

CHAPTER 1 GENERAL PROVISIONS

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10-1-3: LAND USE DECISION REQUIRED:

A. Interpretation of Zoning Ordinance: Any use of land that is not plainly designated as an Allowed Use in the zone is prohibited. A specific land use category supersedes one that is more general or broader in scope. For example, if a land use has been specified (e.g., dry cleaners) in this title, and it has not been listed as a permitted use in a zone, it is prohibited in the zone, even if a use that is more general or broader in scope is permitted (e.g., general commercial) in the zone.

B. Land Use Decision Required: No development may commence, or land use changed or expanded, without a final Land Use Decision, which determines that the development, or the change or expansion, is allowed in the zone and complies with all Land Use Regulations.

C. Water Acknowledgement Required: all new Land Use Applications must submit with the application, an acknowledgement signed by both the applicant developer and the owner(s) of all real property which are part of the application that:

1. The applicant is responsible for ensuring that the Project or application has sufficient culinary water service; and

2. Approval of any development application by the city does not guarantee that sufficient water will be available to serve the zone, Project, or permit for which the application is submitted.

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10-1-6:

PERMITS, LICENSES TO COMPLY:

A. *Compliance with Title:* No city officer or employee shall issue any license or permit for Development Activity in violation of the provisions of Utah State law, or any other provisions of this title. Any license or permit issued in conflict with Utah State law, or any other provisions of this Title, is void.

B. All departments, officials, and public employees of the city, vested with authority to make Land Use Decisions and/or issue the permits or licenses provided for herein, shall conform to the Land Use Regulations and shall issue no permit or license for uses, Buildings or purposes where the same would be in conflict with any provision of this title.

C. *Conditions for Issuance:* In addition to all other conditions required by law, no Building, development, or subdivision permit for any development or subdivision shall be issued until the following conditions have been met:

1. The proposed development, structure or use is located on a lawfully created Lot or Parcel; or
2. The final site plan, final subdivision plat, or Construction Drawings have been formally approved by the city; or
3. The applicant has provided to the city verification that all impact fees required by the District have been paid (for a building permit); or
4. All required improvements under chapter 25 of this title are completed, and the city has conducted a final inspection and issued a final approval of the improvements; or
5. Where applicable, the final subdivision plat has been recorded or been approved for recording in the county recorder's office.

D. Notwithstanding the provisions of subsection C above, if the permitting is for the purpose of installing the Essential Infrastructure for the Project, grading permits may be issued upon approval of final Construction Drawings and prior to the approval or recording of a Final Plat.

E.. *Occupancy Permit:* Unless otherwise agreed to in writing by the city and applicant, or unless conditioned as part of a development approval, certificates of occupancy shall be issued under the terms of the adopted State and Local Construction Code.

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10-1-12:

COMPLETION OF LANDSCAPING AND PUBLIC INFRASTRUCTURE IMPROVEMENTS – PRIVATE SITE DEVELOPMENT IMPROVEMENTS – IMPROVEMENT COMPLETION

ASSURANCE:

A. The following Infrastructure Improvements are deemed essential for the public health and safety and are required for developments for human occupation: all Infrastructure Improvements required to meet the building code, fire code, Flood and storm water management provisions, street and access requirements, and other applicable public safety improvements adopted in city ordinances or St. George standard specifications for design and construction. Failure to complete all essential improvements may result in the suspension of the building permit. All essential improvements shall be completed prior to recording an approved subdivision plat, or prior to the issuance of a certificate of occupancy, unless the following requirements are met:

1. The applicant has provided a financial assurance for required and uncompleted Infrastructure Improvements; or
2. The applicant has agreed in a written document to terms acceptable to the city that vary the conditions and timing of issuance of a certificate of occupancy.

B. All required Landscaping improvements shall be completed prior to any Development Activity or the recording of a plat, or issuance of a business license, unless the applicant has provided an Improvement Completion Assurance acceptable to the city in an amount representing 110% of the cost of the improvements. The city shall release all but 10% of the assurance once installation has been inspected by the city and shall retain the remaining assurance during the one-year warranty period.

C. All required Private Site Development Improvements shall be completed prior to recording of a plat unless the applicant has entered into a development improvement agreement under terms acceptable to the city and is current in its obligations under that agreement.

D. An Improvement Completion Assurance is required. The three (3) acceptable forms of completion assurance are cash, disbursement agreement, or an irrevocable letter of credit. Partial release of an Improvement Completion Assurance is permitted only at the following intervals: upon proof by applicant of fifty percent (50%) of improvement completion, and seventy percent (70%) of improvement completion. Final release of the Improvement Completion Assurance shall occur only upon proof by applicant of one hundred percent (100%) of construction completion. The city shall consider applicant's proof of construction completion using objective inspection standards by qualified city employees or appointees knowledgeable in Landscaping, public Infrastructure Improvements, or Private Site Development Improvements, as applicable.

E. Upon the city's acceptance of public Infrastructure Improvements, the applicant shall execute an Improvement Warranty for the Improvement Warranty period.

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10-1-15

VESTING AND EXPIRATION:

A. Vesting:

1. *Process*: A completed Land Use Application shall be entitled to substantive review and process under the Land Use Regulations in effect at the time the application is complete. A Completed Application requires that all information necessary for a final decision has been provided to the Land Use Authority and all fees have been paid.

2. *Uses and Density*: A Land Use Application shall not be considered formally approved or vested in that approval until the Land Use Authority has approved the final site plan, final Construction Drawings, or Final Plat.

B. Expiration: Recognizing that the length of the planning, building, and engineering review process will vary with the size and complexity of each proposal, applicants must move their applications either to approval or denial in a reasonably expeditious manner. The City may formally close applications which remain inactive for one (1) year or longer due to acts or omissions of the applicant.

1. An application shall be deemed inactive and subject to closure on the basis of inactivity if, through the act or omission of the applicant and not the city, one of the following occurs:

a. More than one (1) year has passed since the last substantive contact between staff and the applicant. Sporadic non-substantive contact shall not be sufficient to move an application forward or prevent closure.

b. More than one (1) year has passed since a request for additional information was made by staff, which request has:

i. not been complied with; or

ii. was incomplete or insufficient.

c. The applicant is more than thirty (30) days in default of the payment of any fee assessed or required by ordinance.

d. The applicant has informed the City of its intent to abandon the Project.

2. When the designated planning, building, or engineering staff member determines an application is inactive, the application file may be closed.

- a. No application may be closed on the basis of inaction without giving thirty (30) calendar days' written notice to the applicant. Written notice may be delivered in person, by mail or by email. Such notice must state the intent of the respective department to have the Project closed because of inaction and what the applicant must submit in a timely manner in order to maintain an active file status.
 - b. Applicants who fail to provide a full and complete response shall not prevent closure if the requested information or submissions are insufficient, untimely, or incomplete.
3. Delays caused entirely by internal delays of the staff, planning commission, or city council shall not be a cause for file closure.
 4. An applicant may appeal the closure of an application for inaction in the same manner as any other land use appeal as found in City Code §10-3-1 *et. seq.*
 5. The expiration of an issued building permit shall be regulated and governed by the State and Local Construction Code adopted by the State of Utah.

CHAPTER 2 DEFINITIONS

10-2-1:

DEFINITIONS:

The following terms as used in this title, are defined as follows. Terms used in the present tense include the future tense. Terms defined in the singular number include the plural and the plural the singular. Terms that have not been defined herein but are separately defined in the building code shall be construed as defined therein:

ACTIVE RECREATION AREA: An area that is dedicated to active play where Lawn may be used as the playing surface. Examples of active recreation areas include sports fields, play areas and other similar uses designated for physical activity.

AMUSEMENT CENTER: a use in which two (2) or more entertainment stations, activities, or games, are located within a building or complex; no one activity is primary over the other; and all activities are available to those who enter and pay the appropriate fee or pay per activity.

ARTIFICIAL TURF: A synthetic grass made to look like natural grass and used for sport fields, Landscaping, or In lieu of Lawns.

CALIPER: The diameter of a tree's trunk, taken about 12" above the ground.

COMPLETED APPLICATION: An application for Development Activity which includes all information necessary for a final decision by the Land Use Authority and for which all required fees have been paid.

CONTROLLER: A device used in irrigation systems to automatically control when and how long sprinklers or Drip Irrigation systems operate.

CONTROL VALVE: A device used in irrigation systems to turn on and off sprinklers or Drip Irrigation. Also called an irrigation Valve.

DECORATIVE WATER FEATURE: a body of water used for decorative purposes, such as a fountain, fishpond, or waterfall. Decorative Water Features must comply with the water use limitation of not more than 50 gallons as set forth in this Title.

DIRECTOR: The St. George City Community Development Director

DISTRICT: The Washington County Water Conservancy District.

DRIP IRRIGATION: An irrigation system that delivers water by adding water at the plant's base and root zone, usually measured in gallons per hour. Drip Irrigation exhibits a droplet, trickle, umbrella, or short stream pattern, to reduce evaporation, overspray, and water use, and improves water conservation.

DROUGHT TOLERANT PLANT: A plant that can survive without irrigation for an extended period once established, although supplemental water may be desirable during drought periods for improved appearance and disease resistance. *See "Water-Conserving Plants"*

EROSION CONTROL: The control and maintenance of land designed to prevent erosion or a degrading of the land from natural elements such as wind and water.

ESSENTIAL INFRASTRUCTURE: All infrastructure which is essential for the public health and safety of the community and infrastructure that is required under adopted State and Local Construction Code to support human occupation and habitation of any structure.

FILTER: A device used to screen impurities out of water prior to water being delivered to plants. In Drip Irrigation systems, a filter prevents debris from clogging emitters.

GRADING PLAN: A grading plan shows all finish grades, spot elevations, required drainage (as necessary), and new and existing contours.

GROUND COVER: Live plant material planted in such a way as to form a continuous cover over the ground that can be maintained at a height not more than twelve inches (12").

HYDROZONE: A portion of Landscape area where plants with similar water needs and rooting depth are grouped. A hydrozone may be irrigated or non-irrigated. If irrigated, each hydrozone is on a separate Valve.

IRRIGATION CONTRACTOR (IC): A person who has been certified to install irrigation systems, meets state and local license, insurance, and bonding requirements, and is able to show proof of such upon demand. An irrigation contractor installs, repairs, designs, and maintains irrigation systems.

IRRIGATION DESIGNER: A Landscape Architect or a person who has been certified by the Irrigation Association (IA), or other city-approved certification programs to prepare irrigation system designs.

IRRIGATION MAINLINE: Pipe between the point of connection (water source) and irrigation zone Control Valves.

LAND USE APPLICATION:

A. Means an application submitted by a Land Use Applicant for Development Activity and/or to obtain a Land Use Decision; and

B. Does not mean an application to enact, amend, or repeal a Land Use Regulation.

LANDSCAPE ARCHITECT: A person who is licensed by the State of Utah to practice Landscape architecture.

