



GENERAL PROPERTY DEVELOPMENT STANDARDS

Section 1001—Purpose:

The purpose of general property development standards is to further the purposes of this Ordinance. Compliance with all general development standards, as well as all other requirements of this Ordinance, and all other Federal, State and Local requirements, as applicable, is required for the issuance of any approval, permit, or license.

Section 1002—Allowed Minimum Use of Legal Lots:

Nothing in this Ordinance shall be construed to prevent the establishment of one (1) Single-Family Dwelling on any legal lot or parcel of land, as determined by the Zoning Administrator, and provided that such lot or parcel is located in a Zoning District that permits Single-Family Dwellings, and all proposed construction can qualify for a Site Plan and Building Permit approval as required herein.

Section 1003—Allowed Uses:

All uses allowed within Roy City, either as a Permitted, Conditional, or Temporary Use, are identified in the Tables of Uses, Chapter 17, herein.

Section 1004—Prohibited Uses:

All uses not specifically provided in the Table of Uses, either as a Permitted, Conditional, or Temporary Use are hereby identified to be prohibited uses in Roy City.

Section 1005—All Uses, Buildings, and Structures to Comply with Zoning District Requirements:

Every building or structure erected, reconstructed, altered, enlarged or moved, and every building, structure, or land, rearranged, designed or intended for any use shall be built or used only as allowed by the requirements of this Ordinance and the zoning district in which such building, structure, land or use is located.

Section 1006—Buildable Area:

Every lot or parcel created after the effective date of this Ordinance shall have a buildable area sufficient to establish a building or structure thereon which meets the minimum standards of the zoning district in which the lot or parcel is located. Buildable areas shall be required to be identified on all subdivision plats and plans for the purposes of ensuring that a buildable lot or parcel is provided and to inform future owners of the approved buildable area, recognizing the applicable development standards. Any area located within an easement may not be included within any buildable area unless the easement beneficiary executes and records a release of the easement in a form acceptable to the City Attorney.

Section 1007—Adequate Public Facilities:

Land shall be developed only to the extent that adequate infrastructure and services are in place, or will be provided concurrent with the land development activity, sufficient to meet the needs of the proposed development. The Commission and/or Council may require an analysis to be completed and provided to the

Commission and/or Council to determine if adequate public facilities are available to serve the proposed development and if such development will change the existing levels of service or will create a demand for services that exceeds acceptable service levels.

Public facilities that may be required by the Commission and/or Council to be included in an Adequate Public Facilities analysis include, but are not limited to, road and street facilities and capacities, intersection and bridge capacities, culinary water facilities, sanitary sewer facilities, storm drainage facilities, fire protection and suppression facilities, park and recreational facilities, culinary water pressure, fire and emergency services response times, police protection services, and other similar required public services. The City may deny any proposed development activity if the demand for public services exceeds accepted or adopted levels of service, or until required adequate public infrastructure, facilities, or services are provided by the applicant, or the City, to meet accepted or adopted levels of service.

Section 1008—Culinary Water, Secondary Water, and Sanitary Sewer Requirements:

All primary buildings requiring culinary water, secondary water, and sanitary sewer services shall be connected to the public culinary water, secondary water, and sanitary sewer systems of Roy City.

Section 1009—Utilities:

- 1) All water, sewer, telephone, cable, power, and other utilities shall be provided underground, with the following exceptions:
 - a) Transformers, pedestals, fire hydrants, and other appurtenances normally associated with “underground” utility installations are permitted on the surface of the ground.
 - b) The development of existing lots in areas of the City now served with existing above ground utilities, are exempt from this requirement.
- 2) Where possible, underground utilities shall be located within or immediately adjacent to the disturbed areas of a lot or parcel, such as driveways and roadways.

Section 1010—Required Streets, Curb, Gutter, Sidewalks, and Trails:

The installation of necessary streets, street widening and improvement(s), curbs, gutters, sidewalks, and trails of a type as required by the Ordinances or Resolutions of the City shall be required as a condition of any required approval, permit, or license. The Council, upon the receipt of a Commission recommendation, may provide that the installation of necessary streets, street widening and improvement, curbs, gutters, sidewalks, and trails be delayed until a specified date, or provided as part of any area-wide improvement plan(s). Any action by the Council to delay the installation of any required improvements shall only be with a finding of special circumstances with the applicant for the approval, license, or permit providing a written agreement, acceptable to the City Attorney, agreeing to provide the required improvements on the date identified, or participating in any improvement plan(s), at a time determined. The timing of any improvement plan(s) shall be at the sole discretion of the Council.

