

ORDINANCE NO. 03-2026

**AN ORDINANCE OF WEST HAVEN CITY AMENDING TITLE XV LAND USAGE,
INCLUDING SECTION 157.004 DEFINITIONS, SECTION 157.294 USES, SECTION
157.331 PERMITTED USES, SECTION 157.631 PARKING SPACE FOR
RESIDENTIAL, COMMERCIAL, INSTITUTIONAL, RECREATIONAL AND OTHER
LAND USES, THE REPEAL OF SECTION 157.335 STORAGE UNIT RESTRICTIONS,
THE REPEAL OF SECTION 157.355 STORAGE UNIT RESTRICTIONS, AND THE
CREATION OF SECTION 157.619 SELF-STORAGE FACILITY RESTRICTIONS.**

SECTION 1 – RECITALS

WHEREAS, the City of West Haven (“City”) is a municipal corporation duly organized and existing under the laws of Utah; and

WHEREAS, the City Council finds that in conformance with UC §10-3-702, the governing body of the City may pass any ordinance to regulate, require, prohibit, govern, control, or supervise any activity, business, conduct, or condition authorized by the laws of the State of Utah or any other provision of law; and,

WHEREAS, West Haven City has adopted and promulgated city ordinances and rules regarding the development for Self-Storage Facilities and Storage Units; and

WHEREAS, the City Council finds that certain changes to the West Haven City Code regarding amending the language for Title XV Land Usage, Chapter 157, including Section 157.004 Definitions, Section 157.294 Uses, Section 157.331 Permitted Uses, the Repeal of Section 157.335 Storage Unit Restrictions, the Repeal of Section 157.355 Storage Unit Restrictions, and the Creation of Section 157.619 Self-Storage Facility Restrictions should be made; and

WHEREAS, the City Council finds that the specific changes to the referenced sections are desired and will clarify the standards for Self-Storage Facilities within the City; and

WHEREAS, the Planning Commission held a public hearing and made a positive recommendation of the proposed changes on January 14, 2026; and

WHEREAS, the City Council finds that the public convenience and necessity, public safety, health, and welfare is at issue in this matter and require action by the City as noted above.

NOW THEREFORE, BE IT ORDAINED by the City Council of West Haven City, Utah that the following portions of the West Haven City Zoning Code be, and the same is, changed and amended to read as follows:

- a. In Title XV Land Usage, Chapter 157, the West Haven City Council repeals Section 157.335 Storage Unit Restrictions and Section 157.355 Storage Unit Restrictions in their entirety.**
- b. In Title XV Land Usage, Chapter 157, including Section 157.004 Definitions, Section 157.294 Uses, Section 157.331 Permitted Uses, and 157.631 Parking Space for Residential, Commercial, Institutional, Recreational and other Land Uses shall be amended as outlined in red in Attachment "A".**
- c. In Title XV Land Usage, Chapter 157, West Haven City Council shall adopt a new section: Section 157.619 Self-Storage Facility Restrictions as shown in red, as seen on Attachment "A".**
- d. The Mayor is authorized to sign this Ordinance.**

The forgoing Recitals are fully incorporated herein.

Section 2 – Prior Ordinances and Resolutions

That the above changes, where they may have been taken from prior City Ordinances and Resolutions, are listed here for centralization and convenience; and that the body and substance of those prior Ordinances and Resolutions, with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

Section 3 – Repealer of Conflicting Enactments

All orders, ordinances and resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts thereof, which conflict with this Ordinance are, for such conflict, repealed, except that this repeal will not be construed to revive any act, order or resolution, or part.

Section 4 – Savings Clause

If any provision of this Ordinance be held or deemed invalid, inoperative, or unenforceable, such will render no other provision or provisions invalid, inoperative, or unenforceable to any extent whatsoever, this Ordinance being deemed the separate independent and severable act of the City Council of West Haven City.

Section 5 – Date of Effect

This Ordinance shall be effective as of the date of signing and after being published or posted as required by law.

DATED the 4th day of February 2026

WEST HAVEN CITY

Rob Vanderwood
Mayor

ATTEST:

Emily Green, City Recorder

Mayor Rob Vanderwood
Councilmember Carrie Call
Councilmember Kim Dixon
Councilmember Nina Morse
Councilmember Ryan Saunders
Councilmember Ryan Swapp

Yes _____ No _____
Yes _____ No _____

DPR

RECORDER'S CERTIFICATION

STATE OF UTAH)
: ss.
County of Weber)

I, EMILY GREEN, the City Recorder of West Haven, Utah, in compliance with UCA §10-3-713 and UCA §10-3-714 do hereby certify that the above and foregoing is a full and correct copy of **Ordinance No. 03-2026**, entitled "**AMENDING TITLE XV LAND USAGE, INCLUDING SECTION 157.004 DEFINITIONS, SECTION 157.294 USES, SECTION 157.331 PERMITTED USES, SECTION 157.631 PARKING SPACE FOR RESIDENTIAL, COMMERCIAL, INSTITUTIONAL, RECREATIONAL AND OTHER LAND USES, THE REPEAL OF SECTION 157.335 STORAGE UNIT RESTRICTIONS, THE REPEAL OF SECTION 157.355 STORAGE UNIT RESTRICTIONS, AND THE CREATION OF SECTION 157.619 SELF-STORAGE FACILITY RESTRICTIONS**", adopted and passed by the City Council of West Haven, Utah, at a regular meeting thereof on February 4, 2026 which appears of record in my office, with the date of posting or publication being February 4, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this 4th day of February 2026.

Emily Green
City Recorder

(city seal)

EXHIBIT A

Attached to Ordinance 03-2026

**AMENDING TITLE XV LAND USAGE, INCLUDING SECTION 157.004
DEFINITIONS, SECTION 157.294 USES, SECTION 157.331 PERMITTED USES,
SECTION 157.631 PARKING, THE REPEAL OF SECTION 157.335 STORAGE UNIT
RESTRICTIONS, THE REPEAL OF SECTION 157.355 STORAGE UNIT
RESTRICTIONS, AND THE CREATION OF SECTION 157.619 SELF-STORAGE
FACILITY RESTRICTIONS.**

DRAFT

§ 157.004 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates, or requires, a different meaning.

ACRE. A parcel of land containing 43,560 square feet, regardless of the actual configuration of the parcel.

AGRICULTURE. The tilling of the soil, the raising of crops, horticulture, and gardening, but not including the keeping or raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business such as fruit-packing plants, fur farms, animal hospitals, or similar uses.

AIRPORT. Any area of land or water designed and set aside for the landing and taking off of aircraft.

AIRPORT HAZARD. Any structure or natural growth, or use of land, which obstructs or restricts the airspace required for the safe flight of aircraft in landing, taking off, or maneuvering at, or in the vicinity of, an airport, or is otherwise hazardous to such landing, taking off, or maneuvering of aircraft.

AIRPORT LANDING AREA. The specially-prepared surface within the boundaries of an airport designed for aircraft landing and taking off operations.

AIRPORT REFERENCE POINT. The existing control tower or point upon which such a tower would normally be erected on an airport.

ALLEY. A public thoroughfare less than 26 feet wide.

ANIMAL. Any and all types of livestock, including all those animals for family food production, dogs and cats, and all other subhuman creatures, both domestic and wild, male and female, singular and plural.

ANIMAL KEEPING. The keeping of, and caring for, animals.

ANIMALS FOR FAMILY FOOD PRODUCTION. Any domesticated animal commonly kept for utility or food production rather than pleasure, and includes, but is not limited to: cattle, sheep, goats, mules, burros, horses, chickens, geese, ducks, turkeys, llamas, swine, or similar animals.

APARTMENT COURT. Any building or group of buildings which contain dwelling units and also satisfies the definition of a TOURIST COURT, as defined in this chapter.

