MEMORANDUM: SALT LAKE COUNTY ZONING ORDINANCE UPDATE – PHASE TWO

TO: Planning Commissions, Council and Mayor

FROM: Brian Tucker, Curtis Woodward

DATE: October 14, 2026

SUMMARY

MSD Planning & Development Services Staff ("PDS") have been working with Salt Lake County Regional Planning and Transportation and Mayor's Office staff on a project to update Title 19 – Zoning of the Salt Lake County Code. Because this revision includes a complete reorganization of Title 19, we have divided the overall project into three phases for discussion and initial input, with public hearings to come later in 2026. At the August planning commission meetings, planning staff presented phase 1. Materials included in this memorandum represent the second phase of ordinances drafted for Salt Lake County.

Exhibit A includes drafted versions of the following:

- 19.42 Specific Use Standards
- 19.44 Temporary Uses
- 19.46 Site Development Standards
- 19.48 Off-Street Parking and Mobility
- 19.50 Landscaping and Screening
- 19.52 Signs
- 19.54 Flood Hazard Regulations
- 19.56 Flood Damage Prevention
- 19.58 Geological Hazards
- 19.60 Airport Overlay Zone
- 19.62 Foothills and Canyons Overlay Zone
- 19.64 Historic Preservation
- 19.69 PC Planned Community Zone

The proposed Zoning Ordinance revisions are intended to accomplish several objectives, including:

- Ensuring compliance with State Legislation.

- Encouraging conformity with adopted General Plans.
- Promoting ease of use for both staff and residents.
- Meeting the unique needs and preserving the character of the community.

BACKGROUND ON TITLE 19 UPDATE

As previously discussed, this overhaul of the zoning code implements planning best practices, incorporates West General Plan and Moderate Income Housing Plan principles, updates the code for legislative changes, and addresses problems that have arisen over many years with the current zoning code. The reorganization of the chapters in Title 19 includes grouping together all the standards that pertain to land use and land development.

Although the proposed zoning code preserves most of the existing standards for land use and development of the Wasatch canyons, having a robust set of standards is important as Salt Lake County looks to the future and the potential for development of the west bench and Oquirrh canyon areas, which are primarily are owned by Rio Tinto/Kennecott. Based on restrictions in the state code, it is imperative that the zoning ordinance provide clear standards to ensure high-quality, forward-thinking development.

NEW CHAPTERS

Phase 2 contains three new chapters, 19.42 Specific Use Standards, 19.44 Temporary Uses, and 19.46 Site Development Standards. These chapters are a combination of relocated standards from existing code (such as accessory dwelling units, wireless telecommunication facilities, and home occupations) as well as new standards (like animal rights, outdoor dining appurtenant to a permitted use, and storage and salvage yards).

SUMMARY OF CHAPTER CHANGES

The chapters presented in Exhibit A differ from the existing Zoning Ordinance both in formatting and in substance. Several of the existing ordinance chapters lack important standards that contribute to a high-quality built-environment and protect the public health, safety, and welfare of residents. Major changes drafted for each specific Chapter are highlighted below:

19.42 Specific Use Standards

- This Chapter is new but does carry some of the previous standards from Supplementary and Qualifying Regulations.
- Development standards are added for specific uses to encourage quality development, reduce any negative externalities associated with the use, and promote harmonious uses across the community. The standards are intended to

regulate those items which the community would typically be concerned with during a conditional use review, such as hours of operation, screening, setback distance from residential uses, etc. Regulating each use through detailed standards allows the community to reduce its reliance on conditional uses and clearly communicate expectations to potential developers.

- Standards that previously existed in separate chapters, such as those for accessory dwelling units or wireless telecommunication facilities, were moved into Chapter 19.42.

19.44 Temporary Use Standards:

- Regulations related to temporary uses have been updated and combined into this single chapter.

19.46 Site Development Standards

- This Chapter did not exist in Title 19 previously. It combines provisions that were scattered across Title 19, and adds new standards to improve the safety, efficiency, and quality of new development.
- Open Space and Environmental Standards are added for new development.
- Provisions for adequate public facilities are added to prevent new development in places where essential infrastructure does not exist to support it.
- New utilities, except for Major Transmission Lines (protected under state code), are required to be buried underground.

19.48 Off-Street Parking and Mobility

- The required number of off-street parking spaces was organized into a table based on the new use categories presented in Phase One.
- Parking maximum standards were added to prevent inefficient use of land.
- The shared parking calculation table was updated to reflect all community uses and align percentages with best-practice recommendations.
- New standards were added for vehicle stacking and off-street loading and unloading spaces.
- A section on 'Mobility and Pedestrian Circulation' was added to encourage comfort and safety improvements in new parking lots and to tie new development into existing sidewalk and trail networks.

19.50 Landscaping and Screening

- The Landscaping Chapter was significantly expanded to include additional language on water-wise landscaping, landscaping of parking lots, and tree replacement standards.
- The Chapter also clarifies what is required from a Landscaping Plan and when it should be submitted for review.
- Finally, the Chapter establishes procedures for reviewing compliance with the applicable regulations and enforcing landscaping requirements.

19.52 Signs

- The lists of exempt signs and prohibited signs were significantly expanded to reflect planning best practices, prevent unnecessary sign clutter, improve safety, and protect community character.
- Standards for allowed signs were organized into a simplified table, with one row for each sign type.
- Ground signs are now only permitted in association with a Shopping Center use.
- Language regarding permitting for signage was added and clarified.
- A new section, 'Design Standards Specific to Zones or Historic Districts', was added to allow the community to implement additional signage design standards and guidelines in the future.

19.54 Floodplain Hazard Regulations

- This chapter applies to all areas of special flood hazards within the jurisdiction of Unincorporated Salt Lake County that are within a migratory bird production area as defined in state statute.
- Due to restrictions in state code preventing ordinance amendments that affect migratory bird productions areas without consent of the managing bodies of those areas, there are no substantive changes being proposed to this chapter.

19.56 Flood Damage Prevention

- This chapter applies to all areas of special flood hazards within the jurisdiction of Unincorporated Salt Lake County that are not within a migratory bird production area as defined in state statute.
- This chapter was recently drafted and adopted in cooperation with FEMA in harmony with the National Flood Insurance Act of 1968 (as amended). There are no substantive changes being proposed to this chapter.

19.58 Geological Hazards

- The Geologic Hazards Chapter retains the same content but has been renumbered and reformatted to match the rest of the drafted ordinance

19.60 Airport Overlay Zone

- There are no substantive changes being proposed to this chapter.

19.62 Foothills and Canyons Overlay Zone (FCOZ)

- The Foothills and Canyons Overlay Zone underwent an overhaul in 2017 and no substantive changes are being proposed at this time.

19.64 Historic Preservation

- No substantive changes to this chapter are being proposed at this time.

19.69 Planned Community (P-C) Zone

- This zone is unchanged with the following exception: the zone is now allowed in any area within the unincorporated county so long as it is at least 75 acres.

TIMELINE FOR FUTURE PHASES

We anticipate phase 3 being presented to the planning commissions in October for review and discussion. When all of the drafted chapters have been reviewed and comments received, a final draft version of Title 19, with revisions as applicable, will be presented for a recommendation by the Planning Commissions in November and/or December.

CONCLUSION

The planning team has completed the initial draft of Phase 1 Ordinance Chapters (see Exhibit A). These drafted chapters are presented for Planning Commission review. The next phase of chapters is expected to be presented to the Commission in September of 2026.

Chapter 19.42 Specific Use Standards – Staff Summary

Purposes:

The purpose of this Chapter is to ensure compatibility of selected specific uses with surrounding uses and properties to avoid any negative impacts associated with such uses.

Applicability:

The proposed ordinance converts most conditional uses to permitted uses with specific use standards. Because recent changes to state law require approval of conditional use applications and require that conditions be in accordance with existing standards, many jurisdictions are following the trend to just have permitted uses with use standards that mitigate impacts of higher intensity uses. This also streamlines the application process and makes it less costly in time and resources to both applicants and County/MSD staff. The proposed ordinance also follows this trend, and Chapter 19.42 outlines use standards that mitigate impacts for various uses, incorporating some existing use standards and presenting the following new use standards. Sections summarized below outline the most significant substantive changes from existing ordinance.

Changes to Note:

The major changes to the code are:

- Section 19.42.040 (Accessory Outside Storage). Standards for this commercial use include a % limit on a lot/parcel for this use, screening requirements, paving requirements, and prohibition on storage of hazardous materials.
- Section 19.42.050 (Animal Hospitals or Clinics). Standards for this use include limiting uses to outpatient and short-term boarding, limiting to indoor use, and soundproofing of buildings. There is a 200' proximity limit to residential properties for outside holding areas, which is consistent with other jurisdictions.
- Section 19.42.060 (Animal Rights). These standards replace the Family Food Production (FFP) standards in the existing SLCO Code, tying the number of animals allowed to the size of the property. FFP currently provides for any 3 of the following animal types and numbers no matter the size of the property: 2 cows, sheep, and goats; 20 rabbits; 50 chickens; 50 pheasants; 10 ducks, turkeys, and geese; and 20 pigeons. The proposed animal rights use provides for one animal unit and their seasonal offspring for each 10,000 square feet, with a minimum of 20,000 square feet to have animal rights. One animal unit consists of any of the following: 1 cow, pig, or llama; 4 sheep or turkeys; 2 alpacas, goats, ostriches, emus, or peacocks; 10 chickens, ducks, or pigeons; 12 rabbits. FFP is retained as a legacy use in the FR and FA zones until those ongoing issues are resolved in those zones.
- 19.42.070 (Apiary). Standards for this use include limits on number of bee colonies per square feet, buffers from property lines, water source to keep bees on property, signage for complaints, hive design, registration requirements, hive and colony maintenance requirements, etc.
- 19.42.080 (Bars and Clubs). Standards for this use address applicant submittal of a security and operations plan to address neighbor complaints with the property owner, sound attenuation measures, live entertainment and amplified sound limited to indoors, trash collection, parking plan, buffers from residential property, smoking areas, proximity limits from other alcohol establishments, etc.
- 19.42.090 (Bed and Breakfast Inn). The proposed ordinance consolidates the current Bed and Breakfast Inn (more guest rooms) and Bed and Breakfast Homestay (fewer guest rooms). New standards include a requirement to maintain residential look, a limit on stories, and allowing

a restaurant and conference room in commercial zones. The proposed ordinance allows this use when an alternative to connection to a public sewer and water system is approved.

- 19.42.100 (Car and Light Truck Wash). New standards include the requirement to install an opaque fence to separate facility from residentially zoned properties where a major street does not provide such separation.
- 19.42.110 (Caretaker Living Quarters). Standards for this use include the location of the quarters, who can occupy the quarters, parking, number of bedrooms, limit on size, clarification that the International Residential Code applies, and requirement for reversion covenants if the use changes.
- 19.42.120 (Check Cashing businesses). There is a significant policy change in the proposed ordinance update. The current proximity limitation (to other check-cashing businesses) is 600'; the proposed ordinance provides for a 1 mile proximity limit. Additional new policies include the type of loans allowed, exclusion of certain services, and exclusion of business outside of the building.
- 19.42.130 (Residential keeping of fowl). The proposed ordinance allows the keeping of chickens, ducks, and pigeons in any residential area. This is a carry-over of what was once allowed under "Domestic Fowl." Standards for this use include limits to number of fowl allowed tied to acreage size, coop standards, yard standards, water and feed standards, etc.
- 19.42.150 (Commercial Plant Nursery). New standards address compliance with state licensing, site location, operation location, building height, and noise standards.
- 19.42.170 (Home Occupations). New standards regarding vehicles associated with home businesses added. These provisions address the size of vehicles and use of trailers associated with the home business. See subsection (C)(13).
- 19.42.180 (Hotels). New standards require a 3-story building, exterior material requirements, minimum amenities, minimum guest room area, and access requirements.
- 19.42.190 (Commercial Kennels). New standards for this use include screening requirements and required spacing for animals.
- 19.42.220 (Outdoor Dining). New standards include protection of public access, protection of public facilities, and upkeep of public facilities.
- 19.42.230 (Pawn Shops). New standards include proximity limitations from other pawn shops, which is one mile (consistent with check cashing businesses, which pose similar concerns to neighborhoods).
- 19.42.245 (Residential Facilities for Persons with Disabilities). New standards for this use include a process for providing notice to neighbors in the vicinity and an opportunity for them to appeal , which is in response to projects and appeals in recent years.
- 19.42.260 (Self-Service Fuel Stations). New standards for this use include building location requirements, car wash location requirements, and pump island design.
- 19.42.270 (Self-Service Storage Facilities). New standards for this use address location of buildings, fencing, height, building materials, and caretaker facilities.
- 19.42.290 (Short-Term Rentals). Existing standards were updated to address historic problems with this use. New standards include an updated system of penalties for violations, allowing for single-violation penalties (as opposed to ongoing violations). See Section 19.08.070(F). Other new standards address noise, number of rental days per year, and notification of tenants regarding ordinance requirements.
- 19.42.300 (Sidewalk Displays). New standards for this use address protection of the right-of-way and operation times.

- 19.42.310 (Storage and Salvage Yards). New standards for this use address proximity limits to residential zones, fencing/screening, on-site management, application requirements, disposal of hazardous materials, and hours of operation.
- 19.42.320 (Towing Services and Impound Lots). New standards for this use address proximity to residential zones, fencing, landscaping buffer, stormwater runoff, noise, traffic circulation, and dismantling/demolition.
- 19.42.340 (Vehicle/Equipment Repair). New standards for this use address site size, proximity limits to residential zones, placement of repair activities, building requirements, placement of inoperable vehicles, screening, and site access.
- 19.42.350 (Wireless Telecom Facilities). Proposed standards are largely unchanged from existing ordinance. The updated standards do eliminate the need for an inventory of cell tower sites in the unincorporated county because cell towers are now ubiquitous throughout the county. Also, variations for stealth structures allowed by the current ordinance without criteria are replaced with objective height standards for such structures.
- Yurts (19.42.360). Yurts have been added as a permitted use in FR, FM, MRZ, and CV zones, and accessory uses in the C zones. Yurts must comply with applicable Health Department regulations requiring sewer and water systems. Yurts must comply with applicable building and fire codes. Yurts are limited to one per lot or parcel and are limited in size to 750 square feet

Specific Considerations:

Fencing/walls on commercial property (throughout the chapter). In the recent update to Title 18, the subdivision title of the Salt Lake County Code, the Council approved the use of lower cost alternatives to decorative masonry walls for residential development, in the interest of promoting housing affordability. The same question arises in commercial development, where housing affordability is not at play, but promoting lower costs to local businesses may also be a legislative priority, after considering the benefits of community aesthetics and durability that masonry walls provide. The proposed chapter does not require masonry walls for commercial properties, consistent with the subdivision title.

Resources Utilized:

- Utah Code 17-79
- Zoning Ordinance amendments recommended by the Camiros consulting group to Salt Lake County, 2014
- Mapleton Municipal Code
- Midvale Municipal Code
- South Jordan Municipal Code
- West Valley Municipal Code
- Salt Lake City Code
- Vineyard Municipal Code
- Spanish Fork Municipal Code
- Logan Municipal Code

CHAPTER 19.42: SPECIFIC USE STANDARDS

Sections:

19.42.010 - Purpose.

The purpose of this Chapter is to further the purposes of applicable General Plans, this Ordinance, and all other county Land Use Ordinances, as well as to ensure compatibility of selected specific uses with surrounding uses and properties to avoid any negative impacts associated with such uses.

19.42.020 – Applicability.

A. This Chapter contains the specific and additional regulations for permitted and conditional uses identified in the Schedule of Uses for each of the zones contained in this Title. Any use not listed as permitted or conditional in the applicable zone shall be prohibited unless the applicant obtains an administrative determination to the contrary pursuant to the Land Use Processes and Procedures section of this Ordinance.
B. Compliance with specific use standards, as applicable, as well as all other requirements of this Ordinance and all other Federal, State, and County regulations are required for any Land Use Application approval required by this Ordinance, and any other Approval, Permit, or License required by Land Use Ordinances, including but not limited to a business license, building permit, temporary event permit, public works permit, etc.

19.42.030 – Accessory Dwelling Unit.

A. Purpose. Salt Lake County recognizes that accessory dwelling units in single-family residential zones can be an important tool in meeting Salt Lake County's moderate income housing needs. The purposes of the accessory dwelling unit ("ADU") standards of this code are to:
    1. Comply with State of Utah legislation which allows for internal ADUs generally and requires counties to adopt an ordinance if they wish to regulate certain requirements of the dwellings;
    2. Allow opportunities for property owners to provide social or personal support for family members where independent living is desirable;
    3. Provide for moderate income housing opportunities;
    4. Make housing units available to households with moderate incomes who might otherwise have difficulty finding housing in Salt Lake County;
    5. Provide opportunities for additional income to offset rising housing costs;
    6. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle;
    7. Preserve the character of single-family neighborhoods by providing standards governing development of ADUs; and
    8. Ensure that ADUs are properly regulated by requiring property owners to obtain a business license and a building permit for an ADU prior to renting the ADU.
B. Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. "Accessory dwelling unit" (ADU) means a self-contained dwelling unit located on an owner-occupied property that is either incorporated within the single-family residence (IADU) or in a detached building (detached ADU) and is further defined by this chapter and by Utah State Code.
2. "Internal accessory dwelling unit" (IADU) means an accessory dwelling unit created:
   a. Within a primary dwelling;
   b. Within the footprint of the primary dwelling at the time the internal accessory dwelling unit is created; and
   c. For the purpose of offering a long-term rental of thirty consecutive days or longer.
3. "Owner occupancy" means a property where the property owner, as reflected in title records, makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, driver's license, county assessor records or similar means.
4. "Primary dwelling" means a single-family dwelling that is detached and is occupied as the primary residence of the owner of record.
   a. "Primary dwelling" includes a garage if the garage is a habitable space and is connected to the primary dwelling by a common wall.
5. "Public utility easement" (PUE) means an area on a recorded plat map or other recorded document that is dedicated to the use and installation of public utility facilities.

C. Allowed areas and zones.
1. IADUs shall be a permitted use on single family home lots or lots of record in areas zoned primarily for residential use and have a lot area of six thousand square feet or greater, including R zones, A zones, Forestry zones, and the PC Zone. Detached ADUs are also permitted but may only be built on single family home lots or lots of record with an area of seven thousand square feet or greater, except that detached ADUs in a PC Zone are permitted on single family home lots or lots of record with a minimum area of six thousand square feet if the county has approved design standards for the same.
2. In no case shall an ADU be permitted in a townhome, a multi-family PUD or other attached unit type, or on any lot or lot of record that cannot satisfy parking, setback, or lot coverage requirements.

D. Number of residents
1. ADUs shall not be occupied by more than one family.

E. Setbacks
1. Internal ADUs. Setbacks on IADUs are the same as the setbacks for a single-family dwelling in the zone.
2. Detached ADUs Built After Adoption of this Chapter. Side yard setbacks on detached ADUs will be consistent with setbacks for a single-family dwelling in the zone. Rear yard setbacks on detached ADUs are a minimum of ten feet. Detached ADUs must also be a minimum of six feet from the main dwelling. For detached ADUs, if existing PUEs are greater than the required setback, the minimum setback will be the PUE boundary.
3. Conversion of Existing Accessory Structures Built Prior to the Adoption of this Chapter. Side yard and rear yard setbacks on existing accessory structures built prior to the adoption of this Chapter, which are to be converted to a detached ADU, shall comply with the accessory structure setback standards at the time the structure was legally erected. The detached ADU shall be set back a minimum of six feet from the primary dwelling. An exception to these setbacks is an existing structure that has been declared a noncomplying structure under section 19.06.030.

Figure 19.42.030.1: Setback Standards for a Detached ADU Built After Adoption of this Chapter.

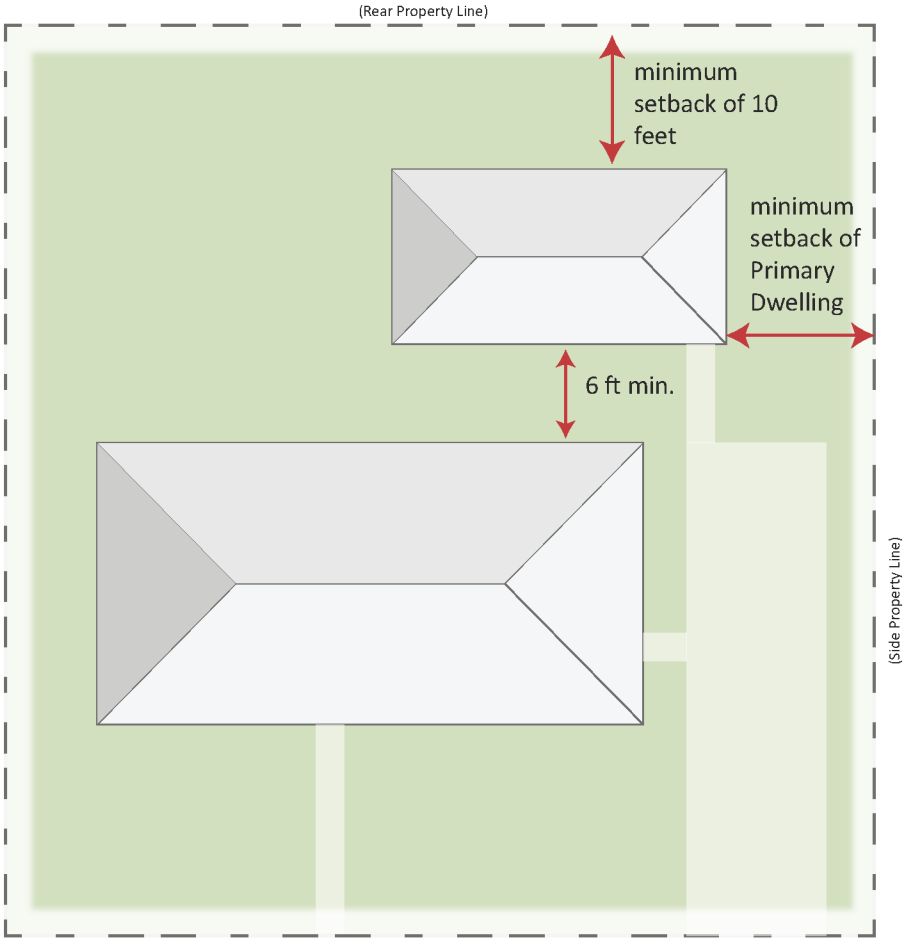
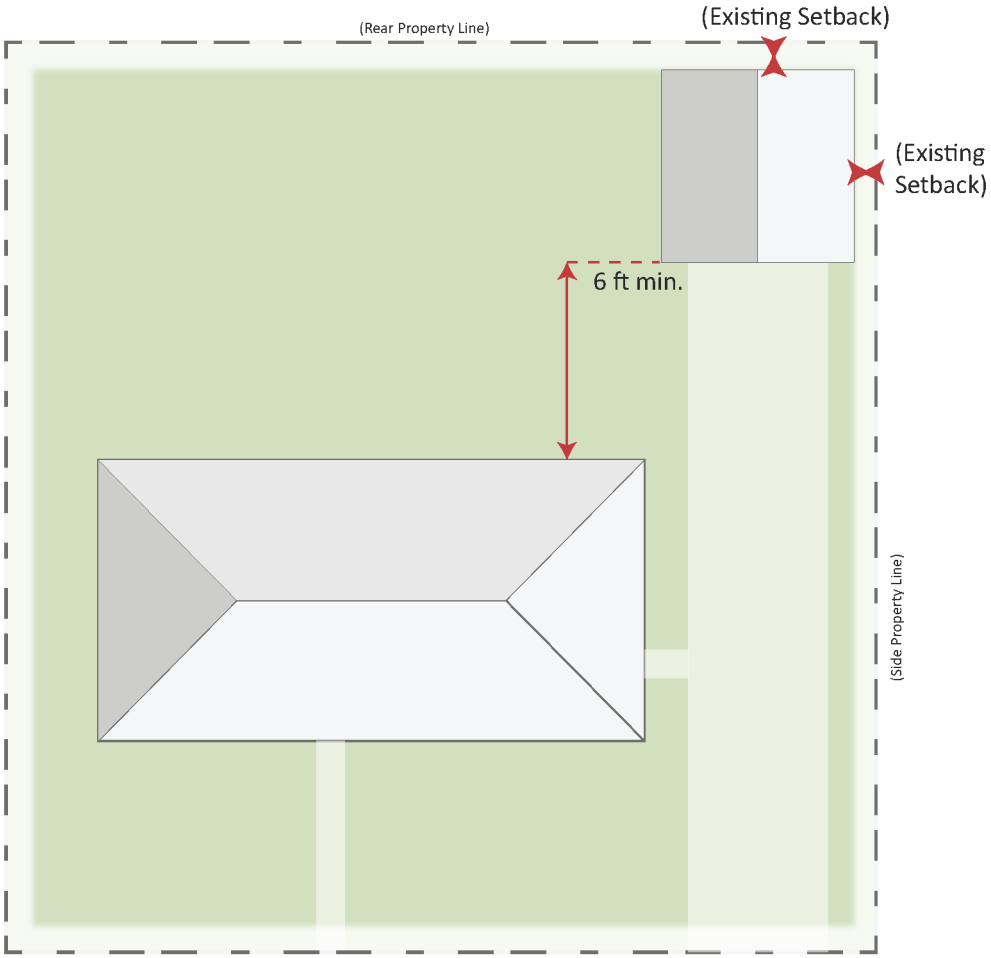


Figure 19.42.030.2: Setback Standards for an Existing Accessory Structure Built Prior to the Adoption of this Chapter and Converted to a Detached ADU.



F. Parking requirements. In addition to the required parking for the existing home, the property owner must demonstrate that at least one on-site parking space is available for the ADU. A property owner bears the burden of showing by a preponderance of the evidence that sufficient parking is available. In cases where garage conversions are done to create an IADU or detached ADU, any parking spaces that previously existed and were required to meet off-street parking requirements for the primary dwelling shall be replaced.

G. Height requirements. Height restrictions for IADUs shall be consistent with the height standards for single-family dwellings in the zone. Detached ADUs shall comply with the following height requirements:
   1. For detached ADUs with a rear or side yard setback of less than ten feet: the maximum height is twenty feet;
   2. For detached ADUs with a rear or side yard setback of ten feet or more: the maximum height is the height of the primary dwelling.

H. Lot coverage. Lot coverage maximums as outlined per each zone. Any additions to an existing building or construction of a detached ADU shall comply with subsection (E) and except as provided in that section, shall not exceed the allowable lot or rear yard coverage standard for the underlying zone.

I. Owner occupancy. The principal unit or the ADU must have owner occupancy, except for medical, military service, or religious reasons for a time period of up to two years. If an absence is warranted due to the above reasons, an on-site manager shall be designated. The property owner may not receive rent for the unit that was occupied by the owner. An application for an ADU shall include evidence of owner occupancy.

J. Number of ADUs per lot. No more than one ADU, whether internal or detached, is permitted per lot or lot of record.

K. ADU development standards
   1. An approved building permit is required for all ADUs before an ADU is constructed, and all other applicable provisions of this chapter and the Salt Lake County Code must be met before an ADU can be rented. Existing non-compliant ADUs may come into compliance by receiving a permit and verifying existing work was done according to code.
   2. A building permit may not be issued for an ADU until the applicant has provided written confirmation from the applicable water supplier that the ADU complies with all applicable water service requirements.
   3. The design and size of an ADU shall conform to all applicable building, fire, and health codes, including applicable water service requirements. The design and size of a detached ADU shall conform to these codes and any other applicable codes and a building permit.
   4. Detached ADUs shall have a permanent concrete slab on which they are built, unless they are constructed above a garage. Detached ADUs are not allowed to be built on a foundation with a basement, on piers, or on any temporary or wheeled structure.
   5. Conversions of an existing space to an ADU will require compliance with safety requirements per building code including, but not limited to, egress windows with window wells in case of emergency, and sufficient HVAC and climate control for the ADU.
   6. IADUs shall not require a separate HVAC or firewall.
   7. The owner shall provide a separate address marking for emergency services and mailing services.
   8. Detached ADUs shall not be located in a front or corner lot side yard unless the lot size is at least one acre and the detached ADU is at least thirty feet from the front lot line.
   9. New detached ADUs must be offset ten feet or more from the front facade of the main dwelling.
   10. Any detached ADU shall have adequate facilities for all discharge from roof and other drainage.
   11. Single family residences with a detached ADU shall retain the same appearance as a single-family residence.
   12. An existing accessory building may be converted into an ADU provided that it meets the same ADU requirements in this chapter.

L. Affidavit and notice of accessory dwelling unit. Applicants for ADUs shall provide an affidavit stating that the owner of the property will live in either the primary dwelling or ADU as their permanent residence. Upon approval of the ADU by the building official, and upon the issuance of a business license pursuant to subsection (M), a notice of accessory dwelling unit including the affidavit shall be recorded against the property to provide notice to a future owner of the owner occupancy requirement for the ADU. Upon sale of the property, the new owner shall be required to sign and record a new affidavit and secure reauthorization of the ADU by the building and business license officials. A copy of the recorded notice shall be provided to the applicant when completed.

19.42.040 - Accessory Outside Storage.

Storage of goods, wares, merchandise, commodities, and any other items located outside of a completely enclosed building for more than 24 hours is prohibited except as accessory outside storage, subject to the applicable zoning district and subject to the following standards.

A. The area used for accessory outside storage may not constitute more than fifteen percent (15%) of the lot area and may not reduce the access to or usability of areas required for parking for the property.
B. With the exception of retail sales displays in an approved commercial area, outside storage shall be screened from public view by a minimum six-foot (6') high opaque fence. The required screening shall be established prior to the use of any area for outside storage.
C. Outside storage areas shall be paved with asphalt or concrete.
D. Outside storage areas shall be maintained in a clean, neat, and orderly condition. The required screening shall be kept in good repair.
E. The presence of hazardous materials, junk, junk cars, or debris not usually appurtenant to permitted on-site uses is prohibited.
F. "Accessory Outside Storage" as defined herein does not include construction yards, storage yards, or other storage uses where the storage of items outside of an enclosed building is a primary characteristic of the use.

19.42.050. – Animal Hospitals or Clinics.

Animal Hospitals and Clinics, where allowed as a permitted or conditional use in the applicable zone, are also subject to the following standards:

B. The use of the building space shall be restricted to medical treatment and incidental care, such as bathing and the trimming of common household pets on an outpatient basis only. Additionally, temporary boarding in connection with medical treatment shall be permitted, along with short-term boarding, defined to be not more than two weeks.
C. Unless outdoor holding facilities are permitted by the underlying zone, the entire use shall be conducted within a totally enclosed and air-conditioned building with no outside runs. If outdoor holding facilities are permitted by the underlying zone, those outdoor facilities may not be established within two hundred (200’) of an existing residential use as measured at the closest property lines.
D. The building space shall be adequately soundproofed to assure that no noise will carry beyond the confines of the building or space that the use would occupy.
E. When outdoor holding facilities are permitted by the underlying zone, the location of barns, stables, coops, pens, corrals, and other holding areas are subject to the requirements for “Animal Rights” in this chapter.
F. The applicant shall demonstrate that noise, odors, traffic, light pollution, and refuse produced by the use can be reasonably mitigated in accordance with applicable standards.

19.42.060 - Animal Rights.

Animal Rights, where allowed as a permitted or conditional use in the applicable zone, are also subject to the following standards:

A. Parcels containing fewer than twenty thousand square feet (20,000 sq. ft.) are prohibited from keeping animals under the animal rights provisions in this Section.

B. When a parcel with animal rights contains at least twenty thousand square feet (20,000 sq. ft.) but fewer than 5.25 acres, that parcel may hold no more than one animal unit and their seasonal offspring for each ten thousand (10,000) square feet.

C. When a parcel or group of contiguous parcels with shared ownership contains more than 5.25 acres, that parcel or group of parcels may hold no more than one animal unit and their seasonal offspring for each five thousand (5,000) square feet.

D. No animals or fowl may be kept or maintained closer than 40 feet to any dwelling on an adjacent parcel of land. No barn, stable, coop, pen, or corral shall be kept closer than 40 feet to any street.

E. Applicant shall submit a manure management plan, which shall address mitigation of stormwater runoff, odor, and flies, and shall include the following:

   1. Clean-up of manure and off-site deposit of the same in warm -weather seasons. Manure storage or composting is allowed in accordance with Salt Lake County Health Department General Sanitation Regulation regarding composting.
   2. Siting of newly constructed stalls to protect surface water, drainageways, wellheads, streams and irrigation ditches.
   3. Bedding system such as stall mats, hay, wood shaving, and/or wood pellets.

F. Provisions in the FR or FA zones related to horses shall govern over this section and its associated definitions. A horse shall be considered a large animal, but the number of horses allowed in the FR or FA zones shall not be increased or diminished by this section or its associated definitions.

G. See also Section 19.42.130 - Residential Keeping of Chickens, Pigeons, or Ducks. Where Animal Rights and Residential Keeping of Chickens, Pigeons, or Ducks are allowed in the same zone, the standards for Residential Keeping of Chickens, Pigeons, or Ducks apply over inconsistent standards for Animal Rights.

19.42.070 – Apiary.

A. The purpose of the apiary standards is to establish certain requirements for sound beekeeping practices. These standards are intended to avoid problems that may otherwise be associated with the keeping of bees in populated areas.

B. Apiaries, where allowed as a permitted or conditional use in the applicable zone, are also subject to the following standards:

   1. No more than the following number of colonies may be kept on any lot or parcel within the unincorporated county, based upon the size of the lot or parcel upon which the apiary is situated:
      a. Less than or equal to nine thousand nine hundred ninety-nine (9,999) square feet in size: one colony;
      b. More than nine thousand nine hundred ninety-nine (9,999) square feet in size: one colony plus one additional colony for each additional ten thousand (10,000) square feet square feet of land area;
   2. A site plan shall be submitted for review by Planning and Development Services addressing the following:
      a. Any colony situated within twenty-five feet of a public or private property line shall require the establishment of a flyway barrier at least six feet in height consisting of a solid wall, fence, dense vegetation, or combination thereof as approved by the Director or designee.

Said barrier shall be along or parallel to the property line extending ten feet beyond the colony in each direction, forcing a flight pattern elevation of at least six feet above grade.

b. A water source shall be provided on the property and no nearer than twenty feet to the hive to avoid bees congregating on nearby properties in a search for water.

c. A sign conspicuously posted setting forth the name and phone number or other identifying marks, such as a registration number, of the responsible beekeeper.

3. In addition to the aforementioned conditions, the applicant shall ensure compliance at all times with the following conditions:

a. All honeybee colonies shall be kept in hives with removable frames, which shall be kept in sound and usable condition.

b. All honeybee colonies shall be registered with the Utah Department of Agriculture and Consumer Services in accordance with the Utah Bee Inspection Act.

c. Maintenance shall be such that no bee comb or other materials are left upon the grounds of the apiary site. Upon removal from the hive, all such materials shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.

d. All colonies shall be maintained with marked queens. The colony shall be promptly requeened if it exhibits unusual aggressive characteristics by stinging or attempting to sting without due provocation or swarming. Regardless of colony behavior, each colony shall be requeened on a yearly basis.

e. Each Utah apiary shall meet all requirements and inspection schedules deemed necessary by the Utah Department of Agriculture and Consumer Services.

f. Notwithstanding compliance with the various requirements of this subsection, it shall be unlawful for any beekeepers to keep any colony or colonies in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others in accordance with applicable standards.

C. Upon receipt of information that any colony situated within the unincorporated county is not being kept in compliance with the requirements of this section, an investigation and subsequent hearing before the county's LUHO may result in the revocation of the apiary permit pursuant to the process outlined in section 19.16.040.F.

19.42.080 – Bars and Clubs.

Bars and Clubs, where allowed as a permitted or conditional use in the applicable zone, are also subject to the following standards:

A. A security and operations plan shall be prepared by the applicant and approved by local law enforcement and the Director. The security and operations plan shall be filed with the Planning and Development Services Department as part of the business license. The security and operations plan shall include:

1. A complaint-response community relations program for addressing complaints by neighbors to the property owner as an alternative option to complaining to local law enforcement or code enforcement personnel;

2. A provision for resolving neighborhood complaints regarding the operations on the business premises;
3. Design and construction requirements to ensure that any sound level originating within the premises does not exceed the maximum permissible sound level set forth in Health Department Regulation 21;
4. A provision stating that live entertainment shall only be located within an enclosed building subject to the foregoing sound limit;
5. Prohibiting electronically amplified sound in any exterior portion of the premises;
6. Designation of a location for smoking tobacco outdoors in conformance with State law;
7. A provision stating that any trash strewn on the premises shall be collected and deposited in a trash receptacle by six o'clock (6:00) A.M. the following day, including any cigarette butts and trash that has accumulated in parking lot areas;
8. A provision stating that portable trash receptacles on the premises shall be emptied daily, and dumpsters be emptied at least weekly. Dumpsters shall be located only within a county approved trash storage area; and
9. A parking management plan, which shall include consideration of the impact of parking on surrounding neighborhoods, consistent with applicable parking standards.

B. Site and floor plans proposed for the premises shall be provided to local law enforcement for review of applicable standards. To the extent such standards permit, such review may require design features for the purpose of reducing alcohol related problems such as consumption by minors, driving under the influence, and public drunkenness.

C. In addition to the required setbacks, where a bar or club abuts a residentially zoned parcel, an additional buffer consisting of vegetative landscaping or walls are required along any property line or within any required yard area on the lot or parcel where the premises are located.

D. The location of an outdoor smoking area shall be selected to mitigate the effect on neighboring residences, businesses, and buildings. In accordance with state law, outdoor smoking areas shall be no closer than twenty-five feet (25’) to any entranceway, exit, open window, or air intake of a building where smoking is prohibited. The same proximity limits shall apply to dwellings near outdoor smoking areas.

D. Not more than one alcohol related establishment as noted in the table of permitted and conditional uses shall be located within five hundred feet (500') of another alcohol related establishment as measured linearly without regard to intervening structures from the nearest point on the property line of one establishment to the nearest point on the property line of the second establishment.

19.42.090 Bed and Breakfast Inn.

A bed and breakfast inn, where allowed as a permitted or conditional use in the applicable zone, is also subject to the following standards:

A. The structure shall have a residential appearance;

B. The structure shall be limited to a maximum of two stories in height;

C. The structure shall contain a maximum of five (5) guestrooms.

D. Guests using the accommodations or lodging must pay compensation;

E. A bed and breakfast inn may not provide cooking facilities in any individual guestroom;

F. The access to the site and the on-site parking shall be available for use and maintained, including snow removal, throughout the entire year;

G. The structure must have direct access to a major street;

H. A bed and breakfast inn located in the FM, C-1, C-V, C-2, and C-3 zones may include a restaurant and conference rooms and may include up to fifteen (15) guest rooms;

   1. A bed and breakfast inn not located in such zones may only serve breakfast during the a.m. hours; lunch or dinner may not be served; breakfasts shall meet the requirements of the health department, which may limit breakfast to a continental-type breakfast unless certain specified health regulations are met.

19.42.100 – Car and Light Truck Wash.

Car and light truck washes, where allowed as a permitted or conditional use in the applicable zone, are also subject to the following standards:

A. In addition to the applicable landscaping requirements of Chapter 19.50 of this Title, landscaping for all car washes shall double the number of plantings required between stacking/drive-through areas and the street or residentially zoned property.

B. The facility shall be designed and operated, including the bay openings and vacuum areas, to minimize traffic and noise to surrounding properties and any street.

C. Adjacent to Residentially Zoned Property: Vacuum stations and related equipment, stacking lanes, and speakers shall be separated from residentially zoned properties by an intervening building, an opaque fence or by any street.

D. A system to recycle water used for vehicle washing is required to be installed and used in perpetuity. The use of recycled water systems and the disposal of water fluids and solids shall comply with applicable state and federal laws, guidelines and/or standards.

E. Any water flow resulting from the use of the washing facilities shall be confined to the car wash site and disposed of through an on-site drainage system in accordance with applicable laws.

F. The internal traffic circulation pattern shall be designed so as to preclude traffic congestion on public streets in the vicinity and to provide safe ingress, egress, and movement of traffic on the site in accordance with applicable standards.

G. The site shall provide space sufficient to allow a minimum of five vehicles to stack while waiting to access the car wash prior to reaching the payment area. All stacking shall be maintained on site and may not back onto any public right-of-way.

H. Regular on-site maintenance and clean-up of the property shall take place in accordance with applicable standards.

19.42.110 – Caretaker Living Quarters.

Caretaker living quarters, where specifically allowed as an accessory use to a commercial or industrial use in the applicable zone, are also subject to the following standards:

A. The caretaker living quarters shall be located within or accessory to the principal building on the site.

B. The caretaker living quarters shall be occupied by the owner or an employee of the business or use.

C. A minimum of one designated parking space shall be provided for the caretaker living quarters, in addition to any parking spaces required for the principal use.

D. The caretaker living quarters shall have no more than two bedrooms.

E. The caretaker living quarters shall be limited to a maximum of 650 square feet.

F. The caretaker unit must meet all applicable requirements of the International Residential Building Code as adopted by the jurisdiction. Each unit shall have a kitchen suitable for cooking and preparing meals, a bathroom with shower and/or bathing facilities, a living room, and a bedroom. Studio units are permitted so long as they provide space for the amenities as described in this section.

G. The property owners shall execute and record a covenant and agreement with the jurisdiction to revert the property to an industrial use without a caretaker living quarters, including the removal of the kitchen facilities of any permanent addition that does not meet the requirements of the Zone in which the use is located, after the expiration of any associated permit granted or the termination of the business.

19.42.120 – Check Cashing.

Check cashing and other non-depository financial institutions, where allowed as a permitted or conditional use in the applicable zone, are also subject to the following standards:

A. Establishments shall be located no closer than one mile from other similar establishments.

B. Use activities shall be limited to short term title loan and short-term consumer installment loan business.

C. All business activity, including customer queuing, shall be accommodated inside the building.

19.42.130 – Chickens, Pigeons, or Ducks, Residential Keeping of.

A. Subject to the requirements of this section and any other applicable provision of this Title or the Salt Lake County code, hen chickens and ducks (and no roosters or other types of fowl) may be kept on a lot or parcel of land for the sole purpose of producing eggs. Pigeons are also allowed in accordance with the standards outlined below.

B. The number of hen chickens, pigeons, or ducks which may be kept shall be limited based on the size of the lot or parcel as follows:
   1. Lots or lots of record with at least twenty thousand (20,000) square feet: Up to sixteen (16) chickens, pigeons, or ducks for the first twenty thousand (20,000) square feet and up to eight (8) additional chickens, pigeons, or ducks for each additional ten thousand (10,000) square feet of lot area.
   2. Lots or lots of record with between fifteen thousand (15,000) and nineteen thousand nine hundred ninety-nine (19,999) square feet: Up to twelve (12).
   3. Lots or lot of record with between ten thousand (10,000) and fourteen thousand nine hundred ninety-nine (14,999) square feet: Up to eight (8).
   4. Lots or lots of record with between six thousand (6,000) and nine thousand nine hundred ninety-nine (9,999) square feet: Up to four (4).
   5. Lots or lots of record with less than five thousand nine hundred ninety-nine (5,999) square feet: None.

C. The principal use on the lot or parcel shall be a single- or two-family dwelling.

D. Chickens, pigeons, and ducks shall be confined within a secure enclosure (i.e., fenced yard) that includes a coop.
   1. The coop shall be covered, weatherproof, and well ventilated.
   2. The enclosure, including the coop, shall be predator resistant.

3. The coop shall have a minimum floor area of at least two and one-half ($2^1/_2$) square feet per animal.
4. If the chickens, pigeons, or ducks are not allowed to roam within an enclosure outside the coop, the coop shall have a minimum floor area of six (6) square feet per fowl.
5. The coop shall be structurally sound and located in a rear yard at least forty feet (40') from any neighboring residential structure. The coop shall also meet the minimum setback for accessory structures within the applicable zoning district and may not be located nearer any street than the primary residential structure. Coops may not be located in any front yard or side yard of a corner lot.
6. The coop and enclosure shall be maintained in a neat and sanitary condition in accordance with applicable standards.
7. No chicken, pigeon, or duck shall be permitted to roam outside the coop except in a rear yard enclosed with a six-foot (6') fence with links or slats spaced at intervals small enough to keep fowl enclosed and predators out.

E. Feed shall be stored in rodent and predator proof containers.

F. Water shall be available to the animals at all times.

G. Animals may not be slaughtered on site unless it can be done humanely and outside the public view. For purposes of this subsection, humane slaughtering means to render the animals insensible to pain by a single blow, or an electrical, chemical, or other means that is rapid and effective, before being cut. All entrails and byproducts of the slaughtering process shall be discarded in accordance with Salt Lake County Health Department regulations.

H. Property owners with chickens, pigeons, or ducks shall obtain a Salt Lake County Animal Services permit to the extent such is required.

I. See also Section 19.42.060 - Animal Rights. Where Animal Rights and Residential Keeping of Chickens, Pigeons, or Ducks are allowed in the same zone, the standards for Residential Keeping of Chickens, Pigeons, or Ducks apply over inconsistent standards for Animal Rights.

19.42.140 – Child Care.

Child Care, where allowed as a permitted or conditional use in the applicable zone, is also subject to the following standards:

A. A person that is not required to obtain licensing as a childcare center under the Utah Department of Health and Human Services Rule R381-60-3 is not required to obtain land use approval or business licensing but is required to comply with this section. Building Code Regulations may still apply.

B. “Child Care, Residential” must be licensed by the Utah Department of Health and Human Services under Rule R430-50 et seq. A copy of the Health and Human Services License must be submitted prior to the issuance or renewal of a Business License.

C. “Child Care, Licensed Family” must be licensed by the Utah Department of Health and Human Services under Rule R430-90 et seq. A copy of the Health and Human Services License must be submitted prior to the issuance or reissuance of a Business License.

D. When Child Care is provided from a residence:

1. The applicant must reside in the home in which the business will be conducted.
2. The lot or lot of record shall contain one available on-site parking space not required for use of the dwelling, and an additional available on-site parking space not required for use of the

dwelling for any employee not residing in the dwelling. The location of the parking shall be approved by the Director to ensure that the parking is functional and does not change the residential character of the lot or lot of record.

3. No signs shall be allowed on the dwelling or lot or lot of record except a nameplate sign.

E. At no time shall the applicant provide daycare or preschool services for a group of children exceeding the maximum number specified by state law for such facility.

F. The use shall comply with the health department noise regulations.

G. The play yard may not be located in the front yard and shall only be used between eight a.m. and nine p.m.

H. The use shall comply with all applicable local, state, and federal laws and regulations.

I. Upon complaint that any of the requirements of this section or any other applicable county ordinance are being violated by a Child Care provider, the County shall review the complaint and if substantiated may institute a license revocation proceeding under Chapter 5.07.

J. Planning and Development Services shall notify in writing all property owners within a three-hundred-foot radius of the caregiver's property concerning the licensing of a home day care/preschool at such property.

K. A “Child Care Center” must be licensed by the Utah Department of Health and Human Services under Rule R381-100 et seq. A copy of the Health and Human Services License must be submitted prior to the issuance or reissuance of a Business License. A Child Care Center must obtain a land use permit and is subject to the following requirements:

1. Minimum Lot Size: Twenty thousand (20,000) square feet.
2. Location Requirements: A Child Care Center shall be addressed on and oriented to an arterial street
3. Rear Yard Playground Equipment: All outside playground equipment shall be located only in the rear yard.
4. Landscape Buffering: Any outside area where children are allowed must be fenced with a solid fence at least six feet (6') high.

19.42.150 – Commercial Plant Nursery.

When a Commercial Plant Nursery is allowed as a permitted or conditional use, the growing of nursery plants with associated retail sales are subject to the following requirements:

A. Licensing Requirements. In addition to a business license, a Commercial Plant Nursery must be licensed under the Utah Nursery Act, administered by the Utah Department of Agriculture and Food.

B. Site Location Standards. A Commercial Plant Nursery must be located on a site with no less than one acre that has primary access to a street designated as a Principal or Minor Arterial Street on the UDOT Functional Classification Map.

C. Operation and development standards.

1. All buildings, structures or improvements, other than fences, shall be located at least 20 feet from any property line.
2. All buildings and structures may not exceed 20 feet in height.
3. All storage of non-plant material and equipment shall be in a completely enclosed building or within an opaque fence enclosure at least six feet in height.

4. No outdoor telephone bell or paging system may be used.

19.42.160 – Drive-Thru and Drive-Up Facilities.

A. Purpose: The regulations of this section are intended to allow for drive-through facilities by reducing the negative impacts they may create. These impacts include noise from idling cars and voice amplification equipment, lighting, and queued traffic interfering with on-site and off-site traffic and pedestrian flow. The specific purposes of this section are to:

1. Reduce noise, lighting, and visual impacts on abutting uses, particularly residential uses;
2. Promote safer and more efficient on site vehicular and pedestrian circulation; and
3. Reduce conflicts between queued vehicles and traffic on adjacent streets.

B. Applicability And Permit Requirements: These regulations shall apply to:

1. All new drive-through facilities
2. Any rebuild or replacement of an existing structure containing a drive-thru facility
3. Modification to an existing building that includes:
   a. Altering the location of an existing drive-through window,
   b. Expanding the floor area by twenty five percent (25%) or more of the gross floor area or by a total of one thousand (1,000) square feet or more whichever is less, and
   c. Increasing the parking requirement as required by this title.

C. Additional Application Materials Required: In addition to the site plan and standard application requirements, an applicant for a business with drive-through facilities shall submit a site plan that includes: a parking and circulation plan and shows driveway locations that comply with section 19.48.100, and the placement of audio equipment (if this type of equipment will be used).

D. Adjacent to Residentially Zoned Property: Drive-up/drive-thru windows and their stacking lanes shall be separated from residentially zoned properties by an intervening building, a six foot (6') high opaque fence, or by a major street.

1. The opaque fence shall be architecturally integrated to match the design of all main buildings associated with the project to the greatest extent possible.

E. Capacity and Design Standards for Drive Thru and Drive Up Facilities are found in Section 19.48.100.

19.42.170 – Home Occupations.

Home Occupations are subject to the following standards, which do not apply to remote working:

A. Restrictions. The following business activities are prohibited from taking place at a residential dwelling unit, but the prohibitions do not apply to office/administrative operations of these businesses from home, or the incidental repair of equipment associated with the home business:

1. Commercial uses of a primarily retail nature or that rely on walk up traffic;
2. Vehicle, trailer, or boat repair or maintenance, including body and fender work;
3. Vehicle sales or rentals;
4. Towing or impound operations, junkyards, accessory outdoor storage, or storage yards;
5. Lawn mower or small engine repair;
6. Major appliance repair (washers, dryers, refrigerators, etc.);

7. Any use involving the storage, use, or sale of inflammable, explosive, or hazardous materials;
8. Mortuaries or crematoriums;
9. Sexually oriented businesses;
10. Welding, iron works, foundries, manufacturing, or assembly uses.

B. Exemptions. The following activities are exempted from or not subject to regulation under this chapter:

1. Uses other than a home business that are listed as permitted or conditional uses in residential zones;
2. Garage or yard sales, provided:
   a. The sale is held for not more than three consecutive days;
   b. No more than two sales are held per year at the same location; and
   c. No consignment goods are offered for sale;

C. Standards. The following standards apply to home businesses:

1. The primary use of the dwelling shall be residential.
2. The person operating the business shall reside in the dwelling at least nine months per year.
3. For lots or lots of record that front on a right of way less than 80 feet wide, only the business operator and his/her immediate family members who reside in the home shall be employed to do any work in the home, whether compensated or not, in conjunction with the business. For lots or lots of record that front on a right of way of 80 feet or greater, one non-resident employee is allowed to be employed to do work in the home.
4. Customers shall be allowed at the residence on an appointment only basis between the hours of 7:00 a.m. and 10:00 p.m. Group lessons or sessions may not exceed six people at a time.
5. Exterior remodeling that would change the residential appearance of the home is prohibited. Interior structural alterations made to the home are allowed only if they are consistent with its primary use as a dwelling.
6. Any sale of goods not produced as part of the home occupation shall constitute a clearly incidental part of the operation of the home occupation. There may be no display of goods produced by the home occupation observable from outside the dwelling.
7. All business activities shall take place entirely within the dwelling and/or attached garage and may not occupy more than 25% or more than 500 square feet, whichever is less, of the floor area of the home.
8. Storage or display of supplies, inventory, equipment, or materials in any portion of the yard or within a detached accessory building is prohibited.
9. The home business may use only those tools, equipment, or electric apparatus that are commonly used as accessories to or in conjunction with the home business and are not a nuisance (as defined in state law and county ordinance) to other homes in the vicinity.
10. The home business may not emit or create excessive odors, smoke, dust, heat, fumes, light, glare, sounds, noises, vibrations, or interference with radio and/or television reception, as prescribed by applicable standards.
11. In addition to the parking spaces required for the residents of the dwelling, off-street parking for customers and for an employee, if allowed under subsection 3 above, shall be provided in the driveway or garage.

12. Any nameplate sign may not exceed three square feet, may not be illuminated, and shall be attached to a wall, mailbox, or window of the dwelling.
13. Vehicles: No commercial vehicles may be brought to, parked on, or stored on the property in conjunction with a home business except as permitted by the off-street parking chapter, and except that:
    a. Occasional deliveries and pick-ups by commercial small package delivery organizations such as the USPS, FedEx, UPS, Amazon, or DHL are exempt from this requirement.
    c. One trailer may be used in association with a Home Occupation in accordance with the following standards:
        i. The maximum body length of an enclosed trailer is 20 feet. The maximum body length of an open trailer is 16 feet.
        ii. Trailers shall be garaged or stored on private property and may not be located within the Front Yard setback or, for Corner Lots, in either the Front or Side Yard setback.
14. The home occupation applicant must either be the bona fide owner of the home (as shown on the current Salt Lake County tax assessment rolls) or if the applicant is renting or leasing the home, the homeowner must provide written permission allowing the applicant to conduct a business in the home. Said letter of permission must be signed and notarized by the homeowner.
15. The property address (house number) shall be clearly posted on the home using letters at least four inches in height in a color that contrasts with the color of the building.
16. The condition of the dwelling and landscaped areas shall be well maintained in accordance with applicable standards.
17. The activities of the home occupation may not involve the use of hazardous materials or chemicals in amounts that will increase the hazard of fire, explosion, or safety to the structure the use is conducted in, adjacent structures, or the occupants thereof, in accordance with applicable standards.

D. <u>Regulations and Enforcement.</u>

1. All home businesses shall obtain a County business license.
2. An application for a home business, accompanied by the application fee, shall be submitted to Planning and Development Services. The application shall be approved upon the applicant agreeing to comply with the standards set forth in this section.
3. A change of business ownership or relocation to a new address is considered a new business and requires separate approval.
4. The home business license shall be renewed each year that the home occupation is in operation.
5. All home businesses shall be reviewed for compliance with the provisions of this Chapter. Noncompliance may result in revocation of the home business license.
6. The business owner is responsible for complying with all applicable health, fire, building and safety codes.
7. Violations of the standards set forth in this section shall be subject to the civil penalties outlined in section 19.08.070. In addition, a business license revocation hearing may be commenced in accordance with Chapter 5.07 for any business found to be in violation of the home business standards or any other County ordinance.

19.42.180 – Hotel

The following standards shall apply to all hotels and motels that are new development, redevelopment, changed from another use, or retrofits of existing buildings:

A. The minimum number of floors within the building shall be three. Any Basement space may not count toward meeting the minimum floor requirement.

B. Where stucco or fiber cement siding are used as exterior materials, at least 25% of the exterior shall be brick, stone or another comparable material approved by the Director or Designee.

C. At least five of the following amenities shall be included:

   1. Swimming pool
   2. Hot tub
   3. Fitness Room
   4. Business Center
   5. Meetings Rooms
   6. Common Breakfast Space
   7. Restaurant and/or Bar
   8. Substantial Gardens or a Reading Room

D. The minimum area per guest room shall be 280 square feet.

E. Each guest room shall include a restroom.

F. Hotels and motels are encouraged to co-locate with complementary uses such as dining, shopping and entertainment that are within close proximity.

G. In addition to meeting these standards, existing buildings or structures being converted to a hotel or motel shall be brought into conformance with all applicable building codes.

H. All guest rooms shall be accessed from interior corridors.

19.42.190 – Kennel, Commercial.

The following standards apply to all commercial kennels and catteries:

A. The site shall comply with all yard, fencing, parking, landscaping, and other applicable regulations.

B. Noise produced by the proposed use shall be in compliance with Salt Lake County Health Department Regulation 21. When the animals are proposed for indoor accommodations, soundproofing shall be provided sufficient to prevent noise and vibrations from penetrating into surrounding properties or buildings in violation of Regulation 21.

C. All commercial kennels and catteries shall be designed and maintained in compliance with Title 8.

D. The property shall be maintained in such a way so as not to create conditions that attract flies or create other nuisances in accordance with applicable standards.

E. The number of dogs or cats permitted for boarding or kenneling shall be no more than one (1) dog per six (6) square feet, and one (1) cat per four (4) square feet for indoor facilities. Outdoor facilities shall have no more than one (1) dog per ten (10) square feet, and one (1) cat per seven (7) square feet. For dogs larger than 50 pounds, indoor facilities shall have no more than one (1) dog per 24

square feet, and outdoor facilities shall have no more than one (1) dog per seventy-five (75) square feet.

F. The area where the dogs or cats are penned shall be screened with a block wall and a secure gate.

G. An isolated area shall be provided to animals that are sick or diseased.

19.42.210 – Minor Ski Resort Improvements.

Minor Ski Resort Improvements that comply with the following standards are permitted uses. Minor Ski Resort Improvements that do not comply with the following standards are conditional uses and subject to review and approval by the planning commission, which shall be governed by all applicable standards in this Title.

A. The privately owned land area on which the improvements are permitted shall constitute less than ten percent of the total land area utilized for the ski resort that the improvements support;

B. At least ninety percent of the land area on which the improvements are developed, operated, and maintained shall be on public lands;

C. The public agency responsible for the management and administration of such land has approved a special use permit or similar regulatory authorization, and has assumed long-term administrative and enforcement responsibilities for such approvals;

D. Opportunities for public notice, review, and comment on the proposed improvements shall be provided through the finalized National Environmental Protection Policy Act (NEPA) or other comprehensive public review and comment process; and

E. Such improvements are either:

   1. Essential to public safety;
   2. Required in association with the reasonable repair or maintenance of existing legally established facilities and improvements; or
   3. Essential to the continuation of extension of improvements approved under the terms of a governmental land lease or use permit or by final action of the federal or state governmental agency with jurisdiction over the lands on which the improvements are located.

19.42.220 - Outdoor Dining Appurtenant to A Permitted Restaurant Use.

Outdoor dining, when listed as a permitted or conditional use in the applicable zone and appurtenant to a permitted restaurant use, is subject to the following requirements:

A. A useable pedestrian sidewalk through or adjacent to the outdoor dining area that is at least five feet (5’) wide must be maintained as unobstructed by fire hydrants, trees, poles, meters, fountains, etc., and any proposed seating.

B. Restaurants serving liquor must comply with applicable state law.

C. Public facilities, such as drinking fountains, fire hydrants, trash cans, etc., may not be obstructed. Public facilities may not be defaced or damaged. Damaged facilities will be restored at the property owner's expense.

D. Crosswalks may not be obstructed.

E. Dining may not interfere with adjacent business access, the growth or maintenance of street trees and maintenance of public facilities. Site distance for vehicles and pedestrians must be maintained in accordance with applicable standards.

F. Minimum Conditions of approval:

1. There may be no addition in the number or arrangement of tables on public property without prior approval from the owner of the public property.
2. The management of the restaurant is responsible for the removal of litter, debris, and snow, and for sidewalk cleaning.
3. There may be no additional signage, other than normal menus and logos on umbrella canopies.
4. The management of the restaurant shall restore any damage to public facilities and clean public facilities each day from food and drink spills and debris.
5. Sidewalk dining is subject to inspection by the Planning and Development Services for compliance with these standards.
6. Other dining facilities, such as cooking implements, coolers, serving tables, bars, etc., are not allowed on public property.
7. Sidewalk dining may only be in operation from 8am to 10pm daily.
8. Sidewalk dining materials shall be temporary in nature, and the property owner shall move materials inside at the end of each business day.
9. Applicant shall obtain an encroachment permit for use of the public right of way from the applicable permitting authority.

19.42.230 – Pawn Shop.

A. The purpose of regulating pawn shop establishments is to ensure security and compatibility with surrounding uses and properties and to avoid any impacts associated with such uses.

B. Pawn shop establishments, when listed as a permitted or conditional use in the applicable zone, are subject to the following requirements:

1. Site location standards.
   a. Establishments shall be located no closer than one mile from other similar establishments.
2. Operation and development standards.
   a. The business shall have lighting throughout all nighttime hours to provide illumination for security and safety of parking and access areas in accordance with this Title.
   b. The business window may not be tinted or obscured in any way, including by temporary or painted window signs, and the interior lighting of the business shall remain at adequate levels throughout all nighttime hours to clearly see into the business from the exterior of the business.
   c. A sign shall be posted in the front of the business indicating that no loitering is permitted per County Code.

19.42.235 -- Reception Hall, Reception Center

Reception halls or reception centers, where allowed as a permitted or conditional use in the applicable zone, are also subject to the following standards:

A. Outdoor weddings and receptions. No outdoor amplified music or outdoor sound system is allowed after 9:00 p.m., and weddings and receptions shall be concluded by that time. All outdoor lighting shall be shielded and directed downward to avoid light spill on adjacent properties.

B. Number of guests. The number of guests allowed shall be determined by the applicable building and fire code.
C. Parking. There shall be one off-street parking stall for every four guests that can be accommodated under subsection (B). On-street parking is not permitted.
D. Hours of Operation. Subject to subsection (A), weddings and receptions shall conclude by 10:00 p.m.
E. Landscaping and screening. The property shall be landscaped and screened from adjoining properties pursuant to chapter 19.50.

19.42.240 – Reiki.

