

**SUGAR CITY
ORDINANCE 378_2022**

PUBLIC WORKS STANDARD CODE REVISIONS

NOW THEREFORE, be it ordained by the Council of the Sugar City, in the State of Idaho, as follows:

SECTION 1: AMENDMENT “8-6-2 SUPPLEMENTAL REGULATIONS; OFF STREET PARKING, LOADING” of the Sugar City Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

8-6-2 SUPPLEMENTAL REGULATIONS; OFF STREET PARKING, LOADING

- A. Fractional Calculations: Where calculations result in requiring a fractional space, any fraction less than one-half (1/2) shall be disregarded and any fraction of one-half (1/2) or more shall require one space.
- B. Location On Other Lot: Where off street parking is to be located on a lot other than the lot occupied by the use which requires it, approval for both lots is required by a special use permit.
- C. Design Standards: The following minimum design standards shall be observed in laying out off street parking facilities:

Parking Angle (Feet)	Stall Width (Feet)	Aisle Width (Feet)	Stall Length (Feet)	Curb to Curb (Feet)
0-15	9	11	23	30
16-37	9	11	19	45
38-57	9	13	19	54
58-74	9	18	19	61
75-90	9	24	19	63

- D. Garages; More Than Five Vehicles: No public or private garage for more than five (5) motor vehicles located in a commercial zone or industrial zone shall have an entrance or exit for motor vehicles within one hundred feet (100') of a residential zone.
- E. Hospitals, Commercial And Industrial Buildings: Every hospital, rest home, institution, hotel, commercial warehouse and industrial building hereafter erected or established on a lot shall provide one permanently maintained loading space of not less than ten feet (10') in width and thirty six feet (36') in length and fourteen feet (14') in clear height. Such loading spaces to be located at the side or rear of the building.
- F. Maintenance: Off street parking and loading spaces shall be maintained in good condition.
- G. Improvements; Construction: Improvements to parking and loading spaces shall be constructed according to the city's standards and drawings and specifications, including screening and landscaping requirements. All parking lots shall be blacktopped and marked within one year after construction on the lot begins.
- H. Reductions: Parking space requirements may be reduced by a special use permit based upon a specific showing by the applicant that the present and potential use of the premises will need a lesser amount of parking space.
- I. Setback Areas: Public or private parking areas and spaces are permitted in required

setback areas only as follows:

1. Trailers, boats and other vehicles not in daily use are restricted from parking in the front yard setback for more than sixteen (16) consecutive days and no more than thirty two (32) days cumulative total in any one calendar year.
 2. Public or private parking areas and spaces or any detached building intended for parking which is used in conjunction with any building or use permitted in any residential district shall be permitted in any rear yard that abuts an alley.
- J. Similar Uses Not Specifically Named: Uses determined to be similar in nature and having approximately the same traffic generating capacity as those defined in SCC 8-6-1, but which are not specifically named, shall be required to provide the same number of spaces as required for the similar use.
- K. Abutting Residential Zones: Whenever a parking lot or driveway to a parking lot is hereafter established in other than a residence zone so as to abut the side or rear line of a lot in a residence zone, a solid masonry wall or a substantial sightly fence not less than five feet (5') high and not more than eight feet (8') high, shall be constructed and maintained along said side or rear lot line up to, but not beyond, the setback building line. In addition, in all zones, the lighting, including any permitted illuminated sign on any parking lot or driveway shall be arranged so that there will be no annoying glare directed or reflected toward residence buildings or residence zones.
- L. Mixed Uses: In the case of mixed uses, the parking facilities required shall be the sum of the requirements for the various individual uses. Parking facilities for one use shall not be considered as providing the required parking facilities for any other use.
- M. Parking On Residential Property: No person shall park or allow parking of a motor vehicle, including an automobile, truck, motorcycle, trailer, camper, motor home, boat or other large vehicle in the front yard of a detached, single-family dwelling and/or twin home in any zone except on a hardened driveway of concrete, asphalt, brick, rock, or similar material. This parking regulation shall be suspended during any officially declared snow alert or emergency measure. The front yard of a detached, single-family dwelling and/or twin home in any zone may have a hardened driveway up to twenty four feet (24') wide per dwelling unit. When covered parking (garage or carport) for more than two (2) cars is provided, twelve feet (12') in width of hardened driveway is permitted for each covered parking space. Or, regardless of covered parking, up to forty percent (40%) of the front yard may be hardened. The city council is empowered to suspend or relax requirements of hardened width in individual cases by issuance of a special use permit.
- N. Surfacing: All required parking areas shall be surfaced with asphalt or concrete.
- O. Backing Onto Public Right Of Way: No parking area, except those designated R1 or R2, shall be designed or constructed to create a situation in which vehicles back into the public right of way.
- P. Landscaping; Snow Storage: All parking areas for more than four (4) vehicles shall dedicate the equivalent of ten percent (10%) of the parking area to landscaping and snow storage. The landscaping may be interior or peripheral. It shall include ground cover and/or trees.
- Q. Parking Plan: When a building or structure is constructed, erected, enlarged, or when the use of the building or structure is changed and such change creates an increase of fifteen percent (15%) or more in off street parking requirements, a parking plan shall be submitted to and approved by the planning and zoning commission. The plan shall show all parking spaces and their dimensions, access aisles and entrances and exits to the site.

