

Title 12 – Zoning
Article 5 – Regulations of General Applicability
Chapter 12-55 – Supplemental Development Standards

Sections.

- 12-55-010. **Purpose.**
- 12-55-020. **Scope.**
- 12-55-030. **Definitions.**
- 12-55-040. **Abandoned, Wrecked or Junk Vehicles.**
- 12-55-050, **Adequate Public Facilities.**
- 12-55-060. **Accessory Buildings for Animals and Fowl.**
- 12-55-070. **Accessory Uses and Structures.**
- 12-55-080. **Buildable Area.**
- 12-55-090. **Condominium Projects.**
- 12-55-100. **Easements.**
- 12-55-110. **Fences and Walls.**
- 12-55-120. **Height Exceptions and Limitations.**
- 12-55-130. **Lots, Parcels, and Yards.**
- 12-55-140. **Outdoor Lighting.**
- 12-55-150. **Private Rights-of-Way.**
- 12-55-160. **Second Kitchen in Single-Family Dwelling.**
- 12-55-170. **Slope Limits - Driveways.**
- 12-55-180. **Storage of Trash And Debris Prohibited.**
- 12-55-190. **Street Improvements.**
- 12-55-200. **Street Improvements - Methods of Providing.**
- 12-55-210. **Street Improvements - Reimbursement.**
- 12-55-220. **Swimming Pools.**
- 12-55-230. **Visual Obstructions.**
- 12-55-235. **Drinking Water Source Protection Regulations.**
- 12-55-240. **Raising of Chickens and/or Rabbits.**

12-55-010. Purpose.

This Chapter establishes several miscellaneous land development regulations which are applicable throughout the City regardless of zone.

12-55-020. Scope.

The requirements of this Chapter shall apply in addition to the development and use standards set forth in other chapters of this Title, including base zones, special purpose and overlay zones, development regulations of general applicability, and regulations for specific uses. The requirements of this Chapter shall not be construed to prohibit or limit other applicable provisions of this Title, the

Centerville City Code, or other laws. Provided, however, that the requirements of this Chapter shall prevail over conflicting provisions of any other requirement in this Title unless a different standard is expressly authorized.

12-55-030. Definitions.

Certain words and phrases in this Chapter are defined in Chapter 12-12 of this Title.

12-55-040. Abandoned, Wrecked, or Junk Vehicles.

Abandoned, wrecked, and junk vehicles shall be prohibited as provided in the Centerville City Code, as amended.

12-55-050. Adequate Public Facilities.

Land shall be developed only where existing infrastructure is in place or will be timely provided to service proposed development. The City may require an analysis to be completed to determine whether adequate public facilities are available to service a development and whether such development will change existing levels of service or will create a demand which exceeds acceptable levels of service for roadways, intersections, bridges, storm drainage facilities, water lines, water pressure, sewer lines, fire and emergency response times, and other similar public services. The City may disapprove a proposed development if demand for public services exceeds service levels adopted by the City. No subsequent approval of such development shall be given until either the developer or the City installs improvements calculated to raise service levels to the standard adopted by the City.

12-55-060. Accessory Buildings for Animals and Fowl.

An accessory building for animals or fowl which is located in a residential zone and which exceeds five hundred (500) square feet of gross floor area shall be at least:

- (a)..Same Lot or Parcel. Fifty (50) feet from a dwelling on the same lot or parcel;

Title 12 – Zoning
Article 5 – Regulations of General Applicability
Chapter 12-55 – Supplemental Development Standards

(b) Adjacent Lot or Parcel. Seventy-five (75) feet from a dwelling on an adjacent lot or parcel, and

(c) Existing or Proposed Right-of-Way. Fifty (50) feet from an existing or proposed street right-of-way.

12-55-070. Accessory Uses and Structures.

(a) Permitted. Accessory uses and structures shall be permitted in all zones provided they are incidental to, and do not substantially alter a principal use or structure, subject to the provisions of this section and the zone where they are located.

