

## **Chapter 19.04. Establishment of Land Use Zones and Official Map.**

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(Ord. 18-11; Ord. 17-08)

### **19.04.01. Purpose.**

This Chapter establishes the basic regulations for the development of land in the City of Saratoga Springs. All structures in any zone shall be subject to the restrictions and limitations as stated in the City of Saratoga Springs City Code.

### **19.04.02. Land Use Zones and Classification Established.**

For the purposes of this Title, all land within the boundaries of the City of Saratoga Springs shall have a land use designation in accordance with the City of Saratoga Springs Land Use Element of the General Plan. The following is a non-exhaustive list of the current land use designations:

1. Business Park
2. Developed Open Space
3. High Density Residential
4. Industrial
5. Institutional/Civic
6. Low Density Residential
7. Medium Density Residential
8. Mixed Use
9. Mixed Waterfront
10. Natural Open Space
11. Neighborhood Commercial
12. Office Warehouse
13. Planned Community
14. Regional Commercial
15. Residential Agriculture
16. Rural Residential
17. Urban Center

All of the land within the corporate limits of the City of Saratoga Springs, Utah is hereby divided into Land Use Zones. The boundaries of the Land Use Zones are shown on the Official Zoning Map of the City of Saratoga Springs. The classification of Land Use Zones is as follows:

1. Agricultural (A)
2. Rural Residential (RR)
3. Residential Agricultural (RA-5)
4. Low Density Residential (R1-40)
5. Low Density Residential (R1-20)
6. Low Density Residential (R1-10)
7. Low Density Residential (R1-9)
8. Medium Density Residential (R2-8)
9. Medium Density Residential (R3-6)
10. Medium Density Residential (MF-10)
11. High Density Residential (MF-14)
12. High Density Residential (MF-18)
13. Mixed Residential Zone (MR)
14. Neighborhood Commercial (NC)
15. Mixed Use (MU)
16. Community Commercial (CC)
17. Regional Commercial (RC)
18. Office Warehouse (OW)
19. Industrial (I)
20. Mixed Waterfront (MW)
21. Business Park (BP)
22. Institutional/Civic (IC)
23. Public School Bus Lot (PSBL)

(Ord. 18-11; Ord. 17-08)

#### **19.04.03. Application of Land Use Zone Regulations.**

1. No structure or part thereof shall be used, erected, altered, added to, or enlarged, and no land or premises shall be used, designated, or intended to be used for any purpose or in any manner, in contravention of any of the provisions hereinafter.
2. In each land use zone, no uses shall be allowed unless listed as a permitted or conditional use in this Title. If a use is not listed as a permitted or conditional use in the applicable zone, it is not permitted and is strictly prohibited.
3. No structure or part thereof shall be erected, reconstructed, or structurally altered to exceed in height the limit hereinafter designated for the land use zone in which such structure is located, unless a structure height exception is expressly allowed.
4. No structure shall be erected, altered, enlarged, rebuilt, or moved into any land use zone, and no open space shall be encroached upon or reduced in any manner, except in conformity to the yard, building site area, building location regulations, and the land use zone in which such structure or open space is located.
5. All structures and uses shall conform with all of the requirements of this Title.

(Ord. 17-08)

**19.04.04. Official Zoning Map.**

1. The boundaries of the land use zones established in § 19.04.02 are hereby established as shown on the Official Zoning Map, which together with all explanatory matter thereon is hereby adopted by reference and declared to be part of this Title.
2. The Official Zoning Map shall be identified by the signature of the City Mayor and shall bear the date of adoption. All subsequent changes to the map shall include the new effective date and shall be initialed by the City Mayor.
3. If, in accordance with the provisions of this Title and the Utah Code, changes are made in zone boundaries or other matters portrayed on the Official Zoning Map, an entry shall be made as soon as practical after the amendment has been approved by the City Council on the official zoning map. Any amendment to this Title which involves matters portrayed on the official zoning map shall be in full force and in effect on the date of the adopted ordinance.
4. No changes of any nature shall be made on the Official Zoning Map or shown thereon except in conformity with the procedures set forth in Chapter 19.17 of this Title.

The Official Zoning Map, which shall be located in the City offices, shall be the final authority as to the current status of Land Use Zones.

(Ord. 17-08)

**19.04.05. Land Use Zone Boundary Interpretation.**

Where uncertainty exists as to the boundaries of a land use zone as shown on the Official Zoning Map, the following rules shall apply:

1. boundaries indicated as approximately following the centerlines of roads or streets, highways, or alleys shall be construed to follow such centerlines;
2. boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
3. boundaries indicated as approximately following City limits shall be construed as following such City limits;
4. boundaries indicated as approximately following centerlines of streams or canals shall be construed to follow such centerlines;
5. boundaries indicated as parallel to or extensions of features indicated above shall be so construed;
6. distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map; and

7. where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered in the aforementioned rules, the City Planning Director or designee shall interpret the zone boundaries.

(Ord. 17-08)

#### **19.04.06. Purpose and Intent of Agricultural and Residential Zones.**

1. **Agricultural (A).** The purpose of the Agricultural Land Use Zone is to allow for the continuation of agricultural practices and rural residential neighborhoods where farming is allowed together with the keeping of large animals. To achieve these goals, the minimum lot size is five acres.
2. **Residential Agricultural (RA-5).** The purpose of the Residential Agricultural (RA-5) Land Use Zone is to allow for the continuation of agricultural practices and the raising of livestock. It covers the portion of the City which historically has been irrigated and utilized for these purposes in Utah County along Lehi-Fairfield Road prior to annexation.
  - a. Although this zone has been established to protect agricultural rights and the raising of livestock, certain non-farm uses, as established herein, and residences on lots five acres or larger to minimize conflict with surrounding properties are allowed in the zone.
3. **Rural Residential (RR).** The purpose of the Rural Residential Land Use Zone is to allow for the establishment of large lot residential developments that preserve natural view corridors, open spaces, environmentally-sensitive lands and that more fully preserves the rural character of Saratoga Springs. To achieve these goals, the minimum lot size is one acre.
4. **R1-40 (Residential Single Family 40,000).** The purpose of the R1-40 Land Use Zone is to allow for single family homes with a minimum lot size of 40,000 square feet per unit., This zone allows for the establishment of large lot residential developments that preserve natural view corridors, open spaces, environmentally-sensitive lands, and the rural character of Saratoga Springs. To achieve these goals, the minimum lot size is 40,000 square feet.
5. **R1-20 (Residential Single Family 20,000).** The purpose of the R1-20 Land Use Zone is to allow single family homes with a minimum lot size of 20,000 square feet per unit. This zone allows for the establishment of single family neighborhoods on large lots that are characteristics of traditional suburban residential neighborhoods. To achieve these goals, the minimum lot size is 20,000 square feet.
6. **R1-10 (Residential Single Family 10,000).** The purpose of the R1-10 Land Use Zone is to allow single family homes with a minimum lot size of 10,000 square feet. This zone allows for the establishment of single family neighborhoods on medium-sized lots that are characteristic of traditional suburban residential neighborhoods.
7. **R1-9 (Residential Single Family, 9,000).** The purpose of the R1-9 Land Use Zone is to allow single family homes with a minimum lot size of 9,000 square feet. This zone

allows for the establishment of single family neighborhoods on medium-sized lots that are characteristic of traditional suburban residential neighborhoods.

