

Glendale Town Corporation



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Zoning Ordinance

Adopted August 27, 2002

This document was prepared in cooperation with the Glendale Town Planning Commission and Town Council, by the Five County Association of Governments, through a planning and technical assistance grant from the Utah State Department of Community and Economic Development.

Ordinance Number 2002-1

(Zoning Ordinance)

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An ordinance of the Town Council of the Town of Glendale, UT, adopting the Town of Glendale Zoning Ordinance, relating to permitted uses, setbacks, and other standards by lot or parcel within town limits.

Preamble

In order to provide for the health, safety and general welfare of the citizens of Glendale, UT, the Town Council is committed to establish a Zoning Ordinance intended to help implement the Town of Glendale General Plan relating to land use and development.

WHEREAS, the City desires to adopt a Zoning Ordinance to be known as the Town of Glendale, Zoning Ordinance; and

WHEREAS, the Town Council is authorized to adopt a Zoning Ordinance under the provisions of U.C.A. sections 10-9-401 through 10-9-408 (Zoning); and

WHEREAS, the Planning Commission has held publicly noticed meetings in part to discuss the provisions of the Zoning Ordinance; and

WHEREAS, U.C.A. sections 10-9-401 through 10-9-408, set forth procedures for the adoption and content of ordinances which deal with zoning concerns; and

WHEREAS, the Town of Glendale Planning Commission made a recommendation to the Town Council to adopt this Zoning Ordinance; and

WHEREAS, the Town Council of the Town of Glendale held a duly advertised and noticed public hearing for the purpose of receiving public comment regarding the content of the Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Glendale, Utah, as follows:

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CHAPTER 1. GENERAL PROVISIONS

ToC

1-1 Short Title.

This Ordinance shall be known as the "Uniform Zoning Ordinance of the Town of Glendale, Utah", and may be so cited and pleaded.

1-2 Purpose.

This Ordinance is designed and enacted for the purpose of promoting the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the Town of Glendale, Utah, including among other things, the controlling of congestion in the streets or roads, securing safety from fire and other dangers, providing adequate light and air, classification of land uses and distribution of land development and utilization, protection of the tax base, securing economy in governmental expenditures, fostering the rural atmosphere and other industries, and the protection of urban development.

1-3 Interpretation.

In interpreting and applying the provisions of this Ordinance, the requirements contained herein are declared to be the minimum requirements for the purposes set forth.

1-4 Conflict.

This Ordinance shall not nullify the more restrictive provisions of covenants, agreements, or other ordinances or laws, but shall prevail notwithstanding such provisions which are less restrictive.

1-5 Effect on Previous Ordinances and Maps.

The existing ordinance covering zoning, in their entirety and including the maps heretofore adopted and made a part of said ordinances are hereby superseded and amended to read as set forth herein; provided, however, that this Ordinance, including the attached map, shall be deemed a continuation of previous ordinances and not a new enactment, insofar as the substance of revisions of previous ordinances is included in this Ordinance, whether in the same or in different language; and this Ordinance shall be so interpreted upon all questions of

construction relating to tenure of officers and boards established by previous ordinances and to questions of conforming or nonconforming uses and buildings and structures, and to questions as to the dates upon which such uses, buildings, or structures became conforming or nonconforming.

1-6 Definitions.

See Appendix A

1-7 Building Permit Required.

Construction projects will require building permits as per Uniform Building Code.

1-8 Occupancy Permit Required.

Land, buildings or premises in any district shall hereafter be used only for a purpose permitted in such district and in accordance with district regulations. A permit of occupancy shall be issued by the Glendale Town Zoning Planning Commission or designee to the effect that the use, building or premises will conform to provisions of this and related ordinances prior to occupancy, for any building erected, enlarged or altered structurally, or the occupancy, or use of any land, except for permitted agricultural uses. Such a permit is needed whenever use or character of any building or land is to be changed. Upon written request from the owner, a permit shall be issued covering any lawful use of buildings or premises existing on the effective date of this amendment, including nonconforming buildings and uses. The permanent electrical power shall not be connected or may be disconnected until the Glendale Town Building Inspector conducts a final inspection and/or occupants receive a written occupancy permit.

1-9 Site Plans Required.

A detailed site plan, with scale & sheet size determined by the Glendale Town Planning Commission or the Glendale Town Planning Commissioner or designee, when authorized, shall be filed as part of any application, prior to request for a zoning permit. It shall show, where pertinent:

1. Scale of plan, and direction of north point.

2. Lot lines, adjacent streets, roads, rights-of-ways.
3. Location of all existing structures on subject property and adjoining properties, with utility lines, poles, etc., fully dimensioned.
4. Location of proposed construction and improvements, with location and dimension of all signs.
5. Any parking lot to be built new or re-modeled must be built to plan, have proper drainage, and must have a building permit. Building permit fee shall be determined by the Glendale Town Council.
6. Necessary explanatory notes.
7. Name, address, telephone number of builder and owner.
8. All other information required as determined by the Glendale Town Planning Commission or the Glendale Town Planning Commissioner or designee when authorized.

1-10 Inspection.

The Glendale Town Planning Commissioner or designee is authorized to inspect or to have inspected all buildings and structures, requiring a building permit, in the course of their construction, modification or repair, and to inspect land uses to determine compliance with zoning ordinance provisions. In no case shall entry be made to any occupied building in the absence of the owner or tenant thereof without written permission of an owner, or written order of a court of competent jurisdiction.

1-11 Enforcement.

The Glendale Town Planning Commissioner or designee is authorized as the enforcing officer for this Ordinance, and shall enforce all provisions, entering actions in court if necessary, and his failure to do so shall not legalize any violations of such provisions. The Glendale Town Council may, by resolution or ordinance, from time to time entrust administration of this Ordinance, in whole or in part, to another officer of the Town of Glendale, without amendment to this Ordinance.

1-12 Nuisance and Abatement.

Any building or structure erected, constructed, altered, enlarged, converted, moved or maintained contrary to provisions of this ordinance shall be, and the same hereby is, declared to be unlawful and a public nuisance; and the local attorney shall, upon request of the governing body, at once commence action or proceedings for abatement and removal or enjoinder thereof in a manner provided by law, and take other steps and apply to such courts as may have jurisdiction to grant such relief as will abate and remove such building or structure, and restrain or enjoin any person, firm, or corporation from erecting, building, maintaining, or using said building or structure or property contrary to the provisions of this Ordinance. The remedies provided for herein shall be cumulative and not exclusive.

1-13 Penalties.

Any person, firm or corporation (as principal, agent, employee or otherwise) violating, causing, or permitting violation of the provisions of this Ordinance shall be guilty of a misdemeanor, and punishable as provided by law. Such person, firm, or corporation intentionally violating this Ordinance shall be deemed to be guilty of a separate offense for each day during which any portion of any violation of this Ordinance is permitted or continued by such person, firm, or corporation, shall be punishable as herein provided.

1-14 Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such holding shall not effect the validity of the remaining portion of this Ordinance.

1-15 Amendments.

The Town of Glendale may from time to time amend the number, shape, boundaries or areas of any district, or regulation, or other provision of the Zoning Ordinance, but any such amendment shall not be made or become effective until after fifteen (15) days notice and public hearing and unless the same shall have been proposed by or be first submitted to the Glendale Town Planning

Commission for its recommendation, which shall be returned within thirty (30) days.

1-16 Hearing and Publication and Notice Before Amendment.

Before finally adopting any such amendment, the Glendale Town Council shall hold a public hearing thereon, at least fifteen (15) days notice of the time and place of which shall be given by at least one (1) publication in a newspaper of general circulation in the Town of Glendale. Said notice shall contain a full description of the proposed amendment.

Written notice of a hearing for proposed amendments to the "zoning district map" shall be

sent by first class mail, at least 15 days, prior to the hearing date, to property owners within the area of the proposed change, and within 140 feet of the area in question.

The 140 foot area includes property owners across the street and in the rear of the subject property. The width of any intervening streets or alleys shall not be included in counting the 140 foot width. Failure to give this notice shall not invalidate an amendment.

The zone change applicant, or his agent, shall be notified at least 15 days prior to the hearing date and shall be required to attend the hearing for the purpose of explaining his request for a zoning amendment.

1-16A Application.

Any person who desires that a change in any zone be made shall file with the Glendale Town Clerk a written application for such zone change in substantially the following form:

"APPLICATION FOR ZONE CHANGE"

Application is hereby made to the Town Council of Glendale Town, Utah, to amend the zoning map of Kane County reclassifying _____ acres of property located at _____ from _____ zone to _____ zone.

1. Applicant Information:
Name _____ Telephone _____
Street Address _____ P.O. Box _____
Town _____ State _____ Zip Code _____
Affiliation to Applicant or Property _____
Purpose of Zone Change _____

2. Property:
a. Legal Description:

3. Owners: Legal title is held by:
Name _____ Telephone _____
Street Address _____ P.O. Box _____
Town _____ State _____ Zip Code _____

4. Use:
a. Present Use of Property _____
b. Use of Adjacent Property _____
c. Intended Use of Property _____
d. State why this property is suited for intended purposes

5. Development:
a. State what development, construction is planned

b. State the time table for development:

c. Name and address of Developer:

6. Property Owners:

A list of names, street addresses and mailing addresses for owners of property within 140 feet from the outer boundary of the subject property. (Note: this includes property owners across street and in the rear of the subject property. In determining the 140 feet, the width of any intervening street or alley shall not be included.)

Name _____ Telephone _____
Street Address _____ P.O. Box _____
Town _____ State _____ Zip Code _____

Name _____ Telephone _____
Street Address _____ P.O. Box _____
Town _____ State _____ Zip Code _____

7. Exhibits:

Attach the following:

a. Development Plans - Two (2) copies of a development plan with necessary sketches drawn to scale showing the subject property and surrounding properties within 140 feet of subject property and where pertinent, the use or uses dimensions and locations of proposed and existing structures (including signs), area to be reserved for vehicular and pedestrian circulation, parking, public uses, landscaping and other open spaces. In considering the development plan attention will be directed toward, among other things:

- (a) The architectural design of proposed buildings and their relationship to development beyond the boundaries of the subject property.
- (b) The entrances and exits to the subject property.
- (c) The size, location, design and nature of signs, if any, and the intensity and direction of area or flood lighting.

b. Covenants and Deed Restrictions - If there are any covenants or deed restrictions in effect relative to any of the subject property. Please attach a copy.

8. Fee:

\$ _____ plus \$50.00 to cover publication costs must be deposited with application.

9. Signature of each owner of property within zone change area:

_____ Date _____
 _____ Date _____

The Planning Commission and Town Council may require an applicant to provide all the above, and any other oral information necessary and reasonable in making application for a zone change. Each application for zone change shall be subject to a fee of \$50.00 at the time of its submission, or such other amount as may be set by resolution of the Town Council. The Town Council shall approve or deny the zone change application within 15 days after the public hearing. The Town shall notify the zone change applicant of their final decision by sending said decision by first class mail to the applicant's address as listed on his application.

1-17 Licensing.

All departments and public employees of the Town of Glendale which are vested with duty or authority to issue permits or licenses shall conform to the provisions of this Ordinance and shall issue no permit or license for uses, buildings, or purposes where the same would be in conflict with the provisions of this Ordinance and any such permit or license, if issued in conflict with the provisions of this Ordinance, shall be null and void.

1-18 Fees.

Fees may be charged applicants for building, occupancy, and conditional use permits, and Planned Development approval, Glendale Town Planning Commission and Glendale Town Board of Adjustment hearings, and such other services as are required by this Ordinance to be performed by public officers or agencies. Such fees shall be established by the Town of Glendale and be in amounts reasonably needed to defray costs to the public.

CHAPTER 2. PLANNING COMMISSION

ToC

2-1 Creation of a Planning Commission, Number of Members, Appointment

The Glendale Town Planning Commission shall consist of seven (7) members, each to be appointed by the Glendale Mayor with the advise and consent of the Glendale Town Council. The Glendale Town Council may designate, by resolution, the composition of the Glendale Town Planning Commission. It is the intent of this Ordinance that the Glendale Town Planning Commission not consist of members, all of whom are from the same field of expertise. The seven (7) members of the Glendale Town Planning Commission shall be residents of Glendale Town and owners of property within said Town. One of the members of the Planning Commission shall be a member of the Glendale Town Council, who shall act as a liaison between the Glendale Town Planning Commission. One (1) member, but not more than one (1) of the Glendale Town Board of Adjustment shall be a member of the Glendale Town Planning Commission.

2-2 Terms of Office.

The terms of office for the seven (7) Glendale Town Planning Commission members who are not members of the Glendale Town Council shall be for three (3) years. The Glendale Town Planning Commission members' terms shall be staggered so that no more than three (3) members' terms shall expire at the same time. The term of the office for the Glendale Town Council member designated as liaison for the Glendale Town Planning Commission shall correspond to his tenure of office as Glendale Town Council member, and to his appointment as liaison with the Glendale Town Planning Commission.

2-3 Vacancies and Removals for Cause.

Vacancies of appointed members occurring otherwise than through the expiration of terms shall be filled for the remainder of the unexpired term by appointment of the Glendale Town Council. The Glendale Town Council shall have the right to remove any member of the Glendale Town Planning Commission for misconduct and may remove any member for non-performance of duty. Non-performance of duty shall include a repeated failure to attend Glendale Town Planning Commission meetings.

2-4 Compensation.

The Glendale Town Planning Commission shall serve without compensation, except that the Glendale Town Council shall provide for reimbursement of the Glendale Town Planning Commission for actual expenses incurred, upon presentation of proper receipts and vouchers.

2-5 Officers.

The Glendale Town Planning Commission shall elect a Chairman and a Chairman Elect from among its members, whose terms in such offices shall be for one (1) year. The Glendale Town Planning Commission Chairman shall vote only in the case of a tie. The Chairman Elect shall be a member of the Planning Commission, and at the end of his or her term as Chairman Elect shall become Chairman unless the Glendale Town Planning Commission shall vote otherwise. In the absence of the Chairman, the Chairman Elect shall serve as Chairman Pro-Tem.

2-6 Rules and Procedures.

The Glendale Town Planning Commission may adopt such rules and procedures as it may deem necessary for the proper conduct of its business. The Glendale Town Planning Commission shall keep a record of its proceedings, such record shall be open to inspection by the public at all reasonable times.

2-7 Quorum and Vote.

A quorum shall consist of four (4) members including a Chairman or Chairman Pro-Tem. Evidence shall not be presented unless a quorum is present. A majority vote shall be constituted of at least a majority of members present.

2-8 Employees; Expenditures.

The Glendale Town Planning Commission may, upon the approval of the Glendale Town Council, employ experts and staff, including consultants and a secretary, and pay such expenses, exclusive of gifts, as may be reasonable and necessary for carrying out the duties defined in this Ordinance, providing that such expenditures may not exceed the amount appropriated for the operation of the Glendale Town Planning Commission by the Glendale Town Council.

**CHAPTER 3. BOARD OF ADJUSTMENT
ToC**

3-1 Board, Number of Members, Appointment, Term and Removal, Vacancies.

The Glendale Town Board of Adjustment shall consist of five (5) members, each to be appointed by the legislative body for the term of five (5) years provided that the term of one (1) member shall expire each year. Any member may be removed for cause by the appointing authority upon written charges and after public hearing, if such public hearing is requested. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. One (1) member, but not more than one (1) of the Glendale Town Planning Commission shall be a member of the Glendale Town Board of Adjustment.

3-2 Officers.

The Glendale Town Board of Adjustment shall elect a Chairman and a Chairman Pro-Tem from among its members, who shall serve for a term of one (1) year.

3-3 Duties and Powers of Board.

The Glendale Town Board of Adjustment shall have the following powers:

1. To hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination made by the administrative official in the enforcement of this article or of any ordinance adopted pursuant thereto.
2. To hear and decide special exceptions to the terms of this Ordinance upon which such Board is required to pass under the provisions of this Ordinance.
3. To authorize upon appeal such variance from the terms of this Ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship; provided, that the spirit of this Ordinance shall be observed and substantial justice done. Before any variance may be authorized, however, it shall be shown that:
 - a. The variance will not substantially adversely affect the Glendale Master Plan or Zoning Ordinance and that adherence to the strict letter of this Ordinance will cause difficulties and hardships, the imposition of which upon the petitioner is unnecessary in order to carry out the general purpose of the Master Plan.
 - b. Special circumstances are attached to the property covered by the application which do not generally apply to other property in the same district.
 - c. That because of said special circumstances, property covered by application is deprived of privileges possessed by other properties in the same district; and that the granting of the variance is essential to the enjoyment of a substantial property right that is possessed by other property in the same district.

3-4 Meetings.

Meetings of the Glendale Town Board of Adjustment shall be held at the call of the Chairman, and at such other times as the Board may determine. The Chairman may administer oaths and compel the attendance of witnesses. All meetings of the Glendale Town Board of Adjustment shall be open to the public.

3-5 Minutes.

The Glendale Town Board of Adjustment shall keep minutes of its proceedings, showing the vote of each member on each question, or if absent or failure to vote, indicating such fact and shall keep records of its examinations and other official actions, all of which shall be filed with the Glendale Town Clerk and shall be public record.

3-6 Quorum.

A quorum shall be considered four (4) members of the Glendale Town Board of Adjustment, and no evidence shall be presented to the Board unless a quorum is present.

3-7 Action to be Taken.

Approval or disapproval, rejection, or modified approval of an application shall be based upon findings which shall be made a part of the official record.

3-8 Vote Necessary for Reversal.

The concurring vote of three (3) members of the Glendale Town Board of Adjustment shall be necessary to reverse any order, requirement, or determination of any such administrative official, or to decide in favor of the appellant on any matter upon which it is required to pass under this Ordinance or to effect any variation in the provisions of this Ordinance.

3-9 Appeals to Board-Time-Persons Entitled-Transmission of Papers.

Appeals to the Glendale Town Board of Adjustment may be taken by any person aggrieved or by any officer, department, Board or bureau of Glendale Town affected by any decision of the administrative officer. Such appeal shall be taken within fifteen (15) days as provided by the rules of the Board by filing with

the officer from whom the appeal is taken and with the Glendale Town Board of Adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Glendale Town Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.

3-10 Stay of Proceedings Pending Appeal.

