

## **CHAPTER 4 DESIGN AND DEVELOPMENT REGULATIONS**

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### **11-4-1: PURPOSE.**

The provisions of this Chapter are intended to ensure the location and development of properties protects the public health, safety and general welfare of the City; property values and rights of all citizens, and community assets and natural resources.

### **11-4-2: APPLICABILITY.**

- (A) The provisions of this Chapter shall apply to all development in all Zones occurring after the passage of this Zoning Code. For development within an Overlay Zone, the provisions of Chapter 5 Overlay Zones may supplant the provisions of this Chapter.
- (B) Regulations in this Chapter are the minimum standards for development. Specific uses may require additional standards as described in Chapter 3 Zoning Regulations.

### **11-4-3: FLOOD CHANNELS AND WATER COURSES.**

No encroachments, including fill, new construction, fencing, or other development shall be constructed in any natural waterway or area which has been designated as a floodway on a Flood Insurance Rate Map (FIRM) or by the City Council. No encroachments, including new construction, fencing, or other development shall be constructed within seventy-five feet (75') of such natural waterways or floodways without first obtaining approval of a conditional use permit by the Board of Adjustment. The Board of Adjustment may grant such a permit subject to the following conditions:

- (A) Certification by a registered professional engineer, landscape architect, or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (B) A flood elevation certificate is provided which demonstrates the lowest floor elevation is not lower than the elevation of the known base flood elevation

#### **11-4-4: LANDSCAPING, BUFFERS, AND SCREENING.**

Landscaping requirements shall promote hardscape and softscape layouts with cohesive planting plans and irrigation that support the continued growth and viability of the design. Landscapes should be designed to reduce heat, noise and glare through proper placement of plants, trees and water features. Plantings should use native species that favor the local soil PH and encourage low water use. Landscapes that require high water use due to type or volume should be discouraged unless necessary to meet screening or buffering requirements.

(D) General Standards.

(1) Landscaping Materials.

- (a) Landscaping materials shall include some combination of planted trees, shrubs, vines, ornamental grasses, perennial flowers, annual flowers, herbs, and lawn.
- (b) In combination with plant material, landscaping may include hardscape elements such as boulders, rock, screens, walls, fences, and benches, including focal point features such as fountains, pools, and art works that enhance or contribute to the designed surroundings. Such features alone shall not comprise all of the requirements of landscaping.
- (c) The selected combination of hardscape features with softscape plant materials shall be arranged in a unified and complementary design.
- (d) When landscaping is planted in an easement, all plant materials must comply with the Community Forestry Chapter of City Code.

(2) Maintenance.

- (a) Required landscaped areas shall be maintained in a neat, clean, orderly and healthful condition. This includes proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary, and the regular watering of all plants.
- (b) Required landscaped areas shall be provided with a permanent, automated method for watering or sprinkling of plants. Point of connections need to be adequately sized and designed to function as a protection of the municipal water system. Proper winterization connections shall be installed to minimize damage to irrigation systems during the below freezing temperature times of the year.
- (c) Maintenance of required landscaping is a continuing obligation of the applicant, landowner or successors in interest jointly and severally. Failure to maintain landscaping as required by the provisions of this Code or as a condition of a permit shall be deemed to be a violation of this Code and shall be subject to the penalties prescribed for violation.
- (d) Plant materials which exhibit evidence of insects, pests, disease and/or damage as determined by the City Forrester, shall be appropriately treated and all dead plant materials shall be removed and replaced with living plant material of similar type or kind unless otherwise approved by the Zoning Administrator. Trees, shrubs and other plant materials (including grasses) which expire during their growing season, shall be replaced.

- (3) Landscape Plan Required. When landscape is required as set forth in this Code, a hardscape and softscape layout plan, vegetation planting plan, and an irrigation plan showing the proposed design of development in compliance with the requirements of this Code shall be submitted to and approved by the Zoning Administrator prior to the issuance of a building permit. The same site plan used to show parking layout or other requirements for the issuance of a building permit may be used if all proposed landscaping is adequately detailed on said site plan.