8. **R2-8 (Residential Two-Family 8,000).** The purpose of the R2-8 Land Use Zone is to allow for Medium Density developments with Residential Two-Family buildings. This zone allows for single family lots, two-family buildings, and footprint development. This zone allows up to 5 units per acre.
9. **R3-6 (Residential Three-Family 6,000).** The purpose of the R3-6 Land Use Zone is to allow for Medium Density developments with Residential Three-Family buildings. This zone allows for single family lots, two-family buildings, three-family buildings, and footprint development. This zone allows up to 6 units per acre.
10. **MF-10 (Multi-Family, 10 Units Per Acre).** The purpose of the MF-10 Land Use Zone is to allow for the establishment of Medium Density multi-family residential neighborhoods and to allow for footprint development. This zone allows up to 10 units per acre.
11. **MF-14 (Multi-Family, 14 Units Per Acre).** The purpose of the MF-14 Land Use Zone is to allow for the establishment of High Density multi-family residential neighborhoods and to allow for footprint development. This zone allows up to 14 units per acre.
12. **MF-18 (Multi-Family, 18 Units Per Acre).** The purpose of the MF-18 Land Use Zone is to allow for the establishment of High Density multi-family residential neighborhoods and to allow for footprint development. This zone allows up to 18 units per acre.
13. **MR (Mixed Residential, 8-12 Units Per Acre).** The purpose of the Mixed Residential (MR) Zone is to allow for the establishment of residential neighborhoods displaying a mix of housing types and open space types that allows for lifestyle choices and opportunities for as wide a range of demographics and socio-economics as possible. Developments in the MR Zone shall be designed to integrate a blended community of households made possible through the allowable housing mix which generates more complete and authentic neighborhoods.

(Ord. 18-11; Ord. 17-08)

**19.04.07. Land Use Regulations, Agricultural and Residential Zones.**

**1. Table Summary of Land Use Regulation, Agricultural and Residential Zones.**

9.04.07. Land Use Regulation, Agricultural and Residential Zones.													
1. Table Summary of Land Use Regulations, Agricultural and Residential Zones.													
	A	RA-5	RR	R1-40	R1-20	R1-10	R1-9	R2-8	R3-6	MF-10	MF-14	MF-18	MR
Maximum Units per Acre	1 unit/5 acre	1 unit/5 acres	1 unit/acre	1 unit/acre	2 units/acre	3 units/acre	4 units/acre	5 units/acre <sup>2</sup>	6 units/acre <sup>2</sup>	10 units/acre <sup>2</sup>	14 units/acre <sup>2</sup>	18 units/acre <sup>2</sup>	8 units/acre <sup>5</sup>
Minimum Lot Sizes, Residential <sup>6</sup>	5 acres	5 acres	1 acre	1 acre	14,000 sq.ft.	10,000 sq.ft.	9,000 sq.ft.	8,000 sq.ft.	6,000 sq.ft.	5,000 sq.ft.	5,000 sq.ft.	5,000 sq.ft.	3,200 sq.ft.

<b>Minimum Lot Size, Non-residential</b>	5 acres	5 acres	1 acre	1 acre	30,000 sq.ft.	30,000 sq.ft.	30,000 sq.ft.	30,000 sq.ft.	30,000 sq.ft.	30,000 sq.ft.	30,000 sq.ft.	30,000 sq.ft.	10,000 sq.ft.
<b>Footprint Development :</b>	N/A	N/A	N/A	N/A	N/A	N/A	allowe d	allowe d	allowe d	allowed	allowed	allowed	allowed
Minimum Building Separation							10'	10'	10'	10'	10'	10'	10'
Minimum Project Size							5 acres	5 acres	5 acres	5 acres	5 acres	5 acres	50 Acres
<b>Maximum Lot Coverage</b>	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	Per NP <sup>4</sup>
<b>Primary Structure Maximum Height</b>	35'	35'	35'	35'	35'	35'	35'	35'	35'	35'	40'	40'	35' for SF 40 'for TH 45' for stacked #
<b>Accessory Structure Height: see 19.05.11</b>													
<b>Minimum Dwelling Size</b>	1,600 sq.ft.	1,600 sq.ft.	1,600 sq.ft.	1,600 sq.ft.	1,500 sq.ft.	1,250 sq.ft.	1,250 sq.ft.	1,250 sq.ft.	1,000 sq.ft.	1,000 sq.ft.	800 sq.ft.	800 sq.ft.	800 sq.ft.
<b>Minimum Lot Width</b>	250'	250'	100'	100'	90'	70'	70'	60'	50'	50'	50'	50'	50'
<b>Minimum Lot Frontage<sup>3</sup></b>				75'	35'	35'	35'	35'	35'	35'	35'	35'	Per NP
<b>Minimum Open Space Frontage</b>	35'	35'	35'	35'	35'	35'	35'	35'	35'	35'	35'	35'	Per NP
	<b>A</b>	<b>RA-5</b>	<b>RR</b>	<b>R1-40</b>	<b>R1-20</b>	<b>R1-10</b>	<b>R1-9</b>	<b>R2-8</b>	<b>R3-6</b>	<b>MF-10</b>	<b>MF-14</b>	<b>MF-18</b>	<b>MR</b>
<b>Minimum Setbacks for Primary Structures:</b>													<b>See ##</b>
Front <sup>1</sup>	50'	50'	35'	35'	25', An enclosed entry or porch may encroach up to 5' into the required setback				25' to garage, 20' to front plane of the building				20'
Street side	50'	50'	35'	35'	20'	20'	20'	20'	20'	20'	20'	20'	20'
Interior Side	12'	12'	12'	12'	8'/20' (min/c ombined)	8'/20' (min/c ombined)	8'/16' (min/c ombined)	6'/12' (min/c ombined)	10' between buildings, 5' between exterior walls and property lines.				
Non-residential Interior Side	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'
Rear <sup>1</sup>	25'	25'	25'	25'	25'	25'	20'	20'	20' between buildings, 20' between exterior walls and property lines.				
Non-residential Rear	25'	25'	25'	25'	25'	25'	20'	20'	30'	30'	30'	30'	20'
<b>Minimum Setbacks for Accessory Structures:</b>													

Front						Same as principal structure								
Street side						Same as principal structure								
Interior Side	25'	12'	12'	12'	5'	5'	5'	5'	5'	5'	5'	5'	5'	
Rear	25'	12'	12'	12'	5'	5'	5'	5'	5'	5'	5'	5'	5'	
Distance from a Residence	Structures housing animals shall be 60' from neighboring residences, 5' for all other structures					5' from dwelling								
	A	RA-5	RR	R1-40	R1-20	R1-10	R1-9	R2-8	R3-6	MF-10	MF-14	MF-18	MR	

<sup>1</sup>An unenclosed entry, porch, or deck may encroach up to five feet into either the required front setback or rear setback.

