



CITY COUNCIL
AGENDA SUMMARY FORM
COMMUNITY DEVELOPMENT DEPARTMENT

MEETING DATE:	March 4, 2026
AGENDA ITEM:	ORDINANCE No. 26-03: AN ORDINANCE OF THE CITY OF TAYLORSVILLE APPROVING A ZONING TEXT AMENDMENT TO TITLE 13 OF THE TAYLORSVILLE MUNICIPAL CODE, AMENDING STATE CODE REFERENCE NUMBERING PURSUANT TO SB1008.
FILE #:	1Z26/ DCA-000577-2026
PUBLIC HEARING REQUIRED:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ORDINANCE REQUIRED:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
RESOLUTION REQUIRED:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
AUTHOR:	Grant Allen, AICP, Senior Planner
PRESENTER:	Grant Allen, AICP, Senior Planner
SUMMARY:	<p>During the 2025 First Special Session of Utah Legislature, SB1008 Municipal Land Use, Development, and Management Act Recodification was passed. This recodified the numbering in the Municipal Land Use, Development and Management Act. Due to the renumbering, the City is amending Title 13 of the Taylorsville Municipal Code to update the Utah Code references to match the recodified sections of Utah Code.</p> <p>The City of Taylorsville has initiated a zoning text amendment to Title 13 of the Taylorsville Municipal Code updating all Title 13 references to the Municipal Land Use, Development and Management Act to match those adopted in SB1008. There are forty-three (43) instances within Title 13 that will be amended.</p> <p>The Planning Commission met on February 10, 2026. There were no public comments submitted during the public hearing. The Planning Commission voted 6-0 to forward a positive recommendation to the City Council for the zoning text amendment request. A copy of the Planning Commission staff report is included in the exhibits for Council consideration- the exhibit illustrating redline textual changes is included as attachment to the ordinance.</p>
STAFF RECOMMENDATION:	Staff recommends approval of Ordinance No. 26-03 based on the findings outlined in this report and exhibits.
PLANNING COMMISSION RECOMMENDATION:	<input checked="" type="checkbox"/> Approve <input type="checkbox"/> Deny

PLANNING COMMISSION VOTE:	6-0
SUMMARY OF PUBLIC COMMENTS:	No public comments have been submitted.
ATTORNEY'S OFFICE	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ATTACHMENTS:	Ordinance No. 26-03 Exhibit A: Title 13 Renumbering REDLINE

TAYLORSVILLE, UTAH
ORDINANCE NO. 26-03

**AN ORDINANCE OF THE CITY OF TAYLORSVILLE APPROVING A ZONING
TEXT AMENDMENT TO TITLE 13 OF THE TAYLORSVILLE MUNICIPAL CODE,
AMENDING STATE CODE REFERENCE NUMBERING PURSUANT TO SB1008.**

WHEREAS, the Taylorsville City Council (the “Council”) met in regular session on March 4, 2026, to consider, among other things, approving a text amendment to Title 13 of Taylorsville Municipal Code, Amending State Code Reference numbering pursuant to SB1008.; and

WHEREAS, the City’s Planning Commission held a properly noticed public hearing on the proposed amendments on February 10, 2026, during which the Planning Commission voted 6-0 to recommend that the Council approve the proposed text amendment; and

WHEREAS, although not required by City ordinances, the City Council heard courtesy public comment on the proposed amendments during its regularly scheduled meeting on March 4, 2026; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety, and welfare of the citizens of Taylorsville to approve the proposed amendments.

NOW, THEREFORE, BE IT ORDAINED by the Taylorsville City Council that the proposed text amendments to TAYLORSVILLE MUNICIPAL CODE Title 13 amending state code reference numbering pursuant to SB1008, as articulated in Exhibit “A,” attached hereto and incorporated herein by this reference, are hereby approved,

This ordinance, assigned Ordinance No. 26-03, shall take effect as soon as it shall be published or posted as required by law, deposited, and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED this _____ day of _____, 2026.

TAYLORSVILLE CITY COUNCIL

By: _____
Council Chairperson

VOTING:

Meredith Harker	Yea ___ Nay ___
Ernest Burgess	Yea ___ Nay ___
Robert Knudsen	Yea ___ Nay ___
Curt Cochran	Yea ___ Nay ___
Anna Barbieri	Yea ___ Nay ___

PRESENTED to Mayor of Taylorsville for her approval this _____ day of _____, 2026.

APPROVED this _____ day of _____, 2026.

Mayor Kristie S. Overson

ATTEST:

Jamie Brooks, Recorder

DEPOSITED in the Recorder's office this _____ day of _____, 2026.

POSTED this _____ day of _____, 2026.

EXHIBIT A

Proposed zoning text amendments

CHAPTER 13.01 ORGANIZATION

13.01.020: AUTHORITY:

This title is adopted pursuant to the provisions of the Utah Code Annotated section 10-20-101 et seq. (Ord. 12-15, 7-11-2012)

CHAPTER 13.03 OFFICERS, BOARDS, AND COMMISSIONS

13.03.040: APPEAL AUTHORITIES:

A. Hearing Officer:

1. Purpose: In order to provide for just and fair treatment in the administration of local land use ordinances and to ensure that substantial justice is done, a Hearing Officer shall be appointed to exercise the powers and duties provided hereafter.

2. Creation And Appointment: The Hearing Officer shall be appointed or removed by the Mayor with the advice and consent of the City Council.

3. Procedures:

a. The Hearing Officer shall adopt rules that comply with all applicable State Statutes and City ordinances.

b. Meetings shall be conducted in compliance with the requirements of State Statutes and City ordinances concerning the keeping of minutes.

c. The Hearing Officer shall make decisions on scheduled agenda items. Decisions of the Hearing Officer become effective at the meeting in which the decision is made unless a different time is designated by the Hearing Officer at the time the decision is made.

d. All hearings of the Hearing Officer shall be open to the public.

e. The Hearing Officer shall receive a stipend for each meeting.

4. Powers And Duties: The Hearing Officer shall hear and decide:

a. Requests for variances from the terms of the land use ordinance.

b. Appeals from decisions where it is alleged that there is an error in the order, requirement, decision, or determination made by an administrative official or director in the enforcement or interpretation of this Development Code. Appeals may not be used to waive or modify the terms or requirements of the Development Code. No authority has been granted to the Hearing Officer to make determinations regarding the existence, expansion, or modification of nonconforming structures or nonconforming uses.

c. All appeals of decisions regarding administrative and non-administrative conditional uses.

- d. Appeals from a fee charged in accordance with State Code section 10-20-904.
- e. Other matters as established by the City Council.

B. Administrative Officer: The Director is designated as an Appeal Authority for the purpose of reviewing and deciding matters as established by the City Council. (Ord. 18-09, 2-28-2018)

CHAPTER 13.05 ENACTMENT OF OR AMENDMENT TO DEVELOPMENT CODE AND ZONING MAP

13.05.010: PURPOSE:

The city council may enact and amend land use ordinances and a zoning map consistent with the purposes set forth in this development code, the general plan, and the land use development and management act [1](#). This chapter sets forth the procedure and responsibilities of the planning commission and city council in making decisions relating to the amendment of the development code and the zoning map. (Ord. 12-15, 7-11-2012)

Notes

- [1](#) 1. UCA § 10-20-101 et seq.

CHAPTER 13.29 ADDRESSING, STREET NAMING, AND DESIGN STANDARDS

13.29.070: PROCEDURES:

All proposed street names shall be coordinated with Salt Lake County to avoid duplication. In addition, the following procedures shall be adhered to with new development and proposed changing of street names:

A. Subdivision: Street coordinates and house numbers shall be assigned by the engineer and shall be placed on the final subdivision plat by the developer before plat recordation.

B. Duplicate Street Names: The city may change duplicated street names without a petition when it is determined that the change is in the public interest. The following criteria should be used in eliminating street name duplications:

1. Historical significance.
2. The number of buildings addressed on the street.
3. The length of time that the name has been in use.
4. The length of the street and the amount of traffic.
5. Compatibility with adjacent street names.

C. Changing Existing Street Names: To change an existing street name, the process in Utah Code Annotated section 10-20-813 for vacating or altering a street or alley shall be followed.

D. Adding Names To Existing Numbered Streets: To add a name to an existing numbered street, the process in Utah Code Annotated section 10-20-813 for vacating or altering a street or alley shall be followed.

E. Changing Existing Property Numbering: The changing of an existing property number must be in the public interest. Requests for changes based upon personal reasons, numerology, or superstition will not be approved. Approval of requests for address changes may be made under the following circumstances:

1. The address on the plat and the building permit do not match.
2. The address is out of sequence or not in reasonable juxtaposition with other addresses on the street.
3. The address spacing with other addresses is such that it creates confusion.
4. The address has an incorrect odd/even designation.
5. The address conflicts with an address on a parallel street.

F. Street Name/Number Changes: When street name/number changes are approved, the city will change its records to conform to the change. Property owners are responsible for notifying other public and private entities of the approved change. (Ord. 12-15, 7-11-2012)

CHAPTER 13.30 SUBDIVISION REVIEW

13.30.030: SUMMARY TABLE OF SUBDIVISION REVIEW PROCEDURES:

The following table identifies the subdivision applications authorized by this LDC, whether a public hearing notice is required, whether pre-application activities are required, and the role of city review and decision-making bodies.

R = Review D = Decision A = Appeal • = required blank cell = not required

* = Public Hearing Required ^ = Public Meeting Required

Application Type.		LDC Section.	Pre-Application Meeting.	Neighborhood Meeting .	Public Hearing Notice			Review and Decision-Making Bodies				
					Published	Mailed	Posted	Community Development Director	City Engineer	Planning Commission	City Council	Hearing Officer
Subdivision Procedures												
Subdivision Plat	Preliminary				[2]			R		D*	[3]	A^
	Final Plat							D			[3]	A^
Plat Amendment or Vacation			•		[2]			R		D*	[3]	A^
Condominium Plat	Preliminary		•		[2]			R		D^	[3]	A^
	Final							D[1]			[3]	A^
Property Line Adjustment								D[1]				A^

NOTES:

1 For any procedure designating the Community Development Director as the review and decision-making body, the Director may determine a public meeting is required pursuant to § 13.43.040(B): Referral to Planning Commission. If a public meeting is required, the meeting shall be noticed in accordance with this LDC and the Planning Commission shall be the decision-making body.