LANDSCAPE OR LANDSCAPING: Any combination of living plants, trees, shrubs, vines, Ground Covers, annuals, perennials ornamental grass, Lawn and other plants that are generally not considered to be weeds or noxious plants; natural features such as rock, stone, or wood chips; nonvegetative permeable Ground Cover; and structural features, including, but not limited to, swimming pools, outdoor artwork, screen walls, shade structures, arbors, trellises, Retaining Walls, berms, fences or benches that create an attractive and pleasing environment.

LANDSCAPE DOCUMENTATION PACKAGE: The documentation of graphic and written criteria, specifications, and detailed plans to arrange and modify the effects of natural features prepared by a Landscape Architect to comply with the provisions of this ordinance. The Landscape Documentation Package shall include a Project data sheet, a site plan, a Planting Plan, an Irrigation Plan, construction details, and a Grading Plan.

LANDSCAPE & IRRIGATION INSTALLER: An Irrigation Contractor or other licensed contractor responsible for installing all or portions of an approved Landscape Plan.

LANDSCAPED AREA: An entire Parcel of real property less the Building footprint, driveways, non-irrigated portions of Parking Lots, Hardscape (such as decks and patios), and other nonporous areas. Small Decorative Water Features are included in the calculation of the Landscaped Area and must comply with the water use limitation of not more than 50 gallons as set forth in this Title.

LAWN: Non-agricultural land planted in closely mowed, managed grasses.

MATCH PRECIPITATION RATE (MPR): A term used where the amount of water applied in a given area is uniform. This term is most commonly used in sprinkler applications where all sprinkler heads within an irrigation zone apply water at the same rate.

NOZZLE: A device that applies water in a specific pattern and distance at specified water pressures.

PARK STRIP: A narrow Landscaped Area located between the back-of-curb of a roadway and sidewalk.

PLANTING PLAN: A plan that clearly and accurately identifies the type, size, and locations for new and existing trees, shrubs, planting beds, Ground Covers, grass areas, driveways, sidewalks, Hardscape features, Landscape structures, and fences.

PLAT, FINAL: A plat prepared in accordance with the provisions of this title, which plat is designed to be recorded in the office of the Washington County Recorder.

PRECIPITATION RATE: The depth of water applied to a given area, usually measured in inches per hour.

PRESSURE COMPENSATING: In a Drip Irrigation system, a term used to describe an emitter that maintains the same output of water at varying water inlet pressures.

PRESSURE REGULATING VALVE: A Valve installed in an Irrigation Mainline that reduces a higher supply pressure at the inlet down to a regulated lower pressure at the outlet.

PROJECT: The proposed Development Activity contained in any given application.

REHABILITATED LANDSCAPING: Landscape Area in which over 50% percent of existing Landscaping is removed and replaced to reduce water usage. Includes all Landscaping funded in part, or completely, by the District's Landscape conversion program.

ROTOR: A sprinkler that applies water above ground with a rotating stream of water typically used for large Lawn areas.

SECONDARY IRRIGATION WATER: Non-potable water that is either untreated or minimally treated and typically used for irrigation of outdoor Landscaping.

SEXUALLY ORIENTED BUSINESS: See section 3-8-2 which is incorporated by reference herein.

SMALL ANIMAL: An animal that, on average, will reach a mature weight of no more than fifteen (15) pounds and does not include Urban Hens and Rabbits.

SPRAY HEAD: A sprinkler that applies water above ground with a constant spray typically used for small lawn areas.

SPRINKLER: A device that applies water above ground.

SWING JOINT: An irrigation component that provides a flexible, leak free connection between the emission device (sprinkler) and lateral pipe.

WATER ACTIVITY: an amusement activity involving the use of water such as swimming pools, slides, rides, wave pools, wave riding, tubing, boating, etc.

WATER-CONSERVING PLANT: A plant that can generally survive with available rainfall once established, with possible minimal supplemental irrigation needed or desirable during spring and summer months or during drought periods.

WATER-CONSERVING TREES: Planted trees which are Drip Irrigated, and which meet the standards set forth in section 10-23-1(E) of this Code as well as any standards set forth by the District. Trees which are on an approved list provided by the District, or which comply with the water wise landscaping provisions of Utah Code §10-9a-536 shall be considered water-conserving trees.

WATER METER: A device that measures the amount of water being used at a specific location.

WILL SERVE LETTER: A letter or other written documentation issued by the District that assures culinary water will be provided through a culinary water system.

CHAPTER 4 ZONES

10-4-2:

ZONE CHANGES - WATER AND UTILITY SOURCES, ACCESS REQUIRED:

Zone changes shall not be approved unless the applicant can show that the property is or will be served by approved sources and facilities for culinary and Secondary Irrigation Water, power, sewer, and access to a dedicated Public Street. It is the property owner's responsibility to construct and connect to such approved sources and facilities and to provide proof of adequate culinary and Secondary Irrigation Water service as required by this title.

CHAPTER 5 AGRICULTURAL ZONES (A-0.5, A-1, A-5, A-10, A-20)

- 10-5-1: Allowed Uses
- 10-5-2: Height Regulations
- 10-5-3: Area, Width and Yard Requirements
- 10-5-4: Design Criteria
- 10-5-5: **Landscape Standards**
- 10-5-5: Yards Unobstructed – Exceptions
- 10-5-6: Curb, Gutter, Sidewalk and Driveway
- 10-5-7: Utility Requirements
- 10-5-8: Temporary Buildings
- 10-5-9: Setbacks along Streets
- 10-5-10: Related Provision

10-5-4:

DESIGN CRITERIA:

A complete application for single-family occupancy must include a site plan, architectural plans and Construction Drawings of one-quarter (¼) scale, that show Building materials, exterior elevations and floor plans of all proposed structures that meet the following criteria:

A. *HUD Standards, Construction Codes:* All development must comply with the construction codes and, as applicable, the national manufactured housing construction and safety standards and ICC guidelines for manufactured housing installations, that are capable of transferring design dead loads and live loads, and other design loads unique to local home sites, due to wind, seismic, soil and water conditions, that are imposed by or upon the structure into the underlying soil or bedrock without failure.

B. Perimeter footings at least twelve inches (12") below grade.

C. For all Dwellings:

1. Space beneath the structure must be enclosed at the perimeter of the Dwelling in accordance with ICC guidelines and constructed of weather resistant materials aesthetically consistent with concrete or masonry type foundation materials.
2. A minimum landing of thirty-six inches by thirty-six inches (36" x 36") at each exit.
3. All manufactured home running gear, tongues, axles, and wheels must be removed and stored off site or in a separately enclosed structure.

D. *Exterior Materials:* Each Dwelling shall have exterior materials of wood, hardwood, brick, concrete, stucco, glass, metal lap, vinyl lap, tile, or stone.

E. *Width of Dwelling*: The width of each Dwelling shall not be less than twenty feet (20') at the narrowest point of its first floor, exclusive of any garage, bay window, or appendages.

F. *Minimum Floor Area*: Each Dwelling shall have a minimum Floor Area, exclusive of garage and Basement, of one thousand (1,000) square feet.

G. *Special Water Standards*: The following standards shall apply to all new or remodeled single-family units:

1. Residential Dwelling units shall install hot water recirculation systems unless hot water delivery can be demonstrated to occur without first displacing more than 0.6 gallons of system water.
2. Residential Dwelling units shall install WaterSense labeled fixtures, including, but not limited to faucets, showerheads, toilets, and urinals.
3. Residential Dwelling units shall install Energy Star qualified appliances.

10-5-5:

LANDSCAPE STANDARDS:

All new or remodeled construction or development shall meet the following standards:

A. The total Lawn area for any residential lot shall not exceed 8% of the total Lot size, regardless of zoning up to a maximum of 1,500 square feet for Lots up to 20,000 square feet. Lots which are greater than 20,000 square feet may have a Lawn area of up to 2000 square feet. Lots which are less than 7500 square feet may have a Lawn area of up to 600 square feet even if that amount exceeds 8% of the Lot size. All Lots must comply with subsection B below. This does not include any pasture or other types of grasses that are not part of Landscaping.

B. Lawn shall be prohibited in Park Strips, all Landscape areas less than eight (8) feet wide, and on any Slope that exceeds 15%. Areas with soil Slopes greater than 15% shall have Erosion Control measures and may be Landscaped with deep-rooting, Water-Conserving Plants that do not include Lawn.

C. Each single-family Dwelling shall have a minimum of two (2) Water-Conserving Trees with a minimum of one-and-one-half inch (1½") Caliper trunk.

D. Exterior, Decorative Water Features are limited to one Decorative Water Feature with a 50 gallon or less capacity and maintained recirculating pumps.

E. Exceptions: The irrigation of crops and watering of Livestock are not included in the Landscape regulations.

10-5-6:

Yards Unobstructed – Exceptions

10-5-7:

Curb, Gutter, Sidewalk and Driveway

10-5-8:

Utility Requirements

10-5-8:

Temporary Buildings

10-5-10:

Setbacks along Streets

10-5-11:

Related Provision

CHAPTER 7 RESIDENTIAL ZONES

Residential Estate (RE), Single-Family, Multiple-Family, Mobile Home (MH), Residential Central City (RCC), and Planned Development Zones (PD-R, PD-SH and PD-TNZ)

- 10-7-1: Yards Unobstructed – Exceptions**
- 10-7-2: Curb, Gutter and Sidewalk – When Required**
- 10-7-3: Utility Requirements**
- 10-7-4: Temporary Buildings**
- 10-7-5: Setbacks along Streets**
- 10-7-6: Design Criteria**
- 10-7-7: Landscape Standards**
- 10-7-8: Related Provisions**
- 7A Residential Estate Zones**
 - 10-7A-1: Allowed Uses**
 - 10-7A-2: Height Regulations**
 - 10-7A-3: Lot Area, Width and Yard Requirements**
- 7B Single-Family Residential Zones**
 - 10-7B-1: Allowed Uses**
 - 10-7B-2: Height Regulations**
 - 10-7B-3: Lot Area, Width, Yard Requirements**
- 7C Multiple-Family Residential Zones**
 - 10-7C-1: Allowed Uses**
 - 10-7C-2: Height Regulations**
 - 10-7C-3: Density Regulations**
 - 10-7C-4: Area, Width and Yard Requirements**
 - 10-7C-5: Minimum Required Building Separation**
 - 10-7C-6: Landscaped Area and Amenity Requirements**
 - 10-7C-7: Miscellaneous**
- 7D Mobile Home Zones**
 - 10-7D-1: Allowed Uses**
 - 10-7D-2: Height Regulations**
 - 10-7D-3: Area, Width and Yard Requirements**
 - 10-7D-4: Design Criteria**
 - 10-7D-5: Landscaped Area and Amenity Requirements**
- 7E Residential Central City Zone**
 - 10-7E-1: Allowed Uses**
 - 10-7E-2: Development Standards**
 - 10-7E-3: Architectural Design Standards**
- 7F Planned Development Residential Zone**
 - 10-7F-1: Allowed Uses**
 - 10-7F-2: General Requirements**

- 10-7F-3: Landscape Standards**
- 10-7F-4: Preliminary Plat**
- 10-7F-5: PD-R Planned Residential Development Standards**
- 10-7F-6: Landscaped Area and Amenity Requirements**
- 7G Planned Development – Student Housing Zone**
- 10-7G-1: Allowed Uses**
- 10-7G-2: General Requirements**
- 10-7G-3: Preliminary Plat**
- 10-7G-4: PD-SH Student Housing Development Standards**
- 7H Planned Development – Traditional Neighborhood Zone**
- 10-7H-1: Zone Standards**
- 10-7H-2: Administration**
- 10-7H-3: Regulating Text**
- 10-7H-4: Application Review Process**
- 10-7H-6: Use Regulations – Land Uses**

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10-7-3:

UTILITY REQUIREMENTS:

In all areas of the city, connection shall be made to public culinary and Secondary Irrigation Water, electrical and sewer facilities. All utilities shall be located underground, unless specifically approved by the city engineer or designee. All construction shall comply with the state and local Construction Code and all city standards.