(b) Front Yard. No accessory building or structure nor group thereof shall be located in a front yard unless expressly authorized by a provision of this Title.

(c) Rear Yard. No accessory building nor group of accessory buildings in any residential zone shall cover more than twenty (20) percent of a rear yard.

(d) Side Yard. Accessory buildings may be located in a side yard to the extent permitted by the zone where it is located.

(e) Minimum Setback and Drainage. An accessory building shall be located at least three (3) feet from a property line. Drainage from the building shall not discharge onto an adjoining lot or parcel.

12-55-080. Buildable Area.

Every lot or parcel created after the effective date of this Title shall have a buildable area sufficient to place a building or structure thereon which meets the minimum standards of the zone where the lot or parcel is located. Buildable area shall be required to be depicted on a proposed subdivision plat, site plan, or plot plan for the purpose of notifying future owners of the approved buildable area based on applicable development standards. Area within an easement may not be included within buildable area unless the easement beneficiary executes and records a release of the easement in a form acceptable to the City Attorney.

12-55-090. Condominium Projects.

(a) State Law Requirements. The owner of real property may construct a new condominium project or convert existing land and/or structures into a condominium project by complying with the provisions of the Condominium Ownership Act, Utah Code Ann. §§ 57-8-1, et seq., as amended, and applicable provisions of this Title and other titles of the Centerville City Code.

(b) Uses Permitted. Uses permitted within a condominium project shall be limited to those uses permitted within the zone in which the project is located.

(c) Lot or Parcel Size. No lot or parcel within a condominium or planned development plat shall be smaller than the minimum lot or parcel size required by the zone where it is located unless a smaller lot or parcel is approved as part of a planned development.

12-55-100. Easements.

(a) Acknowledgment Required. No dwelling, main building, or permanent accessory building shall be located within a recorded easement area unless the property owner either produces evidence satisfactory to the Zoning Administrator that the easement has been abandoned, or executes a recordable document, in a form approved by the City Attorney, acknowledging that notwithstanding apparent abandonment of the easement, the structure may be subject to the superior interest of the easement holder and may be required to be relocated at the property owner's expense to accommodate such interest.

(b) Location. Any structure in an easement area shall be located pursuant to the setback and other applicable requirements of this Title.

(c) No Change in Legal Rights. Nothing in this section is intended to expand or restrict the rights or obligations of any party to any recorded easement.

Title 12 – Zoning
Article 5 – Regulations of General Applicability
Chapter 12-55 – Supplemental Development Standards

12-55-110. Fences and Walls.

(a) Height of Fences and Walls. No fence, wall or other similar structure exceeding six (6) feet in height shall be erected in any rear or side yard except for accessory buildings and structures permitted by this Title, except as provided below.

(1) When a difference in grade exists on either side of a fence or wall, the height of the fence or wall shall be measured from:

(A) The average elevation of the finished grade of adjoining properties at the fence line, or

(B) If excavated or filled, the native elevation.

(2) No fence need be less than forty-eight (48) inches in height.

(3) The Planning Commission may approve a fence, wall or similar structure not to exceed ten (10) feet in a rear area or side yard in the A-M, R-M, R-H, C-M, C-H, C-VH, I-H, I-VH, PF-L, PF-M, PF-H, or PF-VH zones as part of a site plan review, or amended site plan, with the findings by the Planning Commission that is to be a benefit to the surrounding properties and/or help to buffer the use, and is in the City's best interest.

(4) South side of Porter Lane, from 400 West to Main Street. For all legally approved rear yard fronting lots along the creek channel, the fence height shall not exceed (8) feet in height along the rear yard lot line.

(b) Fences in Front Yard and Street Side Yard. No fence or wall or other similar structure exceeding forty-eight (48) inches in height shall be erected within a front yard or a street side yard.

12-55-120. Height Exceptions and Limitations.

(a) Exceptions to Height Limitations. Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building,

parapet walls, skylights, towers, steeples, flagpoles, chimneys, 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 the purpose of providing additional floor space for human occupancy.