(a) Landscape plans in the R&D Zone shall be designed or approved and stamped by a licensed landscape architect or horticulturist.

(E) Required Landscape and Buffers. Table 11-4-1 Minimum Landscaping and Buffer Requirements shall be used to determine the required landscape and buffer requirements for each base Zone.

**Table 11-4-1: Minimum Landscaping and Buffer Requirements**

<b>Zone</b>	<b>Minimum Landscaping Requirements (% of total lot area)</b>	<b>Minimum Landscaped setback contiguous to a Street (In width)</b>	<b>Commercial and Multi-Unit Residential Minimum Landscaped Buffer from Contiguous Single Unit Residential Zones and Uses (in width)</b>
<b>RE</b>			
		Required front and side yard setbacks facing a public street	
<b>RP</b>			
		Required front and side yard setbacks facing a public street	
<b>R1</b>			
		Required front and side yard setbacks facing a public street	
<b>R2</b>			
Multi- unit on corner lot	50%	Required front and side yard setbacks facing a public street	10' or 7' with a 6' masonry wall or opaque fence
Multi- unit on interior lot	35%		
<b>TN</b>			
Multi- unit on corner lot	50%	Required front and side yard setbacks facing a public street	10' or 7' with a 6' masonry wall or opaque fence
Multi- unit on interior lot	35%		
<b>R3</b>			
	20%	Required front and side yard setbacks facing a public street	10' or 7' with a 6' masonry wall or opaque fence
<b>R3A</b>			
	20%	15'	10' or 7' with a 6' masonry wall or opaque fence
<b>RMH</b>			
		Required front and side yard setbacks facing a public street	

<b>Zone</b>	<b>Minimum Landscaping Requirements (% of total lot area)</b>	<b>Minimum Landscaped setback contiguous to a Street (In width)</b>	<b>Commercial and Multi-Unit Residential Minimum Landscaped Buffer from Contiguous Single Unit Residential Zones and Uses (in width)</b>
<b>PB</b>			
	20%	Required front and side yard setbacks facing a public street	10' or 7' with a 6' masonry wall or opaque fence
<b>CC</b>			
		7' or exceptions as allowed by this Code	20' or (10' with an 8' masonry wall or opaque fence)
<b>LC</b>			
	20%	20' or exceptions as allowed by this Code	20' or (10' with an 8' masonry wall or opaque fence)
<b>HC</b>			
		20'	30' or (10' with an 8' masonry wall or opaque fence)
<b>LM</b>			
		15'	30' or (20' with an 8' masonry wall or opaque fence)
<b>I&amp;M</b>			
		15'	30' or (20' with an 8' masonry wall or opaque fence)
<b>R&amp;D</b>			
	20%	30'	20' or (15' with an 8' masonry wall or opaque fence)*
<b>P</b>			
		20'	50'*
*See explanations, exceptions and qualifications that follow in Section 11-4-4H of this Zoning Code.			

(Ord. 3233, 12-20-18)

(F) Minimum Landscaping Requirements.

- (1) The minimum landscaping requirements as set forth in Table 11-4-1 Minimum Landscaping and Buffer Requirements is expressed as a percentage of the area of the total lot area.
- (2) Landscape areas shall be planted with a ground cover such as lawn or other plant material, trees and shrubs and otherwise landscaped and maintained in accordance with standard landscaping practices.
- (3) Landscape areas, within residential developments, may include hard-surface outdoor recreation facilities such as tennis courts, basketball courts, shuffleboard courts, and swimming pools, provided that:
  - (a) The hard-surface outdoor recreation facilities make up no more than forty percent (40%) of the required landscaped area, and