<sup>2</sup>No density shall be calculated on sensitive lands

<sup>3</sup>Frontage exceptions: flag lots and lots on shared driveways subject to the standards in 19.12

<sup>4</sup>NP refers to the Neighborhood Plan as required in the Mixed Residential Zone per 19.04.13

<sup>5</sup>Up to 12 units per acre may be considered in the MR Zone per 19.04.13.4

<sup>6</sup>Corner lots in the R1-10, R1-9, R2-8, R3-6, MR-10, MF-14, and MF-18 zones shall be ten percent larger than the minimum required of the zone.

#SF means single family, TH means townhomes and stacked means stacked multifamily units

##Setback reductions may be considered at the time of Neighborhood Plan Approval per 19.04.13

- 2. Lot Size Reductions:** Lot size reductions may be granted by the City Council for residential development in the R1-20, R1-10, R1-9, R2-8, and MR zones, based on the criteria below.
- a. The City Council may approve a reduction in the lot size if such reduction serves a public or neighborhood purpose such as:
    - i. a significant increase in the amount or number of parks and recreation facilities proposed by the developer of property in this zone;
    - ii. the creation of additional and significant amenities, exceeding the required number of points in Chapter 19.19 by at least 25%, that may be enjoyed by all residents of the neighborhood.
  - b. In making a determination, the City Council shall have sole discretion to make judgments, interpretations, and expressions of opinion with respect to the implementation of the above criteria. In no case shall reductions in lot sizes be considered a development right or a guarantee of approval.
  - c. In no case shall the City Council approve a residential lot size reduction greater than ten percent of the minimum lot size required by the underlying zone notwithstanding the amenities that are proposed.
  - d. In no case shall the City Council grant a residential lot size reduction for more than 25% of the total lots in the development.
  - e. Corner lots shall be measured against the minimum required size in the zone, not any approved lot size reduction.







	A	RA-5	RR	R1-40	R1-20	R1-10	R1-9	R2-8	R3-6	MF-10	MF-14	MF-18	MR**
Riding Arena (Commercial)	C	C	C										
Riding Arena (Private)	P	P	P										
School, Charter	P	P	P	P	P	P	P	P	P	P	P	P	P
School, Private and Quasi-Public	C	C	C	C									P
School, Public	P	P	P	P	P	P	P	P	P	P	P	P	P
Stables	P	P	C										
Temporary Sales Trailer	P	P	P	P	P	P	P	P	P	P	P	P	P
	A	RA-5	RR	R1-40	R1-20	R1-10	R1-9	R2-8	R3-6	MF-10	MF-14	MF-18	MR

**P = Permitted C = Conditional**

\* A neighborhood meeting is required for all public parks, public playgrounds, public recreation areas, or other public park improvements prior to new construction. City staff will notify residents within the subdivision or neighborhood area prior to any meeting. Any proposal for a regional park within the City will also be required to go Through a Site Plan review according to the requirements within the Land Development Code.

\*\* In addition to those support commercial uses listed in this table, the MR or MU zone allows as Permitted and Conditional Uses those listed in the Neighborhood Commercial Zone (NC) in 19.04.11.

\*\*\* Permitted if approved as part of a Community Plan in the Planned Community Zone.

(Ord. 19-11, Ord. 18-30, Ord. 18-11, Ord. 17-14, Ord. 17-08, Ord. 16-01, Ord. 15-29, Ord. 14-23, Ord. 14-13, Ord. 15-17))

#### **19.04.09. Purpose and Intent of Non-Residential and Mixed Use Zones.**

1. **Neighborhood Commercial (NC).** The Neighborhood Commercial Land Use Zone is intended to create, preserve, and enhance areas of retail establishments serving frequently recurring needs for goods and services in convenient locations to neighborhoods. This commercial zone is typically appropriate to small shopping clusters or integrated shopping centers in developments of one to three acres, but not greater than five, within, or convenient to, residential neighborhoods. Facilities should be oriented to serve residents' commercial service needs, to strengthen neighborhood interaction and neighborhood character, to minimize the need for automobile trips and to make commercial services more readily available to residents of adjacent neighborhoods.
  - a. Improvements such as trails, seating and lighting that would help create gathering spaces and promote pedestrian activity are expected, where appropriate, and may be considered an essential part of developments in the Neighborhood Commercial zone. Developments in the Neighborhood Commercial Zone shall also be characterized by increased landscaping and architectural compatibility with the surrounding neighborhood.
2. **Community Commercial (CC).** The purpose of the Community Commercial zone is to allow for medium size commercial developments, near residential neighborhoods, with establishments that will serve the nearby community. Improvements such as trails,

seating, and lighting that would help create gathering spaces and promote pedestrian activity are expected in the Community Commercial zone.

- 3. Regional Commercial (RC).** The purpose of the Regional Commercial Land Use Zone is to allow, in appropriate areas, commercial businesses and shopping centers of a scale that will serve neighborhood, community-wide, and regional shopping needs. These regulations should preserve the existing quality and livability of the City while still assuring maximum efficiency of traffic circulation and convenience.
- 4. Mixed Use (MU).**

  - a. The purpose of the Mixed Use Land Use Zone is to allow for the establishment of medium density residential neighborhoods mixed with commercial properties. Developments in the Mixed Use zone shall be designed so as to integrate the residential and commercial components into one harmonious development and to be compatible with the existing or anticipated uses on the surrounding properties.
  - b. The goal of the MU zone is to accomplish a mix of residential, commercial, and professional office use in the Mixed Use Zone. The City will review proposals on an individual basis in determining an acceptable ratio for the residential and commercial components.
  - c. This land use zone recognizes that in order for the City to be a well-rounded community, many different housing styles, types and sizes should be permitted. Residential densities in this zone shall not exceed fourteen units per acre for the portion of the project devoted to the residential use.
- 5. Office Warehouse (OW).** The purpose of the Office Warehouse Land Use Zone is to allow for large lot warehouse and select office development in appropriate locations. Development under these regulations should provide for certain types of offices, commercial, and warehouse and shipping operations in an industrial setting characterized by large buffer strips, open space and landscaping requirements, and quality site development standards.
- 6. Industrial (I).** The purpose of the Industrial Land Use Zone is to allow for large lot industrial and manufacturing development in appropriate locations. Development under these regulations should provide for certain types of offices, commercial and industrial operations in a business park setting characterized by large buffer strips, open space and landscaping requirements, and quality site development standards.
- 7. Business Park (BP).** The purpose of the Business Park (BP) Land Use Zone is to allow for certain land uses that require large tracts of land in appropriate locations. Development under these regulations should provide for office space, light manufacturing (subject to location restrictions as determined during Site Plan review), and commercial operations in a business park campus-type setting characterized by large buffer strips, open spaces, landscaping, and quality site development standards. Ancillary uses and edge uses may not exceed 20% of the building area within a Master Development Plan contained in a Master Development Agreement. Certain land uses have been identified as either ancillary uses or edge uses only.
- 8. Institutional/Civic (IC).** The purpose of the Institutional/Civic (IC) Land Use Zone is to allow for public or quasi-public land uses. Development under these regulations should

provide for university or college campuses as well as traditional schools, libraries, hospitals, public buildings or facilities, and other land uses that provide essential services to the general public.

- 9. Public School Bus Lot (PSBL).** The purpose of the Public School Bus Lot (PSBL) Land Use Zone is to allow for a specific land area used for the storage or layover of public school buses or motor coaches. Development under these regulations may only provide for a bus lot, administrative office space, maintenance facilities, fueling stations, or other accessory uses associated with a public school district in a specific setting. Such development is characterized by large buffer strips, open spaces, landscaping, and quality site development standards.

