

8 DEVELOPMENT REGULATIONS

8-1 COMPREHENSIVE PLAN

Comp Plan Text: 376 as amended by 382, 409, 421, 423, 433, 456, 482, 486, 499, 516, 523, 543, 545, 547, 669, 671, 673, 678, 702, 754, 756, 770, 774, 780, 781, and 797.

Comp Plan/Zone Map: 409, 449, 467, 482, 483, 486, 500, 510, 516, 524, 530, 535, 539, 543, 545, 549, 552, 553, 554, 664, 669, 670, 671, 672, 673, 678, 683, 687, 688, 692, 704, 720, 721, 725, 733, 739, 755, 758, 759, 760, 770, 773, 775, 776, 777, 778, 779, 785, ~~790 (Repealed)~~, 793, 795, 802 (effective March 26, 2011), 803, and 823.

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8-2 ZONING

(Ordinance No. 377 as amended by 380, 394, 410, 422, 430, 434, 457, 483, 486, 499, 500, 501, 511, 514, 515, 516, 518 and 524 - **Repealed by Ordinance No. 528**, See Section 8-8)

8-3 SUBDIVISIONS

(Ordinance No. 378 - **Repealed by Ordinance No. 522**, See Section 8-6)

8-4 FLOOD DAMAGE PREVENTION

(Ordinance No. 469 as amended by 494, and 735)

- 8-4.1.0 Findings of Fact
- 8-4.2.0 Definitions
- 8-4.3.0 General Provisions
- 8-4.4.0 Administration
- 8-4.5.0 Provisions for Flood Hazard Reduction
- 8-4.6.0 Penalty

Emergency Clause

8-5 SIGN REGULATIONS

(Ordinance No. 468 as amended by 537, and 693 - **Repealed by Ordinance No. 697**, See Section 8-9)

8-6 SUBDIVISIONS

(Ordinance No. 522 as amended by Ordinance No. 678, **Repealed by Ordinance No. 713, Passed January 27, 2004**, See Section 8-11)

8-7 TREE PLANTING AND MAINTENANCE REGULATIONS

(Ordinance No. 527 as amended by 531, 813)

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- 8-7.1.1 Title
- 8-7.1.2 Purpose
- 8-7.1.3 Intent
- 8-7.1.4 Definitions

ARTICLE II TREE COMMISSION FORMATION AND REQUIREMENTS

- 8-7.2.1 Creation of Commission
- 8-7.2.2 Eligibility of Membership
- 8-7.2.3 Appointments
- 8-7.2.4 Vacancies
- 8-7.2.5 Removal From Office
- 8-7.2.6 Meetings
- 8-7.2.7 Election of Commission Officers
- 8-7.2.8 Committees
- 8-7.2.9 Attorney Duties
- 8-7.2.10 Powers and Duties
- 8-7.2.11 Urban Forestry Master Plan

ARTICLE III URBAN FORESTRY PROGRAM SUPERVISION

- 8-7.3.1 Powers and Duties of Public Works Director
- 8-7.3.2 Rules and Regulations

ARTICLE IV **STREET TREE RESPONSIBILITIES**

8-7.4.1 Street Trees--Private Property Owner Responsibility

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ARTICLE VI **PUBLIC NUISANCE NOTIFICATION AND
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8-7.6.1 Public Nuisance Defined and Designated
8-7.6.2 Responsibility For Remedy of Public Nuisance
8-7.6.3 Nuisance Creation and Maintenance
8-7.6.4 Nuisance Abatement
8-7.6.5 Notice to Abate
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ARTICLE IX **GENERAL PROVISIONS**

8-7.9.1 Penalties
8-7.9.2 Severability Clause
8-7.9.3 Corrections
8-7.9.4 Emergency Clause

8-8 ZONING

(Ordinance No. 528 as amended by 536, 540, 546, 548, 678, 701, 703, and 710, **Repealed by Ordinance No. 712, Passed January 27, 2004**, See Section 8-10)

8-9 SIGN REGULATIONS

(Ordinance No. 697, as amended by 772, 783, 815, and 818)

ARTICLE 1 INTRODUCTORY PROVISIONS

- 8-9.1 Title
- 8-9.1.1 Purpose
- 8-9.1.2 Terminology
- 8-9.1.3 General Definitions
- 8-9.1.4 Specific Definitions
- 8-9.1.5 Definitions