Section 1011—Guarantee of Installation of Improvements:

- 1) Methods: The Applicant(s) shall guarantee the installation by one of the methods specified as follows:
 - a) The Applicant(s) may furnish and file with the City Recorder a bond with corporate surety in an amount equal to the cost of the improvements not previously installed as estimated by the City Engineer to assure the installation of such improvements within a two (2) year period immediately following the approval of the Site Plan, which bond shall be approved by the City Attorney and shall be filed with the City Recorder.
 - b) The Applicant(s) may deposit in escrow with an escrow holder approved by the Council an amount of money equal to the cost of the improvements not then installed as estimated by the City Engineer, under an escrow agreement to assure the installation of said improvements within a two

- (2) year period from the approval of the Site Plan. The escrow agreement shall be approved by the Council and City Attorney and shall be filed with the City Recorder.
- c) The Applicant(s) may furnish and file with the City Recorder a letter of credit in an amount equal to the cost of the improvements not previously installed as estimated by the City Engineer to assure the installation of such improvements within a two (2) year period immediately following the approval of the Site Plan, which letter of credit shall be approved by the City Attorney.
- 2) Administration: The Council is authorized to prescribe by administrative rule or regulation, forms and procedures to ensure the orderly, regular and efficient processing of applications for the approval of a proposed Site Plan and the strict compliance with the requirements of this Ordinance and adopted Building Codes.
- 3) Phased Development: Whenever the applicant(s) develops a site a portion at a time, such development shall be in an orderly manner and in such a way that the required improvements will be continuous and all of the said improvements will be made available for the full, effective and practical use and enjoyment thereof by the lessees or grantees of any of the lands developed within the time hereinabove specified.

Section 1012—Subdivision and Sale of Property:

No person shall subdivide any land parcel, located wholly or in part within Roy City, for development purposes, unless such parcel is legally created, as required by the Roy City Subdivision Ordinance.

Section 1013—Lot Standards-Non-Conforming Lots Prohibited:

Every lot existing, or created, shall comply with the lot size, frontage width, depth, and all other requirements of this Ordinance, or prior enactments, for the zoning district in which such lot is located. No lot shall be created that does not conform to the zoning district requirements in which it is located for the purpose, whether immediate or future, for any building, use, or development, as allowed by this Ordinance.

Section 1014—All Buildings or Structures to be on a Single Lot:

All buildings or structures, as defined and provided herein, shall be located and maintained on a single lot, as defined herein, such lot meeting all requirements of this Ordinance and zoning district in which it is located.

Section 1015—Site Plan Approval and Building Permit Required Prior to Any Construction:

The construction, alteration, enlargement, repair, or removal of any building, structure, or part thereof shall not be commenced until after the receipt of a valid Use, Site Plan, or Building Permit Approval, as required herein.

Section 1016—Applications Required:

All requests to establish a use, or construction, alteration, enlargement, repair, or removal of any building, structure, or part thereof shall be initiated by the submission of necessary Application(s), to the City, as required by this Ordinance, and the Building Codes, as adopted.

Section 1017—Time Limits for Use, Site Plan, and Building Permit Approvals:

All Permitted Use, Conditional Use, Site Plan approvals, and all Building Permit approvals, as required by the adopted Building Codes, shall be valid for a maximum period of 180 days, from the date of approval. If work has not commenced, or a use established within 180 days from date of approval; the approval, permit or license, as required and approved, shall be void and a new application, approval, permit or license required.

Section 1018—Time Limits for Construction:

Within one (1) year of the commencement of any construction, authorized by an approval, permit, or license, as required by this Ordinance, all exterior features of building(s) shall be completed and the property cleared of all building materials, construction debris, and construction equipment. All outside surfaces of buildings, or part thereof which are constructed of wood, shall be painted, or coated with paint or other wood preservative.