(Ord. 17-08, Ord. 15-17)

**19.04.10. Land Use Regulations, Non-Residential and Mixed Use Zones.**

**1. Table Summary of Land Use Regulations, Non-Residential Zones.**

	NC	CC	RC	OW	I	BP	I/C	PSBL
<b>Minimum Development Size</b>				40,000 sq. ft.	10 acres	1 acre for single building development; 5 acres for a business park		
<b>Minimum Lot Size</b>	15,000 sq. ft.	20,000 sq. ft.	30,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	30,000 sq. ft.	20,000 sq. ft.	10 acres
<b>Minimum Setback Requirements:</b>								
Front/Corner Side	25'	25'	10'	20'	30'	10'	25'	50'
Interior Sides	25'	25'	10'	25'	30'	30' where adjacent to a residential, MU or MW zone. 20' next to all other zones	25'	50'
Rear	25'	25'	30'	30' where adjacent to a residential, MU or MW zone. 20' next to all other zones	50' where adjacent to a residential, MU or MW zone. 20' next to all other zones	50'	25'	50'
Exceptions Allowed	X	X	no	no	no	no	no	no

	NC	CC	RC	OW	I	BP	I/C	PSBL
Minimum Building Separation				20'	20'	20' between single story, 30' between two or more stories	20'	
Minimum Lot Width	100'	100'		70'		80'	80'	
Minimum Lot Frontage	100'	100'				80'	80'	
Maximum Height of Structures	35'	40'	50'	35'	50'	50'	50'	35'
Maximum Lot Coverage	50%	50%	50%	50%	50%	50%	50%	80% for parking lot and buildings
Minimum Building Size			1,000 sq. ft.					
Maximum Building Size	15,000 sq. ft.							

## 2. Table Summary of Land Use Regulations, Mixed Use Zone.

	MU
Maximum Units per Acre	14 units/acre for residential portion of project**
Minimum Project Size	5 acres
Minimum Lot Size:	
Non-residential	15,000 sq. ft.
Single Family Lots	5,000 sq. ft.
Two-Family and Three-Family Dwellings	6,000 sq. ft.
Multi-Family Dwellings	see footprint development requirements
Footprint Development	Allowed
Residential Above Commercial	15,000 sq. ft.
Minimum Setback Requirements:	
Mixed use buildings:	first floor: 10' around the perimeter second floor: 20' around the perimeter third floor: 30' around the perimeter fourth floor: 40' around the perimeter
Residential and Commercial Buildings:	
Front*	20'
Interior Sides for residential single family and footprint development	10' between buildings, 5' between exterior walls and property lines.

Interior sides for residential two-family, three-family, multi-family	10' between buildings
Interior Sides for non-residential	10'
Rear*	20'
Corner Side	15'
Accessory Building Setbacks	front and corner side: same as primary structure, Rear and interior side: 5'
<b>Minimum Lot Width</b>	50'
<b>Minimum Lot Frontage:</b>	
Residential	35'
Non-residential	60'
Mixed use buildings	100'
<b>Maximum Height of Structures</b>	Four Stories, 45'
<b>Maximum Lot Coverage</b>	50%
<b>Minimum Dwelling Size</b>	1,000 sq. ft. above grade

\*An unenclosed entry, porch, or deck may encroach up to five feet into either the required front setback or rear setback.

\*\* No density shall be calculated on sensitive lands

### 3. Setback Exceptions:

- a. the City Council may reduce no more than one setback requirement by up to ten feet if:
  - i. The setback is along a collector or arterial frontage, and
  - ii. The setback does not abut residentially developed or zoned properties.

### 4. Footprint Development:

- a. The minimum lot size shall not apply.
- b. The minimum lot width shall not apply.
- c. Setbacks shall be measured from the building to the edge of the adjacent Right-of-Way or sidewalk, whichever is nearer.
- d. A minimum of 35% of the total project area shall be designated as common area for the residential portion of the development. This does not apply to mixed use structures with residential above commercial.

### 5. Residential Above Commercial:

- a. Residential is allowed above commercial in the RC and MU zone. The following additional standards shall apply:
  - i. The minimum unit size for residential above commercial in the RC zone is 600 square feet.
  - ii. The maximum residential density for residential above commercial in the RC zone is 14 units per acre.
  - iii. Section 19.19 shall apply to developments in the MU zone for the portion of property that has residential development.

### 6. Open Space and Landscaping Requirements:

- a. Non-residential Development. For non-residential uses open space is not required; however a minimum of 20% of the total project area shall be used for landscaping.
- b. Required landscaping shall comply with Section 19.06.

- c. All sensitive lands shall be protected as part of the open space and/or landscaped area of any development.
- d. Improvements consistent with the Parks and Trails Master Plan, General Plan, Bicycle and Pedestrian Master Plan, or other applicable plan shall be installed.
- e. Residential above Commercial in the MU or RC Zones. At least 25% of the project area shall be landscaped and amenities provided per Section 19.19. Amenities may be provided inside the building to meet the requirements.
- f. Residential in the MU Zone. All new residential development is subject to the requirements of Section 19.19.
- g. Footprint Development in the MU Zone. For the commercial portion of the development a minimum of 20% of the project area shall be landscaped. For the residential portion of the development, the requirements of Section 19.19 apply and the footprint development standards apply.

(Ord. 17-14, Ord. 17-08)

**19.04.11. Permitted and Conditional Uses, Non-Residential and Mixed Use Zones.**

The following table lists the Permitted and Conditional uses for the Nonresidential Zones in the City of Saratoga Springs. Empty boxes mean that the use is prohibited in that zone. Uses not listed are also prohibited.

**P= Permitted C= Conditional**

	NC	CC	RC*	MU	OW	I	MW	BP	IC	PSBL
Alcoholic Beverage, State Liquor Store			P							
Animal Hospital, Large/Large Veterinary Office			C		C					
Animal Hospital, Small/Small Veterinary Office	C	P	P	C	P					
Arts & Crafts Sales	C	P	P	P			P			
Automobile Rental & Leasing Agency, 10 or fewer total vehicles		C	C		C	P		C <sup>A</sup>		
Automobile Rental & Leasing Agency, more than 10 total vehicles			C		C	P		C <sup>A</sup>		
Automobile Repair, Major					C	C				
Automobile Repair, Minor			C		C	C		C <sup>E</sup>		