ARTICLE 2 BASIC PROVISIONS

- 8-9.2.1 Sign Erection, Repair, Etc.
- 8-9.2.2 Sign Conformance; Billboards
- 8-9.2.3 Prohibited Signs
- 8-9.2.4 Advertisement of Service
- 8-9.2.5 Portable Signs
- 8-9.2.6 Residential Signs
- 8-9.2.7 On-Premise Signs
- 8-9.2.8 Real Estate Signs
- 8-9.2.9 Projecting Signs
- 8-9.2.10 Projecting Signs; Clear Vision Area
- 8-9.2.11 Directional Signs
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8-9.6.1 Existing Sign Alteration or Replacement
8-9.6.2 Damaged Signs
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8-9.7.1 Circumstances for Granting a Variance
8-9.7.2 Procedure for Taking Action on a Variance Application
8-9.7.3 Time Limit on a Permit for a Variance
8-9.7.4 Limitation on Re-Applications

ARTICLE 8 **APPEALS**

8-9.8.1 Filing of Appeals
8-9.8.2 Appeal Requirements
8-9.8.3 Emergency Clause

8-10 ZONING

(Ordinance No. 712, as amended by 724 , **Repealed by Ordinance No. 723, Passed February 8, 2005**, See Section 8-12)

8-11 SUBDIVISIONS

(Ordinance No. 713, as amended by 722, 782 and 829)

ARTICLE I TITLE, PURPOSE, INTERPRETATION

- 8-11.1.1 Title
- 8-11.1.2 Purpose
- 8-11.1.3 Interpretation

ARTICLE II GENERAL REQUIREMENTS FOR SUBDIVISIONS

- 8-11.2.1 Scope of Regulation
- 8-11.2.2 Minimum Standards
- 8-11.2.3 Sale Prohibited
- 8-11.2.4 Delegation
- 8-11.2.5 Subdivisions
- 8-11.2.6 Subdivision Committee

ARTICLE III SUBDIVISION APPLICATION PROCEDURE

- 8-11.3.1 Pre-Application Meeting
- 8-11.3.2 Application Submission
- 8-11.3.3 Scale of Tentative Plan
- 8-11.3.4 Informational Requirements
- 8-11.3.5 Master Planned Community Development Plan Approval Process
- 8-11.3.6 Deleted by Ordinance No. 782
- 8-11.3.7 Deleted by Ordinance No. 782
- 8-11.3.8 Zero Lot Line Subdivision
- 8-11.3.9 Approval of Tentative Plan
- 8-11.3.10 Required Findings for Approval
- 8-11.3.11 Resubmission of Denied Tentative Plans
- 8-11.3.12 Planned Unit Development
- 8-11.3.13 Application Requirements
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ARTICLE IV

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- 8-11.4.1 Submission of Final Plat
- 8-11.4.2 Submission of Final Plats for Phased Development
- 8-11.4.3 Form of Final Plat
- 8-11.4.4 Requirements of Survey and Plat of Subdivision
- 8-11.4.5 Information on Plat
- 8-11.4.6 Supplemental Information With Plat
- 8-11.4.7 Technical Review of Plat
- 8-11.4.8 Conditions of Plat Approval
- 8-11.4.9 Improvement Agreement
- 8-11.4.10 Bond, Cash Deposit or Guarantee
- 8-11.4.11 Final Plat Approval
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- 8-11.5.1 Compliance Required
- 8-11.5.2 Streets
- 8-11.5.3 Blocks
- 8-11.5.4 Lots, Size and Shape
- 8-11.5.5 Lots, General Requirements
- 8-11.5.6 General Provisions
- 8-11.5.7 Grading of Building Sites
- 8-11.5.8 Special Setbacks
- 8-11.5.9 Improvement Procedures
- 8-11.5.10 Acceptance of Improvements
- 8-11.5.11 Public Park Dedication/Park Fund

ARTICLE VI

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- 8-11.6.1 Applicability of Regulations
- 8-11.6.2 Filing Procedures and Requirements
- 8-11.6.3 Requirements for Approval
- 8-11.6.4 Improvement Requirements
- 8-11.6.5 Application Review
- 8-11.6.6 Appeal
- 8-11.6.7 Final Map Filing
- 8-11.6.8 Extensions
- 8-11.6.9 Requirements
- 8-11.6.10 Special Partitioning Regulations

- 8-11.6.11 Improvements in Partitions
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- 8-11.7.1 Applicability of Regulations
- 8-11.7.2 Procedure
- 8-11.7.3 Division of Land

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- 8-11.8.2 Implementation of Requirements
- 8-11.8.3 Additional Design Requirements
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ARTICLE IX VARIANCES

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- ~~8-11.9.3 Hearings Officer Action on Variance~~
- ~~8-11.9.4 Variance Procedure~~