In the event that exterior features of building(s) have not been completed and the property cleared of all building materials, construction debris, and construction equipment within one (1) year of the commencement of any construction, the Roy City Building Official shall “red-tag” the property and issue a stop-work order. The Building Official shall determine what corrective action(s) are required, and identify a schedule for completion, to comply with this Section and for the stop-work order to be lifted. If no action is taken, within the period identified by the Building Official, the City may initiate enforcement actions as provided by this Ordinance, the Building Codes, as adopted, and may proceed with all other remedies available to the City.

Section 1019—Certificate of Occupancy Required:

- 1) No building(s) shall be occupied, or used, until a Certificate of Occupancy, as applicable, has been issued by the Roy City Building Official, or authorized designee. Prior to issuing a Certificate of Occupancy, as applicable, the Building Official, or authorized designee, shall determine:
 - a) That all construction has been completed, as authorized by a valid Building Permit.
 - b) The establishment of the use is authorized as provided by valid approval(s).
 - c) The building(s) and use(s) comply with all approvals, permits, and licenses, as required by this Ordinance, and all other applicable requirements.
 - d) The amount of money, specified by the approval of the building permit, to be placed in an escrow account reserved for the completion of the landscaping requirements in Section 1020.
- 2) Unlawful to Use or Occupy:

It is unlawful to use or occupy, or to permit the use or occupancy of any building or structure, unless a certificate of occupancy has been issued for such building or structure, as required by this Section. It is unlawful to use or occupy, or to permit the use or occupancy of any building or structure with a use or occupancy different than provided by the certificate of occupancy.
- 3) Failure to Obtain a Certificate of Occupancy:

Failure to obtain a certificate of occupancy shall be a violation of this Ordinance.
- 4) Nuisance:

The use or occupancy of any building, structure, or premises for which a certificate of occupancy has not been issued is hereby declared to be a public nuisance and may be cited and abated as such. It shall also be a public nuisance for any building, structure, or premises to be used or occupied in a manner different than authorized by a certificate of occupancy.

Section 1020—Required Front Yard Landscaping in Residential Zones:

- 1) Landscaping, such as but not limited to, grass, rocks, trees, shrubs, and ground cover is required to be installed in all yard areas of all residential lots within eighteen (18) months from issuance of a Certificate of Occupancy. For existing residential lots which have either not installed landscaping or residential lots where the landscaping no longer exists, landscaping according to these regulations shall be installed within eighteen (18) months from the enactment of this provision.
- 2) Landscaping of residential lots shall be maintained in a healthy condition. Yard areas shall not lack appropriate turf, plant or ground cover material so as to cause excessive dust or allow the accumulation of debris.
(Ord. 1036, 12-7-2013)

Section 1021—Lot Frontage Required:

Every lot shall have frontage as required by the Zoning District in which the lot is located. Every residential lot

shall have frontage upon a dedicated or publicly approved road or street, or right-of-way providing direct access to a dedicated or publicly approved road or street.

Section 1022—Lots in Two (2) or More Zoning Districts:

Where a lot of record at the time of passage of this Ordinance, or any amendments, falls into two (2) or more zoning districts, the more restrictive zoning district provisions shall apply.

Section 1023—Required Yard Areas for One Building Only:

- 1) No required yard or setback area for any building or lot required for the purposes of complying with this Ordinance shall be considered as providing the required yard or setback for any other building or lot.
- 2) No area needed to meet the lot width, area, setback or other requirements of this Ordinance may be divided, sold, or leased separate from such lot or building.

Section 1024 – Tables of Lot and Setback Requirements for Primary Buildings:

The Tables of Lot and Setback Requirements identify the lot size and building location requirements for Primary Buildings in each Zoning District provided by this Ordinance. The lot and building standards applicable to each Zoning District are identified and included in the Tables of Lot and Setback Requirements to promote usability and administrative efficiencies. General Development Standards and Site Plan Requirements shall also be considered and are provided in Chapters 11, 14, 15, and 19 herein.