	NC	CC	RC*	MU	OW	I	MW	BP	IC	PSBL
Automobile Sales			C			C				
Automobile, Boat, All-Terrain Vehicle (ATV), Motorcycle, Recreation Vehicle, Sales & Service			C		C	P				
Bakery, Commercial					C	C				
Bakery, Retail	P	P	P	P			P	C		
Bed and Breakfast				C			C			
Bookstore	P	P	P	P			P	P <sup>A</sup> C <sup>E</sup>		
Building Material Sales (with outdoor storage)			C		C	P				
Building Material Sales (without outdoor storage)			C		C	C				
Bus Lot										P
Car Wash (full service)		C	C					C <sup>A</sup>		
Car Wash (self service)		C	C		C	C				
Child Care Center	C	C	C	C			C <sup>A</sup>	C <sup>A</sup>		
Churches	C	C	C	C			C		P	
Commercial & industrial laundries					C	P				
Commercial Recreation		C	C	C	C	C	P			
Commuter/Light Rail Station	C	C	P	C	P	P	C	C	C	
Contract construction services establishments					C	P				
Contract Services Office					P	P				
Convenience Store		C	P	C	C			C <sup>E</sup>		
Convenience Store/Fast Food Combination			C					C <sup>E</sup>		
Copy Center	C	P	P	P	C			C <sup>A</sup>		
Crematory/Embalming Facility					C	C				
Dry Cleaners	C	P	P	P				C <sup>E/A</sup>		
Dwelling, Above commercial		C	C	P			P			
Dwelling, Live/Work				P			P			
Dwelling, Multi-Family				P			P			
Dwelling, Single-Family				P			P			



	NC	CC	RC*	MU	OW	I	MW	BP	IC	PSBL
Dwelling, Three-Family				P			P			
Dwelling, Two-Family				P			P			
Educational Center	C	C	C	C	C			C	P	
Electronic Media Rental & Sales		P	P	C						
Electronic Sales & Repair			P	C				C <sup>A</sup>		
Equipment Sales & Services			C			P				
Financial Institution		P	P	P				P <sup>A</sup>		
Fitness Center (5,000 sq. ft. or less)	P	P	P	P	P		P	P <sup>A</sup>		
Fitness Center( 5,001 sq. ft. or larger)	C	C	C	C	C			C <sup>A</sup>		
Floral Sales	P	P	P	P			P	P <sup>A</sup>		
Funeral Home (5,000 sq. ft. or less)	C	C	C	C						
Funeral Home (larger than 5,000 sq. ft.)	C		C	C						
Grocery Store		P	P	C			P			
Hair Salon	P	P	P	P			P			
Hardware & Home Improvement Retail			P	C						
Home Occupations	See §19.08		See §19.08	See §19.08	See §19.08	See §19.08	See §19.08	See §19.08	See §19.08	See §19.08
Hospital		C	P					C	P	
Hotels			C		C	C	C	C		
Ice Cream Parlor	P	P	P	P			P	C <sup>A</sup>		
Impound Yard						C				
Kennel, Commercial			C		C	P				
Laundromat		C	C		C	C				
Library		P	P	P					P	
Light Manufacturing					C	C		C		
Marina							P			
Mining						C				
Neighborhood Grocery Store		P		P			P			
Motels			C		C	C	C			
Non-Depository Institutions			C							
Office, High Intensity					P	C		C		
Office, Medical and Health Care	C	P	P	C				P	C <sup>A</sup>	



	NC	CC	RC*	MU	OW	I	MW	BP	IC	PSBL
School, Trade or Vocational					P	P		P	P	
Sexually Oriented Businesses						P				
Shooting Range, indoor or outdoor					C	C				
Storage, Self-Storage, or Mini Storage Units					C	C				
Storage, Outdoor						C				
Storage, Vehicle						C				
Tattoo Parlor						C				
Temporary Sales Trailer				T						
Theater		C	C							
Transit-Oriented Development (TOD)		P	P	P			P	C		

<sup>A</sup> The noted Uses shall be allowed in the listed zones as an ancillary use only.

<sup>E</sup> The noted Uses shall be allowed in the listed zones as an edge use only.

\*As an ancillary component of the identified Permitted and Conditional Uses, employers may offer Child Care Center services for their employees. The provision of such services shall require Conditional Use approval.

(Ord. 19-19, Ord. 17-14, Ord. 17-08, Ord. 16-01, Ord. 15-29, Ord. 14-23, Ord. 14-13, Ord. 14-5)

#### **19.04.12. Mixed Waterfront Zone.**

##### **1. Purpose and Intent.**

- a. The purpose of the Mixed Waterfront (MW) Land Use Zone is to allow for a wide range of land uses so long as those land uses are combined and arranged to create destination-oriented developments that take full advantage of the scenic and recreational opportunities that their lakeshore and riverside locations provide. Appropriate mixtures of land uses include retail, residential, and resort properties.
- b. Low Density Residential, Medium Density Residential, and Neighborhood Commercial land uses, as listed in the tables in Section 19.04.12, are considered appropriate uses for this zone. Developments must include a mix of residential, and office or commercial uses.
- c. This land use zone recognizes that in order for the City to be a well-rounded community, many different housing styles, types, and sizes should be permitted. Density shall be focused around the water front with density decreasing the farther from the water's edge. In an effort to incentivize commercial along the waterfront allowable residential density will increase based upon the amount of commercial provided.
- d. Other important characteristics that must be addressed in this land use zone include neighborhood services and facilities, social gathering places, attractive landscaping, convenient access to public areas along the lakeshore, appropriately-placed parking, a sense of personal safety, well-maintained housing, and attractive parks.

## 2. Density

- a. The maximum residential density upon the residential portion of any development shall be based upon the amount of commercial acreage provided, as outlined in the tables below (see figures 4.1 and 4.2), with smaller amounts of commercial reflecting lower residential density.
  - i. The maximum percentage of commercial development is indicated by the far right category in each table.
  - ii. In developments containing 10 acres or more that contain 21% of commercial or more, up to 30% of the residential development may have up to 14 units per acre, however the overall average residential density shall not exceed the maximum density in the table.
  - iii. Example 1: A 5 acre development with 15% of the acreage for commercial may have up to 5 units per acre on the residential acreage.
  - iv. Example 2: A 15 acre development with 27% of the acreage for commercial may have up to 6 units per acre on the residential acreage. 30% of the residential acreage may have up to 14 units per acre, but the overall density on the residential acreage is limited to 6 units per acre.
- b. Sensitive lands shall not be included in the calculation of density.