An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Glendale Town Board of Adjustment after the notice of appeal shall have been filed with him or her that by reason of facts stated in the certificate a stay would in his or her opinion cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by restraining order which may be granted by the Glendale Town Board of Adjustment or by district court on application and notice and on due cause shown.

3-11 Decision on Appeal.

In exercising the above-mentioned powers, the Glendale Town Board of Adjustment may in conformity with the provisions of this Ordinance reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such other, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

3-12 Rules.

The Glendale Town Board of Adjustment shall adopt rules for the regulation of its procedure and the conduct of its duties not inconsistent with the provisions of this Ordinance or of State law. Such rules, to become effective, shall be first approved by the Town of Glendale.

3-13 Judicial Review of Board's Decision - Time Limitations.

The Town of Glendale or any person aggrieved by any decision of the Glendale Town Board of Adjustment may have and maintain a plenary action for relief therefrom in any court of competent jurisdiction; provided, petition for such relief is presented to the court within thirty (30)

days after the filing of such decision in the office of the Board.

CHAPTER 4. SUPPLEMENTARY AND QUALIFYING REGULATIONS

ToC

4-1 Effect of Chapter.

The regulations hereinafter set forth in this Chapter qualify or supplement, as the case may be, the zone regulations appearing elsewhere in this Ordinance.

4-2 Substandard Lots at Time of Ordinance Passage.

Any lot legally held in separate ownership at the time of passage of this Ordinance, which lot is below the requirements for lot area or lot width for the District in which it is located may be used for a single-family dwelling if such lot is located in a district which permits single-family dwellings. The width of each of the side yards for such a dwelling may be reduced to a width which is not less than the same percentage of the lot width as the required side yard would be of the required lot width, provided that in no case shall the smaller of the two (2) yards be less than five (5) feet or the total width of the two (2) yards be less than thirteen (13) feet.

4-3 Lot Standards.

Except as provided in this Ordinance, every lot, existing or intended to be created, shall have such area, width, and depth as is required by this Ordinance for the district in which such lot is located and shall have frontage upon:

- a. a Dedicated Street
- b. a Publicly Approved Street
- c. a Private Street approved by the Glendale Town Planning Commission,
- d. a Private Lane approved by the Glendale Town Planning Commission, before a building permit may be issued.

4-4 Every Dwelling to be on a Lot - Exceptions.

Every dwelling structure shall be located and maintained on a separate lot having no less than

the minimum area, width, depth and frontage required by this Ordinance for the district in which the dwelling structure is located, except that group dwellings, cluster dwellings, condominiums, and other multi-structure dwelling complexes under single ownership and management, which are permitted by this Ordinance and have approval from the Glendale Town Planning Commission, may occupy one (1) lot for each such multi-structure complex.

4-5 Yard Space for One Building Only.

No required yard or other open space around an existing building or which is hereafter provided around any building for the purpose of complying with the provisions of this Ordinance shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected or established.

4-6 Private Garage with Side Yard - Reduced Yards.

On any interior lot where a private garage, containing a sufficient number of parking spaces to meet the requirements of this Ordinance, has a side yard equal to the minimum side yard required for a dwelling in the same district, the width of the other side yard for the dwelling may be reduced to equal that of the minimum required side yard; and on any lot where such garage has such side yard, the rear yard of the dwelling may be reduced to fifteen (15) feet, provided the garage also has a rear yard of at least fifteen (15) feet.

4-7 Sale or Lease of Required Space.

No space needed to meet the width, yard, area, coverage, parking or other requirements of this Ordinance for lot or building may be sold or leased away from such lot or building.

4-8 Sale of Lots Below Minimum Space Requirements.

No parcel of land which has less than the minimum width and area requirements for the district in which it is located may be cut off from a larger parcel of land for the purpose, whether

immediate or future, of building or development as a lot.

4-9 Yards to be Unobstructed - Exceptions.

Every part of a required yard shall be open to the sky, unobstructed except for accessory buildings in a rear yard, the ordinary projections of skylights, sills, belt courses, cornices, chimneys, flues, and other ornamental features which project into a yard not more than two and one-half (2 ½) feet, and open or lattice-enclosed fire escapes, fireproof outside stairways and balconies opening upon fire towers projecting into a yard not more than five (5) feet.

4-10 Area of Accessory Buildings.

No accessory building or group of accessory buildings in any residential district shall cover more than twenty-five (25) percent of the rear yard.

4-11 Additional Height Allowed.

Public and quasi-public utility buildings, when authorized in a district, may be erected to a height greater than the district height limit by conditional use permit.

4-12 Exceptions to Height Limitations.

Penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, flagpoles, chimneys, smokestacks, water tanks, wireless or television masts, theater lofts, silos, or similar structures may be erected above the height limits herein prescribed, but no space above the height limit shall be allowed for purposes of providing additional floor space. All height exceptions are subject to conditional use permit.

4-13 Minimum Height of Main Buildings.

No dwelling shall be erected to a height less than one (1) story above grade. An architecturally approved underground dwelling is acceptable if it meets the appropriate building codes.

4-14 Maximum Height of Accessory Buildings.

No building which is accessory to a one-family, two-family, three-family or four-family dwelling shall be erected to a height greater than one (1) story or twenty (20) feet.

4-15 Clear View of Intersecting Street.

In all districts which require a front yard, no obstruction to view in excess of 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 points forty (40) feet from the intersection of the street lines, except a reasonable number of trees pruned high enough to permit unobstructed vision to automobile drivers; and pedestal-type identification signs and pumps at gasoline service stations.

4-16 Maximum Height of Fences, Walls, and Hedges.

1. Fences, walls and hedges need to meet the current Uniform Building Code for safety and suitability.

4-17 Water and Sewer Requirements.

All proposed building or proposed use shall be connected to a public water system within the Town limits of Glendale. Sewer hookups are required in areas served by the Long Valley Sewer District.

4-18 Effect of Official Map.

Wherever a front yard is required for a lot facing on a street for which an official map has been recorded, the depth of such front yard shall be measured from the mapped street line provided by the Glendale Town Official Map.

4-19 Flag Lots - Special Provisions.

1. Flag lots may be developed in Glendale Town subject to the requirements of this Section.
2. All Flag Lot development shall require a Conditional Use Permit recommended by the Planning Commission and approved by the

Glendale Town Council, upon satisfaction of the following conditions:

a. A determination by the Planning Commission that the lot may not be developed as a standard lot and that the property cannot be subdivided with public streets and standard lots, either at the present or in the foreseeable future. A scale drawing of the proposed flag lot shall be submitted in support of an application for such a lot, together with all other documents required, and an agreement to abide by all provisions of this Ordinance.

b. An easement shall be recorded across the staff portion of the flag lot providing access for installation and maintenance of utility lines and services, emergency vehicle access and access of Town or other public personnel or vehicles as may be required to carry out the responsibilities of the Town and other governmental entities. Public services, such as garbage collection, will be at the Dedicated Street only.

c. The staff portion of a flag lot shall front on a dedicated public street. The minimum width of the staff portion of said lot shall be sixteen (16) feet.

d. No building or construction, except for driveways and/or fences shall be allowed on the staff portion of said lot.

e. The lot shall meet all size and setback requirements of the zone in which the lot is located.

f. The flag lot shall be for a single family dwelling only.

g. No part of the staff portion of the flag lot may serve more than two flag lots. In the event two such flag lots are served by a single staff, an agreement executed by all holding an interest in the property shall be recorded providing that each owner shall contribute one-half the cost of maintenance of the access road on the staff lot, which obligation shall be secured by a lien on the lots.

h. The staff portion of the lot shall be owned in fee simple by the lot owner or the lot owner shall own an irrevocable easement constituting the staff portion. If access is by means of an easement, the adjacent lot shall maintain the

entire frontage required by the ordinance for the zone in which it is located, in addition to the width required for the flag lot access easement. Any easement on an adjoining lot shall contain all provisions identified in (b) above.

i. The flag lot access driveway shall not be closer to an adjacent dwelling than ten (10) feet.

j. The staff portion of the flag lot shall be improved with a gravel driveway or better surface. The driving surface shall be well maintained and it shall be readily passable by a standard passenger car and emergency vehicles.

3. The front side of the flag lot shall be deemed to be the side nearest the street upon which the staff portion fronts.

4. The Town shall have no maintenance responsibility for the roadway on the staff portion of the flag lot.

4-20 Private Lanes - Special Provisions.

1. Because it may be in the interest of Glendale Town to allow certain residential development without frontage upon private streets and only on Private Lanes, such approval may be granted by a Conditional Use Permit recommended by the Planning Commission and approved by the Town Council, upon satisfaction of the following conditions:

a. A scale drawing of the proposed Private Lane and lot shall be submitted in support of an application for approval, together with all other documents required and an agreement to abide by all provisions of this ordinance. The lot shall meet all size and setback requirements of the zone in which the lot is located.

b. A determination shall be made as to the future width of Dedicated Street that may be needed to serve the lot, based upon the Town Master Plan of streets. If the proposed Private Lane is not identified as a Major or Collector street, it shall be considered to be a future local street. The Private Lane must meet all requirements of such a class of street, including width.

c. The applicant for the Conditional Use Permit shall record a written agreement to dedicate the Private Lane at such time as the Town shall

require dedication. The Agreement shall be signed by all individuals owning any of the Private Lane.

d. An easement shall be recorded across the Private Lane between the subject property and the public street or right-of-way providing for installation and maintenance of utility lines and services, emergency vehicle access and access of Town or public personnel or vehicles as may be required in order to carry out the responsibilities of the Town and other governmental entities.

e. The Private Lane shall be improved with a gravel driveway or better surface across such width as the Town may, from time to time, determine. The driving surface shall be well maintained and it shall be readily passable by a standard passenger car and emergency vehicles.

f. Utility lines shall be extended at the cost of the applicant from the public street to the subject dwelling at such size as may be required by the Town to serve the applicant or future development in the area. Upon installation and acceptance the lines on the Town side of the meter shall become the property of the Town. The Town will then assume responsibility for the upkeep and maintenance of the line. No reimbursement contracts will be issued by the Town to the property owner for any future connections to any required utility line that may be installed as a part of a Conditional Use Permit approval.

g. Water meters shall be located at the future property line in front of the dwelling. Other Meters, such as electricity, shall be located as required by the Town.

h. All dwellings shall be no further than five hundred (500) feet from an approved fire hydrant. If installation of a hydrant is necessary, it shall be done at the expense of the applicant.

i. A letter of consent and non-opposition to any future improvement district initiated by the Town shall be recorded against the land and shall run with the land. The Town, at its option, may initiate a special improvement district for the improvement of any Private Lane approved for use under these conditions.

2. In the event any Private Lane is proposed to serve more than one lot, an agreement executed by all holding an interest in the lots shall be recorded providing that each owner shall contribute his pro-rata share of the cost of maintenance and improvement of the Private Lane, which obligation shall be secured by a lien on the lots.

4-21 Temporary Structures During Construction.

As a conditional use within any zone a mobile home may be placed upon any lot during the actual period of construction of a principal dwelling or structure on the premises subject to the following limitations:

1. A mobile home shall be permitted to remain upon the premises for a maximum of 180 days during the construction of a residential structure.

2. A mobile home shall be permitted to remain upon the premises during construction of a commercial or industrial building for a period of time not to exceed the time limit for construction under the contract or one (1) year, whichever is shorter.

3. The time limits provided herein may be extended with approval of the Planning Commission.

4-22 Handicapped Residential Facilities.

1. Permitted Use - Multiple Family Zone. A residential facility for handicapped persons is a permitted use in any area where residential dwellings are allowed, except an area zoned to permit exclusively single-family dwellings. Prior to establishing a residential facility for handicapped persons, a permit must be obtained by application to the Planning Commission and thereafter to the Town Council, which shall be issued if the applicant can show that:

a. the facility meets all Glendale Town building, safety, zoning and health ordinances applicable to similar dwellings;

b. the residents of the facility will be properly supervised on a 24-hours basis;

- c. a community advisory committee will be established through which all complaints and concerns of neighbors may be addressed;
- d. adequate off-street parking space is provided;
- e. the facility is capable of use as a residential facility for handicapped persons without structural or landscaping alterations that would change the structure's residential character;
- f. no person being treated for alcoholism or drug abuse may be placed in the residential facility for handicapped persons;
- g. no person who is violent will be placed in a residential facility for handicapped persons.
- h. placement in the residential facility for handicapped persons shall be on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility.

Upon application for a permit to establish a residential facility for handicapped persons in any area where residential dwellings are allowed, except an area zoned to permit exclusively single-family dwellings, a facility that conforms to these ordinances shall be granted a permit. If the Planning Commission and Town Council determine that the residential facility for handicapped persons is in compliance with those ordinances, the Town shall grant the requested permit to that facility.

The use granted and permitted by this subsection is nontransferable and terminates if the structure is devoted to a use other than as a residential facility for handicapped persons or, if the structure fails to comply with the Town ordinances.

2. Conditional Use - Single-Family Zones.

Subject to the granting of a conditional use permit, a residential facility for handicapped persons shall be allowed in any municipal zoning district which is zoned to permit exclusively single-family dwelling use, if that facility:

- a. Conforms to all applicable health, safety, zoning, and building codes;

- b. is capable of use as a residential facility for handicapped persons without structural or landscaping alterations that would change the structure's residential character;
- c. conforms to Glendale Town's criteria adopted by ordinance, governing the location of residential facilities for elderly persons in areas zoned to permit exclusively single-family dwellings.
- d. no person being treated for alcoholism or drug abuse may be placed in the residential facility for handicapped persons;
- e. no person who is violent shall be placed in a residential facility for handicapped persons;
- f. placement in the residential facility for handicapped persons shall be on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility.

The use granted and permitted by this subsection is nontransferable and terminates if the structure is devoted to a use other than as a residential facility for elderly persons or if the structure fails to comply with applicable health, safety, and building codes.

3. Discrimination. Discrimination against handicapped persons and against residential facilities for handicapped persons is prohibited. The decision of Glendale Town regarding the application for a permit by a residential facility for handicapped persons must be based on legitimate land use criteria, and may not be based on the handicapping conditions of the facility's residents.

4-23 Elderly Residential Facilities.

1. Permitted Use - Multiple Family Zone. A residential facility for elderly persons is a permitted use in any area where residential dwellings are allowed, except an area zoned to permit exclusively single-family dwellings. Prior to establishing a residential facility for elderly persons, a permit must be obtained by application to the Planning Commission and thereafter to the Town Council which shall be issued if the applicant can show that:

a. the facility meets all Glendale Town building, safety, zoning and health ordinances applicable to similar dwellings;

b. adequate off-street parking space is provided;

c. the facility is capable of use as a residential facility for elderly persons without structural or landscaping alterations that would change the structure's residential character;

d. no person being treated for alcoholism or drug abuse may be placed in the residential facility for elderly persons;

e. placement in the residential facility for elderly persons shall be on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility.

Upon application for a permit to establish a residential facility for elderly persons in any area where residential dwellings are allowed, except an area zoned to permit exclusively single-family dwellings, a facility that conforms to these ordinances shall be granted a permit. If the Planning Commission and Town Council determine that the residential facility for elderly persons is in compliance with those ordinances, the Town shall grant the requested permit to that facility.

The use granted and permitted by this subsection is nontransferable and terminates if the structure is devoted to a use other than as a residential facility for elderly persons or, if the structure fails to comply with the Town ordinances.

2. Conditional Use - Single-Family Zones.

Subject to the granting of a conditional use permit, a residential facility for elderly persons shall be allowed in any municipal zoning district which is zoned to permit exclusively single-family dwelling use, if that facility:

a. Conforms to all applicable health, safety, zoning, and building codes;

b. is capable of use as a residential facility for elderly persons without structural or landscaping

alterations that would change the structure's residential character;

c. conforms to Glendale Town's criteria adopted by ordinance, governing the location of residential facilities for elderly persons in areas zoned to permit exclusively single-family dwellings.

d. no person being treated for alcoholism or drug abuse may be placed in the residential facility for elderly persons;

e. placement in the residential facility for elderly persons shall be on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility.

The use granted and permitted by this subsection is nontransferable and terminates if the structure is devoted to a use other than as a residential facility for elderly persons or if the structure fails to comply with applicable health, safety, and building codes.

3. Discrimination. Discrimination against elderly persons and against residential facilities for elderly persons is prohibited. The decision of Glendale Town regarding the application for a permit by a residential facility for elderly persons must be based on legitimate land use criteria, and may not be based on the age of the facility's residents.

4. Other Permitted Uses Not Limited. The requirements of this section that a residential facility for elderly persons obtain a conditional use permit or other permit do not apply if the facility meets existing zoning ordinances that allow a specified number of unrelated persons to live together.

CHAPTER 5. NONCONFORMING BUILDINGS AND USES.

ToC

5-1 Maintenance Permitted.

A nonconforming building or structure may be maintained.

5-2 Repairs and Alterations.

Repairs and structural alterations may be made to a nonconforming building or to a building housing a nonconforming use.

5-3 Additions, Enlargements, and Moving.

A building or structure occupied by a nonconforming use and a building or structure nonconforming as to height, area, or yard requirements shall not be added to or enlarged in any manner or moved to another location.

5-4 Restoration of Damaged Buildings.

A nonconforming building or structure or a building or structure occupied by a nonconforming use which is damaged by fire, flood, wind, earthquake or other calamity or Act of God, or the public enemy, may be restored and the occupancy or use of such building, structure, or part thereof, which existed at the time of such damage may be continued or resumed, provided that such restoration is started within a period of one (1) year and is diligently prosecuted to completion.

5-5 Three-Year Vacancy.

A building or structure or portion thereof occupied by a nonconforming use, which is, or hereafter becomes, vacant and remains unoccupied by a nonconforming use for a continuous period of three (3) years shall not thereafter be occupied except by a use which conforms to the use regulations of the district in which it is located.

5-6 Continuation of Use.

The occupancy of a building or structure by a nonconforming use, existing at the time this Ordinance became effective, may be continued.

5-7 Occupation Within Three Years.

A vacant building or structure may be occupied by a use for which the building or structure was designed or intended, if so occupied within a period of three (3) years after the use became nonconforming.

5-8 Change of Use.

The nonconforming use of a building or structure may not be changed except to a conforming use; but where such change is made, the use shall not thereafter be changed back to a nonconforming use.