Reiki, where allowed as a permitted or conditional use in the applicable zone, is also subject to the following standards:

A. Hours of operation shall be between 7:00 a.m. and 10:00 p.m.

B. Each practitioner that is not an employee listed on the business licensee shall have a current County business license.

C. Neither clients nor practitioners shall appear on the premises in a state of nudity or semi-nudity, as defined in the Sexually Oriented Business Chapter of Title 5 of this Code.

D. The premises may not be used for unlawful conduct under the Utah Massage Therapy Practice Act or sexual conduct that violates Title 76 of the Utah Criminal Code.

19.42.245 - Residential Facilities for Persons with a Disability

A. Purpose. The purpose of this chapter is to balance local zoning considerations with state and federal mandates requiring a reasonable accommodation for disabled persons living together in a group housing arrangement in a residential neighborhood.

B. Scope. The requirements of this chapter apply to any facility, residence, group home or other congregate housing arrangement for persons with a disability notwithstanding any conflicting provision in this title or any other section of this Code of Ordinances.

C. Licensing. The licensing requirements for "residential treatment programs" and "residential support programs" are defined and administered pursuant to state law and the Utah Administrative Code.

D. Uses.

1. No Permit Required. Four or less unrelated individuals who share housekeeping responsibilities in a single dwelling do not require a zoning permit but function as a "family," defined in Section 19.04.230 of this title as "one to four unrelated people living together in a single dwelling."

2. The director, with the assistance of the district attorney, shall consider requests for a permitted use/reasonable accommodation for a "residential facility for persons with a disability" ("facility"). The director or the director's designee shall approve a proper application for a zoning permit for the facility in any zone, including residential zones where only single family dwellings are a permitted use, provided:

   a. The facility meets or will meet all program, physical facility, and licensure requirements of the state department of human services or department of health.

   b. Except as otherwise provided in this chapter, buildings and uses shall meet all applicable county development standards, licensing and zoning requirements.

c. The facility shall not house persons who are involuntarily residing therein or who are residing therein as a part of or in lieu of confinement, rehabilitation, or treatment in a correctional facility.

e. The applicant provides sufficient evidence that the requested accommodation is necessary to allow disabled individuals reasonable, non-discriminatory, federally mandated housing opportunities in the relevant zone. Evidence may include information relating to the history, management, financial feasibility, and therapeutic benefits of the facility, and applicable law.

3. The director or the director's designee may not deny the application based upon reasonably anticipated detrimental effects to the community so long as reasonable conditions are proposed to mitigate such anticipated detrimental effects.

4. Institutional Uses. Consistent with the International Building Code, residential facilities designed to house more than sixteen individuals constitute "institutional facilities" likely to create a fundamental change in the character of a single family residential neighborhood. The only residential zone where an application for a conditional use permit for an institution serving more than sixteen residents may be approved is in a zone that allows apartments as a conditional or permitted use.

E. Termination. A use permitted by this chapter is nontransferable and shall be subject to revocation by the appropriate land use or licensing authority if:

1. The facility is devoted to a use other than a residential facility for persons with a disability;

2. The facility exceeds the maximum number of residents specified and approved in the original application, changes the disability classification under state rules, or remodels or expands without first receiving approval from the director;

3. The facility is not licensed by the state department of health or department of human services; or

4. It is determined by an appropriate county authority that residents of the facility have engaged in a pattern of criminal acts of nuisance, theft, or violence in the adjoining neighborhood.

F. Residential day treatment. To avoid excessive traffic, on street parking, and related impacts altering the residential character of a neighborhood, no day treatment for non-residents shall be permitted in residential facilities for the disabled in the R-1 or R-2 residential zones.

G. Parking. The minimum number of parking spaces shall be four spaces plus one space for each five residents, provided that if the number of residents who own or operate a motor vehicle exceeds the number of parking spaces established above, additional parking shall be provided to ensure that every resident who owns or operates a motor vehicle has a lawfully located off-street parking space.

H. Notice and Procedure. Because facilities are permitted uses, yet can adversely affect properties in the vicinity, the following notice shall take place when a decision is issued:

1. The division shall notify by first class mail property owners within 300' of the subject property of the decision at the owners' address on file with Salt Lake County. The notice shall provide appeal rights under subsection I

I. Appeals. Pursuant to section 19.20.030 of this title, any person adversely affected by a final decision of the director may appeal that decision to the land use hearing officer.

19.42.250 - Retail Shops or Galleries where Primary Product is Produced on Site.

Retail shops or galleries where primary product is produced on site, where allowed as a permitted or conditional use in the applicable zone, are also subject to the following standards:

A. The applicant shall demonstrate that noise, odors, traffic, light pollution, and refuse produced by the use shall be reasonably mitigated in accordance with applicable standards.
B. Storage of products may not block front windows nor spill outdoors onto the property.

19.42.260 – Self Service Fuel Station.

A. Purpose. The purpose of regulating self-service fuel stations is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

B. Site Organization:

1. Building Locations: Service station buildings, e.g., convenience store structures, shall be located on the corner of the property with the pump islands located to the interior of the site to give the facility a good architectural presence from the street(s).
2. Driveways:
   a. Driveway cuts shall be in accordance with Salt Lake County driveway standards and are required to be shared with adjacent uses and/or properties, where possible, to eliminate traffic conflicts at intersections.
   b. On Site Vehicle Storage: Overnight storage of vehicles is prohibited.

C. Special Requirements:

1. Patron Vehicle Servicing: Areas are encouraged on self- service station sites to allow patrons to service their vehicles with air and water. If provided, these facilities shall be located where they do not obstruct circulation patterns of the site.
2. Car Washes (Accessory to An Automotive Service Station):
   a. A car wash structure, where provided, shall meet the minimum setback standards for the zoning district in which it is located.
   b. Automatic car wash facilities may provide areas for vacuuming and drying of vehicles upon exiting the car wash structure. Such areas shall be located where they do not obstruct circulation patterns of the site.
   c. A minimum of eight feet (8') of space shall be provided between the exit of the car wash structure and any cross driveway to allow for sight distance of vehicles in the crossing driveway.

D. Pump Island Canopy Design:

1. Setbacks: Fuel pump island canopies located at service stations shall be set back a minimum of twenty feet (20') from all front property lines.
2. Vehicle Stacking: Each pump island shall include stacking space for a minimum of two (2) vehicles (total of 40 feet) on site so that driveways within the site or adjacent street areas are not utilized for waiting customers. Pump island stacking may not encroach upon required parking space back out areas (24 feet minimum) or two-way driveways for general site circulation (24 feet minimum).
3. Lighting: All canopy illumination and lighting directed toward the ground shall be recessed into the canopy.
4. Vertical Clearance: There shall be a minimum clearance of 13.5 feet to the bottom of the canopy above grade.
5. Height: Vertical canopy fascia utilized for signage may not exceed four feet (4') in height, and the height to the top of the vertical fascia may not exceed twenty feet (20') from grade

6. Pumps Associated with a Self Service Fuel Station are subject to the parking requirements of Chapter 19.48 and all other applicable ordinances.

E. Architectural Design:

1. All building elevations shall comply with applicable standards.
2. If the site allows, pump canopies shall be broken up into two (2) separate locations. The width of the canopies shall be no wider than the width of the primary building. This reduces the effect of pump canopies dominating other buildings on the site.
3. Pump island structural columns and canopy fascia shall use the same architectural materials as the main building, e.g., stone, brick, etc., and shall run from ground level to the bottom of the canopy.

F. Speaker Boxes: Speaker boxes designed to communicate from pump islands shall comply with the applicable noise ordinances Pump islands with speakers shall be separated from residentially zoned properties by an intervening building, an opaque fence, or a major street.

G. Drive-thru businesses and activities conducted on site, where permitted, shall be subject to the drive thru standards in this Chapter.

19.42.270 – Self-Service Storage Facilities.

Self Service Storage Facilities, where allowed as a permitted or conditional use in the applicable zone, are also subject to the following standards:

A. So that self-storage unit facilities are not visually prominent from the street, facilities shall be located either within an enclosed, climate-controlled building or behind another building or buildings. Such building need not occupy the entire frontage of the property and can be an office associated with the storage facilities. An applicant may propose a portion of the facility not be located within an enclosed, climate-controlled building or behind another building or buildings if a forty-foot (40') landscape buffer is provided between the facility and the street.

B. Each self-storage unit facility not within an enclosed, climate-controlled building shall include a six foot (6’) high opaque fence along the entirety of each street frontage.

C. No exterior garage door or door accessing a storage unit may face a public street.

D. Storage units not within an enclosed, climate-controlled building may not exceed one-story and twenty-four feet (24') in height.

E. In no case may any storage unit be used for human habitation or the housing of animals.

F. No business activity of any kind may be transacted from within a storage unit.

G. No outdoor storage of portable storage containers is permitted within the self-storage facility.

H. The opaque fence of the enclosed storage units may be constructed on the side and/or rear property lines when not abutting property in any residential zone.

I. A Self-Storage Facility under 60,000 square feet of storage may have one Caretaker’s Dwelling. A Self-Storage Facility with at least 60,000 square feet and less than 90,000 square feet of storage may have two Caretaker’s Dwellings. A Self-Storage Facility with 90,000 square feet or more of storage may have three Caretaker’s Dwellings.

19.42.280 – Sexually Oriented Business or Activity.

A. Purpose: The purpose of this Section is to establish reasonable and uniform zoning regulations for sexually oriented businesses, their location, and signage, and to mitigate adverse impacts to the community consistent with state and federal law.

B. Business Allowed—Restrictions:

1. Other than outcall services and nude and seminude dancing agencies, sexually oriented businesses shall be allowed only in areas zoned C-3 and M-1, subject to the following additional restrictions:

    a. Sexually oriented businesses shall be subject to conditional use requirements.

    b. No sexually oriented business may be located:

        i. Within 1,000 feet from any educational facility, public park, other sexually oriented business, Church, Synagogue, Mosque, Temple, Cathedral, or Other Religious Building;

        ii. Within 300 feet from an agricultural or residential boundary;

        iii. Distance requirements for this Section shall be measured in a straight line, without regard to intervening structures, from the nearest property line of the school, public park, religious institution, agricultural or residential zoning district, or other sexually oriented business, and to the nearest property line of the sexually oriented business.

2. Outcall services and nude and seminude dancing agencies shall be permitted only in commercial or mixed use zones where offices are allowed. Customer not allowed to visit such an office.

C. Sign restrictions: Notwithstanding anything to the contrary contained in Chapter 19.52 of this Title, signs for sexually oriented businesses shall be limited as follows:

1. No more than one exterior sign shall be allowed.

2. No sign shall be allowed to exceed 18 square feet.

3. Signs shall contain alphanumeric copy only.

    a. No animation shall be permitted on or around any sign, or on the exterior walls or roof of such premises;

    b. No descriptive art or designs depicting any activity related to, or inferring, the nature of the business shall be allowed on any sign.

5. Only flat signs shall be permitted.

6. Painted wall advertising is prohibited.

7. No other sign is allowed other than the signs specifically allowed by this section.

D. Severability: If any provision of this section, or the application thereof to any person or circumstances, is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity may not affect other provisions hereof which can be implemented without the invalid provision. To this end the provisions of this section are declared to be severable.

19.42.290 – Short Term Rental.

A. Short term rentals are allowed, provided that:

1. Short term rentals are listed as a permitted or conditional use in the applicable zone;

2. The on-site parking and the access to the site are available for use and maintained, including snow removal, throughout the entire year;
    a. Parking shall be contained on the site and shall not take place on the public rights-of-way;
    b. Snow shall be removed from sidewalks and driveways by 8:00 a.m. after snow has ceased falling
3. The dwelling unit is served by an approved drinking water supply and public sewer system that can support the use throughout the entire year and are approved by the health department prior to issuance of a license;
4. The dwelling unit being rented contains no more than four bedrooms and is occupied at any time by no more than eight (8) persons;
5. Outdoor pools, hot tubs or spas are not to be used between the hours of ten p.m. and eight a.m.;
6. Renters comply with the Salt Lake County Health Department Noise Regulation, particularly the quiet hours between 10 pm and 7 am wherein decibel levels shall not exceed 5 decibels above ambient sound (and in no case greater than 50 decibels);
7. The owner of the dwelling unit dwells in the dwelling unit or on the property on which the dwelling unit it located part of each calendar year. If the owner's primary residence is on the property on which the dwelling unit is located, the owner can rent the the dwelling unit 365 days per year. If the owner's primary residence is not on the property on which the dwelling unit is located, the owner can rent the dwelling unit a maximum of 180 days per year.
    a. Each year the owner obtains a business license for the short-term rental, the owner shall sign an Affidavit under penalty of perjury on a form prepared by the Planning and Development Services Division, indicating whether and how long the dwelling unit has been the owner's primary residence, and indicating how many of the prior 365 days the dwelling unit was rented.
8. The owner notifies short-term renters of the requirements outlined in subjections 2a, 4, 5, and 6. Notification shall be provided by including these requirements in the terms of the rental agreement. The owner shall also notify the tenant of these requirements by posting them in a prominent place of the dwelling;
9. The owner posts on the outside of the dwelling the phone number of a responsible person who is available 24 hours per day to respond to complaints about short-term rental tenants and has the cell phone number of such tenants. The owner shall include in the agreement with the guest or online platform a requirement that the tenant provide a cell phone number at which the tenant can be reached 24 hours per day. If the responsible person receives a call of complaint, the responsible person shall respond to the complaint within one hour of the complaint by both returning the call of the complainant and by calling the tenant.

B. Each violation of this section shall result in a single penalty in the amount prescribed by the fee schedule for such violations in accordance with section 19.08.070.F. Three such violations within a one (1) year period shall be grounds to revoke the business license for the short-term rental.

19.42.300 - Sidewalk Displays Appurtenant to A Permitted Use.

A. <u>Sidewalk Displays</u> : The following standards apply to sidewalk displays :

1. The applicant shall demonstrate that the sidewalk display provides adequate space for the safe and comfortable circulation of pedestrians and other users of the right-of-way in compliance with ANSI standards.
2. Sidewalk displays may only be in operation from 8am to 10pm daily.
3. Sidewalk display materials shall be temporary in nature, and the property owner shall move materials inside at the end of each business day.

19.42.310 – Storage and Salvage Yards.

A. Storage Yards and Salvage Yards, when listed as a permitted or conditional use in the applicable zone, are subject to the following requirements:
   1. No portion of the storage area shall be located within three hundred feet (300') of any residential zoning district or use lot line.
   2. Any outdoor storage area shall be completely enclosed by a fence or wall no less than six feet (6') in height, constructed of a sturdy, durable material and sufficiently opaque to ensure that the stored material is not visible from outside the storage area. The fence or wall shall have a minimum of two (2) non-transparent gates not exceeding forty-eight feet (48') in width providing access to the storage area for vehicles but may not allow direct view of the storage area from adjacent properties or streets. Said fence or wall shall be continuously maintained in good condition and shall contain only approved signs.
   3. Each salvage or storage yard must include an opaque fence along the entirety of each street frontage. This wall shall be constructed at the front setback line required for buildings in the underlying zone. The storage or salvage area must be no closer to street than the front facade of the building. The Director may accept a landscaped berm in lieu of the opaque fence if the height, width, and berm landscaping fully screen the storage or salvage areas. Subject to section 19.50.050.A.6, a berm allowed in lieu of an opaque fence shall include live plant material that covers no less than fifty percent (50%) of the berm with grasses, bushes, ground cover or tree canopies. Trees and bushes must be at least twenty five percent (25%) evergreen.
   4. Stored materials stored outdoors may not be stacked higher than six feet (6'). In no case shall salvage or junk be stored at a height exceeding the height of the storage area fence or wall. Operational vehicles and motorized equipment are not subject to the height requirement for storage. No inoperable vehicle or equipment shall be stored within the outdoor storage areas. Permitted salvage yards are the only allowable storage areas for inoperable vehicles or equipment.
   5. Outdoor storage shall be kept and maintained in a neat and orderly manner. Outdoor storage may not include dirt, manure, gravel, rocks, sand, bark, or similar materials, unless the items are stored in bags, on pallets, or on other individually sealed containers.
   6. A management office shall be provided on site. A caretaker unit may be permitted for security personnel or on-site operator.
   7. Conditions within the storage area shall be controlled to minimize the hazards of fire and other threats to health and safety in accordance with applicable regulations. Product, salvage, or other storage shall be stored along drive aisles that are a minimum width of twenty feet (20') and do not have dead ends.
   8. Requests for a permit for a salvage yard shall also require submission of a detailed proposal identifying the predominant type of salvage to be received, the methods of separation and/or recycling, and ultimate destination of all salvaged, recycled, and waste materials. The applicant

shall be required to submit written materials outlining measures taken to comply with all necessary state, county, and local laws.

9. All batteries shall be removed from any vehicle, and all radiator and fuel tanks shall be drained prior to the vehicle being placed in the salvage yard. Salvaged batteries, oil and other such substances shall be removed by a licensed disposal company and be stored in a manner which prevents leakage of battery fluid. No fluids removed from vehicles shall be applied as a dust control method or otherwise allowed to be discharged upon the ground.
10. Vehicle parts may not be stored, loaded, unloaded, or dismantled outside the fence enclosing the salvage yard.
11. In order to protect surrounding areas, business operations, including loading and unloading operations, shall be limited to 7 am to 10 pm.

19.42.320 – Towing Services and Impound Lots.

A. Towing Services and Impound Lots, when listed as a permitted or conditional use in the applicable zone, are subject to the following requirements:

1. No impound or tow yard shall be closer than 300 feet to any property in a residential or mixed-use zone, as measured from property line to property line.
2. The impound or tow storage yard shall be entirely enclosed by a six foot (6’) opaque fence.)
3. A minimum 20-foot landscaped setback shall be provided along all street frontages.
4. All vehicles within the impound yard shall have ground contact of all wheels. No stacking of vehicles shall be permitted.
5. The surface of the storage yard shall be covered with an all-weather surface. Any stormwater or other runoff from the site shall be contained on the site and disposed of through an on-site drainage system, in conformance with applicable regulations to enforce the requirements of the National Pollutant Discharge Elimination Systems (NPDES) permit.
6. The business shall be operated in compliance with the provisions of Salt Lake County Health Department Regulation 21.
7. The impound lot or tow yard and the associated landscaping, walls and surfaced areas shall be maintained in good repair, in a clean, neat, and orderly condition in accordance with applicable standards.
8. All such areas shall be provided with internal circulation, safe entrances and exits in compliance with Title 14.
9. No dismantling or demolition of automobiles or other vehicles shall be conducted on the premises.

19.42.330 – Underground Record Storage Vault.

A. Underground record Storage Vaults shall comply with the following:

1. The facility shall comply with the requirements for development set forth in Chapter 19.62, "Foothills and Canyons Overlay Zone" including but not limited to development standards for grading, wildlife habitat protection, tree and vegetation protection, outdoor lighting, natural hazards, and utilities, and standards for establishing limits of disturbance, and
2. Excavation of the site to construct the underground vaults shall be conducted as follows:

a. Access to the site shall be controlled through one point;

b. The excavator shall post the property, noting that a dangerous condition exists and warning trespassers away;

c. The excavator shall take care that trucks leaving the property are not overloaded and that spilled material is removed from adjacent public roads not less frequently than once every twenty-four hours while the excavation is in progress;

d. Water accumulating on the site shall be removed to a drainage way and any contaminated water shall be treated before being allowed to enter a drainage way;

e. When the operation ceases for a period of at least ninety days or moves from one area of the site to another, slope and graded areas remaining shall be left in accordance with the requirements for grading and revegetation set forth in Section 19.62.070 of the foothills and canyons overlay (FCOZ) district; and

f. The County may require a bond in favor of the County to be posted by the excavator to cover damages that may occur to County roads as a result of hauling materials excavated from the permitted site. The amount of the bond less any sums needed to correct damages shall be refunded to the excavator within one year after the conclusion of the excavation

3. The applicant shall submit a plan for proposed rehabilitation of the excavated site, including a schedule of rehabilitation measures and proposed ground cover and landscaping to be installed following the completion of the excavation.

19.42.340 – Vehicle and Equipment Repair.

A. Purpose. The purpose of regulating vehicle repair facilities is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

B. All Minor, Major, and Commercial and Industrial Vehicle and Equipment Repair uses are subject to the following minimum requirements:

1. A minimum site area of twenty thousand square feet (20,000 sf) is required.

2. Utilities or improvements shall be in conformance with the development standards of this Title.

3. No part of the use shall be located within 100 feet of a residential zone.

4. All vehicle and equipment repair activities shall be conducted within an enclosed Building.

5. The site shall be developed with permanent buildings. No trailers or temporary modular units are permitted.

6. Except as provided in this section, inoperable vehicles, tires, parts, and service equipment may not be stored outside.

7. Inoperable vehicles and equipment awaiting service may be temporarily parked on site in accordance with the following standards:

a. Inoperable vehicles and equipment may not be located within any minimum required parking stalls and drive aisles and may not block any traffic flow.

b. Inoperable vehicles and equipment shall be screened from any adjacent streets by a building or opaque fence not less than six feet in height.

c. Inoperable vehicles and equipment must be located on asphalt or concrete.

d. Inoperable vehicles may not be stored on the property longer than 30 days.

8. Commercial and Industrial Vehicle and Equipment Repair establishments must be located along and have primary access from an Arterial or Major Collector Street on the UDOT Functional Classification Map. Where a principal arterial has a frontage road, primary access from the frontage road is sufficient to meet this standard.

19.42.350 – Wireless Telecommunications Facilities.

A. Purpose. The purpose of this Section is to establish general requirements for the siting of wireless telecommunications facilities and to:

1. Encourage the location of facilities in nonresidential areas;
2. Minimize the total number of monopole facilities throughout the unincorporated county;
3. Encourage the joint use of new and existing communication sites;
4. Encourage location of facilities where adverse impact on the community is minimal;
5. Encourage innovative design of facilities to minimize adverse visual impact; and
6. Enhance the ability of the providers of telecommunication services to do so quickly, effectively, and efficiently.

B. Applicability.

1. The requirements of this Section apply to both commercial and private wireless telecommunications services, such as "cellular" or "PCS" (personal communications services) communications and paging systems.
2. All facilities shall comply with the regulations in this Section, all other applicable ordinances of the county, and any pertinent regulations of the Federal Communications Commission and the Federal Aviation Administration.

C. Site Location Plan Required

1. A site location plan shall be submitted by each applicant desiring placement of wireless telecommunication facilities.
2. The plan shall be submitted to Planning and Development Services prior to processing any permits for permitted or conditional use locations.
4. For each site, the plan shall indicate:
   a. Area coverage, if known;
   b. Antenna location;
   c. Antenna height above existing grade; and
   d. Antenna type.
5. The plan shall be updated upon request from the Director or Designee.

D. Allowable Uses. The wireless communications facilities specified in Table 19.42-1 are allowed, provided that they comply with all requirements of this Ordinance.

TABLE 19.42-1: SPECIFIC USE STANDARDS **ALLOWABLE WIRELESS COMMUNIICATIONS FACILITIES**		
P- Permitted Use	**C- Conditional Use**	**N- Not allowed**

Zones	Wall Mount	Roof Mount	Monopole	Lattice Tower
All FM, FR, CV, and F Zones	P[1], C[2]	P[1], C[2]	C	N
All R-1 Zones	P[3], C[5]	P[3], C[5]	C[3], C[5]	N
All R-2 Zones	P[3], C[5]	P[3], C[5]	C[3], C[5]	N
R-4-8.5 Zones	P[3], C[5]	P[3], C[5]	C[3], C[5]	N
R-M Zones	P	P	C	N
RMH Zones	N	N	N	N
All A Zones, S-1-G	P[1], C[2]	P[1], C[2]	C	N
All MU Zones	P[1], C[2]	P[1], C[2]	C	N
All C Zones	P	P	C	N
All M Zones	P	P	P[4], C	N

TABLE 19.42-1: FOOTNOTES

[1] Permitted use only on nonresidential buildings.

[2] Conditional use on residential buildings.

[3] Allowed only in conjunction with public or quasi-public uses (see definitions in chapter 19.04).

[4] Permitted use if not within 300 feet of a residential zone boundary.

[5] Stealth facilities are conditional uses and not required to be located with public or quasi-public uses.

E. Facility Types and Standards: There are four general types of antenna structures. The standards for the installation of each type of antenna structure are as follows:

1. Wall Mounted Antenna: (see Figure 19.40-1)
   a. Wall mounted antennas may not extend above the wall line of the building or structure or extend more than four feet horizontally from the face of the building or structure.
   b. Antennas, equipment, and any supporting structures shall be painted to match the color of the building, structure, or background against which they are most commonly seen.
   c. Antennas and the supporting structures on buildings should be architecturally compatible with the building.
   d. Antennas shall be considered wall mounted if they are mounted directly on existing parapet walls, penthouses, or mechanical equipment rooms, with no portion of the antenna extending above the roofline of such structures.

e. Stealth wall mounted antennas are encouraged, and Stealth wall mounted antennas need not be located with public or quasi-public uses in the R-l, R-2, and R-4-8.5 zones (see Table 19.40-1).

2. Roof Mounted Antenna: (see Figures 19.40-2 and 19.40-3)

i. Roof mounted antennas shall be allowed on top of existing penthouses or mechanical equipment rooms. Antennas and antenna mounting structures may not extend more than eight feet above the existing roofline of the penthouse or mechanical equipment room.

b. For antennas not mounted on a penthouse or mechanical equipment room but on a flat roof:

i. Setback. The antennas shall be mounted at least five feet from the exterior wall or parapet wall of the building or structure.

ii. Height (see Figure 19.40-2).

A. For antennas mounted between five and fourteen feet from the exterior wall or parapet wall, the maximum height of the antenna is equal to the distance the antenna is set back from the exterior wall or parapet wall.

B. For antennas setback more than 14 feet, the maximum height shall be 14 feet.

C. Height shall be measured from the top of the antenna to the roofline of the building or structure, or to the top of the parapet wall if a parapet wall exists.

c. Roof mounted antennas on a pitched roof are allowed, provided the antennas and antenna support structures do not extend higher than the peak of the roof, measured by a horizontal line from the peak extending over the roof (see Figure 19.40-3).

d. Roof mounted antennas shall be constructed and colored to match the surroundings in which they are located.

e. Stealth roof mounted antennas are encouraged and need not be located with public or quasi-public uses in all R-1, R-2, and R-4-8.5 zones (see Table 19.40-1). The height of a stealth roof mounted antenna may exceed the height of the antenna allowed in subsection (2)(b)(ii) by 33%.

3. Monopole:

a. The height limit for monopoles is 60 feet, except the Planning Commission may allow a monopole up to 80 feet in the C-2, C-3, M-1, and M-2 zones if it finds:

ii. The monopole will be available for co-location with other companies, and

iii. The monopole will be setback at least 300 feet from any residential zone boundary.

b. The height shall be measured from the top of the structure including antennas, to the original grade directly adjacent to the monopole.

c. In all R-1, R-2, and R-4-8.5 zones, monopoles will only be allowed in conjunction with an existing public or quasi-public use as defined in Chapter 19.04, which include, but are not limited to, churches, schools, utilities, and parks.

d. No monopoles shall be allowed in the front yard setback of any lot.

e. Monopoles shall be setback from any residential structure a distance equal to the monopole's height.

f. Stealth monopole facilities are encouraged and need not be located with public or quasi-public uses in all R-1, R-2, and R-4-8.5 zones (see Table 19.40-1). The height of a stealth

monopole facility may exceed the height of the monopole allowed in subsection (3)(a) by 33%.

4. Lattice Tower:
   a. Lattice towers are not permitted.

F. Color

1. The color of monopoles, antennas, and any associated equipment shall blend with the surroundings in which they are located.

G. Sites in the Foothills and Canyons

Sites in the foothills and canyons overlay zone shall comply with the following standards:

1. Any grading for telecommunication facilities, including access roads and trenching for utilities, shall comply with the International Building Code.
2. Telecommunication facilities in the FCOZ zone shall comply with the requirements set forth in Chapter 19.62, including development standards for grading, wildlife habitat protection, tree and vegetation protection, natural hazards, and utilities, and standards for establishing limits of disturbance.
3. Facility color shall blend in with the natural surroundings.
4. An application for approval of a telecommunications facility in the FCOZ zone shall include a computer-generated visual simulation of all proposed structures, including but not limited to monopoles, antennas, and equipment buildings, shall be required for all sites in the foothills and canyons.
5. Continuous outside lighting is prohibited unless required by the Federal Aviation Administration for the monopole.

H. Additional Requirements

The following shall be considered and addressed by the applicant in the application:

1. Compatibility of the proposed structure with the height and mass of existing buildings and utility structures.
2. The possibility of co-locating the antenna on other existing structures in the same vicinity, such as other monopoles, buildings, water towers, utility poles, athletic field lights, parking lot lights, etc., without significantly impacting antenna transmission or reception.
3. Location of the antenna in relation to existing vegetation, topography (including ridge lines), and buildings to obtain the best visual screening.
4. Spacing between monopoles that creates detrimental impacts to adjoining properties.

The land use authority may impose conditions of approval to mitigate the impacts of wireless telecommunication facilities in accordance with applicable standards, including, but not limited to landscaping and fencing as per Section 19.16.040.

I. Accessory Buildings

Accessory buildings to antenna structures shall comply with the required setback, height, and landscaping requirements of the zone in which they are located. All utility lines on the lot leading to the accessory building and antenna structure shall be underground.

J. Non-maintained or Abandoned Facilities

1. The County shall provide notice to an owner or agent of a non-maintained or abandoned telecommunications facility that the facility must be repaired or put into use within 90 calendar days.
2. If the owner or agent fails to repair the facility or put the facility into use within 90 days of notice, the County may require the abandoned facility to be removed from the building or premises.

K. Building Permit Required

A building permit from Planning and Development Services is required for all wireless telecommunication facilities, including, but not limited to, monopoles and roof and wall mounted antennas.

L. Illustrations

The illustrations, Figures 19.40-1, 19.40-2, and 19.40-3, are intended to demonstrate graphically the intent of this Chapter.

Figure 19.40-1

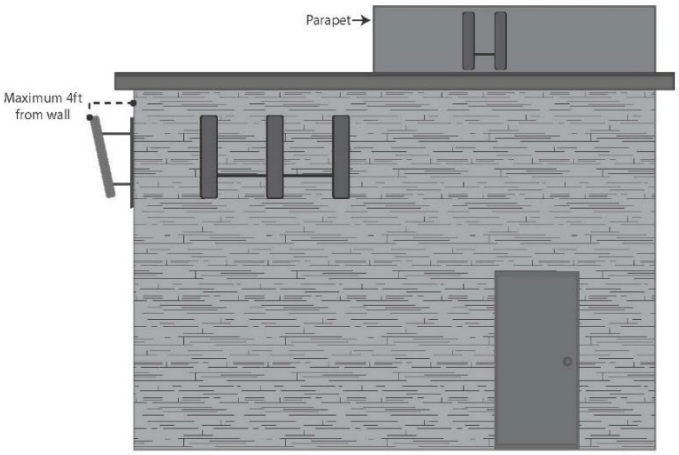


Figure 19.40-2

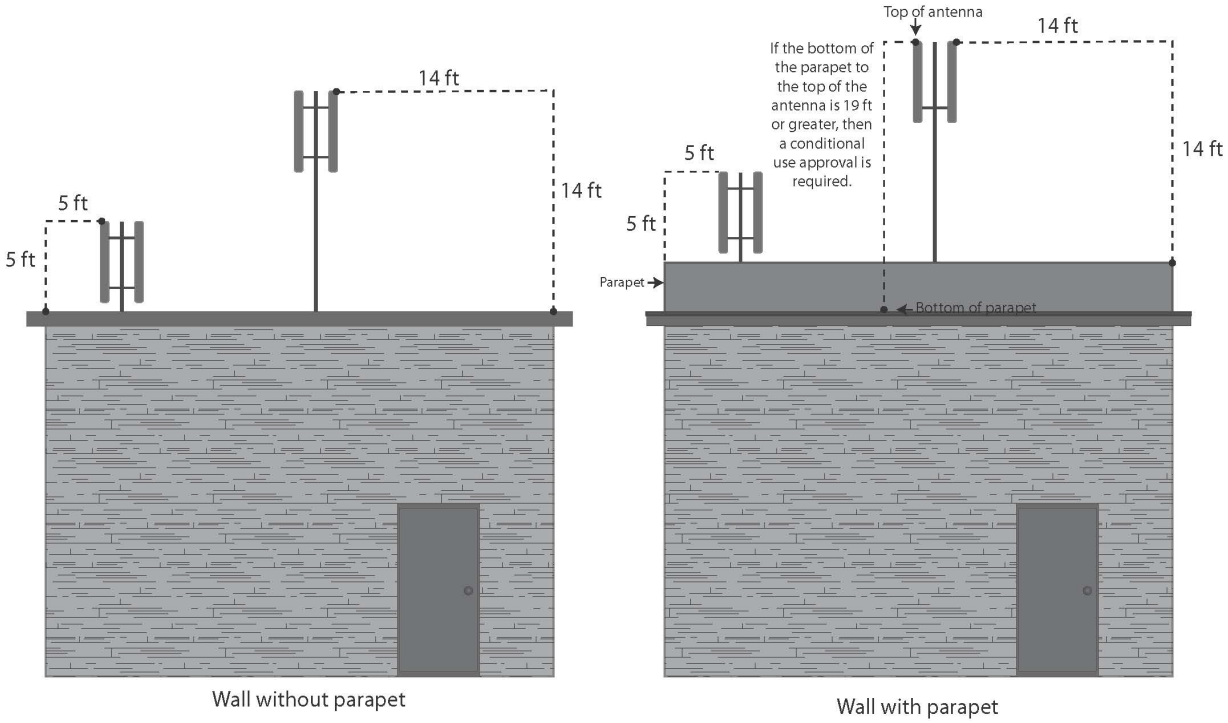
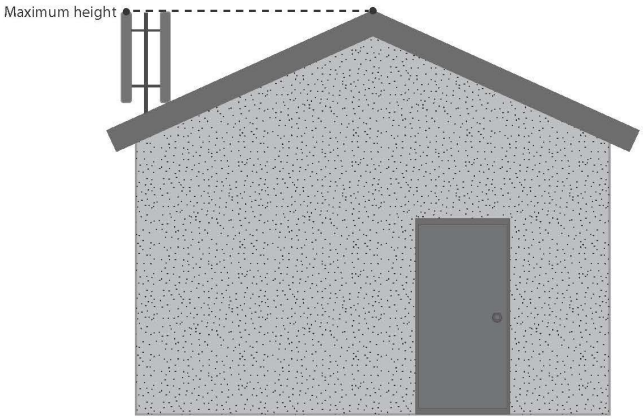


Figure 19.40-3



19.42.360 – Yurts.

A. Purpose. The purpose of this section is to promote safe, environmentally sensitive use of Yurts that strikes a reasonable balance between the rights of property owners and those of the general public. Specifically, these standards are intended to:

1. Preserve the visual and aesthetic qualities of the unincorporated areas of Salt Lake County where Yurts are located.
2. Protect public health and safety, including in the following areas: sanitation and waste disposal, building safety, fire safety, air quality, water quality, and other environmental impacts.
3. Promote use of Yurts in such a way that impacts on the environment and others' enjoyment of public lands and their own property are mitigated.

B. Scope. Remote yurts are defined and governed by State law. This section applies to yurts that are not remote yurts.

C. Definitions. As used in this section, the following terms have the following definitions.

1. Yurt means a membrane-covered collapsible frame structure that is not a permanent residence and that complies with the requirements of this section.
2. Health Department means the Salt Lake County Health Department
3. Remote yurt is as defined by State law.

D. Uses.

1. A Yurt may not be used as a short-term rental, and may not be leased for any purpose. No overnight stays for other than personal use are allowed.
2. A Yurt may not be used as a permanent residence.

E. Plumbing/Waste Disposal. A Yurt may not have plumbing unless the Yurt is connected to a sewer or wastewater system under subsection (E)(3) and/or an approved drinking water supply meeting Health Department Regulation #11, as applicable. A Yurt must have one of the following waste-disposal systems that is approved by the Health Department:

1. A Yurt that is an accessory building that meets all requirements for such in this title, and is accessory to a main building that has one of the following waste-disposal systems:
   a. Connection to a public sewer system; or
   b. An onsite wastewater disposal system as outlined in Salt Lake County Health Department Regulation #13 and approved by the Health Department; or
2. Connection to a public sewer system or an onsite wastewater disposal system or holding tank as outlined in Salt Lake County Health Department Regulation #13 and approved by the Health Department.

F. Building Code. A Yurt must comply with the State Construction Code, including the following:

1. R105.1 of the 2015 IRC and 105.1 of the 2018 IBC: the construction or erection of any structure and the installation of any electrical, gas, mechanical, heating, or plumbing system requires a building permit and associated inspections.
2. Chapter 31 of the 2018 IBC for Membrane Structures.

G. Fire Code. A Yurt, including any heating system for the same, must comply with applicable requirements of the State Fire Code, as determined by the local fire authority.

H. WUI. A Yurt must comply with applicable requirements (as determined by the local fire authority) of the most recent Utah Wildland Urban Interface Code adopted by Salt Lake County if located within the Wildland Urban Interface per Salt Lake County Code section 9.90.020.

I. Density. Only one Yurt per lot or parcel is allowed.

J. Setbacks. A Yurt must meet the setbacks of the underlying zone.

K. Size. The size of a Yurt is limited to 750 square feet:

L. FCOZ. A Yurt located within the Foothills and Canyon Overlay Zone is subject to the requirements of Salt Lake County Ordinance Chapter 19.72 and the processes outlined therein. Pursuant to that chapter, the director may waive or modify submittal requirements deemed unnecessary. If this section is inconsistent with Chapter 19.72, the more restrictive section will govern.

19.44 Temporary Uses – Staff Summary

Purposes:
Currently, temporary uses, such as Christmas tree lots, are addressed in a single section (SLCO Code section 19.76.250), which have little to no objective criteria or standards. The proposed Chapter 19.44 has a robust set of standards.

Applicability:
All temporary uses, as defined in Chapter 19.04, shall comply with the provisions of this Chapter and any other applicable regulations in this Title. Temporary Uses are defined as any use that occurs less than 90 consecutive days out of the year.

Standards to Note:
This chapter contains standards for various types of temporary uses (please see Figure 1 on the next page)

Topics and standards include:

- A table setting forth the zones where temporary uses are allowed;
- Specific standards for fireworks stands (display area, setbacks, display times for tents/signage);
- Standards for major and minor seasonal sales (parking, times for sales, removal of structures/signs, setbacks, signage);
- Standards for temporary outside sale events (times for sales, signage, coverage limits);
- Standards for inside temporary uses (times for such uses, parking requirements);
- Standards for temporary sales of farm products (sales area, setbacks, parking);
- Standards for weekly temporary uses (parking, times for such uses);
- Construction standards for temporary uses (construction trailers and times/locations for such structures, temporary sales offices and times/locations for such uses);
- Standards for County-sponsored event uses (location of such uses);
- Standards for circuses/carnivals/festivals (times and permitting process for such uses).

The chapter also outlines the permitting process for temporary uses (time limits, restroom facility requirements, parking requirements, building permit requirements, bonding requirements, signage limitations, removal of structures, renewals and extensions, revocations, business licensing requirements, and fees). See sections 19.44.040 – 19.44.100.

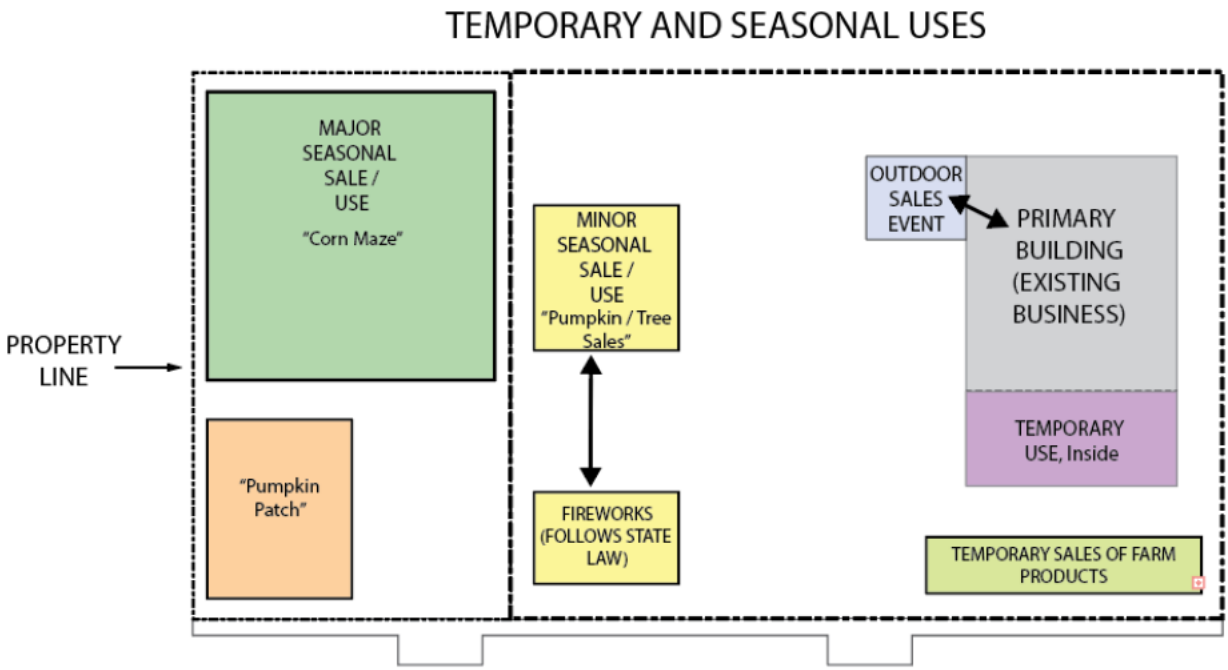


Figure 1. Types of Temporary Uses

<u>Resources Utilized</u>:

- Mapleton, Utah Temporary Use

Code: https://codelibrary.amlegal.com/codes/mapletonut/latest/mapleton_ut/0-0-0-5994

- South Jordan, Utah Temporary Use

Code: https://southjordan.municipalcodeonline.com/book?type=ordinances#name=TITLE_1_GENERAL_PROVISIONS

- Vineyard, Utah Temporary Use

Code: https://vineyard.municipalcodeonline.com/book?type=zoning#name=Preface

- Salt Lake City,

Chapter 19.44 Temporary Use Standards

Sections:

19.44.010 - Purpose of Provisions.

The following regulations are provided to accommodate uses of land or buildings which are temporary in nature and are not, therefore, listed as permitted or conditional uses in any zone of the municipality. The character of these uses requires proper conditions be met to protect adjacent properties and the general health, safety, and welfare of the citizens of the county. This chapter only applies to the uses explicitly prescribed herein and does not apply to other uses in this title.

19.44.020– Applicability.

All temporary uses, as defined in Chapter 19.04, shall comply with the provisions of this Chapter and any other applicable regulations in this Title. This chapter shall not apply to lemonade stands and similar operations run by children.

19.44.030 - Allowed Uses and Conditions.

A. Table 19.44.030 shows permitted temporary uses in each zone. Zones not listed in the table do not allow temporary uses unless specified in the special conditions of this Chapter, or unless the applicant obtains an administrative determination to permitting the temporary use pursuant to the Land Use Processes and Procedures section of this Ordinance.

Table 19.44.030 – Temporary Uses

Temporary Uses	A-1	A-2	A-20	PR	OS	RM	C-1	C-2	CV	M-1	M-2	DH	NMU	TC
Fireworks Stand	X	X	X	X	X	X	P	P	X	P	P	P	P	P
Minor Seasonal Sale or Seasonal Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Major Seasonal Sale or Seasonal Use	P	P	P	P	P	X	P	P	X	P	P	X	X	X
Outside Sales Event	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Temporary Use, Inside	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Temporary Sale of Farm Products	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Temporary Use, Weekly	P	P	P	P	P	P	P	P	P	P	P	P	P	P

A. Fireworks stands shall meet the following conditions:

1. Fireworks may not be sold outside of the time durations permitting the same in the Utah Fire Prevention and Fireworks Act;
2. The total area for the display and sale of products shall be eight hundred square feet or less;
3. Temporary buildings or anything six feet (6’) in height or greater shall be setback from the property line one foot (1’) and may not be closer than two feet (2’) to a public right-of-way or sidewalk; and

4. Tents, signage, and other decorations for a firework stand may be constructed up to five (5) days prior to the allowed date to sell fireworks pursuant to state code but may not remain constructed for a period greater than sixty (60) consecutive days.

B. Major Seasonal Sale and Major Seasonal Use shall meet the following conditions:

1. A parking plan must be provided with an application for a Major Seasonal Sale or Use that complies with parking standards outlined in 19.48 Off-Street Parking and Mobility.
2. Major seasonal sales and major seasonal uses may only occur a maximum of forty-five (45) calendar days per calendar year.
3. If any major seasonal use or sale occurs multiple times throughout the year and the period between the use being open for business is greater than sixty (60) days, all associated temporary buildings and signage shall be removed for a minimum of forty (40) days while the use is not open for business.

C. Minor Seasonal Sales and Minor Seasonal Use shall meet the following conditions:

1. Seasonal sales and uses may only occur a maximum of sixty (60) days out of the year per seasonal use or sale;
2. The total area for the display and sale of products or use shall be eight hundred square feet or less;
3. Temporary buildings or anything six feet (6’) in height or greater shall be setback from the property line one foot (1’) and may not be closer than two feet (2’) to a public right-of-way or sidewalk; and
4. Tents, signage, and other decorations for a seasonal sale or use may be constructed up to five (5) days prior to the anticipated opening date of the use will open but may not remain constructed for a period greater than sixty (60) consecutive days.

D. Temporary Outside Sale Events shall meet the following conditions:

1. May not continue for a time greater than three (3) consecutive days and may not occur more than three (3) times in one year;
2. Any tents, signs, or other decorations used for the outdoor sale event must be removed within twenty-four (24) hours after the final day of the event; and
3. The outdoor space designated for the sale of products may not take up more than thirty percent (30%) of the business’s required parking.

E. Temporary Use, Inside shall meet the following conditions:

1. Temporary uses inside existing buildings may only occur a maximum of one hundred twenty (120) days out of the year. These may be consecutive or may be dispersed throughout the year; and
2. The temporary use in an existing building may not use any parking stalls from another permanent business on the property that causes the existing business’ parking to be non-compliant. An exception is allowed if it is demonstrated by the applicant or business owner that the permanent business has more empty parking stalls than stalls that are occupied within a seven-day period.

F. Temporary Sale of Farm Products shall meet the following conditions:

1. The area for sale and display of products may not exceed eight-hundred (800) square feet;

2. Temporary buildings or anything six feet (6') in height or greater shall be setback from the property line one foot (1') and may not be closer than two feet (2') to a public right-of-way or sidewalk; and
3. Off-street parking for employees must be provided by the applicant or property owner of the property where the sale of farm products is located.

G. Weekly temporary uses shall meet the following conditions:
1. A parking plan must be provided for the application that complies with parking standards outlined in 19.48 Off-Street Parking and Mobility.
2. Weekly temporary uses may only occur a maximum of one hundred twenty (120) days out of the year;
3. The maximum number of consecutive days in any given seven-day period the weekly temporary use may be open shall be two (2) days; and
4. If a weekly temporary use occurs multiple times throughout the year and the period between the use being open for business is greater than sixty (60) days, all associated temporary buildings and signage shall be removed for a minimum of forty (40) days while the use is not open for business.

H. Construction. Construction as a temporary use is permitted in all zones with applicable building and land use permits. The length of time for construction as a temporary use shall extend for the duration of active construction within the county before the occupancy permit is issued. Construction shall follow all requirements outlined by the Director, Building Official or designee in accordance with applicable standards.
1. Temporary Construction Trailers: A permit for temporary construction trailers shall be approved by the Director or designee for a structure or shelter used in connection with an approved development or project, which meets applicable standards. The construction trailer may be used for temporary administrative and supervisory functions, and for sheltering employees and equipment during the construction phase of a project. Such a structure or shelter shall be removed within fourteen (14) days of the approval of the final certificate of occupancy.
2. Temporary Sales Office: A temporary sales office shall be approved by the Director or Designee, subject to the following conditions:
   a. The sales office is in connection with the sale of property within a project or subdivision under construction:
   b. The sales office is located on the same parcel of land as the project or subdivision and is engaged in the sale of only units or lots thereon:
   c. The sales office may remain open for up to one year or until all the lots are sold, whichever comes first; and
   d. An extension shall be granted on a yearly basis only when units or lots within the project or subdivision remain unsold.

I. Yard and Garage Sales. Garage sales are permitted in all zones and do not require a permit, provided that the yard or garage sale shall not operate for more than five (5) total days in any calendar year and shall be conducted by bona fide residents of the premises. Goods for sale shall consist of household items and personal belongings of the residents. Goods offered for sale shall not be placed over a public sidewalk or in a public right of way. Signs associated with a garage sale shall be taken down at night and may not be placed within a public right of way or sidewalk.

J. Event Uses. Event uses sponsored by the county are permitted in all zones if the event uses are an approved accessory use to an event approved by the County and confined to the designated location of the event and limited in duration to the hours and time period of the official event. Event uses sponsored by the county are those events in which the county plays a prominent role in planning and implementing and do not include events in which the county's participation is solely financial.

K. Circuses, Carnivals, Festivals, and Other Transitory Events.

The Director or designee shall issue a temporary use permit for a circus, carnival, or other amusement enterprise of a similar transitory nature, providing the Director or designee finds that the use will not conflict with the uses in the zoning district of the subject property and meets applicable standards. Any request for a temporary use permit shall be submitted in writing.

1. In a temporary use permit, the Director or Designee shall:
    a. Indicate the length of time the permit shall remain valid in accordance with applicable standards;
    b. Indicate the hours of operation of the use in accordance with applicable standards; and
    c. Indicate other applicable regulations that are necessary for the public welfare.

19.44.040 – Prior Approval and Permit Required.

A. Prior to the establishment of any of the above uses, or any qualifying temporary use, a temporary use permit must be obtained from Planning and Development Services.

B. The application for a temporary use permit shall include the following:
    1. A county business license for commercial uses or proof that a county business license has been issued;
    2. Building or electrical permit if necessary;
    3. Hours of operation and all calendar days the use will be active or open for business;
    4. Salt Lake County Health Department approval if necessary;
    5. Site plan showing the location of the use, buildings and structures, setbacks, parking, access to public streets, circulation, exterior seating, and adjacent uses;
    6. Applicable permits needed for mass gatherings or road closures; and
    7. Property owner's authorization and agreement for the temporary use;

C. The granting of said permit shall require the following findings:
    1. The applicant's proposed use complies with all the standards set forth in the county code.
    2. The conduct of the requested use will not have any detrimental effects on adjacent properties by virtue of compliance with this chapter and other applicable ordinances.
    3. The requested use will not create excessive traffic hazards on adjacent streets per applicable standards and that traffic control, if required by applicable standards, shall be provided at the expense of the applicant; and
    4. The applicant shall have sufficient liability insurance for the requested use or event

19.44.050 – Standards and Requirements.

A. Any temporary use established under the provisions of this chapter shall conform to the following standards and requirements:

1. Time Limits. All temporary uses shall be given an expiration date for each allowed use defined in 19.04 Definitions or this Chapter. The time limit for all temporary uses shall be measured from the first day the use is anticipated to be open for business until the allowed time set forth in this Chapter.
2. Any temporary structure associated with the temporary use requiring restroom facilities by building, fire, health, or other similar codes shall be located on the same lot or parcel as a host structure unless independent water and sewer service is provided to the temporary structure. If such codes require restroom facilities, the sanitary facilities may be provided in a host structure provided that there is:
   a. No preparation of any food on the premises;
   b. No indoor seating of patrons;
   c. Written evidence that a host structure will provide sanitary facilities for any employees and that such facilities are conveniently located not more than three hundred feet (300') from the structure and will be accessible during all periods of operation of the use; and
   d. Written evidence from the County health department that all food will be prepared and delivered from an approved commissary and that all waste resulting from the operation of the use will be properly disposed.
3. All parking shall meet the standards for off street parking as specified in Chapter 19.48 Off-Street Parking and Mobility.
4. All temporary structures shall be securely anchored to the ground at not less than four (4) points as directed by the chief building official. Temporary uses that include the use of electricity, water, sewer or other utility services, and temporary uses that require a building permit or other inspection for the use of a structure or equipment shall meet those requirements before being allowed to conduct business.
5. The right to occupy the site shall be secured by a written agreement with the owner of the parcel and the owner of any host structures. Said agreement shall address the question of use of restroom facilities by employees, responsibility for maintenance, and restoration of the site upon termination of the use. A copy of the proposed agreement shall be part of the application.
6. Approval for each temporary use permit shall bear an expiration date based upon the nature of the use and in accordance with the time limits in this Chapter. If any temporary structure becomes vacant prior to the expiration of the permit, it shall be removed within two (2) business days from the first day written notice requiring removal because of the vacancy is provided by the County.
7. The applicant shall provide a cash bond for the restoration of the site of said use to its original condition, including cleanup, replacement of facilities, and removal of any structures. The bond shall be:
   a. one thousand dollars ($1,000.00) for all structures larger than forty (40) square feet in size.
   b. two thousand dollars ($2,000.00) for all structures larger than two hundred (200) square feet in size.

8. Temporary uses as allowed by this chapter may be identified by signage not to exceed two (2) freestanding banners composed of weather-resistant materials, with a combined area of up to twenty-four (24) square feet and up to twenty-four (24) square feet of total wall signage on the temporary structure itself. Signage must be located on the same property as the temporary use. All other signage is prohibited.
9. Following the expiration of the temporary use set forth in this Chapter all temporary buildings, products, fences, and signage shall be removed from the premises completely unless otherwise specified in the temporary use permit issued by the County.

19.44.060 – Action and Application.

A. The Director or designee shall approve or deny permits for temporary uses. A use that meets the requirements stated above shall be approved and any use not meeting the requirements stated above shall be denied, or may be approved with appropriate conditions in accordance with applicable standards to assure that the use will be compatible with and will not pose any detriment to persons or property.

B. The conditions may include a limitation upon hours of operation in accordance with applicable standards.

19.44.070 – Permit Renewal or Extension.

A. Renewals. Upon the expiration of a temporary use permit no person may apply for the same permit at the same location within thirty (30) days of the expiration date.

B. Extensions. Holders of permits for temporary occupancy of a building for retail uses, sale of fruits and vegetables, or sale of nursery supplies may request an extension up to ninety (90) days beyond the initial expiration date established when the applicant first applied for the temporary use. The extension shall only be granted if the Director or designee finds that:

1. The extension does not expand the initial intensity or scale of the temporary use approved;
2. No complaints have been made to the Council or Planning and Development Services Division since the establishment of the temporary use; and
3. The temporary use complies with applicable parking standards.

19.44.080 – Revocation of Permit.

The County may revoke a permit for a violation of any of the provisions of this chapter, applicable regulations, or the conditions provided in the temporary use permit.

19.44.900 – Business License Required.

A temporary use permit is not a business license, and the granting of the permit shall not relieve the permittee of any other license requirement of the County or any other public agency. Subject to the approval of a temporary use permit, a seasonal business license that complies with applicable regulations must be issued prior to the commencement of a business allowed by this part.

19.44.100 – Fees.

To offset the costs incurred by the County in processing temporary use permits, fees may be charged as provided for in the fee schedule adopted by the Council.

19.46 Site Development Standards – Staff Summary

Purposes:

The purpose of the Site Development Standards is to ensure that new development in all zones will be thoughtfully designed and provide adequate facilities for daily life as well as provide sufficient standards through the application process.

Applicability:

These standards are meant to be applied across development in all zones. This chapter will help developers holistically understand what is expected to be included in their site designs. They can look to this chapter for everything that may impact the layout of the site. Some standards in this chapter are carried over without substantive change from the current zoning ordinance (reorganized into a central chapter). Other standards are new and are listed below.

Changes to Note:

Key provisions include:

- Buildable areas must now be identified for each lot on all subdivision plats and plans to ensure that adequate buildable area is provided and to provide notification to future owners (See Section 19.46.080(E));
- Fence standards, including prohibition of double-fencing (two fences within 10' of each other, which limits rodents, but limits aesthetic preferences of property owners), height limits within sight triangles of intersections, height limit exceptions for recreational fencing, prohibition of barbed wire fencing, and allowance of fencing within setbacks with certain exceptions (See Section 19.46.080(G));
- Codification of flag lot policies that have existed for years (allowing subdivision of deep lots accessed via a shared driveway)(See Section 19.46.090);
- Projections of certain structures into yard setbacks (such as fences, landscaping, planter boxes, utility appurtenances, decks, eaves, bay windows, accessory structures, etc. (See Section 19.46.100(F));
- Codification of recreational facilities and open space standards that have existed for years (providing for a certain % of open space and amenities for residential projects, with % of open space reduced somewhat to encourage construction of more housing to address affordability concerns, with distinctions/standards added for passive vs active recreation, and number of required amenities calculated pursuant to total square footage of a project)(See Section 19.46.120)

Resources Utilized:

Staff used various resources for this chapter that relate to responsible development, smart development, and examples from other cities that clearly establish appropriate standards that the staff thought applied well to this situation.

- **EPA Smart Growth Code Examples: https://www.epa.gov/smartgrowth/codes-support-smart-growth-development**
- **EPA Unified Development Code Examples: https://www.epa.gov/smartgrowth/codes-support-smart-growth-development#unified**
- **The City of Durham Unified Development Code: https://durham.municipal.codes/**

- **EPA Open Space for Urban Development Code: https://www.epa.gov/nps/urban-runoff-model-ordinances-open-space-development#:~:text=The%20model%20open%20space%20ordinance,fair%2C%20and%20consistent%20decision%20making.**
- **EPA Model for Open Space Ordinance: https://www.epa.gov/sites/default/files/2017-03/documents/os_model_ordinance1.pdf**
- **EPA Green Streets Handbook: https://www.epa.gov/sites/default/files/2021-04/documents/green_streets_design_manual_feb_2021_web_res_small_508.pdf**
- **South Jordan, Utah Development Code: https://southjordan.municipalcodeonline.com/book?type=ordinances#name=TITLE_1_GENERAL_PROVISIONS**
- **Vineyard, Utah Development Code: https://vineyard.municipalcodeonline.com/book?type=zoning#name=Preface**

Chapter 19.46 Site Development Standards

Sections:

19.46.010 - Purpose of Provisions.

A. It is the purpose of the site development standards to promote the health, safety, and welfare of the unincorporated county. In support of these purposes, this Chapter contains regulations designed to:
   1. Protect existing neighborhoods, preventing their decline and promoting their livability;
   2. Conserve land and water resources;
   3. Recognize geologic features, soil, and topography;
   4. Improve air quality;
   5. Minimize congestion in the streets and reduce reliance on automobiles by providing walking, bicycling, and transit use;
   6. Secure safety from fire and other dangers;
   7. Provide adequate space for utilities, open space, water supplies, sewer service, and transportation;
   8. Promote compatibility between the natural and man-made environments;
   9. Promote the desired high-quality site planning, building, lighting, signage, and streetscape design;
   10. Provide notice to the county and affected property owners of new or upgraded utility or facility systems to allow an opportunity to determine if sufficient reason exists to require the systems to be installed underground and to determine if funds are available to pay for underground installation; and
   11. Minimize the potential adverse effects of highway traffic noise by complying with state and federal requirements for highway traffic noise abatement projects.

19.46.020 - Applicability.

The provisions of this Chapter shall apply to all new development within the unincorporated county that occurs after the adoption of this Chapter. No building shall be erected or structurally altered, nor shall any land development activity take place, unless it conforms to the provisions of this Chapter.

19.46.030 - All Uses, Buildings, and Structure to Comply with Zoning Requirements.

Every building or structure erected, reconstructed, altered, enlarged, or moved, and every building, structure, or land, rearranged, designed, or intended for any use shall be built or used only as allowed by the requirements of this Chapter, the underlying zone, and all other applicable Land Use Chapters.

19.46.040- Minimum Requirements and Underlying or Overlay Zones.

The provisions of this Chapter are the minimum requirements. Where the provisions of this Chapter conflict with or differ from other Chapters, the most restrictive provision shall prevail.

19.46.050 – Building Permit.

A. Buildings in any zone shall hereafter be used only for the purpose listed in this title as permitted in that zone, and in accordance with the regulations established in this Title in that zone.
B. The building permit shall be issued by the chief building inspector and the development services division director to the effect that the use and/or building or premises conforms to the provisions of this title and related Chapters for any building hereafter erected, enlarged or structurally altered.
C. A building permit application for a new structure or that includes a new use requires a land use application and review.

19.46.060 - Sale of Lots Below Minimum Width and Area.

No parcel of land which has less than the minimum width and area requirements for the zone in which it is located may be subdivided from a large parcel of land for the purpose, whether immediate or future, of building or development as a lotas provided for by this Title. Any such division is subject to the provisions of the Title 18.

19.46.070 - Sale of Space Needed to Meet Requirements.

No space needed to meet the width, yard, area, coverage, parking or other requirements of this title for a lot or parcel may be sold from such lot or parcel, except as required for a public improvement project.

19.46.080 - General Site Standards.

A. <u>Lot Frontage Required.</u> Every lot shall have frontage upon a dedicated public road or street, an approved private road or street, or approved recorded right-of-way providing direct access to a dedicated or publicly approved road or street. The required lot frontage shall be not less than half of the minimum lot width requirement as measured at the minimum front required by the zone in which the lot is located; this requirement does not apply to lots that have been approved as a flag lot.
B. <u>Yards and Setbacks Measurement.</u>
    1. Yards and setbacks shall be measured according to the lengths required in the underlying zone.
    2. Yards and setbacks shall be measured from the property's boundary line, as determined by the legal description or subdivision plat on record at the Salt Lake County Recorder's Office, to the exterior foundation of the proposed or existing building.