AFTER AMENDMENT

8-6-2 SUPPLEMENTAL REGULATIONS; OFF STREET PARKING, LOADING

- A. Fractional Calculations: Where calculations result in requiring a fractional space, any fraction less than one-half ($\frac{1}{2}$) shall be disregarded and any fraction of one-half ($\frac{1}{2}$) or

more shall require one space.

- B. Location On Other Lot: Where off street parking is to be located on a lot other than the lot occupied by the use which requires it, approval for both lots is required by a special use permit.
- C. Design Standards: The following minimum design standards shall be observed in laying out off street parking facilities:

Parking Angle (Feet)	Stall Width (Feet)	Aisle Width (Feet)	Stall Length (Feet)	Curb to Curb (Feet)
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- E. Hospitals, Commercial And Industrial Buildings: Every hospital, rest home, institution, hotel, commercial warehouse and industrial building hereafter erected or established on a lot shall provide one permanently maintained loading space of not less than ten feet (10') in width and thirty six feet (36') in length and fourteen feet (14') in clear height. Such loading spaces to be located at the side or rear of the building.
- F. Maintenance: Off street parking and loading spaces shall be maintained in good condition.
- G. Improvements; Construction: Improvements to parking and loading spaces shall be constructed according to the city's standards and drawings and specifications, including screening and landscaping requirements. All parking lots shall be blacktopped and marked within one year after construction on the lot begins.
- H. Reductions: Parking space requirements may be reduced by a special use permit based upon a specific showing by the applicant that the present and potential use of the premises will need a lesser amount of parking space.
- I. Setback Areas: Public or private parking areas and spaces are permitted in required setback areas only as follows:
 - 1. Trailers, boats and other vehicles not in daily use are restricted from parking in the front yard setback for more than sixteen (16) consecutive days and no more than thirty two (32) days cumulative total in any one calendar year.
 - 2. Public or private parking areas and spaces or any detached building intended for parking which is used in conjunction with any building or use permitted in any residential district shall be permitted in any rear yard that abuts an alley.
- J. Similar Uses Not Specifically Named: Uses determined to be similar in nature and having approximately the same traffic generating capacity as those defined in SCC 8-6-1, but which are not specifically named, shall be required to provide the same number of spaces as required for the similar use.
- K. Abutting Residential Zones: Whenever a parking lot or driveway to a parking lot is hereafter established in other than a residence zone so as to abut the side or rear line of a lot in a residence zone, a solid masonry wall or a substantial sightly fence not less than five feet (5') high and not more than eight feet (8') high, shall be constructed and maintained along said side or rear lot line up to, but not beyond, the setback building line. In addition, in all zones, the lighting, including any permitted illuminated sign on any parking lot or driveway shall be arranged so that there will be no annoying glare directed or reflected toward residence buildings or residence zones.

- L. Mixed Uses: In the case of mixed uses, the parking facilities required shall be the sum of the requirements for the various individual uses. Parking facilities for one use shall not be considered as providing the required parking facilities for any other use.
- M. Parking On Residential Property: No person shall park or allow parking of a motor vehicle, including an automobile, truck, motorcycle, trailer, camper, motor home, boat or other large vehicle in the front yard of a detached, single-family dwelling and/or twin home in any zone except on a hardened driveway of concrete, asphalt, brick, rock, or similar material. This parking regulation shall be suspended during any officially declared snow alert or emergency measure. The front yard of a detached, single-family dwelling and/or twin home in any zone may have a hardened driveway up to twenty four feet (24') wide per dwelling unit. When covered parking (garage or carport) for more than two (2) cars is provided, twelve feet (12') in width of hardened driveway is permitted for each covered parking space. Or, regardless of covered parking, up to ~~forty percent (40%)~~ 50 - 60 percent (50% - 60%) of the front yard may be hardened. The city council is empowered to suspend or relax requirements of hardened width in individual cases by issuance of a special use permit.
- N. Surfacing: All required parking areas shall be surfaced with asphalt, ~~or concrete,~~ hardened gravel, or pavers.
- O. Backing Onto Public Right Of Way: No parking area, except those designated R1 or R2, shall be designed or constructed to create a situation in which vehicles back into the public right of way.
- P. Landscaping; Snow Storage: All parking areas for more than four (4) vehicles shall dedicate the equivalent of ten percent (10%) of the parking area to landscaping and snow storage. The landscaping may be interior or peripheral. It shall include ground cover and/or trees.
- Q. Parking Plan: When a building or structure is constructed, erected, enlarged, or when the use of the building or structure is changed and such change creates an increase of fifteen percent (15%) or more in off street parking requirements, a parking plan shall be submitted to and approved by the planning and zoning commission. The plan shall show all parking spaces and their dimensions, access aisles and entrances and exits to the site.