5-9 Nonconforming Use of Land.

The nonconforming use of land, existing at the time this Ordinance became effective, may be continued, provided that no such nonconforming use of land shall in any way be expanded or extended either on the same or on adjoining property, and provided that if such nonconforming use of land, or any portion thereof, is abandoned or changed for a period of one (1) year or more, any future use of such land shall be in conformity with the provisions of this Ordinance.

CHAPTER 6. OFF-STREET PARKING REQUIREMENTS

ToC

6-1 Off-Street Parking Required.

At the time any building or structure is erected or enlarged or increased in capacity or any use is established, there shall be provided off-street parking spaces for automobiles adjacent to the building, structure or use in accordance with the following requirements:

6-2 Size.

The dimensions of each off-street parking space shall be at least nine (9) feet by twenty (20) feet for diagonal or ninety-degree spaces; or nine (9) by twenty-two (22) feet for parallel spaces, exclusive of access drives or aisles, provided that in parking lots of not less than twenty (20) parking spaces the Planning Commission may approve a design allowing not more than twenty (20) percent of such spaces to be not less than seven and one-half (7 ½) feet by fifteen (15) feet to be marked and used for compact automobiles only.

6-3 Access to Individual Parking Space.

Except for single-family and two-family dwellings, access to each parking space shall be from a private driveway and not from a public street.

6-4 Number of Parking Spaces.

The number of off-street parking spaces required shall be as follows:

1. Business or professional offices. One (1) parking space for each three hundred (300) sq. ft. of floor area.
2. Churches, sports arenas, auditoriums, theaters, Assembly Halls, meeting rooms. One (1) parking space for each three and one-half (3.5) seats of maximum seating capacity.
3. Dwellings, single-family, two-family, multi-family and cluster (townhouse and condominium). Two (2) parking spaces for each dwelling unit.
4. Furniture and Appliance Stores. One (1) parking space for each six hundred (600) sq. ft. of floor area.
5. Hospitals. Two (2) parking spaces for each bed.
6. Hotels, Motels, Motor Hotels. One (1) space for each living or sleeping unit, plus parking space for all accessory uses as herein specified.
7. Nursing Homes. Four (4) parking spaces, plus one (1) space for each five (5) beds.
8. Restaurants, Taverns, Private Clubs, and all other similar dining and/or drinking establishments. One (1) parking space for each 3.5 seats or one (1) parking space for each three hundred (300) sq. ft. of floor area (excluding kitchen, storage, etc.), whichever is greater.
9. Retail stores, shops, except as provided in No. (6) above. One (1) parking space for each three hundred (300) sq. ft. of retail floor space.
10. Commercial Storage Units. One (1) parking space for each thirty (30) feet of building frontage storage space.
11. Wholesale establishments, Warehouses, Manufacturing Establishments, and all Industrial uses. As determined by conditional use permit or by Planned development requirements, if applicable, or by the Glendale Town Planning Commission, but in no case fewer than one (1)

space for each employee projected for the highest employment shift.

12. Shopping centers or other groups of uses not listed above. As determined by conditional use permit or Planned development procedure, if applicable, or by the Glendale Town Planning Commission.

13. Handicapped and Motorcycle Parking. Every parking lot over twenty-five (25) spaces shall, as a minimum, provide one (1) handicapped parking stall with easy access. One (1) additional handicapped stall will be provided for each fifty (50) additional parking spaces. One (1) motorcycle stall shall be provided for every twenty-five (25) parking spaces.

14. Parking Requirements for Commercial Properties Fronting Highway 89/89A. Parking may be modified by a conditional use permit.

15. All other uses not listed above. As determined by the Glendale Town Planning Commission, based on the nearest comparable use standards.

6-5 Access Requirements.

Adequate ingress and egress to and from all uses shall be provided as follows (Minimum widths of drives within parking lots are provided in the Glendale Town Design and construction Standards):

1. Residential Lots. For each residential lot not more than two (2) driveways, each of which shall be a maximum of twenty (20) feet wide at the street lot line, and such driveways shall not be closer than twelve (12) feet to each other.

2. Other than Residential lots. Access for each lot shall be provided to meet the following requirements:

a. Not more than two (2) driveways shall be used for each one hundred (100) feet or fraction thereof of frontage on any street.

b. No two (2) of said driveways shall be closer to each other than twelve (12) feet, and no driveway shall be closer to a side property line than three (3) feet.

c. Each driveway shall be not more than fifty (50) feet wide, measured at right angles to the centerline of the driveway, except as increased by permissible curb return radii. The entire flare of any return radius shall fall within the right-of-way.

d. No driveway shall be closer than ten (10) feet of any intersection at any corner as measured along the property line.

e. All other uses not listed above as determined by the Glendale Town Planning Commission, based on the nearest compatible use standards.

6-6 Location of Gasoline Pumps.

Gasoline pumps shall be set back not less than eighteen (18) feet from any street line to which the pump island is perpendicular, and twelve (12) feet from any street line to which the pump island is parallel, and not less than ten (10) feet from any residential or agricultural district boundary line. If the pump island is set at an angle on the property, it shall be so located that the automobiles stopped for service will not extend over the property line.

6-7 Maintenance of Parking Lots.

Every parcel of land used as a public or private parking lot shall be developed and maintained in accordance with the following requirements:

1. Surfacing. Each off-street parking lot shall be surfaced with an asphaltic or portland cement or other binder pavement so as to provide a dustless surface. The parking area shall be so graded as to dispose of all surface water. If such water is to be carried to adjacent streets, it shall be piped under sidewalks.

2. Landscaping. Each parking lot shall be adequately landscaped and permanently maintained.

3. Lighting. Lighting used to illuminate any parking lot shall be arranged to reflect the light away from adjoining premises in any R district, and from street traffic.

CHAPTER 7. SIGNS.

ToC

7-1 Purpose.

1. Purpose. The purpose of this Chapter is to permit such signs that will not, by reason of their size, location, construction or manner of display, endanger the public safety of individuals, confuse, mislead, or obstruct the vision necessary for traffic safety or otherwise endanger public health, safety and morals; and to permit and regulate signs in such a way as to support and complement land-use objectives, set forth in the Zoning Ordinance.

2. Interpretation. The sign requirements contained herein are declared to be the maximum allowable, and sign types not specifically allowed as set forth within this chapter shall be prohibited. Where other ordinances are in conflict with the provisions of this ordinance, the most restrictive ordinance shall apply.

7-2 Definitions.

1. Alteration. "Alteration" shall mean a change or rearrangement in the structural part of design whether by extending on a side, by increasing in area or height, or by relocating or change in position. Alterations shall not be interpreted to include changing outdoor bulletin or other similar signs which are designed to accommodate changeable copy.

2. Awning. "Awning" shall mean a shelter projecting from and supported by the exterior wall of a building constructed of nonrigid materials on a supporting framework.

3. Building, Front Line of. "Front Line of Building" shall mean the line of that face of the building or structure nearest the front line of the lot. This face includes sun parlors, bay windows, covered and/or uncovered porches whether enclosed or unenclosed, but does not include uncovered steps less than four feet above grade and eaves overhanging less than two feet.

4. Building Line. "Building Line" shall mean a vertical surface intersecting the ground along the line of the face of the building or structure nearest the front line of the lot.

5. Clear View Area. "Clear View Area" shall mean a triangular area formed by the intersection of lines extended from the front fact of the curb and a line connecting them at points 25 feet from the intersection of the lines.

6. Nonconforming Sign or Sign Structure. "Nonconforming Sign or Sign Structure" shall mean a sign or sign structure or portion thereof lawfully existing at the time of its construction which does not conform to all height, area, yard spacing, animation, lighting or other regulations prescribed in the zone in which it is located.

7. Sign. A presentation or representation of words, letters, figures, designs, picture or colors, publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a require for aid; also, the structure or framework or any natural object on which any sign is erected or is intended to be erected or exhibited or which is being used or is intended to be used for sign purposes.

The following are individual sign definitions which are specific types of signs included within the general definition above.

"A" Frame Sign. Temporary and/or moveable sign constructed with two sides attached at the top so as to allow the sign to stand in an upright position.

Abandoned Sign. A sign which (a) identifies a discontinued use on the property or (b) has not been maintained for a period of 60 days, where conduct on the part of the sign owner or the person having control of the sign indicates an intention to relinquish ownership or title to the sign.

Animated Sign. A sign which involves motion or rotation of any part, created by artificial means, or which displays flashing, revolving or intermittent lights.

Balloon Sign. Advertisement supported by a balloon anchored to the premises where the advertised use is conducted, product or commodity sold, service performed, or business name is located.

Changeable Copy Sign. A sign on which copy is changed either manually in the field; e.g.,

readerboards with changeable letters, or automatically on a lampbank or through mechanical means; e.g. electrical or electronic time and temperature units.

Construction Sign. A sign identifying an existing or proposed development project which may contain the name of the project, name and address of construction firms, architects, engineers, developers, etc.

Flashing Sign. A sign which has or appears to have motion or rotation of the lighting elements or displays flashing or intermittent light.

Flat Sign. A sign which is affixed to an extension wall or building or structure and which does not project more than eighteen (18) inches from the building or structure wall.

Free Standing Sign. A sign supported upon the ground by poles or braces and not attached to any building.

Ground Sign. A sign supported by a fixed permanent frame support in the ground.

Illuminated Sign. A sign in which a source of light is used in order to make the message readable. This definition shall include internally and externally lighted signs.

Monument Sign. A sign less than six (6) feet in height which is flush to the ground, is incorporated into the landscape or architectural design scheme, and display the name of buildings or occupants only.

Name Plate Sign. A sign indicating the name and/or occupation of a person legally occupying the premises.

Off-Premise Signs. An advertising sign which directs attention to a use, product, commodity, or service not related to the premises on which the sign is located.

On-Premise Sign. A sign directing attention to a use conducted, product, commodity sold, service performed or business name upon the premises on which it is located.

Overhanging Sign. A sign which projects twelve (12) inches or more over the roof of a building.

Pedestal Sign. A temporary and/or moveable sign supported by a column(s) and a base so as to allow the sign to stand in an upright position.

Projecting Sign. A sign which is affixed to an exterior wall or building or structure and which projects more than eighteen (18) inches from the building or structure wall, and which does not extend above the parapet, eaves, or building facade of the building upon which it is placed.

Property Sign. A sign related to the property upon which it is located and offering such information as address, name of occupancy for residential uses, sale or lease of the property, warning against trespassing, any hazard, or other danger on the property.

Roof Sign. A sign which is erected partly or wholly on the roof of the building. Notwithstanding the foregoing, a sign structure having main supports embedded in the ground shall not be considered to be a roof sign even if the sign's supports pass through a roof, canopy, or parapet of a building.

Service Sign. A sign that is incidental to a use lawfully occupying the property upon which the sign is located, and which sign is necessary to provide information to the public, such as direction to parking lots, location of restrooms, entrance and exits, etc.

Snipe Sign. A sign which is attached to a public utility pole, or the supports for another sign.

Temporary Sign. Any sign, banner, pennant, valance or advertising display constructed of paper, cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames, intended to be displayed out of doors for a short period of time.

Wall Sign. A sign that is either painted on a wall or its facing, and not having a sign frame or separation from the wall or facing.

Window Sign. A sign permanently attached and located within a building so as to be visible through a window or door outside of the building.

8. Sign Area. "Sign Area" shall mean the area in square feet of the smallest rectangle enclosing the total exterior surface of a sign. Only one

side of a back-to-back or double-faced sign shall be used in computing sign area when sign surfaces are parallel or diverge from a common edge by an angle of less than forty-five degrees.

Sign area of signs in the shape of a sphere, prism, cylinder, cone, pyramid, square or other such shapes shall be computed as one-half (½) of the total surface area.

9. Sign Setback. "Sign Setback" shall mean the minimum distance that any portion of a sign or sign structure shall be from any street right-of-way line.

10. Sign Structure. "Sign Structure" shall mean anything constructed or erected supporting a sign which requires locations on or below the ground or attached to something having locations on or below ground.

7-3 Permits.

1. Permits. Except as provided in this chapter, it shall be unlawful to display, erect, relocate, or alter any sign without first filing with the Town Clerk an application in writing and obtaining a sign permit.

When a sign permit has been issued by the Town Clerk, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms or conditions of said permit without prior approval of the Town Clerk. A written record of such approval shall be entered upon the original permit application and maintained in the files of the Town Clerk.

2. Application for Permit. The application for a sign permit shall be made by the owner or tenant of the property on which the sign is to be located, or his authorized agent, or a licensed sign contractor.

The application for a sign permit shall be accompanied by the following plans and other information:

a. The name, address and telephone number of the owner or persons entitled to possession of the sign and of the sign contractor or erector.

b. The location by street address of the proposed sign structure.

c. Complete information as required on application forms provided by the Department of Zoning and Building Inspection, including a site plan and elevation drawings of the proposed sign, caption of the proposed sign and such other data as are pertinent to the application. Specifically, the elevation drawing shall show the type of sign, the sign display, the sign height and the sign area. The site plan shall include the proposed location of the sign in relation to the face of the building or to the boundaries of the lot on which it is situated, existing and proposed buildings or other structures, control curbs, and parking areas.

d. Plans indicating the scope and structural detail of the work to be done, including details of all connections, guy lines, supports and footing, and materials to be used.

e. Application for an electrical permit for all electric signs if the person building the sign is to make the electrical connection.

f. A statement of the total cost of erecting the sign.

3. Exceptions from Permit Requirements.

a. Excepted Changes. The following changes shall not require a sign permit. These exceptions shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance and its compliance with the provisions of this ordinance or any other law or ordinance regulating the same.

i. The changing of the advertising copy or message of a painted, plastic face or printed sign only. Except for signs specifically designed for the use of replaceable copy, electric signs shall not be included in this exception.

ii. The electrical, repainting, or cleaning maintenance of a sign.

iii. The repair of a sign.

b. Excepted Types. The following types of signs are allowed without permit but otherwise subject to the regulations of this chapter:

i. On-premise advertising signs that are painted on windows or attached to windows or walls, clearly of a temporary nature and which promote specific sales.

ii. Signs which are associated with public and quasi-public organization functions which are clearly of a temporary nature.

iii. Interior signs.

iv. Signs not exceeding two (2) square feet in area and bearing only property numbers, postal box numbers or names of occupants of premises.

v. Legal notices, identification, information or directional signs erected by governmental bodies.

vi. Property signs with no more than six (6) square feet of area.

vii. Service signs with no more than six (6) square feet of area.

viii. Permanent signs painted or mounted to the interior or exterior of the windows.

4. Fees for Sign Permit. A fee as established by resolution of the Town council shall be paid to the Town for each sign permit issued under this Ordinance. The fee will be \$10.00.

5. Issuance and denial. The Town Clerk shall issue a permit and permit tag for the erection, alteration, or relocation of a sign within ten days of receipt of a valid application, provided that the sign complies with all applicable laws and regulations of the Town. In all applications, where a matter of interpretation arises, the more specific definition or higher standard shall prevail.

When a permit is denied by the Town Clerk, he shall give a written notice to the applicant along with a brief statement of the reasons for denial. The Town Clerk may suspend or revoke an issued permit for any false statement or misrepresentation of fact in the application.

6. Permit Conditions, Refunds, and Penalties. If a permit is denied, the permit fee will be refunded to the applicant.

7. Permit Tag. Each new sign requiring a sign permit after the effective date of this Chapter and complying with this ordinance shall have affixed to the sign a certification tag, issued by the Town Clerk visible from the sidewalk or nearest convenient location.

a. Tag Data. Each tag shall be of a weatherproof material and shall have the permit number of the sign for which it is issued and a date or code number which corresponds to the issuance record retained in the Town office which issues the tag.

b. Tag Issuance. The tag shall be issued by the Town Clerk at the time the sign permit is issued and the permit fee paid.

c. Tag Installation. Inspection tags shall be applied only to the signs for which they are issued by the sign contractor or the sign owner to certify to the Town Clerk that the placement and construction of the signs are in conformance with representations made in permit applications and that work is completed.

The imprint of the sign owner and sign erector of all signs shall be in plain and public view.

8. Completion Date. If the work authorized under a sign permit has not been completed within three (3) months after date of issuance, said permit shall become null and void, and there shall be no refund of any fee required by this section.

7-4 General Sign Provisions.

1. Traffic Hazard. Signs shall not:

a. be erected at the intersection of any streets or driveways in such manner as to obstruct free and clear vision; or at any location where by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal device, or

b. make use of the words "Stop," "Drive-in," "Danger," or any other words, phrases, symbol or character in such manner as to interfere with, mislead or confuse vehicle operators.

2. Clearances and Setbacks.

a. Signs less than three feet in height may be placed in the clear view area.

b. Signs more than three (3) feet in height must have a front setback that shall be the same as for buildings in that zoning district or a front

setback at least eighteen (18) inches from the front property line as measured from the leading edge of the sign, whichever is greater.

c. Signs over pedestrian ways shall have a clearance between the ground and the bottom of any projecting or ground sign of not less than eight (8) feet.

d. Signs over private driveways for vehicular traffic, shall have a minimum clearance of not less than fourteen (14) feet.

3. Signs On and Over Public Property. No sign shall be located on publicly owned land or inside street right-of-way except signs required and erected by written permission of the Town Council.

No projecting sign attached to a building shall project over public property except by written permission of the Town Council. Ground signs may not project over public property.

4. Prohibited Signs. Signs not specifically allowed by this chapter are prohibited. The following signs are specifically prohibited:

- * Abandoned
- * Snipe
- * Any animated or flashing signs with on-off or strobe-type flashing or rotating lights.
- * Any sign placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign. (This does not apply to allowed portable signs or to signs or lettering on buses, taxis, or vehicles operating during the normal course of business).
- * Any sign which exceeds 65 square feet, except by permission of the Planning Commission.

5. Illuminated Signs. An illuminated sign which permits the light to penetrate beyond the property in such a manner as to annoy or interfere with the use of adjacent properties is prohibited.

6. Anchoring.

a. No sign shall be suspended by nonrigid attachments that will allow the sign to swing in a wind.

b. All freestanding signs shall have self-supporting structures erected on or permanently attached to an acceptable foundation as determined by the UBC.

c. All portable signs on display shall be braced or secured to prevent motion.