C. Required Yards for One Building Only.

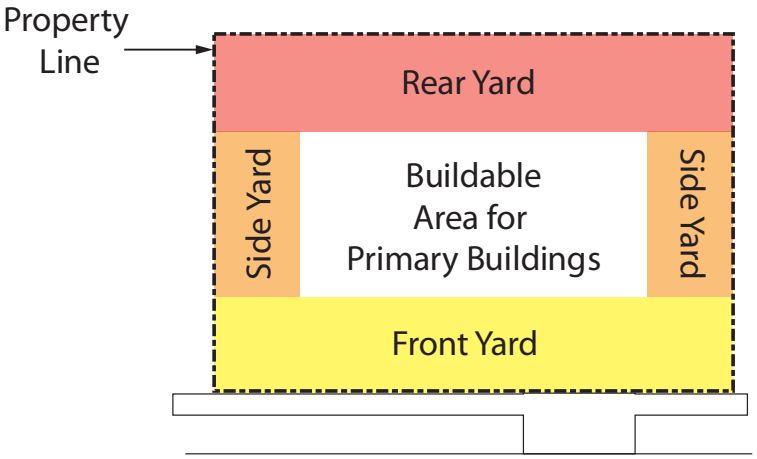
1. No required yard or setback area for a lot or building shall be considered as providing the required yard or setback for any adjacent lot or building on an adjacent lot.
2. No area required to meet the lot width, area, setback, or other requirements of this Chapter for any lot or parcel may be divided, sold, or leased separate from such lot or parcel, except as required for a public improvement project.

D. Required Yards to be Unobstructed.

1. All required setback areas shall be open to the sky and unobstructed except for permitted and approved accessory buildings and structures and for projections allowed under section 19.46.090(F) or under the County Land Use, Development, and Management Act. Projections or exceptions are allowed under the definition of yard Chapter 19.04.
2. Walls and fences, complying with the requirements of this Chapter and land use approvals may encroach into required yards.

E. Buildable Area.

Every lot created after the effective date of this Chapter shall have a buildable area sufficient to establish a building or structure thereon, which meets the minimum standards of the zone in which the lot is located, unless the lot is created as part of a public improvement project. Buildable areas shall be required to be identified for each lot on all preliminary subdivision plats and plans for the purposes of ensuring that an adequate buildable area is provided, and to inform future owners of the allowable buildable area. Any area located within a preexisting easement may not be included within any buildable area unless the easement beneficiary executes and records a release of the easement in a form acceptable to the District Attorney.



Buildable Area, Required by the Underlying Zone

F. Buildings to be on Lots. All buildings and structures, as defined herein, shall be located and maintained on a separate legal lot or lot of record, such lot or lot of record meeting all requirements of Title 19, including the requirements of the zone in which the lot or lot of record is located.

G. Fencing.

1. Fencing Setbacks. A fence, hedge, wall, column, pier, post, or any other similar structure for fencing or any combination of such structures is permitted in the required setback if it meets the following conditions:
   a. No fence, hedge, or wall extends beyond or across a property line without a recorded agreement with the abutting property owner; and

b. Only one (1) fence or wall shall be allowed per property line. Double fences, walls, or a combination thereof are prohibited. Doubles fences shall be defined as any two (2) fences within ten (10) feet of each other.

2. Fencing Height. Except as otherwise authorized under this Ordinance, no fence or wall may exceed seven feet (7') in height, four feet (4') in height from the front of the primary structure forward, or three feet (3') in the sight distance triangle, measured as follows:
   a. In a required yard abutting a street, the total effective height above the finished grade measured on the side nearest the street;
   b. In any other required yard, the total effective height above the finished grade measured on the side nearest the abutting property;
   c. On a property line, measured from the finished grade of either side when the abutting property owners are in agreement; and
   d. A temporary fence on a construction site may be as high as required to protect the property during the period of construction.
3. Fencing Materials. Fencing materials shall be made of high quality, durable, materials that require minimal maintenance. The Following fencing materials shall be allowed for properties that require fencing:
   a. Brick, block, or stone;
      i. If cinderblocks are used, they shall have a stucco finish.
   b. Architecturally designed pre-cast concrete, decorative precast concrete or integrally colored and textured block, brick, stone, or other masonry materials;
   c. Solid or private heavy gauge vinyl, polyethylene, or similar materials;
   d. Composite materials, wood, cement, stucco, architectural or decorative metal panels, including weathering steel;
   e. Visually permeable fencing, such as chainlink, mesh, picket, or split rail fences constructed of metal, vinyl, wood, or composite.
4. Prohibited Fencing Materials. The following fencing materials are prohibited:
   a. Scrap material;
   b. Security wire;
   c. Corrugated metal; or
   d. Electrified fencing, except for legally established agricultural uses on properties in the A-1, A-2, or A-20 zones that do not abut a public trail.
5. Barbed Wire. No barbed wire or other sharp, pointed, or electrically charged fence may be erected or maintained, except a temporary fence on a construction site to protect the property during the period of construction may be topped with barbed wire if the barbed wire is not less than eight feet (8') above the ground and does not extend more than two feet (2') above the temporary fence.
6. Athletic Facilities. Fencing around athletic facilities, including, without limitation, tennis courts, may be fourteen feet (14') in height so long as all portions above six feet (6') are constructed with at least fifty percent nonopaque materials.

H. Landscaping. Landscaping shall follow the requirements set forth in Chapter 19.50 Landscaping and Screening of this Title.

I. Signs. Any development shall follow the sign standards set forth in Chapter 19.52 Signs.

J. Manufacturing and Industrial Facilities. Fencing around manufacturing or industrial facilities may be eight feet (8') in height.

19.46.090 - Flag Lots.

A. These standards apply to flag lots in the R-1-6, R-1-7, R-1-8, R-1-10, R-1-15, R-2-6.5, R-2-8, R-2-10, and A-1 zones.

B. Site plan review for the development of a single family or two family dwelling on a flag lot in a subdivision approved in accordance with Section 18.20.070 Title 18 shall be on a permitted use basis and subject to the same Chapter requirements and development standards as those applicable to other single family and two family residential dwellings in the same zone except with regards to yard or setback requirements which, for a main dwelling, shall be a uniform yard setback of twenty feet from all property lines of the flag portion of the lot. The planning commission may modify the yard setbacks for lots with an unusual shape, topography etc., but in no case may it approve a single setback of less than 10 feet and the aggregate of all yard setbacks must total at least 80 feet.

C. The yard or setback requirements for a detached accessory structure on a flag lot shall be as follows:

   1. A detached accessory structure must be to the rear of and at least 6 feet from the main dwelling on the flag lot, and must maintain the following separation from adjacent property lines;

      a. Ten feet if adjacent to the side yard of a dwelling on an adjacent lot;

      b. One foot if not adjacent to the side yard of a dwelling on an adjacent lot, so long as the height of the accessory structure does not exceed fourteen feet. Accessory structures taller than fourteen feet (a maximum height of twenty feet is permitted) must maintain one additional foot of yard or setback separation for each additional foot of detached accessory structure height.

      c. Twenty feet adjacent to any street.

D. If the rear yard of the flag lot is not defined by the subdivision plat, the location of the rear yard shall be determined by considering the following criteria:

   1. The orientation of the lot with respect to the public street

   2. The orientation of the front door of the home; and,

   3. The orientation of the rear yards of adjacent lots.

E. In addition to maintaining compliance with the area and width requirements of the zone in which the base lot(s) are located, normally applicable yard or setback requirements for the base lot(s) must be maintained, particularly if said lots are already developed or improved. Where access to a flag lot is provided via recordation of a perpetual easement across the base lot, the yard or setback for the base lot shall be measured from the interior edge of the easement closest to any existing or proposed structural improvements on the base lot.

F. Improvements to the travel way within the access connection from the flag lot(s) to the street right-of-way or easement shall be in accordance with the following standards:

   1. Access to flag lots shall be provided as approved by the fire authority through the subdivision process set forth in title 18 Subdivisions. Access shall be improved with a concrete, asphalt, or pervious paver travel surface. Unless otherwise approved by the Municipal Engineer and fire authority, the width of the travel surface shall be at least:

      a. Twelve feet wide if the length of the access connection is less than 130 feet; or,

      b. Sixteen feet wide if the length of the access connection is more than 130 feet.

2. The area within the access connection between the required travel way surface improvements and the property line(s) or easement line(s) shall be planted in its entirety and maintained as a landscaped buffer in accordance with plans reviewed and approved as part of the flag lot subdivision approval process. The plans shall be designed to one of the following standards:
    a. Eight feet of landscaping buffer split between both sides of the access travel way with one tree and four shrubs per 25 lineal feet; or,
    b. Where the access drive is adjacent to the subdivision boundary:
        (i) Five feet of landscaping buffer with a solid visual barrier fence along the exterior property line with one tree and six shrubs per 25 lineal feet; or
        (ii) Zero feet of landscaping buffer with a solid visual barrier fence along the exterior property line and the use of approved permeable pavers or permeable pavement as the road surface.
3. The Planning Commission may approve an alternative landscape buffer proposal that is in line with the intent of this section to accommodate unusual circumstances on the property such as topography, natural hazards, lot size, lot shape, or the preservation of existing vegetation.
4. Minimum Landscaping standards within the access connection:
    a. All trees shall be a minimum of 1 ½ inch caliper for deciduous trees and 6 feet tall for evergreens at the time of planting. Tree species and growth characteristics shall be suitable for the location and details shall be noted on the landscape plans.
    b. All shrubs shall be a minimum 5-gallon size at time of planting.
    c. Solid visual barrier fencing shall be a minimum of 6 feet in height, except in the front yard of the base lot where it may not be less than 2 feet in height nor exceed 3 feet in height and shall not block clear view at any intersection.
    d. Mulch with a minimum depth of 3 inches shall be provided around all plantings and in all areas without plants or groundcovers.
    e. A guaranteed bond shall be posted to ensure the installation of the required landscaping buffer, and survival of the plants through a one-year guarantee period.

G. Lots of record that were created in accordance with the procedures for the establishment of Deep Lots or the previous deep lot Chapter as set forth in the Salt Lake County Planning Commission's 1965 policy by that name shall continue to be subject to the site development and improvement standards associated with that policy.

19.46.100 - Building Standards.

A. Conform to Building Code: The building must meet the County's building code or, if it is a manufactured home, it must be certified under the National Manufactured Housing Construction and Safety Standards Act of 1974, must have been issued an insignia and approved by the U.S. Department of Housing and Urban Development, and must not have been altered in violation of such codes. A used manufactured home must be inspected by the building official or designee prior to placement on a lot or lot of record to ensure it has not been altered in violation of such codes.

B. Buildings Taxed: The building must be taxed as real property. If the building is a manufactured home, an affidavit must be filed with the State Tax Commission pursuant to Utah Code 70D-2-401

C. Utilities. If the building provides human-occupiable space, the building must be connected to and approved for all required utilities. Utilities shall be buried underground with the following exceptions:

1. Transformers, pedestals, fire hydrants, and other appurtenances normally associated with "underground" utility installations are permitted on the surface of the ground.
2. The development of existing lots or lots of record in areas of the unincorporated county now served with existing aboveground utilities, are exempt from this requirement.

D. Permanent Foundation: The building must be attached to a site-built permanent foundation which meets the Uniform Building Code.

1. If the dwelling is a manufactured home, the installation must meet the ICBO Guidelines for Manufactured Housing Installations, including any successors to these standards, and the space beneath the structure shall be enclosed at the perimeter of the dwelling in accordance with such ICBO Guidelines, and constructed of materials that are weather-resistant and aesthetically consistent with concrete or masonry type foundation materials. At each exit door there must be a landing that is a minimum of thirty-six inches (36") by thirty-six inches (36") and that is constructed to meet the requirements of the Uniform Building Code. All manufactured home running gear, tongues, axles, and wheels must be removed at the time of installation.

F. Projections.

1. Subject to residential rear setback limitations in the County Land Use, Development, and Management Act, the following may be erected on or projected into any required yard space in all zones:
   a. Fences and walls in conformance with this Code.
   b. Landscape elements, including trees, shrubs and other plants.
   c. Planter boxes or masonry planters not exceeding twenty-four inches (24") in height.
   d. Necessary appurtenances for utility services associated with minor public utilities.
   e. Decks not more than two feet (2') high.
   f. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks, awnings, window wells, or similar architectural features attached to the building and not enclosed by walls, extending not more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.
   g. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building no greater than eight feet (8') wide and extending not more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.
2. Projections into Required Yards. The following structures may be erected on or projected into any required yard:
   a. Accessory structures subject to section 19.28.050.

G. Building Exterior Lighting Standards.

1. Light Direction. Exterior lighting attached to a building that is intended to illuminate exterior use areas, like pathways, shall be directed downward.

2. Light Source. Light sources shall be at least as efficient as LED and no greater than four thousand kelvin (4000K) in correlated color temperature (CCT). Light levels shall be designed such that light trespass measured at the property line does not exceed 0.01 foot-candles. Light fixtures shall use a cutoff luminaire that is fully or partially shielded with no light distributed above the horizontal plane of the luminaire 100,000 lumens per acre. This standard does not apply to single-family residential lots or lots of record or any lot or lot of record with four units or less.
3. Additional requirements for exterior lighting may be required in the applicable zone.

H. Building Height Limitations and Exceptions.

1. Buildings shall not be erected that contain less than one story above grade, as defined in this Title.
2. Roof structures above the maximum height that provide utilities, safety measures, or building code requirements may be erected above the height limits prescribed in this Title, but no space above the height limit shall be allowed for the purpose of providing additional floor space. Roof structure for this purpose may not exceed a maximum of twenty feet (20') above the maximum allowed building height unless otherwise specified in this Title.
3. Public or semipublic utility buildings do not include cell towers.
4. Flag Poles may be erected above the maximum allowed building height in the zone but may not exceed a maximum of twenty feet (20') above the maximum allowed building height unless otherwise specified in this Title.
5. Church steeples may be erected above the maximum allowed building height in the zone but may not exceed a maximum of twenty feet (20') above the maximum allowed building height unless otherwise specified in this Title.

I. Parking and Loading. Any development shall follow the parking and loading standards set forth in Chapter 19.48 Off-Street Parking and Mobility.

19.46.110 - Infrastructure and Public Improvements.

The minimum requirements for public improvements shall be a combination of standards set forth in Title 14 Highways, Sidewalks, and Public Places and applicable standards set forth in this Title or adopted in the County's Master Transportation Plan or Engineering Standards.

A. Off-Site Improvements Required.

1. Off-Site Improvements. Subject to the essential link and rough proportionality tests for exactions in the County Land Use, Development, and Management Act, an applicant for a building or land use permit for a dwelling, or a commercial or industrial use shall provide curb, gutter, sidewalk and urban hydrology improvements along the entire property line which abuts any public road or street in cases where it does not exist at municipal standards.
2. Access to public right of ways. New and reconstructed vehicular entrances to the property shall be provided as required in Section 14.12.110. Height, location, structural specifications, maximum and minimum cut radii and minimum roadway approach angles to the centerline of the street are subject to the approval of the County Engineering Division.
3. Exceptions.
    a. The planning commission may grant exception to the installation of the sidewalk in industrial areas where the planning commission determines that the sidewalk is not

necessary to serve the public need, and the elimination of the sidewalk does not jeopardize the public health, safety or welfare.

b. The planning commission may grant exception to the installation of curb, gutter and sidewalk in rural or estate areas where topographic or other exceptional conditions exist, provided that the public health, safety and welfare is preserved.

c. The planning commission may require the applicant to sign a delay agreement binding the current and future property owners to pay for their share of any required improvements that are installed by Salt Lake County within 10 years of the waiver.

B. Acceptance of Public Streets.

1. Street lighting shall either be chosen from the County's approved streetlight list or installed to match a theme set forth in a recorded development agreement or applicable declaration of covenants, conditions, and restrictions.

2. Street lighting shall be installed in conformance with Chapter 18.14 Required Improvements.

3. Street Signs and Markers. Standard street name signs shall be installed at one corner of all street intersections. The size, design, materials, location, fabrication, installation, and maintenance of the signs and poles within the public right of way and elsewhere shall be in accordance with the Utah Department of Transportation Manual of Uniform Traffic Control Devices for Streets and Highways (MUTCD), or the County's adopted standards as applicable.

C. Private Streets.

1. Private streets or roads shall be designed and constructed to meet or exceed the public street standards set forth in Title 14 Highways, Sidewalks, and Public Places, as applicable.

a. Private streets or roads are allowed in the following circumstances:

i. If shown on an approved development plan as private streets;

ii. For multi-family developments;

iii. For residential subdivisions where the street is equally shared between properties. Such streets shall be required to have a maintenance and operations plan included in the declaration of covenants, conditions, and restrictions for the subdivision.

D. Ingress and Egress Requirements.

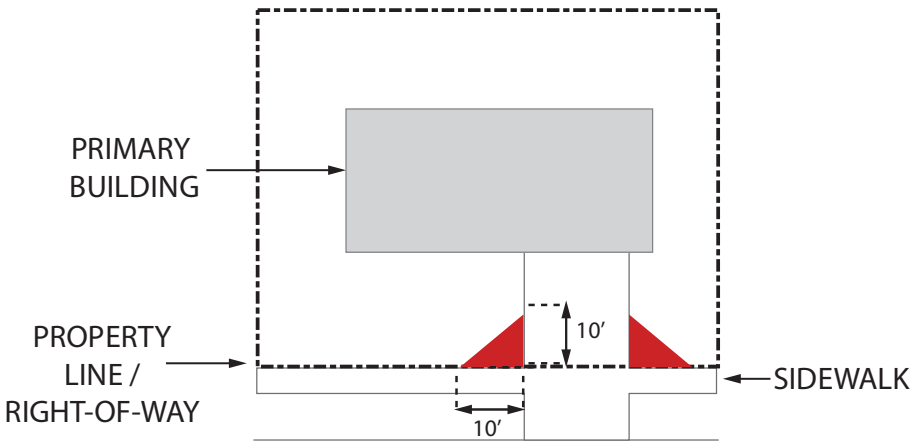
No building shall be erected or enlarged on a parcel in any zone unless such parcel abuts upon or has legal access to a publicly accepted and maintained street, a private driveway, a private road, or a public or private alley.

E. Intersecting Streets and Clear Visibility.

In all zones which require a front yard, no obstruction to view in excess of three feet (3') in height shall be placed on any corner lot within a triangular area identified in section 9.5 Intersection Sight Distance of the current adopted edition of the AASHTO Policy on Geometric Design of Highways and Streets, except mature trees which are located in the clear sight triangle shall be pruned to a height of at least seven feet (7') above the established sidewalk or street elevation.

F. Intersecting Streets and Driveways.

In all zones, no view obstruction, including a sight-obscuring fence, wall, sign, other similar structures, and landscaping which exceeds three feet (3') in height shall be placed within a triangular area formed by a diagonal line connecting lines located at the curb line or sidewalk line and driveway line ten feet (10') from the projected intersection of such lines.



Intersecting Streets and Driveways

G. Acceptance by Private Streets.

Prior to acceptance by the County, any private street, or any driveway allowed for access with a development that is not constructed and maintained to the County's adopted street standards shall be improved to the County's adopted street standards.

H. Driveways.

At least one driveway shall be allowed for vehicular access according to the standards set forth in Title 14 Highways, Sidewalks, and Public Places, and Chapter 19.48 Parking and Mobility.

I. Pedestrian and Bicycle Mobility.
   1. Each lot or parcel shall have pedestrian walkways and sidewalks that provide connections between the building entrances, neighboring building entrances, parking areas, open space, and public trails. Such systems shall be designed to connect with all elements within the development, adjacent areas, and transit stops and can include sidewalks along public or private streets, wide outside travel lanes, bike lanes on roadways, and walkways and trails in alternative locations as appropriate. Design, location, dimensions, dedications, easements, and reservations shall conform to applicable County standards for sidewalks, bicycle routes, and trails.
   2. Walkways and trails should be designed to maximize the safety of users and the security of adjoining properties with respect to location, visibility, and landscaping.

J. Bicycle Facilities. Bicycle facilities shall be provided in accordance with the standards set forth in Chapter 19.48 Parking and Mobility.

19.46.120 - Common Area and Open Space Standards.

A. Recreational Facilities and Open Space Standards.
   1. Open space standards do not apply to single-family, two-family, or three-family developments on individual lots.
   2. Wetlands, streams, riparian buffers, ponds, lakes, and other water bodies that exist on the property shall be contained within the open space required by this section.
   3. At least fifty percent (50%) of open space shall be one contiguous space.
   4. Recreational facilities should be those that are most likely suited to and used by the age bracket of persons likely to reside in that development.
   5. Residential Development. Developments with ten (10) or more bedrooms or four (4) or more dwellings must provide open space in the amount of forty percent (40%) of the property within

the project. If reductions in open space have been permitted pursuant to the standards of this section, the total amount of open space required shall not be reduced to less than thirty-two percent (32%) of the property within the project.

a. One (1) or more active recreational facilities shall be provided for at least twenty-five percent (25%) of the total open space required in accordance with the minimum requirements in Table 19.46.000 Recreational Facility Standards Table.

b. Active recreation areas shall be located near housing and high-intensity uses or adjacent to a public right-of-way as allowed through the site design process.

c. At least twenty-five percent (25%) of the total open space required shall be dedicated to passive recreation opportunities or green space in its natural condition.

d. Passive recreation areas should be located near landscaping and open space or green space. Passive recreation areas may be incorporated into green infrastructure facilities for stormwater if approved by the county engineering division in accordance with applicable standards.

e. Beyond the minimum requirements set forth in this section, the remaining open space required for residential development may be any combination of active or passive recreation and should be suited to and used by the age bracket of persons likely to reside in that development or green infrastructure or low-impact development standards for stormwater as approved by the Public Works or Engineering Department.

6. Commercial Development: Commercial development greater than 1 acre shall provide open space in the amount of twenty percent (20%) of the property within the project.

   a. Required open space may be any combination of active or passive recreation and should be suited to and used by the persons likely to work in the area or green infrastructure or low-impact development standards for stormwater as approved by the county engineering division.

7. Open Space Bonding: Bonding for approved amenities shall be required in accordance with the standards in this Title and subject to the limits prescribed in the County Land Use, Development, and Management Act.

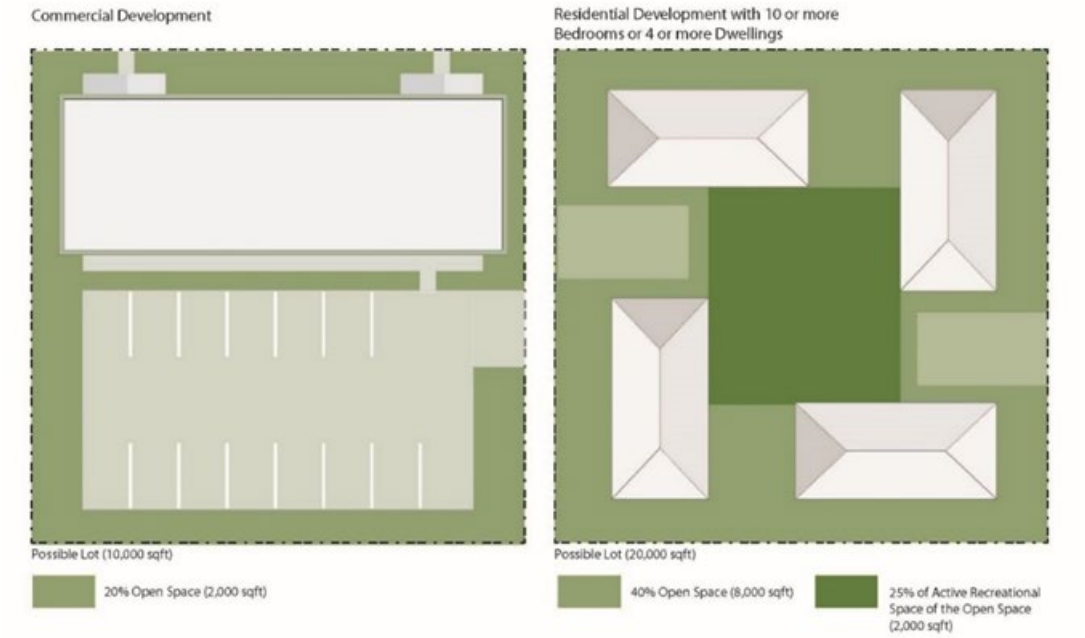
8. Recreation Facility Calculation: Active recreational facility calculations shall be the sum of the minimum area requirements listed in Table 19.46.110 Recreational Facility Standards Table. When the proposed recreation facilities exceed the required minimum square footage required under 19.46.110.A.5.a, the total amount of required open space shall be reduced by the excess amount (in square feet), provided that the total amount of required open space may not be reduced to less than thirty-two percent (32%) of the property within the project.

9. Recreational Facility Standards: Any development shall follow the minimum standards in the recreational facility standards table.

Table 19.46.120 - Recreational Facility Standards Table.		
Recreational Facility Type	Minimum Area	Additional Standards
Active Recreational Facilities		
Basketball Court	4,700 sq. ft.	
Sports Court	4,700 sq. ft.	
Tennis Court	6,120 sq. ft.	

Pickleball Court	1,800 sq. ft.	
Swimming Pool or Splash Pad	800 sq. ft.	The minimum area does not include decks.
Community Center or Clubhouse	1,200 sq. ft.	The minimum area does not include a leasing office.
Playground	1,000 sq. ft.	Playgrounds adjacent to a parking lot or road shall be fenced with transparent fencing along the shared boundary.
Path or Trail	9,000 sq. ft.	Shall be six feet (6') wide. Shall not include sidewalks. May or may not be paved.
Dog Run	1,000 sq. ft.	Shall be fenced along the perimeter and shall provide a dog bag dispenser, trash bag, and water fountain.
Other		Any facility not listed that is determined by the Planning Commission or Director to be similar in character and use to the facilities on this list with a minimum area similar in character and size to the facilities on this list also approved by the Planning Commission or Director.
Passive Recreational Facilities		
Picnic Area	500 sq. ft.	Must include a pavilion or gazebo and at least one sitting area with a table.
Lawn Area	2,000 sq. ft.	Shall be at least sixty (60) feet wide.
Plaza	1,000 sq. ft.	Only allowed for non-residential development.
Bike Station	4 bike stalls	Shall include a bike work stand with tools, air pump.
Community Garden	1,000 sq. ft.	Shall be fenced along the perimeter. Fence shall be transparent with a minimum height of three and a half feet (3.5'). Shall be regularly maintained and integrated into the landscape.
Water Feature	400 sq. ft.	Shall include fixed seating and be integrated into the landscape.
Pollinator Gardens	50 sq. ft.	A single species of the plant should be in clusters of twenty-five (25) square feet.
Educational or Interpretive Signage	25 sq. ft.	Associated with a path, native plant demonstration, low-impact development, green infrastructure feature, pollinator garden, or other natural feature or open space feature
Native Plant Demonstration	100 sq. ft.	A single species of the plant should be in clusters of twenty-five (25) square feet.

Other		Any facility not listed that is determined by the Planning Commission similar in character and use to the facilities on this list with a minimum area similar in character and size to the facilities on this list also approved by the Planning Commission.



B. Stormwater and Water Quality. Any development shall follow the standards set forth in Title 17 Flood Control and Water Quality.

C. Culinary Water and Sanitary Sewer Requirements. All dwellings and other structures used for human occupancy shall be served by an adequate culinary water and sewage disposal facility approved by the Salt Lake County Health Department in accordance with applicable regulations.

E. Mechanical Equipment. Air conditioning units, generators and other auxiliary mechanical and building equipment should be placed at locations where they will be least intrusive in terms of noise, appearance, and odors, particularly for adjacent properties and public rights- of-way. Screening walls, landscaping, and other screening treatments shall be used so all required mechanical equipment is screened from public streets and adjoining properties in accordance with 19.50.120.D. If located on or adjacent to a building wall, the color of all mechanical and communications equipment shall blend with the color or its design details.

F. Wildland Urban Interface. Lots or lots of record found to be within the Wildland Urban Interface as defined in Chapter 9.90 shall be required to demonstrate compliance with the Wildland Urban Interface Code during the site plan approval process or other applicable land use applications.

G. Landscaping. Any development shall follow the landscaping standards set forth in Chapter 19.50 Landscaping and Screening of this Title.

19.46.130 - Highway Noise Abatement.

The owner or developer of land to be subdivided, improved, or developed adjacent to Type II Projects shall be responsible to comply with these standards. Failure to so comply shall constitute a violation of this Chapter and shall be punishable as provided in Chapter 19.08 of this Title.

19.46.140 - Utility and Facility Placement Regulations.

A. Purpose. The purpose of the utility and facility system placement and relocation regulations codified in this chapter is to promote the health, safety, and general welfare of the citizens of the unincorporated County; preserve and protect existing aesthetics, property values, and quality of life within residential and other areas of the unincorporated County; provide notice to the County and affected property owners of new or upgraded utility or facility systems to allow an opportunity to determine if sufficient reason exists to require the systems to be installed underground and to determine if funds are available to pay for underground installation; and to inform all existing and future owners of utility or facility systems within the public way, and the methods by which the County engineering division may direct the relocation of such facilities or structures.

B. Applicability of State law. To the extent that this section is inconsistent with State law, State law shall apply.

C. Systems Required to Be Underground. Unless exempted under subsection .C, the following systems may be required to be installed underground:

1. All new transmission systems installed after the effective date of the ordinance codified in this Chapter.
2. All upgraded transmission systems which would increase the height of poles from less than sixty-five feet to more than sixty-five feet (65') above existing grade.

D. Exemptions. The following systems are exempt from the provisions of this Section:

1. Except as provided in subsection .B.2, this Chapter does not require the burial of any existing aboveground systems, nor does it prohibit or restrict the repair, relocation, maintenance, or replacement of any existing systems.
2. Aboveground installation of the following systems is permitted, subject to compliance with all other applicable statutes, ordinances, and regulations:
   a. New service drops and/or distribution lines where service is available from existing aboveground systems;
   b. Temporary systems required for construction projects not to exceed a period of twelve months;
   c. Street light poles, light rail overhead catenary, wireless telecommunications towers, and accessory equipment;
   d. Transmission systems installed in the two main north-south transmission corridors, as identified on the map entitled "main north-south electrical transmission corridors" on file with the planning and development services division.
3. In cases where unusual topographical, aesthetic, or other exceptional conditions or circumstances exist such that the installation of a system would have minimal visual, health, or safety impact on the public, variations or exceptions to the requirements of this Chapter may be approved by the county mayor provided, that the variations and exceptions are consistent with the purposes of this section.
4. In cases where the county mayor determines that insufficient funds are available to pay for the incremental costs of underground installation of a system or determines that the public benefit to be derived from underground installation is not cost effective or is otherwise not in the public interest:
   a. The county mayor shall give notice to the utility or facility company that the County will not require the underground installation and will not pay the incremental costs of underground installation of the system:
      i. Within ninety days after notice is given under subsection D in the case of a new transmission system; and
      ii. Within sixty days after notice is given under subsection D in the case of a new distribution system or an upgraded transmission system which would increase the height of poles from less than sixty-five feet to more than sixty-five feet above existing grade.

5. If the county mayor has not given notice to the utility or facility company regarding underground installation as provided in subsection C.4.a of this section it shall be deemed that the County has determined that insufficient funds are available to pay for the incremental costs of underground installation or has determined that the public benefit to be derived from underground installation is otherwise not in the public interest.

E. Notification of Affected Property Owners.

1. Prior to beginning a project involving the installation or upgrading of four or more poles, a utility/facility company providing electrical power for general consumption shall send written notification of the project to all adjacent property owners and the director of public works. The purpose of such notification is to allow the County and potentially affected property owners to determine whether there are reasons to require the underground installation of the system, to determine whether sufficient funds are available to pay the incremental costs of underground installation of the new or upgraded system, and provide the County the opportunity to meet with the company to discuss the project.
2. Such notification shall include a full description of the project including:
   a. the need for the project;
   b. location of the project;
   c. height, width, type and general location of poles; and
   d. amount of voltage.
3. Failure of property owners to receive notice of the project shall in no way affect the validity of action taken. Failure to reach an agreement within the sixty-day period shall not be grounds for the delay of the project. Notification is not required for emergency projects, relocations, replacements, and systems which are exempt under subsection C, but is required for an exemption resulting after notification under subsection .C.4.

F. Excavation Permit Required.

All underground systems to be installed in the right-of-way of any County road shall be made in accordance with the provisions of Chapter 14.16 of this code, Excavations.

G. Relocation of Facilities and Structures in Public Way**s.**

Any relocation of utilities or other facilities within the public way directed by the county engineering division shall be accomplished in accordance with applicable franchise or license agreements with the County. If no franchise or license agreement applies to such relocation, then the relocation shall be performed as described in Subsections A and B of this Section.

1. The county engineering division may direct any person or entity owning or maintaining facilities or structures in the public way to alter, modify, or relocate such facilities or structures as the county engineering division may require in accordance with applicable standards. The person or entity owning or maintaining the facilities or structures shall, at their own cost and expense and upon written notice by the County protect, alter, or relocate such facilities, structures, or part thereof, as directed by the County within 60 days unless otherwise agreed in writing. If such person or entity refuses or neglects to conform to the directive of the County, the County shall have the right to break through, remove, alter, or relocate such part of the facilities or structures without liability to the County. Such person or entity shall pay to the County all costs incurred by the County in connection with such work performed by the County, including design, engineering, construction, materials, insurance, court costs and attorney fees.
2. All costs of alteration, modification, or relocation shall be borne by the person or entity owning or maintaining the facilities or structures involved.

19.46.150 - Oil and Gas Transmission Pipeline.

A. A notification area is hereby established for any parcels within six hundred sixty feet from the mapped centerline of an oil or gas transmission pipeline, as indicated by the adopted pipeline protection map, a geographic information system (GIS) based map. The County makes no warranty as to the accuracy of this map, which reflects information provided by pipeline operators.

B. At the time of application for a development permit the County shall notify the applicant if the proposed development is within the notification area and provide contact information for the pipeline operator(s) in the area and for Utah's one-call program. It is the obligation of pipeline operators to correct or update their information with the County.

C. If any proposed development is within the notification area, the applicant for a development permit shall contact the pipeline operators and provide them with a copy of the application and timely notice of the first scheduled public hearing on the application, if there is one. The applicant shall file proof of this notification with the Planning and Development Services Division before any development permit may be issued. Proof of notification shall be kept on file with the application. Once the development permit is issued, it is the responsibility of the applicant to consider any comments and recommendations posed by the pipeline operator(s) to ensure no pipelines are damaged during construction of the approved project.

D. Subdivision plats within two hundred feet from the centerline of a pipeline as shown on the adopted pipeline protection map shall show the pipeline location on the plat. The location of all known oil or gas transmission lines and related easements shall also be shown on all zoning, building, and record plat maps.

E. <u>Oil and Gas Transmission Pipeline Map Modification.</u>
   1. It is the obligation of pipeline operators to correct or update the adopted pipeline protection map, and they shall do this by filing an application to modify the map. The application shall be presented to the Director for review and approval. The complete application must include:

a. An explanation from the pipeline operator(s) of how the corrected or proposed location was determined for each transmission pipeline; and
b. Electronic GIS data or detailed drawings delineating the correct or proposed location.

19.46.150 - Easements.

A. Storm drainage and utility easements for water, sanitary sewer, electricity, gas, and communications improvements shall be provided in the location and to the width as required by the provider.
B. Easements for other purposes as required by the Director or designee shall be designed, designated, reserved, and dedicated as appropriate in accordance with applicable standards.
C. All site plans and plats shall exhibit standard easement notes stating the type and purpose of the easement along with a list of prohibited uses/activities within the easement.
D. Any cross-access agreement shall specify maintenance responsibilities and require that access be unrestricted. The agreement and a plat or site plan depicting the easement shall be recorded. Copies of the recorded documents and an attorney certification that the requirements for this paragraph have been met shall be provided to the Director or designee.

19.48 Off Street Parking and Mobility Standards – Staff Summary

Purposes:

This Chapter establishes standards for the provision of off-street vehicle parking, bicycle parking, loading and vehicle stacking spaces, and electric charging stations.

Applicability:

Much of the existing off-street parking chapter is carried over into the proposed chapter. However, there are a number of additions to the chapter to account for changes in transportation and planning trends, which are summarized below.

Changes to Note:

- The chapter accounts for increased usage of bicycle and transit, allowing for reductions to parking requirements for dwelling projects located in close proximity to transit lines or for projects that include bicycle parking facilities, and providing requirements for bicycle parking. See Sections 19.48.010, 19.48.060 and 19.48.080;
- Location requirements (proximity to buildings and public streets); surfacing standards for parking facilities; parking facilities for electric vehicles; handicapped parking stall requirements in addition to required baseline parking stalls in multi-family projects; and driveway pavement standards. See Section 19.48.030;
- Reduction to maximum pavement allowed in front yards of residential areas. See Section 19.48.040(B);
- Elimination of permit requirements for commercial vehicles in residential areas (while retaining standards for these vehicles). See Section 19.48.040(E);
- Process for determining parking spaces required for unlisted uses; update and clarification of the community parking credit concept (where on-street parking and publicly-owned parking lots may count towards minimum parking requirements) with more objective criteria. See Section 19.48.050;
- Process for determining reduction of parking requirements, including obtaining a recommendation from county engineering division. See Section 19.48.060;
- Updating shared parking percentages to add parking uses and to be consistent with current best practices and industry standards. See Section 19.48.070 and compare with current SLCO Code Table 19.80.080(a);
- Standards for off-street loading and unloading, including location, dimensions, and number of spaces. See Section 19.48.090;
- Vehicle stacking standards for drive-thru (various use types) and fuel stations, including location, dimensions, and number of spaces. See Section 19.48.100;
- Standards to improve vehicle and pedestrian circulation, including a requirement that new multi-family, commercial, and industrial projects provide cross-access to adjoining future projects (which is a common requirement in modern zoning ordinances). Other new requirements include internal walkways between parking areas, sidewalks, primary entrances to buildings, and other adjacent public amenities. See Section 19.48.120;
- An updated parking table that includes a more comprehensive list of parking uses, and addresses over-parking concerns (which can create blight for a community) by including parking maximums for the first time, and slightly adjusting parking minimums for certain uses (such as Residential Facilities for Persons with a Disability, Rehab/Treatment facilities, vehicle repair/sales,

mortuary/funeral home, nurseries, shopping centers/other retail, restaurants, offices, education facilities, hospitals, and parks). See Table 19.48.150 and compare with current SLCO Code section 19.80.040. Needlessly high parking requirements create significant added expense for property owners, can create future blight for a community, fosters vehicle reliance and thereby makes transit and active transportation options less viable by promoting more disbursed and less compact development. The table also includes criteria to guide the Director in ad hoc determinations for unusual parking situations. See footnotes 1-4 of Table 19.48.150.

Resources Utilized:

Staff read, reviewed, and drew from several resources when preparing this Chapter:

- American Planning Association, Zoning Practice: Parking Reform (2020)
- American Planning Association, PAS Quick Notes: Parking Management (2014)
- American Planning Association, PAS Report: Parking Standards (2002)
- Grand Rapids, MI Transportation and Mobility Standards (Chapter 61, Article 10)
- Vineyard, UT Parking and Loading Requirements (Title 15, Chapter 38)
- Salt Lake City Drafted Parking Standards (2021)

Chapter 19.48: Off Street Parking and Mobility Standards

Sections:

19.48.010 – Purpose of Provisions.

The purpose of this Chapter is to reduce street congestion and traffic hazards in the unincorporated County and improve resource management by incorporating efficient, attractive facilities for off-street parking, loading, and internal automobile and pedestrian circulation as an integral part of every use of land. The standards in this Chapter are intended to provide for the following:

A. Improve bicycle and pedestrian facilities to reduce reliance on personal automobiles, provide for improved circulation between and within development sites, and promote transportation options to reduce Vehicle Miles Traveled (VMT) and related vehicle emissions for the purposes of preserving or enhancing air quality;

B. Relieve traffic congestion in the streets and improve overall traffic safety, including safety for people walking and biking;

C. Minimize any detrimental effects of off-street parking areas on adjacent lands;

D. Improve the visual aesthetics of parking areas;

E. Ensure that parking areas are appropriately located to serve community needs; and

F. Provide for adequate off-street parking based on the type and scale of land use, while preventing the establishment of excessive amounts of off-street parking and facilitating infill development where possible to make the most of limited land resources.

19.48.020 – Off-Street Parking and Bicycle Parking Required.

A. Off-street parking, bicycle parking, and loading spaces shall be provided at the time any building or structure is erected, enlarged, increased in capacity, or any new use is established. Such parking and loading facilities shall be provided in accordance with the provisions of this Chapter.

B. Plans Required to Obtain Building Permit. All applications for a building permit shall include a site plan showing a parking layout that meets all requirements of this Chapter and includes the location of ingress and egress; loading areas; internal automobile, bicycle, and pedestrian circulation; vehicle and bicycle parking; landscaping; and lighting. The provided plan shall be reviewed for consistency with this Chapter by the Director or Designee.

19.48.030 – Specifications.

Any parking facility or portion thereof shall meet the following specifications:

A. Use of Off-Street Parking, Stacking, and Loading Facilities. All vehicular parking areas, stacking areas, and loading areas required by this Chapter shall only be used for those designated purposes.

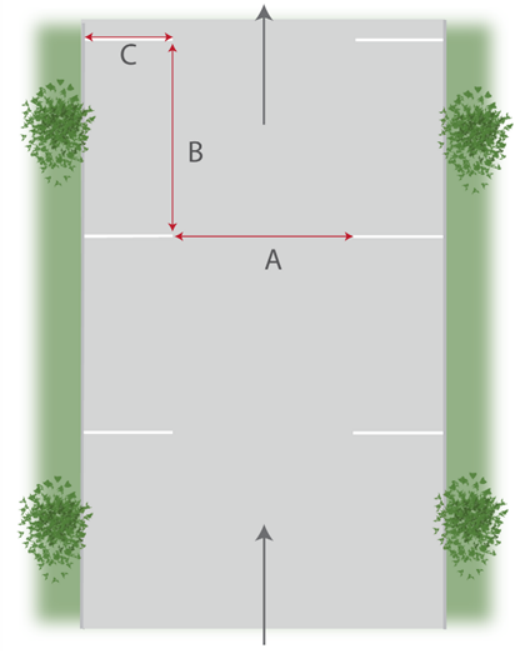
B. Location. Except as otherwise permitted through community parking credits, all off-street parking areas shall be provided on the same lot or parcel as the use it serves, or no farther than three hundred feet (300') from the primary entrance of a building or structure to the nearest point of the parking facility along publicly available sidewalk or walkways designated on the site plan.

   1. Access to parking spaces shall be from private roadways or aisles and not from public streets.

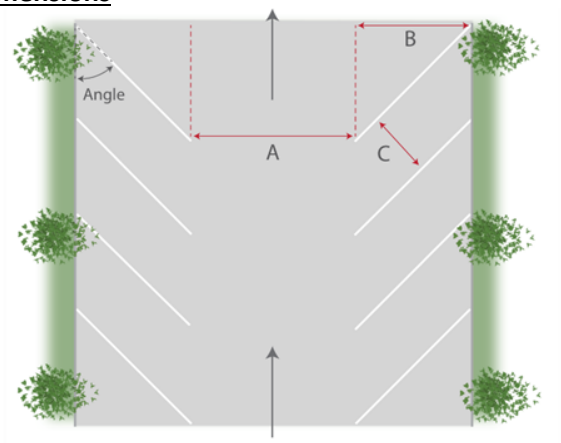
C. Coverage. No off-street parking area shall occupy more than sixty-five percent (65%) of the property not occupied by buildings.

D. Space and Aisle Dimensions. Parking stalls and aisles shall comply with the dimensional regulations presented in Figure 19.48.030, according to the angle of the parking and the flow of traffic.

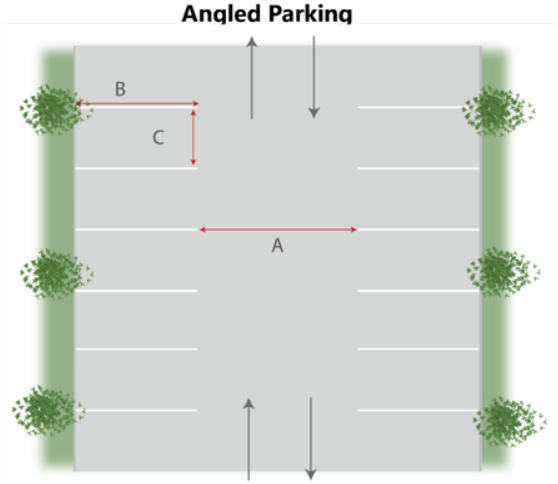
Figure 19.49.030: Parking Space and Aisle Dimensions



Parallel Parking



Angled Parking



90 Degree Parking

Angle (X°)	Minimum Aisle Width (A)*	Stall Depth (B)	Stall Width (C)
90°	24′	18′	9′ **
60°	20′	20.1′	
45°	15′	19.1′	
30°	15′	16.8′	
Parallel (0°)	15′	22′	

*Aisle width represents the minimum for one-way traffic. Any aisles with two-way traffic shall have a minimum aisle width of 24′, regardless of the parking angle.

** Stalls that are adjacent to an obstruction that may impede the use of vehicle doors shall be at least two feet (2′) wider than the minimum requirement presented above.

1. Parking stalls adjacent to a column or wall must have an additional two feet (2') of width to accommodate ingress/egress from the vehicle.

E. Surfacing. All off-street parking, stacking, loading areas, and drive approaches from the alley or street shall be surfaced with asphalt, concrete, brick, stone, pavers, or an equivalent material.
   1. Pervious Surfaces. Surfaces such as pervious asphalt, pervious concrete, or turf blocks are permitted; subject to County standards pertaining to stormwater management. A maintenance plan, outlining responsible parties, procedures, and schedules for maintenance of pervious pavement or permeable surfaces, must be submitted and approved by the County Engineer.
   2. Exception for Outdoor Storage. Surfacing materials for outdoor parking areas associated with vehicle or container storage may be graded and compacted gravel, provided the subject area is at least one hundred feet (100') in driving distance from the nearest public street, no gravel is tracked off-site, and the paving surface is permitted in this Title.

F. Driveways, General. Adequate ingress and egress to the parking area shall be provided by clearly defined driveways.
   1. Distance from Lot Line. All driveways, including the entry radius of the drive approach that serves a single main building or principal use, shall be at least one foot (1') from an abutting lot line.
   2. Sidewalk Continuity. Sidewalks shall extend through driveway approaches, and driveways shall be built to the grade of the sidewalk so that driveways do not create curb cuts in the sidewalk.
   3. Driveway Surface. There shall be a hard-surfaced driveway from the public or private right-of-way to the required parking space. The drive surface must be a permanent, durable, hard surface such as concrete (including permeable concrete), asphalt (including permeable asphalt), brick, pavers, stone, or block. A pervious surface may be used, subject to applicable municipal ordinances and policies.

G. Accessible Parking. Accessible parking spaces required to satisfy the Americans with Disabilities Act shall be provided. Such stalls shall be included within the required number of spaces outlined in Table 19.48.150. For multi-family residential developments, the accessible stalls shall be provided in addition to the number of stalls required in 19.48.150.

H. Electric Vehicle Charging Stations. Parking lots and structures of one-hundred and fifty (150) parking spaces or more shall provide at least one (1) electric vehicle charging station for every seventy-five (75) parking spaces. Charging stations shall be associated with individual parking spaces and shall be installed according to appropriate design standards, as approved by the Director or Designee.

I. Stormwater. All parking areas are subject to the stormwater management provisions of Title 17 and any other municipal ordinances.

19.48.040 – Standards for Parking in R-1 and R-2 Residential Zones.

A. Residential Driveways. A driveway shall be provided for vehicular access from the street or right-of-way to the required parking spaces of any dwelling in an R-1 or R-2 zone.
   1. The number, location, and width of driveways shall comply with the specifications set forth in Sections 14.12.110 and 14.36.060 of County ordinances.
   2. Driveways over one hundred fifty feet (150') in length are subject to approval by the Fire Authority.
   3. The area within the front yard of any single- or two-family dwelling not occupied by a driveway or parking surface set forth above shall be landscaped in compliance with the applicable provisions of this Title.

B. Paved or gravel parking areas or driveways may not occupy more than fifty percent (50%) of the area of a front or rear yard. Any lot less than forty feet (40') wide may install one driveway that exceeds the fifty percent (50%) parking or driveway rule as long as that driveway does not exceed twenty feet (20') in width.

C. Front Yard Parking. Parking or storage of motor vehicles in the unpaved portion of the front yard of a residential use or residentially zoned property is prohibited. A legal driveway in the front yard may be used for parking, provided the public sidewalk is not blocked.

D. Recreational Vehicles. Recreational vehicles parked or stored on residential property in any R-1 or R-2 zone shall:

   1. Be parked or stored on a paved surface in the front yard, side yard, or rear yard of a dwelling. Additionally, a recreational vehicle may be parked or stored on a parking pad which is constructed of six inches of compacted gravel. This area must be kept weed free.

E. Commercial Vehicles. Commercial vehicles shall not be parked or stored on residential property in an R-1 or R-2 zone, except in the following circumstances:

   1. Commercial vehicles may be parked on a property in conjunction with lawfully permitted construction, maintenance, or site development activities so long as said activities are diligently pursued.
   2. One commercial vehicle may be parked behind the front line of the dwelling and screened from view from public streets or neighboring properties with an opaque fence that is at least six feet (6') tall, provided it is parked on a paved surface. The commercial vehicle may not exceed Class 5 (two-axle, six tire single unit trucks) in Federal Highway Administration vehicle classification.
   3. One commercial vehicle may be parked in the front yard or side yard of a dwelling in the R-1 or R-2 zones , as long as all of the following criteria are met:
      a. No other commercial vehicle is parked or stored on the property;
      b. The operator of the vehicle is required to be on call twenty-four (24) hours a day to use the vehicle in response to an emergency;
      c. The commercial vehicle is parked on a paved surface;
      d. The commercial vehicle is parked entirely on private property, not parked on or over the street or sidewalk; and
      e. The commercial vehicle does not exceed Class 5 (two-axle, six tire single unit trucks) in Federal Highway Administration vehicle classification.

19.48.050 – Required Number of Off-Street Parking Spaces.

A. The amount of required off-street parking spaces for individual uses shall be determined in accordance with Table 19.48.150: Off-Street Parking Requirements, found at the end of this Chapter. The following factors shall be used in determining the required number of parking spaces:

   1. Fractions. Where units of measurements determining the number of required parking or loading spaces result in a fraction, the fraction shall be counted as one (1) additional parking space (rounded up to the nearest whole number).
   2. Uses.
      a. Parking shall be calculated separately for each use in a building or structure or on a lot or parcel, except that the Director or Designee may determine that a lower standard would be adequate for shared parking, in accordance with Section 19.48.060.
      b. Accessory uses shall be calculated separately.

c. Unlisted Requirements. Where a use is not listed, as determined by the Director, either of the following shall take place at Applicant's option:
   i. the Director or Designee shall make a determination as to the proper classification of a parking requirement not listed for a particular use based on the requirement of the closest comparable use; or
   ii. The Applicant shall provide a Parking Demand Study, which compares similar uses in the ordinance and based on that comparison and the parking demands for the proposed use, determines the amount of parking needed on the site.

3. Bicycle Parking. Bicycle Parking shall be as required in Section 19.48.080. Bicycle parking may not occupy any vehicle parking space required by this Chapter.

4. On-Street and Public Parking. The use of on-street parking and publicly owned parking lots or structures may count toward a portion of the minimum off-street parking requirements provided the following conditions are met:
   a. Adequate on-street parking or public parking lots or structures exist within five-hundred feet (500') of the primary entrance of the main building associated with the use as measured along existing sidewalk or along walkways shown on the site plan;
   b. No more than fifty percent (50%) of the off-street parking space requirement is met through the use of on-street, public parking lot, or public parking structure spaces; and
   c. The demand for parking generated by the use may not substantially adversely impact available parking for surrounding uses and may not adversely affect traffic circulation patterns.

B. Exceptions for the Reuse of Existing Buildings and Structures. The Director or Designee may grant a waiver of these requirements for a development which reuses an existing building if the same level of parking (or less) is required for the new use as was required for the prior use .

19.48.060 – Process for Reductions or Determinations in Off-Street Parking Requirements.

A. Off-street parking requirements may be reduced by the Director or Designee upon a finding by the Director or Designee that the applicant meets the requirements for at least one (1) of the allowable reductions of this Section. In no case may the total required off-street parking for a site be reduced more than fifty percent (50%).

1. Transit Exists to Serve the Site.
   a. Core Bus Routes: Parking requirements may be reduced by ten percent (10%) of required spaces for buildings, structures, or uses whose entrances are within five hundred feet (500') of a bus stop served by a designated Utah Transit Authority Core Bus Route, as measured along walkways designated on the site plan. For purposes of this section, "core bus routes" mean those routes where buses are scheduled every fifteen (15) minutes or less during daytime hours Monday through Saturday.
   b. Fixed Light-Rail and Bus Rapid Transit (BRT): Parking requirements may be reduced by twenty percent (20%) of required spaces for buildings, structures, or uses whose entrances are within five hundred feet (500') of a transit stop served by a fixed light-rail or BRT transit route, as measured along walkways designated on the site plan.

2. Reductions for Bicycle Facilities.
   a. Vehicle parking requirements may be reduced by one (1) space for every four (4) covered, secured bicycle parking spaces provided beyond the amount of bicycle parking required in Section 19.48.080. To qualify for this reduction, a work stand and floor pump is required to

be provided on-site. These amenities shall be maintained in working condition and made accessible to cyclists using the bicycle parking spaces.

b. Off-street parking requirements may also be reduced by four (4) spaces if free showers and locker facilities are available for use within a building or structure on-site.

c. The Director or Designee may not approve a reduction under this Subsection that is more than ten percent (10%) of the total required off-street parking for a site.

B. In reviewing a parking reduction or making a determination for specialty uses, the Director or Designee shall receive a recommendation on the exception request from the county engineering division, and shall consider the following as applicable:

1. The land use and development character of the area to be served by the parking facility, including intensity of uses requiring parking, the availability of transit, proximity to nearby employment centers and residential neighborhoods, and other relevant factors;
2. The availability of any other publicly available parking in the area, including the number of spaces, applicable restrictions, or other uses counting spaces in the same parking area toward the applicable parking requirement;
3. The timing of parking use relative to other uses in the area, including information on hours of operation;
4. Applicable guidelines from the American Planning Association, Envision Utah, and/or the Urban Land Institute;
5. Whether the applicant has made all efforts to comply with Table 19.48.150 to the extent practicable considering parking lot design, layout efficiency, and any unique constraints of the site; and
6. Whether supporting documentation provided by the applicant adequately demonstrates that sufficient parking is available to meet projected typical demand.

19.48.070 – Process for Calculating Shared Parking.

A. Where a mix of land uses creates staggered peak periods of parking demand, shared parking agreements that have the effect of reducing the total amount of required parking spaces are encouraged. Shared parking agreements for off-street parking for two (2) or more buildings or uses is permitted subject to the following:

1. Shared parking areas shall be located within three hundred (300') feet of the use as measured along walkways designated on the site plan or already existing;
2. Adjacent lots or parcels shall be connected by drive aisles; and
3. Shared parking leases or agreements shall have a term of not less than five (5) years, including any renewals at the option of the lessee.

B. A proposal for the sharing of off-street parking shall be submitted to the Director or Designee for site plan review and approval. Conditional use applications which require Planning Commission approval, and for which shared parking is being proposed as part of the application, must have Planning Commission approval for the shared parking.

C. <u>Shared Parking Calculation</u>. In determining the total requirements for shared parking facilities, the Director, Designee, or Planning Commission shall use Tables 19.48.150 and 19.48.070 according to the following calculation steps:

1. For each applicable general land use category, calculate the number of spaces required for the use as if it were the only use (using Table 19.48.150).

2. Use the figures for each individual land use to calculate the number of spaces required for that use for each time period specified in Table 19.48.070 (six time periods per use).
3. For each time period, add the number of spaces required for all applicable land uses to obtain a grand total for each of the six time periods.
4. Select the time period with the highest total parking requirement and use that as the total number of parking spaces required for the site on a shared parking basis.

D. If any uses are not listed in Table 19.48.070, the Director or Designee shall determine the required parking for the six time periods, based on a comparison of similar uses in the Table.

Table 19.48.070: Guidance for the Determination of Shared Parking Requirements.

General Land Use Category	Weekdays			Weekends		
	12 AM – 7AM	7 AM – 6 PM	6 PM – 12 AM	12 AM – 7AM	7 AM – 6 PM	6 PM – 12 AM
Office	5%	100%	5%	0%	5%	0%
Industrial	75%	100%	75%	75%	100%	75%
Retail	5%	100%	75%	5%	100%	60%
Restaurant	25%	70%	100%	30%	75%	100%
Lodging	100%	55%	100%	100%	55%	100%
Theater / Entertainment	5%	20%	100%	5%	50%	100%
Conference Rooms / Reception Venue	0%	100%	100%	0%	100%	100%
Place of Worship	0%	30%	50%	0%	100%	65%
Institutional	5%	100%	20%	5%	100%	10%
Residential	100%	60%	95%	100%	75%	90%

19.48.080 – Requirements for Bicycle Parking.

A. Bicycle Parking Required. Bicycle parking facilities shall be provided for any new commercial, office, manufacturing, industrial, multi-family residential, recreational, public and/or quasi-public use for which automobile parking is required; or for modification or change of any of such uses that results in the need for additional automobile parking facilities.

B. Number of Required Spaces. The number of bicycle parking spaces required shall be equal to five percent (5%) of the vehicular parking spaces required for such use, with a minimum requirement of two (2) spaces, and a maximum requirement of twelve (12).

C. Bicycle Parking Spaces shall be:
   1. Located on the same lot or parcel as the principal use;
   2. physically separated by parking areas by cars;
   3. Located so as not to block pedestrian walkways;

4. Located along the front facade of the building;
5. Shall have paved access to the public right-of-way or bicycle lane;
6. Designed to accommodate a range of bicycle shapes and sizes, and to allow the frame and wheel(s) of each bicycle to be supported and secured against theft without interfering with adjacent bicycles;
7. Anchored to resist removal by vandalism; and
8. resistant to rust or corrosion.

D. Required bicycle parking spaces may be located within the building.

E. Any proposed bicycle parking spaces or facilities shall be clearly shown on the applicable site plan, indicating location and type.

19.48.090 – Off-Street Loading and Unloading Standards.

A. Applicability. Any building or portion thereof which is to be occupied by one (1) or more uses that require the receipt or distribution of materials or merchandise by vehicles shall provide and maintain off-street loading spaces as required by this Section.

B. Location.

1. Loading/unloading areas and docks shall be prohibited in the front yard or on any building side facing and directly visible from a street;
2. Loading/unloading operations shall not obstruct public rights-of-way, off-street parking areas, internal drives, or sidewalks;
3. No loading space that is adjacent to a Residential Zone shall be nearer than thirty (30) feet to the property line zoned residential unless it is contained within a completely enclosed building, or enclosed on all sides by a wall or solid, opaque fence not less than six (6) feet high; and
4. The vehicular path and turning radii to the loading area must be shown on the site plan to verify truck maneuverability for the largest truck proposed by the applicant to serve the use.

C. Specifications. Loading/unloading spaces shall be at least twelve feet (12') wide, thirty feet (30') long, and have fourteen feet (14') of vertical clearance. Each additional required loading space shall be at least ten feet (10') in width, forty-five feet (45') in length, and have fourteen feet (14') of clearance.

D. Required Number of Loading Spaces. The minimum number of loading spaces required is shown in Table 19.48.090.

Table 19.48.090: Loading Space Requirements.

Use Type	Units	Required Loading Spaces
Multi-Family Residential (total dwelling units)	0-24 du	NA
	25-74 du	1
	75+ du	2
Non-Residential (square feet of gross floor area)	Up to 10,000 sq.ft.	NA
	10,001 – 20,000 sq.ft.	1
	20,001-75,000 sq.ft.	2
	75,001-100,000 sq.ft.	3

	100,001+ sq.ft.	5

19.48.100 – Vehicle Stacking Standards.

A. Drive-Up and Drive Thru Facility, Stacking Lane Standards: These standards ensure that there is adequate on-site maneuvering and circulation areas, ensure that stacking vehicles do not impede traffic on abutting streets and that stacking lanes will not have nuisance impacts on abutting residential properties.

1. Each stacking space shall be a minimum of twenty feet (20') in length and eight feet (8') wide along the straight portions and ten feet (10') wide along the curved segments.
2. Entrances to stacking lanes shall be clearly marked and located a minimum of sixty feet (60') from the closest curb cut. Stacking lanes shall not enter or exit directly into a public street.
3. Stacking lanes must be designed so that they do not obstruct access to parking stalls, aisles, or driveways interfere with parking and vehicle circulation.
4. All stacking lanes must be clearly delineated from traffic aisles, other stacking lanes and parking areas using striping, curbing, landscaping, or signs.
5. Required Stacking Capacity:
   a. A drive-thru automated teller machine (ATM) must provide no less than two (2) stacking spaces before the teller machine.
   b. A car or light truck wash must provide no less than three (3) stacking spaces per lane before the wash bay entrance.
   c. A laundry or dry-cleaning establishment with a drive thru window must provide no less than two (2) stacking spaces per lane before the drive-up window.
   d. A financial institution with teller lanes must provide no less than three (3) stacking spaces per lane before the teller or drive-up window.
   e. A pharmacy with a drive thru window must provide no less than three (3) stacking spaces per lane before the drive-up window.
   f. A restaurant with drive thru must provide no less than eight (8) stacking spaces before the first drive-up window. Other establishments where orders are placed for food or drink must provide stacking in the same manner as a restaurant.
   g. Uses having a drive thru window but not listed in this part are required to have stacking lanes and stacking spaces as determined by the Director and based on the anticipated demand for stacking spaces in accordance with uses listed in this part that are similar in nature.
   h. A stacking lane is not required for accessory facilities where vehicles do not routinely stack up while waiting for the service. Examples are window washing, air compressor, and vacuum cleaning stations.

B. Self-Service Fuel Station, Stacking Lane Standards: Each pump island shall include stacking space for a minimum of two (2) vehicles (total of 40 feet) on site so that driveways within the site or adjacent street areas are not utilized for waiting customers. Pump island stacking shall not encroach upon required parking space back out areas (24 feet minimum) or two-way driveways for general site circulation (24 feet minimum).