SECTION 2: AMENDMENT “7-1-7 INSTALLATION CHARGES” of the Sugar City Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

7-1-7 INSTALLATION CHARGES

Water service lines between the main line and the curb stop may be installed by the city or by a private contractor hired by the customer. Whenever a water service line is installed by the city, the charges for labor and materials shall be a standard installation fee paid by the customer as established by resolution of the city council. Consideration will be given to the costs for labor and materials. A standard installation fee shall be paid by the customer as established by resolution of the city council. Consideration will be given to the costs for blasting or unusual rock removal. The necessary and reasonable costs for such services shall be added to the charge to the customer.

AFTER AMENDMENT

7-1-7 INSTALLATION CHARGES

Water service lines between the main line and the curb stop shall be installed by the developer or property owner and inspected and maintained by the city.~~may be installed by the city or by a private contractor hired by the customer. Whenever a water service line is installed by the city, the charges for labor and materials shall be a standard installation fee paid by the customer as established by resolution of the city council. Consideration will be given to the costs for labor and materials. A standard installation fee shall be paid by the customer as established by resolution of the city council. Consideration will be given to the costs for blasting or unusual rock removal. The necessary and reasonable costs for such services shall be added to the charge to the customer.~~

SECTION 3: AMENDMENT “7-1-8 LENGTH OF SERVICE LINE” of the Sugar City Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

7-1-8 LENGTH OF SERVICE LINE

Where a water main is located in a public right of way, the maximum length of service line furnished and installed by the city for the standard installation fee set forth shall be fifty feet (50'). Where the main is on private property, the maximum length of service line furnished and installed by the city for the standard installation fee shall be thirty feet (30'). If the length of the service line exceeds the maximums stated above, an additional charge shall be made, based on the actual cost to the city to furnish and install the extra pipe.

AFTER AMENDMENT

7-1-8 LENGTH OF SERVICE LINE

~~Where a water main is located in a public right of way, the maximum length of service line furnished and installed by the city for the standard installation fee set forth shall be fifty feet (50'). Where the main is on private property, the maximum length of service line furnished and installed by the city for the standard installation fee shall be thirty feet (30'). If the length of the service line exceeds the maximums stated above, an additional charge shall be made, based on the actual cost to the city to furnish and install the extra pipe.~~

SECTION 4: AMENDMENT “7-1-9 INSTALLATION AND MAINTENANCE” of the Sugar City Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

7-1-9 INSTALLATION AND MAINTENANCE

All service lines and connections from the main to and including the curb stop shall be installed, maintained, owned and exclusively controlled by the water department.

AFTER AMENDMENT

7-1-9 INSTALLATION AND MAINTENANCE

All service lines and connections from the main to and including the curb stop and meter pit shall be installed and; maintained by the property owner or developer. The property owner is responsible to maintain the service line from the meter pit to their house.~~owned and exclusively controlled by the water department.~~

SECTION 5: **AMENDMENT** “7-1-12 PERMIT REQUIRED” of the Sugar City Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

7-1-12 PERMIT REQUIRED

No person shall dig into the streets or under the sidewalk for the purpose of laying, removing or repairing any water line without first obtaining a permit.

AFTER AMENDMENT

7-1-12 PERMIT REQUIRED

No person shall dig into the streets or under the sidewalk for the purpose of laying, removing or repairing any water line without first obtaining an excavation permit.