APARTMENT HOTEL. Any building which contains dwelling units and satisfies the definition of a HOTEL as defined in this chapter.

APARTMENT HOUSE. A multiple dwelling; see DWELLING, MULTIPLE-FAMILY.

APIARY. Any place where one or more colonies of bees are located.

APIARY EQUIPMENT. Hives, supers, frames, veils, gloves, or other equipment used to handle or manipulate bees, honey, wax, or hives.

AUTOMOBILE RECYCLING (PARTS DISMANTLING). A process carried out within a completely-enclosed building of systematically disassembling or dismantling automobile vehicles for their component parts, which are cleaned, refurbished, catalogued, and shelf-stored as inventory for the purpose of resale. It includes the storage, both inside and outside the building, for disassembly. The process also includes the immediate removal from the site of the vehicle body hulk and other waste materials.

AUTOMOBILE WRECKING. See JUNKYARD.

BASEMENT. A story partly underground and having at least one-half of its height above grade. A BASEMENT shall be counted as a story, for purposes of height measurements.

BED AND BREAKFAST DWELLING. An owner-occupied dwelling in which not more than two rooms are rented out by the day, offering overnight lodgings to travelers, and where one or more meals are provided by the host family, the price of which may be included in the room rate.

BED AND BREAKFAST HOTEL. An owner- or host-occupied building in which at least six, but not more than 20, guest rooms are rented out by the day offering overnight lodgings accommodations and service to travelers with one or more meals; provided, the price of which is included in the daily room rate.

BED AND BREAKFAST INN. An owner or host family occupied dwelling in which not more than five sleeping rooms are rented out by the day, offering overnight lodging to travelers with one or more meals provided by the host family, the price of which is included in the room rate.

BEE. The common honey bee, *Apis mellifera*, at any state of development, but not including the African honeybee, *Apis mellifera scutellata* species, or any hybrid thereof.

BEEKEEPER. A person who owns or has charge of one or more colonies of bees.

BEEKEEPING. To hold a colony of bees in a hive for pollination, honey production, study, or a similar purpose.

BOARDING HOUSE. A building with not more than five guest rooms where, for compensation, meals are provided for at least five, but not more than 15, persons.

BUILDING. Any structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals, or chattels.

BUILDING, ACCESSORY. A detached subordinate building clearly incidental to, and located upon, the same lot occupied by the main building.

BUILDING, HEIGHT OF. The vertical distance from the grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to a point midway between the lowest part of the eaves or cornice and the ridge of a pitch or hip roof.

BUILDING, MAIN. The principal building, or one of the principal buildings, upon a lot, or the building, or one of the principal buildings, housing the principal use upon the lot.

BUILDING, PUBLIC. A building owned and operated, or owned and intended to be operated, by a public agency of the United States of America, of the state, or any of its subdivisions.

CABARET. A business establishment open to public patronage where food and drink is prepared, served, or offered for sale or sold for human consumption on or off the premises, and whose patrons may be entertained by performers who sing or dance or perform theatrical acts, and where the patrons may or may not dance. The term CABARET is inclusive of nightclubs. Such establishments shall be limited to one per lineal mile.

CARPORT. A private garage not completely enclosed by walls or doors. For the purposes of this chapter, a CARPORT shall be subject to all of the regulations prescribed for a private garage.

CELLAR. A story having more than one-half of its height below grade. A CELLAR shall not be counted as a story for the purpose of height measurement.

CLUSTER SUBDIVISION. A subdivision of land in which the residential lots have areas less than the minimum lot area of the zone in which the subdivision is located but which meets the requirements of zoning ordinances of the city.

CONDOMINIUM RENTAL APARTMENT (CONDO-TEL). A condominium residential project in which the units, when not occupied by the owner, may be placed in a management rental pool for rent as transient living quarters similar to a motel operation. Because of the transient rental characteristics, a CONDOMINIUM RENTAL APARTMENT is classified as a use category separate and distinct from a condominium dwelling unit.

CORRAL. A fenced enclosure used for the close confinement of large animals with hay or grain feeding in contrast to pasture feeding.

COURT. An unoccupied space on a lot, other than a yard, designed to be partially surrounded by group dwellings.

DAIRY. A commercial establishment for the manufacture or processing of dairy products.

DAY CARE CENTER. Any building or structure other than an occupied residence furnishing care, supervision, and guidance for three or more children unaccompanied by a parent or guardian for periods of less than 24 hours per day, or, an occupied residence which furnishes care, supervision, and guidance for six or more children unaccompanied by parent or guardian for periods of less than 24 hours per day. OCCUPIED RESIDENCE shall refer to being used as a residence by a family. The term DAY CARE CENTER is inclusive of kindergartens, preschools, child day care, nursery schools, and all other similar facilities specializing in the education and/or operated by the public school system. (See §§ 157.85 through 157.899, Ord. 03-2006, and Ord. 05-2006.)

DWELLING. Any building, or portion thereof, which is designed for use for residential purposes, except hotels, apartment hotels, boarding houses, lodging houses, tourist courts, and apartment courts.

DWELLING, FOUR-FAMILY. A building arranged or designed to be occupied by four families, the structure having only four dwelling units.

DWELLING, GROUP. Two or more dwellings arranged around a court.

DWELLING, MULTIPLE-FAMILY. A building or portion thereof used and/or arranged or designed to be occupied by more than four families, including apartment houses and apartment hotels, but not including tourist courts.

DWELLING, SINGLE-FAMILY. A building arranged or designed to be occupied exclusively by one family, the structure having only one dwelling unit.

DWELLING, THREE-FAMILY. A building arranged or designed to be occupied by three families, the structure having only three dwelling units.

DWELLING, TWO-FAMILY. A building arranged or designed to be occupied by two families, the structure having only two dwelling units.

DWELLING, UNIT. One or more rooms in a dwelling, apartment hotel, or apartment motel designed for or occupied by one family for living or sleeping purposes, and having one, but not more than one, kitchen or set of fixed cooking facilities, other than hot plates or other portable cooking units.

EDUCATIONAL INSTITUTION. A public elementary or secondary school, seminary, parochial school, or private educational institution having a curriculum similar to that ordinarily given in grades one through 12 in the public school system. The term EDUCATION INSTITUTION, for the purpose of this chapter, does not include post high school educational facilities.

ESTABLISHED AIRPORT ELEVATION. The elevation in feet above mean sea level of the highest point of the land area of an airport.

EXOTIC PET. A rare or unusual non-protected animal species that is classified by the U.S. Department of Agriculture and under state law as approved for keeping as a pet, unless otherwise restricted by this chapter. Permitted EXOTIC PETS only include those species commercially available at typical retail pet shops in the area and may include, but not limited to: non-venomous snakes, non-poisonous small reptiles, non-poisonous amphibians, tortoises, ferrets, exotic birds, sugar gliders, degus, hedgehogs, domesticated silver foxes, and non-poisonous insects. EXOTIC PETS do not include any type of pigs, including potbelly pigs or miniature pigs.

FAMILY. One or more persons related by blood, marriage, or adoption, plus domestic servants employed for service on the premises, or a group of bachelors or bachelorettes of not more than four persons, who need not be so related, living together as a single nonprofit housekeeping unit.

FLYAWAY BARRIER. A solid fence or hedge used in beekeeping at least six feet in height extending ten feet from the hive in each direction. It is used to force bees to fly at least six feet above ground over neighboring property lines.

FRONTAGE. All property fronting one side of the street between intersecting or intercepting streets or between a street and a right-of-way, waterway, and dead end street, or political subdivision boundary, measured along the street line. The end of a stub street shall not be construed to be frontage on a street. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.