7. Additional Construction Specifications.

a. No signs shall be erected, constructed or maintained so as to obstruct any fire escape, required exit, window or door opening used as a means of egress.

b. No sign shall be attached in any form, shape, or manner which will interfere with any opening required for ventilation, except that signs may be erected in front of and may cover transom windows when not in violation of the provisions of the Glendale Building or Fire Prevention Codes.

c. Signs shall be located in such a way as to maintain horizontal and vertical clearance with all overhead electrical conductors in accordance with Electrical Code specifications, depending on voltages concerned.

8. Mobile Changeable Copy Sign. One mobile changeable copy sign may be used for the street frontage of a building, for a period of fourteen (14) consecutive days, not to exceed twenty-eight (28) days in a calendar year. Each sign shall require a sign permit for each period. Said signs shall be in full conformance with all building and electrical codes. Said signs shall not exceed thirty-two (32) square feet in size and six (6) feet in height, and shall conform with all setback, clearances, and other general provisions of this ordinance.

9. Temporary Signs. Permits for any temporary sign shall not exceed thirty (30) days in a calendar year. It shall be the responsibility of the applicant to remove temporary signs upon expiration of the permit period.

10. Maintenance. Every sign shall be kept in good condition as to maintenance and repair, including the replacement of defective parts, repainting and cleaning. The ground space within a radius of ten (10) feet from the base of

any ground sign shall be kept free and clear of all weeds, rubbish and inflammable material.

11. Sign Removal. Signs identifying a discontinued use on the property shall be removed from the property within thirty (30) calendar days of the time the use was discontinued. A sign remaining thereafter shall be considered abandoned.

12. Repair of Building Facade. A damaged building facade as the result of the removal, repair, replacement or installation of any signs shall be repaired by the property owner within thirty (30) calendar days of the time the use was discontinued.

13. Nonconforming Sign. A nonconforming sign may not be moved to a new location, altered, enlarged, or replaced unless it be made to comply with provisions of this Chapter.

14. Planning Commission/Conditional Use Permits. When a parcel of land is five (5) acres or larger, the Planning Commission may consider an on-premise sign proposal for a development that is less restrictive than regulations set forth herein. Such sign plans shall be considered a conditional use and a determination shall be made that the proposed sign exceptions are not in conflict with the purpose of this Chapter and are in architectural harmony with the development and other buildings and uses adjacent to the development. The permit shall be issued in accordance with other provisions of this ordinance.

7-5 Safety in Construction and Town Non-Liability.

1. Sign Erection Safety Precautions for Streets and Sidewalks. Whenever any sign or other advertising structure is erected in whole or in part on or over any public street or sidewalk, the person or persons performing the work shall, before proceeding to erect the same, take all precautions necessary to ensure the safety of persons and property on such street or sidewalk. Before hoisting any material whatsoever above the surface of any street or sidewalk or placing any material upon the traveled portion of any street or sidewalk, the persons or person performing such work shall exclude the traveling public from the portion of such street or sidewalk in which such work is to be done by means of

suitable barriers, protected walkways and warning devices approved by the building inspection department; and whenever the department shall deem it necessary under the conditions then existing, shall provide a guard or guards to exclude all persons not concerned in the work from the portion of the street or sidewalk in which the work is to proceed. When hoisting any sign or advertising structure above the surface of any street or sidewalk, the same shall be accompanied by hoisting devices of approved design and adequate capacity to accomplish the work in accordance with approved engineering practices, all of which hoisting equipment shall be kept and maintained in good and workable condition.

2. Town Nonliability. The Town of Glendale, its Town Clerk and its other agents shall in no way be liable for any negligence of the owner, or the person responsible for the sign.

7-6 Specific Regulations for Each Zone.

No person shall install or maintain any sign in the Town of Glendale and in the zones listed, except as herein provided. Signs not allowed in the following sections are specifically prohibited.

1. Residential Zones, (R-R-1, R-1-20, R-1-10, R-M-7, R-M-15, M-H, MH-E)

(a. Name Plates. One lighted or unlighted name plate identifying the occupancy of the premises of maximum area of two (2) square feet.

(b. Property Signs. No more than one property sign shall be permitted. Property signs may also be modified to indicate that the property has been sold, provided that the total area for any one sign does not exceed six (6) square feet.

(c. Monument Signs. Two monument type subdivision identification signs will be allowed in a residential or other subdivision provided that these signs

1. Are located a minimum of ten (10) feet from front property lines.

2. Are limited to sixty-five (65) square feet in area for each sign.

3. Contains no animation.

4. Have no visible source of illumination.

(d. Promotional Signs for Residential Developments. One promotional sign per subdivision shall be allowed, not located in any required setback, not exceeding twelve (12) feet in height and not containing more than thirty-two (32) square feet. Projects with more than ten (10) dwelling units may have an additional two (2) square feet of sign area per unit up to a maximum of 182 square feet. The signs permitted hereunder shall be temporary in all cases and shall be removed when all lots have been sold by the original developer. The sign permitted in this paragraph, may be placed on other land belonging to the same owner providing such other land is directly or indirectly contiguous to the subdivision or planned development being advertised and both properties involved are different phases of the same overall development. Any sign permitted by this paragraph may be illuminated or may be lighted if the source of lighting is not visible. Animated illumination or lighting shall not be employed.

(e. Planned Developments. For Planned Developments containing more than twenty (20) dwelling units, the Planning Commission may approve an overall sign scheme for the development which provides for larger or more numerous signs than would otherwise be permitted under this Chapter.

2. Commercial and Manufacturing Zones, (C-G, C-H, M-O).

(a. Residential Areas. When located on property butting a residential zone, signs shall conform to residential requirements with respect to lighting and animation.

(b. Animated Signs. Animated signs may be permitted in commercial zones only.

(c. Wall Signs. Wall signs shall not exceed twenty (20) percent of the face of the wall and may not rise above the roof line.

(d. Entrance or Exit Signs. One entrance or exit sign may be permitted at each driveway entering or leaving the premises. Such signs shall not exceed three (3) square feet in area nor be more than six (6) feet in height from the ground.

(e. Property Signs. No more than two signs offering the premises for sale, lease, or inspection by the public may be permitted, provided that the total area of each sign does not exceed twenty-four (24) square feet. Said signs may be modified to indicate that the property has been sold.

(f. Free-Standing, Roof, and Projecting Signs may be permitted subject to the following provisions:

i. Number of free standing signs. Each parcel of property or commercial complex may have one free-standing sign. One additional free-standing sign is permitted if the property or complex has more than 200 feet of frontage on a dedicated public street or frontage on two different public dedicated streets. Where two free-standing signs are constructed, they shall be separated by at least 100 feet.

ii. Projection/Location. Free-standing, and projecting signs shall be allowed to project not closer than three (3) feet to the face of the curb and gutter, and shall have a minimum clearance of fifteen (15) feet wherever they overhang a sidewalk or public property. In Commercial Zones free standing signs shall be located on the property so that no portion of the sign support structure projects over the property line. In Manufacturing Zones, signs may be located within seven feet of the curb, provided such signs do not create a traffic hazard, as determined by the Town Clerk.

iii. Height. Free-standing signs shall not exceed fifty (50) feet in height. Projecting signs and roof signs must not exceed the maximum allowable height of the building within the zone in which it is located.

(g. Roof Signs. Roof signs shall conform to the following provisions:

i. Roof signs shall not be higher than three (3) feet above the roof line or parapet wall.

ii. Roof signs shall not be animated.

3. Agricultural Zones. (RA)

(a. Property Signs. Property sign as permitted in commercial zone.

(b. Name Plate. Name plate signs as permitted in a residential zone.

(c. Facility Signs. Signs identifying churches, schools, public utilities, buildings and facilities, public-owned and operated properties, hospitals, homes for the aged, nursing homes, convalescent homes, private clubs, fraternal organizations and roadside stands, subject to the following:

i. Such signs shall not exceed twenty-four (24) square feet in area and shall contain no advertising copy. It shall be located on the property to which it pertains and the number shall be limited to one.

ii. Such sign may be illuminated but the source of illumination shall not be visible and shall be without animation. It may be free-standing or placed against the wall of a building, but no higher than twelve (12) feet above grade and not above the roof line. When free-standing it shall be parallel with the street, and it shall not be located in or project into any required yard.

(d. Recreational Signs. Signs identifying golf courses, parks, tennis courts, public riding stables, boarding stables, and similar recreational facilities, subject to the following:

i. Such signs shall not exceed twenty-four (24) square feet in area and may be illuminated, but the source of illumination shall not be visible and shall not be animated. Such sign shall contain no advertising copy.

ii. There shall be one such sign per entrance to said facility, and the sign may be double-faced. It must be located on the property to which it pertains. It may be free-standing or placed against the wall of a building, in which event it shall be no higher than twelve (12) feet above grade and not rise above the roof line.

7-7 Enforcement.

1. Signs to Conform. Except as provided in this title a sign shall not be erected, raised, moved, placed, reconstructed, extended, enlarged or altered, unless in conformity with this Chapter.

A nonconforming sign shall not be altered, reconstructed, raised, moved, placed, extended

or enlarged unless said sign is changed so as to conform to all provisions of this title.

2. Prohibited Signs to be Abated. Signs prohibited under other laws or ordinances are also in violation of this Chapter and are subject to remedies herein provided. The non-conforming sign provisions of this Chapter shall not be applicable to such prohibited signs.

3. Town Clerk. The Town Clerk employed by the Town shall be responsible for inspecting signs as defined by this Chapter, and shall be authorized to enforce this ordinance, but the Town Council of Glendale, by resolution or ordinance, may from time to time entrust such administration, in whole or in part, to any other office of Town government without amendment to this ordinance.

4. Legal Action. The Town Clerk with the consent of the Town Council shall be empowered to institute any appropriate action or proceeding in any case where any sign is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or in any case where any sign is used in violation of any Town Ordinance, to accomplish the following purposes:

- a. To prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use.
- b. To restrain, to correct or abate such violation.
- c. To abate and remove unsafe or dangerous signs. If an unsafe or dangerous sign is not repaired or made safe within ten (10) working days after giving notice as provided below the Town Clerk may at once abate and remove said sign and the person having charge, control or benefit of any such sign shall pay to Glendale Town the costs incurred in removal within thirty (30) calendar days after written notice of the costs is mailed to such person.
- d. Notification by the Town shall mean written notice sent by certified mail to persons having charge or control or benefit of any sign found by the Town Clerk to be unsafe.

5. Immediate Hazard. In the case of an unsafe or illegal sign that is either an immediate hazard or whose primary purpose will have been served,

at least in part, before the expiration of the notice period required herein, the Town Clerk may effect an immediate removal without notice, subject to a subsequent right of hearing by the person receiving benefits therefrom.

6. Notice of Non-Maintained Abandoned Sign. The Town Clerk shall require each non-maintained or abandoned sign to be removed from the building or premises when such sign has not been repaired or put into use by the owner, person having control or person receiving benefits of such structure within thirty (30) calendar days after notice of non-maintenance or abandonment is given to the owner, person having control or person receiving benefit of such structure.

7. Violation and Penalty. Any person, firm or corporation whether acting as owner or occupant of the premises involved or contractor or otherwise who violates or refuses to comply with any of the provisions of this title shall be guilty of a class B misdemeanor. A separate offense shall be deemed to be committed on each day an offense occurs or continues.

8. Right of Appeal. Any person who has been ordered by the Town Clerk to alter or remove any sign, or any person whose application for a sign permit has been refused, may appeal to the Board of Adjustment by serving a written notice to the Town Recorder within ten (10) days of the order of the Town Clerk. Such notice shall be considered by the Board of Adjustments at its next regularly scheduled meeting. Upon filing of said notice of appeal, the Town Clerk shall take no further action with regard to any removal of the sign involved until the final decision of the Board of Adjustment on the appeal is known, unless the Town Clerk finds that the sign involved, by reason of its condition, presents an immediate and serious danger to the public, or comes within the provisions of Paragraph (5), above, in which case he shall proceed immediately as provided in this ordinance.

CHAPTER 8. CONDITIONAL USES

ToC

8-1 Purpose of Conditional Use Provisions.

Certain uses which may be harmonious under special conditions and in specific locations within a district, but be improper under general conditions and in other locations, are classed as

conditional uses within the various districts and require conditional use permits for approval.

8-2 Permit Required.

A conditional use permit shall be required for all uses listed as conditional uses in the district regulations or elsewhere in this Ordinance. A conditional use permit may be revoked upon failure to comply with conditions precedent to the original approval of the certificate. No building permit or other permit or license shall be issued for a use requiring conditional use without first being approved by the Glendale Town Planning Commission.

8-3 Application.

A conditional use permit application shall be made to the Glendale Town Planning Commission as provided in this Ordinance. applications for a conditional use permit shall be accompanied by maps, drawings, statements, or other documents as required by the Glendale Town Planning Commission.

8-4 Fee.

The application for any conditional use permit shall be accompanied by the appropriate fee as determined by the Glendale Town Council.

8-5 Development Plan.

The application for a conditional use permit shall prepare a site plan with elevations (as may be necessary) for the site being proposed for development. The plan shall be drawn to scale and show all existing and proposed buildings, roads, parking, and other information that the Glendale Town Planning Commission may deem necessary.

8-6 Town Council Action.

The Glendale Town Council may approve, modify and approve, or deny the conditional use application in a public meeting. In approving any conditional use, the Glendale Town Council shall impose regulations and conditions as are necessary to protect the public health, safety, and welfare.

8-7 Town Council Action on Planned Developments, Subdivisions, Hillside,

Mobile Home Parks, and Recreational Coach Parks.

Where applications require a conditional use permit, the permit shall be submitted to the Glendale Town Planning Commission at its regular meeting and after review shall be recommended for approval or disapproval to the Glendale Town Council. The Glendale Town Council shall approve or disapprove the conditional use permit for Planned Developments, Mobile Home Subdivisions, Mobile Home Parks, Recreational Coach Parks, Flag Lots and Private Lanes.

8-8 Expansion of a Conditional Use.

No structure in which a conditional use is located may expand without the approval of the Glendale Town Planning Commission and the Glendale Town Council. Before expanding, the applicant shall present to the Glendale Town Planning Commission a Development Plan meeting the requirements of 8-5 above. No public hearing need be held. However, the Glendale Town Planning Commission may deem a hearing necessary.

8-9 Inspection.

Following the issuance of a conditional use permit by the Glendale Town Planning Commission, the Glendale Town Building Inspector shall approve an application for a building permit, and shall insure that development is undertaken and completed in compliance with said conditional use and building permit.

8-10 Revocation.

A conditional use permit may be revoked upon failure to comply with the conditions imposed with the original approval of the permit and the applicant shall be so notified of revocation by the Town of Glendale. The permit may be reinstated upon determination by the Glendale Town Planning Commission that the cause for revocation has been corrected and that the applicant intends to proceed according to the plans approved by the Glendale Town Planning commission at the time the permit was originally issued, or as they might have been properly amended by the Glendale Town Planning Commission from time to time during the period

of the conditional use. Revocation or reinstatement of a conditional use permit for a Planned Development, Mobile Home Subdivision, Mobile Home Park, or Recreational Coach Park is the responsibility of the Glendale Town Council.

CHAPTER 9. DESIGN REVIEW

ToC

9-1 Purpose.

The purpose and intent of design review is to secure the general purposes of this Ordinance and the Glendale Town Master Plan and to insure that the general appearance of buildings and structures and the development of the land shall in no case be such as would impair the orderly and harmonious development of the neighborhood or impair investment in the occupation of the neighborhood.

It shall not be the intent of this Chapter to restrict or specify the particular architectural design proposed or to specify the exterior detail of design, color, or materials proposed by the applicant, except as such detail is of such magnitude as to affect the general appearance and compatibility of the development with its surroundings.

9-2 Application and Review.

All applications for building permits for all buildings and structures, except for single-family dwellings and their accessory buildings, shall be accompanied by architectural and site development plans to scale, which shall show building locations, landscaping, prominent existing trees, general treatment, fences, off-street parking and circulation, location and size of the adjacent streets, north arrow and property lines, drawings of the major exterior elevations, the building materials, proposed exterior color scheme, existing grades and proposed new grades. All such drawings and sketches shall be reviewed by the Glendale Town Planning Commission. All of the above required architectural and site development plans shall have been reviewed and approved prior to the issuance of a building permit.

9-3 Exceptions.

For buildings and uses covered by conditional use permits and Planned Development, design

review shall be incorporated within such conditional use permit and Planned Development and need not be a separate application, provided the requirements of this Chapter are met.

9-4 Planning Commission Approval.

The Glendale Town Planning Commission, or designee when authorized by the Commission, shall determine whether the proposed architectural and site development plans submitted are consistent with this Chapter and with the general objectives of this Ordinance, and shall give or withhold approval accordingly. Denial or approval by the Glendale Town Planning Commission may be appealed to the Glendale Town Council, as provided for in the appeals section of this Ordinance.

9-5 Consideration in Review of Applications.

The Glendale Town Planning Commission or designee, when authorized, shall consider the following matters, and others when applicable, in their review of applications:

1. Considerations relating to traffic safety and traffic congestion.
 - a. The effect of the site development plan on traffic conditions on abutting streets.
 - b. The layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exits, drives, and walkways.
 - c. The arrangement and adequacy of off-street parking facilities.
 - d. The location, arrangement, and dimensions of truck loading and unloading facilities.
 - e. The circulation patterns within the boundaries of the development.
 - f. The surfacing and lighting of off-street parking facilities.
2. Consideration relating to outdoor advertising. The number, location, color, size, height, lighting, and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and the appearance and harmony with adjacent development.

3. Consideration relating to landscaping.

a. The location, height, and materials of walls, fences, hedges, screen plantings to insure harmony with adjacent development, or to conceal storage areas, utility installations, or other unsightly development.

b. The planting of ground cover or other surfacing to prevent dust and erosion.

c. The unnecessary destruction of existing healthy trees.

4. Considerations relating to buildings and site layout.

a. Consideration of the general silhouette and mass, including location on the site, elevation, and relation to natural plant coverage, all in relationship to the neighborhood.

b. Consideration of exterior design in relation to adjoining structures in height, bulk, and area openings, breaks in facade facing on the street (or streets), line and pitch of roofs, and the arrangement of structures on the parcel.

9-6 Conditions.