SECTION 6: **AMENDMENT** “9-3-8 DEVELOPMENT STANDARDS” of the Sugar City Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

9-3-8 DEVELOPMENT STANDARDS

- A. Setbacks: See definition in SCC 9-2-2.
1. Setback is to the nearest structural projection of the building.
 2. Open structures such as porches, canopies, balconies, platforms, covered patios, and similar architectural projections are considered part of the building to which they are attached.
 3. For a multi-story building in an R1 district, the front setback shall be an additional five feet (5') per floor above the ground floor.
 4. When a commercial or manufacturing use abuts a residential district, its setback(s) along the abutting residential boundary (ies) shall be the same in the residential district.
 5. The clear vision triangle (see diagram at end of this section) shall be preserved.
 - a. The clear vision triangle is defined by a straight line connecting points twenty feet (20') back from two adjacent roadway edges where they cross each other at the intersection. Existing trees shall be pruned so as to not obstruct the clear vision triangle, by either leaving them no higher than 36", or pruning them to be no lower than ten (10) feet in height above the existing center line road elevation, based on the current signage or lighting needs. Shrubs, hedges, fences, walls, buildings, and ground covers within the vision triangle shall not exceed thirty-six inches (36") in height at maturity.
 - b.
 6. Uniform front setbacks may be established by ordinance and an amendment to the zoning map when adjacent zoning districts are provided different front setbacks in SCC 9-3-7.
 7. TA District setback requirements:
 - a. Front yard. No building or structure shall be erected nearer than 50 feet from the center line of the street. Notwithstanding the setback in subsection (b)(1) of this section, if the property abuts a major or minor arterial roadway, the setback shall be no less than 60 feet.
 - b. Side yard. No building shall be erected closer than 10 feet to any side property

line, except corner lots shall maintain a 50-foot side yard adjacent to the street which intersects the street upon which the building fronts.

- c. Rear yard. There shall be a rear yard having a depth of not less than 25 feet.
- d. Exceptions. Some setback exceptions exist for specific architectural features, as outlined in section 101-10.

B. Height:

- 1. Height is the vertical distance from the average grade at the front of the structure to the highest point of the structure.
- 2. A building shall not exceed three (3) stories, except by special use permit.
- 3. Maximum height may be increased by special use permit.
- 4. There shall be no height restrictions in the TA District, except as may be imposed by state or federal regulations. Wind turbines and communication towers have specific height restrictions as outlined in chapter 109, articles III and V.

C. Lot Size:

- 1. Lot Larger Than Minimum: Lots may need to be larger than minimum to meet requirements for parking, setback, and/or open space.
- 2. Undersized Parcel: A parcel of less than the minimum width or area specified for its zoning district shall not be created and recorded unless it is zoned or rezoned open and has covenants (a written agreement) recorded providing for its maintenance.
- 3. Planned Unit Development: In a planned unit development, lot sizes may be decreased if there is an increase in open space (see SCC Title 10, "Subdivision And Platting").
- 4. Lots Not Meeting Zoning District Requirements: Any lot or parcel of land, which was of record in the Madison County recorder's office at the time its zoning district was determined but does not meet the requirements of the zoning district in which it is located for minimum lot width and/or area, may be utilized if all requirements of this title are met other than for minimum lot width and/or area.
- 5. TA District minimum lot width is 250 feet. Area/density requirements.
 - a. Agriculture owners may split off the original home site on any parcel of not less than one-acre from the rest of the farm ground for the purpose of selling the farm and retaining the home.
 - b. Owner of a farm may sell off any parcel of not less than one-acre of land by attaching the deed restriction giving up the developmental rights on the balance of the 16 acres. Example: A one-acre lot would require the owner give up the development rights on the adjoining 15 acres; two-acre split would require the adjoining 14 acres be placed under a developmental restriction and so on. The parcel with the deed restriction shall state that on the deed and which parcel it is tied to. The two resulting parcels will each be counted as a parcel split. The original larger parcel can do one more such split than any further splits of the parcel will require platting. This is inclusive of the original parcel.

D. Single-Family Dwellings, Patio Homes And Twin Homes: Except as provided in SCC Title 11 for dwellings in manufactured home parks, single-family dwellings, patio homes, and twin homes:

- 1. Shall enclose a space of at least one thousand (1,000) square feet on the main level and have an interior width of not less than twenty feet (20') (per each dwelling unit).
- 2. Shall be placed on an excavated and backfilled permanent foundation.
- 3. Shall have a pitched roof with a slope of at least three to twelve (3/12) and an eave projection of at least six inches (6").
- 4. Shall have exterior wall surfaces that are typical of residential neighborhoods, including, but not limited to, masonry, clapboard or cement simulated clapboard, vinyl or metal siding, wood shingles or shakes, or similar materials. Surfaces shall not have a high gloss finish and shall not be composed of metal or plastic panels.

