

## Section 5 – Use Provisions

This section is established in recognition that certain uses cannot be treated in the same manner as other uses due to their nature and unique characteristics which may affect public health, safety and welfare; establish a public nuisance; conflict with the character of a neighborhood; impair the social and economic well-being of neighboring properties; impair the general development of an area; or operate in a manner contrary to the intent and purpose of this Code. These uses, when properly placed and regulated, can contribute to the economic vitality of the City. Therefore, it is the purpose of this Section to specify minimum standards that shall be required for certain land uses, in addition to the underlying zoning district regulations, to improve compatibility with neighboring properties and discourage incompatible land uses.

### 5.1 – Applicability

The provisions of this Section apply to all Zoning Districts unless indicated otherwise. If there is a conflict between this Section and the individual requirements of the Zoning District, the **Zoning Administrator** shall determine which standards control.

### 5.2 – Bed and Breakfast Establishments

**5.2.1 – Age of Structure.** Any structure devoted to a bed and breakfast use shall have been constructed prior to 1950.

**5.2.2 – Application Requirements.** A building floor plan shall be filed as part of the application for a bed and breakfast establishment. The floor plan shall designate areas to be used as a bed and breakfast establishment and identify all means of egress, all required exit signs, all rest room facilities, and all food preparation/storage areas.

**5.2.3 – Parking.** Off-street parking spaces required pursuant to Division 4 of this Code shall be located on the same lot as the bed and breakfast establishment, on an abutting lot, or on a lot not more than 500 feet from the site of such bed and breakfast establishment.

**5.2.4 – Site Design Standards.** The following minimum site design standards shall be required for the siting and development of any bed and breakfast establishments.

BED AND BREAKFAST ESTABLISHMENT - BULK STANDARDS		
Min. Lot Area	Min. Lot Width	Max. Building Height
7,000 s.f.	60 ft.	3 stories

### 5.3 – Car Washes

**5.3.1 – Location.** The facility shall be located on a major or collector street or a frontage road and shall not be located closer than 120 feet of a Residential District boundary.

#### 5.3.2 – Site Standards.

- 1) All car washing facilities shall be within either a completely enclosed building or a canopy structure.
- 2) Curb cuts shall not be permitted within 10 feet of a side lot line.
- 3) The sale of automobile accessories not directly related to the cleaning of automobiles shall be prohibited.

**5.3.3 – Lighting.** All exterior lighting shall comply with **Section 44.9-12** and shall not increase the intensity of light within 10 feet of a Residential District boundary line by more than 1.5-foot candles.

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**5.3.4 - Building Height.** The maximum permitted building height shall be 20 feet or one story whichever is lower.

**5.3.5 - Site Design Standards.** The following minimum site design standards shall be required for the siting and development of any car washes.

CAR WASHES BULK STANDARDS				
Lot Standards		Site Design Standards		
Min. Lot Area	Min. Lot Width	Front Yard	Side Yard	Rear Yard
10,000 s.f.	70 ft.	40 ft.	15 ft.	20 ft.

**5.4 - Cemeteries**

**5.4.1 - Site Standards.**

- 1) Water shall be available within 400 feet of all grave sites.
- 2) Trash receptacles shall be located adjacent to internal roadways and not more than two hundred (200) feet apart. No rubbish shall be allowed to accumulate upon the site except within trash receptacles.
- 3) Storage of any maintenance machinery or other equipment shall be within completely enclosed buildings.
- 4) In addition to compliance with Section 44.9-12, any security lighting on premises shall be no greater than a residential street light (4,000 lumens) and shall have fixtures that direct light away from adjoining residential structures.

**5.4.2 - Roadways.** All roadways shall be a minimum of 14 feet in width and shall have a minimum surface improvement of Class A-3 or equivalent with an eight-inch crushed aggregate base.

**5.4.3 - Building or Structure Height.** The maximum permitted height for any building or structure shall be 30 feet or two stories, whichever is lower.

**5.4.4 - Lot Standards.** The following lot standards shall be required for the siting and development of any cemetery.

CEMETERY LOT STANDARDS	
Min. Lot Area	Min. Lot Width
2 acres	150 ft.

**5.5 - Educational Uses**

**5.5.1 - Parking.** Access to the parking areas shall be located on non-residential streets when possible.

**5.5.2 - Screening.** Playgrounds shall be separated from adjacent residential properties by a Transition Area A as defined in Section 4.2.2.4 of this Title.

**5.5.3 - Site Design Standards.** The following minimum site design standards shall be required for the siting and development of any educational use.

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EDUCATIONAL USES SITE DESIGN STANDARDS		
Site Design Standards		
Front Yard	Side Yard	Rear Yard
150 ft.	150 ft.	150 ft.

**5.6 - Hospitals**

**5.6.1 - Parking.** Parking areas shall be located no closer than 100 feet from any residential properties. Access to parking areas shall be located on nonresidential streets, when possible.

**5.6.2 - Site Design Standards.** The following minimum site design standards shall be required for the siting and development of any hospital.