- (b) Those recreation facilities are available for the use of all residents of the development.
- (G) Minimum Landscaped Setback Contiguous to a Street.
- (1) The minimum buffer requirements as set forth in Table 11-4-1 Minimum Landscaping and Buffer Requirements are expressed as the area within the required setbacks or the number of feet from a street.
  - (2) Parking shall not be allowed where landscaping is required in perimeter landscaped setbacks, except for permitted driveways.
  - (3) Required landscaping in perimeter landscaped setbacks shall include lawn, ground cover, shrubbery and trees.
    - (a) Trees shall be spaced at no more than forty foot (40') centers except in one to three (1-3) unit dwellings and as otherwise permitted by this Code. Trees shall be a minimum of two inch (2") caliper as measured six inches (6") from the grade.
    - (b) The Zoning Administrator may approve a variation to the tree spacing requirements within the landscaping area contiguous to a street. However, in no case shall the variation cause a reduction in the number of trees that would have been required if spaced at forty foot (40') centers. The variation may be granted where:
      - (i) The required trees would obstruct the visibility of a pole sign or display space. In such cases the trees may be clustered with other planting areas away from the sign or display space. No more than twenty five percent (25%) of the required number of trees shall be clustered together and each cluster must be at least forty feet (40') from another tree or cluster.
  - (4) Special Provisions for Perimeter Landscaped Setbacks.
    - (a) Any required perimeter buffer shall be required for the entire length of any public street within the Zone, and on the development side of any public street bordering the development.
    - (b) For a Recreational Vehicle Park, the perimeter buffer shall be landscaped, at least ten feet (10') in width contiguous to the exterior boundaries of the park.
- (H) Minimum Buffer from Residential Zones.
- (1) Required buffers to residential zones as set forth in Table 11-4-1 Minimum Landscaping and Buffer Requirements are expressed as the number of feet from a lot boundary, contiguous to residential land uses, and to land designated for residential uses in the City's Comprehensive Plan. The required landscape buffer shall include evergreen trees spaced at twenty foot (20') intervals.
  - (2) Buffer areas to residential zones and uses may be included to fulfill the minimum landscaped area requirements set forth in Table 11-4-1 Minimum Landscaping and Buffer Requirements.
  - (3) Special provisions for buffer areas in the R&D Zone contiguous to residential uses and zones shall include evergreens or deciduous shrubs spaced to form a solid screen within ten (10) years and a berm at least two and one-half feet (2.5') in height shall be provided. Natural buffers such as canals may be included within the required buffer and shall eliminate the need for fencing where the canal is elevated or at least twenty feet (20') in width; however, landscaping with evergreens at least ten feet (10') in width shall still be provided.

- (4) Buffer areas in the P Zone contiguous to residential uses and zones shall adhere to the requirements of Section 11-4-4H (1) and must meet one of the following requirements:
  - (a) A fifty foot (50') landscaped buffer; or
  - (b) A thirty five foot (35') landscaped buffer including a 3:1 three foot (3') high berm; or
  - (c) A thirty foot (30') landscaped buffer with a six foot (6') masonry wall or opaque fence; or
  - (d) A twenty five foot (25") landscaped buffer with including a 3:1 six foot (6') high berm; or
  - (e) A ten foot (10') landscaped buffer with an eight foot (8') masonry wall or opaque fence.
- (5) Opaque fence as set forth in the Table 11-4-1 Minimum Landscaping and Buffer Requirements shall not include chain link fencing with or without slats.

(I) Screening Requirements.

- (1) Service Areas, Loading Docks, and Service Equipment. Within commercial zones any service areas, loading docks, service equipment, or other site utility area that is within thirty feet (30') of any public street or any public or common open space shall be screened with a landscape buffer or by opaque fences or wall constructed to a minimum height of six feet (6'). Where feasible, service areas, loading docks, and service equipment shall be sited to the rear or side of a building, or in a location where visibility from the public street is minimized.
- (2) Open Storage. Open storage areas within thirty feet (30') of any public street or any public or common open space shall be screened by buildings or a ten foot (10') wide planting strip with trees and ground cover plus a masonry wall or opaque fence at least six feet (6') in height).
- (3) Refuse and Recycling. Refuse and recycling containers shall be screened by solid fences or walls constructed to a minimum height of six feet (6') and designed to match the building materials of the primary building on the site and the Engineering Standards. Where feasible, enclosures for refuse and recycling containers shall be sited to the rear or side of a building, or in a location where visibility from public rights-of-way is minimized.
- (4) The Zoning Administrator may require additional landscaping when necessary to screen exterior storage, loading areas or security lights from public streets or adjacent residential properties.
- (5) When not otherwise specified, screening shall consist of mature shrubs and shall be maintained at a minimum height of four feet (4').