The Glendale Town Planning Commission, or designee when authorized, shall decide all applications for design review. Design approval may include such conditions consistent with the consideration of this Chapter as the Glendale Town Planning Commission or designee deem reasonable and necessary under the circumstances to carry out the intent of this Chapter.

9-7 Findings and Decisions.

Upon a finding by the Glendale Town Planning Commission or designee, when authorized, that the application meets the intent of this Chapter, the design approval shall be granted, subject to such conditions as are necessary; otherwise, approval shall be denied.

9-8 Notification of Approval or Denial.

Upon the granting of design approval, the secretary of the Glendale Town Planning Commission shall prepare and mail or deliver to the applicant a formal statement thereof, stating

the fact of the grant and any conditions attached thereof, or the fact of denial and the reasons therefor.

9-9 Time Limitations on Approval.

If construction in harmony with the permit for any development for which design approval has been granted has not been commenced within one (1) year from date of notification of approval, the approval shall be deemed automatically revoked. Upon application, an extension of time may be granted by the Glendale Town Planning Commission, or designee, when authorized.

9-10 Transfer of Approval Upon Change in Use.

Design approval shall be deemed revoked if the buildings erected or the classification of their use or the classification of the use of land for which the approval was granted is changed, unless the approval is transferred by the Glendale Town Planning Commission, or designee, when authorized to do so. If the transfer is not approved, a new application must be filed.

9-11 Conformance to Approval.

Development for which design approval has been granted shall conform to the approval and any conditions attached thereto.

9-12 Modifications.

Upon request of the applicant, modifications in the approved plan may be made by the Glendale Town Planning Commission or designee when authorized to do so, if it is found that the modifications will meet the requirements of this Chapter. The Glendale Town Planning Commission may revoke or modify a design approval which does not conform to any requirements of the approved permit.

CHAPTER 10. PERFORMANCE STANDARDS FOR INDUSTRIAL AND OTHER USES

ToC

10-1 Purpose.

To permit potential nuisances from industrial or other uses to be measured factually and objectively in terms of the potential nuisance itself; to ensure that all uses will provide necessary control methods for protection from

hazards and nuisances which can be prevented by modern processes of control and nuisance elimination; to protect any use from arbitrary exclusion based solely on the characteristics of uncontrolled production in this type of use in the past.

10-2 General Provisions.

No land or building in any district shall be used or occupied in any manner so as to create dangerous, injurious, noxious or otherwise objectionable fire, explosive, or other hazard; noise or vibration, smoke, dust, odor, or other form of air pollution; heat, cold, dampness, glare, electrical or other disturbances; liquid or solid refuse or wastes; or other substance, condition or element in such a manner or in such an amount as to affect adversely the surrounding area or adjoining premises. The foregoing are hereinafter referred to as "dangerous or objectionable elements." No use shall be undertaken or maintained unless it conforms to the regulations of this Section in addition to the regulations set forth for the district in which such use is situated.

10-3 Performance Standards Procedure.

The Glendale Town Planning Commission or designee, when authorized, may require performance standards review for any use in any district when he has reason to believe that such use, or the manner of its operation will not or may not conform to the performance standards of this Chapter.

10-4 Enforcement Provisions Applicable to All Uses.

Initial and continued compliance with performance standards is required of every use; and provisions for enforcement of continued compliance with said standards shall be invoked by the Glendale Town Planning Commission or designee, when authorized, against any use if there are reasonable grounds to believe that performance standards are being violated by such use.

10-5 Nonconforming Uses.

For purposes of this Ordinance, any use established before the effective date of this Ordinance and nonconforming as to

performance standards shall have five (5) years in which to conform therewith.

10-6 Locations Where Determinations are to be made for Enforcement of Performance Standards.

The determination of the existence of dangerous and objectionable elements shall be made at the location of the use creating the same and at any points where the existence of such elements may be most apparent; provided, however, that the measurements having to do with noise, odors, vibration, or glare shall be taken at the following points of measurement:

1. In any district, except an M-D District, at the lot line of the establishment or use.
2. In an M-D District at one or more points five hundred (500) feet from the establishment or use, or at the boundary or boundaries of the District, if closer to the establishment or use, or at the closest point within an adjacent district other than an M-D District.

10-7 Dangerous and Objectionable Elements.

1. Odors. No emission of odorous gases or other matter shall be permitted in such quantities as to be readily detectable when diluted in the ratio of one (1) volume of odorous air to four (4) of clean air at the point of greatest concentration. Any process involving creation or emission of any odors shall be provided with a secondary safeguard system, so control will be maintained if primary safeguard system should fail. (There is hereby established as a guide in determining such quantities of offensive odors Table III, "Odor Thresholds," in Chapter 5, Air Pollution Abatement Manual, Copyright 1951, Manufacturing Chemists' Association, Inc., Washington, D.C., and said manual and /or table as subsequently amended).

2. Glare. No direct or sky-reflected glare, whether from flood lights or from high temperature processes such as combustion or welding or otherwise, shall be permitted. This restriction shall not apply to signs or lighting of buildings or grounds for protection as otherwise permitted by the provisions of this Ordinance.

3. Fire and Explosion Hazards. All activities involving, and all storage of flammable and

explosive materials, shall be provided at any point with adequate safety devices against the hazard of fire and explosion.

4. Radioactivity or Electronic Disturbances. No activities shall be permitted which emit dangerous radio-activity at any point, or electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance.

5. Smoke. No emission shall be permitted from any chimney or other source, of smoke or gases except in accordance with air pollution provisions of the Utah State Board of Health.

6. Fly Ash, Dust, Fumes, Vapors, Gases, and Other forms of Air Pollution. No emission shall be permitted except in accordance with air pollution provisions of the Utah State Board of Health.

7. Liquid or Solid Wastes. No discharge at any point into public sewer, private sewage system, or stream, or into the ground shall be permitted, except in accordance with the standards approved by the State Department of Health or standards equivalent to those approved by such Department. No materials or wastes shall be deposited on any property by natural causes or forces, and any wastes which might be attractive to rodents or insects shall be stored outdoors only in closed containers.

CHAPTER 11. CONSTRUCTION SUBJECT TO GEOLOGICAL, FLOOD, OR OTHER NATURAL HAZARDS

ToC

11-1 Purpose.

To protect the general public from geologic, flood, or other natural hazards that might be detrimental to the health, safety, and general welfare of the residents of the Town of Glendale. Any application for a conditional use or building permit which has, in the opinion of the Glendale Town Planning Commission or designee, when authorized, potential soils, earthquake, flood or other discernible hazards shall be required to provide a report addressing such hazards.

11-2 Requirements.

1. The report shall be prepared at the applicant's expense by a registered or licensed geologist,

soils engineer, or civil engineer, and shall show the suitability of the soils on the property to accommodate the proposed construction, and any discernible flood or earthquake hazards.

2. Whenever a professional expert indicates a parcel may be subject to a potential or actual hazard, the applicant shall meet the special conditions required by the Glendale Town Planning Commission or designee, when authorized, to reduce or eliminate such hazards.

CHAPTER 12. MOBILE HOMES & MOBILE HOME PARKS

ToC

12-1 Purpose.

To require that mobile home developments will be of such character as to promote the objectives and purposes of this Ordinance; to protect the integrity and characteristics of the districts contiguous to those in which mobile home parks are located; and to protect other use values contiguous to or near mobile home park uses.

12-2 Location and Use.

1. Mobile homes may be stored, displayed, and sold in commercial and manufacturing districts, but not occupied.

2. Mobile homes allowed under Section 4-21 hereof as temporary structures during construction.

12-3 Approval.

Mobile home parks may not be constructed unless first approved by the Glendale Town Council, after review of plans for said mobile home park by the Glendale Town Planning Commission which insure that the said development will:

1. Be in keeping with the general character of the district within which the development is to be located.

2. Be located on a parcel of land containing not less than two (2) acres.

3. Have at least ten (10) spaces in large developments or all spaces in smaller projects of

ten (10) or less completed and ready for occupancy before first occupancy is permitted.

4. Meet all standards and requirements effective upon the adoption of the Mobile Home Park Ordinance of the Town of Glendale.

5. Shall be connected to the municipal facilities of the Town of Glendale.

6. Be developed according to plans prepared by a professional team. In all cases it is recommended that professional design and other assistance be obtained early in the program including (as needed) a geologist or soils engineer, an urban planner, a lawyer, a financial expert, or others. It is the intent of the Town of Glendale that the developer solve problems associated with the development before approval is given and construction begins. Determination of qualifications of required professional individuals or firms shall be made by the Glendale Town Planning Commission.

In a mobile home park, the number of mobile homes shall be limited to seven (7) units per acre. The mobile homes may be clustered, provided that the total number of units does not exceed the number permitted on one (1) acre, multiplied by the number of acres in the development. The remaining land not contained in individual lots, roads, or parking, shall be set aside and developed as parks, playground, and service areas for common use and enjoyment of occupants of the development and of the visitors thereto.

12-4 Application.

1. An overall plan for development of a mobile home park shall be submitted to the Glendale Town Planning Commission for review. The plan shall be drawn to a scale no smaller than one (1) inch to fifty (50) feet. At least six (6) copies of the plan shall be submitted. The plan shall show:

a. The topography of the site represented by contours, shown at not greater intervals than two (2) feet when required by the Glendale Town Planning Commission.

b. The proposed street and mobile home space layout.

c. Proposed reservations for parks, playgrounds, open space.

d. Tabulations showing percent of area to be devoted to parks, playgrounds and open spaces, number of mobile home spaces, and total area to be developed.

e. Proposed locations of parking spaces.

f. Generalized landscaping and utility plan, including locations of sewer, water, electricity, gas lines, fire hydrants.

g. Any other data the Glendale Town Planning Commission may require.

2. The applicant for approval of plans for a mobile home park or mobile home subdivision shall pay to the Town of Glendale at the time of application a checking fee, in addition to all other required fees. The checking fee shall be as established by the Glendale Town Council.

3. Applications for approval shall be in writing, submitted to the Glendale Town Planning Commission at its regular meeting and shall be recommended for approval or disapproval to the Glendale Town Council within thirty (30) days, unless an extension of time is approved by the Glendale Town Planning Commission. An application recommended for approval or disapproval by the Glendale Town Planning Commission shall be submitted to the Glendale Town Council, which decision must be made in writing within fifteen (15) days after the recommendation is submitted by the Glendale Town Planning Commission to the Glendale Town Council.

12-5 Standards and Requirements.

Yards in Feet

District	Area	Width	Front	Side	Rear
MH-10	10,000	80	25	8 & 10	10
MH-12	12,000	90	25	8 & 10	10
MH-20	20,000	100	25	8 & 10	10
MH-40	40,000	200	25	7 & 10	10

12-6 Signs.

1. Each Mobile Home Park shall have a bulletin board for the listing of each mobile home site

and the name of occupant thereof. Said bulletin board shall be located in close proximity to the offices or administration building, and it shall be lighted at night.

2. Adequate signs and marking shall be maintained to provide directions to parking areas, recreation areas, and other facilities.
3. Street names shall be established and maintained within the mobile home park in the manner approved by the Glendale Town Planning Commission. Each directional sign shall not exceed six (6) square feet in area.
4. Signs which identify or advertise the mobile home park may be erected if approved by the Glendale Town Planning Commission. There shall be only one (1) sign per entrance with a maximum size of sixty-five (65) square feet each. Said signs shall not be animated or illuminated except by direct non-flashing lights.
5. Other signs permitted in the Mobile Home District shall be limited to the following:
 - a. One (1) civic sign not to exceed eight (8) square feet in sign area.
 - b. One (1) real estate sign not to exceed eight (8) square feet in sign area.
 - c. One (1) residential sign not to exceed two (2) square feet in area for the residents of a mobile home.

12-7 Modifying Regulations.

1. On corner lots, the side yard setback shall be the same as the front yard setback.
2. All private garages and accessory buildings shall be at the rear or and ten (10) feet behind the main dwelling and may have a side yard and rear yard of two (2) feet, except on the street side of a corner lot.
3. All mobile homes shall be skirted with decorative masonry, block or brick skirting, or a continuation of the facing material of the home, or a material approved by the building inspector. All skirts shall be kept in place and in good repair at all times.
4. All mobile homes shall be adequately tied down.

12-8 Mobile Home Park Development Standards.

1. All mobile home parks shall meet the requirements of Chapter 12 of this Ordinance.
2. All mobile home parks shall meet the requirements of the Glendale Town Mobile Home Ordinance upon adoption.

12-9 Other Provisions.

Exceptions to these regulations are provided in Chapter 4 of this Ordinance.

CHAPTER 13. RECREATIONAL VEHICLES AND RECREATIONAL VEHICLE PARK

ToC

13-1 Purpose.

To permit development of facilities for recreational vehicles in appropriate districts and to require that recreational vehicle accommodations will be of such character as to promote the objectives and purposes of this Ordinance, to protect the integrity and character of the districts contiguous to those in which recreational vehicle parks are located, and to protect other use values contiguous to or near recreational vehicle park uses.

13-2 Location and Use.

1. No recreational vehicle as herein defined shall be located, placed, used, or occupied for residential purposes in any district except within approved and licensed recreational vehicle parks and except as otherwise provided herein or as allowed by a temporary use permit.
2. Recreational vehicle parks shall be generally located:
 - a. Adjacent to or in close proximity to a major traffic artery or highway.
 - b. Near adequate shopping facilities.
3. Stored recreational vehicles may not be used for permanent living quarters.
4. Recreational vehicles may be stored, displayed, sold and serviced, but not used for living quarters, in a sales lot in a commercial or Manufacturing district when such use is a permitted or a conditional use.
5. Recreational vehicles may be accommodated in an approved and licensed mobile home park, provided that:
 - a. The recreational vehicle park portion of the development is separated by barriers, screens, or otherwise from the area of mobile homes.

- b. The recreational vehicle use area shall have direct access to a collector or arterial street.
- 6. Recreational vehicle parks shall be connected to the municipal facilities of the Town of Glendale.

13-3 Approval.

A recreational vehicle park may not be constructed unless first approved by the Glendale Town Council. After review of plans for said park by the Glendale Town Planning Commission which insure that the proposed development will:

- 1. Be in keeping with the general character of the district where it is proposed to be located.
- 2. Be located on a parcel of land containing not less than two (2) acres, unless included in a mobile home park, in which case no minimum area is required.
- 3. Have at least ten (10) spaces completed and ready for occupancy before first occupancy is permitted.
- 4. Meet all standards and requirements of this Ordinance and of the Recreational Vehicle Park Ordinance upon its adoption.
- 5. Meet all requirements of the State of Utah Code of Camp, Trailer Court, Hotel, Motel, and Resort Sanitation Regulations which are intended to apply to trailer, camper, and tent camps as defined in such Code.
- 6. Be designed by a qualified designer or design team. The determination of qualifications of such required professional individuals or firms shall be made by the Glendale Town Planning Commission.
- 7. Contain not more than twenty (20) units per acre. The spaces may be clustered, provided that the total number of units does not exceed the number permitted on one (1) acre, multiplied by the number of acres in the development. The remaining land not contained in individual trailer spaces, roads or parking, shall be set aside and developed as park, playground, or service areas for the common use and enjoyment of occupants of the development and of visitors thereto.

13-4 Application.

- 1. An overall plan for development of a recreational vehicle park shall be submitted to the Glendale Town Planning Commission for review. The plan shall be drawn to a scale not smaller than one (1) inch to fifty (50) feet. At least six (6) copies of the plan shall be submitted. The plan shall show:
 - a. The topography of the site, when required by the Planning Commission, represented by contours shown at not greater than two (2) foot intervals.
 - b. The proposed street and trailer or vehicle space pad layout.
 - c. Proposed reservations for parks, playgrounds and open spaces, and tabulations showing the percent of area to be devoted to parks, playgrounds and open space, the number of trailer spaces, and total area to be developed.
 - d. Proposed location, number, and design of parking spaces.
 - e. Generalized landscaping and utility plan, including location of sewer, water, electricity, gas lines and fire hydrants.
 - f. Any other data the Glendale Town Planning Commission may require.
- 2. Applications for approval shall be in writing, submitted to the Glendale Town Planning Commission at its regular meeting and shall be recommended for approval or disapproval to the Glendale Town Council within thirty (30) days, unless an extension of time is approved by the Glendale Town Planning Commission. An application recommended for approval or disapproval by the Glendale Town Planning Commission shall be submitted to the Glendale Town Council, which decision must be made in writing within fifteen (15) days after recommendation is submitted by the Glendale Town Planning Commission to the Glendale Town Council.

13-5 Standards and Requirements.

The development of a Recreational Vehicle Park shall conform to the standards and requirements established in the Recreational Vehicle Park

Ordinance of the Town of Glendale upon adoption.

CHAPTER 14. ZONING DISTRICTS

ToC

14-1 Establishment of Zoning District.

For the purposes of this Ordinance, the territory of the Town of Glendale to which this Ordinance applies is divided into the following eight (8) general zoning districts (see attached map):

- | | |
|-------------------------------|-------|
| 1. Open Space | OS |
| 2. Residential Agricultural | RA-10 |
| 3. Rural Residential | RR |
| 4. Residential-1 | R-1 |
| 5. Multiple Residential-7 | R-M-7 |
| 6. Mobile Home | M-H |
| 7. Commercial | C |
| 8. Manufacturing/Distribution | M-I |

14-2 Listing of Ordinance and Map.

This Ordinance and map shall be filed in the custody of the Glendale Town Clerk and may be examined by the public subject to the reasonable regulations established by said Clerk.

14-3 Rules for Locating Boundaries.

Where uncertainty exists as to the boundaries of districts as shown on Glendale Town maps, the following shall apply:

1. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines and in the event of change in the centerline shall be construed as moving with the centerlines.
2. Boundaries indicated as approximately following the right-of-way lines of streets, highways, or alleys shall be construed to follow such right-of-way lines, and in the event of a change in the right-of-way line shall be construed as moving with the right-of-way line.
3. Boundaries indicated as approximately following the centerlines of streams, rivers, canals, or other bodies of water, or flood control channels, shall be construed to follow such centerlines and in the event of change of the centerline shall be construed as moving with the centerline.

4. Boundaries indicated as approximately following platted lot lines shall be construed to follow such lot lines.

5. Boundaries indicated as parallel to or extensions of features indicated in sub-sections 1 through 4 above shall be so construed. Distances not specifically indicated on the official map shall be determined by the scale of the map.