2 Additional noticing requirements may be required in accordance with the standards established in the application-specific procedures.

3 Proposals to vacate some or all of a public street or municipal utility easement shall be scheduled for a public hearing before the City Council and noticed in accordance with Utah Code § 10-20-208. (Ord. 24-02, 1-3-2024)

13.30.040: PRELIMINARY PLAT:

A. Purpose: The preliminary plat procedure provides a mechanism for the city to review an overall plan for a proposed subdivision to ensure compliance with this LDC and other applicable plans and regulations, and the provision of adequate public facilities and services within the city.

B. Applicability: The preliminary plat review procedure shall apply to all subdivisions of land in any zoning district located within the city, except for the following:

1. The division of a lot or parcel resulting from a division of agricultural land as provided in Utah Code § 10-20-808; and

2. Land division activities that meet the applicability thresholds established in § 13.30.080: Property Line Adjustments.

C. Step 1: Pre-Application Meeting:

1. Single Family, Duplex, and Townhouse Subdivisions

a. A pre-application meeting is optional in accordance with § 13.43.020: Step 1: Pre-Application Meeting.

b. In the event a pre-application meeting is requested, city staff shall schedule the pre-application meeting within 15 business days of the request and provide or have available on the city's website the following:

- (1) Copies of applicable land use regulations;
- (2) A complete list of standards required for the project;
- (3) Preliminary and final application checklists; and
- (4) Feedback on the concept plan.

2. All Other Subdivisions: A pre-application meeting is required in accordance with § 13.43.020: Step 1: Pre-Application Meeting.

D. Step 2: Application Submittal and Processing: The application shall be submitted, accepted, and revised, and may be withdrawn, in accordance with § 13.43.030: Step 2: Application Submittal and Processing, with the following modification:

1. The city shall maintain and publish a list of the items comprising the complete preliminary subdivision land use application, including:

- a. The application;
- b. The owner's affidavit;
- c. An electronic copy of all plans in PDF format;
- d. The preliminary subdivision plat drawings; and
- e. A breakdown of fees due upon approval of the application.

2. Within twenty (20) days of receiving a complete subdivision application, the city shall mail written notice of the proposed subdivision to the facility owner of any water conveyance facility (as defined in Utah Code § 10-20-803) located, entirely or partially, within one hundred feet (100') of the subdivision plat in accordance with Utah Code § 10-20-803(3)(d).

3. The city shall not approve a subdivision plat for at least twenty (20) days from the date of sending the mailed notice to facility owners identified in paragraph (1) above, to allow sufficient time to receive comments from each facility owner, in accordance with Utah Code § 10-20-803(3)(d).

E. Step 3: Application Review:

1. Single Family, Duplex, and Townhouse Subdivisions: The Director shall review the application and prepare a staff report and recommendation in accordance with § 13.43.040: Step 3: Application Review, based on the review criteria in § 13.43.040(D): General Review Criteria, and § 13.30.050(H)(1): Preliminary Plat Review Criteria. The following shall also apply:

a. No later than fifteen (15) business days after the day on which an applicant submits a complete preliminary subdivision land use application for a residential subdivision for single-family dwellings, two-family dwellings, or townhomes, the city shall complete the initial review of the application, including subdivision improvement plans associated with required infrastructure and city-controlled utilities required for a subdivision.

b. In reviewing a subdivision land use application, the city may require:

(1) Additional information relating to an applicant's plans to ensure compliance with city ordinances and approved standards and specifications for construction of public improvements; and

(2) Modifications to plans that do not meet current ordinances, applicable standards, or specifications, or do not contain complete information.

c. The city's request for additional information or modifications to plans under paragraphs b(1) or (2) above, shall be specific and include citations to ordinances, standards, or specifications that require the modifications to plans, and shall be logged in an index of requested modifications or additions.

d. Unless the change or correction is necessitated by the applicant's adjustment to a plan set or an update to a phasing plan that adjusts the infrastructure needed for the specific development, a change or correction not addressed or referenced in a city's plan review is waived. A modification or correction necessary to protect public health and safety or to enforce state or federal law may not be waived.

e. If an applicant does not submit a revised plan within twenty (20) business days after the city requires a modification or correction, the city shall have an additional twenty (20) business days to respond to the plans.

f. In addition to revised plans, an applicant shall provide a written explanation in response to the city's review comments, identifying and explaining the applicant's revisions and reasons for declining to make revisions, if any.

g. The applicant's written explanation shall be comprehensive and specific, including citations to applicable standards and ordinances for the design and an index of requested revisions or additions for each required correction.

h. If an applicant fails to address a review comment in the response, the review cycle is not complete and the subsequent review cycle may not begin until all comments are addressed.

i. The city shall not require more than two review cycles during preliminary review. Review cycle means the occurrence of:

- (1) The applicant's submittal of a complete subdivision land use application;
- (2) The City's review of that subdivision land use application;
- (3) The City's response to that subdivision land use application, in accordance with this section; and
- (4) The applicant's reply to the city's response that addresses each of the city's required modifications or requests for additional information, in accordance with this section.

2. All Other Subdivisions: The Director shall review the application and prepare a staff report and recommendation in accordance with § 13.43.040: Step 3: Application Review, based on the review criteria in § 13.43.040(D): General Review Criteria, and § 13.30.050(H)(1): Preliminary Plat Review Criteria.

F. Step 4: Neighborhood Meeting: Not required.

G. Step 5: Public Notice and Hearing:

1. The application shall be scheduled for a public hearing before the Planning Commission and noticed in accordance with this LDC.

2. Any application that proposes to vacate some or all of a public street or municipal utility easement shall be scheduled for a public hearing before the City Council and noticed in accordance with Utah Code § 10-20-208.

3. A single family, duplex, or townhouse subdivision shall not be subject to more than one public hearing.

H. Step 6: Application Decision and Action:

1. Preliminary Plat Review Criteria: The Planning Commission shall decide a preliminary plat application in accordance with § 13.43.070: Step 6: Application Decision and Action, based on the review criteria in § 13.43.040(D): General Review Criteria, and the following:

- a. The plat complies with applicable dimensional and development standards in this LDC;
- b. Does not affect a recorded easement without approval from the easement holder;
- c. Provides a layout of lots, roads, utilities, drainage, and other public facilities and services that are compliant with city engineering standards and this LDC;
- d. Provides evidence of adequate public facilities to serve the proposed development;
- e. Proposes reasonable phasing as it relates to infrastructure capacity;
- f. Does not result in the creation of a remnant lot or parcel that cannot be developed according to the requirements of this LDC and other applicable laws; and

g. Does not remove or attempt to remove recorded covenants or restrictions without following the proper procedures for making such changes.

2. Conditions of Approval: The preliminary plat review procedure is intended to inform the developer and the public of the requirements for obtaining preliminary plat approval. To this end, an attempt has been made to outline all subdivision requirements and other applicable ordinances and laws. Each parcel of real property is unique; there may be some aspects of subdivision development that cannot easily be articulated, and it is not possible to cover every possible contingency. In reviewing a preliminary plat, the decision-making body may impose conditions of approval that shall be satisfied provided that:

- a. The conditions are not arbitrary or capricious;
- b. The conditions are necessary to promote the health, safety, or welfare of the residents of the city; and
- c. The conditions do not conflict with any applicable law.

I. Step 7: Post-Decision Actions and Limitations: Post-decision actions and limitations in § 13.43.080: Step 7: Post-Decision Actions and Limitations shall apply with the following modifications:

1. Effect of Approval: The approval of a preliminary plat by the Planning Commission is strictly tentative, involving merely the general acceptability of the layout as submitted. A plat may not be recorded until it has been approved in accordance with § 13.30.060: Final Plat.

2. Expiration of Approval:

a. A preliminary plat approval shall expire one year after the date of approval by the Planning Commission, unless a complete application for final plat review is filed in accordance with § 13.30.060: Final Plat.

b. Requests for extensions of approvals shall be decided in accordance with § 13.43.080(C): Extension Requests.

c. If a preliminary plat approval expires, a new application may be submitted following the procedures and regulations in effect at the time of re-application.

3. Transfer Before Approval Prohibited: It shall be unlawful to transfer, sell, convey, gift, or assign any subdivided property before a final subdivision plat is approved and recorded pursuant to the requirements of this LDC and applicable state law.

4. Modification or Amendment of Approval:

a. If the developer desires to change the grade or location of streets within the subdivision, or desires to increase the number of lots in the subdivision, or substantially alters the original subdivision design, these shall be deemed major changes and require the developer to submit a new application.

b. The director may approve changes to the preliminary plat to decrease the number of lots in the subdivision, to make minor lot boundary changes, or to make other minor changes without requiring that it be reviewed by the planning commission.

5. Appeals: A preliminary plat decision may be appealed pursuant to § 13.43.080(G): Appeals. (Ord. 24-02, 1-3-2024)

13.30.050: FINAL PLAT:

A. Purpose: The purpose of the final plat procedure is to demonstrate compliance with an approved preliminary plat and applicable standards of this LDC and ensure plat documents are properly recorded with Salt Lake County.

B. Applicability: The final plat review procedure shall apply to all subdivisions of land in any zoning district located within city that require preliminary plat approval in accordance with § 13.30.050: Preliminary Plat.