- 1) Table 10-1 – Requirements for Primary Buildings in Residential Zoning Districts
- 2) Table 10-2 – Requirements for Primary Buildings in Non-Residential Zoning Districts
- 3) Table 10-3 – Requirements for Accessory Buildings in Residential Zoning Districts

TABLE 10-1 - MINIMUM LOT AND SETBACK REQUIREMENTS FOR PRIMARY BUILDINGS IN RESIDENTIAL ZONES

Site Requirements:	RE-20	R-1-15	R-1-10	R-1-8	R-1-7	R-1-6	R-2	R-3	R-4	RMH-1
Minimum Lot Size	20,000 square feet	15,000 square feet	10,000 square feet	8,000 square feet	7,000 square feet	6,000 square feet	Single-Family 6,000 sq.ft. Two-Family 7,500 sq.ft.	Single-Family 6,000 sq.ft. Two-Family 7,500 sq.ft. Multi-Family 3,750 sq.ft. per unit (not to exceed 12 units per acre)	Single-Family 6,000 sq.ft. Two-Family 7,500 sq.ft. Multi-Family 3,750 sq.ft. per unit (not to exceed 12 units per acre)	As required by Section 1107
Minimum Lot Size for Corner Lots	20,000 square feet	15,000 square feet	10,000 square feet	8,000 square feet	7,000 square feet	6,000 square feet	same as minimum lot size requirement	same as minimum lot size requirement	same as minimum lot size requirement	
Minimum Lot Width	100 feet	85 feet	80 feet	65 feet, except on corner lots it shall be 75 feet	65 feet, except on corner lots it shall be 70 feet	60 feet, except on corner lots it shall be 70 feet	60 feet	60 feet	60 feet	
Site Requirements:	RE-20	R-1-15	R-1-10	R-1-8	R-1-7	R-1-6	R-2	R-3	R-4	RMH-1
Minimum Yard Requirements:										
Front	30 feet	30 feet	30 feet	25 feet	25 feet	25 feet	25 feet	25 feet	25 feet	As required by Section 1107
Side	10 feet	10 feet	8 feet	8 feet	8 feet	8 feet	8 feet	8 feet	8 feet	
Rear	30 feet	30 feet	25 feet	25 feet	25 feet	25 feet	25 feet	20 feet	20 feet	
Distance between Multiple Dwelling Structures	n/a	n/a	n/a	n/a	n/a	n/a	20 feet	20 feet	20 feet	
Minimum Street Side Yard for Corner Lots	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	
Minimum Rear Yard for Corner Lots	20 feet	20 feet	15 feet	15 feet	15 feet	15 feet	15 feet	15 feet	15 feet	
Maximum Building Height	Thirty-five (35) feet as measured by the Building Codes, as adopted.									
Additional Requirements for Non-Residential Structures located in a Residential Zone	Side:	20 feet or one (1) foot for every one (1) foot of building height, whichever is greater.								
	Rear:	20 feet or one (1) foot for every one (1) foot of building height, whichever is greater.								
	Requirements for Landscaping, Off-Street Parking, Buffering, Screening, and any other site requirements for Site Plan Approval are provided by Chapter 14, 15, and 19.									
	If a use occupying an existing structure was established prior to the effective date of this ordinance, the approved Site Plan requirements shall prevail.									

TABLE 10-2 - TABLE OF REQUIRED LOT AND SETBACK REQUIREMENTS FOR NON-RESIDENTIAL ZONING DISTRICTS FOR PRIMARY BUILDINGS

Site Requirements:	CC	RC	LM	M	BP	R
Maximum Building Heights	40 Feet	60 feet	60 feet	60 feet	60 feet	40 Feet
Minimum Landscaping Required	15% of Total Site	10% of Total Site	20% of Total Site			
Minimum Yard Setbacks:						
Front	20 feet					
Side	As required for Site Plan Approval. A side setback facing a street is a minimum 20 feet.	As required for Site Plan Approval. A side setback facing a street is a minimum 20 feet.	As required for Site Plan Approval. A side setback facing a street is a minimum 20 feet.	As required for Site Plan Approval. A side setback facing a street is a minimum 20 feet.	As required for Site Plan Approval. A side setback facing a street is a minimum 20 feet.	As required for Site Plan Approval. A side setback facing a street is a minimum 20 feet.
Rear	As required for Site Plan Approval.					
Minimum Yard Setbacks – Adjacent to any Residential Zone:						
Front	As required by the adjacent residential zone for a minimum distance of 100 feet.					
Side	20 feet or one (1) foot for every one (1) foot of building height, whichever is greater.					
Rear	20 feet or one (1) foot for every one (1) foot of building height, whichever is greater.					