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10-7-6:

DESIGN CRITERIA:

A complete application for single-family occupancy must include a site plan, architectural plans, and Construction Drawings of one-quarter (1/4) scale, that show Building materials, exterior elevations and floor plans of all proposed structures that meet the following criteria:

A. *HUD Standards, Construction Codes:* All development must comply with the construction codes and, as applicable, the national manufactured housing construction and safety standards and ICC guidelines for manufactured housing installations, that are capable of transferring design dead loads and live loads, and other design loads unique to local home sites, due to wind, seismic, soil and water conditions, that are imposed by or upon the structure into the underlying soil or bedrock without failure.

B. Perimeter footings at least twelve inches (12") below grade.

C. For all Dwellings:

1. Space beneath the structure must be enclosed at the perimeter of the Dwelling in accordance with ICC guidelines and constructed of weather-resistant materials aesthetically consistent with concrete or masonry type foundation materials.
2. A minimum landing of thirty-six inches by thirty-six inches (36" x 36") at each exit.
3. All manufactured home running gear, tongues, axles, and wheels must be removed and stored off site or in a separately enclosed structure.

D. *Prohibited Exterior Materials:*

1. Plain concrete block, slump block, weeping mortar.
2. Colored or architectural concrete block.
3. Plywood siding.
4. Metal siding, sheet metal.
5. Untreated metal, or reflective roofing.

E. *Width of Dwelling:* The width of each Dwelling shall not be less than twenty feet (20') at the narrowest point of its first floor, exclusive of any garage, bay window, or appendages.

F. *Minimum Floor Area:*

1. Each Dwelling located on a Lot of seven thousand (7,000) square feet or less in size shall have a minimum Floor Area, exclusive of garages and Basement, of nine hundred (900) square feet.
2. Each Dwelling located on a Lot greater than seven thousand (7,000) square feet in size shall have a minimum Floor Area, exclusive of garage and Basement, of one thousand (1,000) square feet.

G. Any addition to the main structure shall be constructed using the same design, finishes, materials, and colors.

H. *Access:* There shall be a minimum of one point of access to a dedicated public road that meets the adopted road standards. All other access requirements shall comply with the current Fire Code as approved by the Fire Marshal.

I. *Special Water Standards:* The following construction standards shall apply to all new or remodeled single or multiple-family units:

1. Single-family or multi-family residential Dwelling units shall install hot water recirculation systems unless hot water delivery can be demonstrated to occur without first displacing more than 0.6 gallons of system water.

2. Single-family or multi-family residential Dwelling units shall install WaterSense labeled fixtures, including, but not limited to faucets, showerheads, toilets, and urinals.
3. Single-family or multi-family residential Dwelling units shall install Energy Star qualified appliances.
4. All individually platted multi-family units which are accessed from the ground floor shall be separately metered, sub-metered, or equipped with alternative technology capable of tracking the water use of the individual unit. The separate metering of all multi-family units is encouraged where possible. If not otherwise billed directly to the resident of each unit, if possible, the monthly usage information shall be made available to the resident of each unit to monitor water usage. All multi-family Projects shall require separate Water Meters for all outdoor (irrigation) water usage, including Landscaping.

10-7-7:

LANDSCAPE STANDARDS:

All new or remodeled construction or development shall meet the following standards:

A. The total Lawn area for any residential Lot or Common/Limited Common Areas associated with a private pad, regardless of zoning shall not exceed 8% of the total Lot size up to a maximum of 1500 square feet for Lots up to 20,000 square feet Lots which are greater than 20,000 square feet may have a Lawn area of up to 2,000 square feet. Lots which are less than 7,500 square feet may have a Lawn area of up to 600 square feet even if that amount exceeds 8% of the Lot size. All Lots must comply with subsection B below. This does not include any pasture or other types of grasses that are not part of Landscaping.

B. Lawn shall be prohibited in Park Strips, all Landscape areas less than eight feet wide and on any Slope that exceeds 15%. Areas with soil Slopes greater than 15% shall have Erosion Control measures and may be Landscape d with deep-rooting, Water-Conserving Plants that do not include grass.

C. Each single-family Dwelling shall have a minimum of two water-Conserving Trees with a minimum of one-and-one-half inch (1½") Caliper trunk. Each multiple-family or mixed-use development shall comply with Chapter 23 of this title as it relates to number of trees and shrubs required on site.

D. Exterior Decorative Water Features are limited to one with a 50 gallon or less capacity and maintained recirculating pump.

10-7-8:

RELATED PROVISIONS:

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ARTICLE C. MULTIPLE-FAMILY RESIDENTIAL ZONES (R-2, R-3, R-4)

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10-7C-6: LANDSCAPED AREA AND AMENITY REQUIREMENTS:

A. At a minimum, all developments with five (5) or more units shall provide usable recreation or playground areas in a central location as follows:

1. One thousand (1,000) square feet for the first five (5) units;
2. An additional two hundred (200) square feet for each unit over five (5) units;
3. The average width and length of each usable recreation or playground area shall not be less than twenty feet (20'); and
4. All of the required area shall be usable common space accessible to the entire community.
5. Of the required amenity area, up to 8% of the amenity requirement may be used as an Active Recreation Area.

B. The number of amenities required depends on the size of the development. All amenities shall be approved by the Land Use Authority in accordance with the following:

Units	Amenities
0 - 4	0
5 - 50	1
51 - 100	2
101 - 200	3
201 - 300	4
Add 1 amenity for each 50 additional units or fraction thereof.	

C. The type of amenities required depends on the nature, size, and density of the development. If multiple amenities are required, the type shall vary. All amenities shall be approved by the Land Use Authority in accordance with the following:

1. All required amenities shall be fully constructed, prior to construction of fifty percent (50%) of the total Project units, or in accordance with an executed development agreement with terms acceptable to the city;
2. In addition to amenities, a minimum of thirty percent (30%) of the Lot area shall be maintained in Landscaped Area, and at least fifty percent (50%) of the front Setback area shall be maintained as Landscaped Area.

D. *Table of Amenities:*

Recreation and Enrichment Amenities
Pool – At least 400 square feet
Internal health or fitness facilities
Secured, programmed, children’s play areas
In-ground hot tub
Community garden
Perimeter trail
Sport court
Indoor, keyed, bicycle storage for units
Community library, office, or meeting facilities
Exterior social area – At least 400 square feet
Active Recreation Area

E. *Detached or Pad Units:* Multi-family Projects which involve detached housing or pad development shall comply with the Landscape standards in Chapter 23.

10-7C-7:
MISCELLANEOUS:

...

**ARTICLE F. PLANNED DEVELOPMENT RESIDENTIAL ZONE
(PD-R)**

- 10-7F-1: Allowed Uses**
- 10-7F-2: General Requirements**
- 10-7F-3: Landscape Standards**
- 10-7F-3: Preliminary Plat**
- 10-7F-4: PD-R Planned Residential Development Standards**
- 10-7F-5: Landscaped Area and Amenity Requirements**

**10-7F-2:
GENERAL REQUIREMENTS:**

A. *Application Requirements:* Each application submitted pursuant to this chapter shall include the following:

1. *Documents Required:* All requests shall be accompanied by a colored site development plan, materials, and a written text for the entire property proposed to be developed.
2. *Description of the Proposed Use of Land:* The projected use of land, including percentages of land devoted to various types of land use, such as Building coverage, parking area, Landscaped Area, etc.
3. *Height and Elevations:* The type, character, and proposed height of all Buildings.
4. *Density:* The proposed density in terms of Dwelling units per gross acre of land and proposed Floor Area of nonresidential uses per acre.
5. *Schools, Churches, and Open Spaces:* The location and boundaries of any proposed school site, Church, park or other common or open spaces.
6. *Phasing Plan:* A phasing plan if the development is proposed to be developed in phases.
7. *Topography:* Topography at contour intervals of two feet (2').
8. *Landscape Plan:* A Landscape Plan showing the general location of lawn area and trees (this may be a part of the site or plot plan).
9. *Area Reserved for Landscaping:* The location and amount of land area reserved for Landscaping.
10. *Utilities:* Demonstration that all utilities are underground and transformer equipment is screened from streets and from Adjacent properties.
11. *Refuse Storage Areas:* Refuse storage areas screened so that materials stored within these areas are not visible from access streets, freeways, and Adjacent properties.
12. *Lighting Plan:* A general lighting plan indicating location and luminosity of lights to be installed on the site.
13. *Turning Space:* Safe and convenient turning space for cars, sewer Vehicles, refuse collection Vehicles, firefighting equipment, etc., at the end of private drives and dead-end streets.
14. *Signs:* All signs shall be submitted and approved as part of the PD approval.

B. *Signs and Advertising*: The requirements of the sign ordinance set forth in title 9, chapter 13 of this code apply, unless a variation is specifically approved, and shall not exceed the following:

1. *Freestanding Signs*: Freestanding signs shall be monuments and limited to seventy-five (75) square feet. Monument signs shall be limited to ten feet (10') in height. Only one (1) sign per street frontage is permitted.

2. *Wall Signs*: One (1) wall sign on a multiple-family Project limited to one hundred twenty (120) square feet.

C. *Time Limitation*: For single Lot multi-family Projects, approval of a final site plan, Construction Drawings, and/or building permits for construction within Planned Development zones must be approved and obtained within one (1) year of the approval of a zone change to Planned Development. For all other multi-family Projects on more than one Lot or Parcel requiring a subdivision of land, the Final Plat must be recorded within one (1) year of the effective date of any zone change. The effective date of any zone change under this title shall be the date of Final Plat approval, recordation and/or final Construction Drawing approval.

D. *Special Water Standards*: The following standards shall apply to all new or remodeled single-family units:

1. Single-family residential Dwelling units shall install hot water recirculation systems unless hot water delivery can be demonstrated to occur without first displacing more than 0.6 gallons of system water.

2. Single-family residential Dwelling units shall install WaterSense labeled fixtures, including, but not limited to faucets, showerheads, toilets, and urinals.

3. Single-family residential Dwelling units shall install Energy Star qualified appliances.

4. All individually platted multi-family units which are accessed from the ground floor shall be separately metered, sub-metered, or equipped with alternative technology capable of tracking the water use of the individual unit. The separate metering of all multi-family units is encouraged where possible. If not otherwise billed directly to the resident of each unit, if possible, the monthly usage information shall be made available to the resident of each unit to monitor water usage. All multi-family Projects shall require separate Water Meters for all outdoor (irrigation) water usage, including Landscaping.

