer to the Park City Sign Code, Title 12, for specific requirements for all signs associated with parking and drives.

- L. **PERMIT.** A Building Permit is required for construction of all non-bearing concrete flatwork, asphalt, and/or any Impervious Surface, regardless of area or amount of paving. This includes any repairs, alterations, modifications, and expansion of existing flatwork.

Adopted by Ord. 00-25 on 3/30/2000

Amended by Ord. 06-22 on 4/27/2006

Amended by Ord. 09-10 on 3/5/2009

Amended by Ord. 12-37 on 12/20/2012

15-3-4 Specific Parking Area And Driveway Standards For Single Family Residences And Duplexes, Parking Areas With 5 Or More Spaces, And Parking Structures

A. SINGLE FAMILY RESIDENCES AND DUPLEXES.

1. **SINGLE GARAGES.** In Single Family Dwellings, single car garages must have a minimum interior dimension of eleven feet (11') wide by twenty feet (20') deep. Double car garages must be at least twenty feet (20') wide by twenty feet (20') deep.
2. **CIRCULAR DRIVEWAYS.** Circular driveways are permitted for Single Family and Duplex Dwellings provided one leg leads directly to and from a legally located garage or carport, subject to the following conditions:
 - a. Such drives shall be paved with a hard surface.
 - b. Such drives shall be a minimum of twelve feet (12') and a maximum of twenty-four feet (24") in width.
 - c. There shall be a Landscaped Area at least fifteen feet (15') in depth from the Front Property Line to the inside of the drive.
3. **PARKING RESTRICTIONS.**
 - a. All vehicles, boats, RVs, trailers, and similar vehicles must be parked on an approved paved surface. At no time shall a vehicle be parked on lawn or other landscaped Areas.
 - b. Driveway Areas are not to be used for the storage of any trailer, camper, motor home, boat or equipment at any time.
 - c. Passenger automobiles may be parked on driveways serving private residences, provided the automobile is parking completely on private Property. EXCEPTIONS: Parking may be allowed within a Right-of-Way Area, such as within the Historic District when the Street is not located within the platted Right-of-Way and the Right-of-Way is between the Street and garage. Exceptions must be approved by the City Engineer.

B. PARKING AREAS WITH FIVE (5) OR MORE SPACES.

1. All Parking Lots shall maintain the required Front and Side ~~Yard~~ **Setbacks** as would be required for any Structure.
2. Wherever a Parking Lot or driveway to a Parking Lot is proposed to abut a Residential Use, the Applicant must Screen the Lot or drive.
3. Adjacent driveways must be separated by an island of the following widths: Multi-Unit Dwelling a minimum width of eighteen feet (18'); Commercial a minimum width of twenty-four feet (24').

4. Driveways must be at least ten feet (10') from any intersecting Right-of-Way.
5. A geotechnical report must be submitted to the City Engineer providing recommendations on Parking Lot design and construction parameters.

The City Engineer may approve minor spacing and width deviations.

C. PARKING GARAGES AND STRUCTURES.

1. **STRUCTURED PARKING REQUIREMENTS.** Parking within a fully enclosed Parking Structure where the weather does not affect the availability of Spaces requires the following:
 - a. Twenty-four foot (24') minimum aisle width, for ninety degree (90°) layout;
 - b. Adequate circulation to ensure that each required Space is readily accessible as well as usable. Column and wall locations must be specifically addressed in terms of automobile and pedestrian circulation and maneuvering.
 - c. Light sources within the first thirty feet (30') of a Parking Structure opening must be high pressure sodium or compact fluorescent light sources with Partially Shielded fixtures.

Adopted by Ord. 00-25 on 3/30/2000

Amended by Ord. 06-22 on 4/27/2006

Amended by Ord. 09-10 on 3/5/2009

Amended by Ord. 12-37 on 12/20/2012

15-4-2 Fences And Retaining Walls

- A. **LOCATION.** Fences and retaining walls may be erected or allowed within the buildable Area, and as allowed in the Setback exceptions in Chapter 2.

Fences and retaining walls shall not exceed six feet (6') in height measured from Final Grade within any required Rear **Yard Setback** or Side **Yard Setback**. Within any required Front **Yard Setback** or Street Side **Yard Setback**, Fences and retaining walls shall not exceed four feet (4') in height, measured from Final Grade.

Where a Fence or retaining wall occurs along a Property Line separating two (2) Lots and there is a difference in the Grade of the Properties, the Fence or retaining wall may be erected or allowed to the maximum height permitted on either side of the Property Line.

1. **EXCEPTION.** The height of retaining walls in the Front **Yard Setback** may exceed four feet (4'), measured from Final Grade, subject to approval by the Planning Director and City Engineer, and may exceed six feet (6') in height subject to approval of an Administrative Conditional Use permit or as approved as part of a Master Planned Development (MPD) or Conditional Use permit. Prior to issuance of an Administrative Conditional Use permit the Property shall be posted and affected adjacent Property Owners shall be noticed ten (10) days prior to Final Action.