19.48.110 – Parking Lighting and Landscaping Standards.

A. Landscaping. All parking areas shall be landscaped in accordance with the provisions of Chapter 19.50.

B. Screening. The sides and rear of any off-street parking area for more than five (5) vehicles, which adjoins or faces an institutional or residential use, shall be screened by a masonry wall or solid visual barrier fence unless otherwise provided for more specifically by the requirements of the zoning district in which such parking area is located. Such wall or fence shall be not less than six feet (6') in height and shall be maintained in good condition and free from advertisement.

C. Lighting. Lighting used to illuminate any off-street parking area shall be downcast and fully shielded so as to direct light away from adjoining premises and from street traffic. No light source (light bulb, fluorescent tube, or other direct source of light used to illuminate a parking area) shall be visible beyond the property line of any off-street parking area.

19.48.120 – Mobility and Pedestrian Circulation.

The following mobility and circulation standards apply in all parking areas or portions thereof.

A. Street and Sidewalk Continuation.

1. Streets, internal circulation drives, and parking aisles shall be arranged to provide for the alignment and continuation of existing or proposed streets and drives into adjacent lots or parcels, developed or undeveloped.
2. Internal vehicular circulation areas shall be designed to allow for cross access to adjacent lots or parcels with multi-family residential, nonresidential, or mixed-uses.
3. A stub for future cross access shall be provided from the vehicular use area to all adjacent lots or parcels. Where cross access is deemed impractical by the Planning Commission, Director, or Designee during Site Plan Review on the basis of topography, the presence of natural features, vehicular safety factors, or where existing development precludes cross access, the requirement for cross access may be waived provided that appropriate bicycle and pedestrian connections are made between adjacent developments or uses.
4. If necessary, a cross-access easement shall be recorded with the Salt Lake County Recorder prior to the issuance of a Building Certificate of Occupancy for the development.

B. Pedestrian Access Required. Pedestrian access shall be required to improve the health, safety and welfare of the public by providing clear pedestrian pathways at perimeter and internal site locations to reduce pedestrian and vehicular conflicts, improve accessibility for persons with disabilities, and establish a multi-modal environment that is supportive of walking, biking and transit use. All multiple family residential, non-residential and mixed-use developments shall comply with the following requirements.

1. Continuous internal pedestrian walkways shall be provided to connect off-street surface parking areas with the primary entrances of main buildings.
2. At least one (1) pedestrian walkway with a minimum width of five (5) feet shall be provided from the internal pedestrian walkway network to the public sidewalk system. In the case of corner lots, connections shall be made to the sidewalks of both streets.
3. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low-maintenance surface materials such as pavers, bricks, or scored/stamped concrete or asphalt.

C. Walkways in Parking Lots. Paved walkways shall be provided for access to adjacent parks, shopping areas, transit stops, anticipated walkways and institutions. Walkways shall either be dedicated sidewalks raised above the surface of the parking lot, or, if at the same level as the parking lot, clearly marked with striping and tactile alerts, and may use alternative materials, such as pavers.
   1. Each surface parking area that has fifty (50) or more parking spaces or has any parking spaces more than three hundred fifty feet (350') from the front entrance of the primary building as measured along walkways shown on the site plan, shall have at least one (1) pedestrian walkway or sidewalk allowing pedestrians to pass from the row of parking furthest from the primary building façade to the primary building entrance.
   2. The required walkway must be at least five feet (5') wide, shall not be within a driving aisle, and, where practical, shall be within a landscaped island running perpendicular to the primary building façade. If parking spaces are adjacent to a sidewalk, the sidewalk must be at least seven feet (7') wide to allow for vehicular overhang.

D. Trail Connections. Where trails exist or are planned within three hundred and fifty feet (350') of a primary building entrance, paths or sidewalks shall connect building entries to the trail system.

19.48.130 – Maintenance of Off-Street and Bicycle Parking.

Maintenance. All parking areas, including bicycle parking, shall be maintained free of dust, trash, weeds, debris, and snow. Surfacing, curbing, lighting fixtures, signs, and related appurtenances shall be maintained, in good repair, and in a safe condition at all times.

A. The visibility of pavement markings delineating parking spaces and directional control shall be maintained.

B. All off-street multi-family, commercial, and industrial parking areas, stacking areas, and loading areas required by this Chapter shall be maintained free of accumulated snow or standing water that prevents full use and occupancy of the areas.

19.48.140 – Supplementary Parking and Mobility Standards.

The following supplementary parking and mobility standards apply.

A. Gasoline Pumps Associated with a Self-Service Fuel Station. Gasoline pumps shall be set back no less than twenty-four feet (24') from any front property line, and no less than thirty feet (30') from any residential zone boundary line. If the pump island is set at an angle on the property, it shall be located so that automobiles stopped for service at the pump will not extend over the property line.

   1. Canopies constructed to provide a weather shield over gasoline pump islands shall be set back no less than six feet (6') from any property line and no less than ten feet (10') from any residential zone boundary.
   2. Gasoline pumps associated with a Self-Service Fuel Station are subject to the Specific Use Standards in 19.42.260 and all other applicable ordinances.

B. Provisional Parking. Provisional parking in excess of the maximum parking spaces allowed in Table 19.48.150 may be permitted if the following conditions are met.
   1. Provisional parking spaces shall be shown on the site plan as complying with the parking stall size requirements, maneuverability and aisle requirements of this chapter.

2. Provisional parking spaces may be landscaped in such a way that they can be used for parking on a seasonal or temporary basis.
3. After one year's time from the issuance of the land use permit, a property owner may request a review of the provisional parking. Upon a finding by the Planning Commission (for a conditional use) or by the Director or Designee (for a permitted use) that the additional parking is needed, approval shall be granted for the provisional parking to be paved and made permanent.
4. The Planning Commission may set conditions of approval as part of any conditional use permit that utilizes provisional parking to provide for monitoring and future review of the parking plan.

C. Valet Parking. Off-site parking may be permitted to meet the requirements of this Chapter if a valet parking plan is established.
   1. A valet parking plan shall identify the following.
      a. The location of parking spaces, pick-up areas, drop-off areas, and egress/ingress;
      b. The involvement of personnel; and
      c. General operating procedures.
   2. At least ten percent (10%) of the required parking spaces shall be reserved as on-site, self-parking spaces and shall be indicated as such on the valet parking plan.

D. Transit Access and Amenities.
   1. Transit Stops. Where public transit service is available or planned, convenient access to transit stops shall be provided by means of public or private sidewalks or walkways. Any provided seating shall not obstruct a public sidewalk.
   2. Where transit shelters are provided, they shall be placed in highly visible and well lighted locations for purposes of safety, subject to review by the Utah Transit Authority.
   3. Landscaping. Landscape and/or plaza areas are encouraged at all bus and transit stops.

19.48.150 - Parking Requirements Table.

The amount of required off-street parking spaces for individual uses shall be determined in accordance with Table 19.48.150: Off-Street Parking Requirements.

Table 19.48.150: Off Street Parking Requirements.

Use Category	Use	Minimum Spaces Required	Maximum Spaces Allowed	Additional Requirements
RESIDENTIAL				
Household Living	Single-Family	2 spaces per dwelling unit	NA - but no more than 50% of yard space may be paved.	Spaces may be arranged one behind another
	Two-Family, Three- and Four-Family	2 spaces per dwelling unit	3 spaces per dwelling unit	
	Multi-Family	1 space per studio apartment; 1.5 spaces per 1 bedroom unit; 2 parking spaces per dwelling unit for any units with 2 or more bedrooms; no less than 1 guest space per 3 units	2 spaces per dwelling unit for all unit types; no more than 1 guest space per 3 units	
	Accessory Dwelling Unit	1 space per accessory dwelling unit	2 spaces per accessory dwelling unit	Spaces may be arranged one behind another, but may not count toward the minimum parking requirements for a single-family home
Group Living	Nursing Home / Convalescent Care	4 spaces, plus 1 space for every 5 beds at total capacity	4 spaces, plus 1 space for every 3 beds at total capacity	
	Residential Facilities for Elderly Persons or Persons with a Disability	4 spaces	1 space per employee, plus 1 space per 2 residents	Parking spaces may be arranged one behind another
	Therapeutic School, Assisted Living Facility,	4 visitor parking spaces plus 1 space	NA	

Use Category	Use	Minimum Spaces Required	Maximum Spaces Allowed	Additional Requirements
	Rehabilitation and Treatment Facilities	per employee during the highest employment shift		
	Transitional Housing, Protective Housing	1 space per employee during the highest employment shift		
FOOD, LODGING, RETAIL, AND SERVICE				
Auto-Oriented	Car and Light Truck Wash	NA	5 spaces per 1,000 sq.ft.	
	Self Service Fuel Station	1 space per pump island, plus 2 spaces per 1,000 sq.ft. of convenience store floor area	1 space per pump island, plus 5 spaces per 1,000 sq.ft. of convenience store floor area	Self-Service Fuel Stations are also subject to the Vehicle Stacking Standards in 19.48.100.
	Truck Stop and Service Facilities	5 spaces plus 1 space for each employee during the highest employment shift	5 spaces per 1,000 sq.ft. of building space	
	Vehicle and Equipment Repair, Major or Minor			
	Vehicle Rental			
	Vehicle Sales and Service, All Types			
Personal Services	Check Cashing	1 space per employee during the highest employment shift, plus 4 customer spaces	5 spaces per 1,000 sq.ft. of building space	
	Child Care Center	4 spaces plus 1 space for every 500 sq.ft. of floor area		
	Child Care, Licensed Family or Residential	1 space per 8 clients, plus 1 per employee		
	Reiki	1 space per 250 sq.ft. of gross floor area.		
	Personal Care Services, Personal Instruction Services	3 spaces per 1,000 sq. ft.		

Use Category	Use	Minimum Spaces Required	Maximum Spaces Allowed	Additional Requirements
Other Services	Animal Hospital or Clinic	1 space per employee on the highest employment shift, plus 1 space per 1,000 sq.ft.	NA	
	Contractor's Office	2 spaces per 1,000 sq.ft. of office area	3 spaces per 1,000 sq.ft. of office area	
	Kennel	1 space per employee on the highest employment shift, plus 1 space per 1,000 sq.ft.	1 space per employee on the highest employment shift, plus 2 spaces per 1,000 sq.ft.	
	Laundry Cleaning, Automatic or Drop Off	4 spaces, plus 1 space per employee on the highest employment shift	4 spaces, plus 1.5 spaces per 1,000 sq.ft. of floor area	
	Mortuary or Funeral Home	1 space per 5 people at max design occupancy	1 space per 3 people at max design occupancy	
	Commercial Plant Nursery	1 space per 1,000 sq.ft of indoor display area, plus 1 space per 2,500 sq.ft. of outdoor display area.	NA	
	Pawn Shop	1 space per 500 sq.ft. of gross floor area used for the display of goods or services, plus 1 space per employee on the highest employment shift	1 space per 250 sq.ft. of gross floor area used for the display of goods or services, plus 1 space per employee on the highest employment shift	
	Retail Shops or Galleries where Primary Product is Produced On-Site			
	Retail Tobacco Specialty Business			
	Shopping Center	3 spaces per 1,000 sq.ft. of gross leasable area	5 spaces per 1,000 sq.ft. of gross leasable area	

Use Category	Use	Minimum Spaces Required	Maximum Spaces Allowed	Additional Requirements
	Swap Meets and Flea Markets	NA - but all parked vehicles must be accommodated on-site, off-street		
	Other Retail	1 space per 500 sq.ft. of gross floor area used for the display of goods or services	1 space per 250 sq.ft. of gross floor area used for the display of goods or services, plust 1 space per employee on the highest employment shift	
	Bar	1 space per 4 persons based on max occupancy	1 space per 2.5 persons based on max occupancy	
	Breweries and Distilleries in association with a Restaurant			
Food and Drink	Package Agency	1 space per 500 sq.ft. of gross floor area, plus 1 space per employee on the highest employment shift	4 spaces per 1,000 sq.ft. of gross floor area	
	Restaurant, Fast Food	1 space per 4 persons based on max occupancy	1 space per 2.5 persons based on max occupancy	
	Restaurant, Sit Down	1 space per 4 persons based on max occupancy	1 space per 2.5 persons based on max occupancy	
	Bed and Breakfast Inn	2 spaces for each primary residential dwelling unit plus 1 space for each guest room	2 spaces for each primary residential dwelling unit plus 1.25 spaces per guest room or unit	
Lodging	Boardinghouse, Hotel, Guest Ranch, Resort	1 space per sleeping unit, plus parking for any accessory uses	1.5 spaces per guest room or unit	

Use Category	Use	Minimum Spaces Required	Maximum Spaces Allowed	Additional Requirements
	Short-Term Rental (STR)	2 spaces per dwelling unit plus 1 additional space for each bedroom exceeding two bedrooms	6 spaces per Short-Term Rental	
OFFICE				
Offices	Office, General	1 space per 500 sq. ft. of floor area	1 space per 250 sq. ft. of floor area	
	Office, Medical or Intensive, or Financial Institution	1 space per employee on the highest employment shift, plus 4 visitor spaces	6 spaces per 1,000 sq.ft.	
INDUSTRIAL				
Light Industrial	Breweries and Distilleries, Industrial	1 space per person employed on the highest employment shift	NA	
	Dairy			
	Industrial Flex Space			
	Laboratory, Medical and Dental or Research and Development			
	Salvage Yard, Storage Yard, Towing Services and Impound Lots			
	Self Service Storage Facilities Indoor or Outdoor	5 spaces plus 1 space for each employee during the highest employment shift		
	Vertical Indoor Agriculture	1 space per person employed on the highest employment shift		
	Vehicle and Equipment Repair, Commercial and Industrial	5 spaces plus 1 space for each employee during the highest employment shift		
	Warehouse and Distribution Facilities	1 space per person employed on the highest employment shift		
	Other Light Manufacturing			

Use Category	Use	Minimum Spaces Required	Maximum Spaces Allowed	Additional Requirements
	Agricultural Products Processing	1 space per person employed on the highest employment shift		
Medium Industrial	Assembly Use		NA	
	Machine Shop			
	Meat or Poultry Processing Facility			
	Recycling Processing Facility			
	Solar Energy System, Commercial	NA		
	Vehicle Assembly	1 space per person employed on the highest employment shift		
	Water Treatment Facility			
	Freight Service			
Heavy Industrial	Mining	1 space per person employed on the highest employment shift	NA	
	Wind Energy System, Commercial	NA		
	Other Heavy Manufacturing	1 space per person employed on the highest employment shift		
	Other Heavy Manufacturing	1 space per person employed on the highest employment shift		
INSTITUTIONAL				
Public and Institutional Uses	Cemetery	NA	NA	
	Church, Synagogue, Mosque, Temple, Cathedral, or other religious buildings	.25 spaces per seat; or 1 space per 300 sq.ft. of floor area if no seating is present	1 space per 3 seats; or 1 space per 200 sq.ft. of floor area if no seating is present	
	Correctional Facility	1 space per employee on the highest employment shift, plus at least 5 visitor spaces	NA	

Use Category	Use	Minimum Spaces Required	Maximum Spaces Allowed	Additional Requirements
	Educational Facility	Elementary and Middle Schools: 1 space per 20 students design capacity High Schools: 1 space per 8 students design capacity Technical School, College, or University: as determined by Director or Designee[1]	All: 4 spaces per 1,000 sq.ft. of floor area	
	Educational Facility with Residential Accommodation	1 space per 2 tenants at design capacity	1 space per tenant at design capacity	
	Hospital	1 space per 3 patient beds for the total design capacity of the hospital	1 space per patient bed for the total design capacity of the hospital	
	Park and Ride	NA	120 spaces	
	Public Park	2 spaces per 1,000 sq.ft. of courts, ball fields, or pools	3 spaces per 1,000 sq.ft. of courts, ball fields, or pools	
	Resource Recycling Collection Point	1 space per collection bin	2 spaces per collection bin	
	Other Public or Institutional Use	As determined by Director or Designee[2]		

RECREATIONAL				
Fitness and Entertainment	Athletic Clubs	2 spaces per 100 sq.ft.	3 spaces per 100 sq.ft.	
	Club, Locker Club			
	Commercial Recreation, Recreation Facility	2.5 spaces per 1000 sq.ft. of floor area	4 spaces per 1,000 sq.ft. of floor area	
	Reception Hall, Reception Center, Theater, Concert Hall	1 space per 4 people at max occupancy	1 space per 2.5 people at max occupancy	
Outdoor	Campground	1 space per campsite	2 spaces per campsite	Spaces may be arranged one behind another
	Community Garden	NA	NA	
	Outdoor Recreation, Large Scale	As determined by Director or Designee[3]		
	Stable, Public	1 space per employee on the highest employment shift, plus 4 guest spaces	NA	
SPECIALTY				
Specialty Uses	Agritourism	Parking and Stacking Spaces as determined by Director or Designee[4]		
	Apiary			
	Crematorium			
	Drive-Up and Drive Thru Facilities			Drive-Up and Drive-Thru Facilities are subject to the stacking standards in 19.48.100.
	Temporary Use, Seasonal Use or Sales			
	Ski Resort			

Notes:

1. The director shall base the requirement on the combined parking need to accommodate the design capacity of each separate use (assembly, office, recreation, etc.) on the entire site, considering peak parking demand for students, faculty and visitors for each use during daytime, evening, and nighttime hours. In doing so, the director may consider the potential to utilize shared parking among the different uses.

2. The director shall base the requirement on the combined parking need based on the design capacity of each separate use (assembly, office, repair/maintenance areas, etc.) on the entire site, considering the peak parking demand for both employees and visitors taking into consideration, where applicable, the requirements set forth in this chapter for uses or buildings that are similar to the use or building under consideration.
3. The director shall base the requirement on the combined parking need for both active recreational participants and spectators for the entire site based on maximum capacity for the most intensive sporting, recreational or assembly use the site is designed to accommodate (factoring in seating capacity, team sport participants, etc.) taking into consideration, where applicable, the requirements set forth in this chapter for uses or buildings that are similar to the use or building under consideration.
4. The director shall base the requirement on an analysis of the requirements set forth in this section for uses or buildings that are similar to the use or building under consideration, accepted planning industry standards, site specific traffic and parking studies, or comparable ordinances from other jurisdictions.

19.50 Landscaping and Screening – Staff Summary

Purposes:

A. Build upon the current landscaping and screening standards to promote more efficient water usage and sustainability practices in the landscaping of all properties.
B. Bring the code into alignment with the principles of Jordan Valley Water Conservancy District's model ordinance, which local jurisdictions within JVWCD's service area are expected to adopt.
C. Promote the health, safety, and welfare of the community by promoting the best use of water and preserving availability and quality of water resources for future opportunities and generations.

Applicability:

Landscaping and screening standards are intended to be applied to all new development and significant additions to buildings and off-street parking within Salt Lake County. This includes front and side yards of single- and two-family homes and front, side, and rear yards of multi-family homes.

Changes to Note:

Material provisions from the JVWCD's model ordinance have been incorporated throughout Chapter 19.50. However, the following provisions from the JVWCD model ordinance have not been included, due to what staff has determined to be a significant cost and impracticality, relative to similar benefits being provided by the less costly, more practical standards provided in this chapter: requirement for separate metering for landscape irrigation systems, and a water audit requirement.

Other material policy changes to this chapter include the following:

- The application/scope of this chapter has broadened to include single-and two-family dwellings if they are located in Planned Unit Developments or Master Planned Communities. Portions of the chapter apply to three- and four-family dwellings, and the chapter is clarified to apply in its entirety to multi-family dwellings (5 or more attached dwelling units). See Section 19.50.020(D);
- Parking structures, carports, vehicle sales lots, and vehicle/equipment storage lots are no longer exempt from the requirements of the chapter. See Section 19.50.020(F) and contrast with current SLCO Code section 19.77.020(D);
- The exemption for M-1 and M-2 manufacturing zones from certain landscaping requirements has been eliminated. See current SLCO Code section 19.77.050(A)(1);
- The current ordinance's water allowance provision has been eliminated as cumbersome to implement and very difficult to enforce. See current version of SLCO Code section 19.77.030(A) for provision being stricken;
- Exceptions to the requirement to replace trees removed during the development process is provided when a certain density of trees is met. See Section 19.50.040(C)(4);
- The percentage of required vegetative cover that remains living three years after planting has been reduced from 75% to 50% to account for realistic survival rates. See Section 19.50.040(D)(2);
- Tree and shrub size requirements at planting have been added. See Table 19.50.040b;
- Organic and recycled mulch have been added as options for use in landscaping. See Section 19.50.040(D)(7);
- Lawn and turf area limitations have been added, which are consistent with JVWCD standards. See Section 19.50.040(D)(8);

- Design standards for localscapes have been added for residential landscapes. These standards address front and street-facing side yards, gathering areas, activity zones, paths, limits on lawn areas, and small residential lots. See Section 19.50.040(F);
- Design standards for landscaped yards, setbacks, and buffer areas have been added for residential, multi-family, commercial, office, public, industrial, and open space uses, outlining the required landscaping and size for such areas, including maximum area of turf (as a limited percentage of total landscaped area). Buffer areas between nonresidential and residential land uses are required. Landscaping along a building's foundation is required for non-residential and multi-family buildings with vegetation outlined in the section. See Section 19.50.050;
- Landscaping of parking strips is required for new development. The section addresses pavement, lawn, plants, and trees that are permitted in the parking strip, including a prohibition of paving standard size parking strips and of having turf on parking strips less than 8' wide. See Section 19.50.060;
- Landscaping standards for drive-through facilities include requirements for trees, ground covering, and mulch. Turf is not allowed for this landscaping. See Section 19.50.080;
- New screening standards for dumpster areas, loading berths, and outdoor storage and display areas address fencing, walls, vegetation, and/or location of these areas. See Section 19.50.120(A)-(C);
- New tree and landscaping trimming standards, including consolidation of some existing standards from SLCO Code chapters 14.44, 14.12, and 14.20. See Section 19.50.180.
- Single and two-family residents that are not within a planned unit development are now required to comply with aspects of the landscaping ordinance from which they were previously exempt, including minimum front yard landscaping and park strip landscaping.

Resources Utilized:

- Chapter 19.77 WATER EFFICIENT LANDSCAPE DESIGN AND DEVELOPMENT STANDARDS
- 18.24.145 Fencing Requirements
- 19.45.150 Screening
- 19.69.120 Development Standards
- 19.72.030 Development Standards
- 19.72.040 Establishment Of Limits Of Disturbance
- 19.72.070 Definitions
- 19.77.070 Screening Of Service And Mechanical Equipment
- 19.78.030 Development Requirements
- 19.80.030 Specifications
- 19.83.090 Additional Requirements
- Jordan Valley Water Conservancy District - https://jvwcd.org/, including their model code
- Localscapes - https://localscapes.com/
- Utah State University Extension –
- https://extension.usu.edu/sustainability/water/index
- https://extension.usu.edu/waterquality/
- Fort Collins, Colorado Land Use Code
- Salt Lake City, Utah Land Use Code

Chapter 19.50: Landscaping, Screening, and Water-Efficiency Standards

Sections:

19.50.010 – Purpose of Provisions.

The intent of this Chapter is to establish landscaping, screening and water-efficiency standards for new and expanded development to ensure efficient usage of water, establish landscaping quality standards, improve landscaping maintenance, promote land-use compatibility, and support the general welfare of the community. The provisions of this Chapter work toward the following goals:

A. Increased water conservation and water-efficiency;

B. Preservation and enhancement of design continuity throughout the community;

C. Improved management and quality of stormwater runoff;

D. Improved health of plant and animal species;

E. Increased compatibility between land uses;

F. Enhanced property values;

G. Reduction of development-related environmental impacts through mitigation of erosion, noise, dust, glare, and air pollution;

H. Reduction of energy consumption through the prudent placement of plants;

I. Reduction of absorption and re-generation of heat from impervious surfaces;

J. Spatial and visual separation of;

   1. Vehicular and pedestrian functions within on-site vehicular circulation and parking areas, and
   2. Parked vehicles from public view and adjacent travel ways;

K. Enhanced outdoor spaces through increased usage of native and drought tolerant plant species in the developed environment; and

L. Reduced landscape maintenance responsibilities and costs.

19.50.020 – Scope and Applicability.

The standards of this Chapter apply to:

A. New Development. Construction of any new building, including tear-down and reconstruction of an existing building (but not including construction of an accessory building), and/or off-street parking facilities shall comply with the provisions of this Chapter. Existing landscaping must be made to conform to the provisions of this ordinance when landscaping for public agency projects, private commercial, industrial, or multifamily projects are modified or rehabilitated. Routine maintenance, such as pruning, fertilizing, weeding, relocation/repair of irrigation components, and application of pesticides, does not qualify as a modification or rehabilitation.

B. Building Additions. Building additions which increase building coverage by twenty percent (20%) or more require the entire property to fully comply with this Chapter. The Director or Designee may grant relief from full compliance based on factors cited in the *exemptions* subsection (G).

C. Building Renovations. Building renovations, whether involving interior or exterior work, do not trigger a requirement for the property to fully comply with this ordinance. However, if such work involves the removal of existing plants, a comparable number and type of plants shall be installed.

D. Residential Properties:

1. Single- and Two-Family Dwellings. Subject to subsection (4), single- and two-family dwellings shall comply with Subsection 19.50.050.A.1 and Section 19.50.170, but are exempt from all other sections of this Chapter.

2. Three- and Four-Family Dwellings. Subject to subsection (4), Three- and Four-Family Dwellings shall comply with the provisions of this Chapter for front yards and side yards only, and he rear yard is not subject to the requirements of this Chapter.

3. Multi-Family Dwellings. Residential properties or developments with five (5) or more attached units are subject to all provisions of this Chapter, including rear yards.

4. Subject to the County Land Use Development and Management Act, dwellings in subsections (1) and (2) that are located within a planned unit development or master planned community shall comply with this chapter.

E. Off-Street Parking Expansions.

1. Fifty Percent (50%) or less. A parking expansion which increases the number of parking stalls by fifty percent (50%) or less requires that the newly established expansion area be brought into compliance with both the interior and exterior/perimeter landscape requirements of this Chapter.

2. Fifty Percent (50%) or more. A parking expansion which increases the number of parking stalls by fifty percent (50%) or more requires that the entire expansion area be brought into compliance with both the interior and exterior/perimeter landscape requirements of this chapter. The pre-existing parking area, while not required to be retroactively brought into compliance with this Chapter's interior parking area landscape requirements, shall be made to conform to exterior/perimeter area landscape standards.

3. Repeated Expansions. Repeated expansions of parking facilities over time are combined in determining whether the fifty percent (50%) threshold has been reached.

F. Exemptions. The provisions of this Chapter do not apply to the following:

1. Exemption for Historic District Contributing Buildings. Properties listed on either the State or National Historic Registers are subject to regulations that apply to such properties but are not otherwise subject to this chapter.

19.50.030 – Landscape Irrigation Standards and Efficient Water Usage.

A. Irrigation Requirements in the Landscape. Irrigation design standards for this chapter shall be as outlined in the latest version of the "Minimum Standards for Efficient Landscape Irrigation System Design and Installation" prepared by the Utah Irrigation Association. In addition, the following shall also be applicable:

1. All irrigation shall be appropriate for the designated plant material to achieve the highest water efficiency in accordance with the following standards: Drip irrigation or bubblers shall be used except in Lawn areas. Drip irrigation systems shall be equipped with a pressure regulator, filter, and flush-end assembly.

2. A pressure regulating valve shall be installed and maintained by the consumer if the static service pressure exceeds 80 pounds per square inch (psi). The pressure-regulating valve shall be located

between the meter and the first point of water use, or first point of division in the pipe, and shall be set at the manufacturer's recommended pressure for the sprinklers.

3. Turf and non-turf areas shall be irrigated on separate irrigation valves. Drip emitters and sprinklers shall be placed on separate irrigation valves. In addition, drip emitters and sprinklers shall be placed on separate irrigation valves.
4. Landscaped areas shall be provided with a WaterSense labeled smart irrigation controller, which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions, and has multiple program and repeat cycle capabilities and a flexible calendar program. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities, and the ability to adjust run times based on a percentage of maximum ET_0.
5. On slopes exceeding 30 percent, the irrigation system shall consist of drip emitters, bubblers or sprinklers with a maximum precipitation rate of 0.85 inches per hour and adjusted sprinkler cycle times to eliminate runoff.
6. Drip emitters or a bubbler shall be provided for each tree. Bubblers shall not exceed 1.5 gallons per minute per device. Bubblers for trees shall be placed on a separate valve unless specifically exempted by the County due to the limited number of trees on the project site.
7. Sprinklers shall have matched Precipitation Rates with each control valve circuit.
8. Check valves shall be required where elevation differences will cause low-head drainage. Pressure compensating valves and sprinklers shall be required where a significant variation in water pressure will occur within the irrigation system due to elevation differences.
9. Drip irrigation lines shall be undergrounded, except for Emitters and where approved as a temporary installation. Filters and end flush valves shall be provided as necessary.
10. Valves with spray or stream sprinklers shall be scheduled to operate between 6 p.m. and 10 a.m. to reduce water loss from wind and evaporation.
11. Valves shall be programmed for multiple repeat cycles where necessary to reduce runoff, particularly on slopes and soils with slow infiltration rates.
12. All landscape irrigation systems shall be installed by an IA certified irrigation contractor. The certified person representing the contracting firm shall be a full-time employee of the firm and shall be directly involved with the project, including at least weekly site visits.

B. Introduction and Use of Native and Other Drought-Tolerant Plants. To promote maximum water conservation, at least eighty percent (80%) of the trees and shrubs used on a site shall be water conserving species, capable of withstanding dry conditions once established. Native plants shall be used to the maximum extent feasible. Drought-tolerant grass varieties shall be used in areas planted in turf or Lawn. Lists of plants that satisfy these requirements and that are available locally may be obtained from the Director or Designee or by referencing Utah State University Extension Center for Water-Efficient Landscaping Water-Wise Plants for Utah Landscapes website.

C. Plant Establishment and Arrangement Based on Water Consumption. Though there are many ways plants can be distinguished from one another, the categorization based on water use is critical for the purpose of this ordinance. The establishment and arrangement of plants on a site according to the water needs of those plants is commonly referred to as *hydrozone management*. Hydrozone management is required by this Chapter and shall be implemented using the following techniques:

1. High water use plants, whenever practical, shall be separated from medium, low, and very low water plant material within the landscape. No more than twenty percent (20%) of plants on a site shall be high water use plants.

2. Plants with similar water needs should be clustered within the landscape in areas where water needs can be feasibly managed using independent hydrozones.
3. Each independent hydrozone shall identify an inches per square foot annual irrigation target intended to maintain the plant material selected for the zone at maturity.
4. Each independent hydrozone will identify an irrigation strategy to meet irrigation target established for the hydrozone.
5. For projects located at the interface between urban areas and natural (non-irrigated) open space, extra-drought-tolerant plants that are compatible with the native vegetation should be used.

D. Areas with slopes greater than thirty percent (30%) shall be landscaped with deep-rooting, water-conserving plants for erosion control and soil stabilization. Lists of plants that satisfy these requirements and that are available locally may be obtained from the Director or Designee or by referencing Utah State University Extension Center for Water-Efficient Landscaping Water-Wise Plants for Utah Landscapes website.

E. Park strips and other landscaped areas less than eight feet (8') wide shall be landscaped with water-conserving plants in compliance with 19.50.060. Turf grass is prohibited. Lists of plants that satisfy these requirements and that are available locally may be obtained from the Director or Designee or by referencing Utah State University Extension Center for Water-Efficient Landscaping Water-Wise Plants for Utah Landscapes website.

F. Soil Preparation. Soil preparation will be suitable to provide healthy growing conditions for the plants and to encourage water infiltration and penetration. Soil preparation shall include scarifying the soil to a minimum depth of six (6) inches and amending the soil with organic material as per specific recommendations of the Landscape Designer/Landscape Architect based on the Soils Report.

19.50.040 – Landscape Design Standards.

A. Standards Applicable to All Developments. Required site landscape improvements shall be provided in accordance with the standards and design guidelines set forth in this Chapter. The standards set forth herein are numerically measurable to readily facilitate the preparation, review and approval of landscape plan submittals and the subsequent verification of compliance with the requirements of the Chapter. Design guidelines are intended to clarify the principles associated with specified standards, provide guidance for the review and approval of submitted landscape plans, and provide flexibility for design professionals who wish to propose alternative compliance approaches.

B. Retention of Significant Natural Features. Features that are unique to a property, such as that property's natural topography, existing vegetation, or riparian features should be taken into consideration in the planning and design of landscape improvements for that property. Priority is to be given to the preservation or protection of existing undisturbed areas in the which vegetative cover of 60% or greater is dominated by mature native tree or wooded riparian species are present within a proposed development site. The proposed locations of streets, buildings and lots should, to the extent possible, minimize disturbance to these areas.

C. Tree Preservation, Removal, and Replacement.
1. Preservation of Existing Trees. Whenever any construction activity occurs on a lot or parcel requiring a landscape plan, all healthy, existing trees should be preserved to the maximum extent feasible.
2. Removal of existing, living trees having a caliper of four inches (4") or larger shall be subject to the Replacement provisions below.

a. Preserved trees shall be credited to the satisfaction of replacement trees on a three to one (3-to-1) caliper-to-caliper basis.

b. Preserved trees shall be credited toward the satisfaction of the tree planting requirements of this Chapter.

c. Where existing trees are to be protected, the following standards shall apply:

   i. A fenced tree protection zone shall be established around each tree or cluster of trees to be retained. The perimeter of this zone, which shall coincide with the drip line of the tree or trees to be protected, shall be clearly marked with high-visibility materials at a minimum height of four feet (4').

   ii. The storage or movement of equipment, material, debris, or fill is prohibited within the fenced tree protection zone to minimize soil compaction around roots.

   iii. The cleaning of equipment or material or the storage and disposal of waste material such as paints, oils, solvents, asphalt, concrete, motor oil, or any other material harmful to the life of a tree is prohibited within the drip line of any protected tree or group of trees.

   iv. No cut or fill is permitted within the drip line of any protected existing tree or group of trees unless a qualified arborist, forester, or landscape architect has evaluated and approved the disturbance.

   v. All protected existing trees shall be pruned as specified by a qualified arborist or forester.

   vi. No damaging attachment, wires, signs, or permits may be fastened to any protected tree.

   vii. Large property areas containing protected trees and separated from construction or land clearing areas, road rights-of-way, and utility easements may be "ribboned off," rather than erecting protective fencing around each tree as required above. This may be accomplished by placing metal t-post stakes a maximum of fifty feet (50') apart and tying ribbon or rope from stake-to-stake along the outside perimeters of such areas being cleared.

   viii. If turf and irrigation is removed, then new irrigation is required to water the existing trees to be protected.

d. The removal of trees is allowed under the following circumstances:

   i. Where trees have naturally fallen or are dead.

   ii. Where trees have been diagnosed by a qualified arborist as unhealthy beyond reasonable rehabilitation.

   iii. Where the species is classified by the Utah Department of Agriculture and Food as a noxious weed.

   iv. Where trees are determined to be potentially harmful to the public health, safety, or welfare due to tripping hazards, disease, foreseeable loss of limb or tree fall, or similar risks.

   v. Where it has been determined by the County that tree removal is necessary to restore clear visibility at driveways and intersections in accordance with applicable standards.

3. <u>Replacement of Existing Trees</u>.

   a. Existing trees having a caliper of four inches (4") in size or greater which are removed as a result of development or construction shall be replaced on the development site by trees of no less than two-inch caliper in size. The required replacement ratio shall be one (1) tree for

every two (2) caliper inches (cumulative) of trees removed. Replacement trees shall not be credited toward the satisfaction of the tree planting requirements of this Chapter but shall be in addition to that otherwise specified.

b. Trees identified for preservation on the landscape plan, but which die during construction, shall be considered "existing trees removed" and shall be replaced.

4. Maximum Replacement. On development sites with significant existing tree cover, the full replacement of removed trees may be impractical. In such instances, the regulations set forth below will apply:

a. Residential and Open Space Uses. The installation of new and replacement trees shall be required up to the point where the average for the entire site reaches twenty (20) total trees per acre of landscape area (includes existing four-inch (4") caliper and larger trees and new trees).

b. For Non-Residential Uses. The installation of new and replacement trees shall be required up to the point where the average for the entire site reaches ten (10) total trees per acre of landscape area (includes existing four-inch (4") caliper and larger trees, and new trees).

D. New Plantings. The measurements and specifications for all live plants used to fulfill the requirements of this Chapter shall be as set forth in the American Standard for Nursery Stock (ANSI Z60.1-204) as published and periodically amended by the American Nursery and Landscape Association. The following are minimums in relation to those standards. Nothing in this Chapter shall be interpreted to prohibit the provision of landscape improvements in excess of these minimums.

1. Plant Quality. Required plant materials shall be nursery or field grown, and shall be healthy, well-branched vigorous stock with a growth habit normal to the species and variety, free from defects decay, disfiguring roots, sun-scald, injuries, abrasions of the bark, plant diseases, insect pest eggs, borers, and all forms of infestations or objectionable disfigurements of diseases, insects, and injuries.

2. Plant Coverage and Growth Rate. Within three (3) years of the initial planting, at least fifty percent (50%) of the initial planting's plant cover (excluding tree canopies) shall be living

3. Species Diversity. A variety of plant species shall be utilized in all site landscaping. No one species may make up more than twenty-five percent (25%) of the total non-turf plant materials within the landscaped area. Species diversity is required to prevent uniform insect or disease susceptibility and to stem the untimely degeneration or premature deterioration of trees planted or retained on a development site or in the adjacent area. The minimum requirements in Table 19.50.040.a shall apply.

a. Special consideration shall be given to canyon areas to protect against decimation due to insect or disease infestations.

Table 19.50.040a: Tree Species Diversity Based on Number of Trees.

Total Number of Trees on Site	Maximum Percentage of Any One Species
10-19	50%
20-39	33%
40-59	25%
60 or more	15%

4. Tree Placement. Trees should be located to provide summer shade and limit winter shade on walks, parking lots, and streets.
5. Root Accommodation. To prevent roots from uplifting or cracking sidewalks or other hard surface improvements in the vicinity of the tree, no tree listed in 19.50.060.G.1 may be planted within eight feet (8') of a sidewalk, driveway, or parking lot. Trees listed in 19.50.060.G.2 may be planted up to, but no closer than four feet (4') from a sidewalk, driveway, or parking lot. Root barrier collars and root path trenches should be installed as determined by the landscape design professional set forth under 19.50.130.A.2 of this chapter to provide such protection and to ensure healthy tree root growth.

6. Plant Size Requirements at Planting. All new and replacement trees, shrubs, and other plants shall meet the minimum size requirements shown in Table 19.50.040.b.
   a. Where plant materials are secured on the basis of container size, equivalency shall be in accordance with the American Standard for Nursery Stock (ANSI Z60.1-204) as published and periodically amended by the American Nursery and Landscape Association.

Table 19.50.040b: Tree and Shrub Size Requirements at Planting.	
Plant Type	**Size**
Deciduous trees	Two-inch (2") caliper
Ornamental and flowering trees	One and one-half inch (1.5") caliper OR six feet (6') in height
Evergreen trees	Six feet (6') in height
Spreading shrubs	Eighteen inches (18") of spread at the time of planting AND grown in a five (5) gallon container
Upright shrubs	Twenty-four inches (24") of spread at the time of planting AND grown in a five (5) gallon container
Herbaceous plants	One (1) gallon container

7. Mulch. At least four inches (4") of mulch, permeable to air and water, shall be used in planting beds to inhibit weed growth, moderate soil temperature, and improve water retention. Newly planted trees in areas predominantly improved with turf shall be provided a plant-free, mulched area with a minimum radius of four feet (4') around the trunks to protect the trunks from turf-maintenance operations and expedite tree root establishment. Nonporous materials (e.g., plastic) may not be placed under mulch. Bare soil is not permitted. The following types of mulch are permitted:
   a. Organic mulch. Bark mulch or other organic landscape mulch commonly used in the industry.
   b. Gravel mulch. Ornamental landscape gravel of fine aggregate, not exceeding one-half inch (.5"). White and black gravel is prohibited.
   c. Recycled mulch. Mulch made of recycled materials may be accepted upon the Director's or Designee's review and approval.
8. Lawn and Turf Areas.
   a. Lawn may not be installed in park strips, paths, on slopes greater than twenty-five percent (25%) or four-to-one (4:1) grade or be less than eight feet (8') wide at its narrowest point.

E. Drought-tolerant grass varieties shall be established and maintained. Lists of grasses that satisfy these requirements and that are available locally may be obtained from the Director or Designee or by referencing Utah State University Extension Center for Water-Efficient Landscaping Water-Wise Plants for Utah Landscapes website.

1. In commercial, industrial, institutional, and multi-family development common area landscapes, Lawn areas shall be equal to or less than twenty percent (20%) of the total landscaped area, outside of Active Recreation Areas.
2. Coverage Requirements for Landscape Improvements. Areas of a site not covered with buildings or pavement are considered landscape areas and shall be covered with trees, shrubs, groundcover, flowers/herbaceous plants, mulch, or turf in compliance with the standards set forth in this Chapter. Areas of bare dirt are not allowed.

F. In residential landscapes, the landscaping shall adhere to the following requirements:

1. If size permits, the landscaped areas of the front yard and street-facing side yard shall include a designed central open shape created by using lawn, hardscape, groundcover, gravel, or mulch.
2. Gathering Areas shall be constructed of hardscape and placed outside of the central open shape. In a landscape without Lawn, Gathering Areas may function as the Central Open Shape.
3. Activity Zones shall be located outside of the Central Open Shape and shall be surfaced with materials other than Lawn.
4. Paths shall be made with materials that do not include Lawn, such as Hardscape, Mulch, or other groundcover.
5. Lawn areas may not exceed two hundred and fifty square feet (250 sq. ft.), or thirty-five percent (35%) of the Total Landscaped Area, whichever is greater.
6. Small residential lots, which have no back yards, which the Total Landscaped Area is less than two hundred and fifty square feet (250 sq. ft.), and which the front yard dimensions cannot accommodate the minimum eight feet (8') wide Lawn area requirement of the Landscaping Requirements, are exempt from the eight feet (8') minimum width Lawn area requirement.

G. Certain special purpose landscape areas (e.g. stormwater management areas, etc.) may receive exceptions from the slope limitations and other elements of the landscaping requirements consistent with their purpose. Applications to receive exceptions are to be considered on a case-by-case basis as justified by the engineering design submitted by the by applicant and reviewed by the Director or Designee after receiving a recommendation from the County engineering division that there is no other economically feasible alternative.

19.50.050 – Landscape Yards or Setbacks and Buffer Areas.

A. Frontage Landscape Setbacks. Frontage landscape setbacks to provide landscape enhancement along public and private streets are required as follows:

1. Single-Family, Two-Family, Three-Family, and Four-Family Dwellings.
   a. Area Required. The front yard area and any street-facing side yard shall be maintained as a landscape setback, except that driveways and pedestrian walkways are permitted.
   b. Required Landscaping. The landscaping shall adhere to the requirements as outlined in section 19.50.040.
      i. The front yard area shall be maintained with landscaping comprised of shrubs, flowers/herbaceous plants, trees, turf, or any combination thereof.

ii. Areas of bare ground, mulch, or gravel may not be used as a substitute for landscaped areas.

iii. Mulch/gravel areas shall not extend more than five feet (5') from the branching of shrubs or trunks of trees.

iv. At least one tree, either shade or ornamental, shall be planted for every twenty-five feet (25') of yard frontage, rounded to the nearest whole number.

v. At least fifty percent (50%) of any landscaped areas must have canopy coverage from live plant growth.

vi. A maximum of fifty percent (50%) of the front yard area and any street-facing side yard shall be impervious surfaces.

c. The area of domestic turf on any property may not exceed two hundred fifty square feet (250 sq.ft.), or thirty-five (35%) of the total landscape area, whichever is greater.

B. Multiple-Family Uses.

a. Area Required. Unless a reduced building setback has been allowed by ordinance or variance, a landscape setback of twenty feet (20') in depth shall be maintained along the property frontage, except that driveways and pedestrian walkways are permitted.

b. Required Landscaping.

i. The front yard area shall be maintained with landscaping comprised of shrubs, flowers/herbaceous plants, trees, turf, or any combination thereof.

ii. Areas of bare ground, mulch, or gravel may not be used as a substitute for landscaped areas.

iii. Mulch/gravel areas shall not extend more than five feet (5') from the branching of shrubs or trunks of trees.

iv. At least one tree, either shade or ornamental, shall be planted for every twenty-five feet (25') of yard frontage, rounded to the nearest whole number.

v. At least one shrub shall be planted for every forty square feet (40 sq. ft.) of landscape area within the landscape setback. Three herbaceous plants with a mature height of thirty inches (30") or more may be substituted for one shrub.

c. Maximum Area of Turf. The area of domestic turf on any property shall not exceed thirty five percent (35%) of the total landscape area.

2. Commercial, Office, and Public Uses.

a. Area Required. If a front yard is provided, the approved landscaping shall be maintained along the frontage, except that driveways, patios, seating areas, and pedestrian walkways are permitted. Where the front yard is subject to a build to line requirement, the entire front yard setback shall be landscaped.

b. Patio Seating. Up to fifty percent (50%) of the required landscape area for restaurants can be patio seating.

c. Required Landscaping.

i. The landscape setback area shall be maintained with landscaping comprised of shrubs, flowers/herbaceous plants, trees, turf, or any combination thereof.

ii. Areas of bare ground, mulch, or gravel may not be used as a substitute for landscaped areas.

iii. Mulch/gravel areas shall not extend more than five feet (5') from the branching of shrubs or trunks of trees.

iv. At least one tree, either shade or ornamental, shall be planted for every twenty-five feet (25') of yard frontage, rounded to the nearest whole number.

v. At least one shrub shall be planted for every forty square feet (40 sq. ft.) of landscape area within the landscape setback. Three herbaceous plants with a mature height of thirty inches (30") or more may be substituted for one shrub.

vi. If a patio area is established, planter boxes, hanging plants or vines, or similar landscaping types shall be included to visually soften the hard surface of the patio area.

d. Maximum Area of Turf. The area of domestic turf on any property shall not exceed thirty five percent (35%) of the total landscape area.

3. Industrial Uses.

a. Area Required. The required front yard area shall be maintained as a landscape setback, except that driveways and pedestrian walkways are permitted.

b. Required Landscaping.

i. The landscape setback area shall be maintained with landscaping comprised of shrubs, flowers/herbaceous plants, trees, turf, or any combination thereof.

ii. Areas of bare ground, mulch, or gravel may not be used as a substitute for landscaped areas.

iii. Mulch/gravel areas shall not extend more than five feet (5') from the branching of shrubs or trunks of trees.

iv. At least one tree, either shade or ornamental, shall be planted for every twenty-five feet (25') of yard frontage, rounded to the nearest whole number.

v. At least one shrub shall be planted for every forty square feet (40 sq. ft.) of landscape area within the landscape setback. Three herbaceous plants with a mature height of thirty inches (30") or more may be substituted for one shrub

c. Maximum Area of Turf. The area of domestic turf on any property shall not exceed thirty five percent (35%) of the total landscape area.

4. Open Space Uses. Open space uses such as parks, golf courses, sports fields, cemeteries, etc.

a. Area Required. The required front yard area shall be maintained as a landscape setback, except that driveways and pedestrian walkways are permitted.

b. Required Landscaping. The landscape setback area shall be maintained with landscaping comprised of shrubs, flowers/herbaceous plants, trees, turf, or any combination thereof.

C. Buffer Areas between Nonresidential and Residential Land Uses. The following provisions apply whenever a non-residential use abuts with a residential or open-space use. The provisions do not apply when non-residential uses abut residential or open space uses within the mixed use districts of chapter 1.36 or within mixed-use development in the PC district of chapter 19.40.

1. Landscape Area. A landscaped buffer area not less than twenty feet (20') wide shall be required between nonresidential and residential uses.

2. Required Landscaping.

a. The landscape buffer area shall be maintained with landscaping comprised of shrubs, flowers/herbaceous plants, trees, turf, or any combination thereof.

b. Areas of bare ground, mulch, or gravel may not be used as a substitute for landscaped areas.

c. Mulch/gravel areas may not extend more than five feet (5') from the branching of shrubs or trunks of trees.

d. At least one tree, either shade or ornamental, shall be planted for every twenty feet (20') of length of the buffer, rounded to the nearest whole number. Trees may be planted in a linear or cluster arrangement, so long as the spacing of provided trees provides a continuous canopy when fully grown, separating the nonresidential use from the adjacent residential use. If a linear arrangement of trees is provided, tree spacing shall not exceed twenty feet (20') on center.

e. At least one shrub shall be planted for every thirty square feet (30 sq. ft.) of landscape area.

D. Building Foundation Landscaping.

1. If a multi-family residential, mixed-use, or non-residential development maintains a front or corner side yard of ten feet (10') or more, building foundation landscaping is required.

2. Foundation plantings should be designed to work in concert with buffer yard plantings to frame important views and to visually soften long expanses of walls, particularly those that lack windows or other architectural details. Foundation plantings should be compatible with the materials and the form of a building.

3. Foundation plantings shall be installed across sixty percent (60%) of the length of the facade of the building.

4. Foundation plantings may consist of a mix of trees, shrubs, and herbaceous plants.

5. To prevent crime, foundation plantings shall not block or hide building entrances or windows.

6. Landscaping requirements for sides of retail buildings facing accessory parking lots may be reduced or eliminated to the extent required to accommodate pedestrian access.

19.50.060 – Landscaping of Park Strips.

A. Landscaping Responsibility. Although park strips are part of the public right-of-way, it is the responsibility of the property owner immediately adjacent to a park strip to provide for maintenance of that park strip. This responsibility includes the establishment and maintenance of landscaping that conforms to these regulations

B. Irrigation. It is the responsibility of the adjacent property owner to provide regular and adequate watering to ensure the health of park strip landscaping. If the adjacent property is irrigated, the irrigation system shall be extended to include the park strip. Irrigation should be fit to the parking strip, limiting overspray from overhead sprinklers onto roads, parking lots, and other impermeable surfaces; use of drip emitters or spray sprinklers shall be used to accomplish this.

C. Applicability.

1. Any new development shall provide park strip landscaping in conformance with these regulations.

2. Existing development is not required to provide park strip landscaping, except where the provisions of section 19.50.020 apply.

3. Any new park strip landscaping done in conjunction with existing development shall conform to these regulations.

D. Landscape Plans. For all new development, park strips shall be shown on all landscape plans for approval.

E. Pavement in Park Strips.

1. A paved pedestrian walkway up to five feet (5’) in width is allowed across any park strip.
2. Hardscape is allowed in park strips of less than four feet (4’) in width, as measured from the back of the curb to the sidewalk.
   a. Hardscape may consist of permeable or impermeable concrete stamped with an Ashlar Slate pattern with a grey or brown color.
   b. Grey or brown bricks or paving stones may also be used.
   c. The use of hardscape materials in park strips on local streets in residential zones is not limited to the use of stamped concrete, brick, or paving stones.

3. Double Fronting Lots and Side Yard, Corner Lots. Where a street facing side or rear yard is adjacent to a collector or arterial street, and no access is permitted to the collector or arterial street, the following standards shall apply:
   a. A park strip must be installed that is at least five feet (5') wide between the roadway edge of sidewalk and back of curb.
   b. Street trees shall be installed in accordance with subsection 19.50.060(G). irrigation shall be provided to ensure that the street trees thrive.
   c. A decorative fence or wall shall be installed along the entire frontage of the collector or arterial subject to Section 18.14.160. Fencing Requirements, and Subsection 19.46.100(D) Intersecting Streets and Clear Visibility. The Municipal Engineering Division may permit an extended clear view area subject to APWA and adopted municipal standards. Any area between the fence or wall and the sidewalk shall include hardscape, gravel mulch placed over a water permeable weed barrier, or another approved treatment that precludes the growth of weeds.
   d. Live plant material other than the required street trees is appropriate only where a homeowner's association or special service district will provide adequate maintenance. If there is live plant material, a maintenance agreement must be entered into with Salt Lake County prior to the installation of the park strip landscaping. Turf may only be installed in a park strip that is at least eight feet (8') wide.
   e. Unless live plant material is installed in accordance with Subsection 19.50.060(E)(3)(d) , stamped concrete shall be installed within a park strip. The stamped concrete must consist of an Ashlar Slate pattern with a grey or brown color.

F. Plants, Mulch and Weed Control.

1. The type of plants used in park strip landscaping shall be at the discretion of the adjacent property owner, subject to these regulations. The use of water efficient standards as outlined in Landscape Irrigation and Efficient Water Use Section 19.50.030 of this Chapter is required.
2. Lawn is prohibited in areas less than eight feet (8’) wide. The use of drought-tolerant plants is encouraged.
3. No less than thirty percent (30%) of the ground area of a park strip may be covered by plants, not including tree canopies. These plants may include evergreen or deciduous groundcover, herbaceous plants, or shrubs that do not exceed a mature height of eighteen inches (18”). No plant may create a visibility obstruction for motorists per applicable standards.
4. Plants and mulch shall be installed in accordance with Subsection 19.50.040(D) of this chapter.

5. Gravel, recycled material, and other inorganic mulch types must include a water permeable weed barrier under the mulch. Gravel mulch shall consist of fine aggregates not exceeding one-half inch (0.5") in diameter. Boulders weighing at least twenty pounds may be used in landscaping treatments.
6. Organic mulch shall be maintained at a depth of not less than 3".
7. Bare soil is not permitted.

G. Trees in Park Strips. One deciduous tree shall be planted in the park strip area for every twenty-five (25) linear feet of lot frontage, rounded to the nearest whole number. Park strips less than five feet (5') wide as measured from curb to sidewalk are not subject to this requirement. All trees shall be planted in the center of the width of the park strip.

1. Trees Prohibited for Park Strips. The following trees or shrubs are prohibited in the park strip, as conflicting with the safe use of the right of way.
   a. Box Elder – *Acer negundo*
   b. Silver Maple – *Acer saccharinum*
   c. Tree of Heaven – *Ailantus altissima*
   d. River Birch – *Betula nigra*
   e. Russian Olive – *Eleagnus angustifolia*
   f. Poplar (all, includes Cottonwood) – *Populus spp*.
   g. Quaking Aspen – *Populus tremuloides*
   h. Flowering Plum – *Prunus cerasifera*
   i. Pin Oak – *Quercus palustris*
   j. Idaho Locust – *Robina x ambigua* 'Idahoensis'
   k. Willow (all) – *Salix spp*.
   l. Siberian Elm – *Ulmus pumila*
   m. Ash (all) - *Fraxinus spp.* Susceptible to Emerald Ash Bore
   n. Flowering Pear (Bradford) - *Pyrus calleryana.* Weak wood & Branch structures with a high susceptibility to fire blight
   o. Conifers/Evergreens (Pine, Spruce, Fir, Cedar, & Juniper) - These trees have shallow root systems and a high degree of required maintenance due to pinecones and low branch growth
   p. Fruit Trees (Apple, Pear, Peach, Apricot, & Cherry) - Fruit producing trees are not appropriate for park strip applications due to high maintenance required for fruit bearing trees in a public, pedestrian space
2. Trees Recommended for Park Strips.
   a. Paperbark Maple – *Acer Griseum*
   b. Tatarian Maple, single stemmed – *Acer tatrium*
   c. Netleaf Hackberry – *Celtis reticulate*
   d. Thornless Cockspur Hawthorn – *Crataegus crus-galli var. inermis*
   e. La Valle Hawthorn – *Crataegus x lavallei* 'Carrier'
   f. Amur Maakia – *Maackia amurensis*
   g. Fruitless Crabapple – *Malus, ioensis* 'Klem's Improved' *or* 'Spring Snow', etc.

a. Eastern redbud – *Cercis Canadensis*
b. Little Leaf Lindon - *Tilia cordata*
c. Frontier Elm - *Ulmus "Frontier"*
d. Zelkova (all) - *Zelkova spp.*

3. Trees Appropriate for Use Under Powerlines.
   a. Netleaf Hackberry – *Celtis reticulate*
   b. Thornless Honeylocust – *Gleditsia tricanthos var. inermis* 'Imperial'
   c. Goldenrain Tree – *Koelreuteria paniculate*
   d. Crabapple spp – *Malus ioensis* 'Spring Snow,' 'Snow Drift,' 'Centurion,' and 'Zumi'
   e. Japanese Pagodatree – *Sophora japonica* 'Regent'
   f. Wireless zelkova serrulata
4. Other species of trees with deep root systems, large canopies, low maintenance, disease and pest resistance, and tolerance for urban conditions may be used, subject to review and approval by the Director or Designee.

19.50.070 – Landscaping of Parking Lots.

A. Frontage Landscaping. The landscaping of parking lots along public and private streets is subject to the provisions of section 19.50.050.A.

B. Side Landscaping. In parking lots consisting of 5 or more spaces, the landscaping of parking lots parallel to side lot lines shall conform to the following:
   1. A landscape area at least five feet in width, exclusive of car overhang, shall be provided.
   2. Required Landscaping.
      a. At least one tree shall be planted for every 25 feet of length, rounded to the nearest whole number. Trees may be either shade, ornamental or evergreen.
      b. At least one upright shrub shall be planted for every six feet of length.
      c. Additional herbaceous plantings are encouraged.
      d. The remainder of the landscape areas may be covered in mulch, gravel, or turf.

C. Interior Parking Lot Landscaping. Interior, curbed landscape parking lot islands or medians are required in parking lots consisting of 20 or more spaces.
   1. Islands.
      a. Number of Parking Lot Islands.
         i. At least one parking lot island shall be provided for every 10 parking spaces.
         ii. All rows of parking spaces shall be terminated by a parking lot island, which may result in more than one island for every 10 spaces.
         iii. Parking lot island locations may be varied based on specific site requirements or design scheme.
         iv. Where a row of parking exceeds 20 spaces, a parking lot island shall be located in the middle of the row.
      b. Size of Parking Lot Islands.

i. Parking lot islands shall be the same dimension as a standard parking stall, as required in section 19.48.030.

ii. Double rows of parking shall provide parking lot islands that are the same dimension as the double row.

2. Medians.

a. Number of Parking Lot Medians.

i. One continuous median per row of head-in parking stalls may be used in place of parking lot islands.

b. Size of Parking Lot Medians.

i. The length of parking lot medians shall be equal to the length of each row of parking stalls when the median abuts a single row of parking stalls or acts as a divider median separating opposing rows of head-in parking stalls.

ii. The width of parking lot medians shall be:

i. Eight feet where divider medians occur adjacent to head-in parking stalls, or

ii. 10 feet for divider medians separating opposing rows of head-in parking stalls.

D. <u>Interior Parking Lot Design.</u>

1. Design of Parking Lot Islands and Medians.

a. Parking lot islands, medians, or landscaped areas shall be surrounded by a six-inch high concrete curb. In cases where the parking lot island or median is designed specifically for the absorption of stormwater, the curb requirements may be modified in accordance with applicable standards.

b. Islands, medians, and landscaped areas shall be drained and irrigated, as appropriate for the site conditions and plant species, to ensure healthy plant growth.

2. Required Trees.

a. One shade tree shall be planted for every 25 feet of length in a parking lot median.

b. A minimum of one shade tree shall be provided for every parking lot island.

c. If the island extends the width of a double row, then two shade trees shall be provided.

3. Groundcover Plantings.

a. A minimum of 50% of the surface area of each parking lot island or median shall be planted in low-growing shrubs, groundcover, perennials, ornamental grasses or other herbaceous plants.

b. To avoid visibility obstructions, plantings shall not reach a mature height of more than 30 inches.

c. The use of drought-tolerant plants is encouraged.

d. The entire parking lot island or median shall be mulched to promote plant health and retain water.

e. No turf shall be planted in parking lot islands or medians.

4. Pedestrian Walkways.

a. Parking lots shall be designed to provide pedestrian walkways that link the public sidewalk along the street with the front door of the building.

b. A landscape area at least three feet in width shall be located along one side of such walkway and shall be planted with trees, shrubs and/or herbaceous plants at the discretion of the applicant.

E. Wheel Stops.

1. Wheel stops shall be installed no less than two feet from the edge of any landscape area where vehicular parking stalls abut interior parking area landscaping that is not situated within and protected by a landscape planter.

19.50.080 – Landscaping of Drive-Through Facilities.

A. Plantings and related landscape improvements shall be provided in conjunction with drive-through service facilities, including automatic car washes, in order to:

1. Introduce a more aesthetically pleasing approach to these types of vehicular activities on newly developed or redeveloped sites;
2. Better integrate these types of land uses into the established character of surrounding area improvements; and
3. Screen queued vehicles from the view of passing motorists on adjacent roadways.

B. Trees Required.

1. One (1) tree shall be planted for each one hundred and twenty-five square feet (125 sq. ft.) or more of landscape area. Landscape areas of less than one hundred and twenty-five square feet (125 sq. ft.) do not require a tree to be planted.

C. Groundcover Plantings.

1. A minimum of fifty percent (50%) of the surface area of each landscape area shall be planted in low-growing shrubs, groundcover, perennials, ornamental grasses, or other herbaceous plants.
2. To avoid visibility obstructions, these plantings shall not reach a mature height of more than thirty inches (30”).

D. Mulch.

1. The entire landscape area shall be mulched to promote plant health and retain water. No turf shall be planted in these landscape areas.

E. Water efficient landscaping.

1. Landscaping shall follow the guidelines for the Landscape Irrigation Standards and Efficient Water Usage Section 19.50.030 of this Chapter.

19.50.090 - Car Wash Water Efficiency Standards.

A. Purpose and Applicability. In order to preserve the limited water resources available within the County, all new and rehabilitated car washes must comply with these applicable water efficiency standards.

B. Water Recycling Encouraged. Recycling of all water used in a car wash is encouraged to reduce the amount of fresh culinary water used.

C. Plumbing for Water Recycling Systems Required. All car washes shall be plumbed at the time of construction to provide for water recycling systems for both wash water and reverse osmosis rinse water systems, whether installed or not.