Figure 4.1

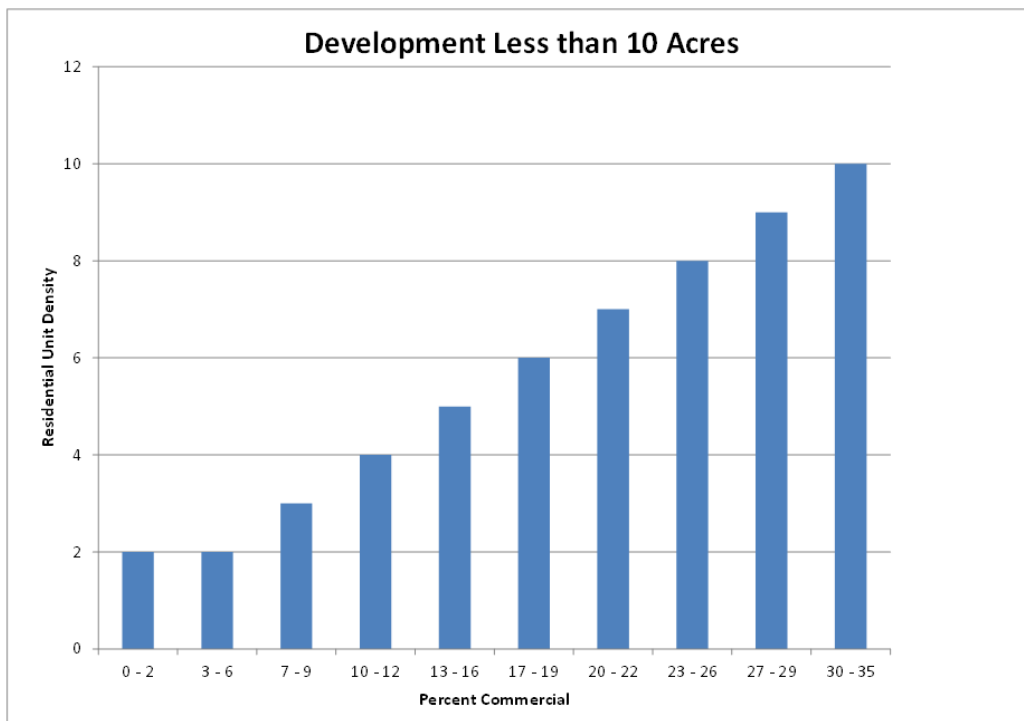
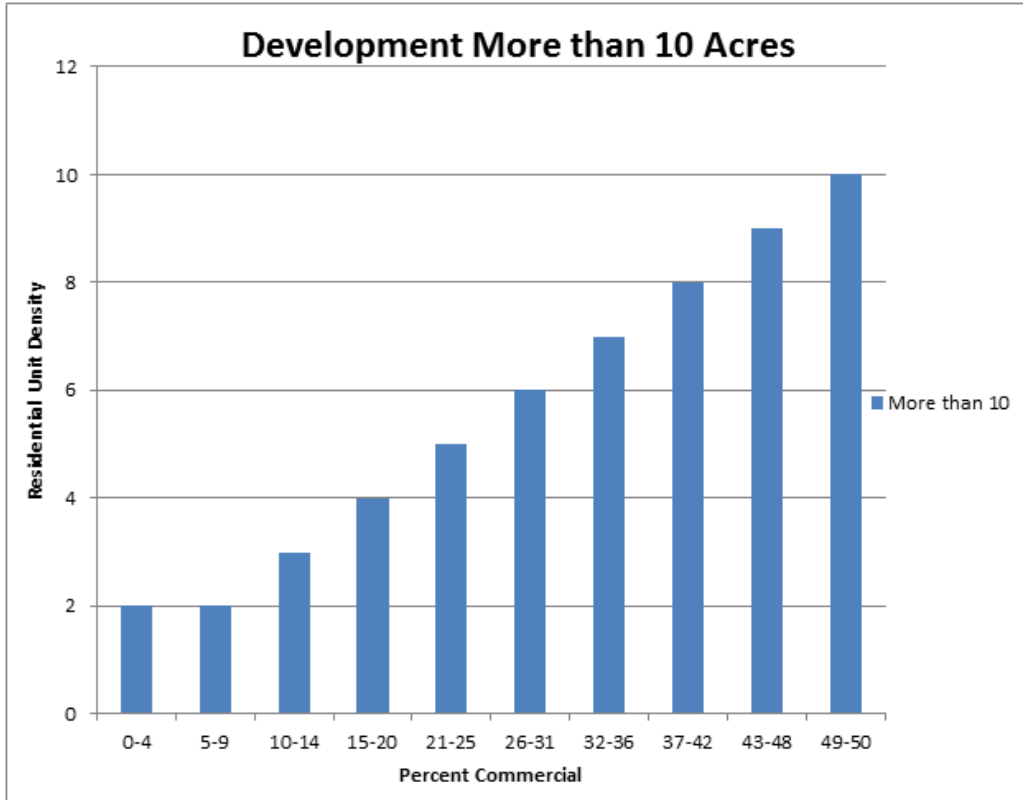


Figure 4.2



**Permitted Uses.** The uses identified in 19.04.11 as Permitted Uses in the Mixed Waterfront Zone, with some uses identified as ancillary uses or edge uses only.

**3. Conditional Uses.** The uses identified in 19.04.11 as Conditional Uses in the Mixed Waterfront (MW) Zone, with some uses identified as edge or ancillary uses only.

**4. Lot, Setback, and Development Requirements.**

	Mixed Waterfront		
	Single-Family	Multi-Family	Other Development (including Mixed Use)
Development size- min	1 acre	1 acre	1 acre
Lots size - min	4,000 sq. ft.	No minimum	No minimum
Lot Coverage - maximum	60% (Footprint development will be reviewed for overall site coverage rather than individual lot coverage.	60% (Footprint development will be reviewed for overall site coverage rather than individual lot coverage.	60% (Footprint development will be reviewed for overall site coverage rather than individual lot coverage.
Lot Frontage - min	35'	100' along a public or private street. Where each unit is separately owned, the minimum lot frontage shall be	100' along a public or private street

		based on each building.	
Primary structure height - max	40'	40'	40'
Accessory structure height - max	19.05.11	19.05.11	19.05.11
Dwelling size	1,000 sq. ft.	600 sq. ft.	600 sq. ft.
Lot width - min	50'	No minimum	No minimum
Setbacks, primary structure - min			
Front	25' to the garage, 20' to the front plane of the home.	20' to building, 25' to garage	10'*
Street side	20'	20'	10'*
Interior Side/ Building Separation	5'/ 10' combined	20'	5'
Rear	15' to property line or between buildings	20' between buildings, 20' between rear property lines and exterior walls	25'
Rear yard adjacent to alley	5' to detached garage, 20' to main structure	5' to detached garage, 20' to main structure	10', 20' driveway required or 5' setback to detached garage
Rear yard adjacent to street	N/A	N/A	10', 20' driveway required or 5' setback to detached garage
Setbacks, accessory structure - min			
Front	Same as principal structure	Same as principal structure	Same as principal structure
Street side	Same as principal structure	Same as principal structure	Same as principal structure
Interior Side	5'	5'	5'
Rear	5'	5'	5'
Building separation	5'	5'	5'
Concept plan required?	Yes	Yes	Yes
* <i>Exception: The front and street side yard setbacks may be decreased to zero feet if the sidewalk width is increased by ten feet and as long as no part of any building, including planter boxes and similar features, shall overhang the public right-of-way and no drainage shall be diverted into said public right-of-way.</i>			

## 5. Open Space and Landscaping Requirement.

- a. If the open space is common space, the developer shall record a public access easement at plat recordation to any adjacent public open space or access to the waterfront.
- b. Common and private open spaces shall be provided as follows:
  - i. Up to 25% of the total open space requirement may be met by counting any private open space areas (patios and balconies) provided within the project.