The height of retaining walls in the Side or Rear **Yard Setback** may exceed six feet (6'), measured from Final Grade, subject to approval of an Administrative Conditional Use permit or as approved as part of a Master Planned Development or Conditional Use permit. Prior to issuance of an Administrative Conditional Use permit the Property shall be posted and affected adjacent Property Owners shall be noticed ten (10) days prior to Final Action.

- B. **RESTRICTIONS ON MATERIALS.** Chain link Fences are prohibited in all zones with the following exceptions, which must be approved by the Planning Director.

1. For recreational facilities such as tennis courts,
2. As temporary limits of disturbance, fencing during construction as approved by the Planning Department.
3. Chain link Fences within the required **Yard Setback** Areas may be permitted in other circumstances by the Planning Director when it is found that the Fence is necessary in the interest of security or public safety, and when the Fencing needs cannot be reasonably met with any other type of Fencing .

- C. **BERMS.** Berms within the required **Yard Setback** Area may be constructed subject to the following:

1. Landscaping shall be incorporated into the design of the berm and shall extend its entire length.

2. Berms shall be designed with sufficient undulation to provide visual relief and shall meander for the entire length.
 3. Within Front ~~Yard~~ **Setback** Areas berms may not be constructed to interfere with required sight distance and may not obstruct driver's line of sight from Streets and roads.
- D. **PERMIT.** A Building Permit is required for construction of any Fence or retaining wall greater than six feet (6') in height. Within any of the Historic zoning districts construction of any Fence or retaining wall greater than four feet (4') in height requires a Building Permit.

15-4-9 Child Care And Child Care Facilities

E. **CHILD CARE CENTER.**

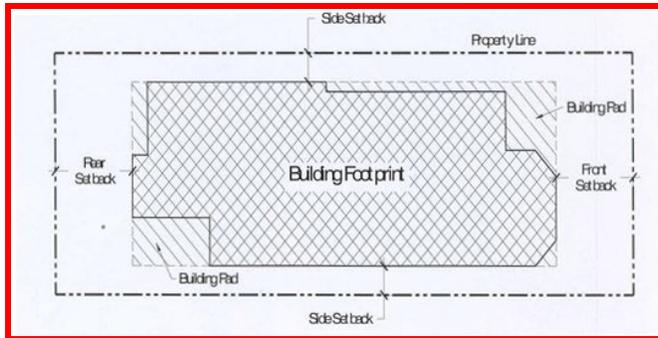
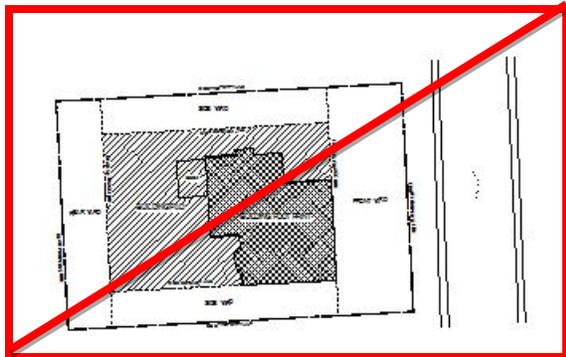
2. SITE REQUIREMENTS.

- a. **Parking.** At least one (1) Parking Space shall be provided for each on-duty staff person per shift and one (1) space for every six (6) children cared for.
- b. **Circulation.** An on-Site vehicle turnaround, or separate entrance and exit points, and passenger loading area must be provided.
- c. **Fencing.** An opaque Fence six feet (6') in height must be installed around all designated play areas. Dense shrubbery may compensate for Fencing requirements provided that the Lot is secured according to State regulations. If the Lot is adjacent to open fields or playgrounds, a less opaque Fencing material may be used with Planning Commission approval, but chain link Fencing shall not be used.
- d. **Play Areas.** No structured area for active play or play Structures may be located in a Front Yard. Play Structures and equipment shall meet Consumer Product Safety Commission guidelines.
- e. **Density.** No more than one (1) Child Care Center shall be permitted in any one (1) residential Subdivision or multi-family project. If the Center is in a residential zone, it shall be no closer than 300 feet (300') to a Family Group Child Care home within the same neighborhood. Family Child Care homes and other child care operations which are not regulated shall not be included in Density calculations.
- f. **Lot Size and Configuration.** The minimum Lot area for a Child Care center with more than sixteen (16) children shall be 12,000 square feet. The Lot shall be reasonably standard in its configuration so that all portions are easily developed for Child Care Use. The Planning Commission may, at its discretion, deny a Child Care Center on a Lot which is usually narrow or which does not allow for usable play areas, which are contiguous to the Structure.
- g. **Setbacks.** Standard Setbacks shall be observed except that Child Care Centers located in residential Districts shall provide at least eighteen foot (18') Side ~~Yard~~ **Setbacks** and twenty-five foot (25') ~~Rear yards~~ **Setbacks**.