FRONT LOT LINE. The property line of the lot toward which the front line of a main building faces or may face, and which abuts a public dedicated street, a right-of-way, or fee title access strip approved by the Planning Commission as a special exception, or a street made public by right of use. (Also see § 157.617 for further flag lot regulations.)

GARAGE, PRIVATE. An accessory building designed or used for the storage of not more than four automobiles owned and used by the occupants of the building to which it is accessory and in which no business, commercial service, or industry is carried on; provided, that on a lot occupied by a multiple dwelling, the PRIVATE GARAGE may be designed and used for the storage of one and one-half times as many automobiles as there are dwelling units in the multiple-dwelling. A GARAGE shall be considered part of a dwelling if the garage and dwelling have a roof or wall in common. On any lot or parcel of land on one acre or more in an "A" zoning, there may be adequate storage space provided for vehicles used accessory to the agriculture use of the lot. A PRIVATE GARAGE may not be used for storage of more than one truck for each family dwelling upon the premises, and no such truck shall exceed two and one-half tons capacity.

GARAGE, PUBLIC. A building, or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling, or storing motor-driven vehicles.

GARBAGE. Any non-hazardous, non-medical solid waste.

GRADE.

(1) For buildings adjoining one street only, the elevation of the sidewalk at the center of that wall adjoining the street.

(2) For buildings adjoining more than one street, the average of the elevations of the sidewalk at the centers of all walls adjoining streets.

(3) For buildings having no wall adjoining the street, the average level of the ground (finished surface) adjacent to the exterior walls of the building. All walls approximately parallel to, and not more than five feet from, a street line are to be considered as adjoining a street.

GUEST HOUSE. A separate dwelling structure located on a lot with one or more main dwelling structures and used for the housing of guests or servants and not rented, leased, or sold separate from the rental, lease, or sale of the main dwelling.

HANDICAPPED PERSON. A person who has a severe, chronic disability attributable to a mental or physical impairment, or to a combination of mental and physical impairments, which is likely to continue indefinitely, and which results in a substantial functional limitation in three or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, or economic self-sufficiency; and who requires a combination or sequence of special interdisciplinary or generic care, treatment, or other services that are individually planned and coordinated to allow the person to function in, and contribute to, a residential neighborhood.

HAZARDOUS WASTE. A solid waste, or combination of solid wastes, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, or may pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transferred, disposed of, or otherwise managed.

HAZARDOUS WASTE DISPOSAL FACILITY. A facility approved by the Environmental Protection Agency (EPA) for the treatment, permanent storage, or disposal of hazardous waste in any fashion so as to prevent contaminants in excess of EPA guidelines from migrating off the facility or into the environment.

HIVE. A frame hive, box hive, box, barrel, log, gum skep, or other artificial or natural receptacle which may house bees.

HOME OCCUPATION. The use of a portion of a dwelling as an office, studio, or workroom for small occupations which are customarily conducted in the home and which are clearly incidental and accessory to the primary use of the dwelling for living purposes, and which also meet all the conditions and requirements of §§ 157.880 through 157.883. (See Ord. 45-2020 found in §§ 157.880 through 157.883.)

HOTEL. A building designed for, or occupied as, the more or less temporary abiding place of 16 or more individuals who are, for compensation, lodged, with or without meals, and in which no provision is made for cooking in any individual room or suite.

HOUSEHOLD PETS. Animals or fowl ordinarily permitted in the house, and kept for company or pleasure, such as dogs, cats, and canaries, but not including a sufficient number of dogs to constitute a KENNEL, as defined in this chapter.

INCINERATOR. Any enclosed device using controlled flame combustion for the incineration, burning, or reduction of non-hazardous and/or non-medical solid waste.

JUNKYARD. The use of any lot, portion of lot, or tract of land for the storage of salvage materials, keeping or abandonment of junk, including scrap material, or for the dismantling, demolition, or abandonment of automobiles, or other vehicles, or machinery or parts thereof; providing, that this definition shall not be deemed to include such uses which are clearly accessory and incidental to any agricultural use permitted in the zone.

KENNEL. The land or buildings used in the keeping of four or more dogs at least four months old.

LIVESTOCK FEED YARD. A commercial operation on a parcel of land where livestock are kept in corrals or yards for extended periods of time at a density which permits little movement and where all feed is provided for the purpose of fattening or maintaining the condition of livestock prior to their shipment to a stockyard for sale and the like.

LOCKOUT SLEEPING ROOM. A sleeping room in a dwelling, dwelling unit, condominium unit, or condominium rental apartment with separate or common access and toilet facilities, but no cooking facilities except a hotplate, which may be rented independently of the main unit for nightly rental by locking interior access. A LOCKOUT SLEEPING ROOM shall not be sold independently from the main dwelling unit.

LODGING HOUSE. A building where lodging only is provided for compensation to five or more, but not exceeding 15, persons.

LOT. A parcel of land occupied, or capable of being occupied, by a permitted use, building, or group of buildings (main or accessory), together with such yards, open spaces, parking spaces, and other areas required by this chapter, the subdivision ordinance, and the Hillside Development Ordinance of the city, having frontage upon a public street, approved private street, a right-of-way, or fee title access strip approved by the Planning Commission. Except for group dwellings and guest houses, not more than one dwelling structure shall occupy any one lot. (Also see § 157.617 for further flag lot regulations.)

LOT CORNER. A lot abutting on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees.

LOT, INTERIOR. A lot other than a corner lot.

MANUFACTURED HOUSE. A mobile home and/or pre-sectionaled or modular unit house constructed off-site after June 16, 1976, to H.U.D. code standards for later permanent placement on a building lot or other approved location

MEDICAL WASTE. Any solid waste which is generated in the diagnosis, treatment, or immunization of human beings or animals, in research pertaining thereto, or in the production of testing of biological.

MEDICAL WASTE DISPOSAL FACILITY. Any facility designed to treat, permanently store, incinerate, and/or otherwise destroy medical waste in any manner within EPA guidelines, or in harmony with prevailing health codes and other local restrictions.

MOBILE HOME. A movable living unit constructed prior to June 16, 1976, or after June 16, 1976, and which does not meet H.U.D. code standards, and designed to be transported after fabrication on its own wheels, attached wheels, or low-boy, suitable for year-round occupancy and containing a flush toilet, sleeping accommodations, a tub or shower-bath, kitchen facilities, plumbing, and electrical connections provided for attachment to appropriate external systems. Pre-sectionaled, modular, or prefabricated housing not

placed on permanent foundations shall be classified as a MOBILE HOME whether or not such units meet the city's building and housing codes.

MOTOR HOME. A self-propelled vehicular unit, other than a mobile home, primarily designed as a temporary dwelling for travel, recreational, and vacation use, which is either self-propelled or is mounted on, or pulled by, another vehicle, including, but not limited to, a travel trailer, a camping trailer, a truck camper, a motor home, a fifth-wheel trailer, and a van.

NATURAL WATERWAYS. Areas, varying in width, along streams, creeks, gullies, springs, or washes which are natural drainage channels, as determined by the Building Inspector, and in which areas no buildings shall be constructed.

NIGHTLY RENTAL. The rental of a sleeping room, apartment, dwelling unit, or dwelling for time periods of less than 30 days.

NONCONFORMING BUILDING OR STRUCTURE. A building or structure, or portion thereof, lawfully existing at the time this chapter became effective, which does not conform to all the height, area, and yard regulations herein prescribed in the zone in which it is located.

NONCONFORMING USE. A use which lawfully occupies a building or land at the time this chapter became effective and which does not conform with the use regulations of the zone in which it is located.

NURSING CARE FACILITY. Any facility licensed by the State Department of Health as a nursing care facility that provides licensed nursing care and related services to residents who need continuous health care and supervision. These facilities provide SKILLED NURSING CARE, which means a level of care that provides 24-hour inpatient care to residents who need licensed nursing supervision. The complexity of the prescribed services must be performed by or under the close supervision of licensed health care personnel. These facilities are to comply with the provisions in Utah Administrative Code § R432-150, "Nursing Care Facility."