(b) Maximum Height of Accessory Building. No building which is accessory to a single-family or a multiple-family dwelling with four (4) or fewer dwelling units shall be erected to a height greater than twenty (20) feet without a conditional use permit.

(c) Minimum Height of Main Building. No dwelling shall be erected to a height less than one (1) story above grade except earth-sheltered dwellings authorized by the provisions of this Title.

12-55-130. Lots, Parcels, and Yards.

(a) Every Building on Legally Created Lot or Parcel. Every building shall be located and maintained on a legally created lot or parcel as defined in this Title, unless such lot or parcel is a legally nonconforming lot or parcel. Not more than one (1) single family dwelling or commercial structure shall occupy any one (1) lot or parcel except as authorized by the provisions of this Title.

(b) Sale or Lease of Required Land. No land needed to meet the size, width, yard, area, coverage, parking or other requirements of this Title shall be sold, leased, or otherwise transferred away, whether by subdivision lot line adjustment or metes and bounds, so as to create or increase the nonconformity of a lot or parcel, building, or site development. No lot or parcel having less than the minimum width and area required by the zone in which it is located may be divided from a larger parcel of land, except as permitted by this section or by the Board of Adjustment pursuant to the requirements of this Title.

(1) A reduction in the minimum required area of a lot or parcel owned by the City, County, State, or other public entity or utility provider may be granted a special exception

Title 12 – Zoning
Article 5 – Regulations of General Applicability
Chapter 12-55 – Supplemental Development Standards

approved by the Board of Adjustment provided such lot or parcel:

(A) Is used exclusively for public purposes; and

(B) No living quarters are located thereon.

(2) If a portion of a lot or parcel which meets minimum lot or parcel area requirements is acquired for public use in any manner, including dedication, condemnation or purchase, and such acquisition reduces the minimum area required, the remainder of such lot or parcel shall nevertheless be considered as having the required minimum lot or parcel area if all of the following conditions are met:

(A) The lot or parcel contains a rectangular space of at least thirty (30) by forty (40) feet, exclusive of applicable front and side yard requirements and one-half (1/2) of the applicable rear yard requirements, usable for a principal use or structure;

(B) The remainder of the lot or parcel has an area of at least one-half (1/2) of the required lot or parcel area of the zone in which it is located; and

(C) The remainder of the lot or parcel has access to a public street.

(c) Reduction of Lot or Parcel Width and Area Requirements. Minimum lot or parcel area, or lot or parcel width requirements of this Title shall not be construed to prevent the use of a lot or parcel for a single-family dwelling so long as such lot or parcel was:

(1) Held in separate ownership on the effective date of this Title; and

(2) Was legally created when it became nonconforming as to area or width.

(d) Reduction of Minimum Yard Requirement. Any lot or parcel under separate ownership from

adjacent lots or parcels, and recorded before the effective date of this Title which has a smaller width than required by the zone in which the lot or parcel is located shall be deemed a buildable lot or parcel if:

(1) For interior lots, the smaller of the two (2) side yards is at least five (5) feet wide and the larger is at least eight (8) feet wide; and

(2) For corner lots, the street side yard is at least fifteen (15) feet wide and the other side yard is at least five (5) feet wide.

(e) Adjacent Lots or Parcels When Used As One Building Site. When a common side lot line separating two (2) or more contiguous lots or parcels is covered or proposed to be covered by a building, such lots or parcels shall constitute a single building site and the setback requirements of this Title shall not apply to the common lot or parcel line if a document is recorded indicating the owner's intent to use the combined lots or parcels as a single development site. The setback requirements of this Title shall apply only to the exterior side lot lines of the contiguous lots or parcels so joined.

(f) Double Frontage Lot. A lot or parcel having frontage on two (2) or more streets shall be prohibited except for corner lots and double frontage lots in subdivisions which back onto streets shown on the City's Road Master Plan. Such double-frontage lots shall be accessed only from an internal subdivision street. Frontage on lots having a front lot line on more than one (1) street shall be measured on one (1) street only.