(Ord. 3233, 12-20-18) (Ord. 3301, 2-13-20)

**11-4-5: OFF-STREET PARKING AND LOADING.**

(A) General Standards.

- (1) Off-street parking and loading spaces shall be provided with and on the same lot as the use that the parking serves, except as otherwise allowed in this Code.
- (2) A change of use or occupancy, or the intensification of use of any building shall require additional off-street parking as set forth in Section 11-4-5(B).
- (3) The Zoning Administrator may approve off-street parking provided on a separate lot or parcel if:
  - (a) The distance between the off-street parking on a separate lot or parcel is within six hundred feet (600') of the main entrance to a non-residential use, or one hundred feet (100') to a residential use for which the parking is intended to serve.

- (b) The off-street parking is guaranteed on the separate lot or parcel in writing, by its owner or lessee, for a minimum of five (5) years, and the written guarantee is submitted with the application for a building permit.
  - (c) All shared off-street parking spaces shall provide pedestrian access to the building entrance by way of pedestrian alleys and passages, or by way of public sidewalks in the streetscape.
- (4) Off-street parking and loading facilities as existed as of the date of this ordinance shall not be further reduced unless substitute off-street parking and loading space is provided which complies with the provisions of this Section.
  - (5) Off-street parking or loading facilities are allowed in excess of those required by this Code, provided that the facilities comply with the all other regulations of this Section.
  - (6) Required off-street parking areas shall be used exclusively for vehicle parking in conjunction with a permitted use and shall not be reduced or encroached upon in any manner, except during special events.
  - (7) Maintenance of the required off-street parking and loading facilities shall be a continuing obligation of the property owner so long as the use requiring such vehicle parking or vehicle loading facilities continues.
  - (8) It shall be unlawful for an owner of any building or use to discontinue or dispense with the required off-street parking or loading facilities without providing other off-street parking or loading area which meets the requirements of this Code.
- (B) Parking Requirements.
- (1) Table 11-4-2 Off-Street Parking Requirements shall be used to determine the number of required off-street parking spaces by the type of use. Most land uses fall within one (1) of four (4) categories: residential, commercial, industrial or special use as defined by this Zoning Code. There is one (1) general parking standard for all uses in each of those four (4) categories. If a specific land use classification is called out in the table, a special parking standard for that classification shall apply as indicated in the table.
  - (2) The required off-street parking for any use not listed in Table 11-4-2 Off-street Parking Requirements shall be determined by the Zoning Administrator, utilizing comparison of uses that are listed.
  - (3) The Zoning Administrator may waive off-street parking requirements for any proposed use in the CC and TN Zones that replaces a similar use (if that use relied upon on and off-site parking) and where the proposed use would not generate additional parking demands in the area.
  - (4) The Zoning Administer may reduce or waive a portion or all of the off-street parking requirements for a development, if the applicant can demonstrate that the use requested will not generate the parking demand as required in Table 11-4-2 Off-street Parking Requirements. The Zoning Administrator may request additional information from the applicant to determine if there is sufficient parking for the development. The Zoning Administrator's determination of the required off-street parking shall be based on the following criteria:
    - (a) The characteristics of the specific use, including hours of operation, employees, customer or clients, or other factors that affect parking demand.
    - (b) Uses near the property and the potential for parking demand to infringe on adjoining properties.

- (c) Information generated from a traffic study, if prepared, forecasting the expected traffic and parking needs expected from the use;
  - (d) The availability of on-street, shared, and/or public parking within the vicinity of the use; and/or
  - (e) The availability of public transit, van-pooling or other alternative transportation to serve the use.
- (5) When determination of the number of off-street parking spaces results in a requirement of a fractional space, any fraction of one-half (1/2) or more shall be counted as one (1) required parking space.
  - (6) For uses in which benches or pews are used in place of seats, each eighteen inches (18") of length of such benches or pews shall be counted as the equivalent of one (1) seat.
  - (7) For all residential uses, the off-street parking area required shall be enclosed in a garage or carport, or open parking and yard areas of at least ten feet (10') by twenty feet (20') at a minimum in space.
  - (8) For all commercial uses, one (1) off-street parking space for each service or delivery vehicles housed at the site shall be required, in addition to the parking requirements set forth in Table 11-4-2 Off-street Parking Requirements.