OFFICIAL MAP. Any map adopted by the City Council under the provision of UCA § 10-9a-407, as amended.

OPEN GREEN SPACE. An open space suitable for relaxation or landscaping. It shall be unoccupied and unobstructed by buildings and/or hard surfaces such as asphalt, cement, and packed gravel, except that such open green space may be traversed by necessary sidewalks and access rights-of-way.

OPEN SELF-STORAGE. Secure outdoor space available to lease to the public for the storage of recreational vehicles, boats, personal watercrafts, ATVs, UTVs, snowmobiles, trailers, heavy equipment, and similar items. Open Self-Self Storage shall only be contained within a Self-Storage-Facility.

OWNER. Any person who is either the legal owner, keeper, possessor, or the actual custodian of an animal. OWNERSHIP is established by a person registering as an owner on

a license or other legal document, or being a person claiming ownership and taking, or having possession of, an animal.

PARKING LOT. An open area, other than a street, used for the parking of more than four automobiles and available for public use, whether free, for compensation, or as an accommodation for clients or customers, designed so that access to the parking spaces in the lot is by means of private interior roadways or alleys, and not by direct access from a public street.

PARKING SPACE. Space within a building, lot, or parking lot for the parking or storage of one automobile.

PASTURE. Fenced area enclosure for animals in which the grass product available on the site is the primary source of feed and in which livestock are kept in a loosely-controlled environment as opposed to being kept in a pen, corral, or stable.

PAVING MATERIAL. Asphalt, concrete, or blacktop and the component material thereof that is stored with the intent to create asphalt, concrete, or blacktop.

PEN. An enclosed area typically having less than 500 square feet and intended for occupancy by one to two animals.

PET. A domesticated animal kept for pleasure rather than utility, including, but not limited to: birds, cats, dogs, tropical-type fish, rabbits, hamsters, mice, and similar animals.

PRIVATE. For use by the occupant, his or her friends, and guests, and not for the purpose of remuneration, hire, or sale, or any other commercial use nor use, by an ad hoc informal association or group for the purpose of circumventing this limitation.

RECREATIONAL RESORT. A grouping of outdoor and/or indoor recreation facilities and activities designed to attract significant numbers of people as a destination because of the recreational attractions and vacation-type atmosphere. It may include accessory residential units for nightly rental.

RECREATIONAL VEHICLE. A vehicular unit, other than a mobile home, designed as a temporary dwelling for travel, recreational, and vacation use, which is either self-propelled or is mounted and/or pulled by another vehicle, including, but not limited to: travel trailer, camp trailer, folding tent trailer, truck camper, or motor home.

RESIDENTIAL FACILITY FOR DISABLED. A single-family or multiple-family dwelling unit, consistent with existing zoning of the desired location, that is occupied on a 24-hour per day basis by eight or fewer handicapped persons in a family-type arrangement under the supervision of a house family or manager, and that conforms to all applicable standards and requirements of the Department of Social Services, and is operated by, or operated under, contract with that Department. (See §§ 157.950 through 157.955.)

RESIDENTIAL FACILITY FOR ELDERLY. A dwelling unit that is occupied on a 24-hour per day basis by eight or fewer elderly persons in a family-type arrangement, and which is described more fully in §§ 157.950 through 157.955.

RESIDENTIAL FACILITY FOR HANDICAPPED PERSONS. A single-family or multiple-family dwelling unit, consistent with existing zoning of the desired location, that is occupied on a 24-hour per day basis by eight or fewer handicapped persons in a family-type arrangement under the supervision of a house family or manager, and that conforms to all applicable standards and requirements of the Department of Social Services, and is operated by, or operated under, contract with that Department.

RESIDENTIAL TREATMENT FACILITY. Facilities that offer room and board and provide for, or arrange for, the provision of specialized treatment, rehabilitation, or habilitation services for persons with emotional, psychological, developmental, or behavioral dysfunctions, impairments, or chemical dependencies. RESIDENTIAL TREATMENT FACILITY means a 24-hour group living environment for four or more individuals unrelated to the owner or provider in accordance with UCA § 62A-2-101 and Utah Administrative Code § R501-19. This does not include a residential facility for persons with a disability.

SELF-STORAGE FACILITY. A building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property. These facilities may contain Storage Units, storage lockers, and Open Self-Storage space. Beyond one (1) Dwelling Unit for a Night Watch/Guard, these facilities may not include any habitable space of any kind.

SERVICE ANIMAL. An animal that is legitimately certified, trained, or being trained to assist physically challenged persons, such as hearing-impaired guide dogs, mobility-limited assisting animals, or seeing-eye dogs.

SIGN. A presentation or representation of words, letters, figures, designs, pictures, or colors publicly displayed so as to give notice relative to a person, a business, an article or merchandise, a service, an assemblage, a solicitation, or a request for aid; also, the structure or framework, or any natural object, on which any sign is erected, or is intended to be erected, or exhibited, or which is being used, or is intended to be used, for sign purposes.

SIGN, ADVERTISING. An off-premises sign 20 square feet or less in area.

SIGN, ANIMATED. A sign which involves a motion or rotation of any part created by artificial means, or displays flashing or intermittent lights.

SIGN, AREA. The area of a sign that is used for display purposes, excluding the minimum frame and supports. In computing SIGN AREA, only one side of back-to-back signs covering the same subject shall be computed when the signs are parallel or diverge from a common edge by an angle of not more than 45 degrees. In relation to signs that do not have a frame or a separate background, SIGN AREA shall be computed on the basis of the least rectangle, triangle, or circle large enough to frame the display.

SIGN, BILLBOARD. An off-premises sign larger than 20 square feet in area. Two or more separate advertising spaces structurally connected will be considered one sign.

SIGN, BUSINESS. A sign which directs attention to a use conducted, project, or commodity sold or service performed upon the premises.

SIGN, DEVELOPMENT. A business sign identifying a construction project, or subdivision development. The sign may contain the name of the project, name and an address of the construction firm(s), architect, and developer.

SIGN, DIRECTIONAL. Business incidental signs designed to guide or direct pedestrians or vehicular traffic.

SIGN, FLAT. A sign erected parallel to, and attached to, or painted on or pasted on, the outside wall or window of a building and projecting not more than 18 inches from such wall or window.

SIGN, FLOODLIGHTED. A sign illuminated in the absence of daylight and by devices which reflect or project light upon it.

SIGN, GROUND. A sign placed upon the ground, or supported by a frame or supports placed in, or upon, the ground.

SIGN, IDENTIFICATION AND INFORMATION. An on-premises sign displayed to indicate the name or nature of a building or use, including all professional and business buildings, home occupations, apartment complexes, and public and semipublic buildings. Temporary and development signs are classified in this category only.

SIGN, ILLUMINATED. A sign which has characters, letters, figures, designs, or outlines illuminated by electric lights or luminous tubes as a part of the sign proper.

SIGN, NAME PLATE. A sign indicating the name and/or occupation of a person or persons residing on the premises or legally occupying the premises, or indicated a home's occupation legally existing on the premises.

SIGN, OFF-PREMISES. A sign which directs attention to a use, project, commodity, or service not related to the premises on which it is located.

SIGN, POLITICAL OR CAMPAIGN. A sign soliciting support for a person running for public office, or a sign defending or objecting to an issue or proposal being placed before the public.

SIGN, PROJECTING. A sign attached to a building or other structure and extending in whole, or in part, more than 18 inches beyond any wall of the building or structure.

SIGN, PROPERTY. A sign related to the property on which it is located and offering such property for sale or lease, or advertising contemplated improvements or announcing the name of the building, owner, designer, or developer of the project, or warning against trespassing.