6. In case any further uncertainty exists, the Glendale Town Board of Adjustments shall determine the location of such boundaries.

7. Boundaries of each of the said zones are hereby established as described herein or as shown on the map entitled Glendale Town Zoning Map which map is on file with the Glendale Town Clerk and all boundaries show thereon are made by this reference as much a part of this Ordinance as is fully described and detailed herein.

14-4 Supplementary Regulations to All Zones.

No trash, rubbish, weeds, or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential or commercial zone. No junk, debris, abandoned or dismantled automobile or similar material shall be stored or allowed to remain on any lot in any residential zone.

CHAPTER 15-OPEN SPACE ZONE (OS)

ToC

15-1 Purpose.

The purpose of the Open Space Zone is to minimize flooding, erosion, and other environmental hazards; to protect the natural scenic character of hillside and other areas of town; to promote the well-being of present and future residents of Glendale Town; and to ensure the efficient expenditure of public funds.

15-2 Use Regulations.

In the Open Space Zone, no property shall be used for any other purpose than:

1. Livestock grazing;

2. Primitive recreation facilities which will not significantly alter the natural form of the landscape including, but not limited to hunting, hiking, horseback riding, rock hounding, and camping;
3. Motorized vehicles restricted to existing roads and trails;
4. non-motorized off-road vehicles including bicycles and mountain bikes, will be restricted to existing roads and to only those trails which have been reviewed and approved by the Bureau of Land Management and Glendale Town;
5. Rights-of-way for various uses such as pipelines, telephone lines, power lines, and accesses. Application for which must be approved by the Bureau of Land Management and Glendale Town;
6. Emergency equipment routes to provide essential emergency services such as fire control.

15-3 Other Provisions

Factors to be considered include, but are not limited to, disturbance of natural vegetation, wildlife habitats, archeological sites, location in relation to flood zones and drainages, steep slopes, rockfall areas, and other considerations which may have potential adverse consequences for the health, safety and welfare of present and future residents of Glendale Town.

Camping is restricted to 14 days in any one location and must meet current Bureau of Land Management guidelines

CHAPTER 16. RESIDENTIAL AGRICULTURAL ZONE RA

ToC

16-1 Purpose.

To provide permanent areas for small farms, hobby farms and agricultural developments.

16-2 Permitted Uses.

1. Single family dwellings.
2. Household pets.
3. Raising crops, horticulture, gardening.

4. Stabling of livestock.
5. Accessory buildings and uses.
6. Other uses similar to the above and judged by the Glendale Town Planning Commission to be in harmony with the character and intent of this zone

16-3 Conditional Uses.

1. Church.
2. School.
3. Park or playground.
4. Public utilities.
5. Public buildings.
6. Public riding stables.
7. Public kennels.
8. Poultry coops.
9. Mobile homes for permanent dwellings.
10. Second dwelling for hired hand or seasonal laborer or member of owner's family.
11. Other uses similar to the above and judged by the Planning Commission to be in harmony with the character and intent of this zone.

16-4 Height & Size Regulations.

1. No building shall be erected to a height greater than two and one half (2 ½) stories or thirty-five (35) feet without a conditional use permit.
2. The floor area of a single-family dwelling shall be a minimum of 720 sq.ft.

16-5 Area, Width and Yard Regulations.

Yards in Feet

District	Area	Width	Front	Side	Rear
RA-10	10 ac	400	30	20	30

16-6 Modifying Regulations.

1. Side Yards. On corner lots the side yard setback shall be the same as the front yard setback (refer to 16-5).
2. Accessory Buildings. Accessory buildings may have a side and rear yard of two (2) feet except on the street side of a corner lot.
3. Distance between Buildings. No building, structure, or enclosure housing animals or fowl

shall be constructed closer to a dwelling on the same or adjacent lots than fifty (50) feet.

16-7 Other Provisions.

Exceptions to these regulations are provided in Chapter 4 of this Ordinance.

CHAPTER 17. RURAL RESIDENTIAL ZONE (R-R)

ToC

17-1 Purpose.

To provide area for single family rural neighborhoods that permits small farming activities and the stabling of personal livestock and fowl.

17-2 Permitted Uses.

1. Agriculture
 - a. Tilling of the soil, the raising of crops, horticulture, and gardening for personal use.
 - b. Animals and fowl for recreation or for family food production for the primary use of persons residing on the premises.
2. Single-family dwellings.
3. Private stable, corral, chicken coop or pen.
4. Accessory uses and building customarily incidental to the permitted use.
5. Planned Development.
6. Mobile Homes
7. Other uses similar to the above and judged by the Glendale Town Planning Commission to be in harmony with the character and intent of this zone

17-3 Conditional Uses.

1. Nursery or greenhouse, excluding any building or structure for retail separate from the greenhouse growing facility.
2. Private kennel.
3. Home occupation.
4. Public utilities, essential services.
5. Church.
6. School.
7. Cemetery.
8. Golf course.
9. Park or playground.
10. Private recreational grounds.
11. Guest room or in-law apartment.
12. Accessory uses and buildings customarily incidental to the conditional use.

13. Other uses similar to the above and judged by the Glendale Town Planning Commission to be in harmony with the character and intent of this zone.

17-4 Height & Size Regulations.

1. No building shall be erected to a height greater than two and one half (2 ½) stories or thirty-five (35) feet without a conditional use permit.
2. The floor area of a single-family dwelling shall be a minimum of 720 sq.ft.

17-5 Minimum Area, Width, and Yard Requirements.

Yards in Feet

District	Area	Width	Front	Side	Rear
R-R-1	1 acre	150	25	10	10
R-R-2	2 acre	200	25	10	10
R-R-5	5 acre	300	25	10	10
R-R-10	10 acre	300	25	10	10

17-6 Signs.

Signs permitted in the rural residential district shall be limited to the following:

1. One (1) identification sign, not to exceed sixteen (16) square feet in sign area.
2. One (1) development sign, not to exceed eight (8) square feet in sign area.
3. One (1) civic sign, not to exceed sixteen (16) square feet in sign area.
4. One (1) real estate sign, not to exceed eight (8) square feet in sign area.
5. One (1) residential sign, not to exceed two (2) square feet in sign area.

17-7 Modifying Regulations.

1. Side yard-- On corner lots, the side yard setback shall be the same as a front yard setback.
2. Rear yard-- All accessory buildings shall be located at the rear of and at least ten (10) feet from the main building and may have a rear yard and side yard of two (2) feet except on the street side of a corner lot.

3. Any stable, corral, chicken coop, pen or run in which animals or fowl are maintained shall be at least fifty (50) feet from any residential structure.

17-8 Other Provisions.

Exceptions to these regulations are provided in Chapter 4 of this Ordinance.

CHAPTER 18. SINGLE FAMILY RESIDENTIAL ZONE (R-1-20, R-1-10)

ToC

18-1 Purpose.

To provide and protect areas for low-density, single-family neighborhoods, while permitting the limited establishment of public and quasi-public uses which serve the requirements of families.

18-2 Permitted Uses.

1. Agriculture
 - a. Tilling of the soil, the raising of crops, horticulture, and gardening for personal use.
 - b. Animals and fowl for recreation or for family food production for the primary use of persons residing on the premises.
2. Single-family dwellings.
3. Private stable, corral, chicken coop or pen.
4. Accessory uses and building customarily incidental to the permitted use.
5. Planned Development.
6. Mobile Homes
7. Other uses similar to the above and judged by the Glendale Town Planning Commission to be in harmony with the character and intent of this zone

18-3 Conditional Uses.

1. Home occupation.
2. Cemetery.
3. Church.
4. School.
5. Child day care or nursery.
6. Park or playground.
7. Golf Course.
8. Public utilities, essential services.
9. Public buildings.
10. Private recreational grounds and facilities.
11. Guest room or in-law apartment.
12. Other uses similar to the above and judged by the Glendale Town Planning Commission to be in harmony with the character and intent of this zone.

18-4 Height & Size Regulations.

1. No building shall be erected to a height greater than two and one half (2 ½) stories or thirty-five (35) feet without a conditional use permit.
2. The floor area of a single-family dwelling shall be a minimum of 720 sq.ft.

18-5 Minimum Area, Width and Yard Requirements.

Yards in Feet

<u>District</u>	<u>Area</u>	<u>Width</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
R-1-20	20,000	120	25	10	10

18-6 Signs.

Signs permitted in the single family residential district shall be limited to the following:

1. One (1) civic sign, not to exceed sixteen (16) square feet in sign area.
2. One (1) development sign, not to exceed eight (8) square feet in sign area.
3. One (1) Real Estate sign, not to exceed eight (8) square feet in sign area.
4. One (1) residential sign, not to exceed two (2) square feet in sign area.

18-7 Modifying Regulations.

1. Side yards--On corner lots the side yard setback shall be the same as the front yard setback.
2. Accessory Buildings--All accessory buildings shall be located at the rear of and at least ten (10) feet from the main building and may have a rear yard and side yard of two (2) feet except on the street side of a corner lot.

18-8 Other Provisions.

Exceptions to these regulations are provided in Chapter 4 of this Ordinance.

CHAPTER 19. MULTIPLE RESIDENTIAL ZONE (R-M-7)

ToC

19-1 Purpose.

To provide and protect areas for medium density, seven (7) units per acre, residential while permitting limited establishment of the public and quasi-public uses which serve the requirements of the neighborhood.

19-2 Permitted Uses.

1. Horticulture and gardening for personal use.
2. Single family dwelling.
3. Two-family dwelling.
4. Household pets.
5. Accessory uses and buildings customarily incidental to permitted uses.
6. Planned Development.
7. Other uses similar to the above and judged by the Glendale Town Planning Commission to be in harmony with the character and intent of this zone

19-3 Conditional Uses.

- 1) Dwellings.
 - a. Three family dwellings.
 - b. Four family dwellings.
 - c. Multi-family dwellings.
2. Home occupation.
3. Church.
4. School.
5. Child day care or nursery.
6. Park or playground.
7. Public utilities, essential services.
8. Private recreation grounds and facilities.
9. Accessory uses and buildings customarily incidental to conditional uses.
10. Other uses similar to the above and judged by the Glendale Town Planning Commission to be in harmony with the character and intent of this zone.

19-4 Height Regulations.

No main building shall exceed two and one-half (2 ½) stories or thirty-five (35) feet in height. No dwelling structure shall be less than one (1) story.

19-5 Density Regulations.

The density shall not exceed the densities given in the following table.

Units R-M-7

1st Unit	12,000 sq. ft.
2nd Unit	5,000 sq. ft.
Each Additional Unit	5,000 sq. ft.

19-6 Area, Width, and Yard Requirements.

Yards in Feet

District	Area	Width	Front	Side	Rear
R-M-7	17,000	100	25	10	10

19-7 Signs.

Signs permitted in the Multiple Residential District shall be limited to the following:

1. One (1) civic sign, not to exceed sixteen (16) square feet sign area.
2. One (1) development sign, not to exceed eight (8) square feet in sign area.
3. One (1) Real Estate sign, not to exceed eight (8) square feet in sign area.
4. One (1) residential sign, not to exceed two (2) square feet in area for the resident of a building, and one (1) residential sign, not to exceed eight (8) square feet for name and address of a multiple-family residential building.

19-8 Modifying Regulations.

1. The front yard setback area may be used for the location of any parking of any motor vehicles required as a part of the parking requirement or for additional visitor parking.
2. Side yard setback on a street side yard of a corner lot shall be the same as the front yard setback required for the district.
3. All accessory buildings located at least ten (10) feet behind the main building may have a

rear yard and side yard of two (2) feet except on the street side of a corner lot.

4. The side and rear setbacks on interior lot boundary lines shall be twenty (20) feet along all boundaries for all two (2) story buildings. An additional ten (10) feet shall be added to the setback for each story over two (2) stories.

5. In group dwellings, no two buildings may be located closer together than 10 feet and the front on any dwelling shall not be located closer to another building or to a side or a rear property line on interior lot boundary lines less than 25 feet.

6. At least 30 percent of the land area of any parcel shall be landscaped.

7. Land coverage of all buildings shall not exceed 50 percent of the lot or parcel acreage.

19-9 Other Provisions.

Exceptions to these regulations are provided in Chapter 4 of this Ordinance.

CHAPTER 20. COMMERCIAL ZONE (C)

ToC

20-1 Purpose.

To provide an area within the Town of Glendale where a wide variety of goods and services can be provided.

20-2 Permitted Uses.

1. Air conditioning, sales and service.
2. Art shop.
3. Athletic and sporting goods store, excluding sale or repair of motor boats, motor vehicles or motors.
4. Automobile parts sales, indoors.
5. Automobile, new or used sales and services incidental to sales.
6. Bakery, manufacturing limited to goods retailed on premise.
7. Bank or financial institution.
8. Barber shop and Beauty shop.
9. Bicycle sales and service, indoors.
10. Boat sales and service, indoors.
11. Bowling alley.
12. Building materials sales.
13. Camera store.
14. Carpet and rug cleaning.

15. Car wash.
16. Church.
17. Clinics, medical, dental and hospitals.
18. Clothing and accessory store.
19. Convenience markets.
20. Data processing service and supplies.
21. Delicatessen.
22. Department store.
23. Drug store.
24. Electrical and heating appliances, and fixtures sales and service.
25. Farm implement sales.
26. Florist shops
27. Furniture sales and repair.
28. Government building or uses, non-industrial.
29. Greenhouse and nursery; soil and lawn service.
30. Grocery store.
31. Hardware store.
32. Hobby and Crafts store.
- 33) Hotels and Motels.
34. Insurance agency.
35. Jewelry store, sales and service.
36. Laundry or dry cleaners, laundromat.
37. Library.
38. Mortuary.
39. Music store.
40. Office supply, office machines sales, and service.
41. Park and Playground.
42. Pet and pet supply store.
43. Pharmacy.
44. Photographic supplies.
45. Planned Development.
46. Plumbing shop.
47. Post office.
48. Printing, lithography, publishing or reproductive sales and service.
49. Real Estate Agency.
50. Recreation facility.
51. Restaurant.
52. Restaurant, Drive-In.
53. Roller skating rink.
54. Second hand store.
55. Shoe repair or shoe shine shop.
56. Shoe store.
57. Sign manufacturing or sign painting.
58. Sign sales.
59. Supermarket.
60. Theater, indoor.
61. Tire sales and service.
62. Toy store, retail.
63. Used car lot.
64. Variety store.
65. Vegetable stand.

- 66. Residential
- 67. Other uses similar to the above and judged by the Glendale Town Planning Commission to be in harmony with the character and intent of this zone

20-3 Conditional Uses.

- 1. Animal hospital, small animals only and provided conducted within completely enclosed building.
- 2. Automobile repair and storage including paint, body and fender, brake, muffler, transmission work provided conducted within an enclosed building.
- 3. Bus terminal.
- 4. Coal and fuels sales office.
- 5. Gunsmith.
- 6. Janitorial service and supply.
- 7. Rental agency for home and garden tools.
- 8. Service Station, Automobile repair, excluding painting, body and fender, and upholstery work.
- 9. Storage Rental Units.
- 10. Theater, outdoors.
- 11. Welding shop.
- 12. Other uses similar to the above and judged by the Glendale Town Planning Commission to be in harmony with the character and intent of this zone.

20-4 Height Regulations.

No building shall be erected to height greater than thirty-five (35) feet without a Conditional Use Permit. No building shall be erected to a height lower than eight (8) feet.

20-5 Minimum Area, Width, and Yard Regulations.

Yards in Feet

District	Area	Width	Front	Side	Rear
----------	------	-------	-------	------	------

C	5,000	None	10	10	20
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Where the C district abuts a residential district, yards will be as follows:

Yards in Feet

Front	Side	Rear
-------	------	------

10	20	20
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20-6 Special Provisions.

- 1. All materials and merchandise, except vehicles in running order, shall be stored in an enclosed building or within an enclosure surrounded by a sight-obscuring fence or wall of not less than six (6) feet in height and no material or merchandise shall be stored to a height of more than the height of the enclosing fence or wall.
- 2. No trash, rubbish, weeds or other combustible material shall be allowed to remain on any lot outside of approved containers in any General Commercial District. No junk, debris, abandoned or dismantled automobile or automobile parts or similar material shall be stored or allowed to remain on any lot in any General Commercial District.
- 3. All solid waste storage facilities shall be located at the rear of the main building or else behind a sight-obscuring fence or wall which will prevent the facility from being seen from a public street.

20-7 Signs.

- 1. Business signs, not to exceed a total of one (1) square foot of sign for each one (1) linear foot of business building frontage; no such sign to exceed fifty (50) square feet in area and not more than three (3) signs for any one (1) business; all such signs to be flat wall or free standing signs; no such sign to be revolving or to have flashing or intermittent lighting.
- 2. The following non-advertising signs, subject to the limitation stated. All such signs to be flat wall signs or pole signs but no such sign shall project above the eaves or parapet wall of the building on the premises to which it is appurtenant. The maximum sign area may be used in not more than three (3) signs.
 - a. Development sign, maximum sixty five (65) square feet.
 - b. Civic sign, maximum fourteen (14) square feet.
 - c. Real Estate sign, maximum sixteen (16) square feet.

d. Residential: Personal name plate, maximum two (2) square feet; other maximum eight (8) square feet.

CHAPTER 21. MANUFACTURING AND INDUSTRIAL (M-I)

ToC

21-1 Purpose.

To provide space for warehousing, light manufacturing, fabrication, wholesaling, service and other similar industrial establishments which are combined with manufacturing or warehousing uses and to locate these establishments in a location compatible with one another and where they are convenient to the commercial areas in the Town of Glendale.

21-2 Permitted Uses.