(g) Setback - Deck or Patio. Any part of a deck or patio covered with a roof or enclosed on two (2) or more sides, or which exceeds three (3) feet in height at any point above finished grade shall conform to applicable yard setback requirements.

(h) Setback Measurement. The depth of a required yard abutting a street shall be measured from the lot line except as set forth below:

Title 12 – Zoning
Article 5 – Regulations of General Applicability
Chapter 12-55 – Supplemental Development Standards

(1) In blocks where more than fifty (50) percent of the buildable lots or parcels have main buildings which do not meet the current front yard setback of the zone in which the block is located, the minimum front yard requirement for new construction shall be equal to the average existing front yard size on the block.

(2) Whenever a front, side, or rear yard abuts a public street proposed to be constructed or widened as shown on the Master Street Plan or Official Map, the depth of such yard shall be measured from a line which is one-half (1/2) of the proposed right-of-way width from the center line of the street to be constructed or widened, or from the current lot line, whichever is greater.

(i) 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 Title, 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 or parcel be considered as providing a yard or open space on a lot or parcel whereon a building is to be erected or established.

(j) Lot Coverage. In no zone shall a building or group of buildings with their accessory buildings cover more than fifty (50) percent of the area of the lot or parcel.

(k) Lot Grade. The grade of a lot or parcel along a property line shall be:

(1) The grade shown on an approved subdivision grading plan; or

(2) The naturally occurring grade.

(3) The grade of a slope from a property line shall not exceed twenty-five (25) percent.

(l) Multiple Family Dwelling Unit Project Rear and Side Setback Adjustment. A multiple family dwelling unit project in the R-M or R-H Zone

consisting of real property over one (1) acre in size, shall be allowed to utilize the following provisions for the purpose of providing more flexible and aesthetic building layout and project design.

(1) All minimum rear and side setbacks shall be determined by the orientation of any main building closest to the lot line. No main building shall have a rear or side setback smaller than ten (10) feet. Any building on a corner lot must meet the required street side yard setback of twenty (20) feet.

(2) If the narrow portion of a one (1) story building faces a rear or side property line, the setback may not be smaller than ten (10) feet. If the building is adjacent to a R-L Zone, the minimum setback shall increase an additional five (5) feet per story, up to a maximum of twenty (20) feet.

(3) If the long portion of a main building faces a rear or side property line, the setback shall be twenty (20) feet.

12-55-140. Outdoor Lighting.

(a) General Provisions. Outdoor lighting fixtures shall be arranged to direct light away from adjoining residential property.

(1) Lighting fixtures mounted on utility poles shall be fully shielded, cut-off type fixtures that will not allow light dispersion or direct glare to shine above a ninety (90) degree horizontal plane from the base of the fixture.

(2) Detached lighting of signs, buildings and displays shall be directed downward. Uplighting shall be prohibited except as allowed in landscaped areas as part of an approved site plan, conditional use permit, or other plan or permit.

(3) Electrical service to outdoor lighting fixtures shall be underground unless fixtures are mounted directly on utility poles.

Title 12 – Zoning
Article 5 – Regulations of General Applicability
Chapter 12-55 – Supplemental Development Standards

(b) Exemptions. The following types of outdoor lighting shall be exempt from the provisions of this section:

(1) Holiday lighting during the months of November, December and January, provided such lighting does not create dangerous glare on adjacent streets or property;

(2) Temporary lighting for temporary uses approved as part of a temporary use permit pursuant to Chapter 12-56 of this Title;

(3) Lighting associated with agricultural operations;

(4) Construction or emergency lighting, provided such lighting is temporary and is discontinued when the need for such lighting ends; and

(5) Roadway lighting.

12-55-150. Private Rights-of-Way.