SIGN, PUBLIC NECESSITY. A sign informing the public of any danger or hazard existing on, or adjacent to, the premises.

SIGN, ROOF. A sign erected partly or wholly on, or over, the roof of a building, but not including ground signs that rest on, or overlap, a roof 12 inches or less.

SIGN, SERVICE. A sign which is incidental to a use lawfully occupying the property upon which the sign is located and which sign is necessary to provide information to the public, such as direction to parking lots, location of restrooms, sale of agricultural products produced upon the premises, or other such pertinent facts.

SIGN, TEMPORARY. Any sign, banner, pennant, valance, or advertising display constructed, of cloth, canvas, light fabric, cardboard, wallboard, or other light materials, with or without frames, intended to be displayed for a short period of time only.

SIGN, WALL. A sign which is affixed to an exterior wall of a building or structure and which projects not more than 18 inches from the building or structure wall, and which does not extend more than four feet above the parapet, eaves, or building facade of the building on which it is located.

SOLID WASTE. Any household garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility, and other discarded material, including solid, liquid, semisolid, or contained gaseous materials resulting from industrial, commercial, mining, and agricultural operations and from community activities.

STABLE. A detached accessory building for the keeping of animals belonging to, or used by, the property owner or lessee and not for rent or for the stabling of the same for profit.

STANDARD. A standard adopted by the American National Standards Institute or the National Fire Protection Association for recreational vehicles, and for mobile homes manufactured prior to June 15, 1976. For manufactured homes built after June 16, 1976, *STANDARD* means the standard adopted pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, being 42 U.S.C. Chapter 70, §§ 5401 et seq., and as amended from time to time.

STOCKYARD. A commercial operation consisting of yards and enclosures where livestock are kept temporarily for slaughter, marketing, or shipping, together with necessary offices, chutes, loading and unloading pens, and railroad facilities.

STORAGE UNIT. An enclosed space or self-contained unit rented at a self-storage facility to store personal or business property. Access to each storage unit may be from outside or inside the structure.

STORY. The space within a building included between the surface of any floor and the surface of the ceiling next above.

STREET, PRIVATE. A thoroughfare which has been dedicated to the abutting land owners for joint private access to private property and accepted and approved by the City Council.

STREET, PUBLIC. A thoroughfare which has been dedicated or abandoned to the public and accepted by proper public authority, or a thoroughfare, not less than 26 feet wide, which has been made public by right of use, and which affords the principal means of access to abutting property.

STRUCTURAL ALTERATIONS. Any change in supporting members of a building or structure, such as bearing walls, columns, beams, or girders.

STRUCTURE. Anything constructed or erected which requires location on the ground or attached to something having a location on the ground.

TAVERN. Any business establishment operating under the Class "A" beer license regulations of the city, where the main purpose is for the sale of beer and mix for drinks to public patrons, and the revenue from the sale of beer and mix for drinks exceeds the revenue from the sale of food. The term TAVERN is inclusive of beer parlors and lounges. Such establishments shall be limited to two per lineal one-eighth of a mile distance.

TEMPORARY STORAGE UNITS, CONTAINERS, OR STRUCTURES. Any building, structure, container, or unit that can be moved by any means. It is not affixed to a permanent foundation and is not built with materials consistent with residential or commercial construction. This definition shall include, but is not be limited to: tractor trailers; containers originally designed for truck, rail, or boat transportation; commercial storage units that can be rented; and any temporary structure constructed without a building permit.

THERAPY PET. A therapeutic pet subject to a reasonable accommodation under federal or state law relating to persons with a disability as part of mental or physical health care under the direction of a legitimate mental or physical health care provider, or as otherwise accommodated by, or being trained for use in, a care facility, hospital, hospice, or like facility.

TOURIST COURT OR MOTEL. Any building or group of buildings containing sleeping rooms, with or without fixed cooking facilities, designed for temporary use by automobile tourists or transients, with the garage attached or parking space conveniently located to each unit, including auto courts, motels, or motor lodges.

TRAILER CAMP or TRAILER COURT. Any area or tract of land used or designed to accommodate two or more travel trailers, recreational vehicles, or camping parties.

TRAVEL TRAILER. A vehicular, portable unit, mounted on wheels, not requiring special highway movement permits when drawn by a motorized vehicle:

- (1) Designed as a temporary dwelling for travel, recreational, and vacation use; and
- (2) When factory-equipped for the road, having a body width of not more than eight feet and a body length of not more than 40 feet.

USE, ACCESSORY. A subordinate use customarily incidental to, and located upon, the same lot occupied by the main use and devoted exclusively to the main use of the premises.

USE, CONDITIONAL. A use or occupancy of a building or use of land permitted by the Planning Commission as a "special exception" only when authorized upon issuance of a conditional use permit and subject to the limitations and conditions specified therein, as provided in §§ 157.515 through 157.529, intended to allow compatible integration of uses which may be suitable only in certain locations within a particular zone, or only upon certain conditions and/or design criteria being achieved.

USE, PERMITTED. Any use lawfully occupying land or buildings as authorized in the zone regulations, and for which no conditional use permit is required.

WIDTH OF LOT. The distance between the side lot lines at the minimum setback distance from the front lot line required for the depth of the front yard. Minimum setback is 30 feet.

WILD ANIMAL. Any animal which is not commonly domesticated, listed as protected by federal or state law, or which may be perceived as wild or predatory in nature, or any animal which, because of its size, growth propensity, vicious nature or other characteristics, would constitute an unreasonable danger to human life or property if not kept, maintained, or confined in a safe and secure manner. Such animals include, but are not limited to:

- (1) Alligators, crocodiles, and caiman;
- (2) Bears (Ursidae);
- (3) Cat family (Felidae), except commonly-accepted domesticated cats, and includes cheetahs, cougars, leopards, lions, lynx, panthers, mountain lions, tigers, wild cats, and similar animals;
- (4) Dog family (Canidae), except all domesticated dogs, and includes wolf, part wolf, fox, part fox, coyote, part coyote, dingo, and similar animals;
- (5) Porcupine (Erethizontidae);
- (6) Primate (non-human), and includes all subhuman primates;
- (7) Raccoon (Prosynnidae); all raccoons, including eastern raccoons, desert raccoon ring-tailed cat, and similar animals;
- (8) Skunks;
- (9) Venomous fish and piranhas;
- (10) Venomous snakes and lizards; and
- (11) Weasels (Mustelidae), including weasels, martens, wolverines, badgers, otters, ermine, mink, mongoose, and similar animals (this category does not include ferrets commercially available at typical retail pet shops in the area).

YARD. An open space on a lot, other than a court, unoccupied and unobstructed from the ground upward by permanently-parked vehicles, buildings, or structures, except as otherwise provided herein.

YARD, FRONT. A yard on the same lot with a building, between the front line of the building exclusive of steps and the front lot line, and extending across the full width of the lot. The depth of the FRONT YARD is the minimum distance between the nearest part of the front lot line and the nearest part of the front line of the building or buildings on the lot.

YARD, REAR. A yard on the same lot with a building, between the rear line of the building exclusive of steps and the rear lot line, and extending the full width of the lot. The depth of the *REAR YARD* shall be the minimum distance between the nearest part of the rear lot line and the nearest part of the rear line of the building.

YARD, SETBACK. The minimum distance for the depth or width of a yard required by this chapter for the zone in which the lot or parcel is located.

YARD, SIDE. A yard on the same lot with a building, between the side line of the building exclusive of steps and the side lot line, and extending from the front yard to the rear yard. The width of the *SIDE YARD* shall be the minimum distance between the nearest part of the side lot line and nearest part of the side line of the building.