(C) Parking Credits for Nonresidential Uses.

- (1) On-street Parking Credit. On-street parking, for streets with a local classification, may be used as a credit to the parking requirement at a rate of one (1) credit for every on-street parking space that abuts the lot associated with the parking requirement.
- (2) Bicycle Parking Credit. Bicycle parking facilities within two hundred (200') of the primary building entrance may be used as a credit at a rate of one (1) credit for every four (4) bicycle parking spaces, up to a maximum of ten percent (10%) of the required vehicle parking.
  - (a) Shower Facilities. Non-residential buildings which provide shower and changing room facilities for employees may reduce their parking requirement by one (1) parking space for each two hundred and fifty square feet (250 ft<sup>2</sup>) of shower and changing room facility.
- (3) Transit Access Credit. Off-street parking requirements for uses within six hundred feet (600') of a public transit stop may be reduced by up to ten percent (10%) of the required vehicle parking. The Zoning Administrator may approve the transit access credit based on an assessment of the mix of use, the accessibility and frequency of the transit routes, and the likelihood of the proposed use in generating transit ridership.

(D) Shared Parking.

- (1) Two (2) or more buildings or uses may share the same off-street parking area(s). Where parking areas are shared, the total number of off-street parking spaces provided shall not be less than the sum of the parking space requirements imposed by this Code for all buildings or uses served by shared parking, except where a reduction in parking space requirements is permitted as set forth below.
- (2) The Zoning Administrator may authorize a reduction from the off-street parking requirements when it has been demonstrated that the total of parking spaces for multiple uses is not needed, using the criteria set forth Section 11-4-5B of this Code.



**Table 11-4-2: Off-street Parking Requirements**

USE	SPACES
<b>RESIDENTIAL</b>	
Boarding and Rooming houses	1 per bedroom
Dwelling Unit, Accessory	1
Dwelling Single unit	2
Dwelling Multi-unit	1 per bedroom but no more than 2 per unit
Dwelling Unit in the CC Zone	1 per unit
Housing for persons over 62 (senior housing)	1 per unit
Residential Care Facility	1 per 3 sleeping rooms
<b>COMMERCIAL/SERVICES</b>	
	3 per 1000 ft <sup>2</sup>
Amusement Center	5 per 1000 ft <sup>2</sup>
Assembly including clubs, entertainment and cultural facilities, religious institutions	1 per 3 fixed seats or 35 ft <sup>2</sup>
Daycare	1 per employee at full occupancy
Drinking Establishment	10 per 1000 ft <sup>2</sup>
Eating Establishments over 3,000 square feet	10 per 1000 ft <sup>2</sup>
Health Care and Social Services	5 per 1000 ft <sup>2</sup>
Lodging Facility	0.8 per sleeping room (assembly space calculated separately)
Vehicle and Equipment Sales	1 per 1,000 ft <sup>2</sup>
Uses within the TN Zone	1 per 500 ft <sup>2</sup>
<b>INDUSTRIAL</b>	
	2 per employee of the largest shift
<b>SPECIAL PURPOSE</b>	
Hospital	2 per bed
Elementary and Junior High Schools	1 per classroom plus 5 in addition
High Schools	1 per 5 students
Public Service Facilities. No space is required for facilities requiring only occasional maintenance with no on-site employees.	1 per 2 employees on the largest shift or 1 per 600 ft <sup>2</sup> of office space whichever is greater.

(E) Parking Location.

- (1) In residential zones, off-street parking shall not be permitted in the required front or side setback that faces on a public street, except for permitted driveways. Parking is permitted in other required side and rear setbacks.
- (2) In non-residential zones, off-street parking is permitted in the required setback areas, except when landscaping is required contiguous to public streets, provided that a protective curb shall be installed not less than two feet (2') from the property line in order to prevent the use of the sidewalk for parking, bumper overhang and travel purposes, and to protect landscaping.
- (3) No portion of the areas required for visibility by Section 11-4-7A, Clear View Triangle shall be occupied by a parking space.
- (4) In the R&D Zone, no off-street parking shall be located in front and side setbacks facing on a public street except for permitted driveways.