D. Water Efficiency Standards.

1. All car washes shall install systems and equipment to limit the amount of fresh culinary water used on a per-vehicle basis. No car wash, new or rehabilitated, may be permitted unless the applicant can demonstrate that the system shall not use more than an average of thirty-five (35) gallons of culinary water per vehicle.
2. At the time of construction or rehabilitation, systems which recycle water used for vehicle washing and recycle reverse osmosis reject water shall be installed and used in perpetuity.
3. The use of secondary irrigation water in the wash cycle may be permitted in lieu of some recycling requirements if available and approved by the water provider.
4. The use of recycling water systems and the disposal of water fluids and solids shall comply with applicable state and federal laws, guidelines, and standards.
5. Storage tanks may be permitted on site in order to capture or re-use water.

19.50.100 – Functional Enhancements.

A. Pedestrian and Vehicular Pathways. The design of pedestrian and vehicular travel ways for multiple-family, residential, retail commercial, office, public and quasi-public, and mixed-use developments should incorporate plantings and related landscape improvements for separation of pedestrian and vehicular traffic movements, improved pedestrian convenience and safety, and better-defined vehicular circulation and parking.

B. Building Entrances, Drop-off and Pick-up, and Outdoor Dining Areas. Plantings and related landscape improvements should be incorporated into the design of building entrances, drop-off and pick-up, and outdoor dining areas in order to:

1. Separate these areas from on-site vehicular circulation and parking facilities and from off-site traffic;
2. Enhance pedestrian comfort, convenience, and safety; and
3. Facilitate outdoor dining with maximum insulation from vehicular traffic impacts.

19.50.110 – Stormwater Management Facilities Requirements and Landscaping.

To the extent functionality is not compromised and to the extent that such is not inconsistent with Title 17, all detention/retention basins, ponds and other stormwater facilities shall be improved with landscaping, which may include shade and ornamental trees, evergreens, shrubbery, hedges, turf, groundcover, and other plants and related landscape improvements.

19.50.120 – Screening Requirements.

Single-, two-, three-, and four-family dwellings on separate lots are exempt from the Screening Requirements of Section 19.50.120; all other properties shall comply.

A. Refuse Disposal Dumpsters and Refuse Storage Areas.

1. All refuse containers shall be fully enclosed on three (3) sides by a six foot (6’) high solid visual barrier constructed of wood, simulated wood, vinyl screen fence, opaque masonry wall (stone, stucco, or brick), or decorative concrete wall.
2. The remaining side of the enclosure shall have an opaque gate.
3. An extension of an exterior principal structure wall may be used as one of the screening walls for a refuse container, provided that such wall meets the minimum six-foot (6’) height requirement

and is of the same building materials as the principal structure. Such wall may not be the gated enclosure.

4. The materials used for screening shall have similar colors and textures as the principal structure.

B. Loading Berths.

1. Loading berths that adjoin residential zoning districts shall be screened.
   a. If such loading berths are in a manufacturing or industrial zone, the screening standards may apply at the property line, rather than at the individual loading berths.
2. Screening shall consist of an opaque masonry wall (stone, stucco, or brick), a solid wood or simulated wood screen fence, or dense evergreen hedge, at least six feet (6') in height.

C. Outdoor Storage and Display Areas.

1. Outdoor Storage Areas.
   a. All outdoor storage areas shall be completely screened by an opaque masonry wall (stone, stucco or brick) or a solid wood or simulated wood screen fence no less than six feet (6') in height.
   b. Where feasible, plants to provide a softening effect should be installed along the fence or wall located along the public right-of-way.
   c. No materials stored outdoors shall be of a greater height than the required fence or wall.
2. Outdoor Sales and Display Areas.
   a. Display Areas Abutting Residential Zoning Districts. When the rear or interior side yard of an outdoor display area abuts a residential zoning district or use, or the rear yard is separated from a residential zoning district or use by an alley, the outdoor display area shall be screened from view by an opaque masonry wall (stone, stucco, or brick), a solid wood or simulated wood screen fence or dense evergreen hedge, at least six feet (6') in height.
   b. Display Areas Abutting Public Right-of-Way.
      i. To enhance the view from a public right-of-way, all outdoor display areas shall be designed with a landscaped yard along the public right-of-way, excluding alleys, a minimum of ten feet (10') in width, planted with one (1) shade or evergreen tree per twenty-five feet (25'), and supplemented with shrubs and perennials.
      ii. These screening requirements do not prohibit openings reasonably necessary for access drives and walkways.
   c. Motor Vehicle Dealerships.
      i. Motor vehicle dealerships or rental establishments with outdoor sales and display lots shall be designed with permanent screening along the right-of-way, meeting the requirements of subsection (b) above, but such plantings may be clustered.
      ii. To optimize the view of motor vehicles for sale, the screening may consist entirely of small shrubs or a low pedestrian wall of no less than two feet (2') in height.

D. Screening of Service and Mechanical Equipment. Service areas and on-grade mechanical equipment shall be screened by plants, solid opaque fencing, berms, or a combination thereof. In order to minimize visibility and impact, these elements shall either be sited to the side or rear of the primary building, or enclosed within a structure(s) that are of similar materials and color as the primary building g. Site elements that are subject to this provision include:

1. Air conditioning units;

2. Electrical transformers;
3. Loading areas and docks;
4. Mechanical equipment;
5. Outdoor storage areas;
6. Public utility transformers;
7. Service yards; and
8. Telephone transformers.

E. Perimeter boundaries of off-street parking areas.

1. The perimeter boundaries of all off-street parking areas that abut streets accessible to the public shall be landscaped and screened from public view in accordance with this subsection E. Specified yard area depth measurements are from the public right-of-way or private street easement boundary.

   a. Front and Street Side Areas Where a Yard or Setback Depth of no Less Than Twenty Feet (20') is Maintained.

      i. An area of land graded and re-contoured at a maximum slope ratio of three feet horizontal to one foot vertical (3:1) so as to provide a meandering earthen berm traversing the entire width of the area and having a maximum height of three feet (3') and an average height of thirty-two inches (32"), as measured from the grade of the closest abutting sidewalk or top of curb is required.

      ii. Landscaping within yards located between a street and a parking area shall include street trees as specified in this Chapter. In addition, not less than fifty percent (50%) of these landscaped yards shall include a mix of evergreen and deciduous shrubs, herbaceous perennials, and non-turf groundcover. The balance of this area may be planted in turf and utilized for the placement of large boulders or similar visual accents.

   b. Provisions for Yard Reductions to No Less Than Fifteen Feet (15'). Front and street side yards or setback areas with no abutting off-street parking may be reduced to a depth of not less than fifteen feet (15') with provision of the following:

      i. An open decorative fence (picket, split rail, etc.) on the interior side of the landscaped area. Alternatively, a continuous hedge no less than three feet (3') in height at planting but not more than six feet (6'), as measured from the grade of the abutting sidewalk or street, may be provided.

      ii. An area of land graded and re-contoured at a maximum slope ratio of three feet horizontal to one foot vertical (3:1) so as to provide a meandering earthen berm traversing the entire width of the area and having a maximum height of thirty-two inches (32") and an average height of two feet, as measured from the grade of the closest abutting sidewalk or top of curb.

      iii. No less than seventy-five percent (75%) coverage of the landscaped area with street trees (includes canopy at maturity) as specified in this Chapter together with a mix of sub-canopy evergreen and deciduous shrubs, herbaceous perennials, and non-turf groundcover. The balance of this area may be planted in turf and utilized for the placement of large boulders or similar visual accents.

   c. Provisions for Encroachment of Off-Street Parking Areas into Required Front and Street Side Yards or Setback Areas.

i. Encroachments to Within Twelve Feet (12'). Off-street parking areas may encroach into required front and street side yard or setback areas such that a minimum depth of not less than twelve feet is maintained subject to provision of the following:

(A) An area of land graded and re-contoured at a maximum slope ratio three feet horizontal to one foot vertical (3:1) so as to provide an earthen berm traversing the entire width of the area with a height of no less than thirty inches (30") above the grade of the abutting sidewalk or street and supported on its interior side by a masonry retaining wall no less than four feet (4') in height above the grade of the abutting off-street parking area surface. The use of this alternative is restricted to properties where it is feasible to provide a parking area with a finished grade at least two feet (2') below the grade of the adjacent street.

(B) No less than seventy-five percent (75%) coverage of the landscaped area with street trees (includes canopy at maturity) as specified in this chapter, together with a mix of sub-canopy evergreen and deciduous shrubs, herbaceous perennials, and non-turf groundcover. The balance of this area may be planted in turf and utilized for the placement of large boulders or similar visual accents.

19.50.130 – Landscape Plan Required.

A. General Provisions.

1. All applications for site development plan approval for land uses subject to this Chapter shall be accompanied by a landscape plan package prepared in accordance with the requirements of this Chapter.
2. Submitted landscape plan packages shall be prepared and certified for compliance with all requirements of this Chapter by a landscape architect licensed to practice in the State of Utah under Utah Code Title 58. A landscape designer certified by the Utah Nursery and Landscape Association may submit a landscape plan package if the certified designer is employed by the contractor installing plantings of the specific site development plan submitted for approval.
3. All submitted irrigation plans shall be prepared by a certified irrigation designer or landscape architect.
4. It is recommended that the Utah State University Extension Center's Water-wise Landscape Design guide be observed in the selection, handling, planting, and maintenance of plants used in the landscape plan. This does not change requirements for Best Management Practices in a Stormwater Pollution Prevention Plan.

B. Landscape Plan Package Contents. The information to be provided with the landscape plan package shall be presented in the following format:

1. Project Data.

Table 19.50.130a: Table of Requirements for Project Data Sheet.

Information Required	Preliminary	Final
The project title and county site development plan application number (the file number assigned to the development proposal that the landscape plan is associated with)	X	X
Preparation date and issue/revision/date table	X	X

The name, address, telephone number, fax, and e-mail of the applicant or authorized agent	X	X
The name, address, telephone number, fax, and e-mail of the landscape architect, landscape designer, or other qualified professional who prepared the landscape plan, together with their professional registration stamp (as required)	X	X
The landscape contractor to be used on the project, if known at the time of application	X	X
Site vicinity and location map, including the street address and tax identification number of the property	X	X
Sheet index	X	X
General landscape design intent statement including the general character and location of proposed landscaping and open area and how it meets the intent of these regulations	X	X
Annual water budget worksheet	X	X
Soils analysis and proposed soils amendments	X	X
Signature block for landscape package approval		X

2. Grading and Drainage Plan.

Table 19.50.130b: Table of Requirements for Grading and Drainage Plan.		
Information Required	**Preliminary**	**Final**
Scale, north arrow, site boundary including adjacent property lines and street names	X	X
Existing and proposed adjacent uses	X	X
Existing and proposed private driveways, off-street parking areas, patios, walkways, service areas and other paved surfaces	X	X
Existing and proposed buildings and structures (general locations)	X	X
Existing and proposed utilities and easements	X	X
Limits of proposed site disturbance	X	X
Existing and proposed building and structure finish floor elevations	X	X
Spot elevations and contour lines at no more than one-foot (1') intervals to determine high points and low points, positive drainage of paved surfaces, wall heights and other vertical control	X	X
Existing landscaping, including location, type, and size	X	X
Any existing landscaping proposed to be removed	X	X

3. Landscape Planting Plan.

Table 19.50.130c: Table of Requirements for Landscape Planting Plan.		
Information Required	**Preliminary**	**Final**
Base plan consisting in information included on the grading and drainage plan	X	X
Limits of proposed site disturbance	X	X
General landscape improvements with planting symbols clearly drawn to indicate location and general plant category (deciduous tree, evergreen tree, deciduous shrub, evergreen shrub, groundcover, etc.)	X	X
Legend of plant category symbols keyed to general plant material schedule indicating quantities of each plant category and listing of plant species (including Latin name) included in each category	X	X
Typical detail drawings at one inch equals twenty feet (1”=20’) to illustrate perimeter treatment, buffering, typical front yard, and any special treatment areas on the site	X	X
All hydrozone boundaries and total area within each hydrozone with each hydrozone clearly labeled high, moderate, low, or very low	X	X
Detailed landscape improvements with planting symbols clearly drawn to indicate each plant (deciduous tree, evergreen tree, deciduous shrub, evergreen shrub, groundcover, etc.)	X	X
Detailed plant material schedule with abbreviation identification key, quantity of each plant, botanical name, common name, hydrozone rating (high, moderate, low, or very low), plant/container size, spacing, and notes	X	X
Define areas to be considered open areas and specify if they will be public or private. Indicate how open areas will be maintained including: erosion control, re-vegetation, and weed management both during and after construction	X	X
Plant installation, mulching, tree staking, and any other applicable planting and installation details	X	X
Soil preparation details, including instructions to scarify planting pit bottom and sides and surface ground planes to promote root penetration in compacted soils	X	X
Protection of existing plant and other site features to remain, clearly identifying the locations, species, size, and condition of all significant trees, each labeled as to its intended retention, relocation, or removal	X	X

4. Soils Report. A soils report is required in all cases. Where the past use of a site has resulted in soil contamination or where difficult soil or landscaping conditions are known to exist, the soils report shall address those conditions. The soils report shall describe:
    a. The depth, composition, fertility, bulk density, and landscaping suitability of the topsoil and subsoil at the site;
    b. Soil class;
    c. An approximate soil infiltration rate for site soils, either measured or derived from soil texture/infiltration rate tables. A range of infiltration rates shall be noted if the engineer preparing the report concludes that different rates exist;
    d. A measure of pH, electroconductivity (ERC), salt absorption ratio (SAR) and organic matter; and
    e. Recommendations for retention and re-use of viable topsoil on the site together with such soil amendments as are necessary to ensure the health and sustainability of the landscaping to be planted.
    f. The final recommendations of the soils report shall be incorporated into the landscape planting plan and implemented with site planting operations.
5. Irrigation Plan. A detailed irrigation plan shall be drawn at the same scale as the landscape planting plan and shall reflect the requirements set forth in Section 19.50.030 of this Chapter.
6. Irrigation Schedule. The irrigation schedule required in Section 19.50.030 shall be provided in tabular form and shall specify:
    a. Plant type (e.g., turf, trees, low water use plants);
    b. Irrigation type (e.g., sprinklers, drip, bubblers);
    c. Flow rate in gallons per minute;
    d. Precipitation rate in inches per hour (sprinklers only);
    e. Run times in minutes per day;
    f. Number of water days per week; and
    g. Cycle time to avoid runoff.

19.50.140 – Construction Inspection.

A. Construction Observation and Certification of Compliance. Construction observation and monitoring of all required landscape improvements shall be provided by a licensed landscape architect so as to ensure compliance with the approved landscape plans for the site.

B. Right to Inspect. The Director or Designee reserves the right to perform site inspections at any time and to require corrective measures in accordance with applicable standards regarding the installation of site landscaping and irrigation system improvements found not to comply with the requirements of this Chapter.

C. The Director or Designee shall field-verify landscaping improvements prior to final project approval.

19.50.150 – Long-Term Viability of Established Landscapes.

A. Plant Maintenance. The owner, tenant, and any agent of the same shall be jointly and severally responsible for the maintenance of all landscaping in good condition and free from refuse and debris

so as to present a healthy, neat and orderly appearance. In common areas or other areas under their responsibility, a Homeowner's or Property Owner's Association shall assume and be held liable for such responsibilities. In the latter instance, provisions for long-term maintenance of required landscaping in the event of dissolution of the Homeowner's or Property Owner's Association shall be provided prior to landscape plan acceptance.

B. Plant Survival. All plant materials shall be regularly maintained in a healthy condition and shall be guaranteed for survival for one (1) year from planting. During this period, each plant shall show at least seventy-five percent (75%) healthy growth and shall have the natural characteristic of the plant of its species. Any plant found dead or unsatisfactory by the Director or Designee during the guarantee period shall be replaced until it has lived through the required one (1) year survival period. Additionally, applicant shall enforce any contractual guarantee that it receives from a vendor beyond this one (1) year guarantee period.

19.50.160 – Enforcement of Landscape Regulations.

A. No building permit or occupancy permit shall be issued for any lot, parcel or use subject to the requirements of this chapter unless all the requirements of this chapter have been fulfilled.
B. If weather or other factors prohibit the installation of landscaping at the time an occupancy permit is applied for, to the extent allowed by state law the applicant shall post a bond to guarantee the completion of the landscaping, which shall be returned upon completion of required landscaping.
C. Failure to implement the landscape plan, or to maintain the lot, parcel or use in substantial conformance with the landscape plan, shall be cause for the application of fines and penalties, as established in this Code. In addition, all landscaping is subject to periodic inspection.

19.50.170 Weeds and Refuse

A. Real Property to be Kept Clean. It is unlawful for any person, corporation, partnership or legal entity owning or occupying real property in the unincorporated county to allow weeds to grow higher on such property or on adjacent park strips than is permitted in this section, or to fail to remove from the property or adjacent park strips any cuttings of such weeds or any refuse, unsightly or deleterious objects, after having been given written notice by Planning and Development Services.
B. Standards of Weed Control. The following standards apply:
    1. Height. Weeds may not be permitted to reach a height of more than six inches (6”) at any time and shall be cleared from all real property in the county. The cuttings shall be cleared and removed from the premises.
    2. Fire Hazard. When the Director or designee determines that the weeds on a property pose a serious fire hazard due to their density, dryness, proximity to possible sources of ignition, and the effects of prevailing winds and weather, the weeds shall be deemed to be in violation of this Section, regardless of their height.
    3. Noxious Weeds. Noxious weeds shall be controlled and contained according to the Utah Noxious Weed Act.
C. Exceptions. On a property of five (5) acres or more, in lieu of cutting the weeds on the entire property, the owner is permitted to cut a thirty-foot (30’) firebreak of not more than six inches (6”) high around all structures and around the complete perimeter of the property. The cuttings shall be cleared and removed from the premises.
D. Enforcement. This section shall be enforced according to chapter 19.08 and appeals of the same according to chapter 1.16.

19.50.180 Tree and Landscaping Trimming.

A. In addition to the other standards of this Chapter, the property owner is responsible for maintaining all trees and landscaping on the property and adjacent park strips to the following standards.
   1. Trees and landscaping which overhang the street pavement shall be trimmed to a minimum height of thirteen and one-half feet (13.5’) above the street pavement.
   2. Trees and landscaping which overhang the sidewalk shall be trimmed to a minimum height of eight and one-half feet (8.5’) above the sidewalk.
   3. The abutting property owner shall remove any tree, tree stump, shrub or vine in or within twenty feet (20’) of the right-of-way if that tree, tree stump, shrub, or vine is dead, diseased, or determined by the Director or Designee to be undesirable for any other reason.
   4. If trees or landscaping are determined by the Director or Designee to be an imminent threat to public health and safety, the county may proceed with an emergency abatement, as outlined in chapter 19.08.
   5. Noxious Trees. Noxious trees shall be controlled and contained according to the recommendations of the Utah Department of Agriculture and Food.

B. Enforcement. This Section shall be enforced according to the provisions of chapter 19.08.

19.52: Signs – Staff Summary

Purposes:

Significant changes have been made to this chapter to bring it into compliance with United States Supreme Court precedent, which prohibits a local jurisdiction from regulating signs based on the content/message of the sign. *See Reed v. Town of Gilbert*, 576 U.S. 155 (2015). Accordingly, sign regulations that implicate the content of a sign have been eliminated.

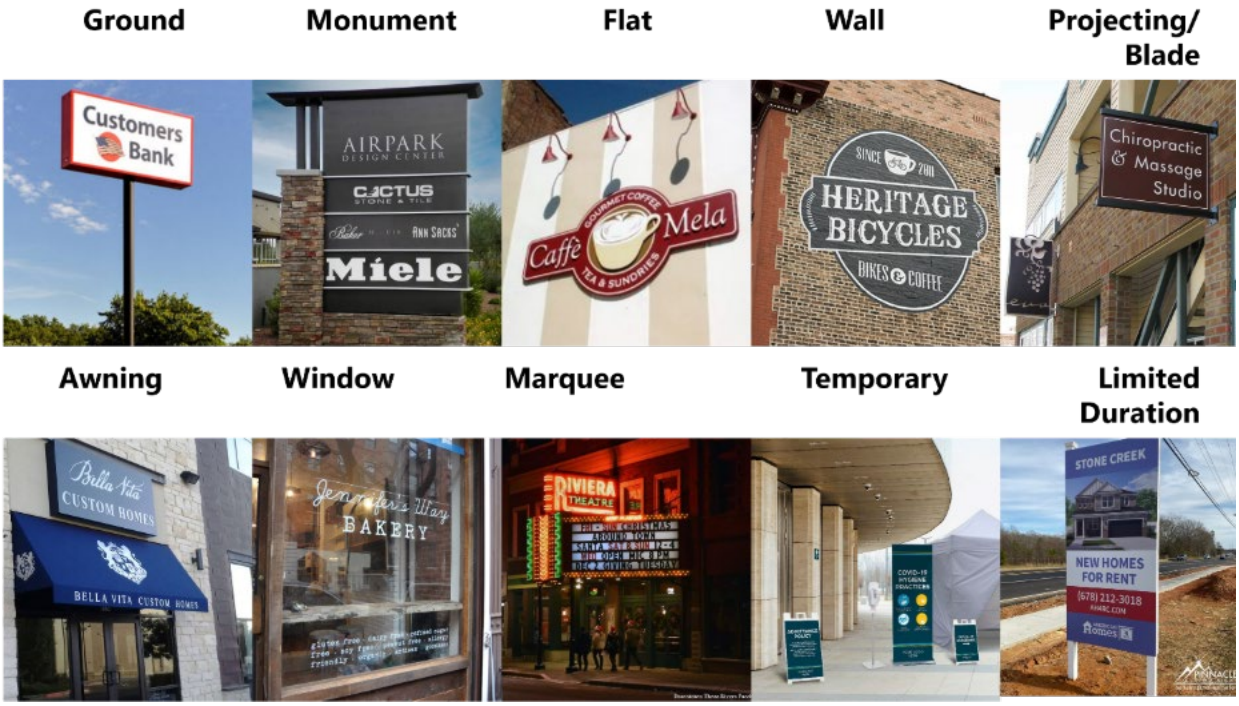
Applicability:

The provisions of this Chapter apply broadly. A land use permit is required for all signage that is not listed as exempt in Section 19.52.050. A building permit is also required for any permanent signage (i.e. signs that are not classified as temporary or limited duration). Existing signs will need to come into conformance with the requirements of Chapter 19.52 if they are reconstructed, raised, moved, altered, extended, or enlarged. A change of text or copy on an existing sign does not trigger the need for a permit.

Changes to Note:

- More specific requirements for a sign plan. See section 19.52.020 and compare with current SLCO Code section 19.82.060;
- Enforcement provisions updated, allowing for immediate removal of signs in public rights of way, dilapidated or other hazardous signs, and signs of nominal value; providing notice and opportunity to collect removed signs of value after they have been removed; and extending the time to remedy notices of violation of other signs that violate the sign ordinance. See Section 19.52.040 and compare with current SLCO Code section 19.82.180;
- Exemption from sign requirements added for small signs (less than 4 square feet) attached to a building. See Section 19.52.050(F);
- Regulations added for flags. See Section 19.52.050(I);
- Regulations added for murals in order to distinguish from graffiti. See Section 19.52.050(N);
- For aesthetic reasons, balloon signs only allowed as temporary signs (current SLCO Code allows balloon signs as a permanent conditional use). See Section 19.52.060(J);
- The Sign Table is updated, including the following substantive changes:
    1. For aesthetic reasons, pole signs limited to shopping centers. Other jurisdictions have similar limitations.
    2. Portable signs allowed on a more permanent basis than current ordinance, and regulations provided for the same.
    3. Temporary sign regulations updated, including height regulations.

Sign Types Cheat Sheet:



<u>Resources Utilized</u>:

Staff read, reviewed, and drew from several resources when preparing this Chapter:

- Montgomery County Planning Commission Model Sign Ordinance (Pennsylvania, 2014)
- Salt Lake City Sign Ordinance (21A.46)
- Vineyard Sign Ordinance (15.48)
- APA Utah Fall Conference, Session on "Planning for Sign Code Success" (James Carpintier, 2022)
- *Reed v. Gilbert* and articles related to this and other legal cases

Chapter 19.52: Signs

Sections:

19.52.010 – Purpose of Provisions.

This Chapter is provided to achieve the purposes of the General Plan and all other County Land Use Ordinances, and to achieve the following additional purposes:

A. To provide for the identification of businesses, sites, and buildings and to promote economic vitality;
B. To provide a convenient method of public communication without unnecessary clutter;
C. To eliminate signs and displays that create potential hazards to motorists, pedestrians, or property;
D. To avoid confusion of allowed signs with required traffic signs and other regulatory and public safety signs;
E. To minimize any adverse effects of signs and associated lighting on adjacent properties;
F. To encourage signs that promote equity, diversity, and inclusion, including the provision of multi-lingual signage; and
G. To ensure compliance with constitutionally protected First Amendment rights.

19.52.020 – Sign Plan Required.

A. When a land use application for a subject property is submitted to Planning and Development Services, the application shall be accompanied by a complete comprehensive sign plan that includes the following:
   1. Name of organization and location;
   2. Contact person;
   3. Address and phone number for contact person;
   4. Description of the activities occurring on the site where the sign will be installed;
   5. Description of any existing signs that will remain on the site;
   6. Identification of the type of sign/signs to be erected by the applicant;
   7. Site plan depicting the locations of each proposed sign and each existing remaining sign;
   8. Scale drawings of each proposed sign and each remaining sign; and
   9. A written description explaining the drawing of each proposed sign, including a detailed description of materials, colors, and letter height, type, and style.
B. The sign plan shall be reviewed by the land use authority under the same process, permitted or conditional, as the associated land use application.
   1. The Director or Designee is the land use authority for all permitted uses, including sign plans associated with a permitted use.
   2. The Planning Commission is the land use authority for all conditional uses, including sign plans associated with a conditional use.
C. Applicants seeking to add a new sign on a property or enlarge or alter an existing sign are not required to submit a new sign plan but are required to obtain a sign and building permit as described in Section 19.52.030.

19.52.030 – Sign and Building Permit Required.

A. No new or existing sign may be erected, enlarged, re-located, or structurally altered without first obtaining a sign permit, and for any permanent sign, a building permit.

   1. Changes to Sign Face or Copy. Unless an enlargement, relocation, or structural alteration is involved, a permit is not required for a change to sign face or copy.
   2. Requirements for Non-Permanent Signs. A sign permit is required for limited duration signs but is not required for temporary or portable signs.
      a. Nonetheless, temporary and portable signs shall include a signature in indelible ink on the lower right-hand corner, stating:
         i. Contact information for the sign's owner; and
         ii. The date the temporary sign was erected.

B. A nonconforming sign may not be reconstructed, raised, moved, placed, altered, extended, or enlarged unless the sign is changed so as to conform to all provisions of this Title.

   1. Alterations do not include changing the text or copy of signs that are designed to accommodate changeable copy.
   2. Exception for LED Retrofits. Nonconforming signs that update fluorescent lighting to LED lighting may do so without coming into compliance with other provisions of this Chapter; however, a building permit is required for the retrofit.

19.52.040 – Enforcement.

A. Except as provided in Subsection A.1.a or b below, any sign determined to be a Land Use Ordinance or Building Code violation shall be remedied and corrected within thirty (30) days after receipt of written notice by the Director or Designee.
   1. Any sign not remedied or corrected within the timeframe specified on the written notice by the Director or Designee shall be subject to removal by the County, or subject to other remedies available to the County under the law.
      a. If a sign without a permit is in a public right-of-way and has material value, the Director or Designee may authorize immediate removal of such sign. After doing so, the Director or Designee shall provide notice to the sign owner of the same if the sign owner's contact information can be determined.
      b. If a sign without a permit is in a public right-of-way not adjacent to the sign owner's property, and has no material value (such as a flyer), the Director or Designee may confiscate the sign(s) and is not responsible for notifying sign owners of the confiscation.

B. If a sign poses an immediate and significant hazard to public safety, including but not limited to, a sign that is damaged or deteriorated, the Director or Designee may authorize the immediate removal of such sign. After doing so, the Director or Designee shall provide notice to the sign owner of the same if the sign owner's contact information can be determined.

C. Where other ordinances are in conflict with the provisions of this Chapter, the most restrictive ordinance shall apply.

19.52.050 – Exempt Signs.

The following signs shall be allowed without a sign permit and shall not be included in the determination of the type, number, or area of permanent signs allowed within a zoning district, provided such signs comply with the regulations in this section, if any.

A. Official traffic signs.

B. Signs inside a building, or other enclosed facility, which are not meant to be viewed from the outside and are located greater than three (3) feet from the window.

C. Personal expression signs of any sign type excluding flags, provided that they do not exceed six (6) sq. ft. in area per side and are not illuminated.

D. Address signs. Up to two (2) signs per premises stating the address, number, and/or name of occupants of the premises and do not include any commercial advertising or other identification.

   1. Residential districts. Signs not to exceed three (3) sq. ft. in area.

   2. Non-residential districts. Signs not to exceed five (5) sq. ft. in area.

E. Public signs. Signs erected or required by government agencies or utilities, including traffic, utility, safety, railroad crossing, and identification or directional signs for public facilities.

F. Unless otherwise prohibited in this title, signs or emblems attached to a building that do not exceed four (4) sq. ft. in area.

G. Driveway signs. One (1) sign per driveway entrance, not to exceed two (2) sq. ft. in area.

H. Security and warning signs. These limitations shall not apply to the posting of conventional "no trespassing" signs in accordance with state law.

   1. Residential Zones. Signs not to exceed two square feet (2 sq.ft.) in area.

   2. Non-residential Zones. Maximum of one (1) large sign per property, not to exceed five square feet (5 sq. ft.) in area. All other posted security and warning signs may not exceed two square feet (2 sq. ft.) in area.

I. Flags:

   1. Location. Flags and flagpoles shall not be located within any right-of-way.

   2. Height. Flags and flagpoles shall have a maximum height of thirty-five feet (35 ft).

   3. Number. No more than four (4) flags per lot in residential zones, no more than six (6) flags per lot or parcel in all other zones.

   4. Size. Maximum flag size is thirty-five square feet (35 sq.ft.) in residential zones; there is no maximum size in non-residential zones.

   5. Flags up to six square feet (6 sq.ft.) in area are considered personal expression signs and are regulated in accordance with Subsection 19.52.050.C.

J. Legal notices.

K. Memorial signs or historical identification signs erected by the County or other State or Federal Agencies, including plaque signs up to three square feet (3 sq.ft.) in area.

L. Signs which are a permanent architectural feature of a building or structure, existing at the time of adoption of this ordinance.

M. Incidental signs, including incidental window signs.

N. Painted Artwork and Murals provided that:

1. The property owner receives written permission from the Director or Designee to install the mural or artwork if it complies with the following;
    a. The installation contains no electrical or mechanical components or changing images;
    b. The installation does not cause damage to any building or site, especially any historically designated building or site;
    c. The primer and paint used if the mural or artwork is directly painted on a wall shall not be a vapor barrier; moisture shall be allowed to escape through the surface of the mural;
    d. No more than twenty-five percent (25%) of the artwork or mural may contain copy;
    e. The painted artwork or mural is maintained in good condition and repaired in the case of vandalism or accidental destruction;
    f. The mural does not contain any obscene or pornographic content as defined in state and federal law;
2. If the mural is located on County property or receives partial or full funding from the County, the location and design of the mural must be reviewed and approved by the Council at a public meeting in accordance with the above criteria.
3. The property owner shall submit an image of, description of, and the location of the finished mural to Planning and Development Services for inclusion in public maps advertising local artwork and points of interest.

O. Temporary Signs do not require a permit, as described in Section 19.52.030. However, temporary signs shall follow all standards outlined in this Chapter, including those found in Table 19.52.070.

19.52.060 – Prohibited Signs.

Sign types not specifically allowed or exempt as set forth within this Chapter are prohibited. In addition, the following signs are explicitly prohibited in the County:

A. All signs in violation of any provision of this Ordinance, including all signs erected, enlarged, or structurally altered without receiving the necessary approval(s).

B. All signs in violation of any requirements or conditions of approval, including but not limited to all temporary signs established for longer than thirty (30) calendar days, or limited duration signs established for more than ninety (90) days, unless a longer duration is needed in order to fulfill the purposes of the limited duration sign.

C. Any new off-premise signs designed or intended to direct attention to a business, product, or service that is not sold, offered, or existing on the property where the sign is located, including all billboards.
    1. Subject to State Code, the County may only require termination of an existing billboard in the County and its associated rights through:
        a. Gift;
        b. Purchase;
        c. Agreement;
        d. Exchange; or
        e. Eminent Domain.
    2. The owner of a legally existing billboard may relocate the billboard into any commercial, industrial, or manufacturing zone within the unincorporated area of Salt Lake County, if the relocated billboard is:

a. Within five-thousand two-hundred and eighty feet (5,280') of the billboard's previous location; and

b. No closer than three-hundred feet (300') to an off-premise sign existing on the same side of the street or highway, or if the street or highway is an interstate or limited access highway that is subject to Title 72, Chapter 7, Part 5, Utah Outdoor Advertising Act, the distance allowed under that act between the relocated billboard and an off-premise sign existing on the same side of the interstate or limited access highway.

3. None of the above shall prevent the owner of a billboard legally existing before the effective date of this ordinance from exercising all rights granted to that owner in the County Land Use, Development, and Management Act.

D. Signs that are abandoned, dilapidated, or advertise businesses that no longer carry a business license or exist within the County (see Section 19.52.120).

E. Graffiti is prohibited. Property owners and responsible parties shall follow all County Ordinances pertaining to Graffiti removal.

F. Signs located within a clear view area as established in 19.46.100.D of the zoning ordinance.

G. Snipe signs. Signs shall only be attached to utility poles in conformance with state and utility regulations and the requirements of this Chapter. Signs attached to any fences, traffic control devices and signs, utility poles, trees, shrubs, or other natural objects are prohibited, unless specifically provided for by law including no trespassing and no hunting.

H. Vehicle signs. This regulation does not include the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes and/or personal transportation.

I. Pennant strings and streamers.

J. Animated signs, flashing signs, or signs that scroll or flash text or graphics.

K. Inflatable devices or balloon signs, with the exception of balloons used as temporary signs as defined in this Title.

L. Any signs that imitate, resemble, interfere with, or obstruct official traffic or warning lights, signs, devices, or signals.

M. Signs which prevent free ingress or egress from any door, window, fire escape, or that prevent free access from one part of a roof to any other part. No sign other than a safety sign shall be attached to a standpipe or fire escape.

N. Signs which emit smoke, visible vapors, particulate matter, sound, or odor, or that contain open flames.

O. Reflective signs or signs containing mirrors.

P. Signs incorporating beacon or festoon lighting.

Q. Any banner or sign of any type suspended across a public street, without the permission of the owner of the property and road.

R. Roof signs.

S. Signs erected without the permission of the property owner, with the exception of those authorized or required by local, state, or federal law.

19.52.070 – Allowed Signs.

The signs listed in Table 19.52.070 are allowed, subject to the specified standards. Additional standards may apply as indicated by superscript in the table and as articulated following the Table.

Table 19.52.070: Allowed Signs and Associated Standards.				
Sign Type	**Zones Permitted**	**Location / Sign Setback**	**Dimensions**	**Number Permitted**
Permanent				
Pole [A] [*Pole signs shall only be permitted in association with a Shopping Center Use as defined in Chapter 19.04 Definitions.*]	All Zones except mixed-use zones and any zone that prohibits Shopping Centers.	Shall be set back no more than five feet (5 ft.) from property lines.	*In C-1 Zones*: Max Sign Height: 25 ft. Max Sign Area: 48 sq.ft., plus 1 sq.ft. for every 4 ft. of public street frontage over 30 ft., not to exceed 128 sq.ft. *In C-2, C-3, and Manufacturing Zones*: Max Sign Height: 30 ft. Max Sign Area: 48 sq.ft., plus 1 sq.ft. for every 10 ft. of public street frontage over 30 ft., not to exceed 256 sq.ft.	One sign per frontage on a public street, and one additional sign on any frontage over 300 ft in length. Signs shall be spaced at least 100ft. apart.

Monument [A] [B] [E]	All Zones except for Forestry and Recreation (FR)	*In single-family residential zones*: Shall be set back at least six feet (6 ft.) from property lines. *In all other zones:* Shall be set back at least two feet (2 ft.) from property lines.	*In single-family residential zones:* Max Sign Height: 6 ft. Max Sign Area: 36 sq.ft. *In multi-family residential zones:* Max Sign Height: 8 ft. Max Sign Area: 64 sq.ft. *In mixed-use zones and commercial zones:* Max Sign Height: 12 ft. Max Sign Area: 100 sq.ft. *In manufacturing zones:* Max Sign Height: 20 ft. Max Sign Area: 150 sq.ft. *In all other zones:* Max Sign Height: 7 ft. Max Sign Area: 56 sq.ft.	*In residential zones*: One sign per street frontage. *In non-residential zones*: One sign per 300 ft. of street frontage.
Wall	All Zones	Wall signs shall only be permitted in association with a licensed business conducted on the premises	*In commercial zones:* In total, wall signs may not exceed 15% of the wall area. *In manufacturing zones*: In total, wall signs may not exceed 20% of the wall area. *In all other zones*: In total, wall signs may not exceed 5% of the wall area. No portion of a wall sign shall be mounted or painted on less than eight (8) feet above the finished grade or extend out more than twelve (12) inches from the building wall on which it is affixed. Signage for home occupations shall be governed by section 19.42.180(C)(12).	

Projecting / Blade	All Zones	Shall be located on the façade, at least 2 ft. away from a shared wall with an adjoining use or building.	No portion of a projecting sign shall project more than 4 ft. from the face of the building; and The outermost portion of the projecting sign shall project no closer than 5 ft. from a curbline of a public street. The lowest edge of a projecting sign shall be at least 8 ft. above the finished grade.	Maximum of 3 projecting / blade signs per use, with no more than 1 sign per building face.
Awning [C]	All Zones	Shall be centered within or over architectural elements such as windows or doors. Awning signs shall only be permitted in association with a licensed business conducted on the premises and may not be used to identify home occupations.	The lowest edge of the canopy or awning shall be at least eight feet (8 ft.) above the finished grade; The awning or canopy may not project more than six feet (6 ft.) from the building; A maximum of 25% of the wall area may be covered with an awning; and A maximum of 50% of the awning may be covered with graphics.	Maximum of 3 awning signs per use, with no more than 1 awning sign per building face.

Window [E]	All Zones	NA	*In residential zones*: The maximum sign area per use is 8 sq.ft. *In all other zones:* The maximum sign area per use is 16 sq.ft.	Maximum of 3 window signs per use, with no more than 1 window sign per building face.
Marquee	All non-Residential Zones	Shall be located only above the principle public entrance of a building facing a public street or parking lot.	The lowest edge of the marquee sign shall be at least 10 ft. above the finished grade; The sign may not exceed the width of the entrance it serves, plus 2 ft on each side thereof; and No marquee sign shall extend closer to the curb than 3 ft.	1 per public entrance
Drive Thru Facility Signs [F]	Only permitted in association with Drive-Thru Facilities	Shall be located (1) at least twenty feet (20') from any property line and (2) not more than five feet (5') from the drive-thru lane.	Max. Sign Height: 8’ feet Max. Sign Area: 48 sq. ft.	One permanent sign per drive-thru lane

Non-Permanent				
All non-permanent signs shall be made of durable materials and shall be well-maintained. Illumination of any non-permanent sign is prohibited.				
Limited Duration	All Zones	If 2 limited duration signs are allowed, the signs shall have a minimum of 200 ft. spacing between them.	*In non-residential zones:* Max Sign Area: 32 sq.ft. Max Sign Height: 8 ft. *In residential zones:* Max Sign Area: 16 sq.ft. Max Sign Height: 6 ft.	1 per lot or parcel, plus 1 additional sign if the lot or parcel exceeds 5 acres or has at least 400 ft. of street frontage.
Portable	All Zones	May not be placed in any manner that blocks the flow of pedestrian traffic or otherwise threatens the public health, safety, or welfare.	Max Sign Area: 9 sq.ft. Max Sign Height: 3 ft.	1 per business
Temporary	All Zones		*In non-residential zones*: Max Sign Area: 32 sq.ft. for banners, 16 sq.ft. for all other temporary signs Max Sign Height: 24 ft. for hanging banner, 6 ft. for freestanding banner, 8 ft. for all other types *In residential zones:* Max Sign Area: 32 sq.ft. for banners, 16 sq.ft. for all other temporary signs Max Sign Height: 24 ft for hanging banner, 6 ft. for freestanding banner, 6 ft. for all other types	Only one banner is allowed per property. For other temporary sign types, 2 signs are allowed per property.

A. Property abutting a freeway may have one on-premises sign located within 30 ft. of the freeway, not to exceed 600 sq.ft. in sign area. The height of such sign shall not exceed 60 ft. above freeway grade.

B. If a pole sign is used, a monument sign may not be used.

A. Any ground-floor awning projecting into the right-of-way must be retractable.

C. Incidental window signs displaying pertinent business information such as the business' hours of operation and credit cards accepted, shall be excluded from area calculations for window signs.

D. Monument signs are prohibited on single-family properties but may be used in common areas to direct entry to a subdivision or identify a clubhouse or other amenity.

E. All signs in association with a Drive-Thru Facility shall be identified and reviewed as part of an approved sign plan for the Drive-Thru Use.

19.52.080 – Standards of General Applicability.

All signs, including those exempt from permitting processes, shall also comply with the following standards:

A. Size Computation. When more than one use occupies a lot or parcel, the frontage may be used to calculate the sign size for one total pole or projecting sign, not for each use. The total may then be divided between the uses.

B. Height of Signs. The height of signs, except as otherwise specified in this Chapter, shall be measured from the grade at the property line of the yard in which the sign is located to the top of the sign.

C. Imprint of Ownership Required. The imprint of the sign owner and sign erector of all signs shall be in plain and public view.

D. Change of Sign Copy. Sign text, statement, symbol, picture, graphics, and message may be changed and modified by the owner and do not constitute a structural sign alteration provided such changes do not constitute a public hazard or nuisance and are not of an obscene nature as determined by state and federal law.

E. Right-of-Way Clearance. No sign or portion thereof may be permitted within three (3) feet any road or street right-of-way or utility easement and all signs must maintain necessary clearances from underground or overhead power transmission lines, as required by the electrical power provider.

F. Fire Protection Clearance. No sign or portion thereof may interfere with the use of fire protection appliances, including hydrants, standpipes, automatic fire sprinkler connections, and similar fire protection and suppression equipment. No sign or sign structure shall obstruct any fire lane.

G. Signs Prohibited from Resembling Public Safety Devices. No sign or portion thereof may imitate or resemble a public safety sign or device including any lights, emblems, or text that resembles public warning or public safety lights or signs.

H. Clear View and Traffic Flow Provisions. No sign or portion thereof may occupy any clear view area, and no sign may create any traffic or pedestrian flow hazard.

I. Signs on Public Property. No sign may be located on publicly owned land or inside street rights-of-way except signs erected by permission of an authorized public agency.

J. Design. All signs shall use materials and colors that are harmonious with the adjacent building(s).

19.52.090 – Design Standards Specific to Zones or Historic Districts.

Additional sign design guidelines may exist for mixed-use zones, planned community zones, historic districts, and special land use centers. The applicant shall refer to and comply with the County's other applicable adopted development agreements or ordinances.

19.52.100 – Sign Lighting Requirements.

The following sign lighting requirements are provided to achieve the purposes of this Chapter and Ordinance:

A. Externally illuminated signs are permitted as follows:

   1. All externally lit signs shall be illuminated with steady, fully shielded light sources aimed directly onto the sign. Light bulbs or lighting tubes used for illuminating a sign shall not be visible from any location.

B. The following internally illuminated signs are permitted:

1. Individual back-lit letters that are silhouetted against an illuminated wall, or halo-illuminated.
2. Individual letters with translucent faces, containing soft lighting elements inside each letter.
3. Metal-faced box signs with cutout letters and soft-glow lighting.

C. Lighting.

1. No lighting or illumination associated with any sign shall constitute a safety hazard or create a nuisance to surrounding properties.
2. The intensity of lighting shall not exceed that necessary to illuminate a sign from the closest adjacent public right-of-way. The nighttime illuminance of a sign may not increase ambient lighting conditions by more than three-tenths (0.3) foot candles when measured perpendicular to the sign face at a distance determined by the following formula:
   a. Measurement Distance (in feet) = the square root of [Area of electronic message center face in square feet x 100]
   b. An ambient light measurement shall be taken using a foot candle meter at the required distance with the sign lighting turned off. Immediately following the ambient light measurement taken in the manner required by this subsection, an operating light measurement shall be taken with the sign lights fully turned on.
3. No light source shall be directed toward any adjacent property.
4. All light sources shall be fully shielded or hooded.

D. If the Director or Designee or adjacent property owners allege that an illuminated sign violates any portion of this Section, the complainant may request a photometric assessment to measure the amount of light and ascertain the validity of the alleged violation. If photometric measuring devices are available through the County, the County shall perform the assessment. If the County has no measuring devices, the complainant may provide an independent assessment through a qualified professional to the Director or Designee. If such light is determined to be in violation, the owner of the light shall take appropriate, corrective action as directed.

19.52.110 – Electronic Message Center Requirements.

A. An electronic message center (EMC) shall only display static images with instant or fade-in and fade-out transitions. An electronic message center may not display scrolling text, video images, or scintillating images. Upward illumination in such displays is not allowed, to avoid light pollution. The light source of electronic message centers may not allow light trespass onto adjacent residential properties.

B. Display Duration. The minimum image display duration is five (5) seconds.

C. Transition Duration. The transition from one static image to another shall be instant or shall fade in and fade out. The maximum transition duration shall be two (2) seconds.

D. Ambient Light. All electronic message centers shall be equipped with a sensor or other programmable device that automatically determines the ambient illumination and must be programmed to automatically dim according to ambient light conditions. The nighttime illuminance of an electronic message center may not increase ambient lighting conditions by more than three-tenths (0.3) foot candles when measured perpendicular to the electronic message center face at a distance determined by the following formula:

1. Measurement Distance (in feet) = the square root of [Area of electronic message center face in square feet x 100]
2. An ambient light measurement shall be taken using a foot candle meter at the required distance with the sign turned off to a black screen. Immediately following the ambient light measurement taken in the manner required by this subsection, an operating light measurement shall be taken with the sign turned on to a full white screen.

E. Electronic Message Center Allowable Type and Size by Zone. Table 19.52.110 shows which type of signs are permitted to include an electronic message center in which zones. The Table also sets the maximum size of EMCs per zone and sign type.

1. All signs containing an EMC shall also include a non-digital identifier that covers at least twenty-five percent (25%) of the total sign area.

Table 19.52.110: Specifications for Electronic Message Centers

Zone	Sign Types Permitted to Include EMC	Additional Conditions	Allowable EMC Size as a Percentage of Total Allowable Sign Size
C-1, C-2, Mixed-Use	Monument	Permitted	50%
	Pole*	May not be located within 100' of an RMH, R-1, R-2, R-4, or R-M Zone.	
C-3	Monument	Permitted	70%
	Pole*	May not be located within 100' of an RMH, R-1, R-2, R-4, or R-M Zone.	50%
M-1 and M-2	Monument	Permitted	70%
	Pole*	May not be located within 100' of an RMH, R-1, R-2, R-4, or R-M Zone.	50%
PR	Monument	Permitted	50%

*Pole signs shall only be permitted in association with a Shopping Center use, as defined in Chapter 19.04: Definitions.

19.52.120 – Unused and Abandoned Signs.

A. Signs relating to a product no longer available for purchase, or to a business which has closed or moved, shall be removed or the sign copy removed within thirty (30) days of such unavailability. Empty signs frames shall either be replaced with new signs for an active business or removed within six (6) months from the time the sign area becomes vacant.

B. Vacant portions of signs where panels remain empty for over six (6) months shall be removed or brought into compliance by the property owner. If removal does not occur voluntarily, after appropriate notice is given, the entire sign and support structure shall be taken down by the owner or may be removed by the County and all costs incurred shall be the responsibility of the property owner.

19.54 Floodplain Hazard Regulations – Staff Summary

Applicability:

Chapter 19.54 Floodplain Hazard Regulations applies to all areas of special flood hazards within the jurisdiction of Unincorporated Salt Lake County that are within a migratory bird production area as defined in state statute.

Changes to Note:

Due to restrictions in state code preventing ordinance amendments that affect migratory bird productions areas without consent of the managing bodies of those areas, there are no substantive changes being proposed to this chapter, just renumbering changes.

Chapter 19.54 Floodplain Hazard Regulations

Sections:

19.54.010 Findings.

A. Flood hazard areas of Salt Lake County are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

B. The inundation is caused by the cumulative effect of channel obstructions which increase flood heights and velocities. Uses that are inadequately floodproofed, elevated or otherwise protected from floodwater also contribute to flood loss.

19.54.020 Purpose of provisions.

It is the purpose of this chapter to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions by provisions designed to:

A. Protect human life and health;

B. Minimize expenditure of public money for flood-control projects;

C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

D. Minimize prolonged business interruptions;

E. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, and streets and bridges located in areas of special flood hazard;

F. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood-blight areas;

G. Ensure that potential buyers are notified that property is in an area of special flood hazard; and

H. Ensure that those who occupy the areas of special flood hazards assume responsibility for their actions.

19.54.030 Methods of reducing flood losses.

In order to accomplish its purposes, this chapter includes methods and provisions for:

A. Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases of erosion, flood heights or velocities;

B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

C. Controlling the alteration of natural floodplains, stream channels and natural protective barriers, which help accommodate or channel floodwaters;

D. Controlling filling, grading, dredging and other development which may increase flood damage; and

E. Preventing or regulating the construction of flood barriers which will divert floodwaters or which may increase flood hazards in other areas.

19.54.040 Areas of special flood hazard.

A. This chapter shall apply to all areas of special flood hazards within the jurisdiction of Unincorporated Salt Lake County that are within a migratory bird production area as defined in state statute. The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for Salt Lake County and Incorporated Communities," dated November 19, 2021, with accompanying flood insurance rate maps (FIRMs), and any revisions thereto are hereby automatically adopted by reference and declared to be a part of this chapter.

B. The director of development services shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, as criteria for requiring that new construction, substantial improvements, or other development in zone A meet the provisions of Sections 19.54.050, 19.54.150, 19.54.160, 19.54.170 and 19.54.180. Such other source base flood elevation data shall be more specifically provided by the developer as determined by a registered professional engineer for subdivision and other proposed developments which contain at least fifty lots or five acres (whichever is less).

19.54.050 Floodways.

Located within areas of special flood hazard established in Section 19.54.040 are areas designated as "floodways." Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

A. Encroachments, including fill, new construction, substantial improvements, placement of manufactured homes, and other developments, are prohibited unless certification by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

B. If subsection A of this section is satisfied, all new construction and substantial improvements and placement of manufactured homes shall comply with all applicable flood-hazard reduction provisions of Sections 19.54.100 through 19.54.180.

19.54.060 Relationship of floodplain hazard regulations to zones.

The floodplain hazard regulations of this chapter shall be supplemental to, and not in lieu of, the applicable zoning provisions of the zone in which the land is located, and/or general provisions under Title 19 of this code, as amended. Property located within such areas of special flood hazard shall be developed only in conformance with the provisions set forth herein. In cases of conflict between such zone classifications and the floodplain hazard regulations, the most restrictive provisions shall govern. Permitted and conditional uses permitted in the areas of special flood hazard shall be developed only in conformance with the provisions set forth herein. All uses involving development, as defined in this chapter, shall further meet the supplemental conditions and standards set forth in this chapter.

19.54.070 Conditional use permits required when.

A conditional use permit, if required by this title, shall be obtained prior to special flood hazard area approval under Section 19.54.080. Prior to issuance of a conditional use permit, the planning commission shall insure that requirements of this chapter are met.

19.54.080 Construction or development—Special approval required.

A. Approval by the development services division shall be obtained before construction or development begins within an area of special flood hazard established in Section 19.54.040. Application for such approval shall be made on forms furnished by the development services division, and may include, but not be limited to: Plans in duplicate drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing.

B. Specifically, the following information is required:

    1. Elevation in relation to mean sea level of the lowest floor, including basement, of all structures except those located in zone A where base flood elevation data was not available nor required by this chapter;
    2. Elevation in relation to mean sea level to which any structure has been floodproofed except those located in zone A where base flood elevation data was not available nor required by this chapter;
    3. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Sections 19.54.150 through 19.54.180; and
    4. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

19.54.090 Construction or development—Duties of director of development services division.

The director of development services division shall be responsible to:

A. Review Applications.

    1. Review all applications to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Section 19.54.050 are met,
    2. Review all applications to determine that the requirements of this chapter have been satisfied,
    3. Review all applications to determine that all necessary permits have been obtained from federal, state or local governmental agencies from which prior approval is required;

B. Maintain Information File.

    1. Obtain and record the actual elevation provided by the developer (in relation to mean sea level) of the lowest floor, including basement, of all new or substantially improved structures except those located in zone A where base flood elevation data was not available nor required by this chapter,
    2. For all new or substantially improved floodproofed structures except those located in zone A where base flood elevation data was not available nor required by this chapter:
        a. Verify and record the actual elevation provided by the developer (in relation to mean sea level), and
        b. Maintain the floodproofing certifications required in subsection B3 of Section 19.54.080,
    3. Maintain for public inspection all records pertaining to the provisions of this chapter;

C. Verify Alteration of Watercourses. Verify that:

    1. A permit has been obtained from the division of flood control and water quality for any alteration of a watercourse identified as a flood-control facility in Section 17.08.040 of this code,

2. A permit has been obtained from the State Engineer for alteration of a natural stream channel,
3. Maintenance is provided for within the altered or relocated portion of such watercourse so the flood-carrying capacity is not diminished,
4. Notification has been made to cities adjacent to the watercourse and to the State Division of Comprehensive Emergency Management, prior to any alteration or relocation of a watercourse, and evidence of such notification has been submitted to the Federal Emergency Management Agency.

19.54.100 Protective standards generally.

In all areas of special flood hazards, the following standards, set out in Sections 19.54.110 through 19.54.140, are required.

19.54.110 Anchoring.

A. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

B. All manufactured homes shall be installed using methods and practices which minimize flood damage. For the purpose of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not limited to, over-the-top and frame ties to ground anchors. This requirement is in addition to applicable anchoring requirements for resisting wind forces.

19.54.120 Construction materials and methods.

A. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage. Electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

B. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage. Fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

19.54.130 Utilities.

A. All new and replacement water-supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;

B. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems, and discharge from the systems into floodwaters; and

C. On-site waste-disposal systems shall be located to avoid impairment to them or contamination from them during the flooding.

19.54.140 Subdivision proposals.

A. All subdivision proposals shall minimize flood damage;

B. All subdivision proposals shall have public utilities and facilities, such as sewer, gas, electrical and water systems, located and constructed to minimize flood damage;

C. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.

19.54.150 Specific protective standards.

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 19.54.040, the following provisions set out in Sections 19.54.160 through 19.54.180 are required.

19.54.160 Residential construction.

New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to a minimum of one foot above the base flood elevation.

19.54.170 Nonresidential construction.

New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to a minimum of one foot above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

A. Be floodproofed so that below one foot above the base flood level the structure is watertight, with walls substantially impermeable to the passage of water;

B. Have structural components capable of resisting hydrostatic and hydrodynamic loads and affects of buoyancy; and

C. Provide that where a nonresidential structure is intended to be made watertight below the base flood level:

   1. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this section, and

   2. A record of such certificates which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be provided to the director of development services as set forth in Section 19.54.090(B)(2).

19.54.180 Manufactured homes.

All manufactured homes to be placed or substantially improved shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is a minimum of one foot above the

base flood elevation and is securely anchored to an adequately anchored foundation system in accordance with Section 19.54.110.

19.54.190 Variances and appeal procedures.

The land use hearing officer, as designated by the zoning ordinance of the county, shall hear and decide all appeals and requests for variances from the requirements of this chapter, as provided in Chapter 19.20 of this title, as amended. The following conditions shall apply, in addition to the provisions of Chapter 19.20:

A. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below one foot above the base level, providing the land use hearing officer has considered all technical evaluations, all relevant factors, and standards specified in other sections of this chapter, providing the following items have been considered:
    1. The danger that materials may be swept onto other land to the injury of others;
    2. The danger to life and property due to flooding or erosion damage;
    3. The susceptibility of the proposed facility and its contents to flood damage, and the effect of such damage on the individual owner;
    4. The importance of the services provided by the proposed facility to the community;
    5. The necessity to the facility of a waterfront location, where applicable;
    6. The availability of alternative locations for the proposed use, which are not subject to flooding or erosion damage;
    7. The compatibility of the proposed use with the existing and anticipated development;
    8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
    9. The safety of access to the property in times of flood for ordinary and emergency vehicles;
    10. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
    11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

B. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.

C. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

D. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

E. Variances shall only be issued upon:
    1. A showing of good and sufficient cause;
    2. A determination that failure to grant the variance would result in exceptional and undue hardship to the applicant; and

3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, as identified in subsection Al of this section, or conflict with existing local laws or ordinances.

F. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below one foot above the base flood elevation and that the cost of flood insurance will be commensurate with the increased flood risk resulting from the reduced lowest floor elevation.

G. The land use hearing officer shall maintain the record of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

19.54.200 Warning and liability disclaimer.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the county, any officer or employee thereof, or the Federal Emergency Management Agency, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

19.54.210 Definitions.

As used in this chapter:

"Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of this title.

"Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than one hundred eighty consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

"Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

19.56 Flood Damage Prevention – Staff Summary

Applicability:

Chapter 19.56 Flood Damage Prevention applies to all areas of special flood hazards within the jurisdiction of Unincorporated Salt Lake County that are not within a migratory bird production area as defined in state statute.

Changes to Note:

This chapter was recently drafted and adopted in cooperation with FEMA in harmony with the National Flood Insurance Act of 1968 (as amended). There are no substantive changes being proposed to this chapter.

Chapter 19.56 FLOOD DAMAGE PREVENTION

Sections:

19.56.010 Election to participate in the National Flood Insurance Program.

The National Flood Insurance Program (NFIP) is a voluntary program administered by FEMA, a component of the U.S. Department of Homeland Security, pursuant to the National Flood Insurance Act of 1968 (P.L. 90-488, as amended). Salt Lake County elects to join the program, participate, and enforce this flood damage prevention ordinance and the requirements and regulations of the NFIP. The NFIP, established in the aforesaid act, provides that areas of the unincorporated areas of Salt Lake County having a special flood hazard be identified by FEMA, and that floodplain management measures be applied in such flood hazard areas. Furthermore, Salt Lake County may elect to administer the flood damage prevention ordinance to areas not identified as special flood hazard areas (SFHAs) by FEMA on the county's effective flood insurance rate map (FIRM), if the county has documentation to support that there is an inherent risk of flooding in such areas and the council amends this chapter and adopts an updated map with these other areas. This chapter only applies to unincorporated areas of Salt Lake County that are not within a migratory bird production area as defined by state statute.

19.56.020 Findings.

A. The flood hazard areas of unincorporated Salt Lake County are subject to periodic inundation which results in possible loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety, and general welfare.

B. These flood losses are created by the cumulative effect of obstructions in floodplains that cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed, or otherwise protected from flood damage.

19.56.030 Statement of purpose.

It is the purpose of this chapter to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

A. Protect human life and health;

B. Minimize expenditure of public money for costly flood-control projects;

C. Minimize the need for rescue and relief efforts associated with flooding that are generally undertaken at the expense of the general public;

D. Minimize prolonged business interruptions;

E. Minimize damage to public facilities and utilities, such as gas, water and sewer mains, electric and telephone lines, and streets and bridges located in floodplains;

F. Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize blight to future flood-prone areas;

G. Ensure that potential buyers are notified that property is in a flood area and can make their decisions based on full information.

19.56.040 Methods of reducing flood losses.

In order to accomplish its purposes, this chapter uses the following methods:

A. Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;

B. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

C. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;

D. Control filling, grading, dredging and other development which may increase flood damage;

E. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

19.56.050 Definitions.

The following definitions shall apply to terms used in this chapter, including maps incorporated herein. Unless specifically defined below, words or phrases used in this chapter, including maps incorporated herein, shall be interpreted to give them the meaning they have in common usage and to give this chapter its most reasonable application.

"One-hundred-year flood" means a flood having a recurrence interval that has a one-percent chance of being equaled or exceeded during any given year (one-percent-annual-chance flood). The terms "one-hundred-year flood" and "one-percent-annual-chance flood" are synonymous. The term does not imply that the flood will necessarily happen once every one hundred years. Mandatory flood insurance requirements may apply.

"One-hundred-year floodplain" means the area of land susceptible to being inundated due to the occurrence of a one-percent-annual-chance flood.

"Five-hundred-year flood" means a flood having a recurrence interval that has a 0.2-percent chance of being equaled or exceeded during any given year (0.2-percent-annual-chance flood). The term does not imply that the flood will necessarily happen once every five hundred years and mandatory flood insurance requirement generally does not apply.

"Five-hundred-year floodplain" means the area of land susceptible to being inundated due to the occurrence of a 0.2-percent-annual-chance flood.

"Accessory structure" is a structure that is on the same lot or parcel of property as a principal structure. Its use is incidental to the use of the principal structure. The ownership of the accessory structure is the same owner as of the principal structure. An accessory structure is a nonresidential structure of low value that is used solely for the parking of vehicles and storage of tools, materials, or equipment. No human habitation is allowed within an accessory structure.

"Addition" is any improvement that expands the enclosed footprint or increases the square footage of an existing structure. This includes lateral additions added to the side, front, or rear of a structure; vertical additions added on top of a structure; and enclosures added underneath a structure.

"Alluvial fan flooding" means flooding occurring on the surface of an alluvial fan or similar landform that originates at the apex. It is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

"Apex" means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

"Appurtenant structure." See "Accessory structure."

"Area of future-conditions flood hazard" means the land area that would be inundated by the one-percent-annual-chance (one-hundred-year) flood, based on future-conditions hydrology.

"Area of shallow flooding" means a designated AO, AH, AR/AO, or AR/AH zone on the county's unincorporated community flood insurance rate map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of special flood-related erosion hazard" is the land within the county that is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the flood hazard boundary map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area, in preparation for publication of the FIRM, Zone E may be further refined.