Section 1025—Minimum Height of All Buildings:

No primary building shall be erected to a height less than one story entirely above grade.

Section 1026—Maximum Height of All Primary Buildings:

No primary building shall be constructed to a height greater than thirty-five (35) feet. The maximum height of primary buildings in non-residential zones is sixty (60) feet, except when adjacent to a residential zone, as required by Table 10-2. The maximum height measurement includes the height of all roof mechanical and ancillary equipment, and including, but not limited to, towers, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain a building, and fire or parapet walls.

Section 1027—Exceptions to Maximum Height Limitations:

The requirement for maximum building height shall not apply to:

- 1) A permitted agriculture building.
- 2) Steeples, flagpoles, chimneys, wireless or television masts, or silos.

Section 1028—Accessory Buildings and Accessory Uses—General Requirements:

- 1) Accessory buildings and Accessory uses are permitted in conjunction with any primary building or use. A reference

- to a Permitted Use shall include the Accessory Use.
- 2) All accessory buildings or accessory uses shall only be permitted concurrently with, or following, the establishment of the primary building or primary use.
 - 3) Accessory buildings may be attached to, or detached from, the primary building, except all accessory building(s) housing animals or fowl shall be located, as provided herein.
 - 4) An accessory building that is attached to a primary building shall meet all requirements for the location of the primary building.
 - 5) A detached accessory building shall meet all requirements for the location of a detached accessory building, as provided herein.
 - 6) The location of all accessory buildings, located on corner lots, shall meet the required side yard setback, applicable in the zone.
 - 7) No mobile home, travel trailer, or similar recreational vehicle shall be used as an accessory building.
 - 8) All accessory buildings shall comply with the requirements of the Building Codes, as adopted, and as applicable.
 - 9) No accessory building shall be used as a dwelling unit for human occupancy.
 - 10) No separate utility connections or meters shall be allowed for accessory buildings.
 - 11) Accessory buildings shall not be rented, leased, or sold separately from the rental, lease, or sale of the primary building located on the same lot.
 - 12) No portion of any accessory building shall be allowed to extend over any property line.
 - 13) No storm water runoff from accessory buildings shall be allowed to run onto adjacent property.
 - 14) The square footage of any attached accessory garage or structure shall not be greater than the square footage of the primary building to which it is associated.

Section 1029—Limitations on the Size and Location of Accessory Buildings in Residential Zones:

- 1) Maximum Height of Accessory Buildings.
 - a) No detached accessory building(s), located in any zone, shall have a height greater than eighteen (18) feet measured to the top of the wall plate or twenty-five (25) feet to the pitch of the roof and shall be a one (1) story structure.
- 2) Location of Accessory Buildings.
 - a) All garages and other accessory buildings located less than ten (10) feet from the primary building shall be considered attached, and part of the primary building and the setback requirements applicable to the primary building shall apply to the accessory building.
 - b) All garages and other accessory buildings located ten (10) feet or more away from the primary building may be located no less than three (3) feet from the side or rear property line(s), provided garage or accessory buildings may not be located in the required front yard or within an area containing a recorded easement.
- 3) Minimum Distance between Dwellings and Accessory Buildings Housing Animals. Any accessory building for housing animals shall be located not less than twenty (20) feet from the dwelling located on the same lot and not less than seventy-five (75) feet from a dwelling on any adjacent lot.
- 4) Maximum Area of Lot Coverage for All Accessory Buildings. The total of all accessory buildings located on a residential lot shall occupy an area greater than twenty-five (25) percent of the rear yard, or one thousand two hundred (1250) square feet. For residential lots in the RE-20 zone, only the limitation of twenty-five (25) percent of the rear yard area shall apply. For residential lots in zones other than RE-20, having an area which exceeds the required lot are for the applicable zoning designation by at least two-thirds of one acre, the total of all accessory buildings shall not exceed two thousand five hundred (2500) square feet. (*Ord. 970, 7-18-2006; Ord. 1024, 1-19-2010*)

