

## CHAPTER 9

## OVERLAY DISTRICTS

**ARTICLE A. AV AIRPORT VICINITY OVERLAY DISTRICT**

## SECTION:

- 9-9A-1: Purpose  
9-9A-2: Scope  
9-9A-3: Uses Allowed; Conditional Uses  
9-9A-4: Special Provisions

9-9A-1: **PURPOSE:** The purpose of the AV airport vicinity overlay district is to ensure that the uses established in the vicinity of the Driggs - Reed Memorial Airport will not be in conflict with the city comprehensive plan nor with the jointly adopted county and city area of city impact, and that uses will also be reasonably protected from airport related activities including noises, hazards and similar conditions. Likewise, the purpose of this district is to reasonably protect the established airport and airport related activities from the encroachment of uses incompatible with the operation of the airport. (Ord. 281-07, 9-4-2007)

9-9A-2: **SCOPE:** The provisions of this article, in addition to other applicable provisions of this title, shall apply to all land and structures with which the airport vicinity overlay district is combined. (Ord. 281-07, 9-4-2007)

9-9A-3: **USES ALLOWED; CONDITIONAL USES:** All uses are allowed or may be conditionally permitted in the respective zoning districts with which the airport vicinity overlay district is combined, subject to the regulations prescribed for that district and the special provisions of this article. (Ord. 281-07, 9-4-2007)

**9-9A-4: SPECIAL PROVISIONS:****A. District Boundaries:**

1. The airport vicinity overlay district is considered to be all areas within the city limits where approaches, turning movements and other aircraft paths or movements are permitted.

2. The airport vicinity overlay district is also considered to be all areas outside the city limits, but within the city impact area, where approaches, turning movements and other aircraft paths or movements are permitted.

**B. Building Height:** Any building or structure, or portion thereof, hereafter erected shall follow the provisions for the underlying district, but in no case shall exceed five (5) stories or forty five feet (45') in height, and comply with all applicable FAA height requirements unless a greater height is approved by a conditional use permit.

**C. Density:** Any use proposing to house the concentration of ten (10) or more persons shall not be permitted unless a conditional use permit is approved for a greater concentration of people. In evaluating an application for a conditional use permit, the planning and zoning commission shall follow the procedures prescribed for the conditional use permit process, the policies of the comprehensive plan pertaining to the airport and surrounding vicinity, the safety of persons and property, and other conditions which may be brought about by approval of the request. (Ord. 281-07, 9-4-2007)

## CHAPTER 9

## OVERLAY DISTRICTS

**ARTICLE B. D DESIGN REVIEW OVERLAY DISTRICT**

## SECTION:

- 9-9B-1: Intent And Purpose  
9-9B-2: Standards And Applicability

9-9B-1: **INTENT AND PURPOSE:**

- A. Intent: The intention of the D design review overlay district for the city and the surrounding area of impact is to ensure that the appearance of structures and development of land shall not be in conflict with the city comprehensive plan, nor in conflict with any plan jointly adopted with the county.
- B. Purpose: The purpose of the design regulations is to set base standards for new development and proposed improvements, other than single- and two-family residential, which:
1. Promote development that is harmonious with the character of each neighborhood or district and enhances a sense of community and identity within the city.
  2. Preserve and enhance the historic character of downtown Driggs.
  3. Enhance the pedestrian environment, safety and experience.
  4. Protect and enhance natural amenities, including vegetation and scenic views.
  5. Protect the market value of adjacent property. (Ord. 281-07, 9-4-2007)

9-9B-2: **STANDARDS AND APPLICABILITY:** All commercial or mixed use projects, including temporary and seasonal vendors, within the design review overlay shall submit an application for design review. Applications for permanent construction and seasonal vendors shall be evaluated in accordance with the Driggs commercial design standards and guidelines. Design review applications for temporary vendors shall be evaluated by the planning and zoning administrator, who shall approve, conditionally approve or deny the application based on the standards below. The city will not issue a building permit or business registration for such projects until the design review application has been approved.

A. Temporary vendors shall:

1. Provide parking in quantity, location and design that meets the requirements in chapter 4 of this title.
2. Provide trash receptacle(s), if vending food or beverages.
3. Provide a safe area for pedestrian circulation and queuing that is adequately separated from vehicular traffic.
4. Conform to the lighting standards contained in the Driggs commercial design standards and guidelines. (Ord. 310-10, 3-3-2010)