The Zoning Administrator shall not authorize a building permit for a dwelling located on a lot or parcel accessed only by a private right-of-way except under one (1) of the following conditions:

(a) Nonconforming Lot or Parcel. The lot or parcel was legally created and recorded prior to the effective date of this Title;

(b) Variance. A variance is granted by the Board of Adjustment; or

(c) Planned Development or Condominium. The lot or parcel is part of an approved planned development or condominium.

12-55-160. Second Kitchen in Single-Family Dwelling.

(a) Authorized. A second kitchen may be created within a single-family dwelling unit as part of an approved accessory apartment pursuant to Chapter 12-60 of this Title. If not part of an accessory apartment, a second kitchen shall not be

created within a dwelling unit unless such kitchen meets the following requirements:

(1) The dwelling unit has only one (1):

- (A) Front entrance;
- (B) Street address; and
- (C) Electrical meter;

(2) An interior access is maintained to all parts of the dwelling with no keyed or deadbolt locks, or other manner of limiting or restricting access to the second kitchen from the remainder of the dwelling;

(3) The second kitchen is part of the primary structure; and

(4) The dwelling owner executes a written document prescribed and recorded by the City which declares that the dwelling will not be converted into two (2) or more dwelling units without prior approval by the City.

(b) Occupancy Limitation. When a second kitchen is approved pursuant to Subsection (a) of this section, both present and future owners of the premises shall limit the use of the dwelling unit to family occupancy only and no roomers or boarders shall be permitted. Such limitation shall not apply if the second kitchen is part of an approved accessory apartment.

(c) Inspections. Upon request by the City, the dwelling owner shall allow inspection of the dwelling unit at reasonable times to determine compliance with this section.

12-55-170. Slope Limit - Driveways.

No driveway shall exceed a slope of twelve (12) percent. When a driveway slopes downward from a street, the driveway shall be designed to prohibit surface water drainage from entering a building.

Title 12 – Zoning
Article 5 – Regulations of General Applicability
Chapter 12-55 – Supplemental Development Standards

12-55-180. Storage of Trash and Debris Prohibited.

No yard or other open space shall be used for the accumulation of trash, debris, or abandoned equipment and no land shall be used for such purposes, except as authorized by and in compliance with the provisions of this Title.

12-55-190. Street Improvements.

(a) Street Improvements Required. No construction shall be permitted on an unimproved lot or parcel unless planned street improvements abutting the lot or parcel, as shown on the Master Street Plan and Official Map, including without limitation, sidewalk, curb and gutter, parking strips and associated landscaping, street pavement and fire hydrant improvements, are provided simultaneously in conformance with City construction standards. Constructing such improvements shall be a condition precedent to final inspection and occupancy of any building and other improvement on the lot or parcel, subject to the provisions of this section. Such improvements shall conform to the design standards adopted by the City.

(b) Extent of Improvements. When the size of a lot or parcel exceeds the minimum requirements of the zone in which the lot or parcel is located, the Planning Commission may reduce the extent of required improvements if the lot frontage adjoining a public street is, in its judgment, substantially more than the minimum required lot frontage and not roughly proportional to the developer's fair share of needed public improvements. However, frontage improvements shall be provided for no less than the minimum lot width required by the zone in which the lot or parcel is located.

(c) Dedication and Construction of Improvements. When widening of a public street is planned, as shown on the City's Master Street Plan and Official Map, street right-of-way and frontage improvements associated with proposed development shall be dedicated to the public and improved without cost to the City to the extent the such improvements are roughly proportional to the

developer's fair share of needed public improvements, as determined by the Planning Commission after receiving a recommendation from the City Engineer.

(d) Appeal. If a street dedication and improvement requirement is alleged to not be roughly proportional to the demand created by new development, such requirement may be appealed pursuant to the Board of Adjustment as provided in Section 12-21-200 of this Title.

12-55-200. Street Improvements - Methods of Providing.

In lieu of requiring full frontage or right-of-way improvements as provided in Section 12-55-190 of this Chapter, the City may authorize a developer to satisfy street frontage improvement obligations in one (1) of the following ways:

(a) Form Special Improvement District. Form a special improvement district to complete the developer's fair-share of improvements and additional improvements to benefit the area.