E. Manufactured Homes:

- 1. Shall enclose a space of at least one thousand (1,000) square feet on the main level and have an interior width of at least twenty feet (20').
- 2. When placed on an individual lot, shall meet the standards for a single-family

dwelling, plus the following standards:

- a. The home shall be of multisectional construction and constructed after 1976.
 - b. Hitch, axles, and wheels shall be removed and the foundation fascia shall be similar in appearance and durability to the masonry foundation of site built homes.
3. Existing manufactured homes not meeting the above standards may be permitted in established manufactured home subdivisions or manufactured home parks.

F. Accessory Buildings:

1. Are permitted in all zoning districts;
2. Shall not intrude into a front yard or front setback;
3. If smaller than two hundred (200) square feet and not on a permanent foundation, may be placed adjacent to the rear property line, along an inside property line, or along the alley if on a corner lot;
4. If larger than two hundred (200) square feet or on a permanent foundation:
 - a. Shall meet similar design standards as principal buildings and resemble them in exterior materials and color;
 - b. Shall observe setbacks of at least five feet (5');
 - c. Shall not occupy area greater than twenty five percent (25%) of the rear yard (accessory buildings individually or collectively); and
 - d. If openings face an alley, shall comply with county fire codes.

G. Temporary Buildings: A temporary office or office building may be permitted as an accessory building on a construction site for up to one year. One year extensions may be granted.

H. Commercial Abutting Residential: Where a commercial or business use abuts a lot in a residential zone, the commercial or business entity shall provide a shrubbery buffer not less than four feet (4') high and four feet (4') wide or a slightly, solid fence between five (5) and eight feet (8') high.

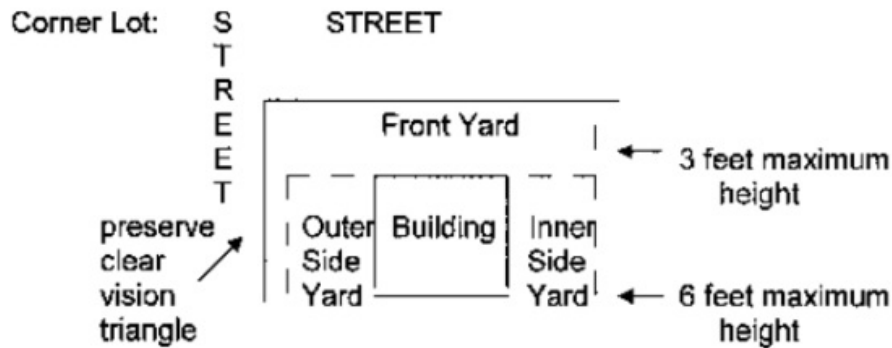
I. Lots Lying In Multiple Zoning Districts: When a lot is located so that it extends into more than one zoning district, the most restrictive requirements among the zoning districts shall apply.

J. Outdoor Storage: Machinery, inoperable vehicles, inventory materials, and unsightly items stored outdoors shall be enclosed by solid fencing or vegetation so as to be screened from view. Composition, dimensions, and extent of screening shall be as required by city council to suit the situation.

K. Fences, Walls, And Hedges: Fences, walls, and hedges are allowed by permit in any required yard or along the edge of any yard. Except when screening commercial or business from residential (see subsections H and J of this section), maximum height shall be three feet (3') around a front yard and six feet (6') on back yards and side yards. No fence, wall, or hedge shall obstruct the clear vision triangle. No fence, wall, or hedge shall be placed in a right of way required by the city.

L. TA District requirements for access to city streets, county roads and state highways. All access to city streets, county or state roads shall be in conformance with the Comprehensive Plan and follow all access policies and ordinances as set by the jurisdiction over the street/road/highway. Multiple accesses will be discouraged and shared access will be encouraged under these policies.

M. TA District requirements for animal clinics and hospitals, veterinary offices, and kennels. These will be located at least 300 feet from any residence including motels and hotels, except for an owner's residence. The city may modify these requirements if the animals are housed in soundproof structures that screen them from view of the abutting residential property.



AFTER AMENDMENT

9-3-8 DEVELOPMENT STANDARDS

A. Setbacks: See definition in SCC 9-2-2.

1. Setback is to the nearest structural projection of the building.
2. Open structures such as porches, canopies, balconies, platforms, covered patios, and similar architectural projections are considered part of the building to which they are attached.
3. For a multi-story building in an R1 district, the front setback shall be an additional five feet (5') per floor above the ground floor.
4. When a commercial or manufacturing use abuts a residential district, its setback(s) along the abutting residential boundary (ies) shall be the same in the residential district.
5. ~~The clear vision triangle (see diagram at end of this section) shall be preserved.~~