"Base flood" means the flood having a one-percent chance of being equaled or exceeded in any given year.

"Base flood elevation (BFE)" is the water surface elevation of the one-percent-annual-chance flood event. It is the height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas. It is also the elevation shown on the FIRM and found in the accompanying flood insurance study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a one-percent chance of equaling or exceeding that level in any given year.

"Basement" means any area of the building having its floor subgrade (below ground level) on all sides. A walkout basement that does not require a step up to grade is not considered a basement.

"Best available data" is existing flood hazard information reflected on an effective FIRM, FBFM, and/or within an FIS report; or from another source. Other sources may include, but are not limited to, state, other federal agencies, or local studies. To the extent best available data is used as a standard for development, the county council must approve such standard in accordance with state law.

"Breakaway wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system. Any walls below the lowest floor in a building in a V or VE Zone should give way under wind and water loads without causing collapse, displacement, or other damage to the elevated portion of the building of the supporting pilings or columns. Breakaway walls apply only to V or VE Zones.

"Building." See "Structure."

"Code of Federal Regulations (CFR)" is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government.

"Conditional letter of map revision (CLOMR)" is FEMA's comment on a proposed project that would, upon construction, affect the hydrologic and/or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective BFEs, and/or the SFHA. The letter does not revise an effective map; it indicates whether the project, if built as proposed, would be recognized by FEMA.

"Crawlspace" means an under-floor space that has its interior floor area (finished or not) no more than four feet from the bottom floor joist the next higher floor elevation, designed with proper openings that

equalize hydrostatic pressures of flood water, and is not used for habitation. Reference: Section 19.56.080(H).

"Deed restriction" refers to a clause in a deed that limits the future use of the property in some respect.

"Development" means any human-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, demolition, excavation or drilling operations, or storage either temporary or permanent of equipment or materials.

"Elevated building" is a nonbasement building built, in the case of a building in Zone A1-30, AE, A, A99, AR, AO, AH, B, C, X and D, to have the top of the elevated floor above the ground level by means of pilings, columns (post and piers), or shear walls parallel to the flow of the water and adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of a building in Zone A1-30, AE, A, A99, AR, AO, AH, B, C, X and D, an "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

"Enclosure" refers to an enclosed walled-in area below the lowest floor of an elevated building.

"Erosion" means the process of the gradual wearing away of land masses by wind, water, or other natural agents.

"Existing construction" refers to structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. It may also be referred to as "existing structures."

"Existing manufactured home park" means a manufactured home park or subdivision for which the construction of facilities for servicing the lot(s) on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by the county.

"Existing structures." See "Existing construction."

"Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lot(s) on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"FEMA" means the Federal Emergency Management Agency.

"FHBM" means flood hazard boundary map.

"Fill" refers to the placement of materials, such as dirt, sand, or rock to elevate a structure, property, or portion of a property above the natural elevation of the site, regardless of where the material was obtained from. The common practice of removing unsuitable material and replacing with engineered material is not considered fill if the elevations are returned to the existing conditions. Any fill placed or used prior to the area being mapped as a flood hazard area is not deemed as fill.

"Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

A. The overflow of inland or tidal waters.

B. The unusual and rapid accumulation or runoff of surface waters from any source.

C. Mudslides (i.e., mudflows) that are proximately caused by flooding as defined in subsection B of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry

land areas, as when earth is carried by a current of water and deposited along the path of the current.

D. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in subsection A of this definition.

"Flood insurance manual" is the document FEMA produces twice a year and is used to write flood insurance policies underwritten by the NFIP. The document contains definitions, policy rates, coverage and exclusions, application, and insurance policy forms.

"Flood insurance rate map (FIRM)" means an official community map of the unincorporated county, on which the administrator has delineated both the SFHAs and the risk premium zones applicable to the county. The FIRMs effective November 19, 2021 (or most recent adopted) shall be used by Salt Lake County.

"Flood insurance study (FIS)" or "flood elevation study" means an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

"Floodplain development permit" is the county issued permit or document that is used for any development that occurs within an SFHA identified by FEMA or the county. It is used to address the proposed development to ensure compliance with this chapter.

"Floodplain" or "flood-prone area" means any land area susceptible to being inundated by water from any source whether or not identified by FEMA (see definition of "flooding").

"Floodplain management" means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, mitigation plans, and floodplain management regulations.

"Floodplain management regulations" means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for flood damage prevention and reduction.

"Flood opening" refers to an opening in the wall of an enclosed structure that allows floodwaters to automatically enter and exit the enclosure. Refer to FEMA Technical Bulletin 1.

"Flood protection system" means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within the county subject to an SFHA and to reduce the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized, flood modifying works are those constructed in conformance with sound engineering standards. FEMA only accredits levees, both private and public, that have been certified by a professional engineer or firm in which the certification shows that the levee have met and continue to meet the minimum regulatory standards cited in Title 44, Chapter 1, Section 65.10 of the Code of Federal Regulations (44 CFR 65.10).

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents. Floodproofing can either be accomplished in the form of dry floodproofing in which the structure is watertight below the levels that need flood protection, or wet floodproofing in permanent or contingent measures applied to a structure that prevent or provide resistance to damage from flooding, while allowing floodwaters to enter the structure or area.

"Floodway (regulatory floodway)" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Floodway encroachment lines" mean the lines marking the limits of floodways on federal, state, and local floodplain maps.

"Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

"Functionally dependent use" means a development that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and repair facilities. It does not include long-term storage or related manufacturing facilities.

"Highest adjacent grade (HAG)" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. In AO Zones, the highest adjacent grade is utilized by comparing the lowest floor elevation to that of the highest adjacent grade and the depth of the AO Zone. Reference: Section 19.56.080(K): Standards for Areas of Shallow Flooding (AO/AH Zones).

"Historic structure" means any structure that is:

A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

C. Individually listed on a state inventory of historic places in states with historic reservation programs that have been approved by the Secretary of the Interior; or

D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

    1. By an approved state program as determined by the Secretary of the Interior, or

    2. Directly by the Secretary of the Interior in states without approved programs.

"Letter of map amendment (LOMA)" means an official amendment, by letter, to an effective FIRM. A LOMA establishes a property's location in relation to the SFHA. It is usually issued because a property or structure has been inadvertently mapped as being in the floodplain, when the property or structure is actually on natural high ground above the BFE.

"Letter of map revision (LOMR)" means FEMA's modification or revision to an entire or portion of the effective FIRM, or flood boundary and floodway map, or both. LOMRs are generally based on the

implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective BFEs, or the SFHA.

"Letter of map revision based on fill (LOMR-F)" means FEMA's amendment, by letter, to an effective FIRM where fill was brought in or used to elevate a property, portion of property or structure above the BFE.

"Levee" means a man-made structure usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

"Levee system" means a flood protection system that consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

"Lowest adjacent grade (LAG)" means the lowest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. For an existing structure, it means the lowest point where the structure and ground touch, including but not limited to attached garages, decks, stairs, and basement windows.

"Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of Section 60.3.

"Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle"; however, a manufactured home may be used for both residential and nonresidential use.

"Manufactured home park or subdivision" means a lot, parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Map" means the FHBM or the FIRM for the county issued by FEMA.

"Mean sea level" means, for purposes of the NFIP, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which BFEs shown on the unincorporated community FIRM are referenced.

"Mixed use structures" are structures with both a business and a residential component.

"New construction" means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by the county and includes any subsequent improvements to such structures. For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.

"New manufactured home park or subdivision" means a manufactured home park or subdivision for which the start of construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is commenced on or after the effective date of floodplain management regulations adopted by the county.

"No-rise certifications" are formal certifications signed and stamped by a professional engineer licensed to practice in the state, demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that a proposed development will not result in any increase in flood levels within the community during the occurrence of a base flood event.

"Physical map revision (PMR)" is FEMA's action whereby one or more map panels are physically revised and republished.

"Recreational vehicle" means a vehicle which is:

A. Built on a single chassis;

B. Four hundred square feet or less when measured at the largest horizontal projection;

C. Designed to be self-propelled or permanently towable by a light duty truck; and

D. Designed primarily, not for use as a permanent dwelling but, as temporary living quarters for recreational, camping, travel, or seasonal use.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, creek, etcetera, which can be intermittent or perennial.

"Section 1316" refers to the section of the National Flood Insurance Act of 1968, as amended, which provides for the denial of flood insurance coverage for any property that the administrator finds has been declared by a duly constituted state or local authority to be in violation of state or local floodplain management regulations. Section 1316 is issued for a property, not a property owner, and remains with the property even after a change of ownership.

"Special flood hazard area" is the land in the floodplain within the county subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, or V1-30, VE, or V.

"Start of construction" (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)) includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within one hundred eighty 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 a 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.

"Structure" means, for floodplain management purposes, a walled and roofed building, culvert, bridge, dam, or a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

"Structure," for insurance purposes, means:

A. A building with two or more outside rigid walls and a fully secured roof, which is affixed to a permanent site;

B. A manufactured home; or

C. A travel trailer without wheels built on a chassis and affixed to a permanent foundation, that is regulated under the county's floodplain management and building ordinances or laws.

For insurance purposes, "structure" does not mean a recreational vehicle or a park trailer or other similar vehicle, except as described in paragraph (3) of this definition, or a gas or liquid storage tank.

"Substantial damage" has the meaning outlined in Section 19.56.080(C).

"Substantial improvement" has the meaning outlined in Section 19.56.080(B).

"Variance" means a grant of relief by the county from the terms of a floodplain management regulation. Reference: Section 19.56.070(E), Variance Procedures.

"Violation" means the failure of a structure or other development to be fully compliant with the county's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Sections 44 CFR 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

"Water surface elevation" means the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies, such as the one-percent-annual-chance flood event, in the floodplains of coastal or riverine areas.

"Watercourse" means the channel and banks of an identifiable water in a creek, brook, stream, river, ditch or other similar feature.

19.56.060 General provisions.

A. Lands to Which This Chapter Applies. The chapter shall apply to all special flood hazard areas identified by FEMA within the unincorporated Salt Lake County, which are not within a migratory bird production area as defined in state statute.

B. Basis for Establishing the Areas of Special Flood Hazard Areas. The special flood hazard areas identified by the Federal Emergency Management Agency in a scientific and engineering report entitled. "The Flood Insurance Study for Salt Lake County and Incorporated Communities," dated November 19, 2021, with accompanying FIRMs, and any revisions thereto are hereby automatically adopted by reference and declared to be a part of this chapter.

C. Establishment of Development Permit. A floodplain development permit shall be required to ensure conformance with the provisions of this chapter. Pursuant to the International Building Code, which is incorporated into the Salt Lake County Code by Section 15.08.010, a building permit is required for all proposed construction or other development in the unincorporated county, including the placement of manufactured homes, so that the county may determine whether such construction or other development is proposed within flood-prone areas.

D. Fees. Standard fees may be charged for applications under these provisions pursuant to the process outlined in Salt Lake County Code Section 3.42.040, which may include fees for engineering reviews.

E. Abrogation and Greater Restrictions. This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

F. Interpretation. In the interpretation and application of this chapter, all provisions shall be:

1. Considered as minimum requirements;
2. Deemed neither to limit nor repeal any other powers granted under state statutes.

G. Warning and Disclaimer of Liability. The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur and flood heights may be increased by human-made or natural causes. This chapter does not imply that land outside the special flood hazard areas or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the county or any official or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

H. Severability. If any section, provision, or portion of this chapter is adjudged unconstitutional or invalid by a court, the remainder of the chapter shall not be affected.

I. Compliance. No structures or developments including buildings, recreation vehicles, or manufactured homes or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this chapter and other applicable regulations. Nothing herein shall prevent Salt Lake County from taking such lawful action as is necessary to prevent or remedy any violations. Violations shall be enforced pursuant to Chapter 19.08 of this title.

J. Stop Work Order.

1. Authority. Whenever the floodplain administrator or other designated county official discovers any work or activity regulated by this chapter being performed in a manner contrary to the provision of this chapter, the floodplain administrator is authorized to issue a stop work order.
2. Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.
3. Unlawful Continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by Chapter 19.08. All other violations of this chapter shall be subject to the penalties and processes outlined in Chapter 19.08.

19.56.070 Administration.

A. Designation of the Floodplain Administrator. The director of planning and development services or their designee is hereby appointed the floodplain administrator to administer and implement the provisions of this chapter and other appropriate sections of the NFIP regulations and 44 CFR pertaining to floodplain management. The floodplain administrator shall coordinate with and receive direction from the mayor or mayor's designee when interpreting or enforcing this chapter or when considering any variances from this chapter. On all other matters arising under this chapter, the floodplain administrator is subject to the direction of the mayor or mayor's designee at the mayor/designee's discretion.

B. Duties and Responsibilities of the Floodplain Administrator or Designee. Duties and responsibilities of the floodplain administrator or designee shall include, but not be limited to, the following:

1. Uphold the goals of the county and the NFIP to reduce risk when possible and increase the county's resistance to future disasters.
2. Maintain and hold open for public inspection maps that identify and locate the boundaries of the SFHAs to which this chapter applies, including, but not limited to, the FIRM.
3. Review development proposals to determine whether a proposed building site, including sites designed for the placement of manufactured homes, will be reasonably safe from flooding.
4. Review, approve, or deny all applications for floodplain development permits required by adoption of this chapter.
5. Ensure that all necessary permits have been obtained from federal, state, or local governmental agencies (including from Salt Lake County Flood Control pursuant to Salt Lake County Code Title 17, and approvals under Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334 and the Endangered Species Act of 1973) from which prior approval is required.
6. Assure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.
7. Determine the base flood elevation when the FIRM does not do so.
8. Notify, in riverine situations, Salt Lake County Flood Control (pursuant to Salt Lake County Code Title 17), adjacent communities, and the state coordinating agency which is State of Utah Engineers Stream Alteration office, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to FEMA.
9. Where interpretation is needed as to the exact location of the boundaries of the special flood hazard areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the floodplain administrator shall make the necessary interpretation.
10. When BFE data has not been provided by FEMA, the floodplain administrator shall obtain, review, and reasonably utilize any BFE data and floodway data available from a federal, state, or other source including data provided by the applicant, in order to administer the provisions of this chapter.
11. When a FIRM has been adopted but has not identified a regulatory floodway, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30, AE, and AH on the county's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than 1.00* foot at any point within the county.
12. Under the provisions of 44 CFR Chapter 1, Section 65.12 of the NFIP regulations, the county may approve certain development in Zones A1-30, AE, and AH on the county's FIRM, which increases the water surface elevation of the base flood by more than 1.00* foot, provided that the county first meets the requirements of Section 65.12 for a conditional FIRM revision through FEMA's CLOMR process.
13. If the project is determined or reasonably believed to cause an adverse effect on the BFE(s), boundaries of the floodplain or any insurable structures, technical justification for the proposed development shall be submitted and the county may require a CLOMR or LOMR to be submitted prior to the permit approval or as a requirement of the permit.

C. <u>Requirement to Submit New Technical Data</u>.

1. The property owner or developer shall notify FEMA (and Salt Lake County Flood Control for property on or adjoining county flood control facilities as outlined in Salt Lake County Code Title 17) by submittal of a LOMR within six months of project completion when an applicant had obtained a CLOMR from FEMA or when development altered a watercourse, modified floodplain boundaries, or modified BFE.
2. The property owner or developer shall be responsible for preparing technical data to support the CLOMR or LOMR application and paying any processing or application fees to FEMA. The property owner or developer is responsible for submitting the CLOMR and LOMR to FEMA and shall provide all necessary data to FEMA if requested during the review process to ensure the CLOMR or LOMR is issued.
3. The floodplain administrator shall be under no obligation to sign the community acknowledgement form, which is part of the CLOMR/LOMR application, until the applicant demonstrates that the project will or has met the requirements of this chapter, Salt Lake County Code Title 17, and all applicable state federal, and local laws.

D. Permit Procedures.

1. Application for a floodplain development permit shall be presented to Salt Lake County Flood Control and the floodplain administrator or designee on forms furnished by him/her and shall include the following, and may include electronic rather than paper versions of the same:
    a. Plans drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations.
    b. Plans dr/awn to scale showing the location, dimensions, and elevation of existing and proposed structures, including the placement of manufactured homes.
    c. Location of the foregoing in relation to SFHAs.
    d. Elevation (in relation to mean sea level), of the lowest floor (including basement and crawlspace) of all new and substantially improved structures, if applicable;
    e. Elevation (in relation to mean sea level), to which any nonresidential structure (if applicable) shall be floodproofed.
    f. A certificate from a registered professional engineer that the nonresidential floodproofed structure (if applicable) shall meet the floodproofing criteria of this chapter and the NFIP regulations.
    g. Description of the extent to which any watercourse or natural drainage will be altered or relocated because of proposed development, if applicable.
    h. All other information that may be reasonably required by the floodplain administrator or Salt Lake County Flood Control.
    i. At the county's discretion, the county may charge a fee for issuance of floodplain development permits in accordance with the process outlined in Salt Lake County Code Section 3.42.040.
    j. Copies of all floodplain development permits and the associated documents shall become property of the county and shall be a permanent record.
2. Approval or denial of a floodplain development permit by the floodplain administrator or designee shall be based on all of the provisions of this chapter. Where all provisions of this chapter are met, the floodplain administrator or designee may impose reasonable conditions to

mitigate the following detrimental impacts where there is substantial evidence of heightened risk of the same:

a. Danger to life and property due to flooding or erosion damage.

b. Susceptibility of the proposed facility and its contents to flood damage.

c. Danger that materials may be swept onto other lands to the injury of others.

d. Safety of access to the property in times of flood for ordinary and emergency vehicles.

e. Atypical costs of providing governmental services at this site during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical, and water systems.

f. Atypical heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site.

g. Siting to alternative locations on the property that are not subject to flooding or erosion damage is one such reasonable condition.

E. Variance Procedures.

1. The land use hearing officer shall hear and render judgment on requests for variances from the requirements of this chapter, as provided in this chapter and Chapter 19.20.

   a. The floodplain administrator shall maintain in perpetuity a record of all variance actions, including justification for their issuance, and shall report variances to FEMA and the state coordinating agency upon issuing a variance.

   b. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in this chapter have been fully considered. Deviations from this one-half acre limitation may occur, but as the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases, as outlined in the FEMA Floodplain Management Bulletin on Variances.

   c. Upon consideration of the factors noted above and the intent of this chapter, the land use hearing officer may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this chapter.

   d. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

   e. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure. The term "substantial improvement" does not include any alteration of a structure or facility listed on the National Register of Historic Places or a state inventory of historic places.

2. Prerequisites for granting variances:

   a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief. Variances shall only be issued upon:

      i. Showing a good and sufficient cause (compliance with this section and Section 19.20.010).

ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant.

iii. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, conflict with existing local laws or ordinances (other than those for which a variance is sought), considers the need of ingress and egress during times of floods, and does not jeopardize first responders' health and welfare.

b. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the BFE, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

c. Variances may be issued by the county for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:

i. The criteria outlined in Section 19.56.070, Variance Procedures, are met; and

ii. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

19.56.080 Provisions for flood hazard reduction.

A. General Standards. In all special flood hazard areas, the following provisions are required for all new construction and substantial improvements:

1. All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
2. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
3. All new construction or substantial improvements shall be constructed with materials resistant to flood damage.
4. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
5. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters.
7. On-site waste disposal systems shall be designed or located to avoid impairment to them or contamination from them during flooding.

B. Substantial Improvement. Any combination of repair, reconstruction, rehabilitation, addition, or improvement of a building or structure, if the cumulative cost of the entire project equals or exceeds fifty percent of the market value of the structure only (not of the structure and land value combined) before the improvement or repair is started is a substantial improvement. If the structure has

sustained substantial damage, any repairs are considered substantial improvements regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

C. Substantial Damage. Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed fifty percent of the market value of the structure only before the damage occurred. This term also applies to structures which have incurred any damage that equals or exceeds fifty percent of the structure's market value regardless of the actual repair work performed. When a structure or building has been determined as substantially damaged, any work or repair on said structure or building will be considered as substantial improvement and will be required to meet the development requirements set forth within this chapter for substantial improvement.

D. Substantial Improvement and Substantial Damage Determination. For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, and any other improvement of or work on such buildings and structures, the floodplain administrator or designee, in coordination with the applicable county officials and staff, shall:

1. Estimate the market value of the building or structure only (not of land) before the start of construction of the proposed work. If the applicant disagrees with the estimated market value, the applicant may obtain an appraisal of the market value prepared by a qualified independent appraiser. In the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.
2. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure.
3. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; the determination requires evaluation of previous permits issued for improvements and repairs as specified in Section 19.56.070(B) and (C).
4. Utilize FEMA's substantial improvement/substantial desk reference when making any determination on substantial improvement and/or substantial damage. The substantial improvement regulations apply to all of the work that is proposed as the improvement, even if multiple permits are issued. Therefore, the determination of the cost of the improvement should consider all costs of all phases of the work before issuance of the first permit.
5. Notify the applicant that if it is determined that the work constitutes substantial improvement or repair of substantial damage, compliance with the flood regulations of this chapter is required.

E. Residential Construction. New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated to one foot above BFE. A registered professional engineer, or land surveyor shall submit certified elevations to the floodplain administrator that the standards of this chapter are satisfied.

F. Nonresidential Construction. New construction and substantial improvements of any commercial, industrial, or other nonresidential structure shall either have the lowest floor (including basement) elevated to one foot above the base flood elevation, or together with attendant utility and sanitary facilities be designed so that below one foot above the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy. A registered professional engineer shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification that includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the floodplain administrator. If the use or occupancy of the building changes in the future to residential, then the dry floodproofing of the structure cannot be used when determining compliance of the structure to the residential construction of this chapter. As such, the building will not be grandfathered into compliance and will be required to be brought into compliance with the residential construction requirements of this chapter.

G. Enclosures. New construction and substantial improvements, with fully enclosed areas below the lowest floor that are to be used solely for parking of vehicles, building access, or storage in an area other than a basement, and are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer, or must meet or exceed the following minimum criteria:

1. A minimum of two flood openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
2. The bottom of all flood openings shall be no higher than one foot above grade.
3. Flood openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

The development and construction of the structure must conform with the provision in FEMA/Federal Insurance Administration (FIA) - Technical Bulletins 1 and 2. Enclosures below the BFE may only be used for building access, vehicle parking, and storage. Certification and documentation from a professional, licensed engineer is required if the structure's lowest floor is built below the BFE. Applicant shall enter into a maintenance and nonconversion agreement with the county that it will maintain the improvements outlined in this paragraph and not modify or convert them to uses other than approved uses.

H. Crawlspace. New construction and substantial improvements built on a crawlspace or sub-grade (below grade) crawlspace may be permitted if the development is designed and meets or exceeds the standards found in FEMA's Technical Bulletins 1, 2, and 11, which include but are not limited to the following:

1. The structure must be affixed to a permanent foundation, designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Because of hydrodynamic loads, crawlspace construction is not allowed in areas with flood velocities greater than five feet per

second unless the design is reviewed by a qualified design professional, such as a registered professional engineer.

2. The crawlspace is an enclosed area below the BFE and, as such, must have flood openings that equalize hydrostatic pressures by allowing the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than one foot above the LAG.
3. The crawlspace enclosure must have proper flood openings that allow equalization of hydrostatic pressure by allowing automatic entry and exit of floodwaters. To achieve this, a minimum of one square inch of flood opening is required per one square foot of the enclosed area subject to flooding.
4. Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawlspace used to elevate the building, but also any joists, insulation, piers, or other materials that extend below the BFE. Ductwork must either be placed above the BFE or sealed from floodwaters.
5. Any building utility systems within the crawlspace must be elevated above the BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions.
6. The interior grade of a crawlspace below the BFE must not be more than two feet below the LAG.
7. The height of the below-grade crawlspace, measured from the lowest interior grade of the crawlspace floor to the bottom of the floor joist of the next higher floor cannot exceed four feet at any point.
8. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event.

Note: Buildings with below-grade crawlspaces will have higher flood insurance premiums than buildings that have the preferred crawlspace construction, with the interior elevation at or above the LAG.

I. Manufactured Homes.

1. All manufactured homes placed within Zone A on the county's FHBM or FIRM shall be installed using methods and practices that minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
2. Manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the county's FIRM on sites outside of a manufactured home park or subdivision; in a new manufactured home park or subdivision; in an expansion to an existing manufactured home park or subdivision; or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, shall comply with the following: be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to one foot above BFE, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
3. In A1-30, AH, AO and AE Zones, manufactured homes placed or substantially improved in an existing manufactured home park shall be elevated so that the lowest floor is one foot above

BFE; or the chassis is supported by reinforced piers no less than thirty-six inches in height above grade and securely anchored.

J. Recreation Vehicles. Recreational vehicles placed on sites within Zones A1-30, AH, and AE on the county's FIRM shall either:

1. Be on the site for fewer than one hundred eighty consecutive days and be fully licensed and ready for highway use;
    a. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
2. Meet the permit requirements of Section 19.56.070(D), Permit Procedures, and the elevation and anchoring requirements for "manufactured homes" of this section.

K. Standards for Areas of Shallow Flooding (AO/AH Zones). Located within the SFHAs established in Section 19.56.060(A), Lands to Which this Chapter Applies, are areas designated as shallow flooding. These special flood hazard areas associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

1. All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated one foot above the highest adjacent grade at least as high as one foot above the depth number specified in feet on the county's FIRM (at least two feet if no depth number is specified) flood elevation.
2. All new construction and substantial improvements of nonresidential structures:
    a. Have the lowest floor (including basement) elevated to one foot above the highest adjacent grade at least as high as one foot above the depth number specified in feet on the county's FIRM (at least two feet if no depth number is specified); or
    b. Together with attendant utility and sanitary facilities be designed so that below one foot above the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
3. A registered professional engineer shall submit a certification to the floodplain administrator that the standards of this subsection have been met.
4. Within Zones AH or AO, adequate drainage paths around structures on slopes of at least two percent, to guide flood waters around and away from proposed structures, is required.

L. Floodways. Because floodways located within SFHAs are extremely hazardous areas due to the velocity of flood waters that carry debris, potential projectiles, and erosion potential, the following provisions shall apply to such floodways adopted by ordinance:

1. Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the county during the occurrence of the base flood discharge.
2. All new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions in this chapter.

3. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the NFIP regulations, the county may permit encroachments within the adopted regulatory floodway that would result in an increase is, provided that the county first applies for a conditional FIRM and floodway revision through FEMA.

M. Standards for Subdivision Proposals.

1. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
2. All proposals for the development of subdivisions, including the placement of manufactured home parks, shall meet development permit and other requirements of this chapter.
3. BFE data shall be generated for subdivision proposals and other proposed development that is greater than fifty lots or five acres, including the placement of manufactured home parks and subdivisions.
4. All subdivision proposals, including the placement of manufactured home parks, shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

N. Standards for V1-30, VE, and V Zones. When the federal insurance administrator has identified on the county's unincorporated community FIRM coastal high hazard areas by designating Zones V1-30, VE, and/or V zones, the following standards shall apply to property within such zones:

1. An application for a new or substantially improved structure shall include the elevation (in relation to mean sea level) of the bottom of the lowest horizontal structural member of the lowest floor (excluding pilings and columns), and whether or not such structure contains a basement. The floodplain administrator shall maintain a record of all such information.
2. All new construction shall be located landward of the reach of mean high tide.
3. All new construction and substantial improvements shall, in Zones V1-30 and VE (and also Zone V if base flood elevation data is available on the county's unincorporated community FIRM) be elevated on pilings and columns so that:
   a. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level; and
   b. The pile or column foundation and structure attached thereto is anchored to resist fation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components.
4. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable state or county building standards. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of paragraphs (3)(a) and (b) of this subsection (N).
5. All new construction and substantial improvements shall have the space below the lowest floor either free of obstruction or constructed with nonsupporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than ten and no more than twenty pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of twenty

pounds per square foot (either by design or when so required by county or state building codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

a. Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and

b. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable state or county building standards.

Such enclosed space shall be useable solely for parking of vehicles, building access, or storage.

6. The use of fill for structural support of building is prohibited.

7. Man-made alteration of sand dunes and mangrove stands that would increase potential flood damage is prohibited.

8. Manufactured homes shall be placed or substantially improved as follows:

   a. Outside of a manufactured home park or subdivision,

   b. In a new manufactured home park or subdivision,

   c. In an expansion to an existing manufactured home park or subdivision, or

   d. If on a site in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as a the result of a flood, the manufactured home shall meet the standards of paragraphs (1)—(7) of this subsection (N). If on any other site in such a park or subdivision, the manufactured home shall meet the standards of paragraph (2) of subsection (I).

8. Recreational vehicles shall:

   a. Be on the site for fewer than one hundred eighty consecutive days,

   b. Be fully licensed and ready for highway use (on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices and no permanently attached additions), or

   c. Meet the requirements of paragraphs (1)—(7) of this subsection (N).

19.58 Geologic Hazards Ordinance – Staff Summary

Applicability:

Chapter 19.58 Geologic Hazards Ordinance applies to all areas identified on the adopted map of potential geologic hazards as well as areas within the Foothills and Canyons Overlay Zone.

Changes to Note:

The County Geologist is currently reviewing the geologic hazards ordinance in anticipation of presenting a revised chapter to Salt Lake County for consideration. However, because the chapter is somewhat technical in nature, requiring review and input of any proposed changes from agencies such as the Utah Geological Survey, the revised chapter is not ready to include in this Title 19 update. There are no substantive changes being proposed to this chapter at this time.

Chapter 19.58 GEOLOGICAL HAZARDS ORDINANCE

Sections:

19.58.010 Purpose of provisions.

The purpose of the geologic hazards ordinance is to promote the health, safety and general welfare of the citizens of the County, and minimize the potential adverse effects of geologic hazards to public health, safety, and property by encouraging wise land use in geologically hazardous areas.

19.58.020 Definitions.

As used in this chapter, the following terms have the following meanings:

"Active fault" means a fault displaying evidence of greater than four inches of displacement along one or more of its traces during Holocene time (about 10,000 years ago to the present).

"Avalanche" means a large mass of snow, ice, and debris in swift motion down a slope; includes both wet and dry snow avalanches.

"Buildable area" means that portion of a site where an approved engineering geology and/or geotechnical report, as required, has indicated is not impacted by geologic hazards, or concluded that the identified hazards can be mitigated to a level where risk to human life and property are reduced to an acceptable and reasonable level, and where structures may be safely sited. Buildable areas must be clearly marked on the site plan and/or final approved plat, as appropriate.

"Critical facilities" means essential facilities and lifelines such as major utility, transportation, and communication facilities and their connections to essential facilities.

"Debris flow" means a slurry of rock, soil, organic material, and water transported in an extremely fast and destructive flow that flows down channels and onto and across alluvial fans; includes a continuum of sedimentation events and processes including debris, flows, debris floods, mudflows, clearwater floods, and alluvial fan flooding.

"Development" includes all critical and essential facilities, subdivisions, single- and multi-family dwellings, commercial and industrial buildings, additions to existing buildings, storage facilities, pipelines and utility conveyances, and other land uses.

"Engineering geologist" means a geologist who, through education, training and experience, is able to conduct field investigations and interpret geologic conditions to assure that geologic factors affecting engineered works are recognized, adequately interpreted, and presented for use in engineering practice and for the protection of the public.

"Engineering geology" means the application of geological data, principles, and interpretation so that geological factors affecting planning, design, construction, and maintenance of engineered works are properly recognized and adequately interpreted.

"Essential facility" means buildings and other structures that are intended to remain operational in the event of extreme environmental loading from snow or earthquakes, including all Category II and III structures as classified in Table 1604.5 of the Building Code.

"Fault" means a fracture in the earth's crust forming a boundary between rock or soil masses that have moved relative to each other (see "Active fault").

"Fault setback" means an area on either side of a fault within which construction of structures for human occupancy or critical facilities is not permitted.

"Fault scarp" means a steep slope or cliff formed by movement along a fault.

"Fault trace" means the intersection of a fault plane with the ground surface, often present as a fault scarp or detected as a lineament on aerial photographs.

"Fault zone" means a corridor of variable width along one or more fault traces, within which deformation has occurred.

"Geologic hazard" means a surface fault rupture, liquefaction, landslide, debris flow, rockfall, avalanche, and/or other geologic processes that may present a risk to life and property.

"Geologic hazard maps" refers to the following maps showing Geologic Hazards Special Study Areas in the unincorporated areas of Salt Lake County:

A. "Surface Fault Rupture and Liquefaction Potential Special Study Areas" dated March 31, 1989 and revised March 1995;
B. "Avalanche Special Study Areas" dated March 31, 1989;
C. "Landslide, Debris Flow, and Rockfall Special Study Area Map" dated April 9, 2002.

"Geologic Hazard Special Study Area" means a potentially hazardous area as shown on the geological hazards maps or in other areas defined under "Applicability" (Section 19.58.030) within which hazard investigations are generally required prior to development.

"Geotechnical Engineer" means a professional engineer licensed in the State of Utah whose education, training, and experience is in the field of geotechnical engineering.

"Geotechnical Engineering" means the investigation and engineering evaluation of earth materials including soil, rock, and man-made materials and their interaction with earth retention systems, foundations, and other civil engineering works. The practice involves the fields of soil mechanics, rock mechanics, and earth sciences and requires knowledge of engineering laws, formulas, construction techniques, and performance evaluation of engineering.

"Governing body" means the County Council.

"Landslide" means a general term for the downslope movement of a mass of soil, surficial deposits, or bedrock, including a continuum of processes between landslides, earthflows, mudflows, debris flows, debris avalanches, and rockfall.

"Liquefaction" means a process by which certain water-saturated soils lose bearing strength because of earthquake-related ground shaking and subsequent increase of groundwater pore pressure.

"Non-Buildable Area" means that portion of a site which an engineering geology report has concluded may be impacted by geologic hazards that cannot be feasibly mitigated to a safe level and where siting of structures is not permitted.

"Rockfall" means a rock, or mass of rock, newly detached from a cliff or other steep slope which moves downslope by falling, rolling, toppling, or bouncing; includes rockslides, rockfall avalanches, and talus.

"Setback" means an area within which construction of habitable structures or critical facilities is not permitted.

"Slope Stability" means the resistance of a natural or artificial slope or other inclined surface to failure by landsliding; usually assessed under both static and dynamic (earthquake induced) conditions.

"Structure designed for human occupancy" means any residential dwelling or other structure used or intended for supporting or sheltering any human occupancy.

19.58.030 Applicability.

These regulations are applicable to:

A. All lands within Geological Hazard Special Study Areas in the unincorporated county, as shown on the following geologic hazards maps on file with Planning and Development Services:
   1. "Surface Fault Rupture and Liquefaction Potential Special Study Areas" dated March 31, 1989 and revised March 1995;
   2. "Avalanche Special Study Areas" dated March 31, 1989; and
   3. "Landslide, Debris Flow, and Rockfall Special Study Areas" dated April 9, 2002.

B. Because not all geologic hazards are identified on the above maps due to their scale, this ordinance also applies to areas within the Foothills and Canyons Overlay Zone, as indicated by a map of that title adopted on January 21, 1998 by Salt Lake County. The County hereby adopts that map, as amended; and

C. Areas where slopes are in excess of thirty percent; and

D. Areas where topography, geology, soil conditions, slope instability, slope angle or aspect, whether on-site or off-site, indicate a potential for geologic hazards.

Such maps and areas described above and all amendments thereto are made a part of this chapter as if fully described and detailed herein. Each change in the geologic hazards maps shall be subject to the amendment procedures set forth in Section 19.16.080.

19.58.040 Disputes.

A. Disputes may arise when:
   1. There is a conflict between the boundary lines illustrated on the map and actual field conditions,
   2. Detailed investigations show that mapped hazards are not present within a particular area, or
   3. Field conditions indicate that unmapped hazards may exist that require study.

B. Disputes shall be settled as follows:
   1. The person disputing the special study area boundary or the presence of mapped or unmapped hazard(s) within a particular area shall submit technical and geologic evidence to support their claim to the County Geologist in the form of a site-specific geologic hazards report (see Section 19.58.060).
   2. The County Geologist may request the Utah Geological Survey, U.S. Forest Service, and/or other experts to review the evidence (third-party review) prior to making a decision concerning the dispute. The cost of the third-party review shall be paid by the person disputing the map.
   3. The County Geologist may allow deviations from the mapped boundary line only if evidence is provided by the applicant that, to the satisfaction of the County Geologist, clearly and conclusively establishes that the Geologic Hazard Special Study Area boundary location is incorrect, or that the mapped hazards are not present within a particular area.
   4. Any decision of the County Geologist may be appealed to the land use hearing officer pursuant to the appeal procedures set forth in Chapter 19.16.

19.58.050 Studies and reports required.

Any applicant requesting development on a parcel of land within a Geologic Hazard Special Study Area, as required under Chart 19.58.050, or in other applicable areas as defined in Section 19.58.030, shall submit to the Planning and Development Services Division two copies of a site-specific geologic hazard study and report.

Chart 19.58.050: Special Study Area Report Requirements Based on Special Study Area Maps					
Is a Site-Specific Geological Hazards Report Required Prior to Approval?					
		Liquefaction Potential			
Land Use (Type of Facility)	Surface Fault Rupture	HIGH and MODERATE	LOW and VERY LOW	Landslide, Debris Flow & Rockfall	Avalanche
Critical and Essential Facilities as defined in Section 19.58.020	Yes	Yes	Yes	Yes	Yes
Industrial and Commercial Bldgs. (1 story and <5,000 sq. ft.)	Yes	No*	No	Yes	Yes
Industrial and Commercial Bldgs. (>5,000 sq. ft.)	Yes	Yes	No	Yes	Yes
Residential-Single Lots/Single Family Homes	Yes	No*	No	Yes	Yes
Residential Subdivisions (>9 Lots), and Residential Multi-Family Dwellings (4 or more units per acre)	Yes	Yes	No	Yes	Yes
Residential Subdivisions (<9 Lots), and Residential Multi-Family Dwellings (<4 units per acre)	Yes	No*	No	Yes	Yes
*Although a site-specific investigation is not required, the owner is required to file a disclosure notice prior to land use approval					

19.58.060 Geologic hazard and engineering geology reports.

This section describes requirements for site-specific geologic hazard studies and reports, where required according to Section 19.58.050, the Geologic Hazard maps and Chart 19.58.050:

A. An engineering geology report that includes a geologic hazards investigation and assessment shall be prepared by a qualified engineering geologist, except as provided in Sections 19.58.060.C, E, and F, below. A "qualified engineering geologist" requires 1) an undergraduate or graduate degree in geology, engineering geology, or a related field with a strong emphasis in geologic coursework, from an accredited university; 2) at least three full years of experience in a responsible position in the field

of engineering geology; and 3) per State law, after January 1, 2003, geologists practicing before the public must be licensed in Utah. The report shall be site-specific and shall identify all known or suspected potential geologic hazards, originating on-site or off-site, whether previously mapped or unmapped, that may affect the particular property. All reports shall be signed and stamped by the preparer and include the qualifications of the preparer.

B. Fault rupture hazard reports shall contain all requirements as described in the document "Minimum Standards for Surface Fault Rupture Studies" published by Salt Lake County and incorporated by reference as Appendix A of this ordinance. Fault study reports shall be prepared, signed, and stamped by a qualified engineering geologist as described in Appendix A.

C. Liquefaction analyses shall contain all requirements as stated in the document "Liquefaction: A Guide to Land Use Planning" published by Salt Lake County and incorporated by reference as Appendix B to this ordinance. Liquefaction analyses shall be prepared by a qualified professional geotechnical engineer licensed in the State of Utah and shall include the professional engineer's original stamp and signature.

D. Debris flow hazard studies and reports shall include test pits or trench logs (scaled 1 inch to 5 feet), include estimates of the number and frequency of past events and their thicknesses, volume, and maximum clast sizes, and include estimates of the recurrence, depth, and impact forces anticipated in future events. While debris flow hazard analyses may require contributions from hydrologists and engineers, the debris flow report shall be under the control of, and prepared by, a qualified engineering geologist, and shall include the geologist's qualifications to perform the study (such as their experience in performing similar studies).

E. Landslide reports shall be prepared in accordance with the Utah Geological Survey's "Guidelines for Evaluating Landslide Hazards in Utah" (Hylland, 1996). Landslide reports shall be prepared, signed, and stamped by a qualified engineering geologist, and include the qualifications of the preparer. Slope stability or other analyses included in these reports shall include both static and dynamic conditions, and shall be prepared by a qualified professional geotechnical engineer licensed in the State of Utah, and shall include the professional engineer's original stamp and signature.

F. Snow avalanche hazard reports shall be prepared in accordance with the document "Snow-Avalanche Hazard Analysis for Land Use Planning and Engineering" (Colorado Geological Survey Bulletin 49) or other appropriate references. Avalanche hazard reports must be prepared by an experienced avalanche expert, and shall include the avalanche expert's qualifications to perform the study (such as their experience in performing similar studies).

G. Other geologic hazard or engineering geology reports shall be prepared in accordance with Utah Geological Survey Miscellaneous Publication M, "Guidelines for Preparing Engineering Geologic Reports in Utah." All reports shall be signed by the preparer and include the qualifications of the preparer. Generally, these reports must be prepared, signed, and stamped by a qualified engineering geologist licensed in the State of Utah. However, reports co-prepared by a professional engineer must include the professional engineer's original stamp and signature.

H. All reports shall include, at a minimum:

    1. A 1:24,000-scale geologic map (with reference) showing the surface geology, bedrock geology (where exposed), bedding attitudes, faults, or other structural features, and the locations of any geologic hazards;

    2. A detailed site map of the subject area showing any site-specific mapping performed as part of the geologic investigation, including boundaries and features related to any geologic hazards, topography, and drainage. The site map must show the location and boundaries of the hazard(s),

delineation of any recommended setback distances from hazard(s), and recommended location(s) for structures. Buildable and non-buildable areas shall be clearly identified. Scale shall be one inch equals two hundred feet or smaller.

3. Trench logs and test pit logs (scale: 1 inch equals 5 feet, or smaller), boring logs (scale: 1 inch equals 5 feet, or smaller), aerial photographs, references with citations, and other supporting information, as applicable
4. Conclusions that summarize the characteristics of the geologic hazards, and that address the potential effects of the geologic conditions and geologic hazards on the proposed development and occupants thereof in terms of risk and potential damage.
5. Specific recommendations for additional or more detailed studies as may be required to understand or quantify the hazard, evaluate whether mitigation measures are required, and evaluate mitigation options.
6. Specific recommendations for avoidance or mitigation of the effects of the hazard(s), consistent with the purposes set forth in Section 19.58.010. Design or performance criteria for engineered mitigation measures and all supporting calculations, analyses, modeling or other methods, and assumptions, shall be included in the report. Final design plans and specifications for engineered mitigation must be signed and stamped by a qualified professional geotechnical or structural engineer, as appropriate.
7. Evidence on which recommendations and conclusions are based shall be clearly stated in the report.

I. Additional or more detailed studies may be required, as recommended by the report or as determined by the County Geologist, to understand or quantify the hazard, or to evaluate whether mitigation measures recommended in the report are adequate.

19.58.070 Review of reports—Approval procedure.

A. In order to fulfill the purposes of this chapter, the Planning and Development Services Division or the Planning Commission, as appropriate under the County's Development Standards, shall review any proposed land use which requires preparation of a geologic hazard report under this chapter to determine the possible risks to the safety of persons or property from geologic hazards.

B. Prior to consideration of any such development by the Planning and Development Services Division and the Planning Commission, the geologic hazard report shall be submitted to the County Geologist for review and recommendation. The County Geologist may request the Utah Geological Survey, the U.S. Forest Service, and/or other experts to review the report (third-party review) and provide additional recommendations. Any cost the County must pay for such third-party reviews shall be paid by the applicant prior to Planning Commission or Planning and Development Services Division action. The County Geologist shall file a copy of the geologic hazard report in the County Geologist's Geologic Hazards Library, and another copy in the Planning and Development Services project file. A copy may also be forwarded to the Utah Geological Survey.

C. The County Geologist and other retained experts in their review of the report, and the Planning Commission or Planning and Development Services Director in their consideration of the development, shall determine whether the development complies with all of the following standards:

1. A suitable geologic hazard report has been prepared by a qualified professional as outlined in Section 19.58.060.

2. The proposed land use does not present an unreasonable risk to the safety of persons or property (including buildings, storm drains, public streets, utilities or critical facilities, whether off-site or on-site), or to the aesthetics and natural functions of the landscape (e.g. slopes, streams or other waterways, drainage, wildlife habitat, etc., whether off-site or on-site) because of the presence of geologic hazards or because of modifications to the site due to the proposed land use.
3. At the Planning Commission's discretion, with advice from the County Geologist, the proposed land use may be approved if the applicant submits substantial evidence in the geologic hazard report that, using best available practices, the identified hazards can be mitigated to a level where the risk of human life and damage to property are reduced to an acceptable and reasonable level in a manner which has a minimum effect on the natural environment. Mitigation measures should consider in their design the intended aesthetic functions of other governing ordinances such as the Foothills and Canyons Overlay Zone (Ch. 19.62).

D. Any area determined to contain geologic hazards to life or property shall not be approved for development unless the applicant demonstrates that the identified hazards or limitations can be overcome in such a manner as to minimize hazard to life or property. The applicant must include, with the geologic hazards report, an acceptable mitigation plan that defines how the identified hazards or limitations will be overcome in such a manner as to minimize hazard to life or property, as described in Section 19.58.070.C.3, above, and without impacting or affecting off-site areas.

E. The County Geologist may set other requirements as are necessary to overcome any geologic hazards and to ensure that the purposes of this chapter are met. These requirements may include, but are not limited to:

1. Additional or more detailed studies to understand or quantify the hazard or determine whether mitigation measures recommended in the report are adequate;
2. Specific mitigation requirements; establishment of buildable and/or non-buildable areas; limitations on slope grading; and/or revegetation;
3. Installation of monitoring equipment and seasonal monitoring of surface and subsurface geologic conditions, including groundwater levels;
4. Other requirements such as time schedules for completion of the mitigation, phasing of development, etc.

F. The Planning Commission or Planning and Development Services Director may set requirements necessary to reduce the risks from geologic hazards as a condition to the approval of any development which requires a geologic hazards report.

19.58.081 Active fault considerations.

A. No critical facility (excluding transportation lines or utilities, which by their nature may cross active faults) or structures designed for human occupancy shall be built astride an active fault. A fault study must be prepared as outlined in Sections 19.58.050, 19.58.060, and Appendix A, prior to final approval of the land use or building permits. If a fault is discovered in the excavation for such a structure, whether located within a Special Study Area or not, a special study, as described in Section 19.58.060 must be performed to determine if the fault is active. If the fault is determined to be active, the procedures set forth in Section 19.58.070 shall be followed. The fault study report shall establish a fault setback on either side of the fault following the requirements in Appendix A, within which no critical facilities or structures for human occupancy shall be placed.

B. No structure designed for human occupancy shall be built on a fault scarp. Footing setbacks from a fault scarp shall meet the requirements in Appendix A or the requirements of the Building Code, whichever is more stringent. The Planning and Development Services Director may increase footing setback requirements where information from a geotechnical report indicates slope conditions warrant a greater setback distance.

19.58.082 Liquefaction considerations.

A. Liquefaction analyses shall be performed for all critical facilities regardless of the mapped special study area designation for the site.

B. For all structures for which a liquefaction analysis indicates that ground settlement may be anticipated, the project structural engineer shall provide documentation to the County Geologist that the building will be designed to accommodate the predicted ground settlements, in such a manner as to be protective of life safety during the design event.

19.58.083 Avalanche considerations.

A. Development of structures for human occupancy is not permitted within an avalanche special study area, or in other areas where avalanche hazards may exist, unless a detailed avalanche hazard analysis is performed, as described in Section 19.58.060, by a qualified avalanche expert.

B. If the avalanche analysis indicates that the site may be impacted by avalanches, the report shall delineate the following areas

1. A "red zone" of high avalanche potential [return period of twenty-five years or less, and/or impact pressures over six hundred pounds per square foot (psf) within which critical facilities or structures for human occupancy are not permitted;
2. A "blue zone" (return period between twenty-five and three hundred years, and impact pressures less than six hundred psf) within which critical facilities or structures for human occupancy shall only be permitted when at least one of the following requirements has been met:
    a. The structure is designed to incorporate direct protection measures that address the estimated impact forces (flowing snow/debris and powder blast loading). The estimated impact forces shall be calculated by the avalanche expert. The structure shall be designed by, and the plans stamped by, a qualified structural engineer licensed in the State of Utah; or
    b. Appropriate engineering controls (i.e. deflection structures, snow retention nets, dams, etc.) are designed and installed to mitigate the avalanche hazard. Design or performance criteria for engineered mitigation measures (including estimated impact forces, flow heights, location and dimensions of the mitigation structures) and all supporting modeling or other analyses, calculations, and assumptions, shall be calculated by the avalanche expert and included in the report. Final design plans and specifications for engineered mitigation must be signed and stamped by a qualified professional geotechnical or structural engineer, as appropriate, licensed in the State of Utah.

19.58.091 Disclosure when a geologic hazards report is required.

Whenever a geologic hazards report is required under this chapter, the owner of the parcel shall record a restrictive covenant running with the land in a form satisfactory to the County prior to the approval of any development or subdivision of such parcel. Disclosure will include signing a Disclosure and Acknowledgment Form provided by the County which will include the following:

A. Notice that the parcel is located within a Geologic Hazard Special Study Area as shown on the geologic hazard map or otherwise defined in Section 19.58.030;
B. Notice that a geologic hazards report was prepared and is available for public inspection in the County Geologist's Geologic Hazards Library;
C. Where geologic hazards and related setbacks are delineated in subdivisions and PUDs, the owner shall also place additional notification on the plat stating the above information, prior to final approval of the plat.

19.58.092 Disclosure when a geologic hazards report is not required.

Whenever a parcel to be developed is located within a Geologic Hazard Special Study Area but a geologic hazards report is not required under this chapter (such as but not limited to, a single-family home located in a moderate liquefaction potential area), notice that the parcel is located within such area(s) shall be recorded by the land owner by signing a Disclosure and Acknowledgment Form provided by the County prior to the approval of any such development.

19.58.100 Warning and disclaimer.

The geologic hazards ordinance codified in this chapter and geologic hazard maps represent only those hazardous areas known to the County and should not be construed to include all possible potential hazard areas. The geologic hazards ordinance and the geologic hazard maps may be amended as new information becomes available pursuant to procedures set forth in Section 19.16.080. The provisions of this chapter do not in any way assure or imply that areas outside its boundaries will be free from the possible adverse effects of geologic hazards. This chapter shall not create liability on the part of the County or any officer or employee thereof for any damages from geologic hazards that result from reliance on this chapter or any administrative requirement or decision lawfully made thereunder.

19.58.110 Change of use.

No change in use which results in the conversion of a building or structure from one not used for human occupancy to one that is so used shall be permitted unless the building or structure complies with the provisions of this chapter.

19.58.120 Conflicting regulations.

In cases of conflict between the provisions of existing zoning classifications, building code, subdivision ordinance, or any other ordinance of the County and the geologic hazards ordinance codified in this chapter, the most restrictive provision shall apply.

19.60 AOZ Airport Overlay Zone – Staff Summary

Applicability:

Chapter 19.60 AOZ Airport Overlay Zone applies to areas near the Salt Lake International Airport pursuant to the requirements of the Federal Aviation Administration to ensure public safety.

Changes to Note:

There are no substantive changes being proposed to this chapter.

Chapter 19.60 AOZ AIRPORT OVERLAY ZONE

19.60.010 Purpose of provisions.

It is determined that an airport hazard endangers the lives and property of users of airports, and the health, safety and welfare of property or occupants of land in its vicinity and, also, if of the obstruction type or of the incompatible use type in effect reduces the size of the area available for landing, takeoff and maneuvering of aircraft, thus tending to destroy or impair the utility of airports and the public investment therein. Accordingly, it is declared that:

A. The creation or establishment of an airport hazard is a public nuisance and an injury to the region served by airports;

B. It is necessary in the interest of public health, public safety and general welfare that the creation and establishment of airport hazards be prevented; and

C. The prevention of these hazards should be accomplished, to the extent legally possible, by the exercise of the police power without compensation.

19.60.020 Definitions.

In this chapter, the following terms, phrases, words, and their derivations, shall have the meanings as defined in this section:

"Air circulation system" means any method of cooling and heating an area with windows and doors closed, or with evaporative coolers and similar devices.

"Airport" means any landing area, runway, or other facility designed, used or intended to be used either publicly or by any person or persons for the landing or taking off of aircraft, including all necessary taxiways, aircraft storage and tiedown areas, hangars, and other necessary buildings and open spaces, as permitted by local zoning ordinances.

"Airport elevation" means the highest point of the airport's usable landing area, measured in feet from mean sea level.

"Airport hazard" means any structure or object of natural growth located on or in the vicinity of the airport, or any use of land near the airport, which obstructs the airspace required for the flight of aircraft in landing or takeoff of an aircraft.

"Airport reference point" means the point established as the approximate geographic center of the airport landing area, and so designated.

"FAA" means the Federal Aviation Administration.

"Height." For the purpose of determining the height limits in all zones set forth in this chapter and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.

"Incompatible use" means any structure or use of land which, because it exposes residents or occupants in the vicinity of airports to aircraft noise, constitutes an airport hazard.

"Nonconforming use" means any preexisting structure, tree or use of land which is inconsistent with the provisions of this chapter or an amendment thereto.

"Nonprecision instrument runway" means a runway having an existing instrument approach procedure utilizing air navigation facilities, with only horizontal guidance or area-type navigation equipment for which straight-in nonprecision instrument approach procedure has been approved or planned, and for which no precision approach facilities are planned or indicated on an FAA planning document.

"Person" means an individual, firm, partnership, corporation, company, association, joint stock association or governmental entity. It includes a trustee, receiver, assignee or similar representative of any of the foregoing.

"Precision instrument runway" means a runway having an existing instrument approach procedure utilizing an instrument landing system ("ILS") or a precision approach radar ("PAR"). It shall also mean a runway for which a precision approach system is planned and is so indicated on an FAA approved airport layout plan or any other FAA approved planning document.

"Primary surface" means a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends two hundred feet beyond each end of such runway; but when the runway has no specially prepared hard surface, or planned hard surface, the primary surface of a runway will be that width prescribed in Part 77, Section 77.24 of the Federal Aviation Regulations ("FAR"), which is hereby incorporated by reference and made a part hereof, for the most precise approach existing or planned for either end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

"Runway" means a defined area on the airport prepared for landing and takeoff of aircraft along its length.

"Structure" means an object constructed or installed by man, including, but without limitation, buildings, towers, smokestacks, earth foundations and overhead transmission lines.

"Tree" means any object of natural growth.

"Utility runway" means a runway that is constructed for and intended to be used by propeller-driven aircraft of twelve thousand five hundred pounds maximum gross weight or less.

"Visual runway" means a runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on an FAA approved airport layout plan or on any planning document submitted to the FAA by competent authority.

19.60.030 Airport layout plan provisions.

Airport types and airport height provisions for an airport shall be determined by and based on an airport layout plan and airport zoning map approved by the county council and on file with the planning commission. Any such maps so approved and recorded as of August 22, 1984, the time of the passage of the ordinance codified in this chapter, shall be deemed to be as much a part of this chapter by this reference as if fully prescribed and detailed herein.

19.60.040 Airport overlay zones—Established—Applicability.

In order to carry out the provisions of this chapter, there are created and established certain overlay zones which may include all of the land lying within the approach zones, transitional zones, horizontal zones, conical zones, and airport restriction zones. Such zones shall be effective only to the extent shown on the zoning maps on file in the office of the planning commission as the same appear as of the effective date of the amending ordinance codified in this chapter, and as amended from time to time hereafter to reflect the changes made thereon by ordinances adopted by the county council, and such map and all references, notations and other information shown thereon are hereby made a part of this chapter to the extent as if the map and the information thereon were fully described and set forth herein.

19.60.050 Airport overlay zones—Height limitations.

Except as otherwise provided in this chapter, no structure or tree shall be erected, altered, allowed to grow or be maintained in any zone created by this chapter to a height in excess of the applicable height limit established in this chapter for such zone.

19.60.060 Utility runway visual approach zone—Established.

Utility runway visual approach zones are established with the inner edge coinciding with the width of the primary surface, and being two hundred fifty feet wide. The approach zone expands outward, uniformly, to a width of twelve hundred fifty feet at a horizontal distance of five thousand feet from the primary surface, its centerline being the continuation of the centerline of the runway.

19.60.070 Utility runway visual approach zone—Height limitations.

The height limitation in a utility runway visual approach zone slopes upward twenty feet horizontally for each foot vertically, beginning at the end of and at the same elevation as the primary surface, and extends to a horizontal distance of five thousand feet along the extended runway centerline.

19.60.080 Runway larger than utility with certain conditions—Zone established.

Runways larger than utility with a visible minimum as low as three-fourths' mile nonprecision instrument approach zones are hereby established, with the inner edge of this approach zone coinciding with the width of the primary zone, and are one thousand feet wide. The approach zone expands outward, uniformly, to a width of sixteen thousand feet at a horizontal distance of fifty thousand feet from the primary surface, its centerline being the continuation of the centerline of the runway.

19.60.090 Runway larger than utility with certain conditions—Height limitations.

The height limitation in a runway larger than utility with a visual minimum as low as three-fourths' mile nonprecision instrument zone slopes upward one hundred feet horizontally for each foot vertically, beginning at the end of and at the same elevation as the primary surface, and extends to a horizontal distance of ten thousand feet along the extended runway centerline; thence slopes upward forty feet horizontally for each foot vertically to an additional horizontal distance of forty thousand feet along the extended runway centerline.

19.60.100 Precision instrument runway approach zone—Established.

Precision instrument runway approach zones are hereby established, with the inner edge of this approach zone coinciding with the width of the primary surface, and are one thousand feet wide. The approach zone expands outward, uniformly, to a width of sixteen thousand feet at a horizontal distance of fifty thousand feet from the primary surface, its centerline being the continuation of the centerline of the runway.

19.60.110 Precision instrument runway approach zone—Height limitations.

The height limitation in a precision runway approach zone slopes upward one hundred feet horizontally for each foot vertically, beginning at the end of and at the same elevation as the primary surface, and extends to a horizontal distance of ten thousand feet along the extended runway centerline; thence slopes upward forty feet horizontally for each foot vertically to an additional distance of forty thousand feet along the extended runway centerline.

19.60.120 Transitional zones—Established.

Transitional zones are hereby established as the area beneath the transitional surfaces. The surfaces extend outward and upward to ninety-degree angles to the runway centerline and the runway centerline extended, at a slope of seven feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional zones for those portions of the precision approach zones which project through and beyond the limits of the conical surface extend a distance of five thousand feet, measured horizontally from the edge of the approach zones and at a ninety-degree angle to the extended runway centerline.

19.60.130 Transitional zones—Height limitations.

A. The height limitation in a transitional zone slopes upward and outward seven feet horizontally for each foot vertically, beginning at the side of and at the same elevation as the primary surface and the approach zones, and extending to a height of one hundred fifty feet above the airport elevation.

B. In addition to the foregoing, there are established height limits sloping upward and outward seven feet horizontally for each foot vertically, beginning at the sides of and at the same elevation of the approach zones, a]nd extending to where they intersect the conical surface.

C. Where the precision instrument runway approach zone projects beyond the conical zone, height limits sloping upward and outward seven feet horizontally for each foot vertically shall be maintained beginning at the sides of and at the same elevation as the precision instrument runway approach surface, and extending to a horizontal distance of five thousand feet, measured at a ninety-degree angle to the extended runway centerline.

19.60.140 Horizontal zone—Established.

A. Horizontal zones are hereby established as that area the perimeter of which is constructed by swinging arcs of specified radii from a point on the centerline and two hundred feet beyond each end of each runway, and connecting the adjacent arcs by lines tangent to those arcs.

B. The radius of each arc is five thousand feet for all runways designated as utility or visual, and ten thousand feet for all other runways. The radius of the arc specified for each end of a runway will have the same arithmetical value. That value will be the highest determined for either end of the runway. When a five-thousand-foot arc is encompassed by tangents connecting two adjacent ten-thousand-foot arcs, the five-thousand-foot arc shall be disregarded in determining the horizontal zone.

C. The horizontal zone does not include the approach and transitional zones.

19.60.150 Horizontal zone—Height limitations.

The height limitation in a horizontal zone shall be one hundred fifty feet above the airport elevation.

19.60.160 Conical zone—Established.

Conical zones are hereby established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of four thousand feet. The conical zone does not include the precision instrument approach zones and the transitional zones.

19.60.170 Conical zone—Height limitations.

The height limitation of the conical zone shall slope upward and outward twenty feet horizontally for each foot vertically, beginning at the periphery of the horizontal zone and at one hundred fifty feet above the airport elevation, and extending to a height of three hundred fifty feet above the airport elevation.

19.60.180 Height limitations—Applicability.

Nothing in this chapter shall be construed as prohibiting the growth, construction or maintenance of any tree or structure to a height consistent with the terms of this chapter.

19.60.190 Airport restriction zones—Established.

Airport restriction zones are established as follows:

A. Airport Restriction Zone A is that area shown on the airport zoning map exposed to the most severe levels of aircraft noise.

B. Airport Restriction Zone B is that area shown on the airport zoning map exposed to severe levels of aircraft noise.

C. Airport Restriction Zone C is that area shown on the airport zoning map exposed to moderate levels of aircraft noise.

D. Airport Restriction Zone D is that area shown on the airport zoning map exposed to noise from aircraft operating on a primary flight track.

E. Airport Restriction Zone E is that area shown on the airport zoning map exposed to noise from aircraft operating on a heavily used aircraft traffic pattern.

19.60.200 Airport restriction zones—Incompatible uses.

A. Except as provided for in this chapter, no structure or use of land shall be erected, altered or utilized in any airport restriction zone so as to create an incompatible use, as hereinafter established for such zones. In addition, any development within Airport Restriction Zones A, B, C, D or E requires an aviation easement.