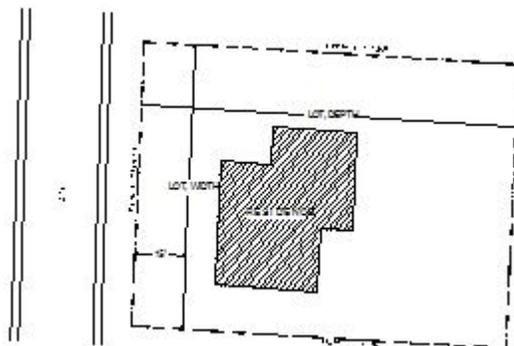
- h. Play Area within Setbacks. No more than fifty percent (50%) of the State Code required play area may be within the standard Setback Area of the Lot as defined in the underlying zone unless the Setback Area is adjacent to perpetual open space or playing fields.
- i. Signs. One (1) small sign, either free-standing or wall mounted, may be permitted for a Child Care Center. The sign must be no larger than six square feet (6 sq. ft.) ~~Setback set back~~ at least ten feet (10') from the Property Line and must conform to all other criteria of the Park City Sign Code.
- j. Exceptions. The Planning Commission may grant an exception to these Site requirements if it can be shown that the impact of the Child Care Center on traffic circulation or on adjacent Properties will not be increased if the exception is granted.

15-15-1 Definitions

BUILDING PAD. The exclusive Area, as defined by the **Yard Setbacks**, in which the entire Building Footprint may be located. See the following example; also see Limits of Disturbance.



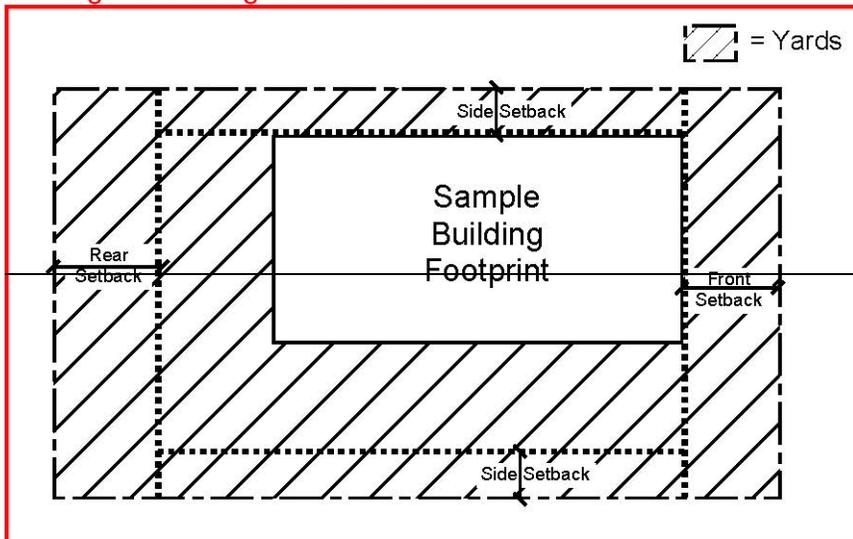
LOT WIDTH. The minimum distance between the Side Lot Lines at the Front **Yard Setback** or Front Building Façade. See the following illustration:



SETBACK. A line parallel to a Property Line (or a Right-of-Way, platted Street, existing curb or edge of a Street, whichever line may extend furthest into the lot) at a distance established by the Zoning District. Between this line and the corresponding Property Line, no Structure or portion thereof shall be permitted, erected, constructed, or placed unless specifically allowed by the Zoning District. ~~The required minimum distance between a Building Pad and the closest of the following:~~

1. ~~Property Line;~~
2. ~~platted Street; or~~

3. ~~existing curb or edge of a Street.~~



YARD. The portion of a Lot between any Property Line and the nearest point of the Main Building.

1. **Yard, Front.** A yard extending across the full width of the Lot between the Front Lot Line and the nearest line or point of the Building. ~~The Area between the front of the closest Building and the Front Lot Line or closer Right-of-Way, extending the full width of the Lot. The “depth” of the Front Yard is the minimum distance between the Front Lot Line and the front line of the closest Structure.~~
2. **Yard, Rear.** A yard extending across the full width of the Lot between the Rear Lot Line and the nearest line or point of the Building. ~~The Area between the rear line of the closest Building and the Rear Lot Line, or closer Right-of-Way, and extending the full width of the Lot. The “depth” of the Rear Yard is the minimum distance between the Rear Lot Line and the rear line of the closest Structure.~~
3. **Yard, Side.** A yard extending from the Front Yard to the Rear Yard between the Side Lot Line and the nearest line or point of the Building. ~~The Area between the side line of the Building and the Side Lot Line and extending from the Front Yard to the Rear Yard. The “width” of the Side Yard shall be the minimum distance between the Side Lot Line and the side line of the closest Structure. See the following illustration:~~

Exhibit A – Attachment 1