(Article IX Removed by Ordinance No. 713, Passed January 27, 2004)

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- 8-11.10.1 Application
- 8-11.10.2 Minimum Design Standards
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- 8-11.12.5 Administration of Ordinance
- 8-11.12.6 Severability
- 8-11.12.7 Amendment
- 8-11.12.8 Corrections
- 8-11.12.9 Repeal
- 8-11.12.10 Emergency Clause

8-12 ZONING

(Ordinance No. 723 as amended by 734, 753, 761, 768, 771, 782, 791, 794, 830, 832, and 835)

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- 8-12.1.2 Purpose
- 8-12.1.3 Definitions

ARTICLE 2 **BASIC PROVISIONS**

- 8-12.2.1 Compliance With Ordinance Provisions
- 8-12.2.2 Zoning Application
- 8-12.2.3 Time Limit on a Zoning Application
- 8-12.2.4 Establishment of Zoning Districts & Overlay Designations
- 8-12.2.5 Location of Zones
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- 8-12.3.3 Manufactured Homes
- 8-12.3.4 Planned Residential Development (R-3)
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- 8-12.3.5.1 Corridor Commercial (C-1, Downtown Commercial (C-2) and Community Commercial (C-3)
- 8-12.3.5.2 Neighborhood Commercial (NC)
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- 8-12.3.6 Industrial (I)
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- 8-12.3.8 Open Space/Public Facilities (OS/PF)
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- 8-12.3.10 Airport Overlay Designation
- 8-12.3.11 Medical Overlay (MO)
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- 8-12.4.2 Access
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- 8-12.4.9 Moving Buildings
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- 8-12.5.1 Non-Conforming Uses
- 8-12.5.2 Non-Conforming Lots of Record
- 8-12.5.3 Alteration of Non-Conforming Use
- 8-12.5.4 Projections From Buildings
- 8-12.5.5 Variances
- 8-12.5.6 Circumstances for Granting a Variance
- 8-12.5.6.1 Exceptions to Maximum Building Height Standard
- 8-12.5.7 Procedure for Taking Action on a Variance
- 8-12.5.8 Time Limit on a Permit for a Variance
- 8-12.5.9 Limitation on Reapplication

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- 8-12.6.1 Authorization to Grant or Deny Conditional Uses
- 8-12.6.2 Procedure for Taking Action on a Conditional Use
- 8-12.6.3 Time Limit
- 8-12.6.4 Limitation on Reapplications

ARTICLE 7 **ANNEXATION**

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- 8-12.7.2 Application Procedure
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ARTICLE 8 **AMENDMENTS**

- 8-12.8.1 Authorization to Initiate Amendments
- 8-12.8.2 Zone/Plan Map Amendments
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- 8-12.8.5 Notification of Decision

ARTICLE 9

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- 8-12.9.1 Building Permits
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- 8-12.9.3 Administrative Actions
- 8-12.9.4 Modification of Conditions
- 8-12.9.5 Filing of Staff Report for Hearing
- 8-12.9.6 Hearings Body Order
- 8-12.9.7 Notice of Hearing or Administrative Action
- 8-12.9.8 Contents of Public Notice
- 8-12.9.9 Burden of Proof
- 8-12.9.10 Nature of Evidence
- 8-12.9.11 Limitation on Oral Presentations
- 8-12.9.12 Standing
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- 8-12.9.15 Challenge for Bias, Prejudgment or Personal Interest
- 8-12.9.16 Public Hearing Procedure
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- 8-12.9.18 Notice of Decision
- 8-12.9.19 Re-Application Limited
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ARTICLE 10

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- 8-12.10.2 Enforcement
- 8-12.10.3 Corrections
- 8-12.10.4 Repealing Clause
- 8-12.10.5 Emergency Clause

8-13 EMERGENCY SHELTERS

(Ordinance No. 831)

8-13.1	Definitions
8-13.2	Purpose
8-13.3	License Required
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8-13.6	Unlawful Acts
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8-13.9	Violations
8-13.10	Revocation of License
8-13.11	Suspension of License
8-13.12	Appeal
8-13.13	Penalties
8-13.14	Severability
8-13.15	Effective Date

8-14 COLD WEATHER EMERGENCY ORDINANCE

(Ordinance No. 837)

8-14.1	Title
8-14.2	Definitions
8-14.3	Purpose
8-14.4	Licensing and Precertification Process
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8-14.7	Authority to Declare an Emergency
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8-14.12	Appeal
8-14.13	Constitutionality Clause
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