B. For this purpose, "development" means and is defined as subdivision of property and as construction of buildings on vacant property, except on improved subdivided property recorded as of the effective date of the ordinance codified in this chapter.

C. Airport Restriction Zone A. The following uses are incompatible in this zone:

    1. Residential uses;

    2. Commercial uses, except those constructed with air circulation systems and at least twenty-five db of sound attenuation;

    3. Institutional facilities, such as schools, hospitals, churches and rest homes;

    4. Hotels and motels, except those constructed with air circulation systems and at least thirty db of sound attenuation in sleeping areas, and at least twenty-five db of sound attenuation elsewhere.

D. Airport Restriction Zone B. The following uses are incompatible in this zone:

    1. Residential uses, except residences in agricultural zones with air circulation systems, and at least twenty-five db of sound attenuation;

2. Institutional uses such as schools, hospitals, churches and rest homes, except those constructed with air circulation systems and at least twenty-five db of sound attenuation;
3. Hotels and motels, except those constructed with air circulation systems and at least twenty-five db of sound attenuation in sleeping areas.

E. Airport Restriction Zone C. The following uses are incompatible in this zone:
1. Residential uses, except those constructed with air circulation systems;
2. Mobile homes, except those constructed with air circulation systems and at least twenty db of sound attenuation;
3. Institutional uses such as schools, hospitals, churches and rest homes, except those constructed with air circulation systems.

F. Airport Restriction Zone D. The following uses are incompatible in this zone:
1. Low-density residential and school uses except those constructed with air circulation systems.

G. Airport Restriction Zone E. The following uses are incompatible in this zone:
1. No restrictions, except aviation easements are required.

19.60.210 Permits—Required when.

All uses shall obtain permits before construction or installation, as required by other county ordinances.

19.60.220 Permits—Issuance conditions.

No permit shall be granted that would allow the establishment or creation of an airport hazard, or permit a nonconforming use or structure to be made or become higher or become a greater hazard to air navigation than it was on the effective date of the ordinance codified in this chapter, or any amendment thereto, or than it is when the application for a permit is made.

19.60.230 Use restrictions.

Notwithstanding any other provision of this chapter, no use may be made of land or water within the county that will create any electrical interference with navigational signals for radio communication between the airport and the aircraft, making it difficult for pilots to distinguish airport lights and others, resulting in glare in the eyes of the pilots using the airport, impair visibility in the vicinity of the airport, or otherwise in any way create a hazard or endanger the landing, takeoff or maneuvering of aircraft intending to use the airport.

19.60.240 Hazard marking and lighting.

Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this chapter and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to permit the property owner at his own expense to install, operate and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.

19.60.250 Nonconforming uses—Provisions not retroactive.

The regulations prescribed in this chapter shall not be construed to require the removal, lowering, or other changes or alterations in any structure or tree not conforming to the regulations as of the effective date of the ordinance codified in this chapter, or otherwise interfere with the continuance of a nonconforming use. Nothing contained herein shall require any change in the construction, alteration or intended use of any structure, the construction or alteration of which was begun prior to the effective date of the ordinance codified in this chapter and which is diligently prosecuted.

19.60.260 Nonconforming uses—Marking and lighting.

Notwithstanding the provisions of Section 19.60.250, the owner of any existing nonconforming structure or tree is required to permit the installation, operation and maintenance thereon of such markers and lights as shall be deemed necessary, by the airport manager, to indicate to the operators of aircraft in the vicinity of the airport hazards.

19.60.270 Nonconforming uses—Permit issuance restrictions.

Whenever the county development services director determines that a nonconforming structure has been abandoned for a period of twelve consecutive months, or physically deteriorated as defined in Section 203 of the Uniform Building Code, no permit shall be granted that would allow such structure to exceed the applicable height limit or otherwise deviate from the zoning regulations.

19.60.280 Conflicting provisions—Resolution.

Where there exists a conflict between any of the regulations or limitations prescribed in this chapter and any other regulations applicable to the same area, including land use zoning, whether the conflict is with respect to height of structure or trees, the use of land, or any other matter, the more stringent limitation or requirements shall govern and prevail. Also, where an area is covered by more than one height limitation described in this chapter, the more-restrictive limitation shall prevail.

19.62 Foothills and Canyons Overlay Zone – Staff Summary

Purposes:

The general purpose of the foothills and canyons overlay zone is to promote safe, environmentally sensitive development that strikes a reasonable balance between the rights and long-term interests of property owners and those of the general public.

Changes to Note:

The Foothills and Canyons Overlay Zone underwent an overhaul in 2017 and no substantive changes are being proposed at this time.

Chapter 19.62 FOOTHILLS AND CANYONS OVERLAY ZONE (FCOZ)

19.62.010 Purpose.

The general purpose of the foothills and canyons overlay zone is to promote safe, environmentally sensitive development that strikes a reasonable balance between the rights and long-term interests of property owners and those of the general public. Specifically, these standards are intended to:

A. Preserve the visual and aesthetic qualities of the foothills, canyons, and prominent ridgelines as defined herein, contributing to the general attractiveness and, where appropriate, the commercial viability of these areas.

B. Protect public health and safety by adopting standards designed to reduce risks associated with natural and man-made hazards.

C. Provide efficient, environmentally sensitive, and safe vehicular and pedestrian circulation.

D. Encourage development that conforms to the natural contours of the land and minimizes the scarring and erosion effects of cutting, filling and grading on hillsides, ridgelines, and steep slopes.

E. Balance private and commercial needs against the risk of destabilizing fragile soils, defacing steep slopes and degrading water quality.

F. Minimize disturbance to existing trees and vegetation, conserve wildlife habitat, protect aquifer recharge areas, and otherwise preserve environmentally sensitive natural areas by encouraging clustering, the transfer of development rights, or other design techniques to preserve the natural terrain.

G. Reduce flooding by protecting streams, drainage channels, absorption areas, and floodplains.

H. Protect property rights and commercial interests and encourage economic development.

I. Recognize the link between environmental protection and economic prosperity in the canyons.

19.62.020 Applicability.

A. Geographic Area of Application. Maps delineating the boundaries of the foothills and canyons overlay zone are on file with the planning and development services division. Such maps, as amended, are incorporated into this chapter as if fully described and detailed herein.

B. Development Activities Covered. The standards and regulations of the foothills and canyons overlay zone apply to all development that occurs within the mapped foothills and canyons overlay zone. Development includes all land disturbance activities such as grading, clearing, and excavation.

C. Jurisdictional Exemptions. These provisions do not apply to properties owned by the state or the government of the United States, except as specifically authorized by state or federal statute or regulation, intergovernmental agreement, or other form of cooperative agreement.

D. Recognition of Salt Lake City Extraterritorial Jurisdiction. Salt Lake County recognizes that Salt Lake City has extraterritorial jurisdiction for protection of its watershed located in the canyons east of Salt Lake City from City Creek Canyon south to Little Cottonwood Canyon. All development in the county impacting surface water, wells, storage facilities, or aquifers located within Salt Lake City watershed areas shall be referred to Salt Lake City to confirm compliance with applicable ordinances and watershed protection standards. If confirmation is not received within the time prescribed by county ordinance for processing applications, the planning commission or director may approve the application subject to confirmation being received prior to a building permit being issued. The

county shall notify other water providers of which the county is aware that have protected watersheds in the canyons and may have authority over the proposed development within those areas. Notification shall include a copy of the application, any public hearing dates for the application, and contact information for the county planning and development services division.

E. Mountain Resort Zone. Due to the unique and specialized uses of mountain resort properties, including recreational and mixed residential and commercial uses, mountain resorts may apply for specialized mountain resort ("MRZ") zoning. Should a resort choose not to apply for MRZ zoning, it shall be subject to all of the requirements of the underlying zone and this chapter.

19.62.030 FCOZ Development approval procedures.

A. Purpose. The purpose of this section is to outline the site plan application and approval process required for all development or construction activity, including tree/vegetation removal and grading, or subdivision of land, in the foothills and canyons overlay zone.

B. Joint Applications. Where a process is already established by ordinance or agreement for review and approval of a land use application in the foothills and canyons (such as a subdivision, conditional use or permitted use site plan, development agreement, or variance process), applicable FCOZ standards shall be applied concurrently with the related application. If there is no related land use application under review, the applicant shall be subject to the following process.

C. Application Process.

1. Pre-Application Meeting.

a. Purpose. An informal pre-application meeting with the director is required prior to submitting a site development plan application. The purposes of the pre-application meeting are to provide an opportunity for the parties to discuss:

i. The application submittal, review and approval process.

ii. The proposed development of the site and its relationship to site conditions and area characteristics, including geologic, hydrologic, and environmental issues.

b. Scheduling of Pre-Application Meeting. To request a pre-application meeting, the applicant shall submit a pre-application meeting request on a form provided by the county, together with any required fees and materials. Upon submittal of a complete application, the development proposal shall be scheduled for discussion at a pre-application meeting.

c. Attendance. In addition to the director, other county participants in the pre-application meeting may include representatives from the health department, county engineer's office, fire department, Salt Lake City department of public utilities, and any other person or entity the county deems appropriate

2. Site Development Plan.

a. Application.

i. Upon conclusion of the pre-application meeting process, an applicant seeking approval of a development plan shall submit an application form, together with required maps, plans, reports, special requests, and fees, to the director. All submitted materials shall be available for public review.

ii. Following documentation of assurances provided at the pre-application meeting or field inspections, the director may waive or modify submittal requirements deemed unnecessary.

iii. The director may require additional information, as necessary, to substantiate compliance with the provisions and standards of this chapter and other applicable codes and ordinances. For example, the director may seek technical and policy recommendations from other public agencies with related legal jurisdiction such as the local health department; state division of wildlife resources; state division of forestry, fire, and state lands; U.S. Forest Service; and U.S. Soil Conservation Service.

b. Staff Review. The director shall review the development proposal for compliance with the standards and processes of this ordinance, including Paragraph D below, and shall document findings in a written report. The report shall specify all areas of noncompliance with regulations together with any recommended modifications or conditions of approval to mitigate detrimental impacts and bring the plan into compliance, and shall be made available to the public and provided to the applicant (unless specifically waived by the applicant) no less than three business days prior to any applicable planning commission meeting.

D. Approval Standards. The following is a summary of site development plan review standards. Failure to document compliance with any of the following may result in denial of a site development application.

1. The development is consistent with the purposes and intent of the policies, goals, and objectives of any applicable plan, including the Wasatch Canyons general plan, the Salt Lake County regional trails plan, and applicable community general plans, as amended.
2. The site plan, grading, construction, and development activities comply with the mandatory requirements of the FCOZ, unless modifications or waivers have been expressly granted.
3. The development complies with all applicable development regulations, standards, requirements, or plans adopted by the local or state authority, including but not limited to water quality and wastewater regulations.

E. Expiration of Site Development Plan/Issuance of a Building Permit.

1. A building permit issued pursuant to the FCOZ site development plan approval process must reference all conditions or stipulations applicable to such approval. All development, construction, and use shall be in accordance with the approved site development plan.
2. An approved site development plan shall be valid for a period of twelve months from the date of the final approval, unless authorized as a multi-phase development.
3. A building permit may be obtained at any time within the twelve-month period. If substantial progress towards obtaining a building permit is not made within the one-year period, approval of the site development plan automatically lapses and the plan is null and void.
4. A building permit issued for any phase of a development that has received site development plan approval may extend the life of the site development plan for the entire development for an additional twelve months from the date of issuance of the building permit. If any successive twelve-month period expires before a building permit application is filed for a subsequent phase or phases, then the site development plan approval automatically lapses and the plan is null and void as to all undeveloped or un-built phases of the development, unless substantial progress toward obtaining a building permit is demonstrated.
5. A twelve month extension of the life of the site development plan may be obtained subject to paying an extension fee equal to the conditional use and subdivision extension fee in the township services planning review fee schedule on file with township services.

F. Appeals. Pursuant to Section 19.20.030 of this title, any person adversely affected by a final decision of the zoning authority may appeal that decision to the land use hearing officer.

19.62.040 Underlying zoning district.

A. Conflicts. Unless specifically exempted or modified by the underlying zone, such as a mountain resort zone, all development shall comply with the standards of this chapter.

B. Division of Consolidated Lots. Previously platted lots consolidated into one taxable parcel may not be re-divided into lots or parcels smaller than the minimum area required in the underlying zone.

C. Setbacks. Setbacks from property lines are established by the underlying zone. If no setbacks are stated, an applicant wishing to locate a building closer than ten feet to the property line shall demonstrate that the structure will not place additional burden on neighboring properties by addressing the following factors: snow load, drainage, access, fire protection, and building code.

19.62.050 Cluster development.

A. General Requirements. Cluster development is the grouping of residential properties on lots smaller than allowed in the underlying zone to reduce infrastructure costs and environmental impacts and to reserve otherwise developable land for open space or recreation. Whether proposed by an applicant or required by the planning commission, cluster development may only be approved upon satisfaction of the following conditions:

   1. The clustering proposal meets all other applicable requirements set forth in the foothills and canyons overlay zone or in other applicable ordinances or regulations.
   2. The clustering proposal, compared with a more traditional site plan, better attains the policies and objectives of the foothills and canyons overlay zone, such as providing more natural open space, preserving existing trees and vegetation coverage, and preserving sensitive environmental areas such as stream corridors, slide areas, prominent ridgelines, wetlands, and steep slopes.
   3. The clustering proposal shall have minimal adverse impact on adjacent properties or development, or, if such impacts may result, the applicant has agreed to implement appropriate mitigation measures such as landscape, screening, illumination standards, and other design features as recommended by the director to buffer and protect adjacent properties from the proposed clustered development.
   4. The architecture, height, building materials, building colors, and other design features of the development blend with the surrounding natural landscape and are compatible with adjacent properties or development.

B. Density Bonus for Cluster Development.

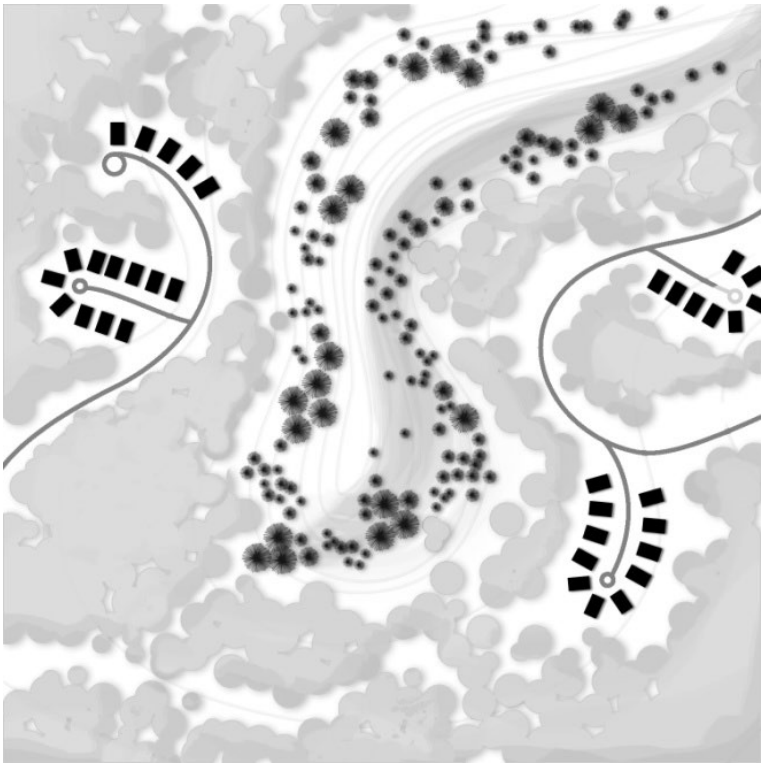
   1. A cluster density bonus of up to twenty-five percent over the base density permitted in the underlying zone may be available for cluster developments that satisfy the above standards while taking into account the bonus density.
   2. The allowable density bonus for a cluster development is equal to twenty-five percent of the "net developable acreage," and must be rounded to the nearest whole number, but in no case less than one.
   3. The density bonus for clustering allowed pursuant to subsection B.1 is not allowed in the MRZ.

C. Cluster Development Design.

1. The undeveloped area of the development site shall be preserved as active or passive natural open space. Natural open space areas shall conform with any adopted county open space and/or trail plans, provide contiguity with adjacent natural open space and/or conservation areas, protect unique natural, historic, or cultural site features and resources, and avoid fragmentation of conservation areas within the site
2. The maximum number of lots allowed in a single cluster is twenty lots. Each cluster shall be separated from other residential clusters by a minimum of one-hundred feet.
3. The layout of a cluster development shall protect significant natural resources on or adjacent to the site. Natural resources include riparian areas, wetlands, ecological resources, steep slopes and ridgelines, and wildlife habitat and corridors. The overall site design shall employ the site's natural topography to hide multiple residential clusters from the sight of adjacent clusters.
4. A cluster development shall preserve the open sky backdrop above any ridgelines and, where possible, significant views of the natural landscape as viewed from adjacent streets.

D. Illustration of Cluster Development. Figure 19.62.1: Cluster Development illustrates recommended cluster development.

FIGURE 19.62.1: CLUSTER DEVELOPMENT



19.62.060 Slope protection.

A. Slope Protection Standards.

1. Unless otherwise allowed in this Title, no development activities, including clearing, excavation, grading, and construction, are allowed on slopes greater than thirty percent.
2. Structures shall be set back from ascending or descending slopes greater than thirty percent in accordance with the requirements of the current adopted building code.

B. Development on Ridgelines.

1. Unless otherwise allowed in this title, no development may break the horizon line, defined as the point where the ridge visibly meets the sky as viewed from public rights of way or trails.
2. Unless otherwise allowed in this title, no development may be located within one-hundred feet (map distance) from either side of the crest of a protected ridgeline designated as such in an adopted county master plan or incorporated by other ordinance.
3. Figure 19.62.2: Ridgeline Development illustrates recommended ridgeline development.

FIGURE 19.62.2: RIDGELINE DEVELOPMENT

C. Natural Open Space within Steep Slopes. Unless expressly allowed in this title, all areas with slope greater than thirty percent must remain in natural private or public open space, free of any development activities.

D. Waiver of Slope Protection Standards for Lots of Record.

1. The planning commission may only waive or modify the following slope protection standards as applied to development on lots of record and in subdivisions that were approved prior to the effective date of this chapter:
   a. Slope protection standards prohibiting development on slopes greater than thirty percent or in ridge line protection areas, as set forth above.
   b. Limitations on the crossing of slopes greater than thirty percent by any street, road, private access road or other vehicular route, as addressed in Subsection 19.62.080.
2. The planning commission may only waive these standards upon satisfaction of the following criteria:
   a. Strict compliance with the above slope protection standards.
      i. Renders the site undevelopable, or

ii. Results in substantial economic hardship not created by the applicant or otherwise self-imposed, or

iii. Results in a building location that requires excessive grading, vegetation removal, or driveway distances in conflict with the purposes of this chapter; and

b. The development substantially conforms to all other development, site design, and environmental standards of this chapter and in all other applicable ordinances and codes.

3. In granting a waiver from slope and ridge line protection standards, the planning commission may impose reasonable conditions to mitigate the impacts, if any, that the planning commission determines the proposed development has on adjacent properties and the surrounding environment.

4. Notwithstanding its discretion to grant waivers for lots of record from the slope protection standards set forth in this chapter, in no case shall the planning commission permit development other than roads on slopes greater than forty percent.

5. In the interest of protecting the public health, safety, and welfare, the county may pursue negotiations with a property owner to purchase their property as open space as an alternative to granting a waiver. These negotiations, as long as they are performed in good faith, shall not delay the county's processing of any land use application.

19.62.070 Grading standards.

A. Prior to issuance of a building permit in accordance with a grading and excavation plan and report for the site approved by the development services engineer; no grading, excavation, or tree/vegetation removal is permitted, whether to provide for a building site, for on-site utilities or services, or for any roads or driveways.

B. Figure 19.62.3: Cutting and Grading illustrates recommended development that minimizes cuts.

FIGURE 19.62.3: CUTTING AND GRADING

C. The original, natural grade of a lot or lot of record may not be raised or lowered more than four feet at any point for construction of any structure or improvement, except:

1. The site's original grade may be raised or lowered eight feet if a retaining wall is used to reduce the steepness of man-made slopes, provided that the retaining wall complies with the requirements of subsection I. below.
2. The site's original grade may be raised or lowered more than eight feet with terracing, as specified in subsection I. below.

D. Separate building pads for accessory buildings other than private garages, (such as barns, or recreational structures such as tennis courts, swimming pools, and similar facilities) are prohibited except where the natural slope is twenty percent or less.

E. The following limits apply to graded or filled man-made slopes:

1. Slopes of twenty-five percent or less are encouraged wherever possible.
2. Graded or filled man-made slopes may not exceed a slope of fifty percent.
3. Cut man-made surfaces or slopes may not exceed a slope of fifty percent unless it is substantiated, on the basis of a site investigation and submittal of a soils engineering or geotechnical report prepared and certified by a qualified professional, that a cut at a steeper slope will be stable and will not create a hazard to public or private property.
4. All cut, filled, and graded slopes shall be re-contoured to the natural, varied contour of the surrounding terrain.

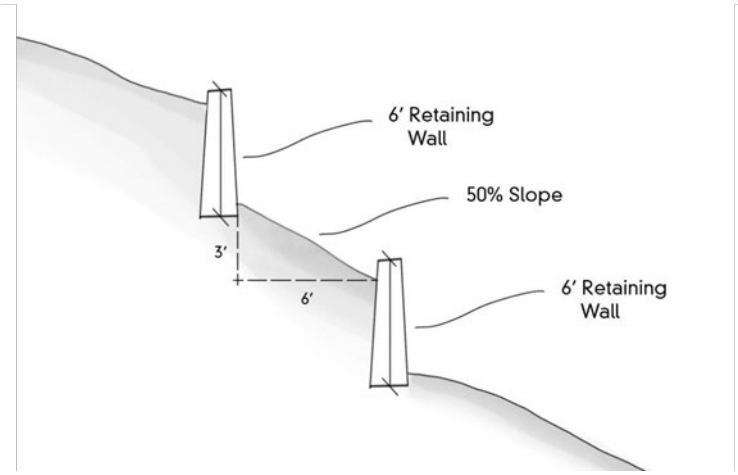
F. Any slope exposed or created in new development shall be landscaped or re-vegetated pursuant to the standards and provisions of this chapter.

G. Excavation for footings and foundations shall be minimized to lessen site disturbance and ensure compatibility with hillside and sloped terrain. Intended excavation must be supported by detailed engineering plans submitted as part of the application for site plan approval.

H. Use of retaining walls is encouraged to reduce the steepness of man-made slopes and to provide planting pockets conducive to re-vegetation.

1. If a single retaining wall is used, one vertical retaining wall up to eight feet in height is permitted to reduce excavation and embankment.
2. Terracing is limited to two walls with a maximum vertical height of six feet each. The width of a terrace shall be a minimum of a one-to-one ratio with the height of the wall. Terraces are measured from the back of the lower wall to the face of the upper wall. Terraces created between retaining walls shall be permanently landscaped or re-vegetated as required by this chapter.
3. Figure 19.62.4: Terracing and Retaining Walls illustrates recommended terracing.

FIGURE 19.62.4: TERRACING & RETAINING WALLS



4. Retaining walls shall be faced with stone or earth-colored materials similar to the surrounding natural landscape, as required by the design standards of foothills and canyons overlay zone.
5. All retaining walls shall comply with the minimum standards of the International Building Code.

I. Except for restoration and maintenance activities authorized by the state engineer and county flood control division, filling or dredging of water courses, wetlands, gullies, stream beds, or stormwater runoff channels is prohibited. Bridge construction is allowed pursuant to the standards set forth of this section.

J. Where detention basins and other storm and erosion control facilities are required, any negative visual and aesthetic impacts on the natural landscape and topography shall be minimized. See Figure 19.62.5: Recommended Detention Basin Treatment which illustrates recommended treatment.

1. Detention basins shall be free form, following the natural landforms. If such forms do not exist, the basin shall be shaped to emulate a naturally formed depression.
2. Redistributing soils from basin construction to natural side slopes around the perimeter of the basin is encouraged. Side slopes are limited to a maximum slope of three-to-one. These slopes are created to filter, redirect or soften views of the basin. Total screening of basins is not required. Side slopes shall be varied to replicate natural conditions.
3. Naturalized planting themes are required for basins. Trees and shrubs may be grouped in informal patterns to emulate the natural environment but may not reduce the volume of the basin.

4. The ground surface of the basin and surrounding disturbed areas shall be covered with native grass mixture or other appropriate groundcover. It is the intent to provide a natural cover that does not require regular mowing or fertilization.
5. Appropriate erosion control measures are required on all slopes.

FIGURE 19.62.5: RECOMMENDED DETENTION BASIN TREATMENT

19.62.080 Site access.

A. Motor vehicle access to a building or development site shall be by road (including private access road), street, alley, or driveway. Any road, street, alley, or driveway constructed after the enactment of this chapter shall comply with the applicable requirements of this section.

B. Streets, roads, alleys, or driveways shall comply with the Salt Lake County highway ordinance and fire authority regulations.

C. Streets, roads, alleys, or driveways may not cross slopes averaging (in any fifty feet interval) between thirty percent and fifty percent unless specifically authorized by the Planning Commission, upon the favorable recommendation of the director and public works engineer, after finding that all of the following conditions and constraints are met:

   1. No alternate location for access is feasible or available.
   2. No individual segment or increment of the street, road, alley, or driveway in excess of one hundred feet in length may cross slopes averaging between thirty percent and fifty percent.
   3. The cumulative length of individual segments or increments that cross slopes averaging between thirty percent and fifty percent may not exceed ten percent of the total length of the street, road, alley, or driveway.
   4. All crossings shall be designed and constructed to eliminate significant adverse environmental or safety impacts.

D. Under no circumstances shall any segment of a street, road, alley, or driveway cross slopes averaging greater than fifty percent.

E. Streets, roads, alleys, or driveways shall follow natural contour lines where possible. If the natural contour lines do not reasonably facilitate access to the development site, a private access road or driveway may be designed and submitted for approval with a slope not to exceed the requirements set forth in Title 14 of the county Code. Figure 19.62.6: Recommended Access Route Configuration illustrates the access route following natural contours.

FIGURE 19.62.6: RECOMMENDED ACCESS ROUTE CONFIGURATION

F. Grading for streets, roads, alleys, or driveways is limited to the paved portion of the right-of-way, plus up to an additional ten feet on either side of the pavement as approved. However, when developing access on slopes in excess of twenty-five percent, only the paved portion of the right-of-way used for vehicular travel, plus the minimum area required for any additional improvements, such as curb, gutter or sidewalk, may be graded. The remainder of the access right-of-way must be left undisturbed.

G. Streets or roads may be required to provide access or maintain existing access to adjacent lands for vehicles, pedestrians, emergency services, and essential service and maintenance equipment.

H. Private access roads and driveways shall ensure safe, convenient and adequate access to individual buildings. Driveway access to a development must be consistent with Salt Lake County general plans. In addition, provision of private access road and driveway access is subject to the following requirements:

1. All private access roads and driveways shall comply with the Salt Lake County highway ordinances and fire authority regulations.
2. Private access roads and driveways greater than one hundred fifty feet in length shall meet the following requirements:
    a. Provide a turnaround that meets the county's road/street and fire authority standards.

b. Provide an adequate number of spaced turn-outs along the length of the private access road or driveway, as determined by the public works engineer in consultation with the fire authority.

3. If variation from the above standards is sought, the applicant shall apply for a written Code Modification Approval from the fire authority that specifies any additional requirements that must be completed prior to construction.
4. Shared private roads and driveways are encouraged between adjacent lots or lots of record.
5. Private access roads and driveways to a building site shall have direct access to a public street or to a private right-of-way previously approved by the planning commission.
6. Finished grades shall comply with the following:
   a. Finished private access roads and driveways are limited to a maximum grade of twelve percent, or as determined by the public works engineer on a case-by-case basis based on health and safety concerns and the need for adequate access for county service providers. In no case, however, may the public works engineer approve a maximum grade greater than fifteen percent.
   b. Private access road and driveway grades within twenty feet of the roadway are limited to ten percent slope.
7. The director has discretion to administratively offer relief of the driveway access standards by a maximum of twenty-five percent where applicable upon satisfaction of the following criteria:
   a. The modification is designed to yield:
      i. More effective preservation of existing mature trees, vegetation, riparian areas, rock outcrops, or other significant natural features of the site;
      ii. Less visual impact on the property or on the surrounding area; or
      iii. Better protection of wildlife habitat; or,
   b. Strict application of the standard(s) would render a site undevelopable.

19.62.090 Trails.

A. All proposed development in the foothills and canyons overlay zone shall be platted consistent with county general plans regarding trails, including those portions of the adopted Salt Lake County parks and recreation master plan that address trails and trail access locations. A dedication of private land may be required for public trails if the required dedication complies with the exaction requirements set forth in the County Land Use, Development, and Management Act.

B. All land offered for dedication for trails or public access to trails must be verified on the ground by the director before approval of the site plan. The county has the option of rejecting the applicant's offered land dedication if the proposed dedication does not comply with the exaction requirements set forth in the County Land Use, Development, and Management Act, or the requirements set forth in subsection (C) below; the county may suggest more suitable land for the applicant's consideration that does comply with each of these requirements.

C. Land offered for dedication for trails must be located so that:
   1. Proposed trail construction and maintenance is feasible.
   2. Side slopes do not exceed seventy percent.
   3. Rock cliffs and other insurmountable physical obstructions are avoided.

D. At the county's sole option, dedications for trails or public access may be of a fee or less-than-fee interest to either the county, another unit of government, or non-profit land conservation organization approved by the county.

E. The County may allow a density bonus up to twenty-five percent of the maximum allowable density attributable to areas of the site with greater than thirty percent slope to be transferred to the developable areas of the site where the applicant demonstrates that the offered dedication is beyond what would be roughly proportional to the demand for such trails or trail access generated by the proposed development. The county may reduce the applicable minimum lot area requirement within the site's developable area if necessary to accommodate the transferred density.

19.62.100 Fences.

A. No fence may be constructed or installed unless shown on an approved site plan.

B. No fence in excess of forty-two inches in height may be constructed or installed outside the designated limits of disturbance on a site, unless required by the county, such as fenced corrals for horses or other animals. Fences are subject to the intersecting streets and clear visibility restrictions of this title.

C. Fences in front yards and along roadways may not exceed forty-two inches in height.

D. Fences in identified wildlife corridors are strongly discouraged, but in no case may exceed forty-two inches in height.

E. Fences shall conform to the design standards of this section.

19.62.110 Tree and vegetation protection.

A. Purpose. Protection of existing tree and vegetation cover is intended to:

   1. Preserve the visual and aesthetic qualities of the county's foothills and canyons.
   2. Encourage site design techniques that preserve the natural environment and enhance the developed environment.
   3. Control erosion, slippage, and sediment run-off into streams and waterways.
   4. Increase slope stability.
   5. Protect wildlife habitat and migration corridors.
   6. Conserve energy, in proximity to structures, by reducing building heating and cooling costs.

B. Applicability. These provisions apply to all development in the foothills and canyons overlay zone, with the following exceptions:

   1. The removal of dead or naturally fallen trees or vegetation to protect public health, safety, and welfare.
   2. The selective and limited removal of trees or vegetation necessary to obtain clear visibility at driveways or intersections, to perform authorized field survey work, or to protect structures from fire consistent with the Utah Wildland-Urban Interface Code.
   3. The removal of trees or vegetation on land zoned or lawfully used for agricultural and forestry activities, including tree farms. In the event a site is substantially cleared of trees pursuant to such legitimate activities, no development or site plan applications for other types of

development may be accepted by the county within thirty-six months from the date of the clearing.

4. The removal of trees or vegetation pursuant to a fuels reduction plan or forest management plan in accordance with section 19.72.115.
5. The director has discretion to administratively offer relief of the standards in this section by up to twenty-five percent if either of the following circumstances applies:
    a. The modification is designed to yield:
        i. More effective preservation of existing mature trees, vegetation, riparian areas, rock outcrops, or other significant natural features of the site;
        ii. Less visual impact on the property or on the surrounding area; or
        iii. Better protection of wildlife habitat; or,
    b. Strict application of the standard(s) would render a site undevelopable.

C. Tree/Vegetation Removal.

1. Outside the Limits of Disturbance. No trees or vegetation may be removed outside the approved limits of disturbance unless specifically exempted by this section.
2. Within the Limits of Disturbance. Significant trees removed from within the limits of disturbance shall be replaced as set forth in this section.
3. Wildfire Hazards and Tree/Vegetation Removal. Defensible space is defined as the required space between a structure and wildland area that, under normal conditions, creates a sufficient buffer to slow or halt the spread of wildfire to a structure. Appropriate defensible space surrounding a structure is established in Utah Wildland-Urban Interface Code incorporated in UFA Wildland-Urban Interface Site Plan/Development Review Guide. A copy of the approved fire protection plan shall be submitted to the zoning administrator for incorporation into the final approval documents.
4. Tree/Vegetation Removal for Views Prohibited. No trees or vegetation may be removed solely for the purpose of providing open views to or from structures on a site.

D. Replacement of Significant Trees.

1. When a significant tree is removed from inside the established limits of disturbance, which removal is not required by wildland-urban interface standards referenced in C.3. above, the applicant or developer shall replace such tree(s) on the lot or lot of record, according to the following schedule and requirements:
    a. A significant tree that is removed shall be replaced by two trees with a minimum size of one inch caliper for deciduous trees and a minimum height of four feet for coniferous trees in locations on the lot or lot of record that are appropriate, feasible, and practical, and that comply with fire requirements and standards, as determined by the zoning administrator.
    b. Replacement trees shall be maintained through an establishment period of at least two years. The applicant shall post a bond in the amount of ten percent of the value of all replacement trees guaranteeing their health and survival during the first year of the establishment period.
2. If the remainder of the lot or lot of record outside the permitted limits of disturbance is heavily wooded, defined as areas of trees with canopies that cover eighty percent of the area, and is not suitable to the planting of replacement trees, the requirement to plant replacement trees requirement may be waived by the zoning administrator.

3. Planting replacement trees may be allowed by the zoning administrator on parcels within the subdivision or adjoining open space or forest service land upon the written consent of the property owner or representative of the property owner of the parcel(s) where the trees are being planted. In order to minimize disturbance of public land, saplings may be used in lieu of the larger trees listed in subsection 1.(a) above at the rate of ten saplings per required replacement tree, for trees planted on publicly owned land.

E. Revegetation and Land Reclamation Plan.

1. On a parcel of land that has been or will be altered from its natural condition by man-made activities, a revegetation and land reclamation plan prepared and certified by a qualified professional may be required for review and approval by the director. The plan shall incorporate the elements of the fire protection plan and shall indicate a timeframe for revegetation that is acceptable to the county and that takes into account optimal seasonal growing conditions.
2. The revegetation and land reclamation plan shall depict the type, size, number, and location of any vegetation and trees to be planted and illustrate how the site will be recontoured with sufficient topsoil to ensure that vegetation is successful. All new trees shown on the plan shall:
   a. Comply with the Vegetation Clearance Guidelines of the Wildland-Urban Interface Code;
   b. Be spaced no closer than twenty feet on center; and,
   c. Be on the Utah Fire Resistive Species list in the Wildland-Urban Interface Code.
3. Any slope exposed or created in new development shall be landscaped or revegetated with native or adapted trees and plant material. New vegetation shall be equivalent to or exceed the amount and erosion-control characteristics of the original vegetation cover in order to mitigate adverse environmental and visual effects.
4. On man-made slopes of twenty-five percent or greater, plant materials with deep rooting characteristics shall be selected to minimize erosion and reduce surface runoff. The planting basin shall be kept level with a raised berm around the base of the plant to help retain moisture.
5. Topsoil that is removed during construction may be conserved for later use on areas requiring revegetation or landscaping, such as cut-and-fill slopes.
6. The land reclamation plan may not include landscaping or other elements that conflict with the approved fire protection plan.

F. Tree/Vegetation Protection During Construction and Grading Activities.

1. Limits of disturbance, as established in Section 19.62.160, shall be shown on the final plans for development and shall be clearly delineated on site with fencing or other separation methods approved by the director prior to the commencement of excavation, grading, or construction activities on the site.
2. Within the limits of disturbance, fencing, at a minimum, shall be placed around each significant tree that will not be removed and around stands of twelve or more smaller trees. Such fencing shall be placed at the edge of the individual or outermost tree's drip zone. No construction, grading, equipment or material storage, or any other activity is allowed within the drip zone, and the fencing must remain in place until all land alteration, construction, and development activities are completed.
3. If it is necessary to fill over the root zone, compacted soils shall be avoided by sandwiching fabric, rocks, and more fabric under the area to be filled.
4. If fill creates a tree well or depression around a tree or shrubs, such area shall be filled in or drained so that the vegetation is not drowned by the pooling of rainfall or irrigation.

5. If a significant tree that will not be removed has roots that are cut, the branches shall be trimmed by an amount equal to the percent of roots that were lost. Cutting more than thirty percent is prohibited. Roots shall be pruned cleanly prior to digging and not ripped off by heavy equipment. If the tree whose roots have been cut dies within a two year period, the replacement provision in section D above applies.
6. Utility trenches near trees shall be avoided. If a line must be near a tree, tunneling, auguring, or other mitigation measures shall be used.

G. Tree Removal not Authorized by this Section.

1. If a significant tree(s) is removed contrary to any provision in this section, the person(s) responsible for the removal shall pay to the county the value of the tree(s).
   a. The value of the tree(s) shall be determined by a tree appraiser who is an ISA (International Society of Arboriculture) certified arborist with at least five years of experience appraising trees using the appraisal methods outlined in the current edition of "The Guide for Plant Appraisal," authored by the Council of Tree and Landscape Appraisers (CTLA). The appraiser shall prepare an appraisal report using these methods and adding to the value from these methods an analysis of the tree(s) contributory value, i.e., the value that the tree(s) contributed to the overall value of the property on which they were located.
   b. The appraiser shall be chosen by the person(s) responsible for the removal and the county.
   c. The person(s) responsible for the removal shall pay the cost of the appraisal.
2. If a significant tree(s) is removed contrary to this section, all development and county permitting and processing of the land use application shall be put on hold for up to sixty days from the date of county's discovery of removal. During that time, the county will inventory the significant tree(s) that were removed, and the process of valuing the tree(s) that were removed shall commence, pursuant to paragraph 1 above.
3. The person(s) responsible for removing the significant tree(s) shall pay for the cost of site restoration, including the removal of the stump(s). The stump(s) may not be removed until an appraisal is completed pursuant to paragraph 1. above.
4. The person(s) responsible for removing the significant tree(s) shall also replace the tree(s) in accordance with the provisions in this section. The bond referenced in subsection (D)(1)(b) of this section shall be a surety bond for those that unlawfully remove trees.

In addition to the civil penalties provided in paragraphs 1—4 of this subsection (G), the person(s) responsible for removing the significant tree(s) may also be subject to criminal prosecution as a Class B misdemeanor for each significant tree unlawfully removed.

19.62.115 Forest Management Plan, Fuels Reduction Plan

A. Definitions. For purposes of this section, the following terms have the following meanings.
1. Chipping. The mechanical reduction of woody material into small pieces using a chipper or similar equipment designed to produce chips generally less than three inches (3”) in any dimension.
2. DBH. Diameter at Breast Height, referring to the diameter of a tree trunk measured four and one-half feet (4.5’) from the ground on the uphill side of the tree.
3. Decking. The process of gathering, sorting, and stacking logs after their removal.

4. Directional Felling. The technique of using precise cuts to control where a tree falls, creating a "hinge" of wood that guides its descent, even against its natural lean, to protect other trees, minimize damage, and ensure safety.
5. Division. The Utah Division of Forestry, Fire, and State Lands.
6. Forest Litter. The collective composition of needles, leaves, small twigs and other vegetative matter that are present on the forest floor before trees and vegetation are removed.
7. Invasive Plants or Noxious Weeds. Any plant identified on the Utah Invasive Species List prepared by the United States Department of Agriculture, or the Salt Lake County Noxious Weed List.
8. Fuels Reduction. Removal of trees and other vegetation in accordance with a Fuels Reduction Plan.
9. Fuels Reduction Plan. A plan for removal of trees and vegetation that are not already dead or naturally fallen or that are not subject to WUI removal standards, in order to achieve fuel reduction and/or wildfire prevention, including for firefighter safety.
10. Forest Management Plan. A systematic and long-term strategy for the limited removal of trees and vegetation for any of the following purposes:
    a. Conservation of natural resources and biodiversity,
    b. Sustainable timber production or other forest products,
    c. Enhancement of wildlife habitats,
    d. Reduction of Invasive Plants or Noxious Weeds, or
    e. Soil and water quality conservation
    f. Protection of drinking water supply
11. Government Land Manager. A federal, state, or local public entity, other than the Division, responsible for the administration, stewardship, and regulated use of publicly owned lands, which oversees activities like conservation and protection of habitat, watershed, etc.
12. Hand-held Equipment. Tools and equipment that are carried and operated by a walking operator, including but not limited to chainsaws, brush cutters, and loppers.
13. Heavy Equipment. Machinery that is sufficiently large, powered, and specialized to perform tasks that would be impractical or unsafe to do manually, including but not limited to skid steers, equipment with tracks rather than tires, and equipment with masticator attachments.
14. Ladder Fuels. Vegetation of varying heights that can carry fire from ground surface into tree crowns, including low-hanging branches, shrubs, small trees, and dead material in the understory.
15. Landing. A collection area, usually centrally located, to where logs or forest products are transported so the products may be disposed of.
16. Limb/Limbing. The process of removing the branches and limbs from a tree.
17. Lop and Scatter. A fuel reduction technique where tree branches are cut into smaller pieces and spread out on the forest floor instead of piling or removing them.
18. Mulch. The shredding of trees and brush into small pieces on-site to create a protective, nutrient-rich ground cover.
19. Professional Forester. A person who has earned a bachelor of science in forestry or masters degree in forestry from a Society of American Foresters accredited college or university or equivalent and has experience in the management of forested lands.
20. Project Area. The area within the lots or parcels depicted in a Fuels Reduction Plan where actual Fuels Reduction will take place.
21. Related Entity. A company that directly or indirectly controls, is controlled by, or is under common control with another company or individual.

22. Site Plan. A visual that illustrates the components of a Fuels Reduction Plan, as outlined in subsection (E)(2). A Site Plan can be on an overhead photo, a topographical map, and/or other visual depiction of the property that is subject to the Fuels Reduction Plan.
23. Skid Trail. The temporary course through which removed trees and vegetation are transported to a Landing(s), without addition of any fill or other improvements.
24. Slash. Any residual woody material left on the site after any type of harvest operation and usually includes tree stems, branches and foliage.
25. Stand. A contiguous group of trees sufficiently uniform in age class distribution, composition, and structure, and growing on a site of sufficiently uniform quality to be a distinguishable unit.
26. Stream Ford. Crossing of a stream without a structure or culvert, where stream banks are low and firm, the streambed is firm, and the stream is shallow.
27. Stream Management Zone. An area of specialized management to protect water quality by limiting soil disturbance and exposure; an area of land adjacent to a Waterbody where soil disturbance is minimal and vegetative disturbance is reduced to provide a buffer for the filtration of contaminants entering the Waterbody, while also maintaining cooler temperatures.
28. Substantially Cleared. Removal of seventy-five percent (75%) or more of trees over six inches (6") DBH within a Stand, resulting in less than thirty percent (30%) canopy cover remaining.
29. Waterbody. Any stream, creek, river, pond, lake, reservoir, wetland, or other feature that contains or seasonally contains water.
30. Threatened or Endangered Species. Animals that are identified as threatened or endangered on Utah's Species of Greatest Conservation Need list maintained by the Utah Division of Wildlife Resources.
31. Watershed, Protected. The Salt Lake City Watershed Area and the Salt Lake County Watershed Area defined in the Salt Lake County Health Department Watershed Regulation #14.
32. Watershed, General. All watershed areas, as defined in Salt Lake County Health Department Watershed Regulation #14, not located within the Protected Watershed.
33. Wetlands. Land designated as wetlands by the United States Army Corps of Engineers or other agency of the federal government.

B. Findings and Authority. The County Council finds that:
   1. Wildfire presents a significant and increasing threat to public health, safety, property, drinking water supplies, and ecological resources within the Foothills and Canyons Overlay Zone;
   2. Fuels Reduction and Forest Management activities, when properly planned and implemented, reduce wildfire intensity, improve firefighter safety, and protect watershed functions;
   3. Improper tree and vegetation removal may result in soil erosion, sedimentation of Waterbodies, degradation of drinking water quality, and increased flood risk; and
   4. Salt Lake County has authority to regulate land use and land-disturbing activities pursuant to its police powers to protect public health, safety, and welfare. This section is adopted pursuant to that authority.

C. Purpose and Scope. This section recognizes the need for Fuels Reduction by property owners to mitigate wildfire risks on their own property, and the need for the Division to implement Fuels Reduction and the goals of Forest Management Plans throughout the Foothills and Canyons Overlay Zone. The section recognizes the institutional expertise of the Division in preparing and implementing Fuels Reduction Plans and Forest Management Plans, but also its limited resources to implement these Plans on behalf of all property owners within the FCOZ areas. Accordingly, this section provides for standards that will direct property owners in their fuel reduction efforts on their own property.

1. Exceptions. The Section does not apply to removal of trees or vegetation for creation of defensible space under the Utah Wildland Urban Interface Code, or that are dead or naturally fallen, both of which are allowed by Salt Lake County Code without a permit.

D. Applicant
   1. For Forest Management Plans or Fuel Reduction Plans prepared by the Division and implemented by the Division or its contractors on its own behalf or on behalf of property owners, the Division need only submit said Plans to the Director for their awareness and need not make formal application to and receive approval from the Director.
      a. If the Division prepares either of these Plans on behalf of a property owner, the Division must also implement the Plans itself or through its contractors.
   2. Property owners desiring to submit and implement their own Fuel Reduction Plans are subject to the application processes and standards in this section.
      b. Property owners preparing and implementing their own Plan are limited to applying for a Fuels Reduction Plan and may not apply for approval of a Forest Management Plan.

E. Application. An application for approval of a Fuels Reduction Plan shall contain the following. An applicant for approval of a Fuels Reduction Plan need not also comply with the FCOZ Development approval procedures outlined in section 19.62.030.
   1. A project narrative that describes the following:
      a. Types of trees within Stands where Fuels Reduction will take place
      b. General size of existing trees and density/acre of the same in the Project Area
      c. General forest health conditions of the Project Area, especially presence of insects and disease, as well as Noxious Weeds and Invasive Plants.
      d. The wildfire risk of the Project Area pursuant to maps issued by the Division.
      e. General description of wildlife that are present in the Project Area and vicinity, including any Threatened or Endangered Species.
      f. Existence of cultural or archeological resources or sites within the Project Area or vicinity.
      g. Estimated number of trees over six inches (6”) in DBH to be removed, together with the tree species to be removed
      h. Other vegetation that will be removed, including Limbing and other understory vegetation removal. Indicate species of this other vegetation to be removed.
      i. The plan for disposing of trees, Slash, and other vegetation that is removed
      j. The plan for re-seeding and adding Mulch or Slash to Skid Trails on slopes greater than thirty-five percent (35%).
      k. Estimated time required to implement the Fuels Reduction Plan to completion.
      l. The contractor who will implement the Fuels Reduction Plan, including the following:
         i. The contractor’s experience with specific projects in the areas of expertise outlined in subsection (O)(1), and references from those projects.
         ii. The contractor’s experience operating the equipment outlined in subsection (O)(2), including how it will access this equipment.
         iii. Safety measures that the contractor will use to mitigate risk caused by implementation of the Fuels Reduction Plan, especially removal of trees on slopes greater than thirty-five percent (35%).
   2. A Site Plan showing the following:
      a. Boundaries of the parcels or lots where the Fuels Reduction Plan is to be implemented, together with the boundaries of the Project Area within those parcels or lots.
      b. The location of all Water Bodies.
      c. The location of Stream Management Zones within the Project Area.

d. Slopes in excess of thirty-five percent (35%), as obtained from a private study or from the Salt Lake County Surveyor.
e. Location of Tree Stands where Fuels Reduction will take place, including the species type and estimated number of trees over six inches (6") DBH that will be removed from each Stand.
f. Location of Landings, Skid Trails, and Stream Fords.
    i. Also indicate portions of Skid Trails on slopes over thirty-five percent (35%).
g. Location of all existing roads and trails, together with the location of existing roads that will access the Project Area.
h. Location of existing structures.

3. A legal description of the lots or parcels in which the Project Area is located.
4. Payment of the application fees for a Fuels Reduction Plan as provided in the Salt Lake County Fee Schedule for planning and development services.
5. For project areas of five (5) contiguous acres or less, the Director may waive or modify submittal requirements deemed unnecessary. An Applicant and/or a Related Entity may not file multiple applications to avoid the submittal requirements of this subsection.

F. Approval.
1. The Director shall approve an application and site plan for a Fuels Reduction Plan if the application, site plan, and associated materials meet all of the applicable standards in this Section. Approval may include reasonable conditions in accordance with applicable standards.
2. The Director may approve minor modifications to an approved Fuels Reduction Plan during implementation where site conditions necessitate adjustment, provided the modification does not increase impacts to waterbodies, Stream Management Zones, slopes greater than thirty-five percent (35%), or tree removal thresholds. Minor modifications shall be documented in writing.
3. The Director may approve a simplified Fuels Reduction Plan for parcels of one (1) acre or less or where tree removal is limited to Ladder Fuels, provided the Plan demonstrates compliance with Stream Management Zone protections and slope limitations. An Applicant and/or a Related Entity may not file multiple applications to circumvent the requirements of a full Fuels Reduction Plan.

G. Appeal. Denial of an application for a Fuels Reduction Plan is appealable pursuant to Section 19.92.050.

H. Tree and vegetation removal standards.
1. No removal of aspen
2. No removal of trees larger than sixteen inches (16") DBH.
3. No limit on removal of the following:
    a. Noxious Weeds or Invasive Plants
    b. limbs of any tree up to six feet (6') from ground, measured on uphill side of tree.
4. Where a site is Substantially Cleared of trees pursuant to an approved Fuels Reduction Plan, no development or site plan applications for new structures may be accepted within the affected Stand for thirty-six (36) months from the date of the clearing. This restriction shall not apply to structures constructed by public utilities.

I. Stream Management Zones.
1. The following Stream Management Zones shall be designated on both the Site Plan and on the ground of the Project Area:
    a. A zone fifteen feet (15') horizontally from the ordinary high-water mark of a Water Body.
    b. In a Protected Watershed, a zone seventy-five feet (75') horizontally from the ordinary high-water mark of a Water Body. If any portion of this zone has slopes in excess of thirty-five percent (35%), the zone shall be one hundred feet (100').

c. In a General Watershed, a zone thirty-five feet (35') horizontally from the ordinary high-water mark of a Water Body. If any portion of this zone has slopes in excess of thirty-five percent (35%), the zone shall be fifty feet (50').

2. Designation of Stream Management Zones shall be by temporary paint, flagging, and/or signage.
3. The following standards apply to the Stream Management Zone in subsection (I)(1)(a):
   a. Except for Limbing of trees or removal of Noxious Weeds or Invasive Plants, no disturbance of land or vegetation
   b. No construction of culverts or bridges is allowed to cross streams in order to implement a Fuels Reduction Plan; only use of existing bridges, or a Stream Ford, is allowed.
4. Subject to the limitations in subsection (I)(3), the following standards apply to removal of trees and vegetation within the Stream Management Zones in subsections (I)(1)(b) and (c):
   a. No use of equipment other than hand-held equipment. This prohibition includes equipment on existing roads, except that existing legally established roads within Stream Management Zones may be used for access provided no ground disturbance occurs outside the existing road.
   b. No trees, Slash, or Mulch in Water Bodies as a result of implementing Fuels Reduction Plan.
   c. Remove Slash caused by implementation of Fuels Reduction Plan; Forest Litter can remain.
   d. No Skid Trails that cross Water Bodies.
   e. No use, mixture, storage, or handling of chemicals or hazardous/toxic materials.
      i. No cleaning, fueling, or servicing equipment. No cleaning containers of fuels, pesticides or herbicides.
      ii. No storage of fuel, oil, or antifreeze.
      iii. No draining used oil, fuel, or antifreeze onto ground anywhere in the Project Area.
      iv. Pesticide may not be used anywhere in a Project Area unless allowed by Salt Lake County Health Department regulations.

J. Heavy Equipment, Skid Trails, Landings.
   1. Heavy Equipment. All Heavy Equipment must be thoroughly cleaned and decontaminated off-site prior to usage within the Project Area to remove oil, seeds, plant material, insects, invertebrates, and other biological material.
      a. The applicant shall provide written notification to Director of compliance with this subsection prior to commencement of work.
      b. Compliance with this subsection may be verified during any of the inspections outlined in subsection (P).
   2. Skid Trails
      a. Minimize the number of Skid Trails by using Directional Felling methods.
      b. Revegetate any portion of Skid Trail in excess of thirty-five percent (35%) slope in accordance with section 19.62.110(E). Director may inspect revegetation in subsequent growing seasons to verify that revegetation has resulted in the growth of live vegetation in areas that had vegetation prior to the Fuels Reduction Plan implementation.
      c. Fertilizers and other growth stimulators may only be used if permitted by Salt Lake County Health Department regulations.
   3. Landings.
      a. No portion of Landings may be on slopes greater than thirty-five percent (35%).
      b. Number of Landings may be minimized by Decking removed trees along existing roads so long as no portion of the road is obstructed.

K. Slope. The following standards apply to implementation of a Fuels Reduction Plan on slopes in excess of thirty-five percent (35%):

1. No Heavy Equipment or vehicles, including commercial vehicles, are allowed unless such vehicles are on a previously approved and permitted road.
2. Hand-held Equipment is allowed to implement a Fuels Reduction Plan if the applicant proposes measures to mitigate the risk of falling and rolling timber.
3. Vehicles, including commercial vehicles, Heavy Equipment, and Hand-held Equipment are allowed to implement a Fuels Reduction Plan on slopes less than thirty-five percent (35%), subject to the other standards in this section, including the following.
    a. An Applicant using Heavy Equipment is required to submit a plan with its Application for keeping soil moist in areas where Heavy Equipment will be used, and to implement that plan in order to mitigate wildfire risk during operation of Heavy Equipment. Implementation of this plan is subject to any of the inspections outlined in subsection (P).

L. Roads. No new roads or trails shall be created for purposes of implementing a Fuels Reduction Plan unless they are first applied for and approved pursuant to applicable grading and land use requirements. This prohibition does not apply to Skid Trails.

M. Disposal. Any or a combination of the following are allowed methods of disposal of removed trees and vegetation:
1. Hauling to a disposal facility that accepts green waste
2. Chipping in place
    a. Wood chips may not exceed two inches (2”) in average depth
3. Cutting and storing or selling firewood.
    a. Firewood may be stored on-site so long as doing so complies with the version of the Wildland Urban Interface Code currently adopted by the State of Utah.
4. Slash may be Lopped and Scattered.
5. Burning is only permitted if doing so is allowed and a permit obtained pursuant to Salt Lake County Health Department’s Solid Fuel Burning Regulation, Utah Administrative Rules for General Burning, and other applicable regulations.

N. Time
1. A Fuels Reduction Plan with an estimated completion date of longer than one year must submit a phasing plan.
    a. A phasing plan shall be in one-year increments.
    b. Each phase of a phasing plan must include all the requirements of an individual Fuels Reduction Plan.
2. A Fuels Reduction Plan and each phase of a phasing plan shall expire three years after approval. A new Fuels Reduction Plan may be submitted after expiration of the Plan or phase.
3. To protect fowl during nesting season, a Fuels Reduction Plan may not be implemented between April 1 – July 15. Exceptions to this limitation shall be approved by the Director if a Professional Forester or staff from the Utah Division of Wildlife Resources recommend an exception with conditions to mitigate the risk of harm to nesting fowl, in accordance with wildlife management best practices.

O. Contractors. A Fuels Reduction Plan must be implemented by a contractor with all of the following qualifications:
1. Experience and expertise in at least one of the following areas, as established in subsection (E)(1)(l):
    a. Land/natural resource management services
    b. Fuel reduction services for wildfire prevention/mitigation
    c. Tree Felling/removal/trimming
    d. Vegetation/land clearing

2. Experience operating and access to equipment for mastication, Chipping, or hauling removed trees and vegetation, as established in subsection (E)(1)(l).
3. Due to their experience with fuel reduction projects and their existing contractors who implement these projects, Government Land Managers may use contractors of their choosing or those required by multi-party grants to implement their Fuels Reduction Plans.

P. Inspections. Implementation of a Fuels Reduction Plan shall be subject to the following inspections:
1. A site visit prior to commencement of implementation of the Fuels Reduction Plan.
   a. For any property within the Protected Watershed, this site visit will include the presence of Salt Lake Public Utilities or the Salt Lake County Health Department to ensure that all Water Bodies are accounted for on the Site Plan pursuant to subsection (E)(2)(b) and that all Stream Management Zones are marked on the ground pursuant to subsection (I)(2). Such site visits shall not take place during winter conditions when snow prevents verification of all Water Bodies.
   b. This site visit will also ensure that all other requirements of this section for commencement of Fuels Reduction Plan implementation have been satisfied.

   For Fuels Reduction Plans with an estimated completion time of longer than 60 days, scheduled inspections may take place at reasonable times agreeable to the Applicant and the Director.
2. A final inspection upon completion of the Fuels Reduction Plan to verify compliance with this section.
3. In addition to these scheduled inspections, the Director retains the authority under Salt Lake County Code section 19.94.020 to conduct unscheduled inspections to verify compliance with this section.

Q. Plans that deviate from standards.
1. Fuels Reduction Plans that deviate from the Standards in subsections (7) – (9) shall be approved if:
   a. The Plan is prepared by a Professional Forester;
   b. The Plan is consistent in all respects with Utah's Forest Water Quality Guidelines issued by the Division, and all applicable Salt Lake County regulations; and
   c. The Plan is implemented by a contractor from the Division's Approved Rangeland Contractor List, or for Plans approved for Government Land Managers, a contractor chosen by the Government Land Manager or via a multi-party grant.

R. Emergency Fuels Reduction.
1. The Director may authorize emergency Fuels Reduction activities without prior plan approval where an imminent wildfire risk exists, such as windthrow, insect infestation, drought conditions, or proximity to active wildfire.
2. Emergency authorization shall be in writing and shall be limited to the minimum activity necessary to mitigate the immediate hazard.
3. A Fuels Reduction Plan documenting the completed emergency work shall be submitted within thirty (30) days of commencement.

S. Penalties. Failure to comply with an approved Fuels Reduction Plan or this section is subject to the applicable penalties outlined in section 19.62.110(G) and chapter 19.08.

19.62.120 Natural hazards.

A natural hazards report, together with geotechnical, slope, soils, and grading reports, may be required as provided in 19.58.030 "Geological Hazards" and Chapter 19.74 "Floodplain Hazards." The county shall

review all natural hazards reports and recommendations in the report and may require, consistent with the above ordinances, that preliminary conditions be satisfied prior to final approval of the site plan.

19.62.130 Stream corridor and wetlands protection.

A. Purpose. The following requirements and standards are intended to promote, preserve, and enhance the important hydrologic, biological, ecological, aesthetic, recreational, and educational functions of stream corridors, associated riparian areas, and wetlands.

B. Applicability. Unless previously delineated by Salt Lake County, boundaries for stream corridors and wetland areas are delineated according to the following standards:

   1. Stream corridor and wetland area delineation shall be performed by a qualified engineer or other qualified professional with demonstrated experience and expertise to conduct the required site analysis. Delineations are subject to the approval of the director.

   2. Stream corridors shall be delineated at the ordinary high-water mark. Stream corridors do not include irrigation ditches that do not contribute to the preservation and enhancement of fisheries or wildlife.

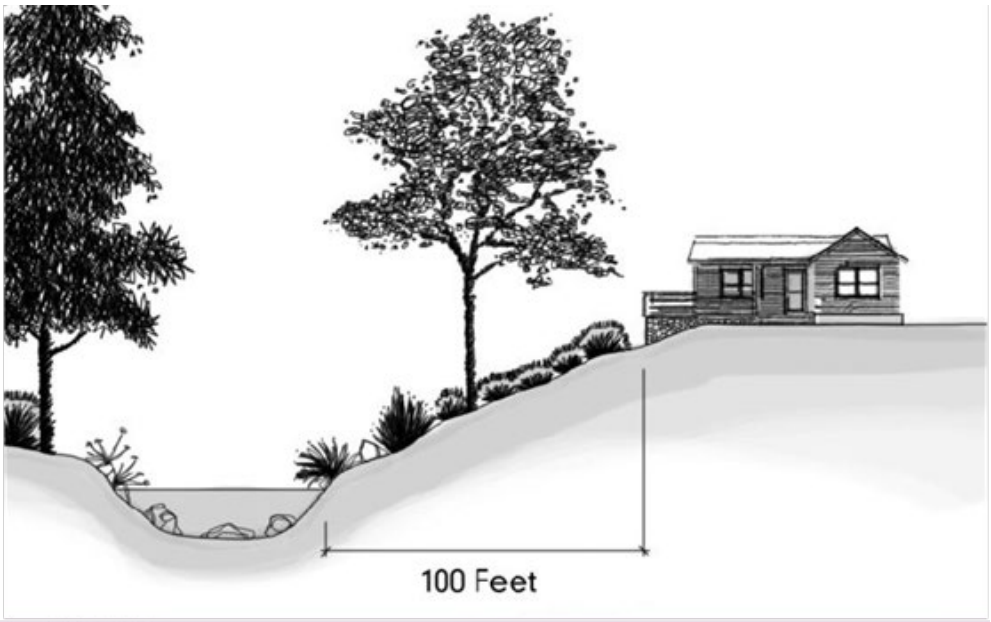
   3. Boundary delineation of wetlands are established using the current Federal Manual for Identifying and Delineating Jurisdictional Wetlands jointly published by the U.S. Environmental Protection Agency, the Fish and Wildlife Service, the Army Corps of Engineers, and the Soil Conservation Service.