(Prior Code, § 2.08) (Ord. 2-92, passed - -1992; Ord. 13-2005, passed 11-2-2005; Ord. 30-2019, passed 9-4-2019; Ord. 39-2019, passed 12-18-2019; Ord. 23-2020, passed 6-17-2020; Ord. 05-2022, passed 3- -2022)

§ 157.294 USES.

(A) Abbreviations. In the following list of possible uses, those designated in any zone as:

- (1) "P" will be a permitted use;
- (2) "C" will be allowed only when authorized by a conditional use permit obtained in §§ 157.515 through 157.529; and
- (3) "N" will not be allowed in that zone.

(B) Uses permitted. Uses within Commercial Zones are as follows:

Use	C-1	C-2	C-3
A			
Adult novelty, bookstore, video (see §§ 157.540 through 157.544)	-	-	-
Air conditioning, sales and service (HVAC)	N	P	P
Altering, pressing, and repairing of wearing apparel	P	P	P
Amusement enterprises	N	C	C
Antique, import, or souvenir shop	C	P	P
Apartment, multi-family	N	N	N
Arcade	P	P	P
Archery shop and range; provided, it is conducted within a	N	P	P

completely-enclosed building			
Art and artist's supply store	C	P	P
Assisted living center, medical rehabilitation	C	C	C
Athletic and sporting goods store	C	P	P
Athletic club	C	P	P
Auction establishment	N	C	C
Automobile, new or used, sales and service	N	C	C
Automobile new parts sales and service	N	P	P
Automobile maintenance service (lube, oil, brakes)	N	P	P
Automobile repair, including paint, body and fender, brake, muffler, upholstery, or transmission work; provided, it is conducted within a completely-enclosed building	N	C	C
Awning sales and service	N	P	P
B			

Bakery manufacture, limited to goods retailed on premises	P	P	P
Bank or financial institutions	P	P	P
Barber shop	P	P	P
Batting cages, indoor or outdoor	N	C	P
Beauty culture school	N	P	P
Bed and breakfast hotel	N	C	P
Bed and breakfast inn	C	C	P
Beer club, bar (see "Tavern")	-	-	-
Bicycle sales and service	C	P	P
Billiard parlor; no alcohol	C	P	P
Boat sales and service	N	C	P
Bookstore, retail	P	P	P
Bottling and distribution plant	N	N	C
Bowling alley	N	C	P
Boxing arena	N	N	C

Building materials retail sales yard	N	C	C
Bus terminal	N	N	C
C			
Caf or cafeteria	P	P	P
Call center	N	P	P
Camera store	P	P	P
Candy store, confectionery	P	P	P
Cannabis, production and/or sales	N	N	P
Car wash, automatic (refer to § 157.293(B))	N	C	P
Car wash, manual spray (refer to § 157.293(B))	C	P	P
Car wash, stand alone	N	N	P
Carbonated water sales	C	P	P
Carpenter and cabinet shop	N	C	P
Catering establishment	C	C	P
China, crystal/silver shop	P	P	P
Christmas tree sales	C	C	P

Church; rent, cannot build	N	C	C
Church, temporary revival; rent, cannot build	N	C	C
Circus, carnival, or other transient amusement	N	N	C
Clinics, medical or dental	P	P	P
Clothing and accessory store	P	P	P
Coffee shop	P	P	P
Communication equipment building	N	P	P
Contractor shop, provided work conducted within a completely enclosed building	N	N	C
Convenience store	N	C	C
Costume rental	P	P	P
D			
Dairy products store	P	P	P
Dance hall/minors/non-alcoholic	N	C	C
Day care/preschool	C	C	C

Delicatessen	P	P	P
Department store	N	P	P
Detective agency	C	P	P
Diaper service, including cleaning	N	P	P
Drapery and curtain store (blinds, retail)	P	P	P
Driving range; indoor	C	P	P
Drug store	N	C	P
Dry cleaning establishment	N	C	P
Dry cleaning pickup station, no dry cleaning on premises	C	P	P
E			
Education institution; post high school without housing	C	P	P
Educational institution; tutoring, learning centers	C	P	P
Electrical and heating appliances and fixtures sales and service	N	P	P
Electronic equipment sales and service	C	P	P

Employment agency	N	P	P
Event center	N	C	C
Express and transfer service	N	P	P
F			
Fabric and textile store	P	P	P
Farm implement sales	N	C	P
Flooring	N	C	C
Florist shop	P	P	P
Fruit store or stand	P	P	P
Fueling station; liquid natural gas (LNG)	N	N	C
Fueling station; vehicles under 40,000 GVW	N	C	P
Fueling station; vehicles under 40,000 GVW with car wash	N	C	P
Furniture sales and repair	C	P	P
Fur apparel sales, storage, or repair	P	P	P
G			

Garden supplies and plant materials sales	C	P	P
Gift store	P	P	P
Glass sales and service	C	P	P
Go cart track; indoors	N	C	C
Golf course	N	C	C
Government buildings or uses, non-industrial	C	P	P
Greenhouse and nursery; soil and lawn service	C	P	P
Grocery store	N	P	P
Gun range; indoors	N	C	C
Gun sales and service	N	C	C
Gunsmith	C	P	P
Gymnasium	C	P	P
H			
Hardware store	C	P	P
Health club	C	P	C
Health food store	P	P	P
Heavy equipment rental, sales, and	N	C	C

service (only north of 3300 S)			
Heliport	N	N	C
Hobby and crafts store	P	P	P
Home improvement large box	N	C	C
Homeless shelter	N	N	N
Hospital	N	C	C
Hospital supplies	C	P	P
Hotel	N	C	P
House cleaning and repair	N	P	P
Household appliance sales and incidental service	N	P	P
I			
Ice cream manufacture	N	N	C
Ice cream parlor (small production allowed)	P	P	P
Insulation sales	N	C	C
Insurance agency	P	P	P
Interior decorator and designing establishment	P	P	P

J			
Janitor sales service and supply	N	P	P
Jewelry store sales and service	P	P	P
K			
Kennel; indoor with outdoor exercise area	N	C	C
L			
Laboratory, dental, or medical	N	P	P
Landscaping/yard care (only north of 3300 S)	N	C	C
Laundrette or laundromat	C	P	P
Lawn mower sales and service	N	P	P
Leather goods, sales, and service	P	P	P
Legal office	P	P	P
Library public	P	P	P
Linen store/retail	P	P	P
Linen supply service	N	N	C
Liquor store	N	N	C

Locksmith	P	P	P
Lodge or social hall	N	N	C
Luggage store	P	P	P
Lumber yard	N	N	C
M			
Machine shop operations incidental to any use permitted in C-3 district	N	N	C
Manufacturer of goods retailed on premises	N	C	C
Meat custom cutting and wrapping; excluding slaughtering	N	C	C
Meat, fish, and seafood store retail	C	P	P
Miniature golf	C	C	C
Mobile homes sales	N	N	C
Monument works and sales	N	C	P
Mortuary	N	P	P
Motel	N	C	P
Motorcycle, ATVs, and motor scooters sales and service	N	C	C

Museum	P	P	P
Music store	P	P	P
N			
Needlework, embroidery, or knitting store	P	P	P
Nightclub or social club (only north of 3300 S)	N	N	C
Novelty/souvenir store (non-adult)	P	P	P
Nursery school	C	P	P
Nursing care facility	N	C	C
O			
Office; general uses included, business, property management, investment firms, advertising agency, secretarial services	P	P	P
Offices in which goods or merchandise are not commercially created, exchanged, or sold	C	P	P
Office machines sales and service	N	P	P
Office supply	P	P	P