(F) **Parking and Parking Lot Design.** Parking area shall be designed and maintained as not to constitute a nuisance at any time and shall be used in such a manner that no hazard to persons or property or unreasonable impediment to traffic will result. Further, parking lots shall be designed to have shared functional connections with adjoining uses, including shared access from the street, shared parking and service access, and shared pedestrian circulation between uses. A site plan showing the proposed layout and development of parking and loading areas in compliance with the requirements of this Section shall be submitted and approved by the Zoning Administrator prior to the issuance of a building permit.

(1) **Parking Spaces.** A parking space shall be designed to be a minimum of nine feet (9') in width and twenty feet (20') in length, exclusive of driveways, drive aisles and other required improvements. Exceptions to this standard are allowed as follows:

- (a) A parking space contiguous to landscaping at least eight feet (8') in width, may be reduced to nineteen feet (19') in length.
- (b) Employee parking, when so signed and designated, and stalls within a parking structure may be reduced to eight and one-half feet (8 ½') in width and nineteen feet (19') in length.
- (c) Spaces within parking structures shall be eight and one-half feet (8 ½') in width and eighteen feet (18') in length. Drive aisle dimensions shall be consistent with Table 11-4-3 Standards for Drive Aisle Widths. Structural columns may encroach up to six inches (6") into parking spaces.

(2) **Compact Parking Spaces.**

- (a) A maximum of ten percent (10%) of the total spaces provided may be designed, designated, and used for compact size vehicles.
- (b) A compact parking space shall be designed to be a minimum of eight feet (8') in width and sixteen feet (16') in length, exclusive of driveways, drive aisles and other required improvements.
- (c) Compact spaces shall be clearly marked.

(3) **Circulation Within Parking Areas.** The pattern of circulation within all parking areas shall be designed and built to provide safe and efficient access to individual parking spaces and to facilitate safe access to public streets.

- (a) Table 11-4-3 Standards for Drive Aisle Widths shall be used to determine the drive aisle width based on the parking configuration and circulation pattern:

**Table 11-4-3: Standards for Drive Aisle Widths**

Circulation Pattern	Parking Angle	Drive Aisle Width for Standard space
Two- way	All	24'
One-way and Two-way	90°	24'
One-way	30°	13'
One-way	45°	15'
One-way	60°	18'

- (b) Where one-way circulation is provided, directional signs shall be installed at all access points to the parking area.

- (c) No parking area shall be designed so that circulation from one portion of the area to another relies on a public street.
  - (d) No parking area, except those serving single-unit dwellings, shall be designed or constructed to create a situation that requires vehicles to back onto a public street.
- (4) Access to Parking Areas. Access shall be provided for safe ingress to and egress from all parking and loading areas. Each parking and loading space shall be easily accessible to the intended users.
- (a) The most current edition of The Access Management Plan shall be used to determine the minimum distance required between parking access and other intersections.
  - (b) Parking areas shall be located and designed to minimize access points to arterial streets by using non-arterial streets or alleys.
  - (c) The distance from an access point to an intersection shall be measured from the junction of the extended curb lines of the intersecting streets to the nearest side of the access drive.
  - (d) The design and construction of accesses to public streets shall be in accordance with the Standard Engineering Drawings and Specifications adopted by the City.
  - (e) Visibility at all points of access shall be in accordance with Section 11-4-7A, Clear View Triangle, of this Chapter.
- (5) Protecting Pedestrians. Walkways shall form a logical, safe and convenient system for pedestrian access to all structures, project facilities and principle off-site pedestrian destinations.
- (a) There shall be safe pedestrian access around or through all parking areas.
  - (b) Where a parking area driveway or drive aisle crosses a pedestrian way, the pedestrian crossing shall be clearly indicated with a change in pavement texture or painted stripes or other method approved by the Zoning Administrator.
- (6) Lighting. All sources of parking and loading area illumination shall be shielded and directed downward so as not to produce direct glare on adjacent properties.
- (7) Hard Surface. All parking areas in any zone and including access points and driveways, shall be developed and maintained with asphalt, concrete, or other hard surfaces approved by the Zoning Administrator and City Engineer.
- (G) Landscaping.
- (1) All parking areas of more than five (5) vehicles shall provide a peripheral landscape buffer between the parking area and existing residential uses; land designated for residential use in the City's Comprehensive Plan; existing schools; nursing homes, hospitals, and other institutions for long term human care. The minimum effective buffer shall include at least a seven foot (7') wide planting strip with trees and ground cover; and a masonry wall or opaque fence at least six feet (6') in height, or a dense evergreen hedge that will attain a height of at least six feet (6') within five (5) years.
  - (2) All commercial and industrial loading areas shall provide a peripheral landscape buffer between the loading area and existing residential uses or land designated for residential use in the City's Comprehensive Plan. The minimum effective buffer shall include at least a seven foot (7') wide planting strip with trees and ground cover plus a masonry wall at least six feet (6') in height.
  - (3) The requirements of one (1) through two (2) in this Section may be superseded by the installation of the more extensive buffering requirements of the PT Overlay Zone.