C. Step 1: Pre-Application Meeting: Not required.

D. Step 2: Application Submittal and Processing: The final plat application shall be submitted in accordance with § 13.43.030: Step 2: Application Submittal and Processing, prior to the expiration of preliminary plat approval, and the following:

1. The city shall maintain and publish a list of the items comprising the complete final subdivision land use application, including:

- a. The application;
- b. The owner's affidavit;
- c. An electronic copy of all plans in PDF format;
- d. The final subdivision plat drawings; and
- e. A breakdown of fees due upon approval of the application.

E. Step 3: Application Review

1. The Director shall review the application in accordance with § 13.43.040: Step 3: Application Review, based on the review criteria in § 13.43.040(D): General Review Criteria, and § 13.30.060(H).

2. If the application is subject to the facility owner noticing requirements during the preliminary review, pursuant to § 13.43.030: Step 2: Application Submittal and Processing, the Director shall not approve the final plat for at least twenty (20) days after the day on which mailed notice was sent to facility owners, in accordance with Utah Code § 10-20-803.

3. Single Family, Duplex, and Townhouse Subdivisions: The following shall also apply to single family, duplex, and townhouse subdivisions:

a. No later than twenty (20) business days after the day on which an applicant submits a complete application, the city shall complete a review of the applicant's final subdivision land use application for a residential subdivision for single-family dwellings, two-family dwellings, or townhomes including all subdivision plan reviews.

b. In reviewing a subdivision land use application, the city may require:

(1) Additional information relating to an applicant's plans to ensure compliance with city ordinances and approved standards and specifications for construction of public improvements; and

(2) Modifications to plans that do not meet current ordinances, applicable standards, or specifications, or do not contain complete information.

c. The city's request for additional information or modifications to plans under paragraphs (b)(1) or (2) above, shall be specific and include citations to ordinances, standards, or specifications that require the modifications to plans, and shall be logged in an index of requested modifications or additions.

d. Unless the change or correction is necessitated by the applicant's adjustment to a plan set or an update to a phasing plan that adjusts the infrastructure needed for the specific development, a change or correction not addressed or referenced in a city's plan review is waived. A modification or correction necessary to protect public health and safety or to enforce state or federal law may not be waived.

e. If an applicant makes a material change to a plan set, the city has the discretion to restart the review process at the first review of the final application, but only with respect to the portion of the plan set that the material change substantively effects.

f. If an applicant does not submit a revised plan within twenty (20) business days after the city requires a modification or correction, the city shall have an additional twenty (20) business days to respond to the plans.

g. After the applicant has responded to the final review cycle, and the applicant has complied with each modification requested in the city's previous review cycle, the city may not require additional revisions if the applicant has not materially changed the plan, other than changes that were in response to requested modifications or corrections.

h. In addition to revised plans, an applicant shall provide a written explanation in response to the city's review comments, identifying and explaining the applicant's revisions and reasons for declining to make revisions, if any.

i. The applicant's written explanation shall be comprehensive and specific, including citations to applicable standards and ordinances for the design and an index of requested revisions or additions for each required correction.

j. If an applicant fails to address a review comment in the response, the review cycle is not complete and the subsequent review cycle may not begin until all comments are addressed.

k. The city shall not require more than two (2) review cycles during final review. Review cycle means the occurrence of:

- (1) The applicant's submittal of a complete subdivision land use application;
- (2) The City's review of that subdivision land use application;
- (3) The City's response to that subdivision land use application, in accordance with this section; and

l. The applicant's reply to the city's response that addresses each of the city's required modifications or requests for additional information, in accordance with this section.

F. Step 4: Neighborhood Meeting: Not required.

G. Step 5: Public Notice and Hearing: Not required.

H. Step 6: Application Decision and Action: The Director shall decide a final plat application in accordance with § 13.43.070: Step 6: Application Decision and Action, based on the review criteria in § 13.43.040(D): General Review Criteria, and the following:

1. The final plat conforms to the approved preliminary plat, including any conditions of approval;
2. The final plat is consistent with all conditions of approval of the preliminary plat and complies with city engineering standards, this LDC, and all applicable City Codes and Ordinances;
3. The landowner has provided a tax clearance indicating that all taxes, interest, and penalties owed on the land have been paid; and
4. The final plat complies with applicable standards in Utah Code 10-20-803.

I. Step 7: Post-Decision Actions and Limitations: Post-decision actions and limitations in § 13.43.080: Step 7: Post-Decision Actions and Limitations shall apply with the following modifications:

1. Recording with Salt Lake County: Upon final approval, payment of final fees, collection of all required signatures, and required bonding pursuant to § 13.02.160: Guarantee for Improvements, the city shall record the approved final plat with Salt Lake County.

2. Submission to Utah Geospatial Resource Center: Within thirty (30) days of approving a final plat, the City shall submit to the Utah Geospatial Resource Center:

- a. An electronic copy of the approved final plat; or
- b. Preliminary geospatial data that depicts any new streets and situs addresses proposed for construction within the bounds of the approved plat.

3. Expiration of Approval:

a. A final plat approval shall expire one year after the date of approval by the Director unless the final plat has been recorded with Salt Lake County.

b. Requests for extensions of approvals shall be decided in accordance with § 13.43.080(C): Extension Requests.

c. If the final plat is not recorded with Salt Lake County for any phase of the development within the prescribed period, or within any extension granted pursuant to § 13.43.080(C): Extension Requests, the plat approval shall expire for that phase and for all other phases for which a final plat has not been recorded with Salt Lake County prior to the date of expiration.

d. If a final plat approval expires, a new application may be submitted following the procedures and regulations in effect at the time of re-application.

4. Transfer Before Approval Prohibited

It shall be unlawful to transfer, sell, convey, gift, or assign any subdivided property before a final subdivision plat is approved and recorded pursuant to the requirements of this LDC and applicable state law.

5. Modification or Amendment of Approval

a. The Director may, at their discretion, approve minor changes to approved final plats before the plat is recorded. The types of minor changes contemplated by this section include legal description mistakes, minor boundary changes, and items that should have been included on the original final plats.

b. Major changes to unrecorded approved final plats shall require the developer to submit a new application.

c. Changes to recorded final plats shall be in accordance with state law and any policies or procedures adopted by the city.

6. Appeals: If, on the fourth or final review cycle, the city fails to respond within twenty (20) business days, the city shall, upon request of the property owner, and within ten (10) business days after the day on which the request is received:

a. For a dispute arising from the subdivision improvement plans, assemble an appeal panel in accordance with Utah Code § 10-20-911(5)(d) to review and approve or deny the final revised set of plans. Unless otherwise agreed by the applicant and the city, the panel shall consist of the following three experts:

(1) One licensed engineer, designated by the city;

(2) One licensed engineer, designated by the land use applicant; and

(3) One licensed engineer, agreed upon and designated by the two designated engineers as appointed in paragraphs a(1) and a(2) above.

(4) A member of the panel assembled by the city may not have an interest in the application that is the subject of the appeal.

(5) The land use applicant shall pay:

(A) Fifty percent (50%) of the cost of the panel; and

(B) The City's published appeal fee.

b. For a dispute arising from the subdivision ordinance review, the Director shall provide the applicant with a written response identifying the deficiency in the application. Decisions related to subdivision ordinance review may be appealed pursuant to § 13.43.080(G)(1): Administrative Decision. (Ord. 24-02, 1-3-2024)

13.30.060: PLAT AMENDMENT OR VACATION:

A. Purpose: The plat amendment or vacation procedure provides a mechanism to request changes to vacate, alter, or amend a recorded subdivision plat or portion of plat or street within a recorded plat, in accordance with this LDC and Utah Code § 10-20-803.

B. Applicability:

1. Subject to Plat Amendment or Vacation: The plat amendment or vacation procedure applies to changes to a recorded subdivision plat that:

a. Vacates all or a portion of the subdivision;

b. Alters the outside boundary of the subdivision;

- c. Changes the number of lots within the subdivision;
- d. Alters a public right-of-way, a public easement, or public infrastructure within the subdivision; or
- e. Alters a common area or other common amenity within the subdivision; or
- f. Changes the name of a recorded subdivision.

2. Exempt From Plat Amendment or Vacation: An amendment to correct a technical error, such as misnumbered street addresses or an errant note on the plat may be done through recording an affidavit of correction with the Salt Lake County Recorder's Office by the Director, on behalf of the city.

C. Step 1: Pre-Application Meeting: A pre-application meeting is required in accordance with § 13.43.020: Step 1: Pre-Application.

D. Step 2: Application Submittal and Processing: The application shall be submitted, accepted, and revised, and may be withdrawn, in accordance with § 13.43.030: Step 2: Application Submittal and Processing, with the following modifications:

1. Authority to Submit an Application: An application to vacate, alter, or amend a recorded subdivision plat or portion of a recorded subdivision plat shall be made by the city or any fee owner of a lot in the subdivision.

2. Application Content: In addition to the submittal requirements identified in § 13.43.030(B): Application Content, an application for a plat amendment shall also include applicable information as provided in Utah Code § 10-20-811 and Utah Code § 10-20-813.

E. Step 3: Application Review: The Director shall review the application and prepare a staff report and recommendation in accordance with § 13.43.040: Step 3: Application Review, based on the review criteria in § 13.43.040(D): General Review Criteria, and § 13.30.070(H).

F. Step 4: Neighborhood Meeting: Not required.

G. Step 5: Public Notice and Hearing:

1. Planning Commission: The application shall be scheduled for a public meeting and/or public hearing, as applicable, before the Planning Commission and shall be noticed in accordance with Utah Code § 10-20-811; § 10-20-812; and/or § 10-20-813, as applicable.

2. City Council: Applications that involve the whole or partial vacation of a public right-of-way shall be noticed for a public hearing before the City Council in accordance with Utah Code § 10-20-813 and § 10-20-208.