HOSPITAL SITE DESIGN STANDARDS		
Site Design Standards		
Front Yard	Side Yard	Rear Yard
350 ft.	350 ft.	350 ft.

**5.7 - Hotels or Motels**

**5.7.1 - Site Design Standards.** The following minimum site design standards shall be required for the siting and development of any hotel or motel.

HOTEL AND MOTEL BULK STANDARDS				
Lot Standards		Site Design Standards		
Min. Lot Area	Min. Lot Width	Front Yard	Side Yard	Rear Yard
20,000 s.f. or 1,000 s.f. per guest room, whichever is greater	100 ft.	40 ft.	40 ft.	40 ft.

**5.8 - Libraries**

**5.8.1 - Site Design Standards.** The following minimum site design standards shall be required for the siting and development of any hospital.

HOSPITAL SITE DESIGN STANDARDS		
Site Design Standards		
Front Yard	Side Yard	Rear Yard
150 ft.	150 ft.	150 ft.

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**5.9 – Motor Vehicle Uses**

**5.9.1 – Site Design Standards.** The following minimum site design standards shall be required for the siting and development of any motor vehicle use.

HOTEL AND MOTEL BULK STANDARDS				
Lot Standards		Site Design Standards		
Min. Lot Area	Min. Lot Frontage	Front Yard	Side Yard	Rear Yard
20,000 s.f.	150 ft. <sup>1</sup>	30 ft.	15 ft. <sup>2</sup>	15 ft. <sup>2</sup>
1. Frontage requirements shall apply to one side of corner lots. 2. Requirements shall be 75 feet where use abuts a residential district.				

**5.9.2 – Used Oil Storage.** All used oil and other similar materials shall be stored only in underground or indoor areas.

**5.9.3 – Vehicular Areas.**

- 1) The entire area used by vehicles for parking, storage, service, etc. shall be paved with asphaltic concrete, concrete, or other material approved by the Director of Public Works.
- 2) A raised curb shall be placed at the edge of all pavements.
- 3) All hydraulic hoists, pits, lubrication, washing, repair, and service, not of an emergency nature shall be conducted entirely within a building.

**5.9.4 – Ingress and Egress**

- 1) The minimum width of driveways at the property line shall be 24 feet, and the maximum shall be 50 feet.
- 2) The minimum distance of any driveway to any side property line shall be 24 feet. This distance shall be measured from the side property line to the intersection of the street right-of-way and the edge of the driveway.
- 3) Driveway openings shall be limited to one drive per 100 feet of lot frontage. For parcels with frontage on more than one street the number of driveway openings shall be based on the frontage length on each street individually.
- 4) The minimum distance a driveway into the site from a street intersection shall be 30 feet measured from the intersection of the street rights-of-way to the nearest end of the curb radius of the proposed driveway.
- 5) The angle of driveway intersection with the street shall be based upon reasonable criteria for safe traffic movements and shall be approved by the director of public works.
- 6) Motor vehicle uses adjacent to or integrated in a shopping center or cluster of commercial facilities shall use the common access with other business establishments in that center.

**5.9.5 – Storage of Flammable Materials.** Flammable materials used in the conduct of motor vehicle uses when stored above ground, shall be stored within the building setback lines. All storage of flammable materials shall be subject to the approval of the appropriate fire district.

**5.9.6 – Lighting.** All exterior lighting shall comply with Section 44.9-12 and shall not increase the intensity of light within 10 feet of a Residential District boundary line by more than 1.5-foot candles.

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### 5.10 – Temporary Portable Outdoor Storage Units

Temporary Portable Outdoor Storage Units are permitted accessory uses in residential districts, subject to the following restrictions.

**5.10-5 – Permit Required.** A permit shall be obtained prior to the setting of the temporary portable outdoor storage unit on the property. A site drawing shall be submitted showing the location on the property where the unit will be placed, size of the unit, and distance to all applicable property lines and all other buildings and structures.

**5.10-4 – Size.** No temporary portable outdoor storage unit shall be greater than 20 feet in length, eight feet in width, or eight feet in height.

**5.10-1 – Placement.** The temporary portable outdoor storage unit cannot encroach on City property, City right-of-way, neighboring property, sidewalk, or be placed in the street. The unit must be sited on asphalt, concrete, gravel, or hard paved surface between the front property line and the rear building line of the principal structure.

The site distance between the portable temporary storage unit and the side yard property line is four feet or upon the approval by the Director of Public Works or his/her designee and as agreed upon by written consent by the neighboring property owner.

**5.10-2 – Duration.** Temporary portable outdoor storage units may be placed in a residential district for no more than 30 days in any consecutive 12-month period. Extensions beyond the 30-day limit may be granted by the Director of Public Works or his/her designee.

**5.10-3 – Number of Units.** A maximum of one temporary portable outdoor storage units is permitted on a lot.

**5.10-6 – Signage.** A temporary portable outdoor storage unit shall have no signage other than the name, address, and telephone number of the person or firm engaged in the business of renting or otherwise placing the temporary portable outdoor storage unit.