- (4) All parking areas including more than twenty-four (24) parking spaces, shall have interior landscaping that includes trees and appropriate ground cover.
  - (a) The minimum interior landscaping area shall be ten percent (10%) of the total area of parking spaces and aisles that do not immediately abut a peripheral buffer required by another provision of this Zoning Code or a voluntarily provided peripheral buffer that meets the minimum standard of Section 11-4-5G (1), above for peripheral buffers.
  - (b) The interior landscaping shall be designed to highlight pedestrian ways through the parking area and to break large parking areas into smaller bays.

(H) Loading Requirements.

(1) Required Off-Street Loading Space.

- (a) One (1) off-street loading space shall be provided and maintained for every building or separate occupancy having a gross floor area of ten thousand square feet (10,000 ft<sup>2</sup>) or more that requires the receipt or distribution of goods, material, merchandise or supplies by vehicle.
- (b) One (1) additional loading space shall be provided for each additional twenty thousand square feet (20,000 ft<sup>2</sup>) of gross floor area of such building or for each vehicle which must be loaded or unloaded at the same time, whichever is greater.
- (c) The Zoning Administrator may permit off-street loading facilities for two (2) or more buildings in commercial, industrial, or special purpose zones to be combined.
- (d) Required off-street loading space shall be provided on the same lot as the building or principal use.
- (e) The Zoning Administrator may authorize the use of substitute loading facilities where:
  - (i) The substitute off-street loading facilities are located on a contiguous property; and
  - (ii) Use of public streets or alleys will not be required in loading and unloading activities, and all such activities can be conducted from public rights-of-way.
- (f) In the LC and LM Zones, all loading and unloading areas shall be screened from view of public streets.
- (g) For Day Care uses, all uses shall provide at least one (1) safe and properly marked passenger loading area. Passenger loading areas may be at the curb on local streets but shall be off-street if located on an arterial or collector street as designated in The Access Management Plan.

(2) Passenger Loading Areas Requirements.

- (a) Pedestrian street crossings shall not occur within passenger loading areas and all such areas shall be located in areas where there is adequate visibility for safe use of the area.
- (b) Curbside passenger loading areas on local streets shall be at least sixty feet (60') long, include a depressed curb section for accessibility of individuals with a disability, and marked by signs facing both traffic lanes.
- (c) Off-street passenger loading areas on collector or arterial streets shall accommodate one-way traffic only; shall be at least sixteen feet (16') wide; separated from the street by a curbed barrier at four feet (4') in width (landscaping of this barrier is recommended but not required), and at least sixty feet (60') long; include at a minimum one (1) ADA compliant curb section for access to structures; and be appropriately signed.

- (d) Installation of signs shall be under the supervision of the City of Idaho Falls and in accord with the Manual of Uniform Traffic Control Devices.