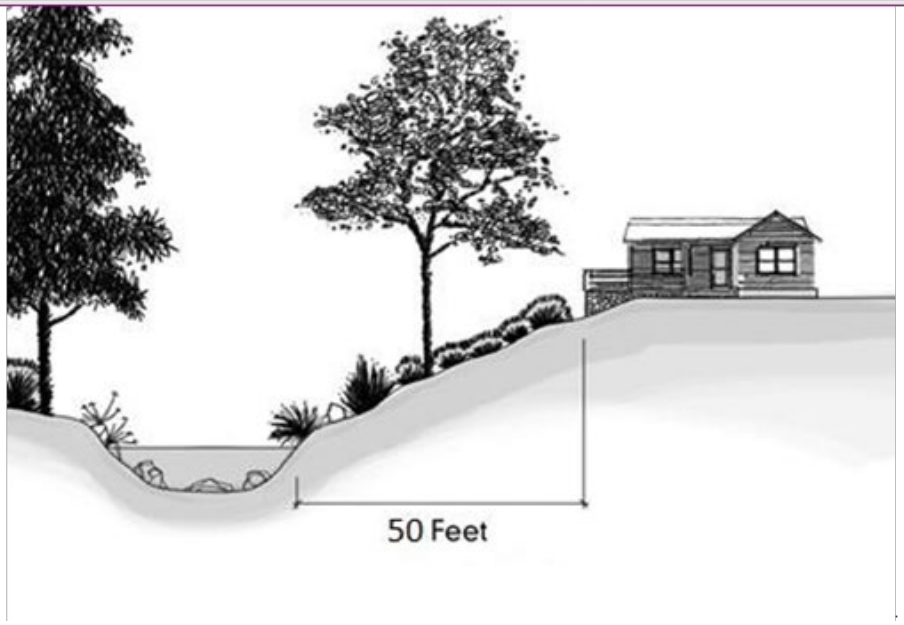
C. Prohibited Activities. No development activity may be conducted that disturbs, removes, fills, dredges, clears, destroys, or alters, stream corridors or wetlands, including vegetation, except for restoration and maintenance activities allowed in this title as approved by Salt Lake County flood control, the state engineer's office, and other applicable authorities.

D. Setbacks.

   1. Perennial Stream Corridors. All buildings, accessory structures, parking lots, and all on-site wastewater disposal systems shall be set back at least one-hundred feet horizontally from the ordinary high-water mark of perennial stream corridors. (See Figure 19.62.7: Setback from Stream Corridor)

FIGURE 19.62.7: SETBACK FROM STREAM CORRIDOR





2. Wetlands. All buildings, accessory structures, and parking lots shall be set back at least fifty feet, and all on-site wastewater disposal systems shall be set back at least one hundred feet horizontally from the delineated edge of a wetland.

3. Ephemeral Streams. Leach fields shall be set back one hundred feet from the channel of an ephemeral stream. All buildings, accessory structures, and parking areas or parking lots shall be set back at least fifty feet from the channel of an ephemeral stream. The zoning administrator may recommend to the land use authority modifications to this prohibition upon finding that the modification is likely to cause minimal adverse environmental impact or that such impact may be substantially mitigated. For properties located within the Salt Lake City watershed, the zoning administrator shall consult with Salt Lake City public utilities prior to making a recommendation.

4. Natural Open Space/Landscape Credit for Setback Areas. All setback areas are credited toward any relevant private natural open space or landscape requirements but are not credited toward trail access dedication requirements.

E. Preservation of Vegetation. All existing vegetation within the stream corridor or wetland setback area shall be preserved to provide adequate screening or to repair damaged riparian areas, supplemented where necessary with additional native or adapted planting and landscaping.

F. Bridges. Any bridge over a stream corridor and within the stream setback area may be approved provided the director affirms that the bridge is planned and constructed in such a manner as to minimize impacts on the stream corridor.

G. Modification of Setbacks.

1. The director has discretion to administratively reduce the perennial stream corridor and wetlands setbacks by a maximum of twenty-five percent where applicable upon satisfaction of the following criteria:

   a. The modification is designed to yield:

      i. More effective preservation of existing mature trees, vegetation, riparian areas, rock outcrops, or other significant natural features of the site;
      ii. Less visual impact on the property or on the surrounding area; or
      iii. Better protection of wildlife habitat; or,

   b. Strict application of the standard(s) would render a site undevelopable.

H. Perennial Stream Corridor and Wetland Setback Requirements for Lots of Record.

1. Existing Legally-Established Structures. A structure legally existing on the effective date of this chapter that is within fifty feet of a perennial stream corridor or wetland may be renovated, altered, or expanded or reconstructed if damaged or destroyed by fire, flood, or act of nature as follows:

   a. Renovations or alterations or reconstruction of a damaged or destroyed structure that will not increase the gross floor area of the original, existing structure are permitted.
   b. Renovations, alterations, or expansions that will increase the gross floor area of the original, existing structure are limited to a cumulative total expansion of no more than two hundred fifty square feet of gross floor area located closer than fifty feet to a perennial stream corridor or wetland.
   c. Renovations, alterations, expansions, or reconstruction of a damaged or destroyed structure that increase the gross floor area of the original, existing structure but which are no closer than fifty feet to a perennial stream corridor or wetland are permitted, subject to compliance with all other applicable regulations and standards.

2. New Structures. For new developments, the director may authorize construction to no closer than fifty feet from a perennial stream corridor or to no closer than twenty-five feet from a wetland subject to the following criteria:

   a. Denial of an encroachment of more than the twenty-five percent into the stream or wetlands setback area allowed by Section 19.62.130.G would render the site undevelopable.

b. No alternative location for the development further away from the stream or wetland is feasible or available.
c. Creative architectural or environmental solutions have been incorporated into the development proposal in order to ensure that the purposes of stream corridor protection, as set forth in Subsection 19.62.130 are achieved.
d. No federal or state laws, or other county ordinances or regulations are violated.

3. Limitation. In allowing for the preceding improvements, the director may not:

a. Increase the maximum limits of disturbance set forth in Subsection 19.62.160.
b. Authorize the encroachment of more than five-hundred square feet of gross floor area of structural improvements (cumulative total) within the land area between seventy-five feet and fifty feet from perennial stream corridor or within the land area between fifty and twenty-five feet of a wetland.

4. In the interest of protecting the public health, safety, and welfare, the county may pursue negotiations with a property owner to purchase their property as open space as an alternative to granting a waiver. These negotiations, as long as they are performed in good faith, shall not delay the county's processing of any land use application.

19.62.140 Wildlife habitat protection.

A. Purpose. Salt Lake County finds that its foothills and canyon areas provide important wildlife habitat for a wide variety of animal and bird species. In combination with the tree/vegetation and stream corridor/wetlands protection standards, the following requirements have been developed to promote and preserve valuable wildlife habitats and to protect them from adverse effects and potentially irreversible impacts.

B. Development Limitations in Areas of Critical Habitat. All development subject to these provisions shall incorporate the following principles in establishing the limits of disturbance and siting buildings, structures, roads, trails, and other similar facilities:

1. Facilitate wildlife movement across areas dominated by human activities by:

a. Maintaining connections between adjacent natural open space parcels and areas, and between natural open space parcels and areas in close proximity.
b. Prohibiting fencing types that inhibit the movement of wildlife species.

2. Mimic features of the local natural landscape by:

a. Minimizing disturbance to trees, the understory, and other structural landscape features during construction.
b. Providing selective plantings on the property that enhance the habitat value for the endemic wildlife population.

19.62.150 Traffic studies.

A. Traffic and Parking Impact Study Required. A traffic and parking impact study is required as part of the site plan application for the following developments in the foothills and canyons overlay zone:

1. All residential development that creates a projected increase in traffic volumes equal to or greater than ten percent of current road/street capacity as determined by the public works engineer.
2. All non-residential development that creates a projected increase in traffic volumes equal to or greater than fifty trip-ends per peak hour.
3. All development that affects a roadway identified by the county transportation engineering manager as having an unacceptable level of service (LOS) based on AASHTO guidelines and the Highway Capacity Manual.

B. Required Submittals. A traffic and parking impact study must address, at a minimum, the items specified in the "Submittal Requirements for Development Proposals in the Foothills and Canyons Overlay Zone," which is incorporated by reference.

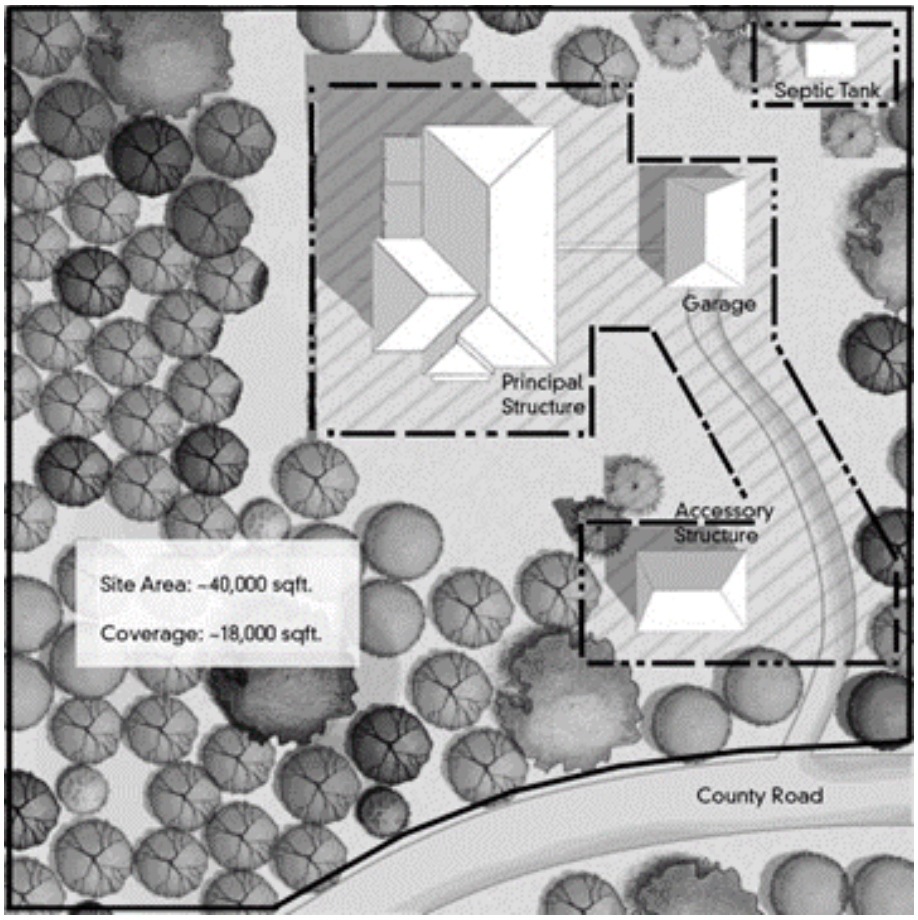
C. Review and Improvements. All development subject to this section must demonstrate that the peak hour levels of service on adjacent roadways and at impacted intersections after development will comply with current Salt Lake County transportation and impact mitigation policies and recommendations.

D. Circulation and Access Plan. All development required by this subsection to submit a traffic and parking impact study is also required to provide a circulation and access plan to ensure free-flowing access to the site and avoid congestion and unsafe conditions on adjacent public roads and streets. The circulation and access plan may be combined with the required traffic and parking impact study.

19.62.160 Limits of disturbance.

A. Scope and General Requirements. "Limits of disturbance" must be established on the site plan, indicating the specific area(s) of a site where construction and development activity must be contained. (See Figure 19.62.8).

FIGURE 19.62.8: ILLUSTRATION OF LIMITS OF DISTURBANCE



B. Purpose for Limits of Disturbance. Limits of disturbance are established for the following purposes:

1. Minimizing visual impacts from the development including, but not limited to: screening from adjacent and downhill properties, ridgeline area protection, and protection of scenic views.
2. Erosion prevention and control including, but not limited to, protection of steep slopes and natural drainage channels.
3. Fire prevention and safety including, but not limited to, location of trees and vegetation near structures.
4. Preservation of tree cover, vegetation, and the site's natural topography.
5. Conservation of water including, but not limited to, preservation of existing native vegetation, reduction in amounts of irrigated areas, and similar considerations.
6. Wildlife habitat protection including, but not limited to, preservation of critical wildlife habitat and migration corridors and routes.
7. Stream corridor and wetland protection and buffering.

C. Limits of Disturbance May Be Noncontiguous. Limits of disturbance necessary to accommodate proposed development may be noncontiguous in order to best achieve the above purposes.

D. Maximum Limits of Disturbance.

1. For single family residential uses on lots or parcels less than one acre in size, the limits of disturbance are limited to twenty thousand square feet.
2. For single family residential uses on lots or parcels one acre in size or greater, the limits of disturbance are limited to twenty thousand square feet plus an additional square footage of twenty percent of the acreage over one acre.
3. For all other uses, the maximum limits of disturbance shall be determined by the director on a case by case basis in harmony with the purposes of FCOZ stated in 19.62.010 to accomplish the purposes set forth in subsection B of this section.

E. Modification of Limits of Disturbance.

1. The director has discretion to administratively increase the limits of disturbance by a maximum of twenty-five percent where applicable upon satisfaction of the criteria set forth below:
   a. The modification is designed to yield:
      i. More effective preservation of existing mature trees, vegetation, riparian areas, rock outcrops, or other significant natural features of the site;
      Ii. Less visual impact on the property or on the surrounding area; or
      Iii. Better protection of wildlife habitat; or,
   b. Strict application of the standard(s) would render a site undevelopable.

19.62.170 FCOZ design standards.

A. Purpose. As stated in 19.62.010, the general purpose of design standards is to promote development that balances the rights of the landowner with protection of the foothill and canyon environment. These standards are intentionally broad to allow flexibility in design, compatibility with varying features of the natural landscape, and consistency with the following purposes:

1. Preserve and enhance the beauty of the landscape by encouraging the retention of natural topographic features, such as drainage swales, streams, slopes, ridge lines, rock outcroppings, vistas, natural plant formations, trees, and similar features.
2. Encourage planning and design of development and building sites that balances safety, recreational opportunity, economic development, and enjoyment of property rights, while adapting development to, and preserving natural terrain.
3. Establish a foundation for development in sensitive lands to insure a more harmonious relationship between man-made structures and the natural setting.
4. Direct new development in the canyons and foothills toward areas meeting suitability criteria, as outlined in the Wasatch Canyons general plan and other applicable general or community plans.

B. Advisory or Mandatory Design Standards. The development and design standards set forth in this chapter fall into two categories: "advisory" standards and "mandatory" standards. Design standards that are advisory encourage voluntary adaptation. Development within the foothills and canyons overlay zone is to comply with all of the mandatory standards unless the County Land Use, Development, and Management precludes such standards, or alternative design is approved by the planning commission upon a finding that the alternative design is in harmony with the purposes of FCOZ as stated in Section 19.62.010. The design standards and categories are summarized below in Table 19.62.1: FCOZ Design Standards.

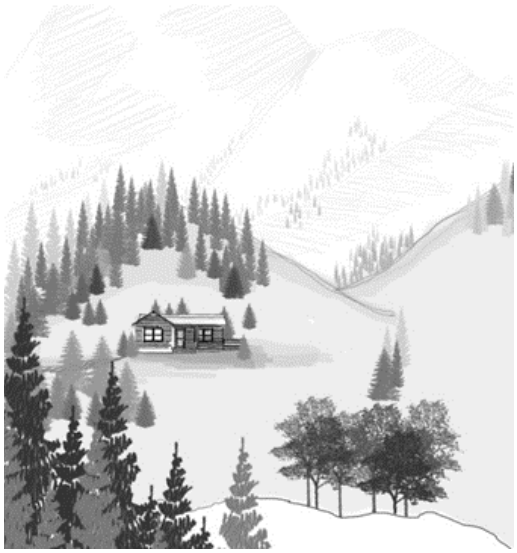
SALT LAKE COUNTY, UTAH TABLE 19.62.1: FCOZ DESIGN STANDARDS		
DESIGN STANDARDS		
Mandatory	**Advisory**	**A. Select an appropriate site**
X		A site must be suitable for the type of building or use being planned without major alterations to the site.
X		Buildings or uses shall comply with this chapter and all applicable state and federal laws, recognizing the natural or man-made restraints on particular sites such as slope, soil instability, landslides, avalanche, or flooding. (See, for example, Section 19.62.120 (Natural Hazards) and Chapter 19.74 (Floodplain Hazard Regulations).)
Mandatory	**Advisory**	**B. Site buildings in a manner that preserves existing land forms** **See Figure 19.62.9**
	X	Each building should be located so that it does not dominate the landscape. The best way to decrease visual impacts is to locate the project as far away from prominent viewing locations as possible.
X		Visually prominent areas of the site shall be left in their natural condition with the exception of areas necessary for access. Structures shall be screened using existing land forms and vegetation. (See Subsection 19.62.110 (Tree and Vegetation Protection).)
	X	Where practical, buildings should be placed in the following locations on a site: 1. Within tree masses to screen buildings 2. At the edge of trees or land masses overlooking natural open space 3. In open areas where they are not visible from roads, trails, or other public lands.
FIGURE 19.62.9: PRESERVE EXISTING LANDFORMS		

Mandatory	Advisory	C. Site buildings so they do not protrude into significant viewscapes. See Figure 19.62.10
	X	Buildings should be designed to fit their sites and to leave natural massing and features of the landscape intact. Each building should be designed as an integral part of the site rather than an isolated object at odds with its surroundings.
	X	Where feasible, views should be maintained both to the site and to features beyond, as seen from public rights-of-way, trails, and other public lands. Projects should not be located on prominent topographic features where they dominate views or unnecessarily obscure the views of others.

FIGURE 19.62.10: PRESERVE SIGNIFICANT VIEWS

Mandatory	Advisory	D. Site buildings so their form does not break prominent skylines See Figure 19.62.11
X		Buildings shall be sited at less visible places and designed so they are not obtrusive, do not loom over the hillside, and do not break prominent skylines from key vantage points. Skylines are ridges or hilltops on the horizon line that do not have backdrops behind them as viewed from key vantage points. Heavily traveled public roads located below skylines or hilltops are key vantage points.

FIGURE 19.62.11: RIDGELINE DEVELOPMENT



Mandatory	Advisory	E. Site buildings to preserve significant trees and vegetation. See Figure 19.62.12
X		Buildings shall be sited to keep removal of significant trees and vegetation to a minimum. (See section 19.62.160 (Limits of disturbance), 19.62.110 (Tree and vegetation protection.)

FIGURE 19.62.12: PRESERVE SIGNIFICANT VEGETATION

Mandatory	Advisory	F. Cluster buildings and parking, and coordinate neighboring developments. See Figure 19.62.1
	X	Clustering is encouraged to reduce land disturbance and the cost of providing services, road and parking area maintenance, snow removal, etc. (See Section 19.62.080 (Site Access).)
	X	Cooperative, coordinated development and the sharing of services, infrastructure, facilities, and parking among adjoining landowners is encouraged.
Mandatory	**Advisory**	**G. Locate parking facilities to minimize their visual impact.** **See Figure 19.62.13**
X		When visible from publicly used roads, parking facilities shall be screened to blend into the natural environment. Parking lot design that requires backing onto a public street is prohibited. (See Section 19.62.080 (Site Access)
X		Parking facilities should be located to the rear or side of main buildings if possible when a site has a lot width of one hundred feet or more.
X		Parking facilities shall be designed consistent with the existing topography.
X		Parking facilities shall provide adequate snow storage areas.

FIGURE 19.62.13: PARKING LOCATION

Mandatory	Advisory	H. Place utility lines underground
X		When possible, utilities shall be placed underground and within existing roadways or in established shoulders to minimize the impact to existing natural features, such as natural vegetative patterns and land forms.
X		Tree cutting for utility corridors shall be minimized to reduce visual impacts. All disturbed areas shall be re-vegetated. (See Section 19.62.110 (Tree and Vegetation Protection).)
Mandatory	**Advisory**	I. **Design buildings to solidly meet the ground plane. See Figure 19.62.14**
X		Building designs that require a strong structural statement, such as extensive cantilevers or cuts and fills, are prohibited on sensitive hillsides with slopes greater than thirty percent, wetlands, streams, or hillsides with soil instability consistent with this chapter.
X		Buildings shall firmly meet the ground. Placing buildings on piers such that exterior walls do not continue down to the ground is prohibited, with the exception of piers that support decks.

FIGURE 19.62.14: STRUCTURES MEET THE GROUND PLANE

Mandatory	Advisory	J. Design buildings on hillsides to follow the natural terrain. See Figure 19.62.15
X		Buildings shall be located to minimize earth work and land disturbance.
X		Buildings shall be designed to follow natural contours rather than modifying the land to accept a building design not tailored to the site. (See Section 19.62.070 (Grading))

FIGURE 19.62.15

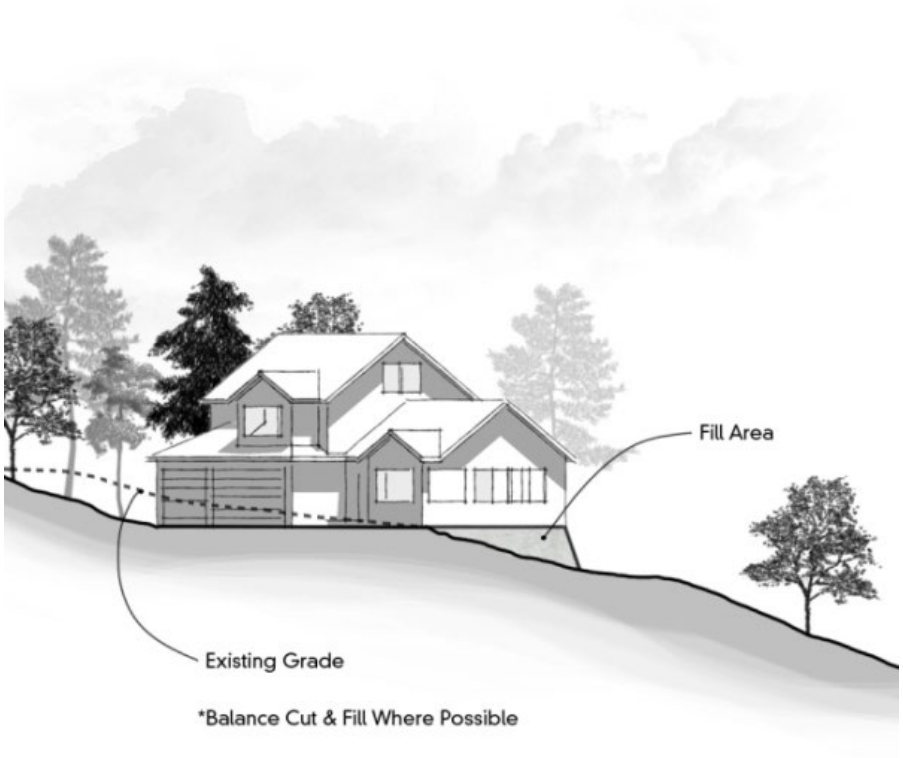
Mandatory	Advisory	K. Design buildings to minimize mass and scale See Figure 19.62.16

X		Building designs shall incorporate changes in the planes of walls and changes in the slope and height of roof lines to add variety, create visual interest, and minimize scale.
X		The massing of buildings shall be scaled to harmonize and achieve balance with the natural features of the specific site.
X		Roof lines and building mass shall echo the angles and shapes repeated in the natural landscape.
X		Building mass and wall lines shall be broken up to complement natural canyon settings and slopes.

FIGURE 19.62.16: MASS AND SCALE

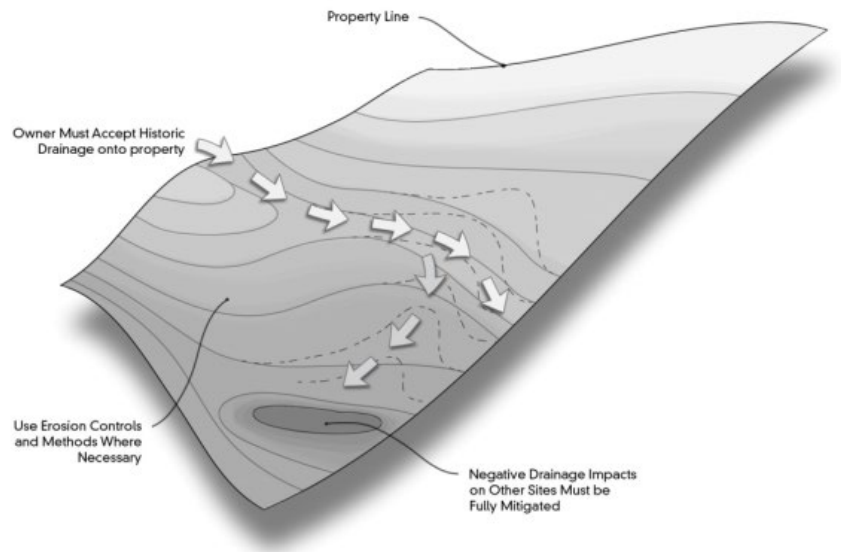
Mandatory	**Advisory**	**L. Select appropriate building materials and colors**
X		To the extent allowed by the County Land Use, Development, and Management Act, predominant tones on exterior walls shall tend toward neutral colors, replicating natural textures—for example, warm earthy hues; dark green of forests; whites, greys, and grey-brown of the mountains; the tan of grasses; and similar colors. Bright, harshly contrasting color combinations are prohibited. Paint finishes shall have low levels of reflectivity.
	X	The use of self-weathering metals is encouraged. Chemically treating wood so that it can be allowed to self-weather is also encouraged.
Mandatory	**Advisory**	**M. Use fire-resistant roof surfacing materials that blend with the colors of the adjacent landscape.**
X		To the extent allowed by the County Land Use, Development, and Management Act, the color of roof surfacing materials shall blend with the surrounding landscape such as brown, tan, dark green, grey, etc.
X		Flammable wood roofing shingles are prohibited in the canyons or foothills.
Mandatory	**Advisory**	**N. Preserve existing trees and vegetation**

X		Significant trees and vegetation shall be preserved as provided in Section 19.62.110.
	X	When landscaping within the thirty-foot fire-break area, the use of fire-resistant plants is strongly encouraged.
X		Dryland species of plants shall be selected for slope re-vegetation.
Mandatory	**Advisory**	**O. Landscape in order to retain the original character and harmony among the various elements of a site.**
X		To the extent allowed by the County Land Use, Development, and Management Act, landscaping shall incorporate natural features such as trees, significant vegetative patterns, interesting land forms, rocks, water, views, and orientation.
	X	Landscaped areas should be an integral part of the development project, and not simply located in left-over space on the site. New planting should blend in with the existing landscape.
X		To the extent allowed by the County Land Use, Development, and Management Act, all disturbed areas shall be re-vegetated using native or adapted plant species and materials characteristic of the area.
	X	Use of fire-resistant plants is encouraged.
Mandatory	**Advisory**	**P. Limit site grading for buildings to preserve existing land forms.** **See Figure 19.62.17**
X		Building designs that require extensive cut and fills are prohibited. See Section 19.62.070.
	X	Modification of the natural terrain should be minimized.
X		Slopes steeper than thirty percent shall not be disturbed except as allowed by this chapter.
X		Buildings, driveways, and roads shall follow the natural contours of the site as feasible, and comply with county excavation, grading, and erosion control standards.
FIGURE 19.62.17: BUILDINGS DESIGNED TO LIMIT GRADING		



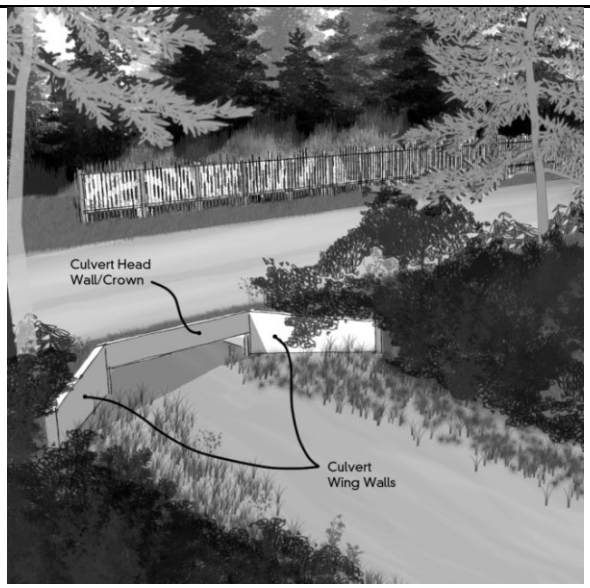
Mandatory Standard	Advisory Standard	**Q. Preserve natural drainage patterns in site design. See Figure 19.62.18**
X		All final excavation, grading, and drainage plans shall conform to applicable county excavation, grading, and erosion control standards.
X		Development shall preserve the natural surface drainage pattern unique to each site. Grading plans shall ensure that drainage flows away from structures, especially structures that are cut into hillsides.
X		Development must prevent negative or adverse drainage impacts on adjacent and surrounding sites.
X		Standard erosion control methods are required during construction to protect water quality, control drainage, and reduce soil erosion. Sediment traps, small dams, or barriers of straw bales are generally required to slow the velocity of runoff.

FIGURE 19.62.18: PRESERVE NATURAL DRAINAGE PATTERNS



Mandatory	Advisory	R. Locate buildings outside stream corridor buffer zones
X		Permanent structures shall be located a minimum of one hundred feet horizontally (plan view) from the ordinary high-water mark of stream corridors or other bodies of water. At the discretion of the Director and based on site-specific soils, water, or vegetation studies, setback distances may be reduced as provided in Section 19.62.130 (Stream Corridor and Wetlands Protection).
X		Where feasible, developments shall not alter natural waterways.
Mandatory	**Advisory**	**S. Construct bridges for stream crossings. See Figure 19.62.19**
X		Culverts may only be installed on small side drainages, across swales, and on ephemeral streams. (See Section 19.62.130, (Stream Corridor and Wetlands Protection)). Culverts are prohibited to cross perennial streams; bridges to cross perennial streams are permitted.
X		Bridges and culverts shall be sized to withstand one hundred year storm events. Concrete or stone head walls and side walls are required to maintain the integrity of the bridge structure. (See Chapter 19.74 (Floodplain Hazards).

FIGURE 19.62.19: CULVERTS



Mandatory	Advisory	T. Design traffic circulation to respect existing topography, achieve acceptable slopes, and adhere to minimum width and turning standards. See Figure 19.62.20
X		Vehicular access shall be safe and have adequate width to allow for snowplowing and snow storage.
X		Access roads shall avoid steep grades and sharp turning radii that can make access, especially in the winter, difficult.

FIGURE 19.62.20: DRIVEWAY DESIGN

Mandatory	Advisory	U. Provide safe, adequate off-street parking with year-round access

X		New development shall comply with off-street parking requirements provided in this chapter.
	X	Shared driveways and shared parking areas with adjoining owners are encouraged.
X		Off-street parking areas shall be large enough to avoid vehicles having to back out onto a public street.
Mandatory	**Advisory**	**V. Design new roads and driveways to reduce their visual impact**
	X	Roads and driveways should be screened using existing land forms and vegetation. Long tangents, including on side roads intersecting with arterial roads or highways, should be avoided in favor of curvilinear alignments reflecting topography.
X		Cuts and fills shall be re-graded to reflect adjacent land forms and re-vegetated with native plants. See Section 19.62.070.
Mandatory	**Advisory**	**W. Respect existing land forms, contours, and natural settings in the placement of fences.** **See Figures 19.62.21 and 19.62.22**
X		Fences may be erected to screen service and outdoor areas or provide a safety barrier. (See Section 19.62.070 (Grading Standards—Retaining Walls))
X		Fencing used to screen patios, other outdoor areas, and service areas may be composed of the following fencing materials: a. Natural or stained wood b. Brick c. Rock d. Stone e. Pre-cast fences or walls textured and colored to imitate any of the above materials f. Wrought iron
X		The following fencing materials are prohibited: a. Solid board b. Concrete or concrete block c. Chain link, except around telecommunications facilities, public utility compounds, and other related or similar facilities where security concerns and terrain make this type of fencing practical, as approved by the Planning Commission for fences around conditional uses and approved by the Zoning Administrator for fences around permitted uses. Where a chain link fence is used, a powder or dull coating of the fence is required. d. Plywood e. Painted materials f. Vinyl, except rail fences for containment of horses

X		Rail fences and low rock walls are permitted along arterial roads and highways, and at other locations to delineate property lines.
X		Fences located along property lines and arterial roads or highways are limited to a maximum height of forty-two inches, except where necessary for security, safety, protection of public health, wildlife, private property, livestock, etc.
	X	Solid barrier fences located along arterial roads or highways or placed directly on a site's front property line are discouraged.
X		Walls and fences are to be reviewed on a site-by-site basis, and require a building permit.

FIGURE 19.62.21: OPAQUE FENCE FOR SCREENING

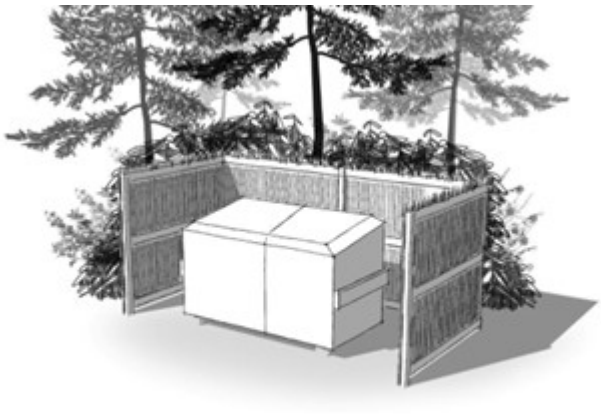


FIGURE 19.62.22: FENCES RESPECT EXISTING LAND FORMS

Mandatory	**Advisory**	**X. Select and locate lighting fixtures only where needed to provide for the safe movement of people on the site. See Figure 19.62.23**

X		Light poles for public outdoor recreational facilities are limited to sixty feet in height. Light poles for outdoor recreational facilities on private residential property are limited to eighteen feet in height. Both require site plan review which may require restrictions on locations and hours of illumination based upon impacts on adjoining properties.
X		With the exception of light poles for outdoor recreational facilities, lights poles, and building-mounted fixtures shall be designed with fully shielded luminaires directed downward.

FIGURE 19.62.23: SHIELDED LIGHTING

19.62.180 Exceptions for minor ski resort improvements.

Minor ski resort improvements are permitted the following exceptions, subject to approval of the site plan application for FCOZ:

A. Development on slopes greater than thirty percent.

B. Development on designated ridge lines or ridgeline protection area.

C. No Limitations on terracing.

D. Permissions for streets, roads, private access roads, and other vehicular routes to cross slopes over fifty percent, including limitations on driveway length.

E. Removal of trees and vegetation, therefore no requirements for tree replacement.

19.62.190 Waivers for mountain resort improvements that are not within a mountain resort zone and public uses.

A. Authority to Grant Waivers. The topographic conditions, soil characteristics, hydrologic patterns, climatic constraints, susceptibility to natural hazards, vegetation, wildlife habitat concerns, and aesthetic considerations of foothill and canyon areas often create circumstances in which strict compliance with adopted standards is not only difficult but sometimes impossible to achieve. As these challenges are frequently created by the very nature and operational characteristics of mountain resorts and many public uses, and are therefore most often self-imposed, other avenues of administrative relief are sometimes necessary and appropriate. Accordingly, the land use authority may waive or modify the development standards for these uses.

B. Waiver Request Procedures.

1. A petition or request for a waiver or modification of an FCOZ development standard may be submitted in writing by the owner or authorized agent of the subject property. A mountain resort may only submit such a petition or request on property that is not within a mountain resort zone, which it owned prior to the effective date of the 2017 modifications to FCOZ. The petition or request shall be made concurrent with the related land use permit application—for example, conditional use application. The petition or written request shall clearly explain:
   a. Those aspects or elements of the development proposal that are strictly prohibited.
   b. All FCOZ regulations requested to be waived or modified in order for the development to reasonably proceed.
   c. The basis, justification or grounds for granting the waiver or modification.
   d. Why other common designs or improvements that may be less impactful on the environment and adjacent properties are not being considered.
2. Each proposed waiver or modification is to be referred for decision to the relevant land use authority under the ordinance. The waiver or modification petition is to be accompanied by a written staff report with recommendations.
3. When a public hearing is required, the notice shall be given fourteen days in advance of the hearing and shall specify the waivers or modifications requested, the relevant ordinance provisions from which the waivers or modifications are sought, and the general nature of the development that is proposed if the requested waivers or modifications are granted.

C. Approval Standards. In deciding whether to grant waivers or modifications to the development standards of the foothills and canyons overlay zone, the land use authority shall consider the following standards as deemed applicable by the land use authority:

1. The proposed waiver and improvements contribute to the overall use, operation, and maintenance of the property, and whether reasonable alternative means exist to reduce or mitigate adverse impacts.
2. Strict compliance with these regulations may result in substantial economic hardship or practical difficulties for the owner of the property.
3. Strict or literal interpretation and enforcement of the specified regulation may result in a development approach inconsistent with the intent and objectives of this chapter.
4. The waivers or modifications may result in a development proposal that better preserves area views, reduces adverse impacts on existing trees and vegetation, reduces the overall degree of

disturbance to steep slopes, protects wildlife habitat, or reflects a greater degree of sensitivity to stream corridors, wetlands, rock outcrops, and other sensitive environmental features in the vicinity of the proposed improvements.

5. The granting of the waiver or modification may have neutral or beneficial impact to the public health, safety, or welfare, or to properties or improvements in the vicinity.
6. The proposed development, as modified by the request, is consistent with the goals, objectives, and policies of the adopted community general plan applicable
7. Creative architectural or environmental solutions may be applied to alternatively achieve the purposes of this chapter.
8. The development in all other respects conforms to the site design, development, and environmental standards set forth in the foothills and canyons overlay zone and in all other applicable ordinances and codes.
9. The waivers or modifications requested do not violate other applicable federal, state, and local laws.

D. Waivers. Slope waivers are not required for facilities or uses with slopes of thirty percent or less. Slope waivers are required for eligible development activities associated with such land uses according to Table 19.16.2.

TABLE 19.16.2: PERMISSIBLE SLOPE RANGES FOR ELIGIBLE DEVELOPMENT ACTIVITIES	
Authority to Grant Waivers	
Slope Range	Eligible Development Activities
Thirty percent or less	• No slope waiver required
Greater than thirty percent up to forty percent	• All development activities associated with allowed uses
Greater than forty percent up to fifty percent	• Pedestrian trails • Non-motorized vehicle trails • Motorized vehicle roads and trails for emergency or maintenance purposes • Ski runs, ski lifts and supporting appurtenances and other mountain resort accessory activities
Greater than fifty percent	• Pedestrian trails • Non-motorized vehicle trails • Ski runs, ski lifts and supporting appurtenances and other mountain resort accessory activities

E. Action on Waiver Requests.

1. The waiver or modification request may be approved as proposed, denied, or approved with conditions.
2. The decision on the request shall include the reasons for approval or denial.
3. In granting a waiver from or modification of development standards, conditions may be imposed to mitigate the impacts of the proposed development on adjacent properties and the area. These may include, for example, measures to:

a. protect scenic vistas, especially views from public rights-of-way and public lands,
b. protect natural settings in the vicinity of site improvements, and
c. enhance the relationship to and compatibility with other structures and open spaces in the vicinity of the proposed improvements.

4. All development shall comply with approved plans. Any proposed revisions or changes to plans requires a resubmittal and request for final action.

19.64 Historic Preservation – Staff Summary

Purposes:

This chapter is enacted to preserve sites with special historical, architectural or aesthetic value which are unique and irreplaceable assets. To accomplish this purpose, planning commission approval is required for all modifications to historical sites.

Changes to Note:

No substantive changes to this chapter are being proposed at this time.

Chapter 19.64 HISTORIC PRESERVATION

Sections:

19.64.010 Purpose.

This chapter is enacted to preserve sites with special historical, architectural or aesthetic value which are unique and irreplaceable assets. To accomplish this purpose, planning commission approval is required for all modifications to historical sites.

19.64.020 Historic sites designated.

The county council may designate historic sites and structures after receiving a recommendation from the Historic Preservation Commission/Planning Commission in accordance with section 2.88.030 and section 19.16.080 of this code. County council designated historic sites shall be on file with the Planning and Development Services Division.

19.64.030 Conditional use permit required.

A. A conditional use permit is required for any modifications to a historic site or structure, including modifications to the landscaping, fencing or appearance of any lot or parcel, or demolition, construction, alteration, relocation, improvement or conversion of a historic site.

B. Applications for a conditional use permit on a historic site shall be made in the manner and subject to the procedures and requirements set forth in Chapter 19.18 and section 19.16.040 of this title. To the extent that the requirements of this chapter and Chapters 19.18 and section 19.16.040 are inconsistent, the requirements of this chapter shall prevail.

19.64.040 Noncomplying conditional uses.

The planning commission shall not approve a conditional use for a historic site which would be contrary to the purposes of this chapter by adversely affecting the architectural significance, the historical appearance, or the educational and historical value of the site unless all the following conditions have been met:

A. The application meets the requirements for a conditional use permit set forth in Chapter 19.18 and section 19.16.040;

B. The application meets all the requirements of the base zone in which the property is located;

C. The application has been pending before the planning commission for a period of at least one year.

19.64.050 Site modification.

The planning commission may modify all yard, parking, landscaping, height and other requirements of the base zone, as necessary to fulfill the purpose of this chapter. In so doing, the nature and character of adjacent properties shall be considered to ensure that the health, safety, convenience and general welfare will not be impaired. The planning commission may establish development criteria to control impacts associated with the heaviest permitted use in the base zone, including, but not limited to, noise, glare, dust or odor. 19.64.060 Additional uses for historic sites.

19.64.060 Additional uses for historic sites.

A. Residential, Forestry and Agricultural Zones. The planning commission may approve any of the following uses for a historic site in addition to the permitted and conditional uses allowed in the agricultural, forestry or residential zone in which the site is located:

1. Antique shop;
2. Art shop;
3. Boardinghouse;
4. Child nursery;
5. Dental office or clinic;
6. Dwelling, single, two, three, four or multiple-family;
7. Nursing home;
8. Office;
9. Private educational institution;
10. Reception centers;
11. Restaurant;
12. Other uses of similar intensity to the above.

B. Commercial and Manufacturing Zones. The planning commission may approve any use listed in the commercial and manufacturing zones of the county zoning ordinance for a historic site located in a commercial or manufacturing zone.

19.64.070 Interpretation of chapter.

This chapter does not guarantee the right of any person, firm or corporation to any provision of this chapter.

19.69 Planned Community (P-C) Zone – Staff Summary

Purposes:

The purpose of the Planned Community (P-C) Zone is to provide a regulatory tool which allows large properties in the unincorporated Salt Lake County to be developed in accordance with a specific plan to promote inventive and efficient land use patterns that would otherwise be difficult under typical zoning ordinances.

Changes to Note:

This zone is unchanged with the following exception: the zone is now allowed in any area within the unincorporated county so long as it is at least 75 acres. The current ordinance requires that the zone be located within the Southwest Community Plan area, which has been superseded by the West General Plan that covers the entire western swath of unincorporated land in Salt Lake County. The current ordinance requires at least 400 contiguous acres to qualify for the PC zone, but that is a much larger acreage amount than is envisioned by the West General Plan, which plans for a number of smaller areas being zoned for a planned community zone. 75 acres is similar to other communities and is sufficiently large to allow for a master-planned community and provides greater flexibility for both applicants and the County in creating a site-specific zone, which benefits both.

Chapter 19.69 Planned Community (P-C) Zone

19.69.010 Purpose.

The purpose of the Planned Community (P-C) Zone is to provide a regulatory tool which allows large properties in the unincorporated Salt Lake County to be developed in accordance with a specific plan designed to achieve the following purposes:

A. To promote and protect the public health, safety, and welfare;

B. To implement the objectives and policies of the general plan;

C. To safeguard and enhance environmental amenities and the quality of development;

D. To attain the physical, social, and economic advantages resulting from comprehensive and orderly planned use of land resources;

E. To lessen congestion and assure convenience of access;

F. To secure safety from fire, flood, and other dangers;

G. To provide for adequate light, air, sunlight, and open space;

H. To promote and encourage conservation of scarce resources;

I. To prevent overcrowding of land and undue concentration of population;

J. To facilitate the creation of a convenient, attractive, and harmonious community with a desirable living and working environment with unique identity and character;

K. To attain a desirable balance of residential and employment opportunities;

L. To promote a pedestrian friendly environment that encourages transit and bicycle use;

M. To expedite the provision of adequate and essential public services;

N. To facilitate development within the unincorporated Salt Lake County in accordance with the general plan by promoting high quality, innovative and creative development that includes a mixture of uses, heights and setbacks, varying densities and lot sizes and sufficient diversity of housing types to meet the full life cycle of housing needs of Salt Lake County residents, a harmonious variety of industrial and commercial uses, a high level of amenities, and preservation of open space;

O. To promote more economical and efficient use of the land; and

P. To provide a process for initiation, review, and regulation of large-scale comprehensively planned communities that affords the maximum flexibility to the developer within the context of an overall development program and specific, phased development plans coordinated with the provision of necessary public services and facilities.

This chapter establishes an approval and entitlement process to promote inventive and efficient land use patterns that would otherwise be difficult under typical zoning ordinances. Districts within a P-C Zone may include neighborhoods, villages, town centers, business, research or educational campuses, and open space with convenient pedestrian access among residential, commercial, office, retail, and recreational areas. Individual structures within those districts may contain mixed uses. Permitted densities and intensity of land use in villages and town centers may be higher than those permitted in neighborhoods.

19.69.020 Land Use Districts.

Each P-C Zone shall establish land uses and development patterns, densities, and standards unique to that zone. Upon approval, through the process set forth in this chapter, the established land uses and development patterns and densities shall be established pursuant to the P-C Zone plan and one or more development agreements. The P-C Zone may consist of any number or combination of the following land use districts that shall be identified in the community structure plan as provided in this chapter. Specific land uses proposed in the P-C Zone may only be established in conformance with provisions of this chapter.

A. Neighborhood: This category is designed for comparatively low density mixed use development that emphasizes residential (single and multi-family) use, but also includes office, commercial, industrial, public/semi-public, and recreation/open space uses. Neighborhood residential densities are anticipated to range between four and eight units per gross acre.

B. Village: This category is designed for medium density mixed use development that includes residential (single and multi-family), office, commercial, industrial, public/semipublic, and recreation/open space uses, without a predetermined emphasis on any single use. Village residential densities are anticipated to range between nine and twenty units per gross acre.

C. Town center: This category is designed for high density mixed use development that emphasizes office, commercial and recreational uses, but also includes residential (single and multi-family), public/semi-public, industrial and open space uses. Town center residential densities may exceed twenty units per gross acre.

D. Business, research, or educational campus: This category is designed to accommodate a campus dedicated to a mixture of business uses: office, commercial, industrial, recreational, and public/semi-public uses; or to an educational institution, including classrooms, laboratories, offices, housing, educational facilities of all types and other related uses.

E. Open space: Landscaped area, natural area or farmland that is established to provide and preserve outdoor recreational, agricultural, or other similar uses. In addition to the open space district, areas of open space may also be provided within the other land use districts as well.

19.69.030 Permitted Uses.

The following uses may be conducted in all areas within the P-C Zone:

- Residential uses of all types on a range of lot sizes including: single family detached; single family attached; multifamily residential; town homes; loft apartments; residential units above ground floor retail, commercial, or office uses; and condominiums;
- Retail, service, office, hotel, restaurant, entertainment, and all other commercial uses of any type;
- Mix of permitted uses (including office/commercial, office/residential, retail/residential) within individual structures;
- Home-based businesses following the provisions of section 19.42.170 of this title;
- Health-care facilities;
- Public facilities, such as schools, libraries, and civic buildings;

- Common areas, such as plazas, playgrounds, and trails
- Churches;
- Day-care facilities;
- Open space, including landscaped areas and areas in natural vegetation, golf courses, parks, recreational areas;
- Agriculture;
- Industrial and manufacturing uses; and
- Other accessory uses which are ancillary to, and designed to serve, any of the foregoing uses.

19.69.040 Conditional Uses.

The approved P-C Zone plan or community structure plan may include provisions for specific land uses identified as conditional uses within a given district, which may include uses listed under Section 19.69.030 or additional uses. The addition of conditional uses in the approved P-C Zone plan shall require the approval of the county council, which approval may be established by development agreement. Conditional uses, if any, are subject to review and approval as set forth in section 19.16.040 of this title. Design standards for conditional uses shall be included with the applicable project specific standards.

19.69.050 P-C Zone Area—Minimum Requirements.

Each P-C Zone shall contain a minimum of seventy-five (75) acres located in the unincorporated Salt Lake County. If the P-C Zone contains multiple owners, the owners may, if necessary to reach the four hundred-acre threshold, or if such owners otherwise desire, combine their properties for planning and development purposes.

19.69.060 Planning and Approval Process for P-C Zone.

Development within the P-C Zone will require the following plans to be prepared and submitted for approval in accordance with this chapter: P-C Zone plan, CSP, and project plans and/or subdivision and condominium plat approval as applicable. The planning and approval process and approving bodies are summarized in the following table:

Table 19.69.060			
APPROVAL STEP	**SCALE (AREA COVERED BY APPLICATION)**	**WHAT IS DESCRIBED IN PLAN**	**APPROVAL LEVEL**
P-C Zone and plan	Total land area to be rezoned P-C.	Land area to be rezoned with land use table outlining proposed permitted and conditional uses (if applicable), number of residential units,	Planning commission and county council

		and areas of nonresidential development.	
Community structure plan	Any portion of project that has a common street system, open space system or other infrastructure system.	Major systems for the larger development such as major roadways, infrastructure, open space networks, general location of villages, towns, neighborhoods and business and research parkways.	Staff and planning commission
Project plan/subdivision plat	Multiple phases of development. May, but is not required to include, master subdivision approval followed by phased subdivision plats.	Show major development parcel locations, open space system, and major infrastructure associated with roadways. Final plats indicate lot layouts and development regulations.	Planning commission
Site plan approval	Individual sites within the development.	Final site development requirements.	Staff

19.69.070 P-C Zone Plan.

A. At the time of application for rezoning, a P-C Zone plan shall be submitted to the planning commission for review and recommendation to the county council. Following recommendation by the planning commission, a P-C Zone plan shall be submitted for review and approval by the county council. A proposed development agreement shall be submitted for approval by the county council in connection with each P-C Zone plan. The approved P-C Zone plan and development agreement shall implement and govern development within the applicable P-C Zone but may be amended through standard rezoning procedures or through procedures outlined in the development agreement and shall contain the following information:

1. Name of planned community;

2. Names, addresses, and phone numbers of applicant and property owners;
3. P-C Zone parcel location, legal/boundary description, acreage, scale, and north arrow;
4. A land use table showing the proposed permitted and conditional uses (if applicable), number of dwelling units, height limits, and the total acreage of open space in the P-C Zone and areas (in square footage or acreage) of the various non-residential land uses proposed in the P-C Zone;
5. General descriptions and locations of existing and proposed major infrastructure, including water, sanitary sewer, storm drainage, parks/open space/trails, and street improvements, together with service adequacy analyses for each of these (including the necessity of system improvements within or adjacent to the subject property, if applicable) to justify the dwelling units, open space, and non-residential square footage proposed in the land use table mentioned above;
6. Existing waterways, major utilities, easements and flood boundary;
7. Adjacent parcels, owners, and uses;
8. Topography and significant features on or adjacent to the property; and
9. Other information deemed necessary by the planning and development services director.

B. Subject to conditions or limitations agreed to in the development agreement, the development agreement based on the approved P-C Zone plan shall confer a vested right to proceed with the development process established in this chapter for the property included within the applicable P-C Zone plan, including the number of dwelling units and the square footage of nonresidential uses reflected in the approved P-C Zone plan. Upon approval, the P-C Zone plan shall constitute an amendment to the applicable community general plan for the area covered by the P-C Zone plan.

19.69.080 Community Structure Plan (CSP).

A. Following approval of the P-C Zone plan, a community structure plan (CSP), together with a development agreement that codifies that plan, shall be submitted to the county for review and approval by the planning commission. The CSP shall contain a contiguous area within the P-C Zone that includes one or more of the following: neighborhoods, villages, business and research parks, and/or town centers. A CSP shall show the following:

1. Name of planned community;
2. Names, addresses, and phone numbers of applicant and property owners;
3. CSP location, legal/boundary description, acreage, scale, and north arrow;
4. Proposed land use districts (neighborhoods, villages, business and research parks, and/or town centers) boundaries, and acreage; a table showing the number of dwelling units, open space acreage, and acreage of the various non-residential land uses;
5. A master circulation system plan, including a street network, pedestrian circulation, bicycle and trail system plans (including possible equestrian trails), identification of street alignments and right-of-way widths, illustrative cross sections which accommodate and specify vehicular, pedestrian, and bicycle use in the right-of-way. Pedestrian and bicycle trail systems shall connect the land use districts, schools and open space areas and provide linkages to other trail systems in existing or future areas of the P-C Zone and adjacent facilities within the county;

6. Existing and proposed waterways and water bodies, major utilities and easements, flood boundary, and flood control facilities;
7. Adjacent parcels, their owners, and their uses;
8. Topography and significant features on or adjacent to the property;
9. Documentation of existing and proposed secondary water rights, shares, and usage, if any;
10. Open space plan providing general description and locations of major open space;
11. Standards that govern the design and maintenance of major public infrastructure improvements (including without limitation sidewalks, street lighting, paving, street furniture, etc.) and general building placement, massing, and design criteria (CSP design standards); and
12. Other information deemed necessary by the planning and development services director.

B. The planning commission shall have the discretion to disapprove a CSP only on the basis of:
1. The failure of the proposed CSP to include all of the elements required in this section;
2. The failure of the proposed master circulation system identified in the CSP within and surrounding the P-C Zone to adequately serve the communities within the P-C Zone;
3. The failure of the proposed major infrastructure identified in the CSP within and surrounding the P-C Zone to provide adequate service to the communities within the P-C Zone; or
4. The inclusion of uses in the CSP not permitted or conditionally permitted under this Chapter. In approving a CSP, the planning commission may impose reasonable conditions of approval to mitigate reasonably anticipated detrimental impacts in accordance with county Code section 19.16.040.

19.69.090 Project Plan/Subdivision Plat.

Upon approval of a CSP, a project plan shall be submitted for review, together with a development agreement that outlines project specific standards establishing in substantial detail the character and nature of the design of public and private improvements within the area covered by the applicable project plan (project specific standards) for the applicable portion of the P-C Zone covered by the project plan. The purpose of the project plan is to allow for the creation and approval of a fully-integrated development plan for a specifically identified portion of the applicable P-C Zone. A project plan may include vertical and horizontal mixtures of uses on one or more proposed lots, parcels or units located within the boundaries of the proposed project plan. Therefore, the project plan may identify a combination of proposed subdivisions, condominium projects, and/or site plans, one or more of which may be submitted concurrently for review and approval with the project plan. The project plan, and each subdivision plat or condominium project submitted in connection therewith or in furtherance thereof, shall be reviewed and approved by the county staff prior to submittal of the project plan and associated development agreement to the planning commission for approval. Subdivision plats (preliminary and final) shall be submitted and approved pursuant to the process and in accordance with the requirements set forth in Title 18, "Subdivisions," of the county Code and other applicable County ordinances. Application and approval of a preliminary or final subdivision plat may occur before submission of a project plan provided project specific standards are submitted and approved contemporaneously with such subdivision plat application and approvals; and provided, further, that the project specific standards and subdivision plat will ultimately be incorporated into an approved project plan and associated development agreement. The preliminary and final plats shall

conform to the applicable CSP standards as well as all applicable project specific standards, including any supplemental project specific standards proposed and approved in connection with the applicable final plat.

19.69.100 Site Plan Review.

Site plans may be reviewed concurrently with a project plan or subdivision plat. Any proposed commercial, office, industrial, multi-family residential, open space, parks, or institutional developments and alterations to existing developments shall be located on legal lots of record created by metes and bounds conveyance with the approval of the county staff or pursuant to subdivision or condominium plats and shall meet the site plan review requirements outlined in Chapter 19.16.030 of this title. All county ordinances and requirements shall be met in preparing site plan applications and in designing and constructing the development. Where applicable, building permits may not be obtained nor shall any site work be performed prior to site plan approval as set forth in Section 19.02.040 of this title.

19.69.110 Development Standards.

A. Open Space and Common Areas. Open space includes parks, trails, natural area, or farmland, which is established to provide and preserve recreational, agricultural, or other similar uses in the P-C Zone as approved by the county council after a recommendation of the planning commission. Common areas include landscaped areas (including landscaping around schools, colleges, and other civic buildings), athletic fields, gathering places such as plazas, commons, exterior courtyards, public recreational facilities, landscaped medians or park strips that exceed county standards, but do not include areas contained within a typical public street cross section. The applicable CSP standards and project specific standards shall govern the use and character of the open spaces and common areas. Each P-C Zone shall contain a minimum of twenty percent of the gross acreage in a combination of common areas and open space, at least half of which (ten percent of the gross acreage) shall be open space. These areas shall be designated in the applicable project plan and separately identified on any applicable final plat of subdivision or site plan. Open space recorded as a lot or lots in subdivisions or as common area in condominium plats and shall be maintained with open space or conservation easements or such other arrangement as is approved by the planning commission in connection with project plan or subdivision or condominium approval.

B. Yard Requirements. Yard requirements shall be determined and governed by the applicable project specific standards established pursuant to the requirements of this chapter. The following minimum requirements shall apply in the P-C Zone:

   1. Minimum yard areas shall be measured from the front, side and rear lines of lots, condominium private ownership yard areas (where building footprint is not recorded) or from accesses, driveways, or streets (where no property lines or private ownership yard areas exist).

   2. Buildings may not be located within a public right of way or utility easement.

C. Fencing, Screening, Clear Vision. Fencing, screening and clear vision requirements shall be determined and governed by the applicable project specific standards established pursuant to the requirements of this chapter. The following requirements shall apply in the P-C Zone:

1. All mechanical equipment, antennas, loading and utility areas, and trash receptacles shall be screened from view with architectural features or walls consistent with materials used in the associated buildings as more specifically set forth in the applicable project specific standards.

2. Fences and landscape materials, except for mature trees which are pruned at least seven feet above the ground, shall not exceed two feet in height within a ten foot triangular area formed by the edge of a driveway and the street right-of-way line or within a thirty foot triangular area formed by the right-of-way lines of intersecting streets.

D. Architectural Standards. Architectural requirements shall be determined and governed by the project specific standards established pursuant to the requirements of this chapter. The following architectural standards and requirements shall apply in the P-C Zone:

1. Architectural design of buildings and building materials shall be established in the project specific standards.

2. All building materials shall be high quality, durable, and low maintenance.

3. The applicable project specific standards shall address exterior relief of buildings, design of all sides of buildings, and architectural compatibility of buildings.

E. Landscaping Requirements. Landscaping requirements shall be determined and governed by the applicable project specific standards established pursuant to the requirements of this chapter. The following landscaping requirements shall apply in the P-C Zone:

1. The applicable Project Specific Standards shall address the landscaping and proper maintenance of required front, side, and rear yards of lots and private ownership areas in the P-C Zone.

2. All areas of lots and parcels in the P-C Zone not designated for open space, parking, buildings, or other hard surfacing shall be landscaped and properly maintained. Designated open space shall remain in a natural condition, cultivated or landscaped, and properly maintained in accordance with the project specific standards.

3. All park strips and public right-of-way areas in the P-C Zone shall be landscaped and properly irrigated and maintained by the applicable property owners in the P-C Zone unless otherwise approved by the county council. All park strip areas shall be installed by the developer and properly maintained by the applicable owners in the P-C Zone. A plan for funding of on-going maintenance of street landscaping by the property owners shall be presented for approval by staff at the time of site plan approval.

F. Lighting. Lighting requirements shall be determined and governed by the project specific standards established pursuant to the requirements of this chapter.

G. Other Requirements. The following requirements shall apply in the P-C Zone:

1. All developments shall be graded according to the county's engineering and building requirements to provide adequate drainage. Buildings shall be equipped with facilities for the discharge of all roof drainage onto the subject lot or parcel.

2. The applicable owners shall properly maintain all private areas of individual lots or parcels.

3. The specific requirements of this Section 110 shall be governed by the project specific standards established pursuant to the requirements of this Chapter and may be modified as the county council deems appropriate pursuant to the terms of the applicable Project development agreement.

4. All common area improvements including buildings, open space, recreational facilities, roads, fences, utilities, landscaping, walkways, street lights and signs not specifically dedicated to the county or accepted for ownership or maintenance by the county shall be perpetually maintained by the applicable owners or their agents through a special taxing district, owners' association with power to assess and collect fees for maintenance or other assessment and maintenance mechanisms acceptable to the county council. Improvements for which the county agrees to accept maintenance responsibility shall be reviewed by the applicable county agency for compliance with adopted standards prior to approval.

19.69.120 Development Agreement.

In conjunction with the approval of a P-C Zone plan, CSP, and project plan, the developer and the county shall enter into one or more development agreements reflecting all conditions of approval and terms of the applicable P-C Zone plan, CSP, and project plan, and such other matters as the County and the developer may agree. The county mayor signs all development agreements. The county council need only approve the development agreement associated with the P-C Zone plan. Development agreements entered into with respect to a CSP or project plan do not require approval of the county council unless the approved CSP or project plan, together with the approved CSP design standards or project specific standards, are inconsistent with the conditions and requirements set forth in this title. Without regard to future amendments, additions or changes to the Salt Lake County Ordinance, the county may agree, in such development agreements, that the developer may advance development applications for projects within the applicable P-C Zone pursuant to the planning and approval processes set forth in this chapter, or to such other process as is specifically agreed upon pursuant to a development agreement approved by the county council. Such development agreements may further identify a process for approving amendments to an approved P-C Zone plan, CSP, project plan or subdivision plat, which shall be approved by the county council to the extent such a process differs from county ordinance. Any entitlement granted to the developer under the terms of a development agreement shall be subject to amendments, changes, or additions to this chapter if the county council finds that failure to so amend, change, or add to the chapter would constitute a compelling countervailing public interest.