10-7F-3:

LANDSCAPE STANDARDS:

All new or remodeled construction or Development Activity shall meet the following standards:

- A. The total Lawn area for any residential lot shall not exceed 8% of the total Lot size, regardless of zoning up to a maximum of 1500 square feet for Lots up to 20,000 square feet. Lots which are greater than 20,000 square feet may have a Lawn area of up to 2,000 square feet. Lots which are less than 7,500 square feet may have a Lawn area of up to 600 square feet even if that amount exceeds 8% of the Lot size. All Lots must comply with subsection B below. This does not include any pasture or other types of grasses that are not part of Landscaping.
- B. Lawn shall be prohibited in Park Strips, all Landscape areas less than eight (8) feet wide and on any Slope that exceeds 15%. Areas with Slopes greater than 15% shall be Landscape d with deep-rooting, Water-Conserving Plants that do not include grass.
- C. Each single-family Dwelling shall have a minimum of two (2) Water-Conserving Trees with a minimum of one-and-one-half inch (1½") Caliper trunk. Each multi-family development shall comply with Chapter 23 of this title as it relates to number of trees and shrubs required on site.
- D. Exterior Decorative Water Features are limited to one with a 50 gallon or less capacity and maintained recirculating pump.

10-7F-4:

PRELIMINARY PLAT:

10-7F-5:

PD-R PLANNED RESIDENTIAL DEVELOPMENT STANDARDS:

10-7F-6:

LANDSCAPED AREA AND AMENITY REQUIREMENTS:

**ARTICLE G. PLANNED DEVELOPMENT – STUDENT HOUSING ZONE
(PD-SH)**

10-7G-2:

GENERAL REQUIREMENTS:

A. *Application Requirements:* Each application submitted pursuant to this chapter shall include the following:

1. *Documents Required:* All requests shall be accompanied by a colored site development plan, materials, and a written text for the entire property proposed to be developed.
2. *Description of the Proposed Use of Land:* The projected use of land, including percentages of land devoted to various types of land use, such as Building coverage, parking area, Landscaped Area, etc.

3. *Height and Elevations*: The type, character, and proposed height of all Buildings.
4. *Density*: The proposed density in terms of Dwelling units per gross acre of land and proposed Floor Area of residential and nonresidential uses per acre.
5. *Common Spaces*: The location and boundaries of any proposed common, open, recreation, or amenity areas.
6. *Phasing Plan*: A phasing plan if the development is proposed to be developed in phases.
7. *Topography*: Topography at contour intervals of two feet (2').
8. *Landscape Plan*: A Landscape plan showing the general location of lawn area and trees (this may be a part of the site or plot plan).
9. *Area Reserved for Landscaping*: The location and amount of land area reserved for Landscaping.
10. *Utilities*: Demonstration that all utilities are underground and transformer equipment is screened from streets and from Adjacent properties.
11. *Refuse Storage Areas*: Refuse storage areas screened so that materials stored within these areas are not visible from access streets, freeways, and Adjacent properties.
12. *Lighting Plan*: A general lighting plan indicating location and luminosity of lights to be installed on the site.
13. *Turning Space*: Safe and convenient turning space for cars, sewer Vehicles, refuse collection Vehicles, firefighting equipment, etc.
14. *Signs*: All signs shall be submitted and approved as part of the PD approval.

B. *Signs and Advertising*: The requirements of the sign ordinance set forth in title 9, chapter 13 of this code apply, unless a variation is specifically approved, and shall not exceed the following:

1. *Freestanding Signs*: Freestanding signs shall be monuments and limited to seventy-two (72) square feet. Monument signs shall be limited to ten feet (10') in height. One (1) sign per street frontage.
2. *Wall Signs*: One (1) wall sign on a multiple-family Project limited to one hundred and twenty (120) square feet.

C. *Time Limitation*: For single Lot Projects, a final site plan, Construction Drawings, and building permits for construction within any Planned Development zones-must be approved and obtained within-one (1) year of the effective date of a zone change to Planned Development.

For all other student housing Projects the Final Plat must be recorded within one (1) year of approval. The effective date of any zone change under this title shall be the date of Final Plat recordation, building permit issuance, and/or final Construction Drawing approval. In no event shall the effective date of a zone change ordinance extend beyond one (1) year from the date of adoption.

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10-7G-4:

PD-SH STUDENT HOUSING DEVELOPMENT STANDARDS:

A. *Minimum Zone Requirements:* Each planned student housing development zone application shall contain a minimum of one (1) acre within the student pedestrian emphasis area.

B. *Height Regulations:* No residential Dwelling shall be erected to a height less than ten feet (10') and no structure shall be greater than fifty-five feet (55'). The city council, after recommendation from the planning commission, may approve increased Building height up to seventy feet (70') upon making a finding, as part of a zone change approval, that the increase in height will fit harmoniously into the neighborhood, minimizing any negative impacts, after considering the following:

1. Proposed Setbacks provide an appropriate buffer to neighboring properties;
2. Increased Landscaping enhances the Project and reduces any negative impacts;
3. Site layout and design enhance the Project and reduce any negative impacts;
4. The massing and Building scale is appropriate for the location;
5. The proposed height increase is appropriate for the area; and
6. The increase in height is consistent with any applicable master plan.

C. *Area - Coverage - Density - Yard - Common Area and Landscaping Requirements:* The minimum Lot area, maximum density, maximum Lot coverage, yard and common open space/Landscaping requirements are as follows:

[table not included]

D. *Landscape Area and Amenity Requirements:* At a minimum, all developments shall provide usable amenity areas in a central location:

1. Student housing Projects shall provide usable amenity and recreation areas outside the front Setback, with a total minimum area of one hundred (100) square feet for each unit.

Fifty percent (50%) of the required area may be in the form of interior recreation facilities;

2. The average width and length of each usable recreation area shall not be less than twenty feet (20');
3. All of the required area shall be usable common space accessible to the entire community; and
4. The number of amenities required depends on the size of the development, and shall be approved by the Land Use Authority in accordance with the following:

[table not included]

5. The type of amenities required depends on the nature, size, and density of the development. If multiple amenities are required, the type shall vary. All amenities shall be approved by the Land Use Authority in accordance with the following:

- a. All required amenities shall be fully constructed in the first phase of the Project, in accordance with an approved PD phasing plan, or in accordance with an executed development agreement with terms acceptable to the city. In every case, all required amenities shall be fully constructed before fifty percent (50%) of the total Project units are constructed;

- b. In addition to the amenity and recreation requirement, a minimum of thirty percent (30%) of the Lot area shall be maintained in open green space or Landscaped Area, and

at least fifty percent (50%) of the front Setback area shall be maintained as Landscaped Area;

c. *Table of Amenities:*

Recreation and Enrichment Amenities

Pool – At least 400 square feet
Internal health or fitness facilities
Secured, programmed, children’s play areas
In-ground hot tub
Community garden
Perimeter trail
Sport court
Indoor, keyed, bicycle storage for units
Community library, office, or meeting facilities
Exterior social area – At least 400 square feet
Active Recreation Area

E. *Standards:* The standards set forth in chapter 7 of this title shall also apply unless otherwise provided in this section.

F. *Design Standards:* Building façades shall have architectural variations such as:

1. Contrasting Building materials and textures;
2. Variations in rooflines, colors, reveals and belt courses;
3. Recessed windows and doors, strongly expressed window mullions, and awnings;
4. Varying Building Setbacks from property lines and alcoves, outdoor sitting areas, and small public plazas;
5. Corner towers, cupolas, corner clock towers, corner spires, balconies, and colonnades;
6. Buildings located on street corners shall have the front façade wrap around the corner to the full depth of the Building.

G. *Number of Students – Enforcement:* A minimum of seventy-five percent (75%) of the occupants must be enrolled in Dixie State University as Qualifying Students. The property owner shall enter into an agreement with the city in which the property owner acknowledges its responsibility to ensure and monitor compliance for qualified student occupancy. The property owner is responsible for entering into an agreement with the tenant that allows verification and

compliance with this section, including waiving any FERPA restrictions for verification purposes. Monitoring requires the property owner to obtain verifiable information from Dixie State University, with evidence that seventy-five percent (75%) of the property occupants are Qualifying Students. The property owner must provide a semiannual (spring and fall) report to the city indicating the number and percentage of tenants who are Qualifying Students at the university. Reporting must be submitted to the city no later than thirty (30) days after the commencement of the associated reporting semester. In addition to those penalties provided in section [10-1-14](#), if the property owner fails to meet the minimum student occupant requirement for one (1) semiannual report, quarterly reports will be required. If the property owner fails to meet the minimum student occupant requirement at the next quarterly report, such failure will result in a fifty percent (50%) reduction in unit occupancy effective at the following quarterly report. Thereafter, if the property owner can show four (4) consecutive quarterly reports with evidence that seventy-five percent (75%) of property occupants are Qualifying Students, the fifty percent (50%) reduction in unit occupancy will be lifted, and semiannual reporting will be reinstated. It is the duty of the property owner to market and lease to, and maintain the required percentage of, qualified student occupants.

H. *Commercial*: Commercial uses may be considered during the PD-SH approval on the ground floor, and no minimum or maximum commercial use is required in accordance with section [10-8D-8](#); it must comply with all other mixed-use standards therein.

CHAPTER 8 ADMINISTRATIVE PROFESSIONAL (AP), COMMERCIAL (C), AND MANUFACTURING ZONES (M), AND PLANNED DEVELOPMENT ZONES (PD-AP, PD-C, PD-M AND PD-MU)

10-8-3:

UTILITY REQUIREMENTS:

In all areas of the city, connection shall be made to public culinary and Secondary Irrigation Water, electrical and sewer facilities. All utilities shall be located underground, unless specifically approved by the city engineer or designee. All construction shall comply with state and local Construction Code and all city standards.

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ARTICLE (8)B.COMMERCIAL ZONES

C-1 (Neighborhood Commercial),C-2 (Highway Commercial),C-3 (General Commercial),C-4 (Central Business District Commercial)

- 10-8B-1: Allowed Uses**
- 10-8B-2: Area, Setback and Height Requirements**
- 10-8B-3: Special Provisions**

10-8B-1:

ALLOWED USES:

Any use not specifically permitted, permitted with standards, or conditionally permitted is prohibited. Only the following uses are allowed:

- A. Uses indicated by the letter "P" below are permitted in the designated zone.
- B. Uses indicated by the letters "PS" are permitted uses with required standards in this zone. Uses must comply with the standards and evaluation criteria established in chapter [17](#) of this title.
- C. Uses indicated by the letter "C" are conditional uses in the designated zone.

Allowed Uses

[showing only amended provisions]

	C-1	C-2	C-3	C-4
Amusement Centers (with no Water Activity)				
Indoor		P	P	
Outdoor		C	C	
Amusement Centers (with Water Activity)		PS	PS	

**ARTICLE (8)D.PLANNED DEVELOPMENT ZONES
 (PD-AP, PD-C, PD-M AND PD-MU)**

10-8D-2:

GENERAL REQUIREMENTS:

Planned Development AP, C and M shall comply with subsection [A](#) of this section, at the time of the initial zone-change application. Planned Development MU shall comply with subsections [A](#) and [B](#) of this section concurrently at the time of its first submittal of an application.