H. Step 6: Application Decision and Action:

1. Planning Commission: Notwithstanding applications that require City Council approval, the Planning Commission shall decide a plat amendment application in accordance with § 13.43.070: Step 6: Application Decision and Action, based on the following review criteria:

- a. There is good cause for the vacation or amendment;
- b. No public street or municipal utility easement has been vacated or amended;
- c. Is consistent with the intent of the underlying zoning district;

- d. Complies with applicable dimensional and development standards in this LDC;
- e. Does not affect a recorded easement without approval from the easement holder;
- f. Provides a layout of lots, roads, utilities, drainage, and other public facilities and services that are compliant with city engineering standards and this LDC;
- g. Provides evidence of adequate public facilities to serve the proposed development;
- h. Does not result in the creation of a remnant lot or parcel that cannot be developed according to the requirements of this LDC and other applicable laws;
- i. Does not remove or attempt to remove recorded covenants or restrictions; and
- j. Proposes reasonable phasing as it relates to infrastructure capacity.

2. City Council: The City Council shall decide the whole or partial vacation of a public right-of-way or municipal utility easement, in accordance with § 13.43.070: Step 6: Application Decision and Action, and Utah Code 10-20-813, based on the following review criteria:

- a. Good cause exists for the vacation; and
- b. The public interest or any person will not be materially injured by the proposed vacation.

I. Step 7: Post-Decision Actions and Limitations: Post-decision actions and limitations in § 13.43.080: Step 7: Post-Decision Actions and Limitations shall apply with the following modifications:

1. Recording with Salt Lake County:

- a. Upon final approval, payment of final fees, collection of all required signatures, and required bonding pursuant to § 13.02.160: Guarantee for Improvements, the City shall record the approved plat amendment with Salt Lake County.
- b. In cases where a subdivision or portion of a subdivision is vacated, an ordinance approved by the City Council describing the subdivision to be vacated shall be recorded with Salt Lake County, pursuant to Utah Code § 10-20-812, and § 10-20-813, as applicable.

2. Expiration of Approval:

- a. A plat amendment approval shall expire twelve (12) months after the date of approval unless the plat amendment has been recorded with Salt Lake County.
- b. Requests for extensions of approvals shall be decided in accordance with § 13.43.080(C): Extension Requests.
- c. If the plat amendment is not recorded with Salt Lake County within the prescribed period, or within any extension granted pursuant to § 13.43.080(C): Extension Requests, a new application may be submitted for consideration by the appropriate review authority following the procedures and regulations in effect at the time of application.
- d. If a plat amendment approval expires, a new application may be submitted for consideration by the city following the procedures and regulations in effect at the time of re-application.

3. Transfer Before Approval Prohibited: It shall be unlawful to transfer, sell, convey, gift, or assign any subdivided property before a final subdivision plat is approved and recorded pursuant to the requirements of this LDC and applicable state law.

4. Appeals: A plat amendment or vacation may be appealed pursuant to § 13.43.080(G): Appeals. (Ord. 24-02, 1-3-2024)

13.30.070: PROPERTY LINE ADJUSTMENTS:

A. Purpose: The property line adjustment procedure provides a mechanism for the City to review proposed re-alignments to existing lots and parcels in the city and to ensure proposed re-alignments comply with this LDC and other applicable regulations.

B. Applicability:

1. Generally. The property line adjustment procedure shall apply to the following activities:

a. A recorded agreement between owners of adjoining properties adjusting their mutual boundary if:

(1) No new lot or dwelling unit is created; and

(2) The adjustment complies with this LDC and other applicable City Ordinances.

b. A recorded document, executed by the owner of record that:

(1) Revises the legal description of more than one contiguous unsubdivided parcel(s) of property into one legal description encompassing all such parcels of property; or

(2) Joins a subdivided parcel of property to an unsubdivided parcel of property and complies with this LDC and other applicable City Ordinances.

c. The consolidation of two or more subdivided lots for the purpose of developing them as one lot, provided:

(1) The consolidation does not affect an existing street, alley, walkway, or right-of-way; and

(2) No public utility, drainage, or other easements exist along the mutual boundary of any two lots being consolidated.

2. Exempt: The following activities are exempt from the property line adjustment procedure.

a. A boundary line adjustment made by the Utah Department of Transportation.

b. A bona fide division or partition of agricultural land pursuant to Utah Code § 10-20-808, for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance.

C. Step 1: Pre-Application Meeting: A pre-application meeting as described in § 13.43.020: Step 1: Pre-Application, is optional.

D. Step 2: Application Submittal and Processing: The application shall be submitted, accepted, and revised, and may be withdrawn, in accordance with § 13.43.030: Step 2:

Application Submittal and Processing, and shall contain information required by Utah Code § 10-20-811(5) and § 10-20-, as applicable.

E. Step 3: Application Review: The Director shall review and evaluate the application in accordance with § 13.43.040: Step 3: Application Review, with the following modifications:

1. The Director shall complete the review within fourteen (14) days after the day on which the property owner submits a completed application in accordance with § 13.43.030: Step 2: Application Submittal and Processing.

2. If the Director determines the application is deficient or if additional information is necessary to conduct a thorough review, the Director shall send, within the time period described in paragraph (1) above, written notice to the property owner that:

a. Describes the specific deficiency or additional information that is required to conduct a thorough review; and

b. States that the Director shall approve the application upon the property owner's correction of the deficiency or submission of the additional information described.

3. If the Director approves the application, the city shall send written notice of the approval to the property owner within the time period described in paragraph (1) above.

4. If the Director fails to send a written notice pursuant to paragraph (2) above within the time period described in paragraph (1) above, the property owner may record the property line adjustment as if no review was required.

F. Step 4: Neighborhood Meeting: Not required.

G. Step 5: Public Notice and Hearing: Not required.

H. Step 6: Application Decision and Action: The Director shall decide a property line adjustment application in accordance with § 13.43.070: Step 6: Application Decision and Action, based on the review criteria established in § 13.43.040(D): General Review Criteria and Utah Code § 10-20-907, as applicable, and the following:

1. No new dwelling lot or housing unit results from the property line adjustment;

2. The adjoining property owner(s) consent to the property line adjustment;

3. The property line adjustment does not result in remnant land that did not previously exist; and

4. The adjustment does not violate applicable zoning requirements and/or city ordinances.

I. Step 7: Post-Decision Actions and Limitations: Post-decision actions and limitations in § 13.43.080: Step 7: Post-Decision Actions and Limitations shall apply with the following modifications:

1. Recording with Salt Lake County:

a. Upon final approval and payment of final fees, the applicant shall prepare a notice of approval that satisfies the minimum requirements of Utah Code § 10-20-811(5); and § 10-20-907, as applicable.

b. The applicant shall be responsible for recording associated deed(s) which conveys title as approved and the notice of approval with Salt Lake County.

2. Expiration of Approval

a. A property line adjustment approval shall expire one year after the date of approval by the Director unless the documents required by this LDC and Utah Code have been recorded with Salt Lake County.

b. Requests for extensions of approvals shall be decided in accordance with § 13.43.080(C): Extension Requests.

c. If a property line adjustment approval expires, a new application may be submitted for consideration by the city following the procedures and regulations in effect at the time of re-application.

3. Transfer Before Approval Prohibited: It shall be unlawful to transfer, sell, convey, gift, or assign any subdivided property before a final subdivision plat is approved and recorded pursuant to the requirements of this LDC and applicable state law.

4. Appeals: A property line adjustment decision may be appealed pursuant to § 13.43.080 (G): Appeals. (Ord. 24-02, 1-3-2024)

13.30.130: REASONABLE DILIGENCE:

The review for application completeness, substantive application review and determination of whether improvements or warranty work meets standards shall be done in accordance with the standards set forth in the Utah Code Annotated section 10-20-907, review for application completeness -- substantive application review -- reasonable diligence required for determination of whether improvements or warranty work meets standards -- money damages claim prohibited, as amended. (Ord. 12-15, 7-11-2012)

CHAPTER 13.34 APPEALS AND VARIANCES

13.34.030: DISTRICT COURT REVIEW OF DECISION:

A. Any person adversely affected by a final decision made in the exercise of or in violation of the provisions of this title may file a petition for review of the decision with the District Court within thirty (30) calendar days after the land use decision is final.

B. No person may challenge in District Court the City's land use decision made under this title or under a regulation made under authority of this Code, until that person has exhausted their administrative remedies as provided herein and in Utah Code Annotated section 10-20-101 et seq., as amended, if applicable.

C. The filing of a petition in the District Court and its review shall be governed by the provisions of Utah Code Annotated section 10-20-101 et seq., as amended. (Ord. 12-15, 7-11-2012)

CHAPTER 13.35 NOTICE REQUIREMENTS

13.35.030: GENERAL PLAN:

A. General Plan Consideration

1. After a proposed General Plan or General Plan amendment for all or part of the city has been prepared, the Planning Commission shall schedule and hold a public hearing to consider the proposed plan or plan amendment after notice is given as set forth below.

2. After the Planning Commission has forwarded the proposed General Plan or amendment to the City Council, the Council shall hold a public meeting on the proposal after notice is given as set forth below.

B. Notice of Intent

1. Before preparing a proposed General Plan or a comprehensive General Plan amendment, the city shall provide ten (10) calendar days' notice of the city's intent to prepare the proposed General Plan or comprehensive General Plan amendment:

- a. To each affected entity, as defined in Utah Code §10-20-102(3);
- b. To the Utah Geospatial Resource Center created in Utah Code § 63A-16-505;
- c. To the Wasatch Front Regional Council; and
- d. On the Utah Public Notice Website created under Utah Code § 63A-16-601.

2. Each notice required by subsection (E)(1) shall:

a. Indicate that the city intends to prepare a General Plan or a General Plan amendment, as applicable;

b. Describe or provide a map of the geographic area that will be affected by the General Plan or amendment;

c. Be sent by mail, e-mail, or other effective means;

d. Invite the affected entities to provide information for the city to consider in the process of preparing, adopting, and implementing a General Plan or amendment concerning:

(1) Impacts that the use of land proposed in the proposed General Plan or amendment may have; and

(2) Uses of land within the city that the affected entity is considering that may conflict with the proposed General Plan or amendment; and

e. Include the address of an Internet website, if the city has one, and the name and telephone number of an individual where more information can be obtained concerning the city's proposed General Plan or amendment.