1. Automobile Sales and Service.
 - a. Service Station.
 - b. Automatic Car Wash.
 - c. Recreation Vehicle sales, lease, rental or repair.
 - d. Automobile Repair Garage.
 - e. Body and Fender Shop.
 - f. Tire recapping or retreading.
2. Processing and Manufacturing.
 - a. Bakery goods, production and distribution.
 - b. Bookbinding; publishing.
 - c. Agricultural goods, production and distribution.
 - d. Machine Shop.
 - e. Monument works.
 - f. Pharmaceuticals.
 - g. Upholstering.
3. Manufacturing/Maintenance of the following:
 - a. Business Machines.
 - b. Cameras and Photographic Equipment.
 - c. Musical Instruments.
 - d. Novelties.
 - e. Rubber and Metal Stamps.
4. Sales and Related Services.
 - a. Building material sales, yard with sale of rock, gravel, etc. excluding the mixing of cement.
 - b. Coal, fuel sales office.
 - c. Greenhouse, Nursery, Soil, Lawn Service.
 - d. Lumber Yard.
 - e. Feed and Seed Store.
 - f. Wholesale Business.
 - g. sawmill
 - h. construction yard
5. Other uses similar to the above and judged by the Glendale Town Planning Commission to be

in harmony with the character and intent of this zone

21-3 Conditional Uses.

1. Temporary buildings for uses incidental to construction work, including living quarters for a guard or night watchman, which must be removed upon completion or abandonment of the construction work.
2. Automobile parking lot incidental to a use conducted on the premises.
3. Processing and Manufacturing.
 - a. Fertilizer and soil conditioner manufacture, processing and/or sales, providing only non-animal products and by-products are used.
 - b. Foundry, casting light-weight non-ferrous metal.
 - c. Incinerator, non-accessory.
 - d. Laboratories.
 - e. Planning Mill.
 - f. Sandblasting.
 - g. Manufacture, curing, compounding, processing, packaging and treatment of the following: bakery goods, batteries, candy, cosmetics, dairy products, food products, excluding fish, sauerkraut, pickles, vinegar, yeast, and rendering of fat meat products.
 - h. Manufacturing, compounding, assembling and treatment of merchandise from the following previously prepared materials: bone, cellophane, canvas, cloth, cork, feathers, hair, horn, leather, paper, paint plastics, precious or semi-precious stones or metals, rubber, shell, straw, textiles, tobacco, wood, wool, yarn.
 - i. Manufacture of brick, clay, ceramic, cinder, concrete, synthetic, cast stone, plastic and pumice stone products, including, in addition, manufacture or fabrication of building blocks, tile of pipe from raw materials for use in building construction or for sewer or drainage purposes, and excluding rock or gravel crushing of raw material except that which is incidental to the manufacture or fabrication of the above-described products, and provided that such crushing facilities be located not closer than two hundred (200) feet to any property line.
4. Sales and Related Service.
 - a. Café, cafeteria, catering establishment.
 - b. Drive-ins, refreshment stand, eating and/or drinking place.
 - c. Radio and television station.
5. Service Activities.
 - a. Animal hospital.

- b. Kennel, conducted entirely within a sound proof and air conditioned building.
 - c. Kennel.
 - d. Medical/dental clinic, laboratories.
 - e. Pest extermination business.
 - f. Veterinary business.
6. Other uses similar to the above and judged by the Glendale Town Planning Commission to be in harmony with the character and intent of this zone.

21-4 Height Regulations.

Building and structures shall have a height not greater than sixty (60) feet. Within one hundred (100) feet of the boundary of any adjoining zone no building shall exceed a height limit established for main buildings in such adjoining zones.

21-5 Area, Width, and Yard Regulations.

None, except for any parcel in the M-D District having a lot line in common with a lot in an adjoining zone, the front, side and rear yards as prescribed for such adjoining zone shall be maintained in the M-D District.

21-6 Modifying Regulations.

- 1. All processing assembly of goods shall be conducted completely within a building that is enclosed on all four (4) sides, unless otherwise specified by conditional use permit.
- 2. All buildings which house the processing and/or assembly of goods shall be located not less than one hundred (100) feet from any residential zone boundary.
- 3. Outdoor storage of materials or semi-finished or finished goods shall be located not less than one hundred (100) feet from any residential zone boundary. All storage areas shall be enclosed by a solid six (6) foot fence or wall in a manner that such materials shall not be visible from any point beyond the boundaries of the property.

21-7 Signs.

- 1. Business signs, not to exceed a total of one (1) square foot of sign area for each one (1) linear foot of business building frontage; no such sign to exceed sixty-five (65) square feet in area and not more than three (3) signs for

anyone(1)business; all such signs to be flat wall or free standing signs; no such sign to be revolving or to have flashing or intermittent lighting.

2. The following non-advertising signs, subject to the limitations stated. All such signs to be flat wall signs or pole signs but no such sign shall project above the eaves or parapet wall of the building on the premises to which it is appurtenant. The maximum sign area may be used in not more than three (3) signs.

- a. Development sign, maximum sixty five (65) square feet.
- b. Civic sign, maximum fourteen (14) square feet.
- c. Real estate sign, maximum sixteen (16) square feet.
- d. Residential; personal name plate, maximum two (2) square feet; other maximum eight (8) square feet.

APPENDIX A. DEFINITIONS

ToC

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this Ordinance. Words used in the present tense include the future; the singular number shall include the plural, and the plural the singular; the word "building" shall include the word "structure"; the words "used" or "occupied" shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used or occupied; the word "shall" is mandatory and not directory, and the word "may" is permissive; the word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual; the word "lot" includes the word plot, or parcel. Words used in this Ordinance but not defined herein shall have the meaning as defined in any other ordinance adopted by the local jurisdiction.

(1) Accessory Use or Building. A use or building on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or building.

(2) Agriculture. The tilling of the soil, the raising of crops, horticulture and gardening, commercial greenhouses; breeding, grazing and keeping or raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business, such as fruit packing plants, fur farms, animal hospitals, or similar uses.

(3) Agricultural Industry or Business. An industry or business involving agricultural products in manufacturing, packaging, treatment, sales, intensive feeding, or storage, including but not limited to animal feed yards, fur farms, food packaging or processing plants, commercial poultry or egg production, and similar uses as determined by the Planning Commission.

(4) Airport. Any area of land designed and set aside for the landing and the taking off of aircraft plus aircraft storage and service.

(5) Alley. A public access-way less than twenty-six (26) feet in width, which is designed to give secondary access to lots

or abutting properties; an alley shall not be considered a street, for the purposes of this ordinance.

(6) Animals. Animals shall include the following: horses, cows, sheep, and goats, excluding pigs and exotic animals.

(7) Architectural Projection. Any building or structural projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a building or structure, but not including signs.

(8) Area. The area within a lot which is susceptible of use for construction, accessory or appurtenant use. The area to be considered as qualifying for lot area or minimum area shall not include (a) land which is separate from the area where the proposed building will occur by topographic division or physical boundary, (b) land which is not available for construction, accessory or appurtenant use by reason of slope, regular presence of water, geologic condition, soil conditions, or other such practical inhibitions to use, or (c) land which is not available for construction, accessory or appurtenant use by reason of legal restriction.

(9) Automatic Car Wash. A facility for automatic or self-service washing and cleaning of automobiles and small trucks not exceeding one and one-half (1 ½) tons capacity.

(10) Automobile Sales Area. An open area used for display, sale, or rental of new or used motor vehicles, mobile homes, recreational coaches, or recreation vehicles in operable condition.

(11) Automobile Service Station. A place where gasoline, or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, and where services performed may include tube and tire repair, battery charging, storage of merchandise, lubricating of automobiles, replacement of spark plugs, lights, fans, and other small parts, but not including major auto repair.

(12) Average Percent of Slope. An expression of rise or fall in elevation along a line perpendicular to the contours of the land,

connecting the highest point of land to the lowest point of land within an area or within a lot. A vertical rise of one hundred (100) feet between two points one hundred (100) feet apart, measured on a horizontal plane is a one hundred (100) percent slope.

(13) Basement. A story whose floor is more than twelve (12) inches below the average level of the adjoining ground, but where no more than one-half (½) of its floor-to-ceiling heights is above the average contact level of the adjoining ground. A basement shall be counted as a story for purposes of height measurement, and as a half-story for the purpose of side-yard determination.

(14) Basement House. A residential structure without a full story structure above grade.

(15) Beginning of Construction. The placing of concrete footings for a building or structure.

(16) Block. The land surrounded by streets or other rights-of-way, other than an alley, or land which is designed as a block on any recorded subdivision plat.

(17) Boarding House. A dwelling where, for compensation, meals are provided for at least three (3) but not more than fifteen (15) persons.

(18) Body and Fender Shop. A facility for major automobile, truck, mobile home, recreational coach or recreation vehicle repairs to body, frame, or fenders, and including rebuilding.

(19) Buildable Area. The portion of a lot remaining after required yards have been provided, except that land with an average grade exceeding fifteen (15) percent shall not be considered buildable area unless it is approved by conditional use permit for construction, after study by a geologist, soils engineer, or sanitarian as required by the Planning Commission.

(20) Building. Any structure used or intended to be used for the shelter, or enclosure of persons, animals, or property.

(21) Building, Accessory. A building which is subordinate to, and the use of which is incidental to, that of the main building or use on the same lot.

(22) Building, Height of. The vertical distance from the average finished grade surface to the highest point of the building roof or coping.

(23) Building Inspector. The official designated as the building inspector for the Town of Glendale by the Glendale Town Council. The Glendale Town Building Inspector may also be designated as the Glendale Town Zoning Administrator by the Glendale Town Council.

(24) Campground. A public area designated by a public agency for camping, or a private area licensed by the Town of Glendale for camping.

(25) Camping. A temporary establishment of living facilities such as tents or recreational coaches as regulated by this Ordinance, and the Glendale Mobile Home Ordinance.

(26) Carport. A private garage not completely enclosed by walls or doors. For the purposes of this Ordinance, a carport shall be subject to all the regulations prescribed for a private garage.

(27) Cellar. A room or rooms wholly under the surface of the ground, or having more than fifty (50) percent of its floor to ceiling height under the average level of the adjoining ground.

(28) Child Nursery. An establishment for the care and/or the instruction of six (6) or more children, for compensation, other than for members of the family residing on the premises, but not including a public school.

(29) Church. A building, together with its accessory buildings and uses, maintained and controlled by a duly-recognized religious organization where persons regularly assemble for worship.

(30) Clinic, Dental or Medical. A building in which a group of dentists, physicians, and allied professional assistants are associated for the conduct of their profession. The clinic may include a dental and/or a medical laboratory and an apothecary, but it shall not include in-patient care or operating rooms for major surgery.

(31) Club, Social. Any organization, group, or association supported by its members where the sole purpose is to render a service to said members and their guests.

(32) Conditional Use. A use of land for which a conditional use permit is required, pursuant to this Ordinance.

(33) Condominium. An ownership structure established in accordance with the Utah Condominium Act.

(34) Corral. A space, other than a building, less than one (1) acre in area, or less than one hundred (100) feet in width, used for the confinement of animals or fowl.

(35) Court. An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings, and which is bounded on two (2) or more sides by such building or buildings.

(36) Coverage, Building. The percent of the total site area covered by buildings.

(37) Crosswalk or Walkway. A right-of-way to facilitate pedestrian access through a subdivision block; designed for use by pedestrians and not for use by motor vehicles; may be located within or without a street right-of-way, at grade, or separated from vehicular traffic.

(38) District. A portion of the territory of the Town of Glendale, established as a zoning district by this Ordinance, various combinations thereof apply under the provisions of this Ordinance; also includes "zone", and "zoning district".

(39) Driveway. A private roadway, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel on which the driveway is located.

(40) Dwelling. Any building or portion thereof designed or used as the more or less permanent residence or sleeping place of one or more persons or families, but not including a tent, recreational coach, hotel, hospital, or nursing home.

(41) Dwelling, Mobile Home. (See "Mobile Home".)

(42) Dwelling, Single-family. A building arranged or designed to be occupied by one (1) family, the structure having only one (1) dwelling unit.

(43) Dwelling, Two-family. A building arranged or designed to be occupied by two (2) families, the structure having only two (2) dwelling units.

(44) Dwelling, Three-family. A building arranged or designed to be occupied by three (3) families, the structure having only three (3) dwelling units.

(45) Dwelling, Four-family. A building arranged or designed to be occupied by four (4) families, the structure having only four (4) dwelling units.

(46) Dwelling, Multiple-family. A building arranged or designed to be occupied by more than four (4) families, the structure having more than four (4) dwelling units.

(47) Dwelling, Group. A group of two (2) or more detached buildings used as dwellings, located on a lot or parcel of land.

(48) Dwelling, Unit. One or more rooms in a dwelling, apartment hotel or apartment motel, designed for or occupied by one (1) family for living or sleeping purposes and having one (1) but not more than one (1) kitchen or set of fixed cooking facilities, other than hot plates or other portable cooking units.

(49) Easement. That portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner(s) of said property(ies). The easement may be for use under, on, or above said lot or lots.

(50) Elderly Person. "Elderly person" means a person who is 60 years of age or older, desires or needs to live with other elderly persons in a group setting, but who is capable of living independently.

(51) Essential Facilities. Utilities or sanitary and public safety facilities provided by a public utility or other governmental agency for overhead or surface or underground services, excluding any building, electrical sub-station or transmission line of fifty (50) KV or greater capacity, except by conditional use permit.

(52) Family. An individual, or two (2) or more persons related by blood, marriage, or adoption, or a group of not more than four (4) persons (excluding servants) who are not related, living in

a dwelling unit as a single housekeeping unit and using common cooking facilities.

(53) Fence. A physical barrier to delineate, contain, or designate an area designed for a specific use i.e. an enclosure for a dwelling unit; an area for storage, (etc.).

(54) Flag Lot. A lot which:

a. meets the size, set back and other requirements of the zone in which the lot is located,

b. does not have the frontage required in the zone by Section 4-3 hereof, and

c. has an extension owned in fee simple from the Lot to a Dedicated street, which is at least 16 feet wide at all points. The extension shall be referred to as the Staff portion of the Flag Lot.

(55) Flood Hazard. A hazard to land or improvements due to inundation or overflow water having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of water courses.

(56) Floor Area. Area included within surrounding walls of a building or portion thereof, exclusive of vents, shafts, and courts.

(57) Frontage Block. All property fronting on one (1) side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.

(58) Frontage, Lot. The lineal measurement of the front lot line.

(59) Garage, Private. A detached accessory building, or a portion of a main building, used or intended to be used for the storage of motor vehicles, recreational coaches, boats, or other recreational vehicles, but not including the parking or storage of trucks or vans having a capacity in excess of one and one-half (1 ½) tons, and not including space for more than a total of four (4) such vehicles for each dwelling unit on the premises.

(60) Garage, Repair. A structure or portion thereof, other than a private garage, used for the repair of self-propelled vehicles, trailers, or boats, including general repair, rebuilding or reconditioning of engines, motor vehicles, recreational coaches, and minor collision service, but not including major body, frame or fender repairs or overall automobile or truck painting, except by conditional use permit.

A repair garage may also include incidental storage, care, washing, or sale of automobiles.

(61) Geological Hazard. A hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements, due to the movement, failure, or shifting of the earth.

(62) Grade.

a. For buildings adjoining one (1) street only, the elevation of the sidewalk at the center of the wall adjoining the street.

b. For buildings adjoining more than one (1) street, the average of the elevations at the centers of all walls adjoining the streets.

c. For buildings having no wall adjoining the average level of the finished surface of the ground adjacent to the centers of all exterior walls of the building.

d. Any wall parallel or nearly parallel to and not more than five (5) feet from a street line is to be considered as adjoining the street.

(63) Governing Body. The elected legislative body of the Town of Glendale.

(64) Handicapped Person. Means a person who has a severe, chronic disability attributable to a mental or physical impairment or to a combination of mental and physical impairments, which is likely to continue indefinitely, and which results in a substantial functional limitation in three or more of the following areas of major life activity: self care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, or economic self-sufficiency; and who requires a combination or sequence of special interdisciplinary or generic care, treatment, or other services that are individually planned and coordinated to allow the person to function in, and contribute to, a residential neighborhood.

(65) Home Occupation. Any use conducted entirely within a dwelling and carried on by persons residing in the dwelling unit, occupying no more than twenty-five (25) percent of the dwelling unit which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof and in connection with which there is no display, nor stock in trade. A home occupation shall not include the sale of commodities and shall not involve the use of any accessory building or yard space or activity outside the main building. Home occupation may include the use of the home by a physician, surgeon, dentist, lawyer, clergyman, engineer, or other professional person for emergency consultation or treatment, but not for the general practice of his trade or profession. Home occupation shall include the care of not more than five (5) children other than members of the family residing in the dwelling. In all cases where a home occupation is engaged in, there shall be no advertising of said occupation, no window displays, or signs, and no employees employed.

(66) Hospital. Institution for the diagnosis, treatment and care of human illness or infirmity, but not including sanitariums and clinics.

(67) Hotel. A building designed for or occupied as the more or less temporary abiding place of sixteen (16) or more individuals who are for compensation, lodged, with or without meals.

(68) Household Pets. Animals or fowl ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats, and canaries, but not including a sufficient number of dogs as to constitute a kennel as defined in this Ordinance. Household pets shall not include the keeping of dangerous animals.

(69) Junk. Old or scrap copper, brass, rope, rags, batteries, paper trash, rubber debris or other waste or salvage materials; dismantled, junked, or wrecked automobiles or parts thereof; and old or scrap ferrous or non-ferrous metal materials.

(70) Junkyard. The use of any lot, portion of a lot, or tract of land for the storage, keeping or abandonment of junk, including scrap metals or other scrap material, or for the dismantling, demolition or abandonment of automobiles, or other vehicles, or machinery or parts thereof;

provided that this definition shall be deemed not to include such uses which are clearly accessory and incidental to any agricultural use permitted in the district.

(71) Kennel. Any premises where three (3) or more dogs older than four (4) months are kept.

(72) Kennels, Private. Any kennel where three or more household pets are kept by the owner on his/her private property.

(73) Kennels, Public. Any kennel where household pets are boarded.

(74) Lane, Private. A thoroughfare upon land owned in fee simple or by way of an easement, upon which a lot has the frontage required by this Ordinance, which lane has been approved by the Planning Commission and Town Council, as fulfilling the frontage requirements of this Ordinance.

(75) Local Attorney. The attorney employed by or officially representing the Town of Glendale.

(76) Local Building Inspector. The Glendale Town Building Inspector employed by or officially representing the Town of Glendale.

(77) Local Engineer. The engineer employed by or officially representing the Town of Glendale.

(78) Local Health Officer. The health officer or department employed by or officially representing the Town of Glendale.

(79) Local Jurisdiction. The Town of Glendale.