A. *Planned Development Initial Zone-Change Application Requirements:* Each zone-change application submitted pursuant to this subsection shall include the following:

1. A detailed narrative of the proposed development of the entire property.
2. A detailed list of proposed land uses and proposed densities.
3. A preliminary site plan showing the location of the roads, development areas, open spaces, and phasing plan (if any).

B. *Planned Development Secondary Zone-Change Application Requirements:* Each zone-change application submitted pursuant to this subsection shall include the following:

1. *Initial Documents Required:* All requests shall be accompanied by a colored site development plan, materials, and a written text for the entire property proposed to be developed.
 2. *Description of the Proposed Use of Land:* The projected use of land, including percentages of land devoted to various types of land use, such as Building coverage, parking area, Landscaped Area, etc.
 3. *Height and Elevations:* The type, character, and proposed height of all Buildings.
 4. *Density:* The proposed density in terms of Dwelling units per gross acre of land and proposed Floor Area of nonresidential uses per acre.
 5. *Schools, Churches, and Open Spaces:* The location and boundaries of any proposed school site, Church, park or other common or open spaces.
 6. *Phasing Plan:* A phasing plan if the development is proposed to be developed in phases.
 7. *Topography:* Topography at contour intervals of two feet (2').
 8. *Landscape Plan:* A Landscape plan showing the general location of lawn area and trees (this may be a part of the site or plot plan).
 9. *Area Reserved for Landscaping:* The location and amount of land area reserved for Landscaping.
 10. *Utilities:* Demonstration that all utilities are underground and transformer equipment is screened from streets and from Adjacent properties.
 11. *Refuse Storage Areas:* Refuse storage areas screened so that materials stored within these areas are not visible from access streets, freeways, and Adjacent properties.
 12. *Lighting Plan:* A general lighting plan indicating location and luminosity of lights to be installed on the site, to be more than the lighting ordinance set forth in this title allows.
 13. *Turning Space:* Safe and convenient turning space for cars, sewer Vehicles, refuse collection Vehicles, firefighting equipment, etc., at the end of private drives and dead-end streets.
 14. *Signs:* All signs shall be submitted and approved as part of the PD approval.
- C. *Signs and Advertising:* The requirements of the sign ordinance set forth in title [9](#), chapter [13](#) of this code apply, unless a variation is specifically approved, and shall not exceed the following:

1. *Freestanding Signs*: Freestanding signs shall be limited to the standards set forth in section [9-13-4B](#) for major commercial Projects within one thousand five hundred feet (1,500') of a freeway exit.

2. *Monument Signs*: Limited to one (1) monument per Building.

D. Lighting shall comply with the lighting ordinance set forth in this title. Variations may be approved if located along the I-15 freeway and not Adjacent to a residential zone. A variation may be considered for properties Adjacent to a residential zone if, in the opinion of the city council, additional lighting is needed for security, and any impacts to residential are mitigated.

E. Any zone change shall be approved by the adoption of an ordinance by the city council, which ordinance shall not be effective until the recording of a Final Plat, approval of a final site plan or Construction Drawings, or issuance of a building permit. In no event shall the effective date of any zone change ordinance extend beyond one (1) year of the date of adoption.

10-8D-3:

PRELIMINARY PLAT:

For all Planned Development Projects that are proposed to be subdivided, applicant shall prepare and submit a Preliminary Plat at the same time as the zone-change application for the Planned Development. In order to be considered for concurrent review, the application must contain all Preliminary Plat requirements set forth in chapter [25](#) of this title, as amended.

CHAPTER 11 OPEN SPACE (OS)

10-11-1:

ALLOWED USES:

Any use not specifically permitted, permitted with standards, or conditionally permitted is prohibited. Only the following uses are allowed:

- A. Uses indicated by the letter “P” below are permitted in the designated zone.
- B. Uses indicated by the letters “PS” are permitted uses with required standards in this zone. Uses must comply with the standards and evaluation criteria established in chapter [17](#) of this title.
- C. Uses indicated by the letter “C” are conditional uses in the designated zone.

Allowed Uses

	OS
Agriculture	P
Barns and corrals for Agriculture and Livestock – At least 100' from any Dwelling	P
Cemetery	P
Urban Hens and Rabbits – Up to 20 animals per acre (min 1 acre Parcel); provided, the coop or pen is at least 100' from any Dwelling and up to 1 rooster per acre is kept at least 50' from any residential zone	P
City Facility	P
Communication transmission facilities, including wireless, primary	PS
Communication transmission facilities, including wireless, primary, height over 50'	C
Hogs to be raised by resident for purposes of meeting requirements of a youth club – Maximum of 2 hogs per 37,500 sf for a maximum of 6 months	PS
Hog pen/shelter – Up to 8' tall and 100 sf – Allowed only in Rear Yard at least 100' from any Dwelling; required effective manure management	PS
Livestock grazing limited to 4 weaned animals per acre or 8 weaned animals per acre for no more than 30 days per year	P
Active Recreation Area	P

CHAPTER 17

PERMITTED WITH STANDARDS AND CONDITIONAL USES

- 17A Permitted with Standards – General Provisions**
 - 10-17A-1: Application Requirements**
 - 10-17A-2: General Standards**
 - 10-17A-3: Accessory Dwelling Unit – Specific Standards**
 - 10-17A-4: Apiaries/Beekeeping – Specific Standards**
 - 10-17A-5: Automobiles and Other Similar Vehicle Sales Lots – Specific Standards**
 - 10-17A-6: Communication Transmission Facilities, Including Wireless, Primary – Specific Standards**
 - 10-17A-7: Guesthouse – Specific Standards**
 - 10-17A-8: Indoor Shooting Range – Specific Standards**
 - 10-17A-9: Public Utility Facilities – Specific Standards**
 - 10-17A-10: Residential Treatment Facility – Specific Standards**
 - 10-17A-11: RV Parks, Long and Short Term**
 - 10-17A-12: RV Storage – Specific Standards**
 - 10-17A-13: Short-Term Residential Rental – Specific Standards**
 - 10-17A-14: Storage Rental Units – Specific Standards**
 - 10-17A-15: Car Wash – Specific Standards**
 - 10-17A-16: Golf Course – Specific Standards**
 - 10-17A-17: Amusement Center with Water Activity – Specific Standards**
- 17B Conditional Use Permit Review**
 - 10-17B-1: Application Requirements**
 - 10-17B-2: Land Use Authority**
 - 10-17B-3: Review Criteria**
 - 10-17B-4: Conditional Use Permit Standards**
 - 10-17B-5: Modification of Conditional Use Permit**
 - 10-17B-6: Expansion and Growth of Conditional Use**
 - 10-17B-7: Revocation of Conditional Use Permit**
 - 10-17B-8: Expiration**
 - 10-17B-9: Requirements for Specific Conditional Use Permits**

ARTICLE A. PERMITTED WITH STANDARDS – GENERAL PROVISIONS

- 10-17A-1: Application Requirements**
- 10-17A-2: General Standards**
- 10-17A-3: Accessory Dwelling Unit – Specific Standards**
- 10-17A-4: Apiaries/Beekeeping – Specific Standards**
- 10-17A-5: Automobiles and Other Similar Vehicle Sales Lots – Specific Standards**
- 10-17A-6: Communication Transmission Facilities, Including Wireless, Primary – Specific Standards**
- 10-17A-7: Guesthouse – Specific Standards**
- 10-17A-8: Indoor Shooting Range – Specific Standards**
- 10-17A-9: Public Utility Facilities – Specific Standards**

- 10-17A-10: Residential Treatment Facility – Specific Standards**
- 10-17A-11: RV Parks, Long and Short Term**
- 10-17A-12: RV Storage – Specific Standards**
- 10-17A-13: Short-Term Residential Rental – Specific Standards**
- 10-17A-14: Storage Rental Units – Specific Standards**
- 10-17A-15: Car Wash – Specific Standards**
- 10-17A-16: Golf Course – Specific Standards**
- 10-17A-17: Amusement Center with Water Activity – Specific Standards**

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**10-17A-10:
RESIDENTIAL TREATMENT FACILITY – SPECIFIC STANDARDS:**

Residential treatment facilities shall meet the following additional standards:

- A. The facility is licensed by the Utah Department of Human Services.
- B. The facility operator must provide prior written notice to the police department of each convicted felon to be treated in such facility.
- C. Provide at least thirty percent (30%) of the area as open space or playground and one (1) Parking Space per staff member on the highest shift plus one (1) Parking Space for each five (5) persons housed in the facility. (Ord. 2019-10-002, 10-10-2019)

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**10-17A-15:
CAR WASH – SPECIFIC STANDARDS:**

In order to preserve the limited water resources within the City of St. George, Car washes shall meet the following additional standards:

- A. In addition to the applicable Landscaping requirements of chapter [23](#) of this title, Landscaping for all car washes shall double the number of plantings required in areas Adjacent to the stacking and drive-through areas.
- B. Car washes shall use façade materials that produce texture. Such materials include, but are not limited to, split-face block, brick, or stucco and shall utilize more than one such material. All colors shall be muted. Bright or reflective colors shall not be allowed except as an accent, up to ten percent (10%) of each façade. No long, continuous rooflines without a horizontal break shall be permitted.
- C. Sides of car wash bays or tunnels facing a residential use or neighborhood zoning district shall be completely enclosed by a wall. Solid windows that do not open, glass block, or other closed material may be used for the wall.
- D. Vacuum stations and related equipment shall comply with the Setbacks for the principal structure.

E. Vacuum stations and related equipment are prohibited along any side of a Building facing a residential use or residential zoning district.

F. Recycling of all water used in a car wash is encouraged to reduce the amount of fresh culinary water used. All car washes must be plumbed at the time of construction, to provide for water recycling systems for both wash water and reverse osmosis rinse water systems whether installed or not.

G. The site shall provide space sufficient to allow a minimum of five Vehicles to stack while waiting to access the car wash prior to reaching the payment area. All stacking shall be maintained on site and shall not back onto any public right-of-way.

H. *Water Limitations:*

1. All car washes must install systems and equipment sufficient to limit the amount of fresh culinary water used on a per Vehicle basis. From July 1, 2022 until June 30, 2027, no car wash shall be permitted unless it can demonstrate that the system shall not use more than an average of 35 gallons of culinary water per car.
2. Systems which recycle water used for Vehicle washing and recycle reverse osmosis reject water are required to be installed and used in perpetuity.
3. The use of Secondary Irrigation Water in the wash cycle may be permitted in lieu of some recycling requirements if approved by the St. George City water department. The use of recycling water systems and the disposal of water fluids and solids shall comply with applicable state and federal laws, guidelines, and standards. Larger storage tanks may be permitted on site in order to capture and reuse water.

10-17A-16:

GOLF COURSE - SPECIFIC STANDARDS

No new golf course shall be approved unless the development is capable of providing its own wet water source sufficient to irrigate the golf course. Paper water rights shall not be sufficient. No culinary water may be used to irrigate the golf course.