C. Notice of Public Hearing

1. The city shall provide:

a. Notice of the date, time, and place of the first public hearing to consider the original adoption or any modification of all or any portion of a General Plan; and

b. Notice of each public meeting on the subject.

2. Each notice of a public hearing shall be at least ten (10) calendar days before the public hearing and shall be:

a. Published on the Utah Public Notice Website created in Utah Code § 63A-16-601;

- b. Mailed to each affected entity, as defined in Utah Code §10-20-102(3); and
- c. Posted:
 - (1) In at least three (3) public locations within the city; or
 - (2) On the city’s official website.

D. Notice of Public Meeting

Each notice of a public meeting shall be at least twenty-four (24) hours before the meeting and shall be:

- 1. Published on the Utah Public Notice Website created in Utah Code § 63A-16-601; and
- 2. Posted:
 - a. In at least three (3) public locations within the city; or
 - b. On the city’s official website. (Ord. 21-14, 10-6-2021)

13.35.040: ZONE DISTRICT MAP AND LAND DEVELOPMENT CODE:

A. Zone District Map and Land Development Code Consideration:

- 1. The Planning Commission shall hold a public hearing to consider and make recommendations to the City Council on a proposed Land Development Code, zone district map or amendment thereto after notice is given as set forth below.
- 2. After the Planning Commission has forwarded the proposed zone district map or Land Development Code or amendment and its recommendation to the City Council, the Council shall consider each proposed Land Development Code, zone district map or amendment thereto at a public meeting after notice is given as set forth below.

B. Notice of Public Hearing

Each notice of a public hearing required by subsection (B) above shall be:

- 1. Mailed to each affected entity, as defined in Utah Code § 10-20-102(3), at least ten (10) calendar days before the public hearing; and
- 2. Posted:
 - a. In at least three (3) public locations within the city; or
 - b. On the city’s official website; and
- 3. Posted on the Utah Public Notice Website created in Utah Code § 63A-16-601, at least ten (10) calendar days before the public hearing; or
- 4. Mailed at least ten (10) days before the public hearing to:
 - a. Each property owner whose land is directly affected by the land use ordinance change; and
 - b. The record owner of each parcel within three hundred feet (300') of the property that is the subject of the hearing.

C. Notice of Public Meeting

Each notice of a public meeting required by subsection (A)(2) shall be posted at least twenty-four (24) hours before the public meeting:

1. In at least three (3) public locations within the city; or
2. On the city's official website.

D. Zoning Map Enactment or Amendment - Courtesy Notice

The city shall send a courtesy notice to each owner of private real property whose property is located entirely or partially within a proposed zoning map enactment or amendment at least ten (10) days before the scheduled day of the public hearing.

1. The notice shall:
 - a. Identify with specificity each owner of record of real property that will be affected by the proposed zoning map or map amendments;
 - b. State the current zone in which the real property is located;
 - c. State the proposed new zone for the real property;
 - d. Provide information regarding or a reference to the proposed regulations, prohibitions, and permitted uses that the property will be subject to if the zoning map or map amendment is adopted;
 - e. State that the owner of real property may no later than ten (10) days after the day of the first public hearing file a written objection to the inclusion of the owner's property in the proposed zoning map or map amendment;
 - f. State the address where the property owner should file the protest;
 - g. Notify the property owner that each written objection filed with the municipality will be provided to the City Council; and
 - h. State the location, date, and time of the public hearing to consider the zoning map or map amendment.
2. The courtesy notice required by this subsection (D) may be included in or part of the mailed notice described in subsection (B)(4) above, rather than sent separately. (Ord. 21-14, 10-6-2021)

13.35.060: SUBDIVISION PLATS AND AMENDMENTS:

A. Subdivision Plat Consideration

1. The Planning Commission shall hold a public hearing to consider a preliminary subdivision plat or an amendment to a preliminary subdivision plat after notice is given as set forth below.
2. If an entire subdivision is vacated, the City Council shall consider the matter at a public meeting and pass a resolution containing a legal description of the entire vacated subdivision to be recorded in the County Recorder's Office.

B. Public Hearing Notice

The city shall give notice of the date, time, and place of a public hearing as follows:

1. Mailed not less than ten (10) calendar days before the public hearing and addressed to the record owner of each parcel within the subdivision plat and the record owner of each parcel within three hundred feet (300') of the property proposed for subdivision or an amendment to a subdivision; or

2. Posted not less than ten (10) calendar days before the public hearing on the property proposed for subdivision or amendment, in a visible location, with a sign of sufficient size, durability, and print quality that is reasonably calculated to give notice to passersby; and

3. If a proposed amendment involves the vacation, alteration, amendment, or closure of a street, the city shall hold a public hearing and give notice of the date, place, and time of the public hearing in accordance with Utah Code §10-20-208.

4. If a preliminary plat is being considered that describes a multiple-unit residential development or a commercial or industrial development, notice shall be mailed not less than three (3) calendar days before the public hearing to each affected entity.

C. By Petition: If a petition has been filed to amend a subdivision pursuant to Utah Code § 10-20-811, the public hearing shall be within forty five (45) days after the petition has been filed if:

1. An owner within the plat notifies the city of their objection to a proposed vacation, alteration, or amendment of a subdivision plat, in writing, within ten (10) calendar days of mailed notification; or

2. All the owners in the subdivision have not signed the revised plat.

D. Public Meeting Notice: Each notice of a public meeting to consider the vacation of an entire subdivision shall be at least twenty-four (24) hours before the meeting and shall be posted:

1. In at least three (3) public locations within the city; or

2. On the city's official website. (Ord. 21-14, 10-6-2021)

13.35.080: STREET VACATIONS, ALTERATIONS, AMENDMENTS OR CLOSURES (NOT WITHIN A SUBDIVISION PLAT):

A. Consideration Of Public Street Vacations, Alterations, Amendments, Or Closures:

1. Consideration of vacation, alteration, amendment or closure of public streets that are within a subdivision plat shall comply with the hearing and notice provisions set forth for subdivision plat amendments above.

2. For consideration of the vacation, alteration, amendment, or closure of public streets that are not within a subdivision plat, the planning commission shall hold a public hearing to consider the vacation, alteration, amendment, or closure.

B. Public Hearing Notice: The city shall give notice of the date, place, and time of a public hearing for the Planning Commission to consider a vacation, alteration, amendment, or closure of a public street in accordance with Utah Code § 10-20-208. (Ord. 21-14, 10-6-2021)

CHAPTER 13.36 DEFINITIONS

13.36.200: "S" DEFINITIONS:

SARA TITLE III: The Superfund Amendment and Reauthorization Act section found in 40 CFR 300-302, pertaining to emergency response and right to know.

SCHOOL: Any building (public or private) used primarily for the general education of minors.

SCHOOL, CHARTER: An operating charter school; a charter school applicant that a charter school authorizer approves in accordance with Utah Code § 53G-5-2: Charter School Authorization; or an entity that is working on behalf of a charter school or approved charter applicant to develop or construct a charter school building. "Charter school" does not include a therapeutic school as defined in Utah Code § 10-20-102.

SCHOOL, COMMERCIAL: A school established to provide for the teaching of vocational, industrial, clerical, managerial, artistic skills, or similar skills. This definition applies to schools that are owned and operated privately for profit and that do not offer a complete educational curriculum, e.g., beauty school, modeling school.

SCHOOL, COMMERCIAL (LOW IMPACT): Those commercial schools which are artistic in nature and which have a relatively low impact on surrounding uses because they are conducted indoors; have a limited number of students; and do not require a large number of parking spaces because of the age of the students. Such schools generally include smaller scale dance schools, music lessons, martial arts schools, gymnastics schools and similar uses.

SCHOOL, PRIVATE OR QUASI-PUBLIC: A school operated by a private or quasi-public organization, or individual, which has a curriculum similar to that provided in any public school in the State of Utah, except that such curriculum may include religious instruction. A private school may be a profit making or nonprofit organization. A private school may also include laboratory and shop instruction with the use of demonstration vehicles, products or models incidental to said instruction; but shall not include the repair, maintenance and manufacture of vehicles, goods or merchandise, and shall not provide direct services, other than instruction to the general public. (Does not include commercial schools.)

SCHOOLS, PUBLIC: An educational facility operated by a school district or other public agency of the State of Utah.

SCULPTURE PARK: A facility for the display for viewing and/or sale of sculptures. Facility may include outdoor display. Such facility typically includes a large expanse of landscaped green space containing an array of gardens, fountains, and sculptural artworks.

SEARCHLIGHT: A temporary advertising device which is a stationary or revolving light which flashes or projects illumination, single color or multicolored, in any manner which is intended to attract or divert attention.

SECONDARY CONTAINMENT (Drinking Water Source Protection Ordinance): Any system that is used to provide release detection and release prevention, such as trays under containers, floor curbing or other systems designed to hold materials or liquids that may discharge from containers holding regulated substances. Examples include a double walled tank, a double walled integral piping system, or a single walled tank or integral piping system that is protected by an enclosed concrete vault, liner, or an impervious containment area.

SECONDHAND GOODS STORE: Any business which is engaged in the purchase, barter, exchange, or sale of any secondhand merchandise or which deals in secondhand goods, excluding businesses dealing in used motor vehicles and trailers and pawn shops. Typical businesses in this definition are thrift stores, used clothing stores, etc.

SECURE CORRECTIONAL FACILITY: See definition of correctional facility.

SECURE DETENTION: See definition of correctional facility.

SECURE FACILITY: See definition of correctional facility.