~~The clear vision triangle is defined by a straight line connecting points twenty feet (20') back from two adjacent roadway edges where they cross each other at the intersection. Existing trees shall be pruned so as to not obstruct the clear vision triangle, by either leaving them no higher than 36", or pruning them to be no lower than ten (10) feet in height above the existing center line road elevation, based on the current signage or lighting needs. Shrubs, hedges, fences, walls, buildings, and ground covers within the vision triangle shall not exceed thirty-six inches (36") in height at maturity.~~

Vision Triangles - How to Determine Vision Triangle Area


a. **Corner vision triangle** means a triangular area on corner lots with specific height limitations for structures and vegetation, including fences, buildings, and hedges. The triangle is formed by following three steps (see attached illustration):

- (1) Draw imaginary straight lines that extend the front property lines until they intersect at a single point (Point X);
- (2) Locate two points along each property line that are 40 feet from the intersection point (Points A and B); and
- (3) Connect all three points to form a triangle.

b. **Driveway vision triangle** means a triangular area next to a driveway, alleyway, or multi-use path with specific height limitations for structures and vegetation, including fences, buildings and hedges. The triangle is formed by the following three steps (see attached illustration):

- (1) Use the point where the inside edge of the sidewalk and the edge of the driveway intersect (Point X);
- (2) Locate two points along the edge of the driveway and sidewalk that are 10 feet from the intersection point (Points A and B). If there is no sidewalk, the vision triangle is measured along the property line. If a driveway has been widened without a corresponding widening of the curb approach, the driveway vision triangle is measured from the original driveway edge.
- (3) Connect all three points to form a triangle.

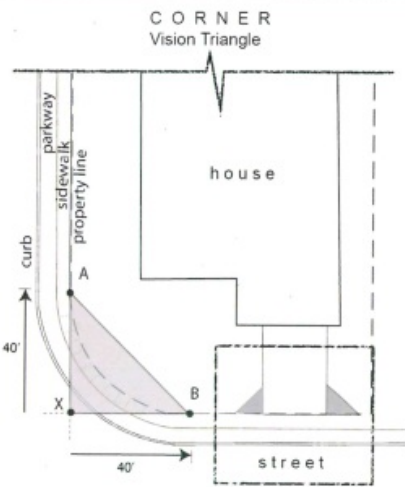
- c. **Extended driveway vision triangle** means a triangular area measured in a similar manner as a driveway vision triangle but with the following dimensions (see attached illustration):
- (1) The point along the edge of the sidewalk (Point A) is 40 feet from the intersection point (Point X); and
 - (2) The point along the edge of the driveway (Point B) is 15 feet from Point X.
- d. **New structures, including signs**, are subject to extended vision triangle requirements when located on lots with more than 100 parking spaces.



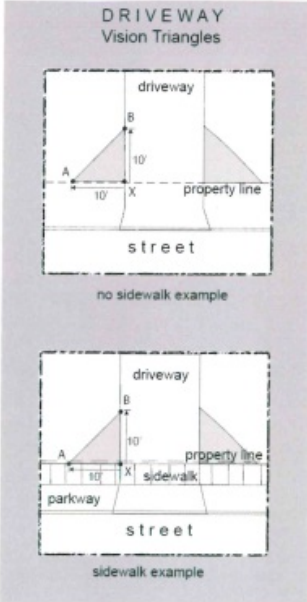
Sugar City

Vision Triangles

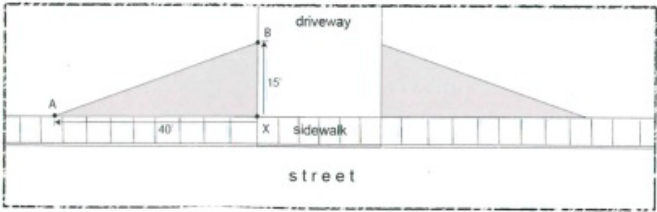
CORNER Vision Triangle



DRIVEWAY Vision Triangles




EXTENDED DRIVEWAY Vision Triangle



Ph: 208-356-7561
Fax: 208-359-2654

Office Hours: 9 a.m. to 4 p.m.