Optometrist, optician, or oculist	P	P	P
Ornamental iron sales or repair	N	C	C
P			
Packaging and mailing sales/service	P	P	P
Paint or wallpaper store	N	P	P
Pallet repair and manufacturing	N	N	N
Parking lot or garage for passenger autos (for example, park and ride) only within 1,000 ft. of I-15	N	C	C
Pawnshop	N	N	C
Payday loans and service	N	N	C
Pest control and extermination	N	C	P
Pet and pet supply store	P	P	P
Pet grooming (no overnight stay)	C	P	P
Pharmacy	P	P	P
Photo studio	P	P	P

Photographic supplies	P	P	P
Physician or surgeon	C	P	P
Plumbing shop retail store	N	P	P
Popcorn or nut shop	P	P	P
Post office	N	P	P
Printing, copying, lithographing, publishing, or reproductions sales and services	N	C	P
Private liquor club (only north of 3300 S)	N	N	C
Propane sales as an accessory use	N	P	P
Public building	C	C	C
Public utilities substation	C	C	C
Q			
Quilting sales and service	P	P	P
R			
Racquet club; indoors	N	P	P
Radio and television sales and service	C	P	P

Radio, television of FM broadcasting station	N	C	P
Real estate agency	P	P	P
Reception center or wedding chapel	N	C	C
Recreation center	C	C	C
Recreational vehicle/trailer storage (no permanent structures greater than 800 sq. ft.)	N	N	C
Recycling center/collection	N	N	N
Rental agency for home and garden equipment	N	C	P
Residential treatment facility	N	C	C
Restaurant; drive-in	C	C	P
Restaurant; no alcohol	C	P	P
Restaurant; serving alcohol	N	C	C
Restaurant with cabaret (see §§ 157.540 through 157.544)	-	-	-
Retail sales establishment	C	P	P
Roller skating rink	N	C	P

Roofing sales	N	P	P
S			
Salvage yard; storage and keeping of scrap materials, automobiles, machinery	N	N	N
Sand blasting	N	N	N
Second-hand store	N	C	P
Seed and feed store, retail	N	C	P
Semi-truck fueling station; convenience store over 40,000 GVW (in C-2 Zone, only north of 3300 S)	N	C	C
Sewing machine sales and service	P	P	P
Sexually-oriented business (see §§ 157.540 through 157.544)	-	-	-
Sheet metal shop and retinning; providing conducted within completely-enclosed building	N	N	C
Shoe repair or shoeshine shop	P	P	P
Shoe store	P	P	P

Sign manufacture or sign painting (see §§ 157.755 through 157.761)	N	N	C
Spa, including massage therapy	C	C	P
<u>Self-Storage Facilities in accordance with §157.619 Storage units; self-storage</u>	N	N	N
Supermarket	N	C	P
T			
Tailor shop	P	P	P
Tanning salon	C	P	P
Tattoo parlor (only north of 3300 S)	N	C	C
Tavern/bar (only north of 3300 S)	N	C	C
Taxidermist	N	C	C
Telecommunications tower	C	C	P
Temporary building for uses incidental to construction work; such buildings shall be removed upon completion of construction work	C	C	C

Theater; live indoor	N	P	P
Theater; movie indoor	N	P	P
Theater; outdoor	N	N	C
Tire recapping or retreading sales and service	N	N	C
Tire sales and service	N	P	P
Tobacco shop; includes vape (only north of 3300 S)	N	C	C
Toy store, retail	C	P	P
Trade or industrial school	N	C	P
Trailer sales and service	N	C	P
Travel agency	P	P	P
Tree trimming/arboriculture (only north of 3300 S)	N	C	C
U			
Upholstery shop	C	P	P
Used car lot	N	C	C
V			
Variety store	N	P	P

Vegetable store or stand	C	P	P
Ventilating equipment sales and service	N	C	C
Veterinary (small and large animal with kennel services)	N	C	C
W			
Warehouse (no manufacturing)	N	N	C
Welding shop	N	N	C
Wholesale business	N	N	C
Window washing establishment	C	C	P

(C) Undefined designation.

- (1) The City Manager, or his or her designee, shall determine the appropriate classification for each commercial application.
- (2) In the event that no specific commercial designation, as outlined in this section, is applicable to the use requested in the commercial application, the City Manager, or his or her designee, shall review the application and may make one of the following decisions:
 - (a) Determine the closest designation and whether a conditional use permit is necessary;
 - (b) Shall forward the application to the Planning Commission for the Commission to determine a designation, and whether a conditional use permit is necessary; or
 - (c) Deny the application and issue findings regarding the reason for the denial.
- (3) The City Manager, or his or her designee, has the authority and may approve the application of commercial entities that have little to no impact on adjacent parcels or businesses.

(4) All determinations or denials by the City Manager, or his or her designee, may be appealed to the Planning Commission for review.

(Prior Code, § 22.10) (Ord. 2-92, passed - -1992; Ord. 21-2021, passed 7-21-2021)

§ 157.331 PERMITTED USES.

- (A) Accessory uses and buildings customarily incidental to a permitted use;
- (B) Any permitted use in a C-3 Zone except dwelling units;
- (C) Agriculture;
- (D) Animal hospitals;
- (E) Animals and fowl for family food production;
- (F) Boat building;
- (G) Bookbinding;
- (H) Body and fender work, if conducted within an enclosed building;
- (I) Bottling works, soft drinks;
- (J) Carpenter shops, cabinet shop;
- (K) Carpet and rug cleaning and dyeing;
- (L) Coal, fuel, and wood yards, enclosed within a building or by a solid fence of not less than six feet in height;
- (M) Construction of buildings to be sold and moved off the premises;
- (N) Dairy;
- (O) Dry cleaning plants;
- (P) Dwelling units for night watch person or guard and family;
- (Q) Egg handling, processing, and sales;
- (R) Electric appliances and/or electronic instruments assembling;
- (S) Express offices;
- (T) Garages, public;
- (U) Honey extraction;
- (V) Ice manufacturing and storage;
- (W) Kennels;
- (X) Knitting mill;
- (Y) Laboratories;
- (Z) Laundries;

- (AA) Lithographing, including engraving and photo engraving;
- (BB) Machine shop;
- (CC) Manufacturing, compounding, processing, packing, and treatment of the following products:
 - (1) Bakery goods;
 - (2) Candy;
 - (3) Dairy products; and
 - (4) Pharmaceuticals.
- (DD) Manufacturing, compounding, assembling, and treatment of articles of merchandise from the following previously-prepared materials:
 - (1) Cellophane;
 - (2) Canvas;
 - (3) Cloth;
 - (4) Cork;
 - (5) Felt;
 - (6) Shell;
 - (7) Straw;
 - (8) Textile;
 - (9) Wood; and
 - (10) Yarn.
- (EE) Manufacturing and maintenance of the following:
 - (1) Business machines;
 - (2) Cameras and photographic equipment;
 - (3) Electric and neon signs, billboards, and/or commercial advertising structures;
 - (4) Light sheet metal products, including heating and ventilating ducts and equipment;
 - (5) Musical instruments;
 - (6) Novelties;
 - (7) Rubber and metal stamps; and
 - (8) Toys.