SECURE TREATMENT: See definition of human services programs or facilities.

SEMITRAILER: Every vehicle designed or used for carrying persons or property with another and separate motor vehicle so that in operation a part of its own weight or that of its load, or both, rests upon and is carried by another vehicle.

SENIOR APARTMENT UNITS: Single-family dwelling units within a single building for persons age fifty five (55) and older.

SENSITIVE AREA: An area of land which contains environmental or potential geological hazards, and which, if altered, may cause damage to the environment.

SEPTIC HOLDING TANK (Drinking Water Source Protection Ordinance): A watertight receptacle, used to contain septic waste. The contents of which are extilated and disposed of at a waste disposal facility.

SEPTIC TANK SYSTEM (Drinking Water Source Protection Ordinance): A generally watertight receptacle connected to a drainfield that allows liquid from the tank to enter the soil. The system is constructed to promote separation of solid and liquid components of domestic wastewater, to provide decomposition of organic matter, to store solids, and to allow clarified liquid to discharge for further treatment and disposal in a soil absorption system.

SETBACK: The setback for all structures is the shortest distance between the property line and the building or any portion thereof excluding the following:

- A. Window awnings and unenclosed front entry and steps not protruding more than five feet (5') into the setback area.
- B. Uncovered patios.
- C. Decks and balconies not greater than two feet (2') in height from grade, and not less than four feet (4') from the rear property line and eight feet (8') from the side property line.
- D. Decks and balconies not greater than eight feet (8') above grade and not less than ten feet (10') from the rear lot line.
- E. Chimney and roof overhangs protruding no greater than two feet (2') into the setback area.

SEXUALLY ORIENTED BUSINESS: Adult businesses, nude entertainment businesses, seminude dancing bars, outcall services, and nude and seminude dancing agencies as defined in title 5, chapter 5.82 of the Taylorsville Code.

SHELTER: See definition of correctional facility.

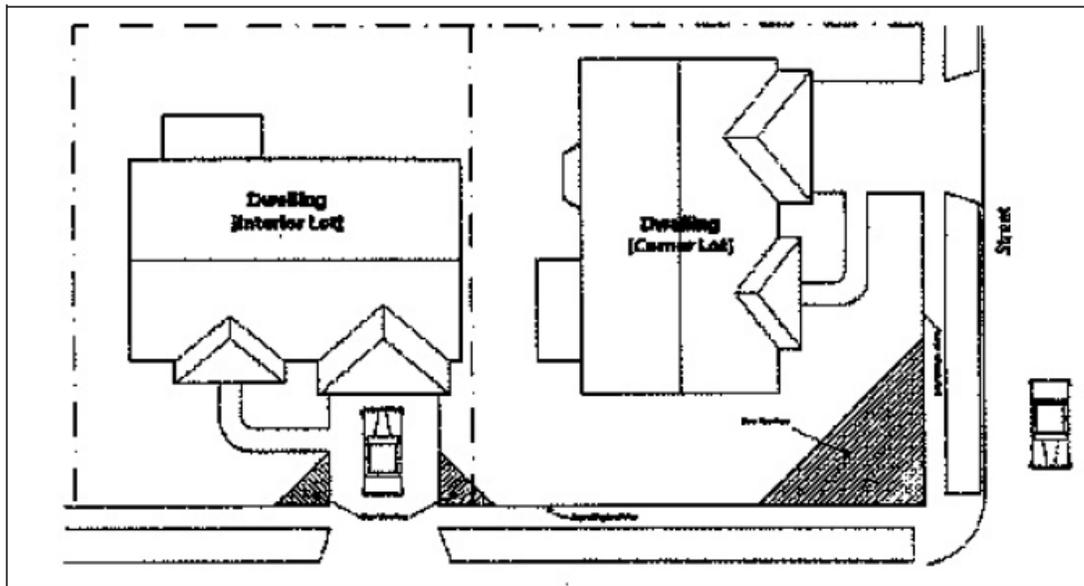
SHELTERED WORKSHOP: A nonresidential facility providing supervised educational or vocational training facility for persons with a disability.

SHOPPING CENTER: An area or group of commercial or mixed-use structures built on a site that is planned, developed, managed and owned by a single entity as a unified and contiguous operating unit.

SIDEWALK:

- A. Any surface provided for the exclusive use of pedestrians.
- B. A paved surface or leveled area separated from the street and used as a pedestrian walkway.
- C. A paved right-of-way for pedestrians that is separate and protected from the traveled portion of the roadway, and free from vehicular traffic.

SIGHT VISIBILITY TRIANGLE: The triangular area formed by a diagonal line connecting two (2) points located on intersecting street, right-of-way or driveway.



SIGN: Every message, announcement, declaration, demonstration, display, illustration, insignia, surface, or space erected or maintained in view of the observer thereof for identification, advertisement, or promotion of the interests of any person, entity, product, or service. The definition of a sign shall include all flags of any type. The definition of sign shall also include the sign structure, supports, lighting system, and any attachments, ornaments or other features used to draw the attention of observers.

SIGN, A-FRAME: Any portable sign, structure, or configuration composed of one or two (2) sign faces mounted or attached back to back in such a manner as to form a basically triangular vertical cross section.

SIGN, ABANDONED: A sign which no longer correctly directs or influences any person, advertises a bona fide business, lessor, owner, product, or activity conducted or available on the premises where such sign is displayed.

SIGN, ADVERTISING: A sign which attracts or directs attention to a use, product, commodity, or service either related or not related to the premises on which the sign is located.

SIGN, ADVERTISING BENCH: A bench for public use and convenience which is painted or otherwise covered with advertisement.

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

SIGN AREA: The portion of a sign that is used for display purposes, excluding the minimum frame and supports. In computing sign area, only one side of a back to back or double face sign covering the same object shall be computed when the signs are parallel or diverge from a common edge by an angle of not more than forty five degrees (45°).

SIGN, AWNING: An awning having copy or logo, or which is backlit, externally illuminated, or nonilluminated.

SIGN, BANNER:

A. A sign having characters, letters or illustrations applied to cloth, paper or fabric of any kind, with only such nonrigid material for background.

B. A sign of lightweight fabric or similar nonrigid material that is mounted with no enclosing framework.

SIGN, BILLBOARD: See definition of billboard.

SIGN, BLADE: Signs projecting perpendicular from the wall having a certain distance from the wall and a certain clearance above the ground.

SIGN, BUSINESS: A sign which identifies a business or use conducted, product or commodity sold, or service performed upon the premises on which it is located.

SIGN, CABINET: A sign that contains all the text and/or logo symbols within a single enclosed cabinet and may or may not be illuminated.

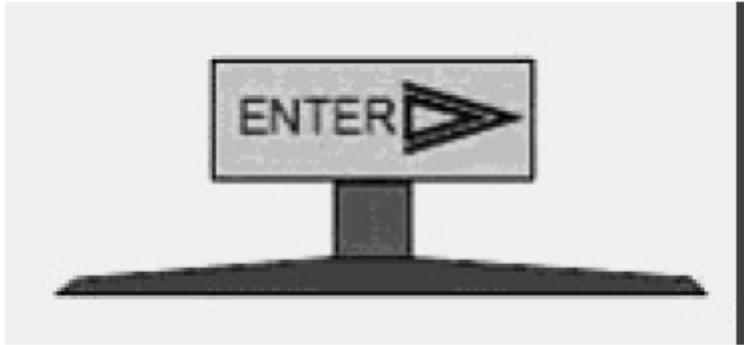
SIGN, CANOPY: Any sign attached to the underside or constructed upon a canopy.

SIGN, CHANGEABLE COPY: A sign on which the copy is changed manually or electrically such as a message center or reader boards with changeable letters or changeable pictorial panels, and electronically controlled time and temperature signs. It does not include poster panels or painted bulletins.

SIGN, COMMUNITY: Temporary, on or off premises signs, generally made of a woven material or durable synthetic materials primarily attached to or hung in a vertical fashion from light poles or on buildings, of solely a decorative, festive, and/or informative nature announcing activities, promotions, events, seasonal or traditional themes having broad community interest and which are sponsored or supported by the City or a local community based nonprofit organization.

SIGN, DIRECTIONAL OFF PREMISES: Signs containing directional information for the purpose of facilitating or controlling the efficient or safe movement of pedestrians or vehicles on or into public or private property, and are located on the properties adjacent to which they pertain.

SIGN, DIRECTIONAL ON PREMISES: Signs containing directional information for the purpose of facilitating or controlling the efficient or safe movement of pedestrians or vehicles on or into public or private property, and shall be located on the properties to which they pertain.



SIGN, ELECTRONIC MESSAGE CENTER/READER BOARD: See definition of electronic message center.

SIGN, FIELD BOARDS: Nonilluminated, static graphics on a portable hard surface inside a major sports venue.

SIGN, FLAG: Flag sign shall be made of cloth and express messages which are not primarily commercial. Flags shall include, but not be limited to, U.S. flags, flags of other governmental entities, or flags identifying the person, institution, organization or corporation occupying a property.

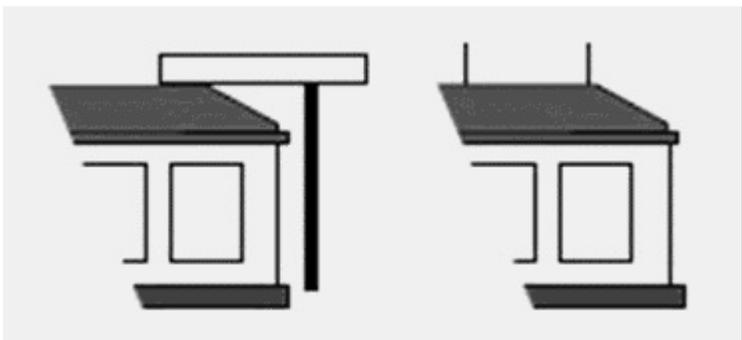
SIGN, FLAGPOLE, ILLUMINATED: Flagpoles which are internally illuminated or have lighting attached to the pole for purposes of drawing attention to a business location. This shall not include poles which have lighting attached to or directed toward a pole for purposes of illuminating the flag.