P.O. Box 56 - 10 E. Center
Sugar City, ID 83448



6. Vision Triangle Requirements

- a. **Parking Spaces** - Parking areas are prohibited in all vision triangles.
- b. **Structures and Vegetation in Vision Triangles** - Structures and vegetation are limited to 3.5 feet in height within any vision triangle. A structure may include buildings, fences, accessory structures, signs, or any other physical object. Vegetation

may include plants, shrubs, and trees. The following structures and vegetation are exempt from vision triangle requirements:

- (1) **Trees with Circumferences Less than 38 Inches.** A tree of 38 inches in circumference as measured 4.5 feet from the ground may be located within a vision triangle if the lowest tree branches and foliage are at least 10 feet from the ground at maturity.
 - (2) **Building Canopies.** A building canopy may project 5 feet into a vision triangle if the canopy is at least 10 feet high as measured from the top of curb closest to the canopy. Ground-mounted support posts are prohibited within any vision triangle.
 - (3) **Open Fences.** "Open fences" as defined in ? (General Fence Requirements) may be located in a vision triangle.
 - (4) **Special Requirements for Safety.** The Director may require additional setbacks if needed for pedestrian , motorist, or bicyclist safety.
 - (5) **Downtown District.** Properties within the Downtown Commercial (CD) zone are exempt from vision triangle requirements.
7. Uniform front setbacks may be established by ordinance and an amendment to the zoning map when adjacent zoning districts are provided different front setbacks in SCC 9-3-7.
 8. TA District setback requirements:
 - a. Front yard. No building or structure shall be erected nearer than 50 feet from the center line of the street. Notwithstanding the setback in subsection (b)(1) of this section, if the property abuts a major or minor arterial roadway, the setback shall be no less than 60 feet.
 - b. Side yard. No building shall be erected closer than 10 feet to any side property line, except corner lots shall maintain a 50-foot side yard adjacent to the street which intersects the street upon which the building fronts.
 - c. Rear yard. There shall be a rear yard having a depth of not less than 25 feet.
 - d. Exceptions. Some setback exceptions exist for specific architectural features, as outlined in section 101-10.

B. Height:

1. Height is the vertical distance from the average grade at the front of the structure to the highest point of the structure.
2. A building shall not exceed three (3) stories, except by special use permit.
3. Maximum height may be increased by special use permit.
4. There shall be no height restrictions in the TA District, except as may be imposed by state or federal regulations. Wind turbines and communication towers have specific height restrictions as outlined in chapter 109, articles III and V.

C. Lot Size:

1. Lot Larger Than Minimum: Lots may need to be larger than minimum to meet requirements for parking, setback, and/or open space.
2. Undersized Parcel: A parcel of less than the minimum width or area specified for its zoning district shall not be created and recorded unless it is zoned or rezoned open and has covenants (a written agreement) recorded providing for its maintenance.
3. Planned Unit Development: In a planned unit development, lot sizes may be decreased if there is an increase in open space (see SCC Title 10, "Subdivision And Platting").
4. Lots Not Meeting Zoning District Requirements: Any lot or parcel of land, which was of record in the Madison County recorder's office at the time its zoning district was determined but does not meet the requirements of the zoning district in which it is located for minimum lot width and/or area, may be utilized if all requirements of this title are met other than for minimum lot width and/or area.
5. TA District minimum lot width is 250 feet. Area/density requirements.
 - a. Agriculture owners may split off the original home site on any parcel of not less than one-acre from the rest of the farm ground for the purpose of selling the farm and retaining the home.
 - b. Owner of a farm may sell off any parcel of not less than one-acre of land by attaching the deed restriction giving up the developmental rights on the

balance of the 16 acres. Example: A one-acre lot would require the owner give up the development rights on the adjoining 15 acres; two-acre split would require the adjoining 14 acres be placed under a developmental restriction and so on. The parcel with the deed restriction shall state that on the deed and which parcel it is tied to. The two resulting parcels will each be counted as a parcel split. The original larger parcel can do one more such split than any further splits of the parcel will require platting. This is inclusive of the original parcel.

D. Single-Family Dwellings, Patio Homes And Twin Homes: Except as provided in SCC Title 11 for dwellings in manufactured home parks, single-family dwellings, patio homes, and twin homes:

1. Shall enclose a space of at least one thousand (1,000) square feet on the main level and have an interior width of not less than twenty feet (20') (per each dwelling unit).
2. Shall be placed on an excavated and backfilled permanent foundation.
3. Shall have a pitched roof with a slope of at least three to twelve (3/12) and an eave projection of at least six inches (6").
4. Shall have exterior wall surfaces that are typical of residential neighborhoods, including, but not limited to, masonry, clapboard or cement simulated clapboard, vinyl or metal siding, wood shingles or shakes, or similar materials. Surfaces shall not have a high gloss finish and shall not be composed of metal or plastic panels.

E. Manufactured Homes:

1. Shall enclose a space of at least one thousand (1,000) square feet on the main level and have an interior width of at least twenty feet (20').
2. When placed on an individual lot, shall meet the standards for a single-family dwelling, plus the following standards:
 - a. The home shall be of multisectional construction and constructed after 1976.
 - b. Hitch, axles, and wheels shall be removed and the foundation fascia shall be similar in appearance and durability to the masonry foundation of site built homes.
3. Existing manufactured homes not meeting the above standards may be permitted in established manufactured home subdivisions or manufactured home parks.