TABLE 10-3 - TABLE OF REQUIREMENTS FOR ACCESSORY BUILDINGS IN RESIDENTIAL ZONES

Accessory Buildings Requirements	Development Standard
Maximum building height	Eighteen (18) feet measured to the top of the wall plate or twenty-five (25) feet to the pitch of the roof.
Accessory buildings located less than ten (10) feet from the primary building	Setback requirements applicable to the primary building shall apply to the accessory building.
Accessory buildings located ten (10) feet or more away from the primary building	Located no less than three (3) feet from the side or rear property line(s)
Accessory buildings for housing animals	Not less than twenty (20) feet from the dwelling located on the same lot and not less than seventy-five (75) feet from a dwelling on any adjacent lot.
Maximum Lot Coverage	The total of all accessory buildings located on a residential lot shall not occupy an area that exceeds twenty-five (25) percent of the rear yard area or thousand two hundred fifty (1250) square feet.

Section 1030—Smaller Accessory Buildings—Exemption from Building Permit Requirements:

All accessory buildings with a maximum height of ten (10) feet and a maximum size less two hundred (200) square feet shall not require a building permit, provided all setback requirements for the zone in which the accessory building is located are met, no portion of the accessory building extends over any property line, and no storm water runoff from the accessory building allowed to run onto adjacent property.

Section 1031—Required Compatibility Transitioning Treatments Between Residential and Nonresidential Districts:

When any nonresidential zones, including all commercial and industrial zones, is located adjacent to any residential zoning district the following requirements shall apply to all proposed uses, buildings and activities located in the nonresidential zone district, in addition to the development requirements and standards of general applicability;

- 1) Building Height.
 - a) The maximum building height of any nonresidential building or structure located within one hundred feet (100') of any residential zoning district boundary shall not exceed the maximum building height permitted in the residential zoning district.
- 2) Screen Walls.
 - a) An opaque wall shall be installed and maintained along all lot lines that coincide with a residential zoning district boundary.
 - b) The opaque wall shall be a minimum of six (6) feet in height but not more than eight (8) feet. A lower height wall may be required adjacent to a front property line for sight distance and traffic safety. Walls higher than eight (8) feet shall be reviewed and approved by the identified approving body for the nonresidential use and site plan, as applicable.
 - c) Where there is a difference in elevation on opposite sides of the wall, the height of the required wall shall be measured from the highest elevation.
 - d) The opaque wall shall be constructed of stone, brick, or colored block masonry.
- 3) Screen Landscaping.
 - a) All nonresidential uses located adjacent to any residentially zoned property shall provide a minimum of a ten feet (10') landscaped buffer adjacent to the residential zoning district boundary. No off-street parking, driveways, accesses, or any hard surfaced areas shall be permitted to be located within the required ten feet (10') landscaped buffer area.