SIGN, FLASHING: A sign or parts thereof which is intermittently on and off or which revolves in such a manner to create the illusion of being on and off, with the exclusion of time and temperature signs.

SIGN, FLAT: A sign erected parallel to and attached to the outside wall of a building and extending out not more than eighteen inches (18") from such wall with messages or copy on the face side only.

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

SIGN, FREESTANDING (OR PYLON SIGN): A sign that is mounted on a support structure so that the bottom edge of the sign is six feet (6') or more above grade.



SIGN, GRANDSTAND: Single face signs that are attached to fixed seats.

SIGN, ILLUMINATED: Any sign directly lighted by any electrical light source, internal or external, except light sources specifically and clearly operated for the purpose of lighting the general area in which the sign is located rather than the sign itself.

SIGN, INTERIOR: A sign located within a building so as to be visible only from within the building in which the sign is located.

SIGN LOCATION: A lot, site or premises, building, wall, or any place wherever a sign is erected, constructed, or maintained.

SIGN, MARQUEE: A sign designed to have changeable copy, either manually or electronically. Marquee signs may be a principal identification sign, a freestanding sign, a wall sign, or attached to a canopy.

SIGN, MENU BOARD: A sign that is used to advertise the product available at a restaurant.

SIGN, MONUMENT SIGN: A low sign where the top edge of sign is six feet (6') high or lower where the extent of the sign surface is attached to the ground or a foundation in the ground, and where there are no poles, braces, or other visible means of support other than attachment to the ground.

SIGN, NAMEPLATE: A sign indicating the name and/or occupation of a person or persons residing on the premises or legally occupying the premises, or indicating a home occupation legally existing on the premises.

SIGN, NONCONFORMING: A sign or sign structure or portion thereof lawfully existing at the time this code became effective, which does not now conform to all regulations prescribed in the district in which it is located.

SIGN, OFF PREMISES: An advertising sign which directs attention to a use, product, commodity, or service not related to the premises on which it is erected.

SIGN, ON PREMISES: A sign which directs attention to a business, commodity, product, use, service, or other activity which is sold, offered or conducted on the premises upon which the sign is located.

SIGN, PORTABLE: A sign that is not permanently affixed to a structure or the ground and is movable such as A-frame or T-frame signs. This definition does not include any signs on trailers or vehicles.

SIGN, PROJECTING: A sign attached to a building and extending in whole or in part more than eighteen inches (18") beyond any wall of the building.

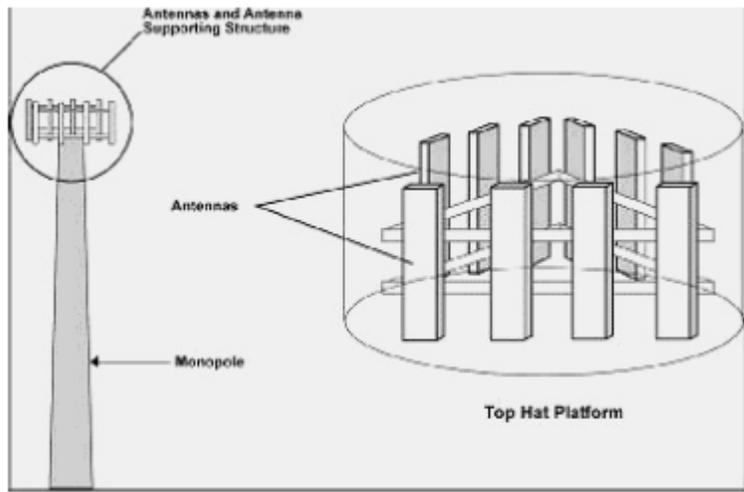
SIGN, PROPERTY: A temporary sign related to the property on which it is located advertising contemplated improvements or announcing the name of the builder, owner, designer, or developer of the project, or warning against trespassing.

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

SIGN, PYLON: See definition of Sign, Freestanding (Or Pylon Sign).

SIGN, REAL ESTATE: A temporary sign related to the property on which it is located and offering such property for sale or lease.

SIGN, ROOF: A sign erected partly or wholly freestanding on or over the roof of a building.



SIGN, ROTATING: A revolving sign in which all or a portion of the sign moves in a revolving or similar manner, with the exclusion of time and temperature signs.

SIGN, SCOREBOARD: A changeable copy sign typically used for scores, game updates and replays located on a structure facing the playing field.

SIGN, SEASONAL OR HOLIDAY: Such signs as Christmas decorations, to include those used for a historic holiday and installed for a limited period of time.

SIGN, SNIPE: A sign which is tacked, nailed, posted, pasted, glued or otherwise attached to ground, trees, poles, stakes, or fences, or other objects with the message appearing thereon.

SIGN, SPONSORSHIP SCRIM PANEL: Lightweight perforated fabric with graphics applied to the surface, attached with a tension system.

SIGN, SPOTLIGHT: See definition of Searchlight.

SIGN, STRUCTURE: The supports, uprights, bracing, cables, and framework of a sign or outdoor display.

SIGN, SUSPENDED: A sign which is hung from a roof, pole, canopy, or other similar structure.

SIGN, TEMPORARY: A banner, pennant, valance or advertising display constructed of paper, cloth, canvas, fabric, cardboard, wallboard or other materials, with or without frames, intended to be displayed in or out of doors for a short period of time; shall include political signs, special events signs, special business promotions or portable signs.

SIGN, TUNNEL: Flat, nonilluminated signs mounted above the player tunnel in a major sports venue.

SIGN, VEHICLE: A sign that is attached to or painted on a vehicle that is parked on or adjacent to any property, the principal purpose of which is to attract attention to a product sold or business located on the property.

SIGN, WALL: A building mounted sign, either attached to or displayed or painted on an exterior wall in a manner parallel with the wall surface, and not projecting more than eighteen inches (18") from such surface.

SIGN, WAYFINDING: A sign used to guide the way to a given location along the traveled path.

SIGN, WIND: Any propeller or similar commercial device which is designed to flutter, rotate, or display other movement under the influence of the wind, not including pennants, flags or banners.

SIGN, WINDOW: A sign either attached to a window or door or located within a building so as to be visible through a window or door from outside of the building.

SITE CHANGE: Changes to the existing site improvements.

SITE PLAN: A plan which outlines the use and development of any tract of land within the City for the purposes of meeting the requirements set forth in this Code.

SITE-SPECIFIC DEVELOPMENT (SSD): A residential or commercial development guided by a total design plan in which one or more of the zoning or subdivision regulations, other than use regulations, may be waived or varied to allow flexibility and creativity in site design, building design, and location, in accordance with general guidelines as specified in this title. Units within a SSD may be sold or offered for rent.

SKILLED NURSING CARE UNIT: A nursing bed or individual room which provides board, shelter and twenty four (24) hour skilled nursing and medical care to chronic or convalescent patients. A nursing unit shall include accessory uses, including dining rooms, bathing areas, common areas, offices, clinics, therapy areas, medical facilities and other space necessary to provide the above services.

SLUDGE OR BIOSOLIDS (Drinking Water Source Protection Ordinance): The solids separated from wastewater during the wastewater treatment process.

SMALL HEALTHCARE FACILITY: See definition of healthcare facilities.

SOCIAL CENTER, FRATERNAL ORGANIZATIONS, OR SENIOR CITIZENS CENTER: A building or group of buildings and/or uses owned or maintained by an association or organization for the fraternal, social and/or recreational purposes of certain groups. This may include a meeting hall, cooking and dining facilities for large groups, but shall not provide overnight lodging. This definition shall include, but not be limited to, fraternal organizations and senior citizen centers.

SOCIAL CLUB: See definition of alcoholic beverage establishments: social clubs.

SOCIAL DETOXIFICATION: See definition of human services programs or facilities.

SOFT TISSUE AND PHYSICAL THERAPY: Establishments that provide manual manipulation of soft body tissues (muscle, connective tissue, tendons and ligaments) by licensed professionals that specialize in the assessment, treatment and management of soft tissue injury, pain and dysfunction primarily of the neuromusculoskeletal system, including bodywork practitioners such as massage therapists and physical therapists.

SOILS REPORT: A report by a soils laboratory indicating soil type(s), soil depth, uniformity, composition, bulk density, infiltration rates, and pH for the topsoil and subsoil for a given site. The soils report also includes recommendations for soil amendments.

SOLAR EQUIPMENT: Any solar collector or other solar energy device whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating, cooling, water heating, or for power generation.

SOLID WASTE DISPOSAL FACILITY: Any solid waste management facility which is the final resting place for solid waste, including landfills and incineration facilities that produce ash from the process of incinerating solid waste.

SOLID WASTE TRANSFER FACILITY: A site the primary purpose of which is to store or hold solid waste for transport to a processing or disposal facility. It does not include green boxes, compactor units, permanent dumpsters, and other containers from which such wastes are transported to a landfill or other solid waste management facility.

SPECIAL USE PERMIT: A specific approval that has been determined to be less intense or to have potentially minor impacts on surrounding properties than a conditional use within the same zoning district. Special uses have specific conditions of approval that are found within the special use chapter of this Code.

SPECIALTY HOSPITAL: See definition of healthcare facilities.

SPRAY SPRINKLER: An irrigation head that sprays water through a nozzle.

STADIUM: A commercial structure with tiers of seats rising around a field or court, intended to be used primarily for the viewing of athletic events. The sports area may also be used for entertainment and other public gathering purposes such as conventions, circuses, or concerts.

START OF CONSTRUCTION: Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site; such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STEP BACK ARCHITECTURE: Physical design for midrise and higher buildings by setting the building facade away from the street on successively higher stories, and which includes expansive glass areas, balconies, terraces, and landscape features and architectural elements.