- ii. The minimum area of any private open space shall be 25 sq. ft. This may be in the form of patios or balconies accessible only to the abutting unit.
  - iii. The minimum area of eligible common open space shall be 150 square feet with a minimum width of 10 feet. These may be located at grade or above grade and may include terraces, courtyards, fitness centers for vertical mixed use and multifamily, rooftop gardens, or other similar areas.
  - iv. Common and private open spaces shall be designed to limit intrusion by nonresidents.
- c. Sharing of common open space between residential and nonresidential uses may be allowed by the applicable Land Use Authority when it is clear that the open space will provide direct benefit to residents and patrons of the project subject to the following limitations.
- i. Up to 30% of the required open space for residential uses in a horizontal mixed use project may be provided as quasi-public open space within the nonresidential component of the project or up to 70% where such quasi-public open space will be immediately adjacent to the waterfront; or
  - ii. Up to 50% of the required open space for residential uses in a vertical mixed use project may be provided as quasi-public open space within the nonresidential component of the project or up to 70% where such quasi-public open space will be immediately adjacent to the waterfront.
  - iii. The minimum area of shared common open space areas shall be 150 sq. ft. with a minimum width of 10 feet. These areas shall be accessible for use by the general public.
  - iv. Quasi-public open space areas shall not include outdoor dining areas or other outdoor activity areas for exclusive use by an individual business.
  - v. Quasi-public open space areas are areas located on private property and accessible to the general public. These areas may include pedestrian oriented amenities, including enhanced seating, lighting, paving, landscaping, public art, water features, and other similar features deemed appropriate by the land use authority.

(Ord. 17-08, Ord. 16-01, Ord. 15-29, Ord. 14-13)

#### 19.04.13. Mixed Residential Zone.

1. **Purpose and Intent.** The purpose of the Mixed Residential (MR) Zone is to allow for the establishment of residential neighborhoods displaying a mix of housing types and open space types that allow for lifestyle choices and opportunities for as wide a range of demographics and socio-economics as possible. Developments in the MR Zone shall be designed to integrate a blended community of households made possible through the allowable housing mix which generates more complete and authentic neighborhoods.
2. **Neighborhood Plan Required.** A Neighborhood Plan will be required to guide future development in the MR zone. The submission requirements for a Neighborhood Plan are outlined in 19.04.13.7. Neighborhood Plans include the identification and placement of lot types, open space types, and all infrastructure, utilities, grading and other aspects detailing future construction.

- a. Neighborhood Plans typically include new streets, ensuring the resulting blocks and the urban fabric are walkable and bikeable. Bus and rail alignments should be located outside of neighborhood blocks.
  - b. Neighborhood Plans identify the overall theme of a community. All elements of the development shall follow a unified theme.
3. **Development Agreement Required.** A Development Agreement shall be required for all Neighborhood Plans and shall meet the provisions of 19.13.07.
4. **Density.**
  - a. This land use zone recognizes that in order for the City to be a well-rounded community, many different housing styles, types and sizes should be permitted. Residential densities within a project utilizing this zone shall not exceed an overall blended density of 8 units per acre.
  - b. The City Council has the discretion to increase the overall blended density to up to 12 units per acre. In considering an increase in overall blended density, the City Council shall consider:
    - i. An increase of up to 2 units if the project proposes additional community open space in the neighborhood plan or proposes to donate open space to the City for a city-wide amenity supported by the City.
    - ii. An increase of up to 2 units if the neighborhood plan contains opportunities for neighborhood commercial uses.
    - iii. An increase of up to 2 units if the property is adjacent to a future or existing transit stop or corridor and opportunities are provided in the neighborhood plan for commercial uses that support transit consistent with 19.03.13.8.
  - c. Mixed Residential projects should be context sensitive. Proposed uses adjacent to existing development should be compatible in terms of density, and provide an appropriate transition to higher intensity areas as required in section 19.17.04. Areas in close proximity to transit (1/4-mile radius) should be designed to support ridership with very high density (25–40 units per acre) encouraged adjacent to existing and future transit stops, while still maintaining an overall density of up to 12 units per acre.
  - d. A Mixed Residential project (or neighborhood) size shall be 50 acres at a minimum.
5. **Process.** The process for the review and approval of Neighborhood Plans in the MR Zone will follow this process unless otherwise specified in this section:
  - a. The Planning Commission shall conduct a public hearing on a Neighborhood Plan and shall make a recommendation to the City Council.
  - b. The City Council is the land use authority for Neighborhood Plans.
  - c. Preliminary and Final Plats will follow the processes set forth in 19.12 Subdivisions.
6. **Amendments to approved Neighborhood Plans.** Modifications to the Neighborhood Plan text or exhibits may occur in accordance with the following amendment process:
  - a. Major Amendments: If an amendment is deemed major by the Planning Director, it will be processed in the same manner as the original Neighborhood Plan. Major



amendments are modifications that change the intent of the Neighborhood Plan such as:

- i. those that significantly change the character or architecture of the Neighborhood Plan;
  - ii. those that increase residential density and non-residential intensity; and
  - iii. those that materially reduce the amount of land dedicated to parks, trails, public use space, natural areas, or public facilities as shown on the approved Neighborhood Plan.
- b. **Minor Amendments.** Minor amendments are accomplished administratively by the Planning Director. Minor amendments include simple modifications to text or exhibits such as:
- i. minor changes in the conceptual location of streets, public improvements, or infrastructure;
  - ii. minor changes in the configuration or size of parcels;
  - iii. transfers of density as described within the Neighborhood Plan;
  - iv. minor modification of land use boundaries; and
  - v. interpretations that facilitate or streamline the approval of unlisted uses that are similar in nature and impact to listed uses.

7. **Submission Requirements.** Neighborhood Plans shall be required to submit the following:

- a. **Character and Theme Plan** - identifying the organizational design framework showing a clearly recognizable neighborhood character and theme while also distinguishing the neighborhood from others and cohesively unifying the neighborhood through its distinctive design elements. Community character and theme elements may include the following:
  - i. **General Architecture** – Identifying the proposed architectural styles and themes.
  - ii. **Architectural Façade Plan** identifying the principle façade and secondary façade(s) for each buildable lot.
  - iii. **Open space, landscaping and recreational design concepts.**
  - iv. **Community signage and place identification.**
  - v. **Street Naming Plan.**
- b. **Transportation Network and Street Plan** that shall include:
  - i. adjacent streets;
  - ii. modifications to existing streets, if any;
  - iii. a key for the street network;
  - iv. existing, new, and modified streets, rear lanes, and shared drives including:
    1. centerline radius, and a
    2. data table indicating ownership,
    3. right-of-way width,
    4. number of vehicular lanes,
    5. street type; and
    6. transportation provisions;
  - v. any public existing or proposed public transit stops or ways, bicycle ways, and trails within and adjacent to the Neighborhood Plan area; and
  - vi. local street network consisting of all new streets within the Neighborhood.

- c. Phasing Plan - including phase boundaries, acreages, and sequence for each phase.
- d. Existing conditions and features within and adjacent to the project area including roads, structures, drainages, wells, septic systems, buildings, and utilities.
- e. Open Space Plan - for each area assigned as open space (see Section 19.19) including:
  - i. general type, use, and programming concepts of all open spaces;
  - ii. conceptual landscape treatment, proposed activities; and
  - iii. recreational amenities (public vs. private and active vs. passive).
- f. Landscape and Fencing Plans shall be provided per Section 19.06.
- g. Lotting Plan – including a conceptual plan for Lot Types and Parking to include:
  - i. Layout and Description of all lot and unit types.
  - ii. Building configurations including number of buildings per lot, lot dimensions, building height, and parking.
  - iii. Setbacks for principal and accessory buildings.
  - iv. Lot coverage.
  - v. Lot frontage.
- h. Conceptual Utility Plan - schematic with existing and proposed utility alignments and sizes sufficient to show how property will be served including drainage, sewer, culinary and secondary water connections and any other existing or proposed utilities needed to service the proposed development or that will need to be removed or relocated as part of the project.

