

11-2-5: SUPPLEMENTAL REQUIREMENTS:

~~A. OSR (Open Space/Residential) District Requirements:~~

~~1. Density:~~

~~a. Clustered Development: Detached, single-dwelling unit, residential uses may be clustered on a tract of land or contiguous tracts of land of one or more acres in size and developed as a single development. The overall density of such a cluster development may not exceed one unit per acre.~~

~~b. Additional Density Restrictions: Density may be further restricted by constraints related to accessibility, depth to bedrock, and slope as required by the City-County Health Department for sanitation requirements or as specified in this section.~~

~~2. General Requirements: General development requirements of this district are as follows:~~

~~a. Development Permit Required: Any and all construction on any parcel requires a development permit prior to construction.~~

~~b. Improvements: All necessary improvements must be installed or financially guaranteed.~~

~~c. Stormwater Drainage: Natural drainageways may not be altered and construction is not permitted in drainageways unless approved by the City Engineer.~~

~~d. Access: All roads and individual driveways must conform to the South Hills plan (SHP) road construction standards, and road easements must be provided to the Community Development Department.~~

~~3. Development Permit Requirements: The applicant must provide the following prior to issuance of a development permit:~~

~~a. Stormwater Drainage:~~

~~(1) A stormwater drainage plan to be reviewed and approved by the City Engineer.~~

~~(2) Drainage easements with a minimum of twenty feet (20') on each side of the center of the drainageway must be granted to the city as required by the city engineer.~~

~~b. Access: A registered engineer's verification that access to the property through public and private roads and driveways has been constructed in conformance with the road standards of the SHP.~~

~~c. Slope Stabilization And Sediment Control: A county approved erosion and sediment control plan.~~

~~d. Septic Permit: An approved county septic permit.~~

~~e. Weed Control Plan: An approved county revegetation plan and, if required by the county weed district, an approved weed management plan.~~

~~f. Fire Protection: A plan showing that the development is designed, constructed, and maintained so as to minimize the risk of fire and to permit the effective and efficient suppression of fires. The plan must also show whether the development is or will be in a fire district or a fire service area. The plan must show how the design, construction, and maintenance will accomplish the following:~~

- ~~(1) Structures must be located in such a manner as to minimize the potential for flame spread and to permit efficient access for firefighting equipment.~~
- ~~(2) High fire hazard areas include heads of draws, excessive slopes, dense forest growth, or other hazardous wildfire components. For development proposed in areas subject to high wildfire hazard, as determined by the appropriate fire protection agency or by the city if no fire protection agency exists, the following standards apply:~~
 - ~~(A) Road rights of way must be cleared of slash.~~
 - ~~(B) Building sites are prohibited on slopes greater than thirty percent (30%) and at the apex of "fire chimneys" (those topographic features, usually drainageways or swales, which tend to funnel or otherwise concentrate fire toward the top of steep slopes).~~
 - ~~(C) Densities in areas of steep slopes or dense forest growth are determined by the minimum lot standards as follows:~~

Percent Slope	Minimum Lot Size (Acres)	
	Open Grass	Forest And Brush
10-20	2	3
20-30	3	4

- ~~g. Assigned Address: An address assigned to the property by the appropriate agency.~~
- ~~4. Site Plan: Prior to issuance of a development permit, a detailed site plan must be submitted to the city building department for review and approval. Site plan information can be shown on the certificate of survey that is filed with the clerk and recorder. This site plan must provide the following information:~~
 - ~~a. Boundary dimensions of the property showing all corners;~~
 - ~~b. Distances of structures from public rights of way;~~
 - ~~c. Location and width of all access easements across the property, as well as location and width of access to the individual property;~~
 - ~~d. Location and width of physical drainage easements, including retention areas, on the property;~~
 - ~~e. Location and size of culverts on the property;~~
 - ~~f. Location of the residential structure, septic tank, and drain field; and~~
 - ~~g. Location and width of utility easements on the property.~~

~~B. B-1 (Neighborhood Business) District Limitations On Uses:~~

- ~~1. Retail or service uses located in any building that was constructed or expanded after March 25, 1998, may not utilize more than five thousand (5,000) square feet in gross floor area, except as allowed by a conditional use permit.~~
- ~~2. Each retail or service use in this district must be conducted only in a completely enclosed building.~~

~~C. A. B-2, B-3, DT, CLM, And M-I Districts; Residential Uses: Residential uses in the B-2, B-3, DT, CLM, and M-I Districts are permitted by right in a story that is above the retail or commercial use. A conditional use permit is required for residential uses that are above industrial uses.~~

Single and two- dwelling residential uses in the B-2, and CLM, Districts are permitted by right in the same building as the permitted retail or commercial use; those residential units may not be adjacent to the front lot line.

Residential uses in the DT District are permitted by right in a story that is above the retail or commercial use.

~~D. B.~~ For Downtown and Transitional Residential Districts supplemental requirements refer to Chapter 9.

~~E. C. PLI District: Taverns Licensed Premises that are accessory cannot be a standalone use but must be established in conjunction with and secondary to a permitted use in the PLI District are permitted Taverns that are accessory to a permitted use in the PLI district are permitted.~~

F. D Airport District: The following apply:

1. Use of fuel tanks is limited to storage of aviation, fuel for use in aircrafts, fuels for fire training, and fuel for maintenance facilities and rental cars; and
2. Restaurants and ~~taverns~~ Licensed Premises are permitted by right inside a terminal building and must obtain a conditional uses permit to be located outside the terminal building.

~~G. E~~ R-3, R-O, And B-1 Districts: In the R-3, R-O, and B-1 Districts outdoor storage is not allowed as part of the use for general repair.

~~H. F.~~ Public Hearing On Placement Of Facilities: The City Commission shall hold a public hearing on the placement of facilities for major utilities, water tanks, and water reservoirs. Notice of the hearing must be given no less than three (3) days prior to the hearing by advertising in a newspaper of general circulation. In approving the site the City Commission may impose reasonable conditions related to mitigation of visual and sensory impacts and public health and safety. The commission may deny the facility location if there is an alternate site that is equally appropriate or if there is not a public need for the facility. All applications for approval of the construction and operation of facilities must be accompanied by an application fee as set by resolution of the commission. No application may be processed without prepayment of said fee.

~~I. G~~ Medical Marijuana Dispensaries And Medical Marijuana Grow Operations:

1. For purposes of this subsection, the term school property has the definition as defined in section [11-40-2](#) of this title.
2. A medical marijuana dispensary cannot be located within five hundred feet (500') straight line distance from the closest exterior edge of a medical marijuana dispensary premises to the closest boundary of school property.
3. A medical marijuana grow operation cannot be located within one thousand feet (1,000') straight line distance from the closest exterior edge of a medical marijuana grow operation premises to the closest boundary of school property or any property zoned R-U, R-1/R-2, R-3, or R-4/R-O.

(Ord. 3097, 4-7-2008; amd. Ord. 3254, 5-20-2019; amd. Ord. 3256, 6-24-2019)