10-17A-17:

AMUSEMENT CENTER WITH WATER ACTIVITIES – SPECIFIC STANDARDS

No new Amusement Center with Water Activities shall be approved unless the development is capable of providing its own wet water source sufficient to provide perpetual water for the Water Activities. Paper water rights shall not be sufficient. No culinary water may be used to fill, refill, or operate the Water Activities.

CHAPTER 23 LANDSCAPE STANDARDS

10-23-1:

MINIMUM LANDSCAPING STANDARDS:

Minimum landscaping standards are required for development within all zones except Agriculture, gravel and grazing, open space, and single-family residential, as follows:

A. *Application:* The requirements of this section apply to all new development and to the remodeling of existing development where there is an increase in the Building's footprint.

B. *Design:*

1. All Landscape and Irrigation Designers shall have all required state and local licenses, insurance, and be able to show proof of such.
2. Landscape Plans shall make provisions for Erosion Control on all graded sites. Areas with soil Slopes greater than 15% shall have Erosion Control measures and may be Landscape d with deep-rooting, Water-Conserving Plants that do not include Lawn.
3. A Landscape Document Package prepared by a Utah-licensed Landscape Architect shall be submitted to the city for review at the same time as the drawings and plans are submitted for development of the site. The Landscape document package must be approved prior to the issuance of any building permit. A copy of the approved Landscape Document Package shall be provided to the property owner or site manager. See Landscape Document Package submission checklist for what is to be included in the package. This checklist is to be submitted with the Landscape Document Package.
4. Water-Conserving Plants that are well adapted to the St. George-area climate zone or identified by the District shall be used.
5. Plants with similar water needs shall be grouped together in "Hydrozones." Sprinklers and Drip Emitters shall not be connected to the same irrigation Valve.
6. Water-Conserving Plants with low fuel volume or high moisture content that will blend with the native vegetation shall be used for Projects located at the interface between urban or developed areas and natural (non-irrigated) open space.
7. Open stormwater detention and retention basins shall be Landscaped however, such Landscaping shall not include Lawn unless used as part of an Active Recreation Area.
8. Landscape Plans for Projects proposed for development in multiple phases shall clearly specify the Landscape improvements required in conjunction with each phase.

9. At least fifty percent (50%) of the required Landscaped Area shall be covered with a combination of foliage of shrubs, permitted Lawn, and live-vegetative Ground Cover within five (5) years of planting. Water-Conserving Trees and the tree canopy shall not be counted in this fifty percent (50%) requirement. Lawn is limited to 8% of the Landscaped area. In addition to the shrubs, grass, and Ground Cover, one (1) Water-Conserving Tree with a minimum one-and-one-half-inch (1½") Caliper trunk shall be planted for every four thousand (4,000) square feet of Landscaped area with a minimum of one (1) Water-Conserving Tree per property. The trees may be arranged by the Landscape Architect as best fits the plan either in rows or clusters. Water-Conserving Tree species suitable for desert Landscapes are required to meet this requirement.

10. A plan for ongoing maintenance of right-of-way areas shall be included when Landscape and Irrigation Plans are submitted.

11. Ten percent (10%) of a proposed Project's required landscaping may be located on a rooftop or rooftops

12. Lawn is not permitted outside of an Active Recreation Area. In addition, Lawn is prohibited in Park Strips and all Landscape Areas less than eight (8) feet wide. No Lawn shall be planted on Slopes greater than fifteen percent (15%). Lawn should be reserved for areas where it is functional, including Active Recreation Areas. Choose Lawn species with lower water requirements. Choose Lawn configurations for irrigation efficiency.

13. Park Strips and other Landscaped areas less than eight (8) feet wide shall be Landscaped with Water-Conserving Plants and/or Mulch, rock, or other appropriate materials.

14. All individually platted multi-family or commercial units shall be separately metered, sub-metered or equipped with alternative technology capable of tracking the water use of the individual unit. The information shall be made available to the resident of each unit. Individually platted condominium units are excepted if a property owners' association owns and maintains the water lines and Meters. All multi-family Projects require separate Water Meters for all outdoor water usage, including Landscaping.

15. Outside misting systems shall only operate during the May through September time period where the daily high temperature is 90 degrees Fahrenheit or greater.

16. If Secondary Irrigation Water is available, each Project shall connect to the secondary system for all outdoor water use. A city may make minor exceptions, allowing use of treated water for outdoor plantings in small beautification areas, in its sole discretion.

C. Installation:

1. All Landscape and Irrigation Installers shall have all required state and local licenses, insurance, bonding requirements, and be able to show proof of such upon request.

2. Landscaping and irrigation installation shall be completed as outlined in section 10-1-12.

3. Landscape and Irrigation Installers shall follow the plans found in the Project's Landscape Documentation Package that have been signed and approved by the city.
4. Landscaping shall follow the city of St. George access management policy to properly define the safe-sight distances for intersections or driveways and follow height limitations and zoning requirements.
5. The city may inspect landscaping improvements and require corrective measures regarding the installation of site landscaping and irrigation-system improvements found not to comply with the approved Landscape Plan.
6. Soil preparation shall be provided to assure healthy growing conditions for the plants.
7. The Landscape contractor or Irrigation Contractor shall provide the city with a letter certifying that all improvements have been installed in accordance with the approved Landscape Documentation Package plan and specifications prior to issuance of a certificate of occupancy.
8. All Irrigation Installers shall be supervised by an Irrigation Contractor.

D. Irrigation:

1. Landscape Areas shall be provided with a permanent, fixed automatic irrigation system installed by a licensed Landscape contractor.
2. The distribution uniformity shall be sixty percent (60%) for all fixed-spray systems and seventy percent (70%) for all Rotor systems.
3. Decorative Water Features used in Landscaped Areas shall have a water recirculation system and not have a capacity of more than 50 gallons of water.
4. A Water Performance Audit shall be conducted by a Certified Water Auditor within thirty (30) days following the installation of the irrigation system. A minimum of ten percent (10%) of the irrigation zones shall be audited at the discretion of the auditor.
5. A backflow-prevention assembly shall be properly installed and tested to meet city requirements and meet all state and local health safety laws and ordinances.
6. A Pressure Regulating Valve shall be installed by the builder or developer, and maintained by the owner, if the static service pressure exceeds 90 pounds per square inch (psi). The pressure-regulating Valve shall be located between the Water Meter and the first point of water use, or first point of division in the pipe, and shall be set at the manufacturer's recommended pressure for the irrigation system.
7. It is required that Landscaped Areas use a WaterSense labeled smart irrigation Controller, which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All Controllers shall be equipped with automatic rain delay or rain shut-off capabilities and have memory retention capability to

retain pre-programmed irrigation schedules. Sites are not exempt from water waste prohibitions.

8. Each Control Valve shall irrigate a Landscape area, or Hydrozone, with a similar site, Slope and soil conditions, and plant materials with similar watering needs. Lawn, Water-Conserving Trees and plants in non-Lawn areas shall be irrigated on separate Valves. Drip Emitters and sprinklers shall be placed on separate Valves.

9. Low-volume irrigation equipment (i.e., Drip Emitters, bubblers) shall be provided for each tree with the appropriate distribution for healthy tree growth.

10. Drip Irrigation shall be used to irrigate plants in non-grass areas. Spray head to drip conversion for rehabilitated Landscape sites may be acceptable with city approval of the Landscape Documentation Package.

11. High conservation efficiency spray Nozzles are required for sprinkler applications.

12. Sprinkler heads shall have Matched Precipitation Rates with each Control Valve circuit.

13. Sprinkler heads shall be attached to rigid lateral lines with flexible material (Swing Joints) to reduce potential for breakage.

14. Check Valves are required. Pressure Compensating Valves and sprinklers are required where a significant variation in water pressure occurs within the irrigation system due to elevation differences.

15. Filters and end-flush Valves shall be provided for Drip Irrigation lines.

16. Landscape watering with potable (treated) water is prohibited from 10 a.m. to 8 p.m., from June 1 to September 1, to maximize irrigation efficiency.

17. Water waste is prohibited. Water waste includes overwatering, irrigating during a precipitation event, water that sprays or flows off the originating property, failure to comply with drought restrictions, and/or a failure to repair irrigation system leaks and/or malfunctions in a timely manner. The city shall notify any person or entity believed to be wasting water pursuant to the provisions of title 8, chapter 1 of this code (which is incorporated by reference herein).

A. Water waste shall include overwatering outside of the following schedule:

- Winter (Nov – Feb) – sprinkler and Drip Irrigation up to 1 day a week. irrigation is typically not needed in December and January
- Spring (Mar – April) – sprinkler irrigation up to 2 days a week and Drip Irrigation up to 2 days a week
- Summer (May – Aug) – sprinkler irrigation up to 3 days a week and Drip Irrigation up to 3 days a week

- Fall (Sept – Oct) – sprinkler irrigation up to 3 days a week and Drip Irrigation up to 2 days a week

B. Irrigation systems shall be programmed for multiple repeat cycles to reduce runoff on Slopes and for soils with slow infiltration rates.

E. Trees:

1. All Street Trees shall be planted and maintained in accordance with title [7](#), chapter [4](#) of this code.

2. All healthy trees within ten feet (10') of the right-of-way having a trunk Caliper of at least four inches (4") at one foot (1') above the ground shall be preserved during construction unless removal is approved by the shade tree board.

3. Preserved trees shall be credited toward the satisfaction of the tree planting requirements.

4. Trees to be preserved shall be protected and watered during construction with the following:

a. A tree-protection barrier (Fence) shall be installed before any demolition, grading or construction begins, and shall not be removed until final completion of the Project.

b. The tree-protection barrier shall be erected around the tree with a radius of no less than seven feet (7') unless otherwise directed or approved by the Land Use Authority.

c. The tree-protection barrier shall be constructed of any material substantial enough to protect the roots, trunk, and the crown of the tree, such as:

(1) Three-foot (3') high orange safety fencing on metal posts.

(2) Three-foot (3') high silt fencing staked with flagging.

5. Trees or shrubs that are planted under or near power lines shall not grow above twenty-five feet (25') in height at maturity. Tree trunks and branches shall not encroach within ten feet (10') of power lines when fully grown as required by applicable state and federal regulations.

6. Trees shall not be planted within three feet (3') horizontal distance of electric or gas lines.

7. The city may remove any tree that is interfering with power lines.

8. Trees in the approved Landscape Documentation Package shall not be removed without permission from the city.

9. Tree species shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color

and appearance. Water-Conserving Trees shall be suited for water-efficient Landscapes. Trees shall be selected and planted in accordance with the following city guidance:

- a. Broad canopy trees shall be selected where shade or screening of tall objects is desired;
- b. Select trees from which lower branches can be trimmed to maintain a healthy growth habit where visual clearance and natural surveillance is a concern;
- c. Narrow or columnar trees shall be selected for small spaces, or where awnings or other Building features limit growth, or where greater visibility is desired between Buildings and the street for natural surveillance;
- d. Tree placement shall provide canopy cover (shade) and avoid conflicts with existing trees, Retaining Walls, foundations, flatwork, above and below ground utilities, lighting, and other obstructions;
- e. One (1) tree with a minimum one-and-one-half-inch (1-1/2") Caliper trunk shall be planted for every four thousand (4,000) square feet of Landscape d area;
- f. Where applicable, must meet title 7, chapter 4 of this code which is incorporated by reference herein; and
- g. Trees shall be irrigated on a separate Hydrozone from all other plant materials to allow for wearing of tress under drought conditions when watering restrictions for other plant material may be in effect.