STORAGE (MINISTORAGE) FACILITIES: A building or series of buildings for which individual storage space is rented for storage purposes only.

STORY: That portion of a building included between the surface of the floor and the ceiling next above it other than the basement.

STREAM SPRINKLER: An irrigation head that projects water through a gear rotor in single or multiple streams.

STREET:

A. A public thoroughfare which affords principal means of access to abutting property. The term street shall include avenue, drive, circle, road, parkway, boulevard, highway, thoroughfare, or any other similar term.

B. All the area dedicated to public use for public street purposes and shall include, but not be limited to, roadways, park strips, alleys, and sidewalks.

STREET, ARTERIAL; MAJOR: Providing for through traffic movement between areas and across the City, with moderate access to abutting property subject to necessary control of entrances, exits, and curb use. The location of this type of street is addressed in the transportation element of the City General Plan and designated on the official street map for the City.

STREET, COLLECTOR; MAJOR AND MINOR: Providing for traffic movement between major arterials and local streets, and direct access to abutting property. The location of this type of street is addressed in the transportation element of the City General Plan and designated on the official street map for the City.

STREET, LOCAL: Providing for direct access to abutting land, and for local traffic movements. The location of this type of street is addressed in the transportation element of the City General Plan and designated on the official street map for the City.

STREET, PRIVATE: A right-of-way or easement in private ownership, not dedicated or maintained as a public street, that serves more than two (2) lots and is greater than one hundred fifty feet (150') in length.

STREET VENDORS: A use consisting of a cart, portable stand, or trailer and any related accessory appurtenances such as awning, canopy, or seating used for the retail sales of goods including, but not limited to, beverages, food, and flowers.

STREETSCAPE PLAN: The streetscape section of the growth, land use and community identity chapter of the City General Plan.

STRUCTURE: Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. A building is included in this definition. Any structure two feet (2') or above in grade shall meet all underlying zoning requirements.

SUBDIVISION: Any land that is divided, resubdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions. Subdivision includes:

A. The division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument; and

B. Divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

SUBDIVISION IMPROVEMENT PLANS: means the civil engineering plans associated with required infrastructure and municipally controlled utilities required for a subdivision.

SUBDIVISION ORDINANCE REVIEW: means review by the city to verify that a subdivision land use application meets the criteria of the city's subdivision ordinances.

SUBDIVISION PLAN REVIEW: means a review of the applicant's subdivision improvement plans and other aspects of the subdivision land use application to verify that the application complies with city ordinances and applicable standards and specifications.

SUBGRADE: Either the soil prepared and compacted to support a structure or a pavement system, or the elevation of the bottom of the trench in which a sewer or pipeline is laid.

SUBSTANTIAL DAMAGE: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction, addition, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either:

- A. Before the improvement or repair is started, or
- B. If the structure has been damaged and is being restored, before the damage occurred.

This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- A. Any project for improvement of a structure to correct existing violations of State or local Health, Sanitary, or Safety Code specifications which have been identified by the local Code enforcement official and which are the minimum necessary to assure safe living conditions; or
- B. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

SUPPORT STAFF: Persons employed or residing on the premises of a dwelling or other healthcare facility to assist residents in performing daily life activities or to provide on site treatment, rehabilitation, or habilitation services.

SWIMMING POOL: A constructed pool used for bathing or swimming, which is over twenty four inches (24") in depth, or with a surface area exceeding two hundred fifty (250) square feet.

SWIMMING POOL, PRIVATE: A private swimming pool is a pool which is used or intended to be used as a swimming pool in connection with a residence and available only to the family of the householder and their private guests.

SWIMMING POOL, PUBLIC: A swimming pool, admission to which may be gained by the general public with or without payment of a fee.

SWIMMING POOL, SEMIPRIVATE: A swimming pool on the premises of, or part of, a hotel, motel, mobile home or travel trailer park, apartment house, private club, association or similar establishment, where admission to the use of the pool is included in the fee, or consideration paid or given for the general use of the premises.

SWIMMING SCHOOL: An establishment for the instruction of children or adults in the swimming arts and sports, including diving, treading water, strokes, and lifesaving techniques. A swimming school does not include instruction on snorkeling, underwater swimming with breathing apparatus, or other similar instruction. (Ord. 12-15, 7-11-2012; amd. Ord. 12-29, 10-17-2012; Ord. 14-15, 8-20-2014; Ord. 15-08, 10-21-2015, eff. 7-25-2017; Ord. 16-05, 6-1-2016; Ord. 17-11, 4-19-2017; Ord. 18-07, 2-28-2018; Ord. 18-26, 10-17-2018; Ord. 19-09, 8-7-2019; Ord. 20-12, 4-15-2020; Ord. 23-02, 2-15-2023; Ord. 24-02, 1-3-2024; Ord. 24-05, 8-21-2024)

CHAPTER 13.43 COMMON REVIEW PROCEDURES

13.43.080: STEP 7: POST-DECISION ACTIONS AND LIMITATIONS:

A. Building or Grading Permit Approval:

1. A building or grading permit shall not be issued until all permits, reviews, guarantees of improvement (bonds), or approvals required by this LDC have been secured.

2. The securing of one required review or approval shall not exempt the recipient from the necessity of securing any other review or approval required by this LDC.

B. Expiration of Approval:

1. An approval shall be valid as authorization for the approved activity unless it expires in accordance with expiration time periods listed in the application-specific procedures in this LDC.

2. A change in ownership of the land shall not affect the established expiration time period of an approval, unless otherwise stated in this LDC.

C. Extension Requests:

1. The original decision-making body may grant an extension of the original approval by no more than twelve (12) months, following a written request from the applicant explaining reasonable cause for such extension, prior to the expiration date. The original decision-making body may also delegate approval authority for extension request(s) to the Director when such delegation is included in the original motion to approve the application. The original decision-making body or the Director, as applicable, shall determine whether or not there is reasonable cause for the requested extension and grant the extension for the minimum time-frame necessary, based on the criteria below.

2. In all requests for a time extension, the applicant shall provide substantial and verifiable evidence showing that:

a. Despite the good faith efforts of the applicant, circumstances beyond their control have prevented the timely pursuit of the development and completion of the necessary requirements within the originally authorized time period; or

b. The applicant has completed substantial property improvements, incurred substantial nonrecoverable monetary expenditures or commitments, or has completed supporting development improvements, or retained the services for preparation of supporting data in reliance upon the approval of the request.

c. In either instance, the applicant is, in good faith, continuing to diligently pursue implementation of the development to the degree authorized by the city and the applicant shall

be current on all city fees and has no code violations or environmental, health, or safety issues existing on the property.

d. In extenuating circumstances, the original decision-making body or the Director, as applicable, may grant an additional six-month extension period beyond the twelve (12)-month extension outlined above, subject to the same criteria established in paragraph (2) above.

D. Bound by Submissions: A recipient of any permit or approval under this LDC shall be bound by the representations and information submitted in the original application and in any revision, amendment, or supplement to the original application that is provided to the review and decision-making body prior to issuance of the permit or other approval, except with respect to any detail required as a condition of approval by the decision-making body.

E. Modification or Amendment of Approval: The following provisions apply to all proposed modifications or amendments of final approvals previously granted by the city unless another provision of this LDC provides different standards, criteria, or procedures for modifications or amendments to specific types of approvals.

1. Minor Changes: Development authorized by any approval under this LDC may incorporate minor changes from the approved plan, or permit, without the need for a new application, provided that the Director determines in writing that the proposed changes:

- a. Comply with the standards of this LDC;
- b. Are necessary to meet conditions of approval imposed by the final decision-making body;
- c. Do not require legislative action by the City Council;
- d. Do not change in the use or character of the development.
- e. Do not increase in the overall density or intensity of use.
- f. Do not result in a significant increase in the overall coverage of the site by structures.
- g. Do not reduce approved open space or proposed amenities.
- h. Do not reduce the number of required off-street parking.
- i. Do not result in a significant alteration to pedestrian, vehicular and bicycle, circulation, and utility networks; and
- j. Do not reduce required street pavement widths.

2. Major Changes:

a. Any modification of an approved plan or permit that the Director determines does not meet the criteria in subsection (1) above shall require a new application that is submitted and reviewed in accordance with the full procedure and fee requirements applicable to the application-specific procedure of the original or applicable application.

b. The Director shall determine in writing whether the proposed modification or amendment represents an alteration in the function, form, intensity, character, demand on public facilities, or impact on adjacent properties as originally approved. The applicant shall provide the Director with all the necessary information to render this determination.

F. Limitation on Subsequent Similar Applications: Following denial of an application, the decision-making body shall not decide on applications for the same property that are the same or substantially similar within one year of the previous denial. This waiting period may be waived by the decision-making body provided that:

1. There is a substantial change to circumstances or new information available relevant to the issues or facts considered during the previous application review; or
2. The new application is materially different from the previous application.

G. Appeals: Unless a specific procedure is provided in this LDC, the following provisions apply to appeals of decisions under this LDC.

1. Administrative Decision:

a. An administrative decision may be appealed by a land use applicant or adversely affected party to the Hearing Officer, pursuant to the procedure set forth in Chapter 13.34: Appeals and Variances. Any appeal shall be filed with the City Recorder within ten (10) calendar days of the administrative decision.

b. Any person adversely affected by a decision of the Hearing Officer may appeal that decision to the district court in accordance with Utah Code § 10-20-1109, as amended.

2. Non-Administrative Decision: In accordance with Utah Code § 10-20-1101, any person that has standing to obtain judicial review of a non-administrative decision by the Hearing Officer or City Council as it relates to this this LDC, may appeal according to the judicial review process established in state law. Such appeal shall be filed at the appropriate venue in the judicial district where the land affected by the decision is located and shall be filed no later than thirty (30) days after the date of the decision. (Ord. 24-02, 1-3-2024)