- b) The landscaping provided within the required ten feet (10') landscaped buffer area, as identified in (a) above shall meet or exceed the minimum requirements for landscaping in nonresidential areas, as provided herein.
 - c) The types, sizes, and amount of landscaping materials sufficient to protect residential properties shall be determined by the Commission or Council when approving a Site Plan.
- 4) Building and Site Signage.
- a) No building signage associated with any nonresidential use, including but not limited to, wall, canopy, marquee, or window signs shall be placed on any exterior building wall or window facing any residential zoning district boundary.
 - b) No freestanding sign associated with any nonresidential use, including but not limited to, pole or monument signs shall be located within one hundred feet (100') of any residential zoning district boundary.
- 5) Open Storage Areas.
- a) No open storage area, including all areas containing vehicle storage, merchandise, or equipment storage shall be located within forty feet (40') of a residential zoning district boundary.
- 6) Location of Loading Areas and Drive-Through Facilities.
- a) No loading areas or loading docks shall be located in any exterior building wall facing any residential zoning district boundary.
 - b) No Drive-Through facilities or Drive-Through windows shall be located in any exterior building wall facing any residential zoning district boundary.
- 7) Trash Enclosure Areas.
- a) Trash enclosure(s) shall be provided for all garbage dumpster(s) and shall be screened from view with decorative opaque fencing, gates and landscaping.
 - b) No portion of any trash enclosure shall be located less than twenty feet (20') of any residential zoning district boundary.
 - c) All trash enclosures shall be a minimum of six (6) feet in height or equal in height to the trash dumpster to be screened.
 - d) No trash enclosure shall be permitted in the required front setback or shall it be located to block any required driveways, traffic and parking aisles, parking spaces or public sidewalks.
- 8) Mechanical Equipment. All mechanical equipment (including swamp coolers) shall be screened entirely from view from adjacent public rights-of-way and residentially zoned properties by using one (1) or more of the following techniques;
- a) A screening system of all ground mounted mechanical equipment with an architecturally designed screen that blends with the architectural design and materials of the proposed building.
 - b) Use of ground berming and evergreen landscape and other planting materials sufficient to provide a year round screen all ground mounted mechanical equipment.
 - c) Extension of the building's parapet wall to screen all roof mounted mechanical equipment.
 - d) Other screening system of equal or greater value and sufficient to screen all mechanical equipment, as determined appropriate and necessary by the use and site plan approval authority, as applicable.
- 9) Building and Site Lighting. Lighting fixtures attached to a building of free-standing lighting may be used to illuminate buildings, landscaping, signs, parking and loading areas, provided such lighting is appropriately directed and equipped with proper lenses or other devices concentrating the illumination upon the building, landscaping, signs, parking and loading areas, and preventing any bright, direct illumination upon adjacent property located in a residential zoning district. No unshielded lights, reflectors, spotlights, strobe lights, or searchlights shall be located so that they are pointed towards or are directly visible from any residentially zoned properties. The intensity of all building and site lighting shall be controlled so that residential zoned areas will not be adversely affected by glare or excessive direct light.
- 10) Utilities. All utility lines shall be placed underground in designated easements. No pipe, conduit, cable, line for water, gas, sewage, drainage, steam, electricity or any other energy or service shall be installed, and no pole or other support structure therefore shall be erected, altered or replaced, upon any lot (outside of any building) above the surface of the ground except for hoses, movable pipes used for irrigation or other purpose during construction. Electrical transformers and boxes shall be grouped with other utility meters where possible and screened with a

decorative masonry wall, vegetation or other appropriate method.

- 11) Drainage. Drainage from any nonresidential uses lot must meet the requirements of Roy City, as determined by the City Engineer. No building or site drainage shall be allowed to flow upon any adjoining property unless a drainage easement for such purposes has been granted by the owner of the lot upon which the water flows.
- 12) Hours of Operation. Any nonresidential use located less than three hundred feet (300') of any residential zone, and including all commercial and industrial uses, shall not open or operate between the hours of 10:00 pm to 7:00 am. Any nonresidential use located within three hundred feet (300') of any residential zone and proposing to open or operate after 10:00 pm and/or before 7:00 am shall require approval of a Conditional Use Application, as provided herein.
- 13) General Maintenance. An overall maintenance schedule shall be implemented by property owners in maintaining all buildings, landscaping, fences, walls, drives, parking lots (including surfacing and striping), signs, or other structures. The property shall be maintained in good and sufficient repair in a safe and aesthetically pleasing manner.

Section 1032—Parking in Residential Zones:

In all residential zones, no vehicle parking shall be permitted in front yard setback areas between the front property line and the front line of the building, except on driveways located in residential zones that directly access a garage or carport. Parking of vehicles outside of the front yard setback area is permitted on an approved all-weather surface such as concrete, asphalt, gravel, or road base. At any time, no portion of a vehicle may be over the street right-of-way line or obstruct a sidewalk. All single-family dwellings constructed prior to January 05, 1993, shall be excluded from this provision.

Section 1033—Required Yards to be Unobstructed—Exceptions:

All required yard or setback areas shall to be open to the sky and unobstructed; except for permitted and approved accessory buildings , for projections of sills and other ornamental features, unenclosed steps and unwallled stoops, and porches provided, that all buildings or parts thereof comply with the setback requirements of the zoning district in which they are located. Walls and fences shall also comply with the setback requirements of this Ordinance, or as a condition of use or site plan approval.

Section 1034—Required Property Maintenance:

All buildings, uses, and lots, located in Roy City shall be maintained and operated in a manner to enhance community pride and beautification. No junk, rubbish, weeds, or other unsightly material or conditions shall be permitted on any lot, right-of-way, or easement, or as part of any building or use.