F. Maintenance:

1. Landscaping of detention/retention basins shall be maintained by the property owner. If the detention/retention basin is in a Common Area, then an owners' association (OA) shall own and maintain the detention/retention basin. If an owners' association is dissolved, maintenance becomes the joint and several responsibility of the individual property owners.
2. An owners' association shall own and maintain all Common Areas including Park Strips between the street and any privacy walls. If an owners' association is dissolved, maintenance becomes the joint and several responsibility of the individual property owners.
3. It shall be unlawful for any person owning real property within the city to:
 - a. Fail to provide landscaping and irrigation in all areas where it is required to exist. This shall apply to all real property throughout the city regardless of the age of the development, zone, or status.

b. Fail to install, maintain, replace, or repair Landscaping and irrigation systems in all areas where it is required to exist or does exist.

c. Modify an approved Landscape and Irrigation Plan, Landscape Document Package, or approved site plan without permission from the city. "Modifying the plan" means changing the type of large plant greater than six feet (6') tall at maturity; or decreasing the plant quantities or the size of the Landscape area. Minor adjustments required to suit field conditions are permitted. Replacing a plant with the same type of plant is considered maintenance, not modification.

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10-23-3:

LANDSCAPING COMPLETION AND MAINTENANCE REQUIREMENTS FOR SINGLE-FAMILY RESIDENTIAL ZONES, RESIDENTIAL ESTATE ZONES, AND SINGLE-FAMILY RESIDENCES:

A. *Applicability:* The requirements of this shall apply to all new development, and to the remodeling of existing Dwelling units when a Dwelling unit's footprint increases for single-family residential zones, residential estate zones, and all other single-family residences. Completion and maintenance of landscaping shall apply to all residential properties.

B. *Landscaping Requirements:*

1. A minimum of thirty percent (30%) of the overall Front Yard area shall be Landscaped. At least one-half (½) of the Landscape area shall contain live vegetation.

2. The total Lawn area for any residential lot shall not exceed 8% of the total Lot size, regardless of zoning up to a maximum of 1500 square feet for Lots up to 20,000 square feet. Lots which are greater than 20,000 square feet may have a Lawn area of up to 2000 square feet. Lots which are less than 7500 square feet may have a Lawn area of up to 600 square feet even if that amount exceeds 8% of the Lot size. All Lots must comply with subsection B below.

3. Lawn shall be prohibited in Park Strips, all Landscape areas less than eight feet wide, and on any Slope that exceeds 15%.

4. Each single-family Dwelling shall have a minimum of two Water-Conserving Trees with a minimum one-and-one-half-inch (1½") Caliper trunk.

C. *Completion Requirements:* Landscaping shall be completed within one (1) year of the issuance of a certificate of occupancy, or the final inspection of a remodeled Dwelling unit.

D. A minimum of one (1) Water-Conserving Tree with at least a one-and-one-half-inch (1½") Caliper shall be planted in the Front Yard. The tree may be a desert tree variety.

E. The use of native plants and other Water-Conserving Plants is required to promote water conservation.

F. *Requests for Modification of Landscaping Requirement:* The community development director or designee may approve "landscaping," as defined in this section, that covers less than thirty percent (30%) of the Front Yard area in Landscape where the shape of the Lot imposes a hardship in meeting the thirty percent (30%) requirement. If such a modification is granted, all other Landscaping requirements outlined in this section shall still apply and may not be waived or modified.

G. *Maintenance of Owners' Association Property:* A property owners' association shall own and diligently maintain all Common Areas, including Park Strips between the street and any privacy walls. If a property owners' association is dissolved, maintenance of the Common Area becomes the joint and several responsibility of the individual owners of property that once formed the dissolved property owners' association.

H. It shall be unlawful for any person owning a single-family residence to:

1. Fail to provide landscaping and irrigation in all areas where landscaping is required or exists, regardless of the age of the development, zone, or status.
2. Fail to install, maintain, replace, or repair landscaping and irrigation systems in all areas where it is required to exist or does exist.
3. Modify an approved Landscape and Irrigation Plan, Landscape Documentation Package, or approved site plan without prior written permission from the city. "Modifying an approved Landscape and Irrigation Plan or approved site plan" means changing the type of large plant (greater than six feet (6') tall at maturity), decreasing the plant quantities, or decreasing the size of the Landscape area. Minor adjustments required to suit field conditions are permitted. Replacing a plant with the same type of plant is considered maintenance and not modification.

CHAPTER 25 SUBDIVISION REGULATIONS

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10-25B-1:

CONFORMANCE TO APPLICABLE RULES AND REGULATIONS:

In addition to the requirements established herein, all subdivision plats shall comply with the applicable laws, plans and regulations, including, but not limited to:

- A. The zoning ordinance of the city of St. George, standard specifications for design and construction and all other applicable ordinances of the city.
- B. The official city general plan, including all streets, drainage and utility systems and parks shown in the general plan, as adopted.

C. Requirements of the Utah Department of Transportation, Utah Department of Health, and other appropriate state agencies.

D. The standards, regulations and policies adopted by the city, including all boards, commissions, agencies, and officials of the city who may be authorized to adopt the same.

E. The standards and requirements for culinary water service adopted by the District.

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10-25B-4:

COORDINATION OF PLANNED DEVELOPMENT APPLICATIONS:

A. At the time an application for a Planned Development (PD) Project is submitted to the city, the owner or Subdivider shall submit an application to change the proposed development property's zoning designation to Planned Development (PD). Simultaneous with filing a Planned Development application, the Subdivider or Subdivider's authorized representative shall:

1. Apply to change the zoning designation to Planned Development (PD) for the real property on which the proposed development will be located;
2. Submit all information required by this code for a Planned Development (PD) zone, including, but not limited to, a general conceptual plan if it is anticipated to be built in phases, a preliminary site plan and/or Preliminary Plat for one or more phases, and Construction Drawings when required; and
3. Meet with city staff to discuss the proposed development.

B. No change to the zoning designation shall be made without the simultaneous approval of a Preliminary Plat.

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10-25B-8:

COMPLIANCE WITH TITLE

10-25B-9:

SUBDIVISION CREATED PURSUANT TO PROVISIONS

10-25B-10:

RECORDING WITHOUT APPROVAL VOID

10-25B-11:

METES AND BOUNDS' DESCRIPTION APPLICABLE

10-25B-12:

FINAL SUBDIVISION PLAT RECORDED PRIOR TO APPROVAL UNLAWFUL

**10-25B-13:
PENALTY**

ARTICLE C.PLATS AND PLANS

**10-25C-3:
PRELIMINARY PLAT:**

A. Preparation of Preliminary Plat: It is anticipated that as long as the Preliminary Plat complies with all requirements under this title, upon final approval of the Preliminary Plat, the Preliminary Plat shall be the basis for the Construction Drawings and Final Plat. Prior to preparing the Preliminary Plat, the Subdivider shall meet with the planning staff to discuss the subdivision proposal and review the Preliminary Plat and the requirements for the required plans, Construction Drawings, studies, and reports. The general requirements as to the layout of streets, street improvements, traffic impact studies, drainage, sewerage, fire protection, availability of existing services, and similar matters shall be discussed. The planning staff may also advise or direct the Subdivider, when appropriate, to discuss the proposed subdivision or portions thereof with those officials who must eventually approve certain aspects of the subdivision plat or portions thereof within their jurisdiction, including, but not limited to, the fire marshal, Joint Utility Commission, Hillside Review Board, and city staff. Where special issues or conditions exist which require resolution by the commission or city council, resolution of such matters shall be obtained prior to consideration of the Preliminary Plat by the planning staff.

B. Preliminary Plat Requirements: The Preliminary Plat shall be clear and legible, be labeled and dimensioned, and be of sufficient scale to adequately describe the conditions of this title. The preliminary subdivision plat and plan shall be accompanied by a Completed Application form provided by the city, and show the following information:

1. *Title Block:*

- a. The name and type of subdivision, which name the Subdivider must have approved by the county recorder and community development director or designee.
- b. The location and dimensions of the subdivision.
- c. The name of the Subdivider.

2. *General Plans:*

- a. North arrow and scale.
- b. The boundary and phasing plan of the subdivision.

c. Existing and proposed contour lines at vertical intervals of not greater than five feet (5') when requested by the city engineer or designee.

3. Existing Conditions:

a. Location, width and names of all streets and driveways within two hundred feet (200') of the subdivision.

b. All Public Streets, rights-of-way, easements, parks, other public open spaces, and all section and city boundary lines within or Adjacent to the proposed subdivision.

c. Sewers, water mains, power lines, storm drains, or other facilities within and Adjacent within one hundred feet (100') of the proposed subdivision.

d. Ditches, drainage channels, waterways, and major washes.

e. The location of the Floodplain and Floodway, and elevations as designated by FEMA. Also, the location of the erosion hazard boundary for property Adjacent to the Virgin and Santa Clara Rivers and Ft. Pearce Wash.

f. Exceptional topography.

g. Air traffic approaches when requested by the city engineer or designee.

h. Information required by the ordinance, if the proposed subdivision is within the hillside overlay area, a Geologic Hazard Area, an adverse construction condition area, or Flood or erosion hazard area.

i. Vicinity map.

4. Proposed Plan:

a. The layout of streets, driveways, public parks and trails, and utility easements showing identification and dimensions. Where double frontage Lots are proposed, the general design of the privacy wall shall be shown.

b. The layout, number, and typical dimensions of Lots. The following shall apply to numbering Lots:

(i) Lots shall be numbered consecutively under a definite system. Numbering shall continue throughout the subdivision with no omissions or duplications.

(ii) Multiple phases within the same subdivision name shall be identified as phase 1, then phase 2 and so forth. Lots within different phases shall also be distinctly numbered as 101, 102, 103 (within phase 1), and 201, 202, 203 (within phase 2), and so forth.

(iii) Lettering of Building Lots is not permitted.

(iv) Areas not designated as a Building Lot or right-of-way on the plat shall be designated by capital letters and be designated in sequence within a subdivision starting with the letter "A."

(v) Plat amendments shall be named and numbered in a form acceptable to the office of the Washington County recorder and Utah State Code as amended.

c. Parcels of land intended to be dedicated for public use or set aside for use of property owners in the subdivision as common or Limited Common Areas.

d. A drainage plan by which the Subdivider proposes to handle storm water drainage for the subdivision, including proposed realignment or regrading of existing drainageways upstream, within and downstream of the subdivision. All residential drainage shall be conveyed from each Lot to the street. Shared drainage is not permitted unless it is located in common or Limited Common Area, owned and maintained by a property owners' association.

e. A general plan for primary water, Secondary Irrigation Water, sewer, power systems, and related utilities.

f. A Grading Plan by which the Subdivider proposes to handle elevation changes, Retaining Walls, and other related design issues as requested by the city.