(80) Local Planner. The planner employed by or officially representing the Town of Glendale.

(81) Lodging House. A dwelling with not more than ten (10) guest rooms where, for compensation, lodging is provided for a least three (3) but not more than fifteen (15) persons, but not including motels or hotels.

(82) Lot. A parcel or unit of land described by metes and bounds and held or intended to be held in separate lease or ownership, or a parcel or unit of land shown as a lot or parcel on a recorded subdivision map, or shown on a plat used in the lease or sale or offer of lease or sale

of land resulting from the division of a larger tract into three (3) or more smaller units.

(83) Lot, Corner. A lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees.

(84) Lot, Depth. The horizontal distance between the front and the rear lot lines measured in the main direction of the side lot lines.

(85) Lot Lines. The property lines bounding the lot.

(86) Lot Line, Front. For an interior lot, the lot line adjoining the street; for a corner lot or through lot, the lot line adjoining either street, as elected by the lot owner.

(87) Lot Line, Rear. Ordinarily, that line of a lot which is opposite and most distant from the front line of the lot. In the case of a triangular or gore-shaped lot, a line ten (10) feet in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where these definitions are not applicable, the Glendale Town Building Inspector shall designate the rear lot line.

(88) Lot Line, Side. Any lot boundary line not a front or rear lot line. A side lot line separating a lot from another lot or lots in an interior side lot line; a side lot line separating a lot from a street is a street side lot line.

(89) Lot, Right-of-way. A strip of land of not less than sixteen (16) feet in width connecting a lot to a street for use as private access to that lot.

(90) Mobile Home. A detached, single-family dwelling unit with at least 720 square feet of floor space, designed for long-term occupancy, and to be transported on its own wheels or on flatbed or other trailer or detachable wheels; containing a flush toilet, sleeping accommodations, a tub or a shower bath, kitchen facilities, and plumbing and electrical connections provided for attachment to appropriate external systems, and ready for occupancy except for connections to utilities and other minor work, anchored to and supported by a permanent foundation for which an Affidavit of

Affixture is filed in accordance with State law. Mobile home allowed under this exception must be used for family occupancy, not merely for storage purposes, and must not be more than ten (10) years old, unless the Building Inspector and Planning Commission approve the use of an older mobile home in writing. New pre-sectionalized, modular, or prefabricated houses with features identical to those listed above which meet all applicable building and housing codes placed on a permanent foundation shall also be regarded as Mobile Homes. Double wide mobile homes which are anchored to and supported by a permanent foundation and for which an Affidavit of Affixture is filed in accordance with State law which meet all applicable building and housing codes, and contain at least one thousand (1,000) square feet of floor space shall not be considered Mobile Homes but shall be regulated as conventional housing.

(91) Mobile Home Lot. A lot within a mobile home subdivision, designed and to be used for the accommodation of one (1) mobile home.

(92) Mobile Home Park. A space designed and approved by the Town of Glendale for occupancy by mobile homes, to be under a single ownership or management, and meeting all requirements of the Glendale Town Zoning Ordinance and the Glendale Town Mobile Home Park Ordinance for mobile home parks.

(93) Mobile Home Space. A space within a mobile home park, designed and to be used for the accommodation of one (1) mobile home.

(94) Mobile Home Subdivision. A subdivision designed and intended for residential use where the lots are to be individually owned or leased, and occupied by mobile homes.

(95) Modular Home. A permanent dwelling structure built in prefabricated units, which are assembled and erected on the site, or at another location and brought as a unit to the site; said modular home is classed as a mobile home until it is placed on a permanent foundation and complies with all governing building codes.

(96) Motel. A building or group of buildings for the drive-in accommodation of transient guests, comprising individual sleeping or living units, and

designed and located to serve the motoring public.

(97) Nonconforming Building or Structure. A building or a structure which does not conform to the regulations for height, coverage, or yards of the district in which it is situated, but which was in conformity with applicable regulations, if any, at the time of its erection.

(98) Nonconforming Use. The use of a building or structure or land which does not conform to use regulations for the district in which it is situated, but which was in conformity with applicable regulations, if any, at the time of its establishment.

(99) Nursing Home. An institution, other than a hospital, for the care of human illness or infirmity in which care, rather than diagnosis or treatment, constitutes the principal function. The term "nursing home" shall also include "rest home" and "convalescent home".

(100) Official Map. A map which has been adopted as the official map of the Town of Glendale, showing existing public streets, streets on plats of subdivisions which have been approved by the Glendale Town Planning Commission, and/or other street extensions, widenings, narrowings, or variations which have been accurately surveyed and definitely located.

(101) Off-street Parking Space. The space required to park one (1) passenger vehicle, which space shall meet the requirements of this Ordinance.

(102) Open Space. The area reserved in parks, courts, playgrounds, golf courses, and other similar open areas to meet the density requirements of Planned Developments.

(103) Open Space, Usable. The area of a lot which is completely free and unobstructed from any structure constructed on, over or below grade. Walkways, uncovered patio areas, light poles, other ornamental fixtures, trees, shrubs, other vegetation and equipment utilizing renewable energy resources may be allowed in open space areas.

(104) Parking Lot. An open area, other than a street, used for the parking of more than four (4) automobiles and available for public use,

whether free, for compensation, or accommodation for clients or customers.

(105) Planned District. A zoning district, the boundaries of which are to be shown on the Zoning Map, but the regulations for which shall be determined by a general development plan to be adopted by the governing body as part of the Glendale Town Zoning Ordinance, after public hearing, as required for other zoning districts.

(106) Plot Plan. A plat of a lot, drawn to scale, showing its actual measurements, the size and location of any existing building or buildings to be erected, the location of the lot in relation to abutting streets, and such other information as may be required by the Glendale Town Planning Commission.

(107) Recreational Vehicle. A vehicle, such as a travel trailer, tent camper, camp car or other vehicle with or without motive power, designed and/or constructed to travel on the public thoroughfare in accordance with the provisions of the Utah Vehicle Code, and designed for use as human habitation for a temporary and recreational nature.

(108) Recreational Vehicle Park. Any area or tract of land or a separate designated section within a mobile home park where lots are rented or held out for rent to one (1) or more owners or users of recreational vehicles. Such park may also be designated as "Overnite Park".

(109) Recreational Vehicle Space. A plot of ground within a recreational vehicle park designated and intended for the accommodation of one (1) recreational vehicle.

(110) Residential Facility for Handicapped Persons. Means a single-family or multiple-family dwelling unit, consistent with existing zoning of the desired location, that is occupied on a 24-hour per day basis by eight or fewer handicapped persons in a family-type arrangement under the supervision of a house family or manager, and that conforms to all applicable standards and requirements of the Department of Social Services, and is operated by or operated under contract with that department.

(111) Residential Facility for Elderly Persons. Means a single-family or multiple-family dwelling unit that is:

- a. not operated as a business, and that is owned by one of the residents or by an immediate family member of one of the residents, or by an charitable, or beneficial organization. For purposes of this definition, a facility for which the title has been placed in trust for a resident shall be considered to be owned by that resident.
- b. consistent with existing zoning of the desired location;
- c. occupied on a 24-hour per day basis by eight or fewer elderly persons in a family-type arrangement; and
- d. in conformance with applicable standards of the Department of Social Services, and is licensed and inspected by that department.

Residential facility for elderly persons does not include a health facility as defined by Utah Code Ann. #26-21-2(5). A residential facility for elderly persons shall not be deemed to be operated as a business by reason of the fact that a fee is charged for food or for actual and necessary costs of operation and maintenance of the facility. However, administrative costs or salaries may not be charged by an owner in excess of 15% of that fee. A person or entity that charges a fee shall keep a record of all expenses and costs related to the fee, and that record shall be available for inspection by any resident of the facility, the Department of Social Services, and local building officials.

(112) Right-of-Way (Lot). A strip of land not less than sixteen (16) feet in width connecting a lot to a street for use as private access to that lot.

(113) Sign. A presentation or representation of words, letters, figures, designs, picture or colors, publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid; also, the structure or framework or any natural object on which any sign is erected or is intended to be erected or exhibited or which is being used or is intended to be used for sign purposes.

(114) Sign, Animated. A sign which involves motion or rotation of any part, created by artificial

means, or which displays flashing, revolving or intermittent lights.

(115) Sign Area. The area in square feet of the smallest rectangle enclosing the total exterior surface of a sign having but one (1) exposed exterior surface. Should the sign have more than one (1) surface, the sign area shall be the aggregate of all surfaces measured as above which can be seen from any one (1) direction at one (1) time.

(116) Sign, Free-standing. A sign which is supported by one (1) or more upright columns, poles, or braces, in or upon the ground.

(117) Sign, Identification and Information. A sign displayed to indicate the name or nature of a building, or of a use.

(118) Sign, Illuminated. A sign in which a source of light is used in order to make the message readable. This definition shall include internally and externally lighted signs.

(119) Sign, Marquee. Any sign attached to or made an integral part of a marquee.

(120) Sign Ordinance. The sign ordinance of the Town of Glendale.

(121) Sign, Projecting Wall. A sign which is affixed to an exterior wall or building or structure and which projects more than eighteen (18) inches from the building or structure wall, and which does not extend above the parapet, eaves, or building facade of the building upon which it is placed.

(122) Site Plan. A plan required by, and providing the information required by, Section 1.9 herein.

(123) Stable, Public. Any stable where horses are boarded and/or kept for hire.

(124) Story, Half. A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls do not extend more than four (4) feet above the floor of such story, and the ceiling area of which does not exceed two-thirds (2/3) of the floor area of the same half story.

(125) Structure. Anything constructed, the use of which requires fixed location on the ground, or

attachment to something having a fixed location upon the ground; includes "building".

(126) Street, Dedicated. A street which has been dedicated to public use and accepted by the appropriate authority, according to law.

(127) Street, Private. A thoroughfare within a subdivision which has been reserved by dedication unto the subdivider or lot owners to be used as private access to serve the lots platted within the subdivision and complying with the adopted design standards of Glendale Town and maintained by the landowners within the subdivision by assessments authorized by recorded covenant.

(128) Street, Publicly Approved. A street in a subdivision where a dedication is technically not complete, but approval by the Town has been given to the recording of the subdivision plat. This is the case in a subdivision in which improvements are not completed but in which a developer has posted a bond to ensure the completion of street improvements.

(129) Vicinity Plan. A map or drawing, to scale, showing the physical relationships of the proposed development to existing or proposed streets, buildings and utilities; other relevant information such as special terrain or surface drainage, and existing zoning classifications of all land within three hundred (300) feet of the property proposed for development.

(130) Yard. A required open space on a lot, other than a court, unoccupied and unobstructed from the ground upward, except as permitted elsewhere in this Ordinance.

(131) Yard, Front. A space on the same lot with

a building, between the front line of the building and the front lot line, and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the front lot line and the front line of the building.

(132) Yard, Rear. A space on the same lot with a building, between the rear line of the building and the rear lot line, and extending the full width of the lot. The "depth" of the rear yard is the minimum distance between the rear lot line and the rear line of the building.

(133) Yard, Side. A space on the same lot with a building, between the side line of the building, and the side lot line and extending from the front yard to the rear yard. The "width" of the side yard shall be the minimum distance between the side lot line and the side line of the building.

(134) Zone. (See "District")

(135) Zoning Ordinance. The Glendale Town Zoning Ordinance.

(136) Zoning Administrator. The local official designated by the Glendale Town Council to enforce the regulations of this Ordinance; the Glendale Town Zoning Administrator may also be the Glendale Town Building Inspector.

Council Member Paul Drew made a motion, seconded by Council Member Eric Brinkerhoff, to adopt this Glendale Town Zoning Ordinance including the accompanying map. Passed, approved, and adopted this 27th day of August, 2002 by the following vote:

AYES: Paul Drew, Elaine Spencer, Eric Brinkerhoff
NAYS:
ABSENT:
ABSTAIN: William D. Spencer, Clyde Goulding

William D. Spencer, Mayor

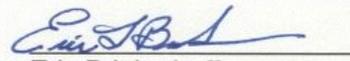
Clyde Goulding



Paul Drew

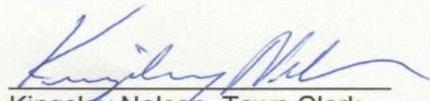


Elaine Spencer



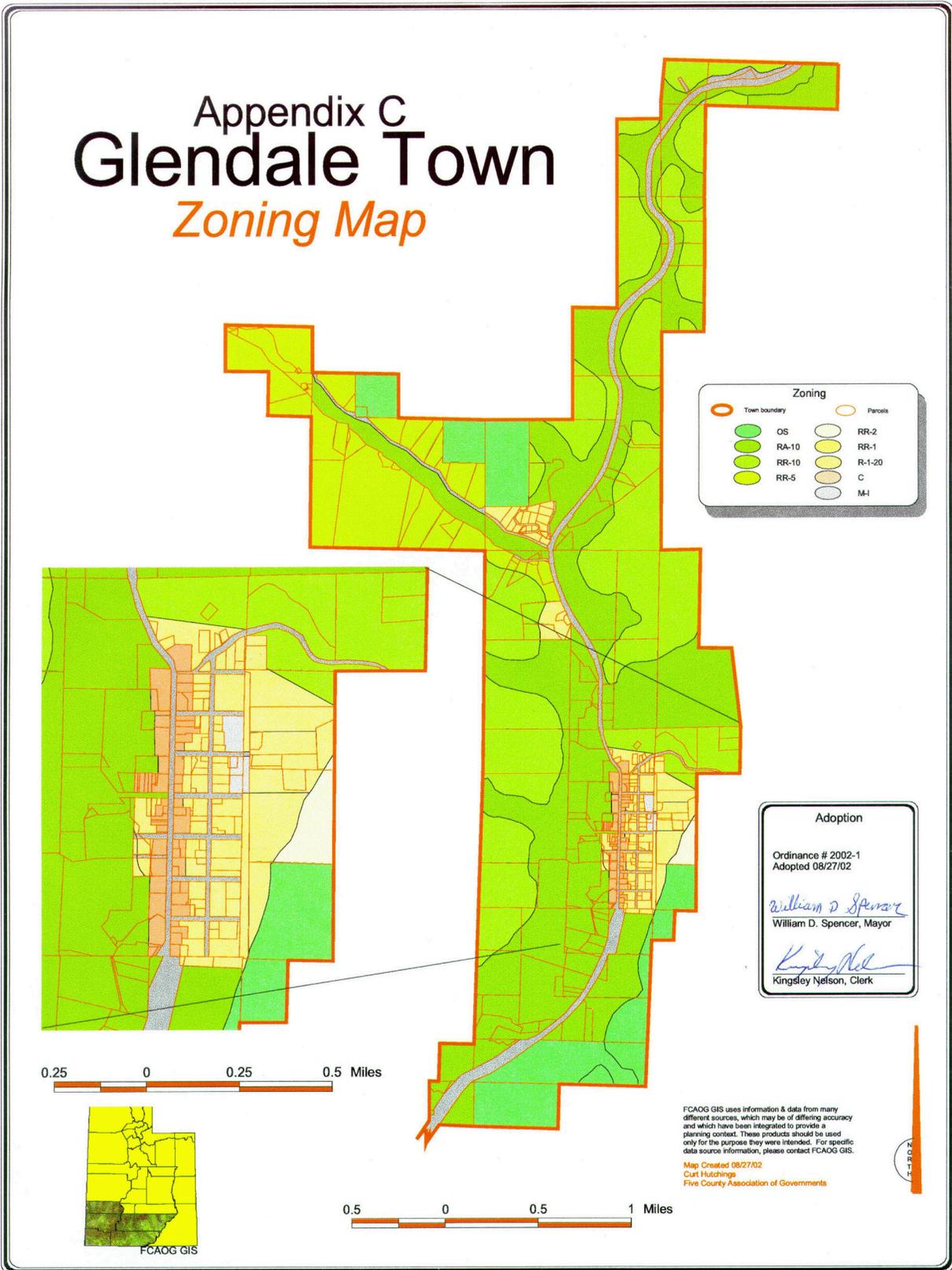
Eric Brinkerhoff

Attest:



Kingsley Nelson, Town Clerk

This Ordinance shall become effective thirty (30) days from its passage or twenty (20) days from its first posting, whichever is the most remote from the passage thereof.



ToC

GLENDALE TOWN BOARD
90 EAST CENTER STREET
GLENDALE, UT 84729
TUESDAY, 27 AUGUST 2002

WORK MEETING MINUTES

PRESENT: MAYOR BILL SPENCER. BOARD MEMBERS: CLYDE GOULDING, PAUL DREW, ERIC BRINKERHOFF AND ELAINE SPENCER. OTHERS PRESENT: KINGSLEY NELSON, CURT HUTCHINGS & COLENE BRINKERHOFF.

MR. CURT HUTCHINGS SHOWED A ZONING MAP OF GLENDALE TOWN & MADE A FEW CHANGES. MR. CLYDE GOULDING HAD A QUESTION ON B.L.M. LAND WITHIN THE TOWN LIMITS. DISCUSSION.

MR. ERIC BRINKERHOFF HAD A QUESTION ON MOBILE HOMES. DISCUSSION.
MR. PAUL DREW MOVED THAT THE MEETING BE ADJOURNED. THE MOTION WAS SECONDED BY MR. ERIC BRINKERHOFF. ALL YEA.
THE MEETING WAS ADJOURNED AT 7:59 P.M.

BOARD MEETING MINUTES

PRESENT: SAME AS ABOVE PLUS SHERIFF LAMONT SMITH & MR. DON FOTHERINGHAM.

DEPARTMENT REPORTS

6. PAUL DREW MOVED TO ADOPT THE ZONING ORDINANCE AND ZONING MAP, EXCEPT FOR 15-2 #3 ELIMINATING THE WORD "JEEP", AS REVISED. A DISCUSSION FOLLOWED THAT INCLUDED OPEN SPACE & QUADS.

THE MOTION WAS SECONDED BY MR. ERIC BRINKERHOFF AND THE VOTE WAS:
YEA: PAUL DREW, ERIC BRINKERHOFF & ELAINE SPENCER
ABSTAIN: MAYOR BILL SPENCER & CLYDE GOULDING.
MOTION CARRIED.

THE MEETING WAS ADJOURNED AT 10:09 P.M.


KINGSLEY NELSON, TOWN CLERK