- (FF) Monument works;
- (GG) Motion picture studios;
- (HH) Motor vehicles, trailers, bicycles and machinery repairing, rentals, sales, and reconditioning;
- (II) Parking lots;
- (JJ) Planning mill;
- (KK) Printing, including engraving and photo engraving, blueprinting, photo stating, and duplication;
- (LL) Public transit yards;
- (MM) Public and quasi-public uses;
- (NN) Radio and television transmitting towers;
- (OO) Retail sales of products produced by, or developed in conjunction with, or normally required and used in the performance of, a commercial or manufacturing operation permitted in this Zone; and provided the retail sale is clearly an accessory use to the main permitted use and is conducted within the same building, or if the main use is not a building, then on the same property; provided, however, no retail sales of products may be made in conjunction with a warehousing or wholesale business;
- (PP) Rubber welding;
- (QQ) Sign painting shop;

(RR) Self-storage facilities in accordance with §157.619

- (~~SSRR~~) Service station;
- (~~TTSS~~) Single-family dwelling;

(UUTT) Temporary buildings for uses incidental to construction work, including living quarters for a guard or night watch person, which buildings must be removed upon completion or abandonment of the construction work;

- (~~VVUU~~) Tire retreading and/or vulcanizing;
- (~~WWVV~~) Transfer companies;
- (~~XXWW~~) Truck service stations;
- (~~YYXX~~) Trucking terminals;
- (~~ZZYY~~) Upholstering, including mattress manufacturing, rebuilding, and renovating;
- (~~AAAZZ~~) Used car lots;

(BBBAAA) Veterinaries, and hotel and beauty parlors for cats and dogs;

(CCCBBB) Warehouses;

(DDDCCC) Weaving;

(EEDDDD) Welding shops; and

(FFFEFF) Wholesale businesses.

(Prior Code, § 24.04) (Ord. 2-92, passed - -1992; Ord. 08-2016, passed 5-4-2016)

§ 157.619 SELF-STORAGE FACILITY RESTRICTIONS.

- (A) No Self-Storage Facilities shall be permitted south of 3300 South.
- (B) Self-Storage Facilities shall be set back no less than 100 feet from any right-of-way boundary and no less than 250 feet from a right-of-way boundary of any of the following major corridors:
 - (1) 1900 W;
 - (2) 2100 S;
 - (3) Wilson Lane;
 - (4) 2550 S; and
 - (5) 3300 S.
- (C) A building may be excluded from the setback requirements of Subsection B if the building meets all the following conditions:
 - (1) The building is at least two stories in height.
 - (2) All storage units in the building are accessed from the building interior.
 - (3) The primary facade and all facades that front a major corridor shall be comprised of at least 20% glass.
 - (4) Glass shall be included as an exterior material on all facades that are visible from the right-of-way.
- (D) Open Self-Storage: Self-Storage Facilities may contain an area for Open Self-Storage. No recreational vehicle, trailer, boat, or similar item shall be occupied while within Open Self-Storage.
- (E) Use Restrictions.
 - (1) No business may operate from within a storage unit.
 - (2) Overnight occupancy of a Storage Unit is not permitted, and the habitation of people or animals within a Storage Unit is strictly prohibited.
- (F) Additional Design Standards.
 - (1) Where Open Self Storage or outdoor-accessed Storage Units are present, perimeter walls of at least six (6) feet in height shall be provided at the property boundaries. Said walls are required to have decorative brick or split-face block, with a decorative vertical column every fifty (50) feet. Perimeter walls are not required at points where the rear wall of a building is built to the property boundary line, provided the rear wall of the building meets the perimeter wall standards of this subsection.

(2) Self-Storage Facilities shall be subject to the provisions of the Design Review code of this Chapter, except that the requirements for Upgraded Architectural Features do not apply to buildings or portions of buildings that consist entirely of outdoor-accessed Storage Units.

§ 157.631 PARKING SPACE FOR RESIDENTIAL, COMMERCIAL, INSTITUTIONAL, RECREATIONAL AND OTHER LAND USES.

Land Use Required Parking

Land Use

Required Parking

Residential (see notes to table)

 Dwelling, single-family detached

 2 spaces

 Dwelling, two- to four-family

 2 spaces per dwelling unit

 Dwelling, single-family attached (townhome, twin home)

 Single car garage: 1 space per dwelling unit, plus 1 guest parking space per 4 dwelling units

 2+ car garage: 2 spaces per dwelling unit, plus 1 guest parking space per 4 dwelling units

 Dwelling, multi-family apartment

 1 space per studio/1-bedroom apartment

 2 spaces per 2+ bedroom apartment

 Guest parking: 10% of total apartments in the project

Commercial

 Auto repair shop

 1 space per service bay, plus 1 space per 250 square feet GFA

 Automobile sales, new/used

 5 spaces, plus 1 space per 2,000 square feet GFA. This is exclusive of on-site inventory parking

 Bus facility, intermodal transit hub

 1 space per employee at highest shift, plus 1 space per bus

 Car wash

 5 stacking spaces per bay or lane, plus 1 space per service stall

Drive-through facility

5 stacking spaces per lane, in addition to the parking required for the specific land use

Dry cleaner, laundry facility

1 space per 250 square feet GFA

Financial services

3 spaces per 1,000 square feet GFA, plus required stacking

Flex space (no set end user)

30 spaces, plus 1 space per 250 square feet GFA

Food production

2 space per 1,000 square feet GFA

Hotel/motel/B&B

1 per room

Laboratory

1 space per 1,000 square feet GFA

Manufacturing

2 spaces per 1,000 square feet GFA

Medical/dental office or clinic

1 space per 250 square feet GFA

Office, general

1 space per 250 square feet GFA

Repair shop, general

3 spaces per 1,000 square feet GFA

Restaurant, tavern, bar, lounge, café

1 space per 100 square feet GFA, plus required stacking

Retail goods and/or services

1 space per 250 square feet GFA

Self-Storage Facility

3 spaces, plus 1 space per 2,000 square feet GFA of buildings that provide interior-accessed Storage Units. Office and retail space parking shall be calculated separately based on the prescribed standards of this subchapter

Warehouse

20 spaces, plus 1 space per 2,000 square feet GFA. Office space parking shall be calculated separately based on office, general standards

Wholesale distribution

20 spaces, plus 1 space per 2,000 square feet GFA. Office space parking shall be calculated separately based on office, general standards

Institutional

Assisted living center/nursing home

1 space per 4 beds, plus 1 per employee at highest shift

Auditorium/church/assembly hall

1 space per 100 square feet GFA

Day care/preschool

1 space per employee, plus one space per 5 children

Education, 10-12

1 space per faculty member and full-time employee, plus 1 space per 3 students at maximum enrollment

Education, college, university, vocational

1 space each per faculty member and full-time employee, plus 1 space per 3 students at maximum enrollment

Education, K-9 (see notes to table)

1 space each per faculty and full-time employee, plus one space per 10 students at maximum enrollment

Funeral/mortuary/crematorium

10 spaces plus 1 space per 4 fixed seats in the parlor(s)

Government services

5 spaces, plus 2 spaces per 1,000 square feet GFA

Hospital

1.5 space per hospital bed, plus 1 per employee at highest shift

Recreation/Culture/Entertainment

Art gallery, museum

1 space per 1,000 square feet GFA

Event venue, private

10 spaces, plus 1 space per 50 square feet GFA

Gym/fitness/recreation center, indoor

3 spaces per 1,000 square GFA

Gym/fitness/recreation center, outdoor

8 spaces per field, seat, lane, and the like, plus 3 spaces per 1,000 square feet GFA

Theater, movie or live

1 space per 4 fixed seats

Notes to table:

- All residential parking requirements are independent of any garage parking which may be provided.

- Single-family residences which do not provide a garage are required to provide an additional two off-street spaces per unit.

- A minimum of 50% of the parking spaces provided for multi-family residential projects shall be covered.

- Day cares, preschools and K-9 schools are also subject to design requirements for how the pickup/drop off is handled. See § 157.633 for such requirements.

- For other uses not listed above, the parking requirements shall be established by the Planning Commission based upon a reasonable number of spaces for staff and customers, and similar requirements of like businesses.

- The city reserves the right to increase the required amount of off-street parking for residential uses if, in the opinion of Engineering and Community Development staff, the ownership and design of the right-of-way serving the development is insufficient to support on-street parking.

- Where computation of parking requirements results in a fraction, the required parking spaces shall be rounded to the next highest number.

(Prior Code, § 44.04) (Ord. 2-92, passed --1992; Ord. 13-2020, passed 5-6-2020; Ord. 07-2023, passed 4-5-2023)