Section 1035—Clear View of Intersecting Streets:

In all zones, no view obstruction including a sight-obscuring fence, wall, sign, or other similar structure, and no landscaping which exceeds two (2) feet in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at a point forty (40) feet from the intersection of the street lines. Where no curb exists, the clear view area shall include that portion of the corner lot lying within a triangular area formed by a diagonal line connecting lines located at the property line twenty (20) feet from the intersection of the property line.

Section 1036—Requirements for Fences and Walls:

- 1) Height.
 - a) Unless required for Site Plan Approval no fence, wall, hedge, or similar structure shall be erected on any required rear or side yard to a height in excess of six (6) feet, except fences located on the front property line or on the side property line within the front yard shall not be a height in excess of 48 inches.

- b) All fences and walls higher than six (6) feet, measured from finished grade, shall obtain a Fence Permit, approved by the Roy City Building Official.
 - c) A fence or wall located along a property line with a grade difference, the fence or wall may be erected to the maximum fence height permitted by the highest grade at the property line. No ground shall be bermed to exceed the maximum allowed height of fences or walls.
 - d) Solid, sight-obscuring fences and walls, separating commercial and industrial zoning districts from all other zones, may be required as a buffering and screening treatment with a minimum height of six (6) feet, except for required clear view areas. Additional fence height may be required, including the provision of a three (3) feet of open fence, such as wrought iron, to the top of any fence along rear property boundaries for safety and security purposes.
- 2) Compatible Design.
All walls and fences shall be compatible with the surrounding landscape and the architecture and building materials of buildings on and adjacent to the property.
 - 3) Quality of Construction.
All walls and fences shall be constructed in a workman-like manner according to industry standards.
 - 4) Maintenance of Fences and Walls.
All fences and walls shall be maintained in good repair. Areas adjacent to the wall or fence shall be maintained by the property owner.

Section 1037—Construction Subject to Geologic, Flood, or Other Natural Hazards:

To protect the public health, welfare and safety from geologic, flood, or other natural hazards all Applications for a Permitted Use, Conditional Use, Site Plan, Building Permit, or any other approval, permit or license, as required herein, shall be required to provide a geotechnical report for any land area or parcel that has the potential for any soils, earthquake, flood, or other discernable hazards. The geotechnical report shall be provided as follows:

- 1) Be prepared at the applicant's expense by a registered or licensed geologist, soils engineer, or civil engineer.
- 2) Identify the suitability of the subject property to accommodate the proposed development, identifying all development constraints, limitations, conditions, and mitigation actions, applying best management practices.

Section 1038—Effect of the Official Streets Map:

Wherever a required front yard faces on a road or street, the depth of such front yard shall be measured from the mapped street line provided by the official Streets Map of Roy City.

Section 1039—Noxious Weeds:

All property owners shall comply with the requirements of the "Utah Noxious Weeds Act," Title 4, Chapter 17, Utah Code Annotated, 1953, as amended.

Section 1040—General Building Requirements:

- 1) All buildings and structures shall be located on a legal lot, as defined herein.
- 2) All buildings proposed for human occupancy shall be connected to all necessary and required utilities.
- 3) All buildings shall be located on and permanently attached to a site-built permanent foundation that meets applicable building codes. Manufactured homes shall meet the applicable building codes for the construction, establishment, and location for manufactured housing installations.
- 4) Architectural design elements shall be required on all non-residential structures and buildings, as defined in Section 1411, herein.

Section 1041—Required Mechanical Equipment Screening:

- 1) In all zoning districts, all at-grade, or at-grade mounted, electrical service equipment, air conditioning, heating, cooling and ventilating equipment, and all other mechanical equipment shall be painted the same color as the exterior color of the adjacent building or screened from surrounding properties and streets by landscaping materials, or enclosed within a building.
- 2) The color of all roof mounted equipment and vents shall be the same color as the roof. All solar energy systems shall be exempt from this requirement if the required color would affect the efficient operation of solar energy systems.
- 3) All roof mounted equipment shall not extend above the maximum height for the zoning district in which the building is located.

Section 1042—Storage of Abandoned Vehicles, Trash, and Debris Prohibited:

No required yard area and no required open space area shall be used for the storage or accumulation of any unlicensed, abandoned, wrecked, or junk vehicles or the storage of equipment, trash, or debris.