C. Application Procedure and Requirements:

1. The Subdivider shall file the Preliminary Plat along with a Preliminary Plat review application on forms provided by the city.

2. At the time of filing the application, the applicant shall schedule an appointment with the city. The city shall review the application for completeness and shall require that the applicant and owner (if different) provide an acknowledgement that they are responsible for obtaining culinary water service from the District as set forth in chapter 1 of this title. The city may request that the applicant also present additional information to assist in determining the adequacy, quality, and characteristics of the subdivision proposal.

3. Once the application has been considered and determined to be complete, the application shall be reviewed according to the procedure set forth in this section. If the city finds that the application is not complete, the application shall be rejected, returned to the Subdivider, and the Subdivider shall submit a complete application.

4. Approval Procedure:

a. The community development department shall concurrently transmit the Preliminary Plat, and Preliminary Plat review application, along with all accompanying plans, reports, and studies to the appropriate city officials and other official agencies or bodies as deemed necessary or as required by law, to allow such persons to review the Preliminary Plat and Preliminary Plat review application.

b. After the Preliminary Plat review application is found to meet the requirements of this title, and all comments have been received from those to whom a request to review was made, the community development director or designee shall cause the Preliminary Plat to be placed on the next available planning commission agenda, and shall notify the Subdivider of the date, time, and place of the meeting at which the Preliminary Plat shall be reviewed.

c. The planning commission shall only approve a Preliminary Plat which it finds to be in accordance with the standards and criteria set forth by the city in this title and all other ordinances, plans, and policies of the city. The planning commission may conditionally approve a Preliminary Plat, imposing such conditions as it may require in order to bring the Preliminary Plat into compliance with the requirements of the city's ordinances, plans, and policies.

d. After reviewing the Preliminary Plat, the planning commission shall make a recommendation to the city council that the Preliminary Plat be approved, conditionally approved, or disapproved. The Preliminary Plat will then be placed on the next available city council agenda, after all legally required notification requirements have been complied with, and the city shall advise the Subdivider of the date, time, and place of the meeting at which the Preliminary Plat shall be reviewed. After review, the city council shall approve, conditionally approve, or disapprove the Preliminary Plat.

e. Upon approval of the Preliminary Plat, and approval of Construction Drawings, a permit may be issued which allows the applicant to begin construction at their own risk, of the Infrastructure Improvements required for the subdivision prior to the Final Plat approval. Issuance of a permit to construct infrastructure prior to Final Plat approval does not constitute a vesting of development rights.

fe. If the final subdivision plat, or phase thereof, is not approved by the city within one (1) year after city council approval of the Preliminary Plat, all approvals shall be deemed expired and void. If eligible, the Subdivider may submit for approval a new Preliminary Plat in accordance with this subsection. If it is determined by the community development director or designee that substantial progress toward completion of the final subdivision plat has been done, and the Final Plat cannot be submitted due to reasons beyond the control of the Subdivider, the community development director or designee may agree to a single reasonable extension of time to complete the final subdivision plat, but no longer than one (1) year.

gf. Approval of the Preliminary Plat does not constitute full approval of the development nor vest any development rights as additional requirements may be imposed that are a result of more detailed and thorough review of all plans, specifications, reports, investigations, etc.

10-25C-4:
FINAL SUBDIVISION PLAT:

A. After the Preliminary Plat has been approved by the city council, and all conditions are complied with, a final subdivision plat shall be prepared and submitted to the community development department. The Land Use Authority shall approve the Final Plat upon a finding that the Final Plat conforms to all prior approvals, conditions, and regulations imposed by the city.

The Final Plat shall be signed by the community development director or designee, the city attorney or designee, the city engineer or designee, the Land Use Authority, and the county treasurer prior to the Final Plat being recorded. The Final Plat shall be recorded within one (1) year of final approval by the community development department, or the plat is void.

B. All applications to subdivide real property shall comply with the requirements of Utah Code Title 10, Chapter 9a, of the Utah Land Use and Development Management Act, as amended.

C. A Final Plat must be recorded with the office of the County Recorder within one (1) year of the date of city approval. A Final Plat which has not been recorded within one year, shall be deemed void and all land use approvals associated with the Final Plat shall be considered void *ab initio*. Prior to expiration, a Subdivider may request a one-time six-month extension of the approval from the Community Development Director.

10-25C-5:

VACATING, ALTERING OR AMENDING A SUBDIVISION PLAT

ARTICLE D.IMPROVEMENTS

10-25D-3:

IMPROVEMENTS REQUIRED:

The design, installation, connection, and construction of all improvements required by this section shall comply with the city of St. George standard specifications for design and construction and shall be approved by the city before work begins. The improvements required to be completed before issuance of a building permit under this title shall include, but are not limited to, the following:

A. Utilities and Services:

1. Required utilities and services include, but are not limited to, the following: power, culinary water, Secondary Irrigation Water, sewer, fire protection, lighting, telephone, and cable conduits, signing and addressing, all-weather fire and emergency access, and other utilities and services as required by the city or by law.
2. All subdivision Lots shall be served by public utility systems.
3. All utility improvements, including street lighting, shall comply with all official standards of the city.

4. All electrical, telephone, and television cable shall be installed underground, except as otherwise directed by the city council.

B. Storm Drainage and Nuisance Water Control: A storm or nuisance water drainage system shall be provided and shall be separate and independent from the sanitary sewer system. Drainage, Flood control, and adequate erosion protection shall be designed in conformance with the city Flood control master plan and drainage guidelines and hydrology manual as detailed in the city of St. George standard specifications for design and construction.

C. Street Improvements:

1. *Required – Exception:* All streets within the city shall be improved with streetlights and pavement bounded by integral concrete curbs, gutters and sidewalks, handicapped ramps, etc. The sole exception shall be in large Lot rural subdivisions where street construction shall conform to large Lot requirements as detailed in the city of St. George standard specifications for design and construction. Property owners of large Lot rural subdivisions shall acknowledge by a recorded certificate that any further subdividing will require full compliance with standard Lot improvement requirements, including streetlights, curb and gutter, sidewalks, and roadway width, etc. Said acknowledgment shall waive the property owners' rights to oppose a special improvement district where necessary to comply with this requirement.

2. *Continuation of Streets:* The arrangement of streets in new subdivisions shall make provision for the continuation of the streets in adjoining areas insofar as such continuation or access shall be deemed necessary by the city engineer or designee. All access roads leading to any subdivision shall be improved as may be determined by the city engineer or designee.

3. *Traffic-Control and Street-Name Signs:* All traffic-control and street-name signs, conforming to the city of St. George standard specifications for design and construction and approved by the city engineer or designee, shall be provided by the Subdivider. When required by the city, mitigation of off-site impacts will be the responsibility of the developer. A traffic impact study may be required to help determine Project impacts.

4. *Frontage:* All subdivision Lots shall have frontage on a dedicated Public Street improved to city standards unless the use of a Private Street has been approved by the council. Private Streets, Alleys, or ways shall not be approved except when the city engineer or designee finds that public dedication is not necessary. Where determined that Public Streets are needed for area circulation, property access, or the overall benefit of the driving public, Private Streets shall not be used. Master-planned roads cannot be private.

5. *Private Streets and Improvements:*

a. In the event Private Streets are used, they shall conform to the city of St. George standard specifications for design and construction as to the quality of construction. Private Streets shall include curb, gutter, sidewalks, or adequate pedestrian facilities,

etc. Street width may be adjusted based upon traffic needs and information provided in a traffic impact study (TIS) when required.

b. The city may observe the construction of Private Streets. However, in all cases, the developer shall retain the services of a professional engineer and testing firm to provide adequate inspection services and to submit the proper reports and certifications to the city. All private developments shall be required to submit to the city the private development improvements certification, on the approved form prior to certificate of occupancy and acceptance of the development.

c. *Continuation of Principal Streets:* The arrangement of streets shall provide for the continuation of principal streets between Adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, and efficient continuation of utilities and where such continuation is in accordance with the transportation element of the city's general plan. If the Adjacent property is undeveloped and the street must be a dead-end street temporarily, the right-of-way shall be extended to the property line and a temporary turnaround shall be provided.

d. *Intersections:* Intersections shall comply with city specifications and access management requirements.

D. *Access to City Street:* No subdivision shall be approved which does not have access to an improved and dedicated city street. Where a subdivision obtains access from a street which does not meet minimum city standards, the access road shall be improved to a minimum width of twenty-five feet (25'), meeting applicable safety standards, including shoulders, and constructed to final grade. Additional road width may be required to meet safety standards.

E. *Improvements to Full Length of Project:* Where a subdivision abuts a master-planned road, utilities or drainage system, the Subdivider shall complete his portion of such improvements the full length of his Project in conformance with the approved city plans, including the general plan.

F. *Mitigation of Off-Site Impacts:* When required by the city, mitigation of off-site impacts, as well as providing adequate public infrastructure to the development, will be the responsibility of the developer. A traffic impact study (TIS) will be required unless otherwise approved by the city engineer or designee. The TIS may aid in the determination of off-site impact mitigation. (Ord. 2019-10-002, 10-10-2019)

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**10-25D-5:
IMPROVEMENT COMPLETION ASSURANCE AND WARRANTY:**

A. *Improvement Completion Assurance:*

1. *When Required:* The city, in its discretion, may allow a Subdivider to record the Final Plat if the Subdivider guarantees the installation and construction of the required improvements

free from defects in material and workmanship and in compliance with all city standards, by providing a financial Improvement Completion Assurance and agreement which guarantees completion of the improvements within one (1) year of the date of Final Plat recordation.

2. *Form – Amount:* The Improvement Completion Assurance required under this subsection shall be in the form of cash (cash escrow), disbursement agreement (draw down) or an irrevocable letter of credit, in a form acceptable to the city, for an amount equal to one hundred percent (100%) of the cost of improvements not previously accepted. The cost of improvements shall be approved by the city. All improvements not completed within one (1) year shall thereafter require an Improvement Completion Assurance.

3. *Release:* The city shall release the Improvement Completion Assurance under this subsection once all improvements are inspected and approved by the city as required by this title and the Subdivider has submitted to the city a warranty in a form acceptable to the city.

B. Warranty of Improvements:

1. *Required:* Each Subdivider shall warrant that all improvements required under sections [10-25D-3](#) and [10-25D-4](#) shall be free from defects in material and workmanship and that the improvements are in compliance with all city standards. The warranty period shall start on the date the city approves all of the improvements pursuant to section [10-25D-2](#), and the Subdivider provides the city with a warranty in a form approved by the city.

2. *Form – Amount:* The warranty required by this chapter shall be in the form of cash, disbursement agreement or an irrevocable letter of credit, under terms acceptable to city.

3. *Release:* After the expiration of the warranty period, the city shall release the warranty held by the city under this chapter after the final inspection and acceptance of the improvements pursuant to section [10-25D-2](#).

C. Approval of City Attorney: The form of any Improvement Completion Assurance agreement, or warranty submitted under this section shall be reviewed and approved by the city attorney or designee before acceptance by the city.