#### **11-4-6: SEWAGE DISPOSAL.**

Where domestic sewage disposal facilities are to be used and are not connected to a public sewer, approval of such facilities shall be obtained from the City Public Works Department and the State of Idaho Department of Environmental Quality prior to the approval of a building permit. This provision shall in no way abrogate other ordinances or laws requiring connections to public sewers.

#### **11-4-7: STREETS AND ACCESS.**

##### **(A) Clear View Triangle.**

- (1) To ensure reasonable visibility and safety in all zones that require buildings to be set back from the right-of-way line, a clear view triangle shall be established by drawing a line between the points on the two (2) lot lines, which points are each thirty feet (30') from the intersection of said lot lines. This clear view triangle shall be free from structure or other obstructions, except as otherwise permitted in this Section.
- (2) Any triangle of land formed along any street by drawing a line between a point on the lot line parallel to the street (which point is fifteen feet (15') from an alley or driveway which abuts the street) and a point on the near side of the alley or driveway (which point is fifteen feet (15') from the lot line) shall be free from structures or other obstructions, except as otherwise permitted in this Section.
- (3) Trees in such clear view triangles shall have no branches or leaves from the ground level to at least eight feet (8') above the curb.
- (4) Shrubs, fences and walls in such triangles shall not exceed three feet (3') in height.

##### **(B) Effect of the Street Plan.**

- (1) The establishment of planned street widths and building setback lines is necessary to ensure that there is light and air; to provide adequate visibility when entering or exiting the streets; to provide a minimum setback for buildings away from the noise and fumes of traffic; to promote safety; to reduce congestion; and to provide space for landscaping, both now and in the future, when all streets and highways have been widened to their ultimate width.
- (2) For buildings contiguous to a street, the front yard and side yard facing a street shall be measured from the right-of-way line including where a street has not yet been constructed to its planned width.
- (3) Access points to public streets shall be designed and constructed to meet the City Access Management Plan.

#### **11-4-8: STRUCTURES AND BUILDINGS.**

##### **(A) Accessory Buildings.** The location and use of accessory buildings shall be governed by the following regulations:

- (1) Where an accessory building is attached to a main building, it shall be considered as part of the main building, and its use and location shall be governed by Zoning Code requirements applicable to main buildings.
- (2) No accessory building or group of accessory buildings in any residential Zone shall cover more than thirty percent (30%) of the rear yard.

- (B) Boat Docks and Boat Landing Structures. Boat docks and landing structures shall be permitted along the shores of the Snake River when approved by the Council, subject to criteria set forth in Chapter 6 Administration and where the applicant demonstrates a public necessity for the facility and how the safety of the public and users will be protected.
- (C) Fences. No fence, wall, hedge, or other sight obscuring object or structure which is more than three feet (3') in height is allowed within fifteen feet (15') of the front yard lot line contiguous to a street. (Ord. 3233, 12-20-18)
  - (1) This subsection shall not be construed to permit any site obscuring structure to exist in violation of the clear view triangle requirements of this Zoning Code.
  - (2) For the purposes of this subsection, a chain-link fence without slats shall not be considered sight obscuring.
- (D) Swimming Pools.
  - (1) Swimming pools not completely enclosed within a solid walled building shall be set back at least five feet (5') from all property lines.
  - (2) Swimming pools shall be completely surrounded by a fence of at least five feet (5') in height with no openings wider than thirty-six (36) square inches. Gates with self-closing and self-latching devices are exempted from this provision.
- (E) Moving of Buildings. Moving of any residential, commercial, or industrial building, from one site to another site within City limits, or from a site outside of the City to a site within the City, shall be permitted when approved by the Zoning Administrator, subject to the criteria set forth in Chapter 6 Administration.
- (F) Radio Towers and Antennas. When a radio tower or antenna is an accessory use to a radio studio:
  - (1) The maximum height of the tower and antenna shall be seventy feet (70').
  - (2) No more than two (2) microwave dishes less than five feet (5') in diameter shall be located on the tower.
  - (3) The base of the tower shall be setback at least one-hundred percent (100%) of the height of the tower from the closest property line of the nearest residence.