(b) Pay Assessment. Place funds in an escrow account equal to the estimated cost the developer's fair-share obligation for frontage improvements, as determined by the Planning Commission according to calculations by the City Engineer. Such funds shall be used to install street and frontage improvements in projects selected by the City according to its discretion and priority. Placement of funds into an escrow account shall not be construed to imply or guarantee to the developer a specific time when improvements will be installed on the frontage or right-of-way with funds from a City-sponsored improvement project. Such escrow shall exempt the developer from participating in a special improvement district formed by the City for the same improvements. Any interest which may accrue on escrowed funds shall be available to the City for use in the improvement project.

(c) Delay Installation. Sign and record an agreement, binding the developer to install required improvements at a later date upon demand by the City, subject to all of the following requirements:

Title 12 – Zoning
Article 5 – Regulations of General Applicability
Chapter 12-55 – Supplemental Development Standards

(1) The development of the property is for one (1) single-family dwelling only;

(2) The property is a legal conforming lot or parcel as defined in this Title;

(3) The lot or parcel has frontage on a public street;

(4) No street improvements exist on the same side of the street contiguous to the lot or parcel in either direction; and

(5) The lot or parcel is not within a recorded subdivision.

(d) Execute Waiver of Protest Agreement. Where property is proposed to be developed in areas of the City where other streets are not fully improved and no other properties in the immediate areas are developed with curb, gutter and sidewalk and other street improvements, a building permit may be issued if the property owner executes an agreement waiving the right to vote against a special improvement district in the event the City elects to create such a district to construct street improvements benefitting the property.

12-55-210. Street Improvements - Reimbursement.

Any developer who voluntarily installs at his or her own expense street improvements associated with an approved development permit may receive reimbursement of part of that expense as follows:

(a) Written Agreement. The developer installing the street improvements shall enter into a written reimbursement agreement with the City prior to construction of the improvements.

(b) Calculation and Payment of Reimbursement.

(1) The amount of the reimbursement shall be limited to improvements which:

(A) Provide a direct benefit to property abutting such improvements; and

(B) Are greater than the developer's roughly proportional share of improvements needed to service the development.

(2) If within ten (10) years from the date of the reimbursement agreement, the property abutting such street improvements is developed, the developer who installed the street improvements may, when abutting development is completed, request reimbursement from the City for such improvements as provided in this section.

(A) Funds for such reimbursement shall come from the person who develops the property abutting the previously installed street improvements. Such person shall pay to the City the cost of such street improvements as provided in Subsection (b)(3) of this section.

(B) In no event shall the amount of a reimbursement exceed the amount actually collected by the City from an abutting developer.

(C) Money paid by an abutting developer pursuant to this section is separate from and in addition to payment of any other street related fees.

(3) The reimbursement payment for street improvements shall be based on average improvement costs over the last two (2) years as determined by the City.

(c) Reimbursement From Abutting Owners. If the City installs street improvements at City expense, the City may receive reimbursement from abutting property owners when such property is developed, pursuant to this section. The agreement described in Subsection (a) of this section shall not be required for reimbursement to the City.

(d) Timing of Payment. A reimbursement payment required pursuant to this section shall be paid to the City in its entirety prior to final inspection

Title 12 – Zoning
Article 5 – Regulations of General Applicability
Chapter 12-55 – Supplemental Development Standards

and approval of an occupancy permit. The rate of reimbursement per frontage foot shall be the rate in effect when the improvements are made.

12-55-220. Swimming Pools.