F. Accessory Buildings:

1. Are permitted in all zoning districts;
2. Shall not intrude into a front yard or front setback;
3. If smaller than two hundred (200) square feet and not on a permanent foundation, may be placed adjacent to the rear property line, along an inside property line, or along the alley if on a corner lot;
4. If larger than two hundred (200) square feet or on a permanent foundation:
 - a. Shall meet similar design standards as principal buildings and resemble them in exterior materials and color;
 - b. Shall observe setbacks of at least five feet (5');
 - c. Shall not occupy area greater than twenty five percent (25%) of the rear yard (accessory buildings individually or collectively); and
 - d. If openings face an alley, shall comply with county fire codes.

G. Temporary Buildings: A temporary office or office building may be permitted as an accessory building on a construction site for up to one year. One year extensions may be granted.

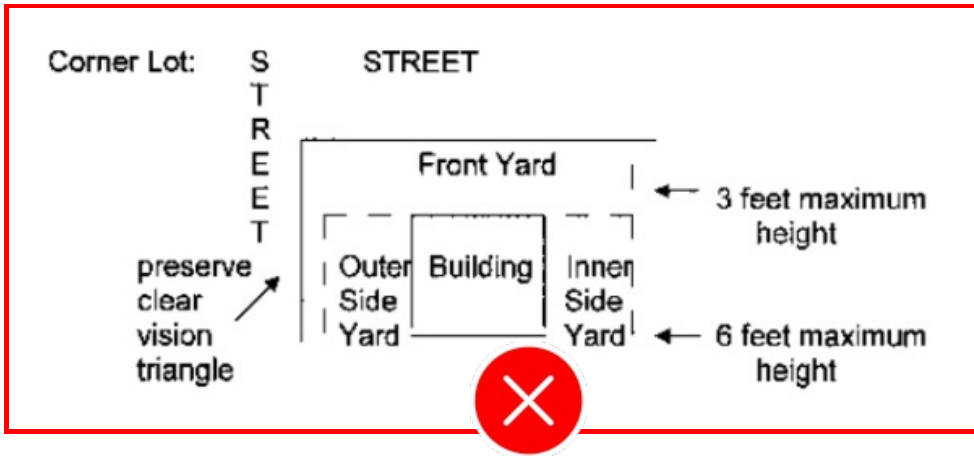
H. Commercial Abutting Residential: Where a commercial or business use abuts a lot in a residential zone, the commercial or business entity shall provide a shrubbery buffer not less than four feet (4') high and four feet (4') wide or a sightly, solid fence between five (5) and eight feet (8') high.

I. Lots Lying In Multiple Zoning Districts: When a lot is located so that it extends into more than one zoning district, the most restrictive requirements among the zoning districts shall apply.

J. Outdoor Storage: Machinery, inoperable vehicles, inventory materials, and unsightly items stored outdoors shall be enclosed by solid fencing or vegetation so as to be screened from view. Composition, dimensions, and extent of screening shall be as required by city council to suit the

situation.

- K. Fences, Walls, And Hedges: Fences, walls, and hedges are allowed by permit in any required yard or along the edge of any yard. Except when screening commercial or business from residential (see subsections H and J of this section), maximum height shall be three feet (3') around a front yard and six feet (6') on back yards and side yards. No fence, wall, or hedge shall obstruct the clear vision triangle. No fence, wall, or hedge shall be placed in a right of way required by the city.
- L. TA District requirements for access to city streets, county roads and state highways. All access to city streets, county or state roads shall be in conformance with the Comprehensive Plan and follow all access policies and ordinances as set by the jurisdiction over the street/road/highway. Multiple accesses will be discouraged and shared access will be encouraged under these policies.
- M. TA District requirements for animal clinics and hospitals, veterinary offices, and kennels. These will be located at least 300 feet from any residence including motels and hotels, except for an owner's residence. The city may modify these requirements if the animals are housed in soundproof structures that screen them from view of the abutting residential property.



PASSED AND ADOPTED BY THE SUGAR CITY COUNCIL OCTOBER 27, 2022.

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Councilmember Joy M Ball	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Connie Fogle	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Catherine Nielsen	<u> </u>	<u>X</u>	<u> </u>	<u> </u>
Councilmember Glenn Dayley	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Attest

Presiding Officer

Steven Adams, Mayor, Sugar City

Wendy McLaughlin

Wendy McEaughlin, City Clerk, Sugar City