## 8. Development Standards.

- a. Lot Standards - The Lotting Plan shall contain a variety of housing types and shall address the following:
  - i. Lot types, sizes, and configurations shall address neighborhood compatibility. Transitions should be proposed from uses and development standards on adjacent developments.
  - ii. Density shall be greater along any planned transportation or transit corridor.
  - iii. Lot types should be dispersed throughout the neighborhood and not be in segregated sections.
  - iv. Lots for neighborhood support uses, including but not limited to, churches and schools shall be identified, if deemed necessary, and shall be adequate to serve the future population of the neighborhood. In a manner consistent with state and federal law, the applicant will coordinate with applicable organizations (such as the school board) to determine the future demand for such facilities.
- b. Transportation and Street Networks. - The street network plan must map streets and intersections as follows:
  - i. All streets must connect to other streets with intersections, forming a network.
  - ii. New streets must connect wherever possible to streets outside of the neighborhood.
  - iii. The right-of-way (ROW) width of new streets is subject to approval by City Engineer and subject to compliance with all current engineering and public safety standard.

- iv. New street types may be presented, but require review by the City Engineer and approval by the City Council as part of a specific Neighborhood Plan.
  - v. Rear lanes and shared drives must comply with public safety standards.
  - vi. Rear lanes must be accessed by a minimum of two points along the edge of the block and may be dedicated as private Right of Way or Access Easements for the benefitted users.
  - vii. Shared drives are accessed by one point along the edge of the block and may be dedicated as private Right of Way or Access Easements for the benefitted users.
- c. Open Space.
- i. All open space shall comply with Section 19.19 Open Space.
  - ii. Objectives of open spaces in a neighborhood plan shall consist of the following:
    1. Create neighborhood gathering places.
    2. Promote the character and theme of the neighborhood.
    3. Create a comprehensive open space system within the neighborhood based on a hierarchy of activity (active -vs- passive), programming, (formal -vs- informal, and users (children, teenagers, adults).
    4. Provide distribution/proximity of open space within a short walking distance of every home.
    5. May provide dual purpose(s) with ecological functions (when appropriate) within the Open Space Type.
  - iii. Some variation of the required amenities as outlined in Section 19.19 will be considered when necessary to achieve the desired neighborhood theme and character.
- d. Signage and Entry Features. - All signs shall comply with Section 19.18 Sign Regulations with the following exceptions:
- i. In establishing a strong neighborhood theme and character, an architectural entry structure as permitted in 19.18 will be permitted. The maximum height for these structures may be as high as 10 feet above the building height for adjacent residential structures, not to exceed 45 feet. The sign portion of an Entry Structure for a residential development containing fewer than 100 dwelling units shall not exceed 7.5 feet in height; the sign portion of an Entry Structure for a residential development containing 100 or more units shall not exceed 10 feet in height per 19.18.07.1 Residential Sign Standards.
  - ii. The architectural structure will require review and approval by the City Council. An artistic feature may be placed above the 10 foot maximum height for signs. The artistic feature will not be allowed to be illuminated.
- e. Architectural Standards.
- i. All construction shall be consistent with Section 19.16 Site and Architectural Design Standards with the following exceptions:
    1. In order to meet the Theme and Character requirements for a Neighborhood Plan, the number and color of materials required in 19.16 may not be desirable. For example, if the theme of the Neighborhood Plan is a farm theme, homes that are entirely vertical siding with 2 colors may be appropriate. The

Neighborhood Plan shall specify any deviations from Section 19.16.

- ii. Mixed Residential Districts should provide a variety of home styles, textures, and colors on each street to create a diverse and varied street scene. Neighborhoods with minimal visual variation, and homogenous application of the approved architectural styles are not permitted in order to ensure that street scenes are non-repetitive. Variation shall be achieved through a combination of architectural styles, materials, material textures, colors, and floor plans. Guidelines for style, color, and floor plan shall be given equal weight when evaluating compliance with this standard.
  - iii. All facades visible from public roadways will be considered a primary façade requiring architectural detailing.
- f. Landscaping and Fencing. - Landscaping and Fencing are required to comply with Section 19.06 Landscaping and Fencing. Exceptions or modifications to Section 19.06 may be considered at the time of Neighborhood Plan approval, if the modification does not result in less landscaping. For example, in some cases, it may be beneficial to slightly reduce plant size in exchange for more plants. Fencing definitions may be modified as a part of the Neighborhood Plan if necessary for compliance with the Character and Theme Plan.
- g. Building Height.
- i. The maximum building height in the MR Zone is 45 feet for stacked multifamily, 40 feet for Townhomes and 35 feet for Single Family.
  - ii. A variety of building heights shall be provided throughout the development.
  - iii. Additional building height of up to 5 feet over the maximum building height can be considered if a finding can be made that the additional height is to create architectural interest and will not result additional usable or habitable square footage. In no case will a maximum height over 45 feet be considered.
- h. Parking.
- i. Parking shall comply with section 19.09, with the following exception: Parking will be required as outlined in Section 19.09. Opportunities for reductions in parking requirements may be sought when justification for the reductions can be identified and approved by the City Council.
  - ii. If the Neighborhood Plan provides an opportunity to provide small commercial uses by the use of flex or live/work space within a residential unit, 1 dedicated parking spaces shall be provided in front of the use or elsewhere in close proximity to the use. The City Council may modify this requirement through the Neighborhood Plan process.
9. **Support Uses.** The Neighborhood Plan may include uses that are necessary for the development to function as a Neighborhood and Community. Specific Permitted and Conditional Uses are outlined in 19.04.08. Permitted and Conditional Uses, Agricultural & Residential Zones. In addition, those uses listed as permitted and conditional in the Neighborhood Commercial Zone as specified in the use table 19.04.11 would be considered appropriate. In designating areas for various uses, the following shall be considered:
- a. Lots for neighborhood support uses including churches and schools shall be identified, if necessary, and shall be adequate to serve the future population of the

neighborhood if deemed necessary. In a manner consistent with state and federal law, the applicant will coordinate with appropriate organizations (such as the school board) to determine the future demand for such facilities.

- b. Non-residential uses which may support the neighborhood are a development opportunity but not a requirement for developments proposing a maximum of 8 units per acre.
- c. Non-residential uses that are permitted or conditional may be placed in locations that are convenient for the residents of the community without causing impacts that cannot be mitigated.
- d. If a Neighborhood Plan contains a planned or existing transit stop or corridor and the developer wishes to increase density to up to 12 units per acre, commercial uses or opportunities for commercial uses shall be required to support transit.
- e. If transit support or neighborhood commercial uses are required, the requirement may be fulfilled by providing an opportunity for small commercial spaces as a part of a residential product (such as flex space or live/work space within a townhome that can be used as residential or be converted to a small commercial space). The option to use this space for commercial will be at the discretion of the unit owner and must follow any restrictions or regulations outlined in the Neighborhood Plan.

**10. Improvements Required.** All Neighborhood Plans shall be required to comply with the provisions in Title 19, development agreements or other applicable regulation with respect to the required improvements.

(Ord. 18-11)