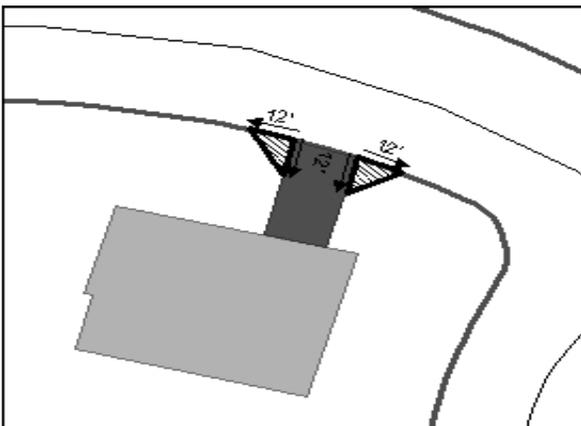
Swimming pools not enclosed within a building shall be set back at least five (5) feet from all property lines and shall be completely surrounded by a fence or wall having a lockable self-closing gate and a height of at least six (6) feet which conforms to applicable City standards and building code requirements. If the applicable City standard or building code has a different requirement than the standard set forth herein, the more restrictive standard or requirement shall govern.

12-55-230. Visual Obstructions.

To avoid creating a visual obstruction and promote public safety, a fence, wall, sign, or other similar structure or landscaping located in a required front yard shall meet the following requirements:

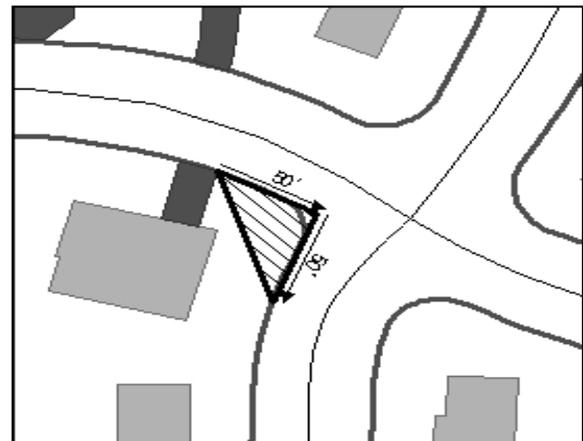
(a) Driveway. No sight-obscuring fence, wall, sign, or other similar structure, or landscaping which exceeds two (2) feet in height shall be placed within a triangular area formed by a driveway line, the street property line, and a line connecting them at points twelve (12) feet along the driveway line and twelve (12) feet along the street property line or back of sidewalk, whichever is greater, except for a reasonable number of trees pruned high enough to permit unobstructed vision for drivers of motor vehicles.

Table 12-55-230-1



(b) Clear View of Intersecting Street. In all zones, no fence, wall, sign, or other similar structure, or landscaping which exceeds 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 fifty (50) feet from the intersection of the street curb lines, except for public safety signs and equipment. Tree canopies pruned to seven (7) feet above grade are permitted provided no tree trunk shall be located inside the clear-view area. Trees existing as of the date of adoption of this Ordinance with trunks located within the clear-view area defined herein may remain at the discretion of the City based upon safety and visibility standards, but may not be replaced once removed.

Table 12-55-230-2



12-55-235. Drinking Water Source Protection Regulations

(a) Drinking Water Source Protection Ordinance. The City has enacted Chapter 9-10 of the Centerville Municipal Code known as the Drinking Water Source Protection Ordinance to insure the provision of a safe and sanitary drinking water supply for the City by the establishment of drinking water source protection zones surrounding drinking water wells and springs that are supply sources for the public water systems within the City and by designation and regulation of property uses and conditions that may be maintained within such zones.

Title 12 – Zoning
Article 5 – Regulations of General Applicability
Chapter 12-55 – Supplemental Development Standards

(b) Compliance with Drinking Water Source Protection Ordinance. All use, construction, and development of or activity on property located within the jurisdiction of Centerville City shall be subject to and comply with applicable provisions of the Drinking Water Source Protection Ordinance as set forth in Chapter 9-10 of the Centerville Municipal Code.

(c) Drinking Water Source Protection Regulations. Pursuant to the requirements of Utah Code Ann. § 19-4-113 requiring the City to adopt a zoning provision regulating the storage, handling, use, or production of a hazardous or toxic substance within a drinking water source protection zone, the City hereby adopts and incorporates herein the provisions of Section 9-10-090 regarding Uses and Restrictions within Protection Zones. All applicable exemptions, exclusions and definitions set forth in Chapter 9-10 are also adopted and incorporated herein. The Drinking Water Source Protection Zones within the City are more particularly defined and designated in Section 9-10-070 and incorporated herein by this reference.

(d) Enforcement. Any violation of this Section may be enforced as a Zoning Ordinance violation in accordance with applicable provisions of this Title and/or as a violation of Chapter 9-10 as more particularly set forth therein.

12-55-240. Raising of Chickens and/or Rabbits.

The following criteria relates to the raising of chickens and/or rabbits for the purpose of animal and fowl for recreation and family food production within approved zones found in Chapter 12-36 of the Table of Uses Allowed.

(a) Allowance. The raising of rabbits and hen chickens (roosters prohibited), shall be allowed as an accessory use within the Agricultural Zones and Residential-Low (R-L) Zone for personal family food production by permit only.

(1) No more than a combination of ten (10) hen chickens/rabbits shall be allowed on a single lot; provided, the number of rabbits shall not exceed six (6).

(2) An annual permit shall be obtained from the City as described in Section 12-21-090 of this Title. In addition to the permit application forms, the City shall provide with all initial permit application packets, as opposed to annual renewal permit applications, educational information as deemed necessary and appropriate by the City, including, but not limited to, information regarding the raising of chickens or rabbits, poultry and rabbit health care, and maintenance issues. All permit applications shall also include the following:

(i) The name, address and telephone number of applicant.

(ii) Total number of hen chickens/rabbits requested.

(iii) Site plan indicating the location and dimensions of coop/cage, property lines, fencing.

(iv) Applicable application fee as set forth in the City Fee Schedule.

(v) For initial permits, an acknowledgment and consent form requiring signature from the applicant that he or she has read the supplemental educational information and agrees to abide by the terms and conditions of applicable ordinances.

(3) Any roosters hatched and any chickens exceeding the allowed total or combined number of ten (10) shall be properly removed from the property within five (5) months of age.

(4) The number of rabbits born that exceed the allowed total or combined number of six (6) shall be removed within five (5) months of age.

(b) Containment.

(1) All hen chickens/rabbits shall be contained within a proper coop/cage for their

Title 12 – Zoning
Article 5 – Regulations of General Applicability
Chapter 12-55 – Supplemental Development Standards

containment. In addition to the proper coop/cage requirement, hen chickens/rabbits can be free-ranged within a fenced run or a fully fenced backyard sufficient for containment. All hen chickens shall have their wings regularly clipped.

within Chapter 12-23 of this Title and/or be subject to the provisions of City/County Animal Control regulations.

(2) Coops/cages shall be detached from the home and shall be at least six (6) feet from any on site structure, at least eighteen (18) feet from an adjacent dwelling and three (3) feet from any rear or side property line.

(3) Coops/cages shall provide at least two and one half (2.5) square feet per chicken/rabbit.

(4) Coops/cages shall not be larger than 120 square feet unless a building permit is issued for its construction.

(c) Maintenance.

(1) All feed shall be properly stored within a rodent proof container.

(2) Coops/cages and other enclosures shall be maintained in a sanitary condition and shall be cleaned as necessary as to prevent any odor detectable at the property line of adjacent parcels.

(d) Slaughtering. The slaughtering of hen chickens/rabbits shall be permitted for personal food use with all discarded material being placed within a secured container and disposed of properly.

(e) Removal. Roosters, hen chickens and rabbits that are no longer desired or in excess of the allowed number shall be properly slaughtered and disposed of or removed from the property. It shall be strictly prohibited for unwanted animals to be deposited and abandoned at an off premise location within the City or County.

(f) Nuisance. It shall be unlawful for any person to keep any chickens/rabbits in a manner contrary to the provisions of this section. Any such violation shall be subject to enforcement procedures found