

ORDINANCE 2008-_____

**AN AMENDMENT TO THE LAND USE ORDINANCE REVISING THE
APPLICABILITY STANDARDS OF CHAPTER 10-15 TO SPECIFICALLY
INCLUDE FENCES AND WALLS**

WHEREAS, the Town of Springdale (hereinafter “the Town”) desires to maintain a consistent visual appearance in the commercial zones; and

WHEREAS, fences and walls have the potential to dramatically impact the visual appearance of properties; and

WHEREAS, the Town wishes to correct inconsistencies regarding “non-commercial kennels”; and

WHEREAS, the necessary public hearings and procedures for the changes to the zoning ordinance required by Town Ordinance and Utah Code Ann. 10-9a-205 and 10-9a-503 have been met,

NOW THEREFORE, be it ordained by the Town Council of the Town of Springdale that Title 10 of the Springdale Zoning Code is hereby amended as follows:

Section 1: That the following definition in section 10-2-2 is deleted from the code as follows:

~~KENNEL, COMMERCIAL: Any premises where three (3) or more dogs older than four (4) months of age are raised, kept, housed, maintained, boarded or are engaged in commercial business of breeding.~~

Section 2: That section 10-7A-2 is amended as follows:

Allowable uses in each of the zones are listed in the table below.

PERMITTED (P), ACCESSORY (A), AND CONDITIONAL (C) USES BY ZONE

Use	FR	VR	AG	CC	VC	PU
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Residential Uses

Keeping of household pets, but not three <u>four</u> or more dogs	P	P	P	P	P	P
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Section 3: That section 10-15-2 of the Town Code be amended as follows:

10-15-2: APPLICABILITY:

The design/development review process applies to development and redevelopment projects as described below in all zones:

- A. The requirements of this chapter shall apply to:
 - 1. All new structures and buildings.
 - 2. Reconstruction, modification, alteration, or expansion of existing buildings and structures.
 - 3. Newly established uses of land, changes in a building or structure's use, or expansions of existing uses of land.
 - 4. Fences and walls, regardless of height.
- B. The requirements of this chapter shall not apply to:
 - 1. Routine maintenance which does not alter the design or appearance of a building or structure.
 - 2. Interior reconstruction or remodeling.

Section 4: That section 10-15-7 of the Town Code be amended as follows:

10-15-7: DCD REVIEW OF MINOR PROJECTS:

For minor projects that will not significantly impact the visual and aesthetic character of the built environment, the DCD may conduct the design/development review required by subsection 10-15-5D of this chapter in the place of the planning commission. The DCD may alter, revise, or reduce the requirements of the site analysis for such projects. The DCD shall complete the review and issue a written approval or denial of the project within thirty (30) days after a complete application is submitted. In determining if a project is a minor project eligible for DCD review, all of the following criteria must be met:

- A. The project individually or cumulatively is less than one thousand (1,000) square feet in area. If a minor project is proposed on a building, structure, or site where a previous DCD review of a minor project has occurred within the last two (2) years, the proposed minor project is not eligible for DCD review if the combined area of the previous minor project and proposed minor project is greater than one thousand (1,000) square feet.
- B. The minor project does not involve renovation, remodeling, or other alteration of:
 - 1) a building's facade or 2) a building's frontage that faces any public right of way.
- C. The project is not a fence or wall in either the Village Commercial (VC) or Central Commercial (CC) zone.
- ~~E. D.~~ The DCD has determined the project does not otherwise have potential to significantly alter the design and appearance of the building, structure, or site.

PASSED AND ADOPTED by the Springdale Town Council the _____ day of _____, 2008. This ordinance shall be effective upon passage and posting.

Mayor Pat Cluff

Attest: